

1980 S.C. Op. Atty. Gen. 157 (S.C.A.G.), 1980 S.C. Op. Atty. Gen. No. 80-106, 1980 WL 81988

Office of the Attorney General

State of South Carolina
Opinion No. 80-106
November 28, 1980

*1 Honorable O. V. Player, Jr.
Clerk of Court
County Courthouse
Sumter, South Carolina 29150

Dear O. V.:

I really appreciate your sending me the volume of the History of Sumter County, which I am reading with interest. I am very grateful to you for forwarding me the copy, and particularly the inscription in the forefront which will make the Honorable John Mitchell very jealous.

With regard to your question concerning the right of a Deputy Auditor, Treasurer or Clerk of Court to substitute for his principal, it is my opinion that he cannot do this. The statutes make provision for the vacancy of the offices or the disqualifications of the holders and designate specific persons to substitute for them. The deputies are not mentioned except in certain sized areas, of which Sumter is not one. The statute has been held to be not mandatory, but this has its limits. I do not believe that you can safely conclude that a deputy may sit for any of the principals who constitute the Jury Commission.

I enjoyed hearing from you and hope to see you soon.

With best wishes,
Cordially,

Daniel R. McLeod
Attorney General

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