

1977 WL 37459 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 8, 1977

\*1 Mr. Thomas O. Lawton, Jr.  
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Attorneys at Law  
Post Office Box 646  
Allendale, South Carolina 29810

Dear Tom:

Thank you for your letter of November 4 concerning the eligibility of a member of the Town Council to be considered for employment by the Town.

I think that the case of [Bradley v. City Council of Greenville](#), 212 S.C. 389, 397, 46 S.E.2d 291, is the case which I had in mind in discussing the matter with you on the telephone. I wrote an opinion to Lee County in 1959 on the same point and cited the [Bradley](#) case, which states that 'it is contrary to public policy to permit an officer having an appointing power to use such power as a means of conferring an office upon himself, or to permit an appointing body to appoint one of its own members.'

Subsequent opinions have been to the same effect in various contexts.

With best wishes,  
Cordially,

Daniel R. McLeod  
Attorney General

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