

1973 WL 26985 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 29, 1973

***1 re: Magistrate-Clemson, South Carolina**

Hon. Harris P. Smith
Box 68
Easley, South Carolina 29640

Dear Senator:

Your letter of November 22, 1972, inquires as to whether or not the five magistrates in Pickens County, exclusive of the magistrate at Clemson University, have concurrent jurisdiction on the Clemson University property with the Clemson magistrate.

As I have previously written, it is my opinion that the Clemson magistrate is really a recorder and can not try State offenses. I had forgotten the fact that you participated in State v. Tiller, and you will recall that this was the basis for removing the case from the Clemson magistrate to one of the five other magistrates in Pickens County.

I do not find in the Code any provision delineating the territorial jurisdiction of the magistrates for Pickens County. Five of them have been appointed and it is my opinion that they would have county-wide jurisdiction and that they tacitly stay within the limits of the townships from which they are appointed.

It is my opinion also that the five remaining magistrates in Pickens County have jurisdiction on the Clemson University property and may try cases arising on that property.

With best wishes, I am
Sincerely,

Daniel R. McLeod
Attorney General

1973 WL 26985 (S.C.A.G.)

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.