

1976 WL 30564 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 27, 1976

*1 Honorable Hubert E. Odom
Mayor
Town of Wellford
Wellford, South Carolina 29385

Dear Mr. Mayor:

Thank you for your letter of September 23, 1976, concerning the boundaries of the Town of Wellford which you state have incorrectly been restricted from those provided in the charter of the town issued in 1882.

I do not know whether you have a town attorney but if you have such an officer, I would, of course, advise you to consult with him and follow his advice. I am aware of only one instance which has arisen in this regard and which concerned the boundary between Aiken and Edgefield Counties. For a number of years, a portion of Edgefield County was incorrectly shown as belonging to Aiken County. Lands there were taxed, arrests made in that area by Aiken County authorities and prosecutions made in Aiken County. When the error was discovered, an action was brought in the Court of Common Pleas to properly fix the limits of the county, resulting in the restoration of the area to Edgefield County.

In your instance, it appears to me that the town limits must be properly shown in accordance with the charter or in accordance with amendments thereto. If it should become necessary to resort to an action in the courts to establish those limits, that should be done.

With best wishes,
Cordially,

Daniel R. McLeod
Attorney General

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