

1974 WL 27671 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 19, 1974

*1 Mr. B. E. Kirby
Post Office Box 184
Union, South Carolina 29379

Dear Mr. Kirby:

To confirm our telephone conversation of March 19, 1974, a person desiring to run for the one magisterial position in Union County which has original and concurrent jurisdiction throughout Union County may be a resident anywhere within Union County.

South Carolina Code of Laws, 1962, § 43-1061(1) states:

There shall be a magistrate located at Union Courthouse, who shall have original and concurrent jurisdiction throughout Union County and the sheriff and officers under him shall be ex officio his constables.

The other magistrates established by this code section are expressly limited to the jurisdiction of specific townships; this is the one magistrate which is granted countywide jurisdiction. South Carolina Code of Laws, 1962, as amended, § 43-1061.2 states in part:

Each magistrate shall be a resident of the magisterial district that he represents, however, the magistrates shall be nominated by all of the qualified electors of Union County at large.

As this magistrate is representing the entire county he may be a resident anywhere within that county.

Sincerely,

Treva Ashworth
Staff Attorney

1974 WL 27671 (S.C.A.G.)

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.