

1974 WL 27555 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 20, 1974

*1 G. Werber Bryan, Esquire
County Attorney
P. O. Box 2038
Sumter, South Carolina 29150

Dear Mr. Bryan:

You have requested an opinion from this office as to whether or not a probate judge must record returns on accounts of testamentary trustees pursuant to Section 15-484 of the Code of Laws of South Carolina, 1962, as amended. While the statute does not specifically mention trustees, I agree with your conclusion that the statute does appear applicable to trustees; I am enclosing, however, a copy of an article from the South Carolina Law Quarterly in which Professor Coleman Karesh reaches a contrary conclusion vis a vis a predecessor, statute.

As to whether the method of attaching a photocopy of a will or return to the proper page in the book (in addition to having the original document in the pertinent Roll) satisfies the language of Section 15-484 requiring the 'entry' of records, I see no objection to using this method since the purpose is, as you say, to insure that an extra copy is kept.

Kind regards,

Karen LaCraft Henderson
Assistant Attorney General

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