

1974 WL 27751 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 14, 1974

\*1 The Honorable William M. Doar, Jr.  
Senator  
Georgetown and Charleston Counties  
P. O. Drawer 418  
Georgetown, SC 29440

Dear Senator Doar:

Your letter of May 6, 1974, requested an opinion as to whether or not Section 64-6 of the Code of Laws of South Carolina applied to independent wood producers, thus exempting them from the prohibition against Sunday work.

§ 64-6 of the Code of Laws of South Carolina pertains to such plants as, of necessity, must maintain continuous operations. As such, a paper mill would qualify because its processes and productivity depend on its continuous industry. The act does not, however, embrace secondary levels of operation, and specifically would not include the pulp wood industry. This is so because of the fact that in that field there is no requirement for unceasing operation. The act was meant to provide relief for such manufacturers as could not reasonably suspend operations for any twenty-four hour period. Examples of such would be any manufacturing requiring lengthy processes which could not be interrupted in order to observe §§ 64-2 thru 64-5 of the South Carolina Code of Laws. The maintenance and harvesting of pulp wood would not qualify under these criteria. The fact that a paper mill may depend upon these sources of supply for its continuous and uninterrupted operation is immaterial.

Please don't hesitate to let me know if we can be of any further assistance.

Very truly yours,

W. Davies Merry, III  
Assistant Attorney General

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