

1977 WL 46013 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 28, 1977

\*1 Mr. Frank D. Lipsy  
City Recorder  
Town of Jonesville  
Jonesville, SC 29353

Dear Mr. Lipsy:

Your letter of April 21, 1977, to the Attorney General has been referred to me for reply. Thank you for your patience in awaiting a response.

Enclosed you will please find an opinion of this office regarding the question you posed as to the respective powers of recorders and magistrates in civil matters. I trust it will sufficiently answer your questions.

Regarding the second inquiry you made as to the right to set peace bonds in criminal matters, a full opinion has not been issued. Since the magistrates and municipal courts have identical jurisdiction over criminal matters, there appears to be no substantial question but that municipal courts, too, would have that power just as magistrates presently do. In that regard, I would respectfully recommend that a copy of Coleman on Common Law Peace Bond be requested from Mr. Neal Forney, Assistant Director, South Carolina Court Administration, Post Office Box 11788, Columbia South Carolina 29211.

If any further explanation is necessary, or if we can be of any further assistance, please do not hesitate to contact us.

Sincerely,

Richard P. Wilson  
Assistant Attorney General

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