

1973 WL 26964 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 9, 1973

*1 J. S. Hart
Headmaster
Jefferson Davis Academy
P. O. Box 338
Blackville, South Carolina 29817

Dear Mr. Hart:

You have inquired of this Office as to what rights you may have in regard to preventing the delivery of an unsolicited magazine to your school. Your attention is directed to Section 66-10 of S.C. Code (1971 Supp.) which reads in part:

‘Any unsolicited merchandise, except stolen merchandise, received through the mails, shall be deemed an absolute gift and the addressee-recipient may retain and use such merchandise without any liability for payment . . .’

It would seem apparent that the magazines sent to you are ‘gifts’ under the definition of the statute, and you are free to dispose of them in any manner you please.

Sincerely,

Cam Littlejohn
Law Clerk

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