

1974 WL 27822 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
June 20, 1974

***1 Re: Your Inquiry of 6-18-74**

Larry G. Thomas
Police Department
205 North 1st Street
Easley, South Carolina 29640

Dear Mr. Thomas:

As I advised you in our telephone conversation of 6-20-74, it appears that it would be proper to retain the money you seized as evidence. Its use as evidence might, in fact, be crucial to your case.

Furthermore, it appears that, under Section 16-507 Code of Laws of South Carolina, as amended, any portion of this money that can be shown to constitute a part of the 'stake' would be forfeited. Any amount that was found not to be part of the 'stake' would be returned to the defendant's since money, generally, is not considered a gambling device C.J.S. GAMING, Section 78; and is not subject to forfeiture unless it does constitute the 'stake'.

If you have any need for further information, please feel free to contact me.

Sincerely yours,

Joseph R. Barker
Staff Attorney

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