

The State of South Carolina



Office of the Attorney General

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ATTORNEY GENERAL

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November 24, 1993

Emil W. Wald, Esquire
P. O. Box 790
Rock Hill, SC 29731-6790

Re: Catawba Indian Settlement -- Lancaster County Natural Gas Authority

Dear Emil:

Your letter of November 3, 1993, concerning the authority of the Lancaster County Natural Gas Authority to make a contribution to the Catawba Indian Settlement, has been referred to me for reply.

This Office agrees with the conclusions set forth in your letter to the effect that these payments would advance a public purpose, both in enhancing the overall value of real estate in the Authority's service area, and also in helping to extinguish the Catawbas' claim to real property owned by the Authority. I would also point out that there is no real difference between the Authority's making these payments and the State's making similar (although much larger) payments in order to settle the Catawba claim. The State is a named defendant in the present suit, but there is no question that the Authority would have been named had the Catawbas brought their second suit embracing all the land within their claim area.

With best regards, I am

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Ken".

Kenneth P. Woodington
Senior Assistant Attorney General

REVIEWED AND APPROVED BY:

A handwritten signature in cursive script, appearing to read "James Patrick Hudson".
JAMES PATRICK HUDSON

Chief Deputy Attorney General

A handwritten signature in cursive script, appearing to read "Robert D. Cook".
ROBERT D. COOK

Executive Assistant for Opinions