

1979 WL 43493 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 30, 1979

\*1 Ladson F. Howell, Esq.  
Howell and Barnes, P. A.  
Attorneys at Law  
Post Office Box 40  
Beaufort, South Carolina 29902

Dear Mr. Howell:

We have considered your letter of July 11, 1979, concerning the compensation paid the Clerk of Court of Beaufort County for the sale of documentary stamps. You have issued an opinion to the Honorable Arthur Horne, Chairman of the Beaufort County Council, wherein you advise that the Clerk properly retained the commission. You further advised the governing body 'that a binding judgment as to the propriety of this practice can only be obtained through final judgment in our Courts of general jurisdiction.' We agree with such and if exception is taken to the conclusion set forth in your opinion, then a judicial determination would be necessary.

With best wishes, I am  
Yours very truly,

Joe L. Allen, Jr.  
Deputy Attorney General

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