

1975 WL 29655 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 3, 1975

**\*1 In Re: Sale of Unlawful Pistols**

Honorable E. H. Carmichael

Mayor

Town of Aynor

Aynor, South Carolina

Dear Mayor Carmichael:

You have inquired with reference to disposition that should be made of a pistol forfeited in general sessions or county court for violation of the State's pistol law.

Section 16-129.7, 1962 Code of Laws of South Carolina, as amended, reads in part as follows:

‘Any person convicted of violating the provisions of this article, in addition to the penalty provided herein, shall have such pistol as is involved in such violation confiscated and delivered to the municipality—where the violation was committed.’

In view of the foregoing, it is the opinion of this Office that a pistol forfeited by a general sessions court for a violation that occurred within a municipality should be delivered to the municipality for sale under the provisions of Section 16-146.

Yours very truly,

Joseph C. Coleman

Deputy Attorney General

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