DISCLAIMER

The South Carolina Legislative Council is offering access to the unannotated South Carolina Code of Laws on the Internet as a service to the public. The unannotated South Carolina Code on the General Assembly's website is now current through the 2008 session. The unannotated South Carolina Code, consisting only of Code text and numbering, may be copied from this website at the reader's expense and effort without need for permission.

The Legislative Council is unable to assist users of this service with legal questions. Also, legislative staff cannot respond to requests for legal advice or the application of the law to specific facts. Therefore, to understand and protect your legal rights, you should consult your own private lawyer regarding all legal questions.

While every effort was made to ensure the accuracy and completeness of the unannotated South Carolina Code available on the South Carolina General Assembly's website, the unannotated South Carolina Code is not official, and the state agencies preparing this website and the General Assembly are not responsible for any errors or omissions which may occur in these files. Only the current published volumes of the South Carolina Code of Laws Annotated and any pertinent acts and joint resolutions contain the official version.

Please note that the Legislative Council is not able to respond to individual inquiries regarding research or the features, format, or use of this website. However, you may notify Legislative Printing, Information and Technology Systems at [LPITS@scstatehouse.net](mailto:LPITS@scstatehouse.gov) regarding any apparent errors or omissions in content of Code sections on this website, in which case LPITS will relay the information to appropriate staff members of the South Carolina Legislative Council for investigation.

CHAPTER 23.

AGRICULTURAL LABOR CONTRACTS

**SECTION 41‑23‑10.** Requisites of contracts between owners of land and laborers.

All contracts made between owners of land, their agents, administrators or executors, and laborers shall be witnessed by one or more disinterested persons and, at the request of either party, shall be duly executed before a magistrate who shall read and explain it to the parties. Such contracts shall clearly set forth the conditions upon which the laborer or laborers are engaged to work, embracing the length of time and the amount of money to be paid and when and, if it be on shares of crops, what portion of the crops.

**SECTION 41‑23‑20.** Sharecropping; division of crops; payment of debts.

Whenever labor is performed under contract on shares of crops, such crops shall be gathered and divided off before they are removed from the place where they were planted, harvested or gathered. Such division shall be made by a disinterested person, when desired by either party to the contract, and such disinterested party shall be chosen by and with the consent of the contracting parties. Whenever the parties fail to agree upon any disinterested person or, if complaint is made that the division has been unfairly made within ten days after such division, the magistrate residing nearest the place where such crop is planted, harvested or gathered shall cause, under his immediate supervision, such equitable division as may be stipulated in the contract. Such disinterested person or magistrate shall receive reasonable compensation for such service, to be paid by both of the contracting parties according to their several interests, except in cases of an attempt wilfully to defraud the other by one of the contracting parties and then such compensation shall be paid by the party so attempting to defraud the other. When such division has been made each party shall be free to dispose of their several portions as to him may seem fitting. But if either party be in debt to the other for any obligation incurred under contract, the amount of such indebtedness may be then and there settled and paid by such portion of the share or shares of the party so indebted as may be agreed upon by the parties themselves or set apart by the magistrate or any party chosen to divide such crop.

**SECTION 41‑23‑30.** Fraudulently securing possession of lands, money or supplies, or refusing to perform, under lease or sharecropping contract.

Whoever shall enter into a contract with the owner for a lease of lands in this State, witnessed by at least two disinterested witnesses, if such contract be verbal, or for cultivating lands on shares of crops and by virtue of the promises and agreement in such contract shall (a) fraudulently and with malicious intent to injure the owner secure from the owner the possession and occupation or right of possession and occupation of such lands or of money, supplies, fertilizers or anything of value or (b) shall, without just cause and with intent to cheat and defraud the owner, abandon such lands or refuse to enter into the possession and cultivation of such lands to the injury of the owner shall be guilty of a misdemeanor and fined in the sum of not less than twenty‑five dollars nor more than one hundred dollars or be imprisoned for not less than fifteen days nor more than thirty days.

**SECTION 41‑23‑40.** Landowner fraudulently entering into contract to lease lands or share crops.

Whoever shall enter into a contract to lease to another any lands in this State or work any lands on shares of crops and shall, without just excuse and with intent to cheat and defraud the lessee or laborer, withhold from him the peaceable entry, possession, use and occupation of such lands shall be guilty of a misdemeanor and shall be fined in the sum of not less than twenty‑five dollars nor more than one hundred dollars or be imprisoned for a period of not less than fifteen days nor more than thirty days.