

1973 WL 27045 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 7, 1973

*1 D. C. Poston
County Superintendent of Education
Florence County
Florence, South Carolina

Dear Superintendent Poston

Attorney General McLeod has referred to me your request for an opinion on the legality of employees of the public school system in Florence County serving on the Florence County Board of Education. In my opinion, employees of the schools in Florence County would not be eligible to serve on the County Board of Education, despite the absence of any disqualification in Section 21-2651, code of Laws of South Carolina. Unless specifically repealed, statutes must be read together in pari materie where they do not conflict. In this case, the disqualification found in Section 21-101, relating to employees of the school system, would apply to the County Board of Education in Florence County, despite the absence of such a provision in Section 21-2551. Furthe more, common law would likewise preclude the person from being both master and servant, [McMahan v. Jones](#), 94 S.C. 362, 77 S.E. 1022. In conclusion, employees of the public schools in Florence County would be precluded under both statutory law and common law from holding the position of both master and servant.

Please contact me if I can provide any further assistance.

Sincerely,

Hardwick Stuart, Jr.
Assistant Attorney General

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