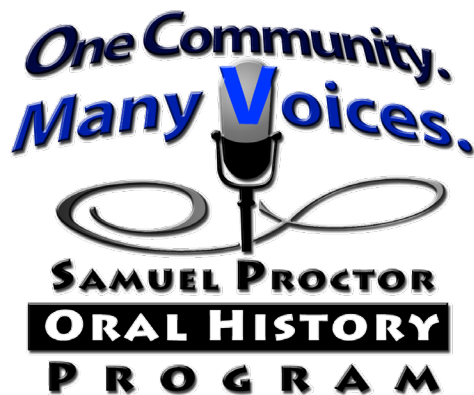


Oliver Nisbet

**Southeastern Indian Oral History Project (SIOHP)
CAT-144**

Interview by:

**Emma Reid Echols
February 5, 1981**



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CAT 144 Oliver Nisbet
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25 minutes | 9 pages

Abstract: Oliver Nisbet, the owner of land that the Catawba have traditionally gathered clay from, describes the relationship between his family and the Catawba over the centuries. Nisbet discusses an active lawsuit he is involved in regarding Catawba land claims in Lancaster County. He details the history, when he got involved, and the various parties among the Catawba and non-Catawba involved. He ends by saying that he does not believe that the Catawba land should be expanded beyond the 630 acres, owing to the blood quotient in the average Catawba.

Keywords: [Catawba Nation; South Carolina--Rock Hill; Pottery; Land tenure]

SAMUEL PROCTOR
ORAL HISTORY
PROGRAM
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CAT 144

Interviewee: Oliver Nisbet

Interviewer: Emma Reid Echols

Date of Interview: February 5, 1981

E: This is Emma Reid Echols, Route 6, Box 260, Rock Hill, South Carolina.

February 5, 1981. I'm recording the oral history of the Catawba Indians and visiting in the home of Mr. Nisbet.

[Break in recording]

E: Mr. Nesbit [inaudible 0:43] for a number of years because I've heard the Indians tell me about the clay they get from your land. And every Catawba Indian that I've visited, say that they have a friend down on the river named Mr. Nisbet, and you always share your clay with 'em. So, let's just start back, and you tell me whatever you like to about your relationship to the Indians in the past and your relationship to them now.

N: Well, it's true that the Catawbias get clay off of my place and they have since I've owned it. I bought it from the [inaudible 1:21] The place where they get clay has been in my hands since 1960. However, the land has been in my family since 1840. It was originally a property of the Dobies. There were two Dobies, John Dobie and Bill Dobie, and there were originally two Dobie homes. One Dobie home is on the river, and you can locate the site, but there's nothing there to identify other than that there was at one time a house there. The home you're in now was the property of John Dobie and the front part of this house was built—we think—prior to 1800, somewhere in **1795**. We know that John Dobie stated that he occupied this land in 1791. So, we have reason to believe this home was built soon after he occupied it. Now, the original home has been remodeled so many times that it's almost impossible to identify the original part of it. As to the

clay pits, they are on the Dobie land and the Indians have traditionally gotten clay from this side of the river. The clay pits that they use now are on this property, and up until the current activity relative to the lawsuit and so forth, which started in 1977, the Indians traditionally got clay here. There were about six different families that would come over at various times and get clay. The Ayers family, the Sanders, the Ferrells, the Blues, just to name a few, and a lot of the pottery came either from this place or could have come from some of the land that belonged to Dr. Nisbet. Dr. Nisbet and his widow always allowed the Indians to get pottery or clay for pottery, and, of course, I have followed that tradition. No Indian has ever been refused. I've never refused an Indian the privilege of getting pottery. Although the rumor is that I have refused them, this is not true.

[Break in recording]

E: I saw the places where they were getting clay and you have showed me how they covered up very carefully the pit where they got the clay from. And they go to come in their trucks or their cars, and load it up in bags or tubs to carry away?

N: That is correct. Or sacks.

E: You don't charge them for the clay at all?

N: Oh, no, no, I've never charged them for clay. In fact, as you saw, some of the Indian pottery that I have, some of it was given to me, but most of it was purchased from the Indians. I've always been very fair to 'em and we have a good relationship. And I hope this relationship continues. I think one of the sad products of the past three years has been not only the division among White people—some who think that the Indians should be given whatever they want,

others don't think they should—but there's also a division among Indians. And the relationship between the Indians and Oliver Nisbet is not the same as it was prior to 1977, and this I regret very much.

E: Well, they still count you your friend. I noticed as you showed me the pottery, your love for the Indians. And you had so many of Alberta Ferrell's, and Doris Blue, and Arzada Sanders, and other—Canty, I believe. So, I saw the sincere relationship—friendship you had with them. And the Indian men, I bet you remember some of them. Moroni George, you remember him?

N: Oh, yes. I remember so many of them. The Browns—Early Brown used to operate the ferry down here before we had a bridge built across the river, and I crossed that ferry many a time with **the** Brown assistance. The Indians also operated a ferry on the property belonging to the Nisbets north of me. We call it the duckpond place now, and that's directly across from the reservation. And in the 1930s, or late 1920s, the Indians tried to establish a commercial ferry there and I have crossed the river on that ferry. As a boy, I remember well the Indians not only coming to my home, but they used to go up and down the river in boats a lot. I would see 'em in the bottoms when I was plowing and running the tractor. Yes, I know most of the Indian families very well and we've had a good—the Nisbet family and the Indian families have always been very friendly.

E: Were those boats handmade canoes or—

N: No, not in my time. They were just wooden boats. None of 'em were handmade.

E: And, of course, did you ever play ball with the Indians or go swimming with them in the river, or have any sports with them?

N: I did not. Now in the town of Van Wyck, there were some.

E: Tell me some of the other Indians you remember. Of course, you remember Sam Blue, the Chieftain?

N: Right. The ones I remember best are the Ayerses, the Blues, and the Sanderses. And the Harrises. Those are the names that come to my mind immediately. And Georges.

[Break in recording]

E: Mr. Nisbet, you had such friendly relationships with the Indians in the past, and I know now with your land you have several hundred acres. How many acres did you tell me you have, about?

N: The property that we were just on across the road is seven hundred acres.

E: Now, all that is in the Indian land claim, isn't it?

N: The suit involves that land. Now, of course, the suit is a class-action suit and involves all of the land in Lancaster County north of Twelve-Mile Creek. So, this house is also involved in the class-action suit. Now, this house, since it's on this side of the road, is not the part that they want, as much as they want the part on the other side of the road.

E: The other side of the highway?

N: **Right** [inaudible 8:44]

E: Well, you've been working for a number of years with the commission on trying to settle these claims. What's happening now, at the present time?

N: Well, I have to be brief here because this commission is four years old. The commission was originally set up as a study commission to study the Indian

claim and to talk to all parties involved to see if a amicable solution could be arrived at. We attempted to study the problem; however, a bill was introduced by Ken Holland in Washington to authorize the Bureau of Indian Affairs—which is part of the Interior Department—to write a bill to settle it. We thought this was very unfair, because the claim itself had never been adjudicated and consequently to have the Interior Department write a bill on it to require Catawba Indians, seemed to be giving the Interior Department a blank check. This was the initial legislative approach to the problem. A hearing was held in Washington under Marshall Dall, and at this hearing, the Indians and the landowners did appear as well as different parties in Rock Hill. The bill was not favorably reported out of Marshall Dall's study commission or committee because there was a division on the part of the Indians: some of 'em wanted cash and some of 'em wanted land. There was a division among the various citizens of Lancaster and York County who testified because many felt that the Indians had a reservation which was not being used, and it was a state reservation. In 1959, the Hemphill Bill had dissolved the Indians as a Nation and it distributed the assets. So consequently, the question that always comes up if you have a legislative solution, are you really perpetuating another situation similar to 1959, where the state of South Carolina bought over 3,000 acres and gave it to the Indians under the supervision of the federal government, with the federal government recognizing the Catawbas? Then in 1959, the Catawbas asked that this be set aside, and the land distributed and the money distributed among the Catawbas, and the Catawbas be disbanded as a Tribe. Since there are no

purebred Catawbas left, and since the Catawbas as a Tribe are now dispersed not only all over South Carolina, but many of 'em live in states other than South Carolina—I think probably ten states now have Catawbas in 'em—the Catawbas have adjusted to society. Their homes are off of the reservation, they cannot be identified as Indian homes because they are just like the homes next to them. And the homes on the reservation, because they can't mortgage the property, are not the same standard of homes that the Indians have off of the reservation. For instance, Chief Blue's home, or Sammy Beck's home, or Harris's homes off the reservation are much better than the homes that the same Indians living on the reservation. So, a lot of people in this area feel that it is not to the interest of the Catawba Indians to re-segregate 'em and put 'em back on a reservation. They have been absorbed in society. Their **mores**, their history, the economic world in which they live, is not identified as a Indian reservation world. They are citizens of South Carolina like the rest of us and I think they should remain so.

E: And a number of people feel that same way that you do, don't they?

N: Including the Indians themselves.

E: They're not unified themselves.

N: Right.

E: Who else works with you on this commission?

N: This commission was appointed by Governor Edwards. At the time it was appointed [inaudible 14:12] the senator from Lancaster County, and Tom Magnum, the representative from Lancaster County, were put on the commission. Bob McFadden, the representative from York County, and

[inaudible 14:27] the senator from York County. And incidentally, our senate, as you know, includes both counties, so the senators don't just represent York County. [inaudible 14:38] represents this county as well as York County. And then the governor appointed three lay people, for lack of a better name, to the commission: myself, George Dunlap, and Godfrey Nims. And this commission has been meeting since 1977, at various times.

E: So, those are the members of the commission that work together. Now, how often have you been meeting?

N: Oh, we've **met** on a number of occasions. We've had two public hearings, and, in Rock Hill—where our testimony was presented both by Indians, and owners, and interested parties, such as the Chamber of Commerce—generally speaking the hearings could be divided into three different groups. The Indians who wanted a legislative settlement involving an expanded reservation and recognition; Indians who wanted cash only; and among the other interested groups, the testimony on the part of most people was that they would rather not have an expanded reservation; and in the third group, who were represented by the Chamber of Commerce, which never took any position other than settling, which I didn't think was much of a contribution. They always would testify and ask that a legislative settlement be worked out to avoid a lawsuit. This, of course, didn't help the commission in coming up with a settlement because since the Indians were the only ones that had to agree to the settlement, this put us in the position of giving Chief Blue what he wanted and the Indian lawyers and the Native American Rights Fund, irregardless of what the rest of the citizens wanted, including the

Indians. And it was a sort of a operation under duress as far as I'm concerned. Now to tell you what finally happened, I would like to say that the work study group [inaudible 17:07] appointed by McFadden, consisting of myself; Don Rushing, the attorney general; the landowners; and the county commission wrote a tentative bill which we did not agree to in the full commission. And about this time, the state of Maine succeeded in passing in Washington a settlement for the **Maine** problem, Indian problem. The commission felt that the Maine settlement was more suitable to the South Carolina Catawba Indian settlement than the work study group's settlement was. So, we appointed a group in the study commission to adjust the Catawba claim to the Maine settlement since it had passed Congress with the approval of both the House, the Senate, and [inaudible 18:17] had a better chance than the work study group.

[Break in recording]

N: So consequently, the lawyers are embarrassed in that they never considered the Catawba claim when they searched the title, and now they are faced with a suit that they have, in effect, agreed that the title was clear and now they have to say, "No, it's not." As far as transferring land, I have sold two tracts of land since 1977. In both cases, I gave title and assured the title was clear and I had lawyers search the title and they assured it was—

[Break in recording]

E: I've enjoyed talking to you, and I certainly admire you for your work as it pertains to the Indians and your work for the University of Florida. And we certainly have a lot in common, as we have with Indians and various friends in Rock Hill and

Lancaster. I would like to close the interview with one statement, and that is along this line: it is impossible to correct errors of the past. I think the best example of the complication of the Indian suit can be illustrated by the testimony of Attorney General McLeod at the last public hearing. At that hearing, Attorney General McLeod said that he thought there should be put into any bill that was passed a blood quotient pertaining to the Catawba Indians that would cause the Catawba Indians to cease to exist as a Tribe when their blood quotient dropped to 128th. From my knowledge of the Catawba Indians now, using records such as census records and so forth and knowing that there are no purebred Catawbas left, I feel that the Catawba Tribe, consisting of approximately twelve hundred to fourteen hundred people now, the blood quotient identified as Catawba blood quotient is probably not over an eighth now or a quarter at most. All this does is indicate that the Catawba Indians have now been absorbed into society and should continue to adjust to society. Now, I am in favor of their maintaining their heritage by use of the current 630-acre reservation and I would further any interest in this factor, but I don't think that we could go back and correct for errors of the past. Thank you very much.

[End of interview]

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