

1973 WL 26678 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 28, 1973

***1 Re: No. 311—Sunday Observance**

Mr. W. D. Thomas
Captain
York County Sheriff's Dept.
Office of the Sheriff of York County
York, South Carolina 29745

Dear Sir:

This is to advise that Section 5-601 of the South Carolina Code of laws reads as follows:

It shall be unlawful for any person to keep open or admit persons to any public dancing hall owned or operated by him or to allow any person to continue thereat between the hours of twelve o'clock, midnight, Saturday and twelve o'clock, midnight, Sunday, and all such places shall be and remain closed to the public between such hours. The violation of the provision of this section shall subject the offender to a fine of not less than ten nor more than fifty dollars for the first offense and for the second offense not less than fifty dollars nor more than one hundred dollars or imprisonment for thirty days.

Whether or not the location mentioned by you in your letter constitutes a public dancing hall within the meaning of the aforementioned statute, would have to be decided by a court. Arguably, the location would constitute a public dancing hall.

Sincerely,

C. Tolbert Goolsby, Jr.
Deputy Attorney General

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