

1976 S.C. Op. Atty. Gen. 115 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4296, 1976 WL 22916

Office of the Attorney General

State of South Carolina

Opinion No. 4296

March 12, 1976

*1 A Deputy Coroner has the authority to hold an inquest.

TO: Coroner
Greenville County

QUESTION PRESENTED:

Does a Deputy Coroner have the authority to hold and inquest?

STATUTE INVOLVED:

Section 17–59 of the Code of Laws of South Carolina of 1962, as amended.

DISCUSSION OF ISSUE:

Section 17–59 provides for the appointment, and circumscribes the duties and authority of Deputy Coroners. The Section provides:

The coroner of any county may appoint one or more deputies to be approved by the judge of the circuit or by any circuit judge presiding therein, who shall take and subscribe the oath prescribed by the Constitution prior to entering upon the duties of his appointment. The oath may be administered by any officer authorized to administer oaths in the county. The appointment must be evidenced by a certificate thereof, signed by the coroner, and shall continue during his pleasure. The coroner may take such bond and surety from his deputy as he may deem necessary to secure the faithful discharge of the duties of the appointment, but the coroner shall always be answerable for the neglect of duty or misconduct in office of such deputy. When duly qualified, as herein required, the deputy so appointed may do and perform any or all of the duties appertaining to the office of his principal.

CONCLUSION:

Form the foregoing, it is clear that a Deputy Coroner has the authority to perform any and all of the duties of the Coroner—including the holding of inquests.

Joseph R. Barker
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