CHAPTER 15

Catawba Indian Lands

**SECTION 27‑15‑10.** Leases; term limitations.

It shall be lawful for the Catawba Indians to grant and make to any person any lease or leases, for life or lives or term of years, of any of the lands vested in them by the laws of this State; provided, that no lease shall exceed the term of ninety‑nine years or three lives in being.

HISTORY: 1962 Code Section 57‑151; 1952 Code Section 57‑151; 1942 Code Section 8689; 1932 Code Section 8689; Civ. C. ‘22 Section 5211; Civ. C. ‘12 Section 3448; Civ. C. ‘02 Section 2362; G. S. 1770; R. S. 1881; 1808 (5) 576.

Library References

Indians 16(1).

Westlaw Topic No. 209.

**SECTION 27‑15‑20.** Formal requisites of lease.

No lease of the lands of the Catawba Indians, whether for life or lives or term of years, shall be held or deemed as valid and good in law unless it be signed and sealed by at least four of the head men or chiefs of the Catawba Indians.

HISTORY: 1962 Code Section 57‑152; 1952 Code Section 57‑152; 1942 Code Section 8690; 1932 Code Section 8690; Civ. C. ‘22 Section 5212; Civ. C. ‘12 Section 3449; Civ. C. ‘02 Section 2363; G. S. 1771; R. S. 1882; 1808 (5) 576; 1854 (12) 324.

Library References

Indians 16(0.5).

Westlaw Topic No. 209.

**SECTION 27‑15‑30.** Certain rights vested in lessees of Catawba Indians.

All the reversionary right, title and interest of this State in and to the Catawba Indian lands, situated in the counties of York and Lancaster, within a boundary of fifteen miles square and which are represented in the plat of survey made by Samuel Wiley, dated February 22, 1764 and now on file in the office of the Secretary of State, are hereby vested in the persons who may hold such lands as lessees of the Catawba Indians, their heirs and assigns, according to the location of their respective leases.

HISTORY: 1962 Code Section 57‑153; 1952 Code Section 57‑153; 1942 Code Section 8691; 1932 Code Section 8691; Civ. C. ‘22 Section 5213; Civ. C. ‘12 Section 3450; Civ. C. ‘02 Section 2364; G. S. 1772; R. S. 1883; 1838 (6) 602.

Library References

Indians 16(4).

Westlaw Topic No. 209.

Attorney General’s Opinions

The 638 acre tract of land in York County is considered to be held in trust by the State of South Carolina for the use and benefit of the Catawba Indians under the terms of a deed of December 24, 1842. 1974‑75 Op. Atty Gen, No. 3988, p 60.

**SECTION 27‑15‑40.** Grants to lessees of leased Catawba Indian lands.

Each lessee of the Catawba Indian lands who shall deposit with the Secretary of State his lease and also the receipt or receipts of the former tax collector of the county wherein such lands may be situated for such taxes as may have been paid thereon, as heretofore required by law, shall be entitled to locate and receive a grant from the State (in the manner provided by law for granting vacant lands) for the land held by him under lease, upon payment of the usual fees, and thenceforth hold the land so granted in the same right as any other lands granted by this State are held.

HISTORY: 1962 Code Section 57‑154; 1952 Code Section 57‑154; 1942 Code Section 8692; 1932 Code Section 8692; Civ. C. ‘22 Section 5214; Civ. C. ‘12 Section 3451; Civ. C. ‘02 Section 2365; G. S. 1773; R. S. 1884; 1840 (11) 146.

Library References

Indians 16(4).

Westlaw Topic No. 209.

**SECTION 27‑15‑50.** Proceedings by lessee if lease be lost.

If any lessee of the Catawba Indian lands, being in possession, shall not have it in his power to deposit the lease under which he holds, as required by Section 27‑15‑40, by reason of its loss or otherwise, such person shall file in the office of the Secretary of State a notice of his intention to apply for the issuing of a grant and shall publish such notice in one or more of the newspapers of the county in which such land is situated for at least three months before the time of such intended application. Such notice shall set forth the cause of the inability of such person to produce such lease and shall be verified by the oath of the applicant. And such grant shall thereupon issue if the person applying be otherwise entitled thereto, provided, that if any other person shall, within five years from the issuing of such grant, produce a lease of the premises so granted, such grant shall thereupon become null and void.

HISTORY: 1962 Code Section 57‑155; 1952 Code Section 57‑155; 1942 Code Section 8693; 1932 Code Section 8693; Civ. C. ‘22 Section 5215; Civ. C. ‘12 Section 3452; Civ. C. ‘02 Section 2366; G. S. 1774; R. S. 1885; 1857 (12) 611.

Library References

Indians 16(0.5).

Westlaw Topic No. 209.