

Indian Land settler bought lease to serve in S.C. House

In November 1808, William Pettus was elected a York County representative in the S.C. House. At the swearing-in ceremonies on Nov. 30, he was declared ineligible because he was not a freeholder.

David Hutchison, like Pettus a resident of the Catawba Indian Land, wrote that the Indian Land settlers "were called upon for tax, which they paid on all their taxable property. They were called upon to do military duty; to serve as jurors, and to perform all the duties of citizens; but denied the privilege of representation; we could not sit on a jury for the trial of a slave. The district elected a lease-holder to go to the Legislature. He was sent home, and the District deprived of a representative that session."

John Springs III, a neighbor of Pettus, was serving as foreman of the York District Grand Jury in 1824. Springs authored a petition to the State Assembly to permit the people of the Indian Land to have a representative on the same basis as the rest of York District.

Springs described the 15-mile-square Catawba Indian Land as "fertile, populous, wealthy and respectable" and added that perhaps the area was "not inferior in point of intelligence and respectability,"

to any part of the state "exclusive of towns and cities none of which there are on the Indian Land."

Springs' petition noted that the refusal of the legislature to seat Pettus "gave rise to the passage of an Act authorizing the Catawba Indians to grant and make leases for life or lives or term of years not exceeding Ninety Nine and, that they should be a qualification equal to a freehold, in all cases where a freehold is not required by the constitution."

Pettus purchased a life lease in order to serve in the legislature. Elected in 1810, he served until his death in 1818. John Springs was an executor of Pettus' estate and once referred to him as his mentor.

In 1824 Springs wrote that in the past 39 years only one other representative from York District's Catawba Indian Land had been elected to the state legislature. Springs did not identify the second representative but merely stated that he had purchased 500 acres of poor land outside the Indian Land boundaries to qualify to serve, a condition that not many men would be able to afford.

As Springs pointed out, few would be willing to purchase a lease for life when they themselves were likely to "expire in 10 or 20 years and possibly in one or two."

Springs also thought such a purchase of property, in order to be elected to a government post, showed "a zeal and anxiety for

representation that few Men of Virtue, talent and modesty would like to exhibit." He said the jury wanted the General Assembly to understand there were men mentally qualified to serve who didn't own 500 acres.

Four years after the petition was presented to the General Assembly, John Springs was elected a representative from York District. Why, in 1828, did Springs contradict what he had written in 1824 about men of virtue?

It may have been the rumor that some wealthy Lowcountry men were attempting to purchase leases that had been negotiated before the 99-year rule in 1808. The purpose, it was said, was to hold the leases until they expired and then take possession of the land.

The same fear may have motivated Capt. Benjamin Person, a neighbor of Springs and a fellow officer of Flint Hill Baptist with Pettus. Person was elected to the S.C. Senate (1830-31). Person was not able to get any legislation passed that would have prevented speculation on the Indian leases.

Person resigned from the Senate and moved to Jackson, Tenn., where he died in 1840, the year the ill-fated Treaty of Nation Ford was signed between the Catawba Indians and South Carolina.

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