

1974 WL 27724 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 19, 1974

\*1 Dr. Robert L. Stephenson  
Director and State Archaeologist  
Institute of Archaeology and Anthropology  
Maxcy College  
University of South Carolina  
Columbia, South Carolina

Dear Dr. Stephenson:

In conversation with you this morning, you asked the following question of this Office:

Can the State establish a State Museum from which a percentage of the proceeds derived are paid to a private individual?

Please be advised that it is the opinion of this Office that articles and artifacts recovered in this State belong to the people of the State of South Carolina and that the proceeds received from their public showing also belong to the people of South Carolina. I am, therefore, of the opinion that it would not be possible for the State to allow a private individual to derive profits from the operation of a State Museum.

In addition, legislation would have to be enacted to provide authorization for placing State property in any museum or for any alternative disposition of recovered articles or artifacts belonging to this State.

I hope that this letter sufficiently answers your inquiry. If you have any further questions, please do not hesitate to contact me.

Very truly yours,

Daniel R. McLeod  
Attorney General

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