

1974 S.C. Op. Atty. Gen. 171 (S.C.A.G.), 1974 S.C. Op. Atty. Gen. No. 3791, 1974 WL 21299

Office of the Attorney General

State of South Carolina

Opinion No. 3791

June 4, 1974

***1 In Re: County Boundary Line**

The Eonorable John I. Rogers, III
Member
House of Representatives
Marlboro County
Box 47
Bennettsville, South Carolina 29512

Dear Mr. Rogers:

Thank you for your letter of May 28 requesting our views as to the precise boundary between Chesterfield County and Marlboro County.

As noted in your letter, Section 14–63 States that Chesterfield County is bounded on the East by Marlboro County from which it is separated by the Great Pee Dee River, while in Section 14–84 the wording is that Marlboro County is bounded as follows: ‘On the west by the Great Pee Dee River.’

It is my opinion that the boundary line is the center of the River. I find no statutory guidelines to a contrary conclusion and I find no cases in this State precisely in point. Of course, with respect to streams which serve as boundaries in ordinary private property descriptions, the center of the bounding stream forms the boundary unless a contrary intent appears. It is my opinion that this construction is applicable with respect to boundaries between political subdivisions, such as counties, absent any contrary intent that may be obtained from a statute. This conclusion has been reached by courts of other jurisdictions. Authorities upon which this view is expressed are appended below.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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