

1983 WL 181957 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 29, 1983

*1 O. Harry Bozardt, Jr., Esquire
Post Office Box 739
Orangeburg, South Carolina 29115

Dear Mr. Bozardt:

Attorney General Medlock referred your letter of June 28, 1983, to me for reply, and I apologize for not having answered sooner. I am informed by the Water Resources Commission that the creek known as Whitford Stage is not regarded by the Commission as being a navigable water of South Carolina. Such being the case, it is well settled that the bed of the creek is owned to its mid-point by the owners on each side, or, as in this case, by the person who owns the land on both sides of the creek. Since the bed of the creek is privately owned, persons using the road and bridge over it have no more right to fish from the bridge than they would to pick fruit from trees on private property next to a road.

I hope that this supplies the information that you need; please call on me if I can be of further assistance.

With best wishes, I am
Sincerely yours,

Kenneth P. Woodington
Senior Assistant Attorney General

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