

1975 S.C. Op. Atty. Gen. 229 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 4169, 1975 WL 22464

Office of the Attorney General

State of South Carolina

Opinion No. 4169

November 4, 1975

*1 Mr. Lionel S. Lofton
Executive Assistant
Office of the Governor
P. O. Box 11450
Columbia, South Carolina 29211

Dear Mr. Lofton:

Our research does not disclose the existence of any statute that would authorize the Columbia City Magistrate, when a prosecution for a violation of Section 8-176 of the South Carolina Code of Laws, as amended, has been discontinued by settlement or compromise, to charge and collect from the defendant any fee in addition to his salary. See attached, Memorandum from Bruce M. Poore to C. Tolbert Goolsby, Jr. (November 4, 1975); see also, CODE OF LAWS OF SOUTH CAROLINA §§ 27-422(3), as amended, 27-428, 27-429 and 27-431 (1962); 57 STAT. Act No. 417 at 746 (1971); Ibid. Act No. 437 at 787 (1971); 55 STAT. Act No. 111 at 139 (1967); CODE LAWS OF SOUTH CAROLINA, Cum. Supp. § 8-351 et seq. (1962); cf., 1973 OP.ATTY.GEN. No. 3476 at 55; 1963 OP.ATTY.GEN. No. 1520 at 85.

Best wishes,

C. Tolbert Goolsby, Jr.

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