

1974 WL 28059 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 12, 1974

*1 Miss Fay McKinley
Scottish Arms Apartments, A-3
Clinton, South Carolina 29325

Dear Miss McKinley:

Your letter of recent date addressed to the Attorney General has been referred to me for consideration and reply.

In answer to your first question when an individual dies without leaving a will he is said to have died intestate and after payment of debts and claims against the estate, the remainder will be disposed of in accordance with the provisions of the statute of descent and distribution, Section 19-52, Code of Laws of South Carolina, as amended, copy enclosed. In cases where a decedent leaves no person who can lawfully claim his property then it is possible for the property to ultimately escheat to the State.

In answer to your second question you will see from a reading of the statute of descent and distribution that there is not in all cases an 'equal division' of the property among those lawfully entitled to inherit, it depends upon the individual's relationship to the decedent.

I trust the enclosed will be of some assistance.

Very truly yours,

Raymond G. Halford
Assistant Attorney General

TABULAR OR GRAPHIC MATERIAL SET FORTH AT THIS POINT IS NOT DISPLAYABLE

1974 WL 28059 (S.C.A.G.)

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.