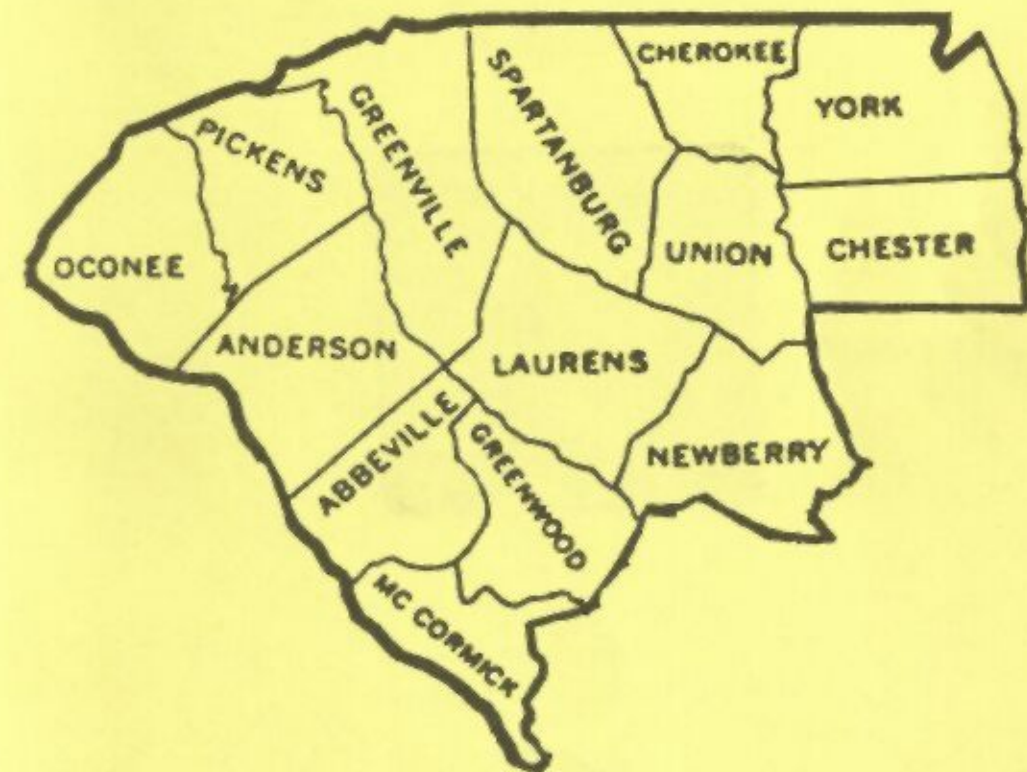


# UPPER SOUTH CAROLINA GENEALOGY & HISTORY



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## UPPER SOUTH CAROLINA GENEALOGY AND HISTORY

Volume XV	February 2001	Number 1
Smith-Jefferies Bible Record (York and Union Counties)		1
Two Obituaries in the Smith Bible		2
Some Old Jefferies-Smith Correspondence		3
Eleazar Parker 1807-1889		5
A Shoot-Out Near the Union-Spartanburg Line		5
Death of Jesse Hollis of Gaffney		6
Obituary of Mrs. Agatha A. Smith		6
A Note on William Guthrie, Formerly of Spartanburg County		6
SC Evangelist K-O-Ed in Texas		6
1830 Census Takers for the State of South Carolina		7
Some Deaths in York County in 1873		7
The Columbian Herald, Early Newspaper of Charleston, SC		8
Franklin's Cautionary Letter to the Fledgling States in 1784		9
Celebration of George Washington's Birthday in 1788		9
The Father of George Washington		9
List of Letters in the Charleston Post Office on January 5 <sup>th</sup> 1785		10
Epitaph on a Rich Miser		12
Family Groups and Family Connections from County Court Records		13
Obituary of John Poor of Anderson District		31
Death Notice of Thomas Muse of Fairfield District		31
Obituary of John Tolleson		32
A Notable Golden Wedding in Edgefield		32
Death of Lewis P. Jones, Esq. of Edgefield		35
A Tongue-In-Cheek View of Newberry District in 1816		35
Murder of Edward Brown, Formerly of Chester District		37
Obituary of Mrs. Permelia Holland of Edgefield District		37
Christmas in Edgefield in 1890		37
A Cold Saturday in February 1835		38
Death Notice of Isaac Young of Spartanburg County		41
Queries		41
Liberty Hill Church Deed		43
The Jennings Orphanage		44
Poplar Springs Academy Deed		48
Fairforest School House Deed		49
From the Law Library		51
Index		52

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**Spartanburg County Deed Abstracts 1848-1852** Transcribed by Betty Jean Dill and edited by Joseph R. Gainey.  
240 pages, indexed, soft cover \$30.00

Deeds are a staple of genealogical research in the South. The abstracts in this volume cover the waning years of the antebellum era. Included here, in addition to deeds transferring title to real estate, are slave sales, mortgages, contracts, business agreements, and other miscellaneous records. With the exception of real estate transfers, none of these items are included in the index at the deed office in Spartanburg or at the SC Department of Archives in Columbia, SC. Therefore, the abstracts and full name index found in this volume are especially useful to the researcher. This book has over 800 surnames and includes creeks, rivers, road, churches, corporate names and even family cemeteries.

**The Tie That Binds** Compiled and edited by Joseph R. Gainey.  
135 pages, illustrated, soft cover

(Note new price.) \$20.00

This book is a history of the Carlisle Wesleyan Church, located in Spartanburg County, SC. It contains many pictures and extensive genealogical notes on its early families as well as miscellaneous data on the community. Families included are: Acre, Brannon, Burnett, Cannon, Greene, Harmon, Horton, Kennedy, Kimbrell, Koon, McMillan, Parris, Seay, Shirley, Smith, Stephens, Turner, Williams and Wright. Surnames included are: Aycock, Berry, Bishop, Blalock, Blanton, Brock, Bryant, Cantrell, Carson, Cartee, Clark, Cook, Cooley, Crocker, Gosnell, Hall, Hawkins, Hood, Hunnicutt, Hutchins, Johnson, McCarter, Nolan, Padgett, Parham, Petty, Piephoff, Poteat, Sellers, Solesbee, Spivey, Tinsley, Tuck, Turner, Wall, Wingo, Woody, Wyatt and others. Also included are 3 family cemeteries as well as the church cemetery and an extinct church cemetery.

**Marriages from The Carolina Spartan Newspapers 1866-1869** Compiled and edited by Faye Berry.  
27 pages, indexed, soft cover

(Note new price.) \$ 5.00

This book is a complete listing of the marriages found in *The Carolina Spartan*, a Spartanburg, South Carolina newspaper. Although they are found in a Spartanburg newspaper, they are not confined to that area. Many pertain to persons living in other counties of South Carolina and a few concern persons living in other states.

**Some Spartanburg County Cemeteries** Compiled and edited by Joseph R. Gainey.  
130 pages, indexed, soft cover

(Note new price.) \$15.00

Unlike other cemetery books, this one is crafted to meet the genealogist's needs by paying special attention to the plot and row arrangement of the graves. It presents transcripts of 58 Spartanburg County cemeteries in their entirety. Among the churches presented are Philadelphia Baptist, Bethesda Baptist, Concord Methodist, Mount Carmel Methodist, New Hope Methodist, and North Pacolet Presbyterian. In all, 21 churches, including 7 extinct ones are published. Also, 34 family cemeteries, and 3 community and private cemeteries appear here.

### One Hundred Years of Friendship

**A History of Friendship Baptist Church Minutes 1801-1901**, Minutes transcribed by Judy McHam Davis, Cemetery survey by Tommy J. Vaughan, Edited by Joseph R. Gainey, Julie A. Davis and Sally Davis Haisten.  
193 pages, indexed, hard bound

\$30.00

Friendship Baptist Church was founded in 1765 making it the oldest Baptist Church in Spartanburg County. No records prior to 1801 are known to have survived. Located in southern Spartanburg County very near the Union County line, you will find members there from both counties. The book includes the complete transcript of the church minutes, listings of church members and officers, and an inventory of the cemetery. It contains over 400 surnames.

**The History of Mount Zion Church and Her People** By Dr. J.B.O. Landrum and edited by Joseph R. Gainey.  
17 pages, indexed, soft cover

(Note new price.) \$ 5.00

This is a republication of a 1885 volume on Mount Zion Baptist Church, Spartanburg County, SC. It traces the church from its establishment as a mission of Bethlehem Baptist in 1804, through its organization in 1827, up to the history's publication in 1884. Though small in size, it contains a wealth of information, both genealogical and historical on Mount Zion and its early members.

## SMITH-JEFFERIES BIBLE RECORD (YORK & UNION COUNTIES)

Contributed by Mrs. Virginia Fowler, 206 Grambling Ferry Road, Gaffney, SC 29341.

Contributor's Note: The following family information was taken from a Xerox copy of the original Bible that was in the possession of Mrs. Edith Fort Wolfe, now deceased. Mrs. Wolfe formerly resided at 306 S. Granard Street, Gaffney, South Carolina. The Bible was published in 1813 by Smith & Fermin, 195 Greenwich Street, New York.

### FAMILY RECORDS

#### Births

John Jeffries Senior was Born March 6<sup>th</sup> 1760  
Rachel Jeffries was Born 22<sup>nd</sup> of October 1765

Daniel Smith was born September 25 1779  
Sarah Jeffries was born September 11 1790

John Smith was born April 29<sup>th</sup> 1808  
Rachel J. Smith was Born april 2<sup>nd</sup> 1810  
Sarah B. Smith was Born April 21<sup>st</sup> 1813  
Cynthia Smith was born December 23<sup>rd</sup> 1815

Anna L. Smith was born November 21<sup>st</sup> 1818  
Mary Adaline Smith and Born June 21 1822  
Araminta Smith was born August 27<sup>th</sup> 1824  
Daniel J. Smith was born Feb. 3<sup>rd</sup> 1827  
Henry Joseph Smith was Born June 2 1830  
Ellender Elizabeth Smith was Born May 27<sup>th</sup> Day 1835

Columbus Christopher Roberts was Born February 23<sup>rd</sup> 1844

#### Marriages

Daniel Smith and Sarah Jeffries was married February 5<sup>th</sup> 1807

John Smith and Amanda Melvina Clacke was married January 15 1828

Jonahsthan J M'Kinney and Rachel J. Smith was married April 1828

John Morrow and Cynthia Smith was married August 17<sup>th</sup> 1831

Abraham Williams and Sarah Smith was married November 29<sup>th</sup> 1832

John Moore and Ann L. Smith was married Jan'y 7<sup>th</sup> 1840

Rachel M'Kinney & Richard Featherston was married Oct 1841

Mary A Smith and John M Roberts was married May 4<sup>th</sup> 1842

William G. Bankhead and Ann L. Moore was married September 17<sup>th</sup> 1843

Araminta D. Smith and John M. Roberts was married Janu[ary] 1845

John Smith and Isabella Whitesides was married February 5<sup>th</sup> 1846

Samuel Jefferies and Araminta D. Roberts were married Jan'y 3 1850



## Deaths

John Jeffries Senior Died Junary 27 1851 at 20 minits before 12 Oclock in the morning Aged 90 years 10 months 23 days

Rachel Jeffries Died September 17<sup>th</sup> 1830 Aged 64 years 10 month 28 days

Daniel Smith Departed this life September 25<sup>th</sup> 1845

Mrs. Sarah Smith died December 20<sup>th</sup> 1873

Daniel Jefferies Smith Departed this life on the 10<sup>th</sup> of July 1831

Henry Joseph Smith Departed this life on June 25<sup>th</sup> 1832

Jonathan M<sup>c</sup>Kinney Departed this life April 17<sup>th</sup> Day 1836

John Moore Departed this Life May 28, 1842

Mary A Roberts Departed this life March 6<sup>th</sup> 1844

Ellon Eliza Smith Departed this life April 6<sup>th</sup> 1845

Sarah B. Williams Departed this life October the 24<sup>th</sup> AD 1854

Ann L. Bankhead Departed this life June 30<sup>th</sup> 1855

Samuel Jefferies did December 5<sup>th</sup> 1845 aged 57 years 11 mo Days

Nathaniel Jefferies Died february 28 1842 aged 58 years 4 monts 3 Day

William Jefferies Died August 5<sup>th</sup> 1852

P. W Featherston Died October the 30 1862  
Cynthia Morrow Departed this life June 16<sup>th</sup> 1880

Cynthia Graham Died Aug the 4 1881 82[y]  
7 months 16 day[s] old

John Smith Died November 24 1889

Capt. A Copeland Died December 5<sup>th</sup> 1889

Rachel J. Featherston Died July 1895

[Pasted in the back of the Bible is the following note that appears to be an obituary: On the 7<sup>th</sup> inst. Mary Adaline Roberts consort of J. Martin Roberts Esq. Of Cleveland Co., N.C. aged 21 yrs 8 mos having an infant son a few days old & devoted husband methodist church Died at Her mother's home Mrs. Sarah Smith.]

[Also in the Bible is an additional note, dated Jan. 24, 1959, that reads as follows: Dear Cousin Edith [Fort Wolfe] our great grandmother Cynthis Jefferies (Graham) is buried at a church in Shelby [Cleveland County, NC]. I don't know the location. [Signed] Chambers Davidson [.] Davidson College[,] Davidson, N.C.]

\*\*\*

## TWO OBITUARIES IN THE SMITH BIBLE

The two death notices below were marked 1873.  
Died--Near Smith's Ford, on the 20<sup>th</sup> ultimo, Mrs. SARAH SMITH, in the 81<sup>th</sup> year of her age.  
[Died] In this county, on the 7<sup>th</sup> ultimo, Mr. JOHN D. MORROW, in the 64<sup>th</sup> year of his age.  
[These notices were not found in the Spartanburg nor Union newspapers.]

\*\*\*

## SOME OLD JEFFERIES-SMITH CORRESPONDENCE

Contributed by Mrs. Virginia Fowler, 206 Grambling Ferry Road, Gaffney, Sc 29341.

Contributor's Note: Copies of the following letters to and from Mrs. Sallie Jefferies Fort were given to me over thirty years ago by her daughter Mrs. Edith Fort Wolfe. The original spelling and punctuation have been maintained.

Letter to Dr. J.L. Jefferies of Spartanburg, S.C., June 12, 1930

Dear Cousin James:

I'm very pleased to learn that you are interested in securing the history of the old country home of Samuel Jefferies at Star Farm.

I cannot give you the exact date of the house but I would say that it was built about 1840. It was built and owned by Dr. Samuel Goodman who occupied this dwelling before it was purchased by my father, Samuel Jefferies. Dr. Goodman married Amelia Jefferies and they had one daughter, Pamela, who was born at this old home and buried in the "Old Jefferies grave yard". I believe my father came into possession of this home about 1848. My oldest sister, Fannie, was born there in 1850 and lived there until she married. (She married Dr. Alexander Copeland) I was born there in 1858 and lived there until I married (1878) My brothers, James Edwin, who died at 11 and Cicero, who was smothered to death in cotton at the age of 14 were born there. Also my brother, James Claude Jefferies, was born there.

The old home is still in my family. When my son, William A. Fort married I gave it to him. He died during the "flu" epidemic in 1919 and the place is now owned by his family.

There was quite a bit of history connected with this old home during the Reconstruction Period. My father, one of the cleverest men of his day, made four successful escapes from the Union and York troup on his wonderfully trained horse, Ceasar. I remember all this quite distinctly and there is so much to be told about these incidents that I cannot give you the detailed information in this letter.

I would like to have you come over and talk with you personally about the history of the "old Jefferies Home" as I cannot give as complete a history as I would like. I am not very well and it is such an effort for me to anything like this. I will be glad to see you any time.

Very sincerely, Cousin Sallie

Letter from Eagleton M. Smith, Attorney at Law, Holly Springs, Mississippi, July 3, 1931

Mrs. Sallie J. Fort

Gaffney, S.C.

Dear Mrs. Fort:

I have been referred to you by Miss Mary Jefferies as one who can probably give me some information which I am seeking regarding my ancestors, who lived in your section many years ago. My father was the son of Henry and Anne Jefferies Smith, who lived at Smith's Ford on Broad River. My father's name was Nathaniel Smith and my mother's name was Margaret Boyd Smith. The former lived in York County and my mother was reared in Union County. My mother's father was on a trip with two or three friends looking out a location to move and was taken sick and died suddenly in State of Georgia. Her mother then married again a man by the name of Davis, who was either a preacher or a school teacher and lived on Broad River in Union District. My father and mother married early (1846) in life and moved to Holly Springs, Miss., where they lived at the time of their deaths, many years ago. I overlooked that I did not state the names of my mother's parents. She was the daughter of Joseph and Sarah Boyd, and as stated above her father died suddenly on a trip in Georgia.

I would like to know if the old Henry Smith home at Smith's Ford is standing and who owns and occupies it?

My father had a sister who married a man by the name of Lowery, and some of whose family has the old Henry Smith Bible [sic]--can you give me information along this line? When in Carolina in 1880,



thereabout, I was at the home of the Lowry family and saw the old Bible. I think the front cover had been torn off.

One of my father's sisters married a man by the name of Jas Curry or Corry, and had two sons by him, Mr. Corry died and she married a man by the name of Frank Smith; by this last marriage two children were born, but I don't know the names of either now, can you give me any information as to them, and especially the elder son James Andrew Corry?

Now, I am exceedingly anxious to learn [sic] something of my dear mother's family. Did you know any of them? If so, can you give me any of their names and places of address? I admit that I have lost out as to them, and I would be so glad to get even a little starter by which I might be able to trace them. Some time about the year 1880, I was in Carolina for a few days on business for my father and I remember that cousin "Baby" John Smith's son, who was piloting me around, took me to my mother's sister, I think it was, who then was living with her grand children not far from B'd River, in a very humble cabin and, seemingly, in indigent circumstances—Can you give me any information whatsoever regarding this branch of ancestry?

But I must close. I fear I have written enough to weary you. I am in my 78<sup>th</sup> year, the youngest of a family of eight, all of whom have passed away. I am not trying to construct a "family tree", but simply for my own satisfaction desire to learn more of origin as to ancestry. I trust I am not troubling you. If too irksome to reply, just put this in the waste basket.

With the kindest wishes for the friends of my parents, and the hope that we all may meet some good day in the heavenly mansion without the loss of a single one, I am

Yours very sincerely, Eagleton M. Smith (signed)

Letter from Eagleton M. Smith, Attorney at Law, Holly Springs, Mississippi, August 10, 1931

Mrs. Sallie J. Fort

Gaffney, S.C.

Dear Mrs. Fort:

Dear Cousin: You see I am taking the liberty of addressing you as kinsman as the records show that we really are. I thank you very much for your long and very interesting letter of the 8<sup>th</sup> inst. regarding the Smith family ancestry. As I stated to you, my parents departed this life when I was a young man. I spent the greater portion of my life at schools and Colleges, and the records which they had were destroyed during the Civil War by Grant's army. So, all I know about my forefathers is a little bit heard at times when I was at home with them.

My father had eight children, all of whom are dead except myself and the three daughters of my sister Annie Jefferies Smith Ford. I have one son who lives here, and with whom I live, though I am nowise dependent on him for maintenance and support. I am in my 78<sup>th</sup> year, in active practice, but am beginning to feel that I must soon retire from work and give up the race of life. There are some of the Wilkins family still living in this section, who came here when my father moved from Carolina. I think they are related to your Mr. W.J. Wilkins of Gaffney. They are related to me by marriage.

Cousin Anne Smith, who you say married a Mr. Bearden, might be able to give you some information as to my gran-father Henry Smith's Bible.

I would be glad indeed if you could find out something about my mother's family. She was Margaret Boyd, daughter of Joe Boyd, and lived in York County, or maybe, Union District.

I do thank you, my dear cousin, for all the information you have given me and the trouble that you have been put to in writing, for I know how difficult it is for old people to write. ...

Your unknown, appreciative kinsman, C.M. Smith (signed)

\*\*\*

## ELEAZAR PARKER 1807-1889

Contributed by Dr. James L. Reid, 730 Walnut Hill Road, Campobello, SC 29322.

Source: *The Carolina Spartan*, issue of January 8, 1890, p.2.

Mr. Eleazar Parker was born in Union County December 12, 1807, and died at his home near Gaffney City, November 30, 1889. He lived in the county of his birth until 1876, when he moved to his recent home. When he reached manhood he settled on the Broad river, a little below Smith's Ford, where he engaged in farming. He was a quiet, kind, peaceable neighbor, and was noted for minding his own business. He was always ready to grant a favor when asked and was very kind to those in want or distress. In the reconstruction period, after the war, he was true to the interests of our State, never faltering in his devotion to her welfare. He was a member of the Presbyterian Church, holding his membership at Salem until the organization of the church at Gaffney City. He was an elder for many years and most faithfully did he discharge his duties to the church he loved so well. It was a rare thing to see his seat vacant at Salem and he kept up the habit of church going in his old age. While he was a Christian all his life, he enjoyed in his last years a constant and abiding and comforting trust in his Savior. When the message came for him to depart he was ready, having no regrets, except the leaving of two small children; but even in this he was comforted in the promise made to the fatherless by a kind, heavenly father. His business all his life was farming and he was always ready to promote the interests of his calling. He was an active member of of the Alliance and his brethren passed appropriate resolutions at his death. He leaves a wife who was Miss Ruth M. Martin of York County, and two children six and four years old. He was buried at Salem church in Union County. Thus has passed away in the fullness of years, the good citizen, the kind neighbor, the loving father and the tender husband.

\*\*\*

## A SHOOT-OUT NEAR THE UNION-SPARTANBURG LINE

Source: *The Carolina Spartan*, issue of November 16, 1892, p. 3.

A very unfortunate and unnecessary shooting took place three miles below Gaffney near the county line. Drayton Painter lives about four miles from Gaffney. His nearest neighbor is Baylis Painter, a relative, who lives on the Corry land [Emphasis added. See the Jefferies correspondence above.] There has been some little misunderstanding between these two men for months. Wednesday the 3<sup>rd</sup> instant they were in Gaffney and some words passed between them. Friday they were there again and the quarrel was renewed again with more bitterness. After a time Drayton left for home leaving the impression on Baylis that he would do him some harm. After waiting a while Baylis and his son William got in their wagon and started for home. A little below the Lockhart place they came up on Drayton who seemed to be waiting for them. After some words Drayton drew a pistol and was aiming it at William Painter. Baylis threw a rock at him and in dodging this he lowered his hand and the ball went through William's hand. Drayton then fired at Baylis shooting him in the back, striking the large muscle on the right side of the spinal column not far from the lower rib. The ball was never found. A week after the shooting he was suffering much, but the wound did not seem dangerous. After Baylis was shot he got hold of a pistol in his son's pocket and fired on Drayton as he was retreating in a wagon. He did not hit him as the wagon was moving rapidly and he was afraid of shooting the driver.

\*\*\*



## DEATH OF JESSE HOLLIS OF GAFFNEY

Source: *The Carolina Spartan*, issue of March 1, 1893, p. 2.

Jesse Hollis died suddenly at his home at Gaffney last Saturday. In the morning about ten o'clock he was in R.S. Lipscomb's store, seeming as well as usual. For several months past he has not been very strong and active. He went to his house and did a little work in his garden. He went in the house about noon and said to his wife he was not feeling very well and he lay down on the bed to rest awhile. In a short time his wife to the bed and found that life was nearly extinct. Heart failure was the cause. For many years he lived at Cowpens furnace and superintended the work there. After the iron manufacture ceased there he with his family, went to Charlotte and kept a hotel there. Since that time he has lived part of his time in North Carolina and the remainder in this State. He was a good citizen, a kind hearted and generous man and honest in all his business transactions. His wife, two sons, Pinckney and Carlisle, and three daughters, Mrs. James Turner, Mrs. Willis of Greenville, and Mrs. Gray, survive him.

\*\*\*

## OBITUARY OF MRS. AGATHA A. SMITH

Contributed by Dr. James L. Reid, 730 Walnut Hill Road, Campobello, SC 29322.

Source: *The Carolina Spartan*, issue of March 1, 1893, p. 3.

Mrs. Agatha M. Smith, wife of Holman R. Smith, died at her home on Blue Branch on Thickety February 18, 1893, aged 60 years, 2 months and 16 days. She was the youngest daughter of William Lipscomb, deceased. She was the mother of ten children, nine of whom are living. All are in this county, except Wade Smith, whose home is in Alabama. In her girlhood she joined the church at Goucher Creek and led a consistent, Christian life. Her influence was especially felt in her home where the true and exalted qualities of wife and mother appeared. She was buried in the cemetery at Goucher Creek Church.

\*\*\*

## A NOTE ON WILLIAM GUTHRIE FORMERLY OF SPARTANBURG COUNTY

Source: *The Carolina Spartan*, issue of June 9, 1889.

Some of our older people may remember Mr. William Guthrie who used to live between Cowpens and White Plains. Before the war he moved to Greene county, Tennessee, where he died. His son, Prof. W.T. Guthrie, principal of the Mohawk Seminary, in Greene county, paid a visit to our county last week. This seminary is a new enterprise which has promise of a bright future.

\*\*\*

## SC EVANGELIST K-O-ED IN TEXAS

Out in Scottsville, Texas, Tom Leitch the South Carolina evangelist, told a Mrs. Scott that she was not behaving like a lady. Mrs. Scott was attending one of Leitch's meetings and a snake came under the tent and was capering around Mrs. Scott's feet. She jumped on top of the bench and screamed as any woman would do. That caused Leitch to ask her to behave like a lady. Next day Mr. Scott came across the Evangelist and knocked him out in the first round. Leitch neither resisted, nor turned the other cheek.

\*\*\*

## THE 1830 CENSUS TAKERS FOR THE STATE OF SOUTH CAROLINA

Source: From *The State Gazette*, as copied by *The Greenville Mountainer*, Vol.1, No 1, Jan. 10, 1829. The following are the persons appointed to take the Census, with their compensation.

Districts	Names	Comp'n
Pickens	Jacob Cox	276
Anderson	Asa Clinckscates	200
Greenville	George Russell	225
Spartanburgh	Jabez Galt	290
York	Gilbert Enloe	185
Abbeville	Andrew McGill	310
Laurens	Wade H. Griffin	272
Union	Barth. Johnson	192
Chester	John M'Creary jr.	191
Edgefield	Thomas B. Nixon	386
Newberry	Wm. B. Herbert	190
Fairfield	Abner Fant	207
Richland	Moses Duke	133
Lexington	A.H. Patrick	169
Orangeburgh	Abraham Felder jr.	259
Barnwell	Laurence Trotti	273
Beaufort	John Riley	261
Colleton	Jacob Stevens	256
Charleston	Dr. J.B. Irving	466
Lancaster	J.H. Witherspoon	140
Kershaw	'Squire A M'Caskill	164
Chesterfield	Alfred M. Lowery	164
Sumter	J.M. Dargan	302
Darlington	Joseph Norwood	188
Marlborough	John M'Laren	125
Marion	David Campbell	215
Horry	Wm. S. Rogers	152
Williamsburg	John T. Scoot	155
Georgetown	John White	125

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## SOME DEATHS IN YORK COUNTY IN 1873

Source: *The Carolina Spartan*, issue of March 20, 1873, page 2.

Deaths: Mr. Wm. M. Gordon, who resided in the neighborhood of Bethesda Church, in this County, died on Saturday, 8<sup>th</sup> inst. Capt. Wm. Lawson Brown, who resided about three miles North of Yorkville, died on the same day, after an illness of less than two days. Since the 27<sup>th</sup> ult. Mr. J. Highlan Crawford, who resides in the neighborhood of Philadelphia church, has lost three children from diphtheria. The children were aged respectively about two, four and six years.

*Yorkville Enquirer.*

\*\*\*



## THE COLUMBIAN HERALD, EARLY NEWSPAPER OF CHARLESTON, SC

Contributed by Dr. James L. Reid, 730 Walnut Hill Road, Campobello, SC.

I would like to introduce the readers of this *Quarterly of Upper South Carolina Genealogy & History* to an early newspaper published in Charleston, South Carolina, a decidedly coastal location. The full name of this newspaper is **The Columbian Herald or Independent Courier of North America**, and it features a likeness of Geo. Washington at the top of its front page. (The name is shortened to **The Columbian Herald**.) Its first issue was published on Tuesday November 23, 1784. Four pages in length, it was published twice a week, at first on Tuesdays and Fridays, later shifting to Mondays and Thursday. By 1795, the paper was a tri-weekly. Though published in Charleston, this newspaper contains items concerning upstate people and advertisements concerning upstate property. Given the very early time frame of its publication and the lack of printing presses then in the upstate, we welcome the slightest reference to our region.

The following statement was printed at the bottom of page four of issue Number 1, and was routinely published there, with minor variations—such as a change of address, in all later issues:

CHARLESTON, SOUTH CAROLINA: PRINTED by T.B. BOWEN, and J. MARKLAND, No. 4, *Queen-Street*, where Essays, Articles of Intelligence, Advertisements, &c. Will be gratefully received, and every kind of Printing performed with that Accuracy, Neatness and dispatch, which the nature of the Business requires; also, Subscribing for this Paper, at *five Dollars per Annum*,—one half on subscribing and the remainder at the expiration of the Year.

The **Prospectus** of **The Columbian Herald** was printed on page three of issue Number 1. A transcription follows below:

CHARLESTON, Nov. 23 [1784] To the PUBLIC

UNBIASED and liberal principles in a News-Paper, are of so obvious a nature, that farther comments thereon would become superfluous, in order to enhance the value thereof, by pointing out the many advantages which the community at large cannot fail of deriving from so unbiased a plan; and it is upon those principles that we have grounded the COLUMBIAN HERALD. From our extensive correspondence and connections, we flatter ourselves with obtaining the most recent occurrences from abroad, and intelligence of no less interesting a nature; we shall spare no pains in procuring the most early knowledge of new discoveries in the sciences, useful acquisitions in the mechanic art, and the most choice of literary performances; we shall pay a particular attention And avail ourselves of every opportunity that may tend towards the promotion of trade, commerce and agriculture, (the most principal supporters of nations); in short, our chief aim will ever be to render our paper as worthy the public attention, as our desire is to merit their approbation.

The LIBERTY of the PRESS we shall support and maintain with that vigor which it is entitled to, by the rights of a Free and Independent Nation; but, we must at the same time beg leave to observe, that our press shall never become the prostituted vehicle of individual abuse, personal infamy or slander, to state the inveteracy of any man or party,—much less is it destined to throw out any insinuation which may to counteract the principles of the Revolution. *Political pieces* of a moderate length, dignified with truth, style and argument, free of meanness and low invective, calculated solely for the national good, and destitute of all party and personal scurrility, will be published in due succession and rotatory order,—be received with gratitude and free of cost.

These are prospects,—these our views,—to which we mean strictly to adhere, for the performance thereof, and for which purpose our utmost endeavours shall be exerted. Should the opinion of the public (to whom we submit our whole design) conceive us unequal in the execution, we will still hope for their wonted indulgence;—if on the contrary, the form we have adopted proves satisfactory, we are persuaded their candid

judgment will grant us their patronage and protection.

N.B. All controversies of a private nature, and in which the public hath no concern, are (if admitted) to be paid before hand.

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## FRANKLIN'S CAUTIONARY LETTER TO THE FLEDGLING STATES IN 1784

Source: *The Columbian Herald*, Tuesday, November 23, 1784, Number 1, page 3

Extract of a letter from Dr. Franklin to the President of the Congress, Dated Passy, January 25, 1784

"With respect to the British Court, we should, I think, be constantly on our guard, and impress strongly on our minds, that tho' it has made peace with us, it is not intruth reconciled to us, but flatters itself with hopes, that some change in the affairs of Europe, or some disunion among ourselves, may afford them an opportunity of recovering their dominion, punishing those who have most offended, and securing our future dependence. It is easy to see by the general terms of the ministerial news-papers, (light things indeed, as straws or feathers, but like them they shew which way the wind blows) and by the malignant improvement their ministers make in all the foreign courts, of every little accident or dissention among us; the riot of a few soldiers in Philadelphia, the resolves of some town meetings, the reluctance to pay taxes, &c, all which are exaggerated, to represent our country as so many anarchies, of which the people are weary; the Congress as having lost its influence, being no longer respected,—I say, it is easy from this conduct, to see that they bear us no good will, and that they with the reality of what they are pleased to imagine. They have too numerous a royal progeny to provide for, some of whom are educated in the military line; in these circumstances we cannot be too careful to preserve the friendship we have acquired abroad, and the union we have acquired at home, to secure our credit by a punctual discharge of our obligations of every kind, and our reputation by the wisdom of our councils, since we know not how soon we may have a fresh occasion for friends, for credit, and for reputation."

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## CELEBRATION OF GEORGE WASHINGTON'S BIRTHDAY IN 1788

Source: *The Columbian Herald*, Monday, March 17, 1788, Number 368, page 3.

NORFOLK; February 17

General Washington's birthday was ushered in on Monday last at daybreak from a heavy piece of ordinance, when immediately a revellie was beat by the martial music of the volunteer company. At sun rise the town was saluted by a regular discharge of artillery, at meridian the field-pieces at Town Point fired 13, which was resounded by an equal number of well directed firings from the gentlemen volunteers. The flags of America and France were displayed at different places in the town, as also by the shipping in the harbour. The evening concluded with a ball at the Borough Tavern, w[h]ere an elegant supper was provided by Captain Smith, at which were present a numerous and most respectable assemblage of ladies and gentlemen, and the night was crowned with every mark of festivity that could give brilliancy to this auspicious occasion.

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## THE FATHER OF GEORGE WASHINGTON

Source: *The Carolina Spartan*, issue of Wednesday, October 7, 1891, page 1.

The father of George Washington was Augustine, the son of Lawrence, and the grandson of John Washington, who emigrated to this country in 1657. Very little is known of the events of his life. He



inherited from his father a small plantation on Bridge's Creek, Va. April 20, 1715, he married Jane Butler, of Westmoreland, by whom he had three sons, Butler (who died young), Lawrence and Augustine, and one daughter, Jane, who died when a child. His wife Jane died Nov. 24, 1728, and was buried in the Washington vault near Bride's Creek. Augustine was again married March 6, 1730, to Mary Ball, by whom he had four sons and two daughters—George, Betty, Samuel, John, Augustine, Charles and Mildred. Four years after the birth of his youngest child (who died in her second year), Augustine died at the age of 40 years. About 1737 Augustine Washington had moved with his family to a plantation in Stafford county, on the east side of the Rappahannock nearly opposite Fredericksburg. But when he died his body was taken over to Bridge's Creek to be laid beside that of his wife. He died possessed of considerable property, owning several large and valuable tracts of land in Virginia and Maryland. He left his farm at Mount Vernon, which then included some two thousand acres, to his oldest son, Lawrence Washington, and to George he left the farm on which the family lived near Fredericksburg. Few of the biographers of General Washington say anything of his father except Mr. Weems, who gives us the pleasing little incidents of the hatchet and the cherry tree, and the name planted in the garden; incidents that delighted readers of a half century ago, who implicitly believed them. Nevertheless, the probability is on the side of their truthfulness. Mr. Weems was an Episcopal clergyman who lived near Mount Vernon in Washington's time and was not only acquainted with General Washington himself, but was familiar through others with the history of the Washington family. He received his anecdotes of Augustine Washington from who had known him, and it is probable that the traditions were in the main correct. Certainly the noble characters of his sons, especially Lawrence and George Washington, are more than presumptive evidence that the lofty [illegible word] of mind and heart, the simple uprightness and true Christianity which Mr. Weems endows Augustine Washington were indeed his [possessions?].

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# LIST OF LETTERS IN THE CHARLESTON POST OFFICE ON JANUARY 5th, 1785

Source: *The Columbian Herald*, issue of Monday January 10, 1785, Number 12, page 2.

[Upstate locations known with certainty are highlighted by boldface print.]

A		
John Adams, <b>Waxsaws</b> , 2 letters	Thomas Brennan, <b>Fair Forest</b>	Robert Cannon, Edisto River
William Adams, Combahee	Joseph Brown, <b>Turkey Creek</b>	Mathew Camlin, Williamsburgh
James Alexander, <b>Tyger River</b>	David Brown, <b>Ninety-Six</b>	Elizabeth Collins, <b>Thicketty Creek</b>
James Anderson, <b>Long Canes</b>	David Brown, <b>Broad River</b>	Daniel Cochran, Craven County
William Ackels, Cypress	Nathaniel Brown, Wateree Creek	Andrew Cowan [no address]
John Alston, <b>Broad River</b> , 2	Fowler Brisbane, High-Hills 2	Thomas Cooper, St. Stephen's
B		
Robert Baxter, Marr's Bluff	James Bryant, Camden	John Chancey, <b>Ninety-Six</b>
George Barch, High-Hill Creek	Dempsey Burgess, <b>Camden District</b>	William Chancey, Euhaws
Reverend Edward Batsford, Pee Dee 13	Widow Burke, Cypress	Margaret Chavas, <b>Long Canes</b>
Jacob Barrot, <b>Ninety-Six</b>	Elias Buckingham, Amelia	James Craige, Beakley County 3
Dr. William Bell, Belville	Hugh Brysen, Mecklenburgh 3	Robert Crawford, <b>Waxsaws</b>
George Bell, Stono	James Burnsides, <b>Ninety-Six</b>	Michael Critey, <b>Long Canes</b>
Elizabeth Bell, <b>Ninety-Six</b>	George Byrd, Lynch's Creek	Richard Cruise, Brown Creek 3
Jonas Beard, <b>Saludy</b>	Alexander Black, Craven County	Andrew Cunningham, St. Bartholomew
Mrs. Benoest, Monck's Corner 2	C	
Thomas Berry, <b>Saludy</b>	Stephen Cater, Purrysburg	John Cunningham, Sandy Creek
Thomas Boone, French Santee	John Caldwell, <b>Ninety-Six</b> 2	D
	Robert Caldwell, d <sup>e</sup>	John Dawson, Purrysburg
	Hugh Calhoun, <b>Long Canes</b>	William Davis, Marr's-Bluff
	Robert Campbell, Goose Creek	Thomas Daniels, Godfrey's Savanna

Joseph Deal, Camden 3	Thomas Holman, Ashley Ferry	James M'Bride, Hardlabour Settlement
Joseph Dobbins [no address]	Jacob Hupman, Little-River	Robert M'Quann, Waxsaws
William Dunbar, Silver Bluff 3	William Hill, Orangeburgh	James Meek, Rocky-Creek
Robert Dumbille, Beaver Creek	General Huger [no address]	James Mann, Mary M'Dill and James Montgomery, Broad River
Precilla Dukes, Camden District	Nathaniel Hillen, Ninety-Six	William Muccell, Lynch's Creek
William Dunlap, Long Canes 2	Joseph Harper, Orangeburgh	James M'Dougall, Leafy Hill
James Dunlap, Ninety-Six	Major John Hext, Horse-Shoe	Andrew M'Kenzie, Rowan County 1
Daniel Doyley, Ashepoo	Adam Harrison, Craven County	N
E	James Hay, [no address]	Robert Nodgers, Santee
David Elliott, Ashepoo	William Hull, Chehaw	Robert Neill, Long Canes
George Eakins, Tyger River 4	Squire Hollingsworth, Broad River	Thomas Neil, Craven County
John Erwin, Pine-Tree	Samuel Hatfield, Santee	O
Robert Erwin, Long Canes	Thomas Hickson, d*	Lansford Owens, Wasmasaw
Jacob Emil, Ninety-Six	I	P
Providence Eddings, Roogooodo	Alexander Ingram, Hanging Rock	John Pole, Orange County
Andrew English, Long Canes	Colonel Ingram, Indian Land	Francis Pringle, Wateree
Randall Eldridge, [no address]	J	Thomas Pringle, Beaufort
F	Evan Jones, Willnot Town	Henry Philips, Seth Prier and William Plowden, Dorchester
James Fanning, Thicketty Creek	Levi Jenkins, Augusta	Ann Patterfiet, St. Johns
James Feasy and William Feasy, Waxsaws	John Jenkins, High Hills	William Pool, Lansford
William Feasy, Wateree	George Jennins, M'Cords	Samuel Powel, St. Thomas's Parish
John Folter, Long Canes 2	K	James Pettigree and Ebenezer Pettigree, Ninety-Six
G	Nathaniel King, Congarees	Miss Magalan Prye [no address]
Michael Galloway, Orangeburgh	Henry King, Ninety-Six	James Philips, Jackson's Creek
Robert Gaston, Fishing Creek	Matthew Kirk, Dorchester	Dr. John Piper, [no address]
John Galbraith, Camden	L	R
Samuel Gamboll, Wimsborough	Roger Long, Black River	Robert Rogers, Tyger Creek
John Gordon, Long Canes	Oliver Little, Bush River	John Rodgers, Camden Hills 2
Rev. Mr. Gourlay, Indian Land 2	M	Richard Russel, Santee
Sarah Gist, Tyger River	Mary M'Haffey, Ninety-Six	John Raiford and James Richay, Long Canes
John Gibson, Wasmasaw	James Mason, d*	Mrs. Reed, Camden
John Geigher, Broad River	Thomas M'Andoria, Saludy	John Ridgill, St. Marks 2
John Duncan Glover, Ninety-Six	Archibald M'Dowall, Pine-Tree	Charles Rivers, James-Island
Daniel Glyner, Indian Creek	Alexander Martin, Craven County	William Robinson 2, and Richard Richardson, Congaree 2
Joseph Graham, Warm-Springs	Sary Middleton, Four Holes	Robert Reed, Jackson's Creek
William Gray, Craven County	Edward Moorehed, Bullock Creek	S
James Greedy, Long Canes	Alexander M'Lane, Irish Town	John Stoney, Port Royal
John Gregg, Broad Saludy	Captain Mannie, Santee	Thomas Starrat, Long Bay 2
John Green, Nelson's Ferry	Alexander M'Creary, Williamsburg	Catharine Smith, James Simpson and Samuel Stirmount, Camden
H	Daniel M'Mullen, Ninety-Six	George Smith, Hogskin Creek
Robert Thomas Hornby, Indian Land 2	Thomas Madill, Rocky-Creek	Benjamin Smith, Goose Creek
George Harvey, Wappoo	Archibald M'Leland, Santee	Margaret Shaver, Kitty Sloan and
Nancy Hannah, Rocky Creek	John Millwee, Craven County	
Widow Hannah, Craven County	John Mann, St. Andrew's Parish	
William Hanna, Duncan's Creek, 2	William M'Cluny, Broad River	
Andrew Hanna, Rocky Creek	Robert M'Clintock [no address]	
James Hamilton, Saltketcher	William Millwee, St. Marks 2	
Robert Hood, Ninety-Six	David Morron, Long Canes	
	Mrs. Mitchell, Meldrum	
	Mary M'Connell, Camden	



Robert Swan, **Broad River**  
 William Smith, Joshua, Steady and  
 Dr. William Smith, Edisto  
 Jeremiah Sayne, Beaufort  
 Samuel Sloan, Jackson's Creek  
 James Simpson, **Flat Rock**  
 Joseph Sullivan, Santee  
 William Simpson, Little River  
 Robert Sloan, **Saludy River**  
 Arch. Scott, & Mrs. Ann Scott, James  
 Island

John Steel, **Saludy**

Thomas Seavers, Wappoo  
 Edward Sawyers, Rowan County  
 Mrs. Simpson, Amelia Township  
 Samuel Surry, **Turkey Creek**  
 Robert Simpson, **Ninety-Six**  
 William Sloan, Williamsburgh

T

John Taylor, East Springs  
 Samuel Thompson, **Long Canes**  
 Leonard Turner, Cooper River  
 Squire Tynes, Sandy-Hill  
 John Turner, Little River  
 David Templeton and James  
 Templeton, Craven County  
 James Townsly, Salisbury  
 James Tweed, **Ninety-Six**  
 William Teate, Camden

V

Alexander Vernon, [no address]  
 John Van Marien Hoff, Round O

W

John White and Nath. Wilson, **Long Canes**  
 James Wallace, Jackson's Creek  
 John Wilson, Fort Kinsale  
 Nathaniel Walker, Edisto  
 Joseph Wilkinson 2 [no address]  
 William Wilson, Marr's Bluff  
 W. Isaac White, **Waxsaws**  
 James Watson and Joseph Wigfall,  
 Christ Church  
 David Wilson, Craven County  
 William Walker, Coffee Town  
 James Webb, **Ninety Six**  
 Samuel Wilcocks, Beaufort  
 Dr. James Walker, Jacksonborough  
 Samuel Wilds, Cheraws 2  
 James Wallace, Hogskin

Thomas Walter, Santee  
 Y

James Young, **Ninety-Six**  
 Barbary Young, Goose-Creek  
 James Yancey, Beaufort

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# EPITAPH ON A RICH MISER

Source: The Columbian Herald,  
 Tues., Nov. 23, 1784, Numb. 1, p. 3

Here lies one, who for med'cines  
 would not give,  
 A little gold, and so his life he lost.  
 I fancy now he'd wish again to live,  
 Cou'd he but guess how much his  
 fun'ral cost.

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## FAMILY GROUPS AND FAMILY CONNECTIONS FROM COUNTY COURT RECORDS

Contributed by Dr. James L. Reid, 730 Walnut Hill Road, Campobello SC 29322.

Contributor's note: The intent and purpose of this contribution is to expose family groups and family connections from the various types of court records from the upstate counties of South Carolina. The county and the type of record will be carefully identified. The wording, sentence structure (or lack thereof), and punctuation (or lack thereof) of original documents will be followed as closely as possible. Information within a document that is not essential nor relevant to the genealogical content will be elided, as indicated by successive dots, i.e., ... . Statements or individual words not in the original document will be enclosed by square brackets [ ]. Names and places in boldface type are inserted by the contributor for purposes of highlighting and emphasis.

## CUMBERLAND COUNTY, NORTH CAROLINA

Cumberland County, Deed Book A(1), p. 241

### James Muse's Will

March ye 30<sup>th</sup> day 1758 In the Name of God Amen I James Muse in the County of Cumberland of North Carolina, living at Deep River being sick and week of Body but of sound and perfect memory Praised be God, and knowing the uncertainty of this life and being desirous to settle things in order do make this my last Will and Testament in manner and form following First it is my desire that my wife **Sophia** must have the use of my Estate during her natural life, my desire is that if she sees cause to sell my Plantation and land to [have] full power to sell and make a Deed and after my wife's decease to be divided as follows Item I give to my son **James Muse** a Negro Girl named **Penelope** with what I have already given him into his possession to be his full part of my Estate forever. Item I give to my Daughter **Liddy Ceal** one negro named **Benjamin** with which I have already given her into her possession to be her full part of my estate forever. Item I give to my son **Thomas Muse** one Negro named **Nell** and one young mare named **Blaze**, Saddle and Bridle and my Gun and Case of Razors and Strap to him and his heirs forever. Item I give to my son **Daniel Muse** one negro woman named **Lucy** and a pair of spoon moulds to him and his heirs forever. Item I give to My Daughter **Anne Muse** one Negro woman named **Belinda** and one Bed and furniture belonging to it to her and her heirs forever. Item I give to my Daughter **Anna barbery Muse** I give one feather Bed and furniture one Pewter Dish and six Plates one Iron Kettle and my old mare **Blaze** to her and her heirs forever. Item I give to my Daughter **Sophia Pope Runnels** one Horse to be valued at five pounds to her and her heirs forever. Futher it is my Will and desire all the remainder of My Estate to be divided into two parts one part to my Daughter **Anna barbery Muse** And the other part to be divided between my daughter **Sophia Pope** and her son **William Ceal Muse** to them and their heirs forever is my desire with the death or decease of my wife. It is my will and desire that my son **Daniel Muse** have a maintenance out of my Estate till he be fourteen years of age and I appoint my well beloved wife and my son **James Muse** and **Charles Ceal** Executors of this my last Will and Testament.

In witness whereof I have set my hand and seal the day month and year first above written

Signed sealed in presence of us Trustees

James Muse {Seal}

Albert Dickinson James Bain Isaac Dickinson

[The foregoing document from Cumberland County, North Carolina is chosen here as a precursor to a deed executed in Fairfield County, South Carolina. It is clear, by comparing the names of the Negro slaves mentioned in the Cumberland County will with the the slaves named in the Fairfield deed, that a remnant of the James Muse family of 1758 later removed to Fairfield County. However, the Fairfield deed, which follows, shows confusion in some of the Muse family given names.]







left the following heirs who are entitled to a distributive share of the said real estate, that is, Amy Tollison widow of the testator, the children of Nancy Briant, one of his daughters, who are Elizabeth Harvey, wife of John Harvey, Charlotte Briant, William T. Briant, John Briant, Polly Harvey, wife of William Harvey, Sally Kirby, wife of Wright Kirby, Eli Briant, Muse Briant, James Briant, and Alfred Briant, Lidia Sparks, a daughter, wife of Josiah Sparks, John Tollison, Levicey Kirby, wife of Richard Kirby, Anna Gossett, wife of Major Gossett, Eli Tollison, and Ita Quinn, wife of James Quinn, who together with your orators are entitled to a distributive share of the said real estate according to the provisions acts of the Legislature in such case made and provided. And your orators further shew unto your Honors that the said testator some time before his death has sold a small tract of land in Union District to one James Orr and gave his bond for titles but that he died without having made the said title to the said James Orr as he intended to have.

And your orators further sheweth unto your honors though it is with pain they are compelled thus to call to the view of this honorable court the practice of their deceased father the testator, yet in Justice to themselves they are compelled to state to this court that the said testator some considerable time before his death by and from some cause unknown to your orators, becoming forgetful of the duties of a husband and a Father and being seduced by the youthful charms of a certain Polly Smith, and being led to believe that he could legally and morally be discharged from the obligations of the marriage contract with his lawful wife the mother of your orators, discharged her from his bed and board and actually had the marriage ceremony performed between himself and the said Polly Smith and that he continued to live with her as tho she had been his lawful wife until the time of his death and that she became the mother of a number of children of whom the testator was the reputed father, the names of the said children are as follows, to wit, James Smith or Tollison, Birdsong Smith or Tollison, Josephus Berryman Smith or Tollison, Lucinda Smith or Tollison and Alfred Smith or Tollison who are the illegitimate children.

And your orators further shew unto your Honors that the said Testator being influenced as they suppose by the importunity of the said Polly Smith the mother of those illegitimate children during the time he thus lived with her gave and conveyed unto her the said Polly Smith his mistress and her illegitimate children, contrary to the wise and salutary act of the legislature in such case made and provided, considerably more than half of the clear value of his estate, to the great injury and prejudice of his lawful wife and his legitimate children, some of which gifts are made by a direct conveyance others are made by third persons to whom the said testator had conveyed the property mentioned in said deeds in trust for the benefit of those said illegitimate children and their mother the said Polly Smith. All of which will more fully appear by copies of the said Deeds of gift a file of which are herewith exhibited and marked (B) and your orators expressly charge that the whole of these deeds were without any valuable consideration, and that they were executed through trustees for the express purpose of avoiding the act of the legislature. And your orators further state unto your Honors that the said Testator also endorsed to some [off] those illegitimate children and their mother a number of notes of hand to considerable amount (say) to the sum of six or seven thousand Dollars so that by one means and another he has given to this woman and her children about eighteen thousand Dollars out of his estate of thirty thousand, as your orators can clearly shew and they expressly charge that the said Polly Smith and her said children have detained a considerable portion of goods and chattels and cash belonging to the said Testator's estate which it is not now in the power of your orators specifically and to the precise amount to set forth, but which they hope the said Defts will be compelled to discover and account for.

And your orators further shew unto your Honors that the said Polly Smith and her said illegitimate children or at least some of them are now proceeding or threaten to proceed by due course of law to enforce the collection of those notes of hand that are thus assigned to them, without waiting for this honorable court to decree whether the transfer is void or not, though they were made clearly void as those

deeds of gift are of a date prior to the assignment of those notes and they the deeds above are more than one fourth part of the clear value of the Testators estate so that the notes of right belong to the complainants as the executors of the said Testator, and your orators are fearful if those Defendants are permitted to collect the money due on the said notes that it will be difficult for them to get the same out of their hands should the honorable court decree that the said notes belong to the Executors of the Testator, and not to the said Defendants.

And your orators further shew unto your Honors that the said Testator in his lifetime did, according to the provisions contained in these deeds of gift to his said illegitimate children convey away the property mentioned in these deeds to other persons by absolute deed of conveyances, so that the last mentioned deeds operated as a defeasance of the former as will more clearly appear by a copy of one of those latter deeds, which is herewith filed as an exhibit and marked (C).

And your orators further sheweth your honors that one Col. Joseph Collins has now obtained the appointment of guardian of those illegitimate children and that he is acting for them.

And your orators further state to the honorable court that there will a question arise in the construction of the will of the Testator to the effect of residuary clause of the said will, or that part of the estate of the testator which is the excess of the one fourth of the same, conveyed by the said deeds of gift of his said mistress and her illegitimate children, as the residuary legatees claim the same exclusively to themselves while the other heirs contend that the testator must be considered as having died intestate as to that part of his Estate if the said deeds should be set aside by this Hon. Court and that therefore the same is subject to division amongst all the representatives of the testator according to the statute of distributions.

And your orators further charge that the said Testator at the time of the execution of some of these deeds of gifts and the assignment of those notes of hand, to his said mistress and her illegitimate children was by no means of sound mind, but that it was done wholly through the agency of the said Polly Smith and her children during the last illness of the said Testator.

And your orators further shew unto our Honors that they have often appealed to these defendants in the most friendly manner to have the matter touching the estate of the said Testator amicably settled but they have refused to comply with this reasonable request as in Justice and Equity they ought to have done.

But now so it is, may it please your honors, that the said Defendants or at least some of them combining and confederating together and with other persons at present unknown to your orators whose names when discovered your orators pray may be herein indicted with apt and proper words, to charge them, and contriving how to injure and oppress your orators in the premises some times pretending that those of the lawful heirs who are defendants are [not?] equally entitled to a distributive share of the estate which the testator has contrary to law attempted to convey to his said bastard children and their mother the said Polly Smith, and those said illegitimate children and their mother pretend that the testator has not given them a larger share or portion of his estate than he lawfully might do. And that they have not concealed any of the goods and chattels debts or money belonging to the said estate whereas your orators charge the contrary thereof to be the truth. All which actings and doings are contrary to Equity and good conscience and tend to the manifest wrong to your orators in the premises. In tender consideration whereof and for as much as your orators are remediless in the premises at and by the direct and fixed rules of the common law and cannot have adequate relief save in a court of Equity where matters of this like are properly cognizable and relievable.

To the end therefore that each and every of the Defendants and their confederates when discovered may upon their several and respective Corporal oaths full and true and perfect answer make to all and singular the matters and things herein before stated and charged as fully and particularly as if the same were here again repeated and they thereto distinctly interrogated; and that not only as to the best of their



respective knowledge and remembrance but also as to the best of their personal and respective information and hearsay and belief, and more especially that they may answer and set forth whether the copy of the will set forth in the commencement of of this bill is not a true copy? and whether the Testator did not die about the time set fourth? and that the said Polly Smith and her minor children by the said Col. Joseph Collins may answer and set forth whether those deeds of gift and conveyances which purport to be made by these persons and directly from the testator were not in truth executed in consequence of or with fulfilment of a trust reposed in these persons by whom they were made which the testator had impressed upon them at the time he conveyed the said property to the said trustees for the benefit of his said bastard children and their mother and that the said illegitimate children and their mother may fully set forth and discover what amount of notes the said testator assigned over or indorsed to them and each one of them and when it was done? and was or was not the said testator on his death bed at the time? And was he or was he not very sick in body and mind at the time or was he in his perfect senses at the time the said notes were assigned and was not the same done without any valuable consideration.

And that they the said Polly Smith and her children may fully and particularly set forth and discover the said Testator had not a considerable sum of money in his possession at the time of his death and how much and whether there was not property to a considerable amount which the said testator had gave them in his lifetime of which they have rendered no account to the executors? and whether the said Testator had not in his lifetime gave them considerable sums of money and how much? and what property had he given to them, and that the said Defendants may answer the premises and that the said Polly Smith and her said children may be compelled to account for all the money they and each of them may have received from the testator or his Estate since his death and that those deeds of gift and conveyances and the indorsement or assignments of those notes to them by the said testator may be declared to be null and void as far as the full amount of the same may exceed the the one fourth of the clear value of the estate of the testator and that the same may pass to your orators under the residuary clause contained in the will of the said testator? and that your orators may be authorized to discharge the legacies under the same will which are directed to be paid in property by paying the amount of the same in money after the reasons above stated? And that they or the commissioners of this honorable Court be authorized to execute good and sufficient titles in fee simple to the said James Orr according to the conditions of the said hand of the testator for the land therein mentioned. And that your Honors may grant unto your orators the writ of partition of this honorable Court for the purpose of obtaining a division.

[This concludes the bill of the complainants, Muse Tolleson and Stephen Tolleson, acting as executors of the will of John Tolleson, their father.]

[The following is the Writ of Partition issued by Judge Simpson Foster, Commissioner of the Court of Equity for Sparatanburgh District at that time.]

State of South Carolina }  
Spartanburgh District }

To William Golightly, Daniel White, James Poole, Antony Bates of

Said district and Richard Thompson of Union district and State aforesaid

Whereas it hath been suggested to and in our Court of Equity at Spartanburgh court House, that John Tollison Sen' late of the district and state aforesaid, deceased, had in his life time and at the time of his decease seised and possessed, in fee simple, of certain plantations or tracts of land, situate, lying and being in the districts and State aforesaid, more particularly and fully described in the bill of complaint of the exors of John Tollison dec<sup>d</sup> vs Amy Tollison and others, heirs and distributees of the said John Tollison

Dec<sup>d</sup> for this purpose among other purpose filed in the office of the commissioners of the Court of Spartanburgh District, of which said tracts of land the said John died intestate leaving the following persons (to wit) Amy Tollison, widow of the said John Tollison dec<sup>d</sup> the children of Nancy Bryant, one of his daughters, who are Elizabeth Harvey wife of John Harvey, Charlotte Bryant, William T. Bryant, John Bryant, Polly Harvey wife of William Harvey, Sally Kirby wife of Wright Kirby, Eli Bryant, Muse Bryant, James Bryant, and Alfred Bryant and Lydia a daughter wife of Josiah Sparks, John Tollison, Lovicy Kirby, wife of Richard Kirby, Anna Gossett wife of Major Gossett, Eli Tollison, and Lita (sic) Quinn [wife of] James Quinn.

And no division or partition having been made, the said Exors of John Tollison dec<sup>d</sup> as above named, hath filed their bill in our said court of Equity praying for a writ of partition and division of the said tracts of land agreeably to the acts of the General Assembly in such case made and provided and the said Amy Tollison and others assenting to the same—You the said William Golightly, Daniel White, James Poole, Antony Bates and Richard Thompson of Union district aforesaid, having first sworn fairly and impartially to execute this writ of partition according to the best of your Knowledge and understanding, are therefore authorised and required, that in your proper persons, you go to and upon the premises aforesaid in the presence of the Parties aforesaid, by you to be summoned if they wish to be present, and the said plantations or tracts of land, together with the buildings and other improvements, respect being had to their value, and that you cause to be divided in the manner and proportion herein before mentioned, and that you cause the several and respective parts to be delivered and assigned to heirs to be held in severalty, so that none there of the parties have more of the said inheritance than belongeth them to have. And the partition, by you, as aforesaid to be made, you are requested plainly and distinctly under your hands and seals to have before the aforesaid judges of the said state at the Court of Equity, to be holden at Spartanburg Court House on the first Monday in June next and in what manner you shall execute this our writ then and there make known to us, and have you then and there this writ.

Witness Simpson Foster Esq<sup>r</sup> commissioner of the said Court of Equity at Spartanburg Court House the first Monday in February in the year of our Lord one thousand eight hundred and twenty three and in the forty seventh year of the sovereignty and Independence of the United States of America.

A. W. Thompson  
Comp<sup>o</sup> Sol.

State of South Carolina }

Spartanburgh District } Personally appeared before me William Golightly, Daniel White, James Poole, Antony Bates, and Richard Thompson Esq<sup>r</sup> who being duly sworn, say that they will fairly and impartially execute all and singular the premises contained in the annexed writ of partition to the best of their understanding and knowledge.

D White  
WS Golightly

Richard Thompson James Poole

his  
Anthony A Bates  
mark

Sworn to before me }  
this 30<sup>th</sup> Aug<sup>r</sup> 1823 }

John Eison J P



**Spartanburg District, SC Equity Court Box 6, Package 1 (1825) Final Decree**

In Equity  
1825  
Spartanburgh District  
The Executors of } Bill to set aside  
John Tollison } deeds as void for  
vs } discovery and Relief  
Amy Tollison } etc

Thomson Compts Solr Bill filed 3<sup>d</sup> September 1824

S. Foster C E S D

**Bill taken pro confesso**

Muse & Steven Tollison

vs

Amy Tollison

Polly Smith &

Joseph Collins Guardian

Entered May 1825

Exrs of Jno Tollison vs Amy Tollison et al

[The legal expression "Bill taken pro confesso" means that the defendants did not answer the bill of complaint.]

On motion of A.W. Thomson Compls Sol it is ordered and decreed that the return of the commissioners to divide appointed to divide the land mentioned in complts bill be confirmed and that the commissioners of this court do Sale the land, designated in the lots number two number 1 and number three be sold on the sale day in August next or some convenient sale day there after <sup>^</sup> giving due and legal notice on a credit of one year to purchaser to give giving bond and approved security with a mortgage of the premises; except so much of the purchase money as may be necessary to pay the cost of the case which shall be paid down, and that the right of the Said Amy Tolleson to her part Inheritance <sup>^</sup> be confirmed being her portion in bar of dower as designated and allotted to her by the commissioners in number two their return number two on a plat of resurvey made by Richard Thomson one of the said commissioners 24<sup>th</sup> May 1825

Henry W. De Saussure

24 May 1825

[This is the final decree in this case. It was rendered by Judge Henry W. DeSaussure and was based on the findings of Judge W. Thompson made in 1823. The following pages contain a transcription of Judge Thompson's ruling, which was made a part of the final decree. The curious original punctuation has been retained.]

The Exors of Jn<sup>o</sup> Tollison } In Equity  
vs } Spartanburg District  
Amy Tollison et al } February Term 1823

The first point submitted to the consideration of the court, is, at what time the property of Jn<sup>o</sup> Tolleson deceased, should be estimated, whether at the time of the time of the several donations to his illegitimate

children, or at his death, as there were considerable fluctuations in the value of his estate at these periods.

The Act is entirely solvent on the subject and it is left to the discretion of the Court to make such a decision as will comport with the Justice of the case; There may be cases, where in order to effectuate the intention on the legislature it would be proper to make the estimate at the times of the several donations.

But I am of opinion, in general, it would be the better way, to calculate the value of the property at the time of death of the Testator for were another course to be adopted, a man might make his illegitimate child worth an immense fortune, and his legitimate children be insolvent. As for instance, a man having a wife and several legitimate children, in successful business, is worth one hundred thousand dollars, takes up with a meretricious harlot, by whom he has one child; by the Law he is entitled to give to that child, one fourth part of his estate which is twenty five thousand dollars, he drives his wife and children from home and substitutes this courtesan in her place, knowing that she has already secured to herself and Bastard, all the Law will allow her, she exercises no economy, wastes everthing in her power, and encourages him in conspiracies of dissipation and extravagance, until the residue of his estate is totally exhausted. Would it not be monstrous to suppose that it should have entered into the minds of the legislature <sup>^</sup> to sanction such an act this is not an overstrained case, the one now under consideration comes very neatly up to it from the time the Testator took up with his cuncubine his estate daily diminished until it became a mere nothing in comparison to what it would have been had he not formed this illicit connexion. This could not have happened if the estimate had been to take place at the death of the Testator.

If this principle be correct it leads to the next question, to wit, what is to become of the excess given to his illegitimate children, over and above the one fourth part of his Estate, at the time of his death; It is contended by the Counsel for the residuary Legatees, that it is in the nature of a lapsed legacy to go over to them, but I am of a different opinion, I consider it as after acquired property, and forms a fund in the hands of the Executors, for distribution among the heirs general of the Testator.

There is another ground in this case, that is, as relates to the deeds made by Jn<sup>o</sup> Tolleson to Trustees for the illegitimate children, and the deed, or deeds executed by Muse Tolleson to them. They were obviously intended to frustrate the operation of the Act; and consequently must either be brought into the calculation, or cancelled.

It is therefore ordered and decreed that all gifts and advancements, made to Polly Smith, and her illegitimate children, or to any other person for their benefit or use, so far as they exceed the one fourth part of the Estate of Jn<sup>o</sup> Tolleson at the time of his death be set aside, and that the excess be distributed among the <sup>^</sup> Lawful children of the said John Tollison, and their legal representatives. It is further ordered that Exors of the said John Tollison do execute good and sufficient titles to the purchasers to the land sold by the said Jn<sup>o</sup> in his lifetime, and that a writ of Partition do issue etc. It is further ordered that it be referred to the Comm<sup>r</sup> to report on all matters and thing relative to the said Est which are the subject matter of ref<sup>n</sup> in conformity with principles laid down in this decree. The cost to be paid out of the Est.

W. Thompson

**SPARTANBURG COUNTY**

Spartanburgh District, SC, Equity Court, Box 6, Package 9, Amy Tollison vs John Tollison, 1825

The State of South Carolina }

Spartanburgh District }

In Equity

**The Bill of Complaint of Amy Tollison by her next friend**



[The Bill of Complaint brought by Amy Tolleson against her husband John Tolleson is missing from this Equity Court file. If any reader of this quarterly has a copy, or knows someone who has a copy, of Amy's complaint, please contact me at the address above or contact the editor.]

#### The answer of John Tollison to the bill of Amy<sup>^</sup> Polly<sup>?</sup> Tollison by her next friend

The said John Tollison now and at all times hereafter saving and reserving to himself all exceptions to the many fold errors and insufficiencies in the bill of complaint for answers thereunto or so much thereof as he is allowed it is material or necessary for him to make answer unto says he admits **intermarriage with complainant about the time stated by her** and that he received in the intermarriage with complainant an african negro woman about Sixty years old an old feather bed & some inferior furniture within the whole not more than Sixty dollars at that time, but denies receiving any Hogs cows and calves. That Deft at the time of his intermarriage had not much of a fortune but it was equal the complainants. The Deft admits complainant continued to live with him about the time stated by her **and had the number of children**, but this Defendant positively denies that complainant was virtuous but states that she was guilty of adultery **in about fifteen years after intermarriage** with James Morgan and this defendant having made some discovery of this fact, the complainant fell on her Knees and acknowledged the fact and said if the defendant would forgive her She would do so no more. **Having then several children** and in hopes that she would not again violate the contract of the marriage bed the deft consented She might remain in his house, that afterwards this Deft discovered and was satisfied of the adulterous conduct of complainant with several others of which she acknowledged her guilt to this Defendant in hopes, as he supposes that she would be forgiven again, that complainants conduct was such to induce the Deft to believe there would be no change for the better She being subject to intoxication and seldom sober. That the Defendant finding he could not live with complainant in Harmony and peace from her adulterous conduct and Intoxication proposed to her a seperation to which She readily agreed and that **they did seperate by mutual consent on the thirtieth day of December in the year of our Lord one thousand seven hundred and ninety four [December 30, 1794]**, that on that seperation complainant gave to Deft a discharge with liberty to marry again a copy of which is herewith exhibited and marked A [is not in the file] that on separation aforesaid Deft gave complainant a considerable sum to last until she was satisfied and so [ ] herself that Deft did increase his fortune, but not by her industry or economy as she never added anything to his fortune **for 25 years the time of our seperation** & in fact [ ] to our seperation. that in fact she was an expence without profit.

This Defendant denies taking any mistress into his house during the time the complainant lived with him and never suffered any woman to abuse her in this Defts presense or with his knowledge or consent and never compelled her to wait on any mistress of this Defendants. This Defendant also denies beating compt or that he ever Kicked her out of the house or laid his hands with a view to abuse her.

This Defendant denies preventing comp<sup>t</sup> from living in his house and he never said if she did not quit the house he would kill her and never cocked or presented a gun at her in his life nor commanded her to leave the house That when compt left this Defts house It was with her own consent—that finding that could [not] live together in peace from her improper conduct as before Noted this Deft told her she might take the house and stay in it and he would go or she might go and he would stay. that she freely and voluntarily said that **she would go and stay some time in Pendleton** and did go away and afterwards **returned and lived with her son in law** This Deft denies requiring her to take three children with her but says it was her her wish and he did consent that she might have custody of them but this deft supported them

[This last line completes page 3 of the answer. However, the beginning of the next page seems to be incomplete,

though connected to this last line. Has there been a page lost or omitted from the microfilm? The following fragment starts page 4 of my copy:]

amount to support the children  
this defendant denies all unlawful combination and prays to be dismissed with his reasonable cost and charges etc

J Gist Defts Solr

South Carolina }  
Spartanburgh District} personally appeared John Tollison before me and being duly sworn that the facts contained in the within answer so far as they are set forth as coming within his own knowledge are true and so far as they [are] stated on information he believes to be true

[signed] John Tolleson

sworn to before me the 20<sup>th</sup> day of Decr 1820

Simpson Foster C E S D

#### LAURENS DISTRICT

Laurens District, SC, Probate Court, Box No. 49, Pkg No.7, Estate of **Hugh Munford** (1806), Executor George Whitmore

#### Hugh Munford's Will

October the 29<sup>th</sup> 1802 In the name of God Amen I Hugh Munford of Laurens District and State of South Carolina being very weake in body But of Perfect mind and memory Thanks be Given unto God for the same Calling to mind the mortality of my Body and knowing that it is appointed Onct for all men to Dye Do make and Ordain this my Last will and Testament and Principally and first of All I do recommend my Soul Into the Hands of God that gave it and my Body to the Earth to be Buried in a Desent Christian manner at the Discretion of my Executors nothing Doubting But to Receive the same again by the mighty Power of God and as Touching my worldly Estate wherewith it hath pleased God to Bless me in this life I do Give Demise and Dispose of the same in the Following manner and Form—Imprimis I do Give and Bequeath unto **James Munford my son** one Dollar—I do Give and Bequeath unto **Nancy Finney my Daughter** one Dollar—I do Give and Bequeath unto **Margaret Scott** one Dollar—I do Give and Bequeath unto **Hannah Bell my Daughter** one Dollar—I do Give and Bequeath unto **Johnston Munford my son** all my Lands Buildings Together with a Bay mare he now claims[,] and the Rest of my Estate household Goods & furniture, stock and all property by me possessed I do give to my son Johnston and **my youngest Daughter Anny Munford** to be By them Equally Divided And I do Hereby appoint **Geo. Whitmore Esq'** Executor of this my Last will [and] Testament the Day & year first above written

Signed Sealed Published and Pronounced by the

<sup>s</sup>d Hugh Munford for this and no other to be his

Last will & Testament in the presence of us his

**James Gibson William Paul William x Dillard**

mark

Recorded Adminstr<sup>r</sup> Book CC [or GG] p. 238 by me **D<sup>d</sup> Anderson Ord'y**

#### Proof of Will

Ordinary's office, Laurens District} the within will of Hugh Munford Dec<sup>d</sup> was proven before me in the Court of Ordinary by oaths of James Gibson and William Dillard two of the subscribing witnesses to said will on 18<sup>th</sup> day of October 1806

D<sup>d</sup> Anderson ord'y

#### A Warrent of Appraisement & Didimus on the Estate of Hugh Munford



South Carolina, Laurens District} By David Anderson, Esquire, ordinary to **Henry Davis John Mcoy William Dillard** [These men were appointed to appraise the estate of Hugh Munford. They were charged to deliver their appraisement to George Whitmore, the executor within sixty days from the date of **November 27, 1806**. They were sworn by **Rob' Long J. P.** on the same day.]

**The prase bill of Hugh Munford Dec. 19, 1806**

A true & perfect inventory of all the godge & chattells & personal Estate of Hugh Munford of District of Lorence planter deceased maid by us Whose names are heare unto Subscribed this ninteen day of December in the year of our Lord 1806

Stock of Every	190.80
Household furniture	088.47
Crop &	106.50

Henery Davis John Mcoy William x Dillard

**Sale Bill of Hugh Munford**

[Buyers at the sale were the following:

Joseph Duckett	Jesse Jones	Edward Jeanes	James Gibson
Rebecah Gray	Edward Nelson	William Johnston	Johnston Munford
Richard Bennett	Miles Jones	John Jones	James Munford
James Howarton	John Miller	Billups Loward	Ann Munford
Isham Bradley	Geo. Whitmore	William Kelly	William Gray
John Jeans	John Phillups	Josiah Duckett]	

Accompts Owing to the Estate One note on Joseph Jones 18.19 Levi Fowler's note

Laurens District, SC, Probate Court, Box No. 52, Pkg No.14, Estate of **John Munford (1811)**, Administratrix **Esther Munford**

**A Ditimus to Qualify the [Administratrix?] of Johnston Monford Dec<sup>d</sup>**

State of South Carolina, Laurens District} To **John A Elmor** Esquire I reposing Especial trust and confidence in your integrity and circumspection have and by these presents do give unto you the said **John A Elmor** Esquire full power and authority to administer the male administration unto **Easter Monford wife of Johnston Monford Deceased** ... given under my hand and Seale this **19<sup>th</sup> day of October 1811** and in the year of the American Independence thirty Sixty

David Anderson Ord'y

You do swear that Johnston Monford Deceased made no will so fare as you know or Believe and that you will produce to show and informe appraisers that shall be appointed by the ordinary all and singular the goods and chattels of Johnston Monford Deceased ... So help you god~

(Signed) Easter Monford

Sworn before me this **26<sup>th</sup> day of Octob' 1811** J A Elmore J.Q.

**Admistration bond on the Estate of Johnston Monford Dec<sup>d</sup>**

South Carolina, Laurens District} Know all men by these presents that we **Easter Monford, Levy Fowler, and George Whitmore** are holden & firmly Bound unto **David Anderson Esquire Ordinary** of District of Laurens in the Just and full Sum of Six Hundred Dollars ... this **26<sup>th</sup> day of October** in the year of our Lord **1811** Filed in my office this **18<sup>th</sup> day of November 1811** in Admin<sup>m</sup> Book CC p 99 by me D<sup>d</sup> Anderson Ord'y

**Appraise Bill of the Goods and & Chattels of Johnston Monford Dec<sup>d</sup>**

[The appraisement was done by **D. Boyce, J. M'Coy, and William Dilard** on **October 26, 1811**. The total monetery amount of the appraisement was not summed.]

**Sale Bill of the Estate of Johnston Munford's Estate Dec<sup>d</sup>**

[The sale bill bore no date. Buyers at the sale were the following:

Esther Munford	John Gamble	James Munford	John Finney
Job Johnson	James Gamble	Josiah Duckett Jn <sup>r</sup>	

The sale was certified by Esther Munford]

**Accounts returned April 31<sup>st</sup> day 1813**

Paid to <b>Alexander Boyce</b> the sum of an amount	\$2.75
dito to <b>Elizabeth Munford</b> an amount sum of	3.50
dito to <b>Joshua Davis</b> proven account sum of	6.50
dito to <b>Alexander Boyce</b> an account sum of	2.00
paid to <b>Thomas M'Crary</b> for making coffin for s <sup>d</sup> deceased	2.50
dito paid to said <b>Thomas M'Crary</b> an account	2.00
Paid <b>D<sup>r</sup> George Ross</b> his bill in the last sickness of said Dec <sup>d</sup>	20.75
	19.50
Monies received of <b>Abraham Hollen</b> due the deceased	
Previous to his Death sum of	40.00

esther davis

(Signed) esther monford

[The interlined name, Esther Davis, is genealogically significant. Esther, the widow of Johnston Munford married Joshua Davis.]

Ordinary Office Laurens District} The within accounts of Easter Munford the administratrix of Johnston Munford Deceased have bin by me this day Examined and the vauchers Relating to Same and found to be correct and are hereby approved of this **14<sup>th</sup> day of April 1818**. D<sup>d</sup> Anderson Ord'y

Laurens District, SC, Court of Equity, 17-28, (1821) In the matter of **Ann Munford**, Petition for a Writ de Lunatico Inquirendo

State of South Carolina, In the Court of Equity} To the Honorable the Judges of the Court of Equity The humble petition of **James Munford**, who is a brother of **Ann Munford**, both of the District of Laurens and state aforesaid Sheweth that **Ann Munford** now is and for the space of nearly three months last past, has been so far deprived of her reason and understanding that she is rendered altogether unfit and unable to manage her affairs. Your petitioner therefore prays that a commission in the nature of a writ de lunaticao inquirendo may issue out this honorable court to enquire of the Lunacy of the said **Ann Munford** directed to such persons as to your Honors shall see fit. And your petitioner will pray.

**Simpson & Dunlap** Solicitors

On reading the foregoing petition & affidavit and on the motion of **Simpson & Dunlap** solicitors for the petitioner, ordered that the writ do issue directed to **Robert Long, Jason Meadows, John Boyce, George M'Crary Thomas Beasley Esqr<sup>r</sup>** or any three of them. **John S James C E W D**

[Court of Equity Washington District]

Entered in Minute Book N<sup>o</sup> 1 Page 41. Be it so.

**Testimony**

State of South Carolina, Laurens District}

**John Bennet** on oath says that sometime in March last he saw **Ann Munford** that he did not think she was in in her right mind that he thinks she was set up with two weeks on acct of derangement that he always saw her tenderly used at **James Munfords** by all who attended her

**Thomas Garret** says on oath that he saw her at **Ja<sup>s</sup> Monfords** three times that he saw her act like a deranged person: but he thinks it was only pretense: that he saw her eat & she seemed to do it very



greedily; that he scarcely thinks she she ever was capable of settling her own affairs

**Dr. Dan' Long** says that he saw Ann Munford at Ja' Monfords some time in March last that she then appeared to him to be completely deranged that her eyes appeared very furious; that her pulse was like those who are deranged; that he had recommended confining her; that there was no appearance of fever to produce the above effect; that some time viz in April past he had seen her and she seemed to be restored considerably but not fully; that he saw no improper usage given

**Esther Davis** on oath says that she saw Ann Munford about the last of March last that she saw her 5 or 6 times while she appeared deranged and sat up with her one night; that to her she seemed completely deranged that she knows of <sup>no</sup> ill treatment given to cause it; that she does not think she is fully restored to her reason yet; that she does not think she is fit to manage her affairs; that she heard James Munford say that he owed her forty one dollars about eight years past; that she knew of Ja' Munford letting her (A.M) have a cow & calf at tens dollars that she also knows of his letting her have corn & flour, fat and soap but does not know the price or quantity and also she heard John Finney say he had about ten or twelve years past that he had borrowed sixty dollars of Ann Munford that the whole amount of her property is worth about twenty four dollars and seventy five cents

**Elizabeth Munford** says on oath that she believes in the division of Ann Munfords fathers estate her brother **Johnston Munford** got seventy three dollars & seventy five cents over his divide; or Eather that the above sum is due her; as he rec<sup>d</sup> one hundred and fifty dollars and fifty cents; & she saw John Finney receive sixty dollars & about seventy five cents; and forty one dollars her husband **James Munford** got of her (Ann Munford)

**James Munford** on oath saith that he did owe Ann Munford forty one dollars 8 or 9 years past, but that since she came to live with him has paid her all

**William Dilard** on oath says that on the 13<sup>th</sup> April last he saw Ann Munford, that she did appear to be deranged, at two several times he saw her that is on e time after the 13<sup>th</sup> April, that the money she has now on han is seventeen sixteen dollars and fifty cents

**Joseph Scott** on oath says he knows nothing (1) he gave her agreed to give & did give Ann Munford notes for sixty pounds sterling about eight years past the Seventh day of May, payable as follows viz four pounds a year for the maintenance of her illegitimate boy child that he has paid eight of said twelve notes; that four yet remain unpaid as they are not yet due the first of which will be due the Seventh of May next & the other three annually that Ann Munford relinquished about sixteen or seventeen dollars of the first two notes; that the last note he paid to her about the first of June last

**In the Matter of Ann Munford} Commission in the Nature of a Writ de Lunatico Inq<sup>to</sup>**  
State of South Carolina} To Robert Long, Jason Meadows, John<sup>A David</sup> Boyce, George M'Crary & Thomas Beasley Esq<sup>s</sup>

Whereas information has been received that Ann Munford in the state aforesaid is a Lunatic and insane so that she is not capable of the government of herself her Estate etc in order that due care be taken of the said Ann Munford in this behalf it is hereby commanded that you or any three of you personally go to the said Ann Munford and by such ways and means as you may better be able to be informed of her state, that you circumspectly examine and by the oaths of good and Lawful men of the district aforesaid by whom the truth of the matter may better be known, you diligently inquire whether the said Ann Munford be a Lunatic and insane as aforesaid and if so whether from her infancy or from any other time, and if from any other, then from what time, and how long and wherefore and whether she has had lucid intervals, and what Lands goods and Chattels the said Ann Munford is possessed of and who is her hier, and of what age; and your inquest thus publicly made that you return unto the Court of Equity under your seals of those and so forth, and the writ.

Witness John S James commissioner of the said Court of Equity at Laurens Courthouse the **eighteenth** day of **June** in the year of our Lord **one thousand eight hundred and twenty one** and in the forty fifth

year of the Sovereignty and Independence of the United States of America

John S James CEWD

**In the Matter of Ann Munford} Venue to Summons a Jury**

South Carolina, Laurens District}

To Allen Barksdale Sheriff of Laurens District

By Virtue of a Commission in the nature of a writ de Lunatico inquirendo under the seal of the Honorable the Court of Equity tested by John S James Commissioner of the said court and bearing date the **eighteenth** day of **June** 1821 to us whose names are hereunder written and others in the same commission directed to inquire Ann Munford there in named be a Lunatic or not; these are therefore to require and command you to cause to come before us twenty four honest & lawful men of the state aforesaid on the **ninth** day of **August** next—at ten o'clock in the forenoon of the same day at the house of William Dilard then and there upon their oaths to inquire of the Lunacy of the said Ann Munford & of all such other matters and things as shall be given them in charge by virtue of the said commission and there of fail not at your peril.

Given under our hands and seals this **Sixth** day of **July** in the year of our Lord **one thousand eighteen hundred and twenty one** and the forty sixth year of the sovereignty and Independence of the United States of America Robt Long {seal} Jason Meadows {seal} Thomas Beasley {seal}

1 William Harris	2 Joseph Garrett (left)	3 Levy Garrett
4 Georg Dillard (left)	5 John Whitten	6 John Prater
7 David Reader	Benjamin Hill	8 William Hill
9 William Montgomery	10 King Prater (left)	11 George Young
12 William E Sheldon	David Boyce (left)	13 Dan' Reeder
14 Isaac Jacks (left)	15 John Dillard	16 Joseph Jones
17 John Bennett	18 Tho' Garrett	19 John M'Coye

Entered in the Sheriff Office 30 July 1821 A Barksdale S L D

**In the Matter of Ann Munford} Inquisition**

State of South Carolina, Laurens District} An Inquisition taken at the house of William Dilard situate in District of Laurens & state aforesaid the **ninth** day of **August** in the year of our Lord **one thousand eighteen hundred and twenty one** and the forty sixth year of the sovereignty and Independence of the United States of America before Robert Long, Jason Meadows David Boyce and George M'Crary four of the commissioners appointed and acting in nature of a writ de Lunatico inquirendo under the seal of the Honorable the Court of Equity for the state aforesaid bearing the date at Laurens Courthouse on the **eighteenth** day of **June** in the year aforesaid directed to them the said commissioners and others in the said commission named requiring them to inquire among other things of the Lunacy of Ann Munford of Laurens District upon the oaths of John M'Coy, foreman [There follows a listing of the names of the remaining members of the jury; these names appear below.]...twenty-four good and Lawful men of the said District who being duly sworn and charged upon their oaths say that the said Ann Munford is at the time of taking this Inquisition of an unsound mind so that she is not capable of the government of herself her Estate goods & chattels and so forth and she appears to have been in [this] state about from the middle of March last but how or by what means the said Ann Munford so became a lunatic the jurors aforesaid know not unless by visitation of God. And the Jurors aforesaid upon their oaths further say that they do find the said Ann—at the time of taking this Inquisition seized and possessed of property to the amount of twenty four dollars & fifty six & a quarter cents and has four notes<sup>from Joseph Scott</sup> one of which will be due on the seventh day of June next for twenty one dollars & fifty cents; and the other three of the same amount due annually on every seventh day of May till they are paid; that she appeared to have a claim against John Finney for Sixty dollars & seventy five cents for which he produced a discharge with a witness name but not proven; and also James Munford acknowledged that he got forty six dollars from



her eight or nine years ago against which he produced a list of Items upon oath to that amount. **Joseph Scott** also acknowledged on his oath that she had relinquished Sixteen or Seventeen dollars of the Sum of the first two payments on the first notes that he had given her that he had given her twelve notes for the maintenance of her **Illegitimate Boy child** that the above four notes are the remainder of them that she has one brother **James Munford** & one brothers child & three sisters viz **Nancy Finney, Margaret Scott, and Hannah Bell** and one Illegitimate Boy child about eight or nine years of age And also that the said Ann hath not during her Lunacy aforesaid alienated any property she held in her possession to the knowledge of the said Jurors In Testimony whereof as with the said commissioners as the said Jurors have to this Inquisition set their hands and seals the day year first above written

Robt Long Jason Meadows D. Boyce Geo M'Crary Commissioners

J. M'Coy Forman {LS}	William Harris {LS}	Joseph garret {LS}
Levi garret {LS}	George Dillard {LS}	John Whitten {LS}
John Prater {LS}	David (X) Reader {LS}	William (X) Hill {LS}
William (X) Montgomery {LS}	King Prater {LS}	George Young {LS}
W <sup>m</sup> B Sheldon {LS}	Daniel Reeder {LS}	Isaac (X) Jacks {LS}
John Dillard {LS}	Joseph Jones {LS}	J <sup>n</sup> B. Bennett {LS}
Tho <sup>s</sup> (T) Garrett {LS}	Enoch (X) Garrett {LS}	

#### Laurens County, SC, Deed Book K, page 275

South Carolina, Laurens District) Whereas **Agness Finney** by her next friend **David Gamble** filed her bill of complaint in the Court of Equity for Washington District against her husband **John Finney** of the District of Laurens for alimony and whereas I the s<sup>d</sup> John Finney for and in consideration of nothing & compromising the said law suit the said Agness Finney[,] have granted, bargained, and sold unto David Gamble all that tract of land whereon I now live[,] retaining and reserving to my self fifty acres of said tract of land to be laid off around and including the houses and premises & spring where I now live together[,] with all and singular the rights members hereditaments thereto belonging or in anywise appertaining[,] except as before excepted to have and to hold all & singular the premises hereby granted unto the said David Gamble ... I the s<sup>d</sup> John Finney <sup>for the aforesaid consideration</sup> have ... sold ... unto the said David Gamble a certain negro woman by the name of **Ruth** with her future increase together with all the following property to wit one black mare one bright sorrell colt & one mare eight head of cattle ten head of hogs two beds and two beadstads & furniture twenty bushel of wheat and one half the present crop of corn and fodder when gathered and the patch or parcel of cotton growing around the Dwelling house to have and to hold all and singular the said property unto the said David Gamble ... forever—In trust nevertheless in the following manner First in trust for the use of the said Agness Finney during her natural life—secondly after the death of **Agness Finney** then trust for her six children to wit **Elizabeth Finney Anna Gamble Polly Finney Sarah Finney Peggy Finney & Martha Finney** the said Anna Gamble to account for what she has received at her marriage before she receives her distributive part[,] to them and their heirs forever In witness whereof we have set our hands and seal this 8<sup>th</sup> day of September 1819

Test. J.H. Irby

John Finney {seal}  
[blank] {seal}

[Agness Finney was the daughter Nancy of Hugh Munford. Her daughter Anna married David Gamble.]

Laurens District, Equity Court (Washington District) **Reuben Meadows & wife vs James Adair Jr &**

others February Term 1821

#### Decree

The Bill states that some time in the year 1818 **James Adair Sen'** departed this life and left a widow **Hannah** and several children, to wit, **Mary** who intermarried with **John Prater, Nelly Ramage, James Adair Jr, Susannah** who intermarried with **William Capels, Nancy** who intermarried with **Willis Langston, Martha** who intermarried with **William Gamble**, and **Hannah** wife of the complainant [Reuben Meadows]. An order was obtained from the Court of Common Pleas that the Estate of the said deceased should be sold, one third part of the proceeds thereof to be paid to the said Hannah [the widow] and the rest to be equally divided between the children and heirs of the said James ... The prayer of the Bill is for discovery, account and general relief ... it is satisfactorily proven by reputable witnesses that in consequence of **Hannah Adair's** being a cripple, her Testator [her deceased husband] 20 years ago agreed to give her all she could make by the sale of chickens butter etc ... It is ordered & decreed that the Bill be dismissed with costs.

W. Thompson

Recorded and Examined by me and found to be a true Record of the original Decree Feb'y 27, 1821

No appeal

John S James Comm' in Equity

[In the text of the decree "Nelly" Ramage is also referred to as "Milly" Ramage.]

#### UNION COUNTY

Union County, SC Deed Book G (1803), page 381

The State of South Carolina} Know all men by these presents that I **William Hogan** of Union District in the State aforesaid for and in consideration of the sum of one hundred dollars to me in hand paid by **William Smith** of the District aforesaid have ... sold ... unto the said William Smith all that part of a Plantation or Tract of Land, containing, Sixty acres more or less on a branch of Frenchman's Creek the waters of Enoree river (Thirty acres of said Land being part of a Tract of Land containing one hundred and sixty five acres granted to **Archelaus Kennedy** & the other Thirty being part of a Tract of Land granted to **John Gore** and is bounded on the north and north East by Lands belonging to **Abner Potts & Isaac Darnell** on the south side and Southwest by Lands belonging to **Archelaus Kennedy, John Lamb and John Jackson** ... Witness my hand and seal this 23<sup>rd</sup> day of March in the year of our Lord one thousand eight hundred and three.

Signed in the presence of us

John Cooper James Garity

his

William X Hogan  
mark

The State of South Carolina, Union District} I **Andrew Torrance** one of the Justices of the Quorum for said District hereby certify that unto all whom it may concern that **Catharine Hogans** the wife of the within named William Hogans did this day appear before me and upon being privately & Separately examined by me did declare that she does freely voluntarily and without compulsion dread or fear of any person or persons whomever, release and forever relinquish unto the said William Smith ... all her rights and claim of dower of in or to all and singular the premises within mentioned and released. Given under my and seal this 2<sup>nd</sup> day of April anno domini 1803

her

{LS} And<sup>m</sup> Torrance JQ

Catherine + Hogans  
mark

[This deed shows that there were at least two different William Hogans in upstate South Carolina at the same time in the early eighteen hundreds. This William, with wife Catherine, in Union District in 1803 is not the same William Hogan, with wife Nancy, in Fairfield District and later in in Edgefield District. See this *Quarterly*, Vol. XII, No 2 (May, 1998), for the will (1807) and other estate papers of the



William Hogan in Edgefield.]

**Union County, SC Deed Book I (1808), page 416**

**March the 17<sup>th</sup> day 1808** Received of **Pleasant Harris** the sum of one hundred & forty five Dollars in full for a certain Negro Girl Named **Hannah** about ten years old one tract of Land Seventy Five acres, one bay Horse 9 years old one bay mare four years old one black colt one year old Three feather beds & furniture one black walnut chest one red painted chest one trunk one bofat & furniture two saddles four plows & gears one black calf one black steer one Loom one pott two dutch ovens one dozen chairs thirty bushels corn which property I warrant & defend unto the said Pleasant Harris heirs & assigns forever from myself & my heirs Every person whomsoever lawfully claiming or to claim the same or any part thereof in witness whereof I have hereunto set my hand Signed & deliv<sup>d</sup> in presence of us

**Francis B Junior** his  
**John Hughey** **Flemin X Harris**  
mark

**James Dillard**

**March the 17<sup>th</sup> day 1808** The condition of the within Bill of Sale is such that if the within named James Dillard does pay the within named Pleasant Harris the within mentioned Sum of one Hundred & forty five dollars by the first day of February next then the bill of date to be void & of none Effect In witness I have hereunto set my hand

**Francis B Junior** his  
**John Hughey** **Flemin X Harris**  
mark

**Pleasant Harris**

So Carolina, Union District} Personally appeared Francis B. Junior & made oath that he did see James Dillard sign Seal & deliver the within bill of Sale unto Pleasant Harris as his voluntary act & deed & that John Hughey & Flemin Harris were subscribing witnesses at the same time with himself

Certified this 19<sup>th</sup> day of **March 1808**

**Jos<sup>b</sup> M<sup>r</sup> Junkin J P**

**Francis B Junior**

[It was shown earlier in this *Quarterly*, Vol. XIII, No 3 (August, 1998), Pleasant and Fleming Harris had a brother-in-law Dillard. The bill of sale, or mortgage, above helps to establish that he was a James Dillard.]

**Union County Deed Book B (1789), page 253**

THIS INDENTURE made this Twenty fourth day of Sept<sup>r</sup> in the year of our Lord one Thousand seven hundred and Eighty nine and in the Thirteenth year of American Independency BETWEEN **Thomas Harris and Martha his wife** in Union County in the state of S. Carolina of the one part and **Joseph Harris** of the county and state aforesaid of the other part **WITNESSETH** that the said Thomas Harris and Martha his wife for in consideration of five pounds sterling to them in hand paid by the said Joseph Harris ... Have ... sold ... unto the said Joseph Harris ... all his plantation and tract of one hundred acres of land ... in ... the county aforesaid Bounded on the N. side of Enoree River on a small creek called Johns Creek which tract and plantation of one hundred acres of land was granted to **Richard Harris** ... the thirteenth day of October Anno Domini 1772 ... said grant Duly recorded in the secretaries office in book M.M.M. page 444 ... Which after the said Richard Harris decease the aforesaid Thomas Harris **his eldest son** became heir to the aforesaid plantation and Tract of land ... IN WITNESS whereof the said Thomas Harris & Martha his wife have to these presents set their hands and affixed their Seals the day and year above

Written

**Thomas Harris {seal}**

Signed Sealed & Delivered In the presence of us

**John Nederman**

**John Martindale**

Rec<sup>d</sup> the day and year first above written the full sum of 5 pounds sterling it Being the full consideration above mentioned We say received by us **Thomas Harris** **Martha x Harris**

Recorded the 28<sup>th</sup> Sept<sup>r</sup> 1789

her  
**Martha x Harris {seal}**  
mark

[See this *Quarterly*, Vol. XIII (August 1999), for the estate papers of this Thomas Harris.]

**Union County, SC Deed Book M (1814), page 168**

The State of South Carolina} Know all men by these presents that I **William Dillard** of Laurens District and State aforesaid am Held and firmly bound unto **Francis Fincher** and **Sarah Fincher** late of Union District now of **Lincoln County** State of **Tennessee**, guardian of **John Smith** son of **David Smith Esq<sup>r</sup>** deceased, in the full sum of one thousand Dollars to be paid to the said Francis and Sarah Fincher Their certain attorney Executors or administrators ... [bond for the property of ... the minor John Smith ...]

Signed Sealed and delivered in the presence of us

**Bird Murphy** **Jesse Fincher**

his  
**William x Dillard**  
mark

So Carolina, Union District} Personally appeared before me **Jesse Fincher** and made oath that he saw **William Dillard** make his mark to the within Bond and that himself and **Bird Murphy** in the presence of each other witnessed the due Execution thereof Sworn to and subscribed before me this 2<sup>nd</sup> May 1814  
**Ja<sup>s</sup> W Darby J P** **Jesse Fincher**

**OBITUARY OF JOHN POOR OF ANDERSON DISTRICT**

Source: The Highland Sentinel, issue of Thursday, January 11, 1841, page 3

Departed this life at his residence near Calhoun, on Sunday morning the 3d inst., **JOHN POOR**, Sen'r, in the 67<sup>th</sup> year of his age.—The deceased was one of the first settlers of this district. He had resided upon the same premises through life, and by industry, prudence, and economy, had succeeded in laying up a goodly portion of this worlds goods. He had long been known and respected, as a kind neighbor, and devoted friend, and was perhaps more distinguished than nine tenths of mankind, for his kind, hospitable, and generous nature. He had never attached himself to any church, but died rejoicing in the hope of a blessed immortality, beyond the grave. He has left behind him a numerous train of relations, friends, to mourn his loss, but who derive much consolation, by knowing that, "what is their loss is his eternal gain."

**DEATH NOTICE OF THOMAS MUSE OF FAIRFIELD DISTRICT**

Contributed by Dr. James L. Reid, 730 Walnut Hill Road, Campobello, SC 29322.

Source: *The Camden Journal*, issue of Saturday June 28, 1828, page 2

[DIED] at his residence in Fairfield district on the 1st inst. Mr. Thomas Muse in the 83rd year of his age.



# OBITUARY OF JOHN TOLLESON

Contributed by Dr. James L. Reid, 730 Walnut Hill Road, Campobello, SC 29322.

[Transcribed from *S.C. State Gazette & Columbia Advertiser*, issue of May 1, 1821, p. 3, col. 1]

## DIED

At his residence in Spartanburg district on the 27<sup>th</sup> ult., after a painful illness of nearly five months, Major JOHN TOLLESON, for a long time a respectable and useful citizen of this state. Major Tolleson devoted the earlier part of his life to the business of merchandize, in which his actions were marked by a strict adherence to justice and integrity, and by which from regular habits of industry and economy, he engrossed an ample fortune. For many years previous to his death, he retired from public life and lived peaceably and happy on the fruits of his labor. Yet his wealth was not hoarded from the world; his friends met accomodation, and the distressed found relief from his humane liberality. Possessing a firm constitution, supported by habits of regularity and temperance, he lived to the advanced age of eighty-two years, and maintained, undiminished his powers of attending to all his domestic concerns, as well as to his commerce with the world. With singular patience and resignation, he bore his last illness, and never murmured at the providential affliction which terminated his existence. A large family and many friends remain to deplore their loss; his memory is embalmed in the hearts of those who knew him.

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## A NOTABLE GOLDEN WEDDING IN EDGEFIELD

Source: *The Edgefield Chronicle*, issue of Wednesday, April 24, 1889.

Not only our town, but our whole county, knows and loves Capt. and Mrs. Lewis Jones. Capt. Jones, who come of an Edgefield family, prominent and honored in the earliest days of Edgefield history, was, in the good old-fashioned days before the war, one of the most popular men and efficient office-holders Edgefield has ever known. he is now a hightone, old-fashioned South Carolina gentleman. He is seventy-six years of age, and his faithful wife, who in family life, social life and church life, has ever been one of the noblest and most useful women in our community, is a few years younger. Their living children are Mrs. W. K. Blake, of Spartanburg, with seven children, Mrs. J.A.C. Jones, of Trenton, with one child, Mr. Lewis P. Jones of Ridge Spring, with seven children, and Mr. James Jones, of the same place, with three children. Four children and eighteen grandchildren. Of these eighteen grandchildren, there are six grown, two gifted young gentlemen and two lovely maidens of the Blake family, and Bessie and Maggie, the beautiful daughters of our friend Mr. Lewis P. Jones.

Thursday, the 18<sup>th</sup>, was the 50<sup>th</sup> anniversary of the marriage of Capt. and Mrs. Lewis Jones, and also strange to say-and interesting-of Tom and Abby-the man servant who came with the bridegroom and the maid servant who came with the bride. The evening of the day is at hand, and the evening star stands stationary, and flaming as it were, above the old mansion on the high hill. And as the old friends and warm friends and faithful friends of the venerable couple hurry to the golden wedding, they mark this brilliant star as a harbinger of future peace and prosperity. It is a goodly company, and the old mansion blazes and flames with light and hospitality. The venerable couple, each with abundant snowy hair, and handsomely dressed, sit in large arm chairs, and receive their guests with gracious and tender kindness. In fact there is an air of grace and tenderness over the whole affair. Their children and grandchildren are grouped gracefully behind them and at their feet. Senator Butler, in a few beautiful words, offers the love and felicitations of the assembed comany to "our beloved and venerable young friends." Prof. W. K. Blake, of Spartanburg, the son-in-law, who is a man of letters and polish, responds with equal grace and briefness-and does not forget to speak kindly of old Tom and Abby. Then Mr. Lewis P. Jones reads the following original poem, contributed to the occasion by Mr. Willie Blake, who lives in Florida, and who is the only one of the eighteen grandchildren absent. When he come to the 8<sup>th</sup> and 9<sup>th</sup> verses, all the children and grandchildren join in the refrain, and the effect is pious and tender:

Fair Hymen hail! most welcome thou  
Midst our glad throng to-night,  
Welcome thy sunny smiles that fill  
Each heart with sweet delight.  
Fair Hymen hail! thrice welcome be  
The spell thy spirit flings,  
O'er hearts now kindled with the joy  
Thy radiant presence brings.  
To-night fresh garlands' round thy brow,  
Fond hands will gently weave,  
Whilst on thy torch new fires we'll light,  
And loving homage give.  
We'll glorify the hour that came,  
Ere earth knew many here,  
When thou wast first a guest of those  
Whom now thy sweet smiles cheer.  
Then love was youthful in thy breast,  
And on flushed cheeks did glow,  
For that was in the fair, fresh days  
Of Fifty Years Ago!  
But though Time's deep'ning mists have  
dimmed  
The sparkle of thine eye,  
And on the raven locks, the snows  
Of many winters lie,  
Yet, Gentle Spirit, in thy glance,  
The fires of love still glow,  
As pure and sacred as the love  
Of Fifty Years Ago!  
Then sound the wedding bells again,  
Sweet, mellow, golden bells,  
Whose dulcet music joins the chord,  
That now each bosom swells.  
Parental hearts, let filial love,  
With Hymen's sacred seal,  
Again unite, and to the twain  
God send a holy weal.

Then the gray-haired old Captain, the bride-groom of 50 years, in a voice tremulous with emotion, reads the following lines, written for him by a loving female relative:

It only seems like yesterday:  
Yet fifty years have passed away  
Since at the altar, side by side,  
I stood with you, my happy bride.  
And now our children's children stand  
Close gathered round, an eager band;



While we're all, with smiles and tears,  
 The joy and grief of Fifty Years.  
 For we have known the cares of life,  
 Loved one, since we were man and wife,  
 Yet have not loved each other less,  
 Through "Fifty Years" of happiness.  
 When clouds have threatened storm and rain,  
 The skies have always cleared again,  
 And "Fifty Years" have come and passed,  
 And brought us sunshine at the last.  
 And now that we are old and grey,  
 We trust in Him, our guide and stay,  
 Our constant and unchanging friend,  
 To lead us to our journey's end.

Then the Rev. R. P. Franks makes a short but beautifully appropriate prayer, during which the assembled company stand reverently. Then the old friends and the true friends advance, and shaking the old couple by the hand, congratulate them as they would a bride and bridegroom of twenty-five and twenty. Then an hour of cordial and animated social intercourse. Then "Aunt Cornelia," whom everybody in the world loves—her beautiful white hair crowned with a turban of white tulle—whispers to Prof. Blake, who gracefully announces supper. Up the ancient stair-case we all go—as the animals entered the ark—"male and female created He them"—into a great room, formed by the canvassing in of the long upper piazza. The room is exquisitely adorned with greens and flowers, and the royal table blazes with sixty odd wax lights—after the fashion of fifty years ago. And another blessed fashion of fifty years ago is to be observed. We are all to sit at the feast; no one is to stand. What a kingly feast it is—how generous, how all-embracing, how brilliant, how exquisitely arranged. But who are these fairies who flit around the table and so gracefully serve the old friends and true friends of their honored grandsire. They are the lovely granddaughters of the house. They have donned ravishing little mob caps and aprons; and they are certainly the prettiest and kindest waitresses the old friends and true friends have ever known. Then an hour of lordly feasting, preceded by the glorious and solemn doxology "Praise God from Whom All Blessing Flow," sung by the assembled company standing. Then another hour of happy social intercourse; and the old friends and the true friends leave the venerable couple with their children and grandchildren and "Aunt Cornelia"—and Tom and Abby. It was a lovely golden wedding, conceived in exquisite tenderness, intellectuality and refinement, and carried out with infinite taste and filial love.

We love our honored old friends, and wish them a new happiness here and a home in Heaven.

#### VIOLENT ASSERTION

At the Jones golden wedding, while we were chatting with our old friend and contemporary, Col. Robert B. Hughes, a gentleman, satirically inclined, passes and said to us: "Ah, this is something you two will never celebrate." We remained discreetly silent, but Col. Hughes answered quickly: "I expect to celebrate my golden wedding in heaven," at which a lady, standing near, exclaims: "Well, that is the most violent and unjustifiable assertion I have ever heard in my whole life." And thus Col. Robert came our scarred!

#### THE GOLDEN AFTERMATH

On the night after the golden wedding, Capt. and Mrs. Lewis Jones entertained the young people of our community in royal style. The "early settlers" got "the first lick" as the boys would say; but, from what those same boys tell us, the second night was no whit behind the first.

#### DEATH OF LEWIS P. JONES, ESQ. OF EDGEFIELD

Source: *The Edgefield Chronicle*, issue of December 31, 1890, page 3, column 1.

A true and manly man, a generous neighbor, a faithful friend, a devoted son, husband and father, a public-spirited and useful citizen, an earnest and unpretentious Methodist, a devout Christian-confessing Christ always, and making small professions for himself—has gone from our sight into the heavens. Lewis P. Jones, the eldest living son of our venerable and beloved townsman, Capt. Lewis Jones, departed this life on Saturday night last, after a brief but very severe illness, at his home in the suburbs of Ridge Spring—aged 40 years. He married Miss Tille Lomax, of Spartanburg, a niece of Bishop Duncan of the Southern Methodist Church. This gentle and universally beloved lady, with eight or nine children, survive him, and has the deepest sympathy of all Christian souls. Lewis P. Jones was a worthy representative of an historical Edgefield family. He lived upon a part of the estate of his grandfather, of Edgefield's earliest days; and there, near the graves of grandfather, grandmother, and many honored relatives gone before, he was laid to rest on Monday last. In chronicling the death of Lewis P. Jones, these strong words of consecration come almost unbidden into our mind: "For none of us liveth to himself, and no man dieth to himself. For whether we live, we live unto the Lord; and whether we die, we die unto the Lord. Whether we live, therefore, or die, we are the Lord's."

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#### A TONGUE-IN-CHEEK VIEW OF NEWBERRY DISTRICT IN 1816

Contributed by Dr. James L. Reid, 730 Walnut Hill Road, Campobello, SC 29322.

Source: *The Telescope*, a Columbia, SC weekly newspaper, issue of May 28, 1816.

FOR THE TELESCOPE

#### JEDIDIAH MORSE IMPROVED

Or Extracts Geographical and Biographical of the State (Continued)

NEWBERRY is the most republican District in the State, and is remarkable for its good water, and the civilized manners of its inhabitants, who in a general way are more wealthy than those of Lexington, not so quarrelsome as those of Edgefield, more cleanly in their cookery than those of Union, and more cunning than the people of Laurens at the rule of thumb. The land here is hilly, and the roads rather bad for carriage travelling; hence it is we often find people in these parts, who are content to let their neighbors see they have a carriage, though they never use it, and it is invariably put in the most conspicuous place on the premises, except that occupied by the kitchen, which is always built in front of the dwelling-house, and always so as to present a rear to the visitor. The people rarely have gates to pass through in front, but blocks, which is a great labor-saving convenience, not considered by the more polished, though less mannerly Richlanders, who have, as I have a description of their District noted, the highest opinion of gates of any people in the whole earth. This District produces cotton, corn, rye, wheat, and garden vegetables of all sorts. It is watered on the east by the Broad river, so called it is supposed from the broad shouldered people who live on its meanderings, and westerly by the Saluda river, or as some call it, *Se-lewduy*, from the great lewdness of the first settlers hereabouts. Besides these two capital currents it hath Innotec, Tyger, and Bush river, famous for its mills and bridges.—These are called rivers by the people here, who have a very curious and reasonable way of designating between creeks and rivers, allowing those only to be called rivers that never go dry in summer. Religion has so greatly assorted the people of the State, that it is hard to say what particular sect has here the greatest number of votaries. There is, though, upon Broad river a sect peculiar unto themselves called Unconquerables, and who have



a way of their own, differing from all the moral philosophers now extant. Dancing appears to be the favorite amusement among all ranks of people throughout the State, except those restrained by some religious scruple. In the back country, summer is preferred to winter, as the days are longer; but among all the dancers I have beheld, none have come up to what may be termed the difficult and dangerous in that science in as high a degree as one of your country beaux of the third quality. On a rough slab floor I have seen steps done that would jeopardise the toe nails of an hundred French dancing masters with all their agility and shoes to boot, (for this class always performs barefooted) and the propriety of the dance is here never ascertained until the house is swept, and then is pronounced good or bad from the quantity of nails found in the floor harvest, as the jolly fat flat footed spankers who sweep the house call it.

*Capital Town.* The Capital town is situated nearly central and is called about home the *Court-House*, but at a distance is designated by the name of *Newberry Court-House*, and is indeed a handsome little village, and has some good buildings, perhaps the strongest jail in the state and fixed not as they commonly are, directly in front to keep the worthy customers of courts in terror, but situated at one end—However, like all other flourishing towns, it has drawn upon itself the envy of the country people, who think the inhabitants too proud, because they live in town in painted houses, and don't so generally go barefooted as themselves—There is a good deal of trade carried on here, and the people are fond of literary improvement, (at least those of them who can read.) No where is there more public spirit than here—If ever a people were truly jealous of their rights and liberties, it is the Newberrians. Hence it is electioneering is an honorable amusement; a man who can hold his popularity under the scrutiny of an election here may hold up his head any where. As magnificent Rome herself once owed her preservation to the cackling of Geese, what may we not expect, when every man in our happy times and thrice happy land is continually bestirring himself for his own good and the good of his country, keeping his eyes, mouth and ears open to find out if there were no conspiracies and dealings with the devil and all that; yet it is lamentable that this noble public spirit should be so illy rewarded; a bad crop year is the consequence every second year, as the labor of man and beast must be devoted to the public good.—What is said on this subject is not only applicable here but to every part of the state—And here allow me to make a small digression:

The immortal and page-plentiful Jedidiah Morse, after leaving the curds, cream, apple orchards and onion crops of New-England, has taken such little pains to be minute in particulars that the description of one state might very well answer for another—He makes not half as much a mountain here as a green cheese, in his own country—However the Doctor does, to do him justice, halt his money making pen at Tar River in North-Carolina to compliment the people of that state—no doubt because they make Cyder and are great encouragers of the nothern fishmongers; all which I could have pardoned as voluminous writers as well as great travellers are by law authorised to —, I won't say what; but he has deprived our ladies of that blooming complexion so fashionable at present, & condemned the practice of feasting at funerals. The well knowing and crafty Doctor, certain he has given offence thereby, has rewarded us with a few gold & silver mines, a quarry or two of diamonds and a quantity of chalks and paints not to be found upon near inspection. But Dr. Morse, all the world knows, loves metals as well as milk, and if he deprives a country of one is very apt for politeness sake to reward it with another.

We will return to Newberry—The people are cunning beyond description, having learnt of the Yankee pedlers much of the the New-England manner of changing one thing for another. There is a court held here twice a year, and business sufficient for a gross of the second rate Lawyers, besides comers and goers. The country is healthy except in cases of pleurisies, fevers and hooping-coughs, which last disorder has here as well as almost every where else of late proved very fatal under the name of a Typus Quinsy—Mercury or *Marky*, as some Doctors in these parts call it, is the only medicine found to give immediate relief—and is sure either to kill or cure directly—those who die are out of the way—those that

live are, as my friend Dr. Mitis calls them, perhaps raised up as useful instruments, meaning probably, Thermometers. The beasts and birds are pretty much the same in this district as are to be found in the introduction to this work—it is well timbered and the soil stiff mole with a good deal of red clay and now and then a stone on the sides of the hills. This district in a military view is rather respectable; it brings two troops of horse into the field, and has one brass four pounder, which is kept at the court-house to fire on the fourth of July and Christmas day.

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### MURDER OF EDWARD BROWN, FORMERLY OF CHESTER DISTRICT

Source: *The Edgefield Advertiser*, issue of Wednesday October 29, 1856, page 1

AN ATROCIOUS MURDER—We regret to learn that Mr. Edward Brown, formerly of Chester District, S.C., but residing in Portersville, (Tenn.) was murdered on the 7 th instant, by a man named Thos. D. Hoffler.

The circumstances are briefly these: Mr. Brown and Hoffler had a difficulty which had been partially adjusted. But on the morning of the 7 th, as Mr. Brown was passing upon the street to procure passage to Memphis, on business, he was met by Hoffler who presented a double barrelled shot gun loaded with buck-shot, and without notice, discharged at Mr. Brown both barrells, lodging fifty-seven of the shot in his breast. He died instantly. Hoffler immediately fled from justice, but a reward has been offered for his apprehension.

Mr. Brown was one of those brave Palmettoes who went out from Chester under the command of Capt. Dunnavant, and during the Campaign won for himself, by his conduct and devotion to duty, the admiration and esteem of all with whom he became associated.—*Carolina Times*

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### OBITUARY OF MRS. PERMELIA HOLLAND OF EDGEFIELD DISTRICT

Source: *The Edgefield Advertiser*, issue of Wednesday December 31, 1856.

DIED, on the 21 st inst., Mrs. Permelia Holland, wife of Daniel Holland, Esq., in the sixty-fourth year of her age. She was born on the 10 th day of April, 1793, in Edgefield District, in which she lived and died.

She had been a consistent member of the Baptist Church for forty-eight years, and died in the faith in which she lived. She possessed many of the highest and most endearing elements of the female character; she was a sincere friend, a dutiful wife, and affectionate mother, and a kind mistress. In short, she sustained all the relations of life with a dignity, calmness and propriety that won the respect and esteem of all who knew her. She left a husband and three children to mourn their loss.

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### CHRISTMAS IN EDGEFIELD IN 1890

Source: *The Edgefield Chronicle*, issue of December 31, 1890, page 1.

Christmas in Edgefield was quiet, orderly and prosperous, free from accidents of any serious disturbances. A pretty feature of the season was that the children of many families invited their friends to cake, sky rockets and fire crackers, and had a merry evening of it. This was better than fireworks in the streets.

The Christmas decorations in Trinity Church were exceedingly beautiful, and the services of the day in accord with the holy and joyous season. The fine baritone voice of young Whitfield Watson, at home for a few days from Wofford, gave great pleasure to all hearers.

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# A COLD SATURDAY IN FEBRUARY 1835

Contributed by Dr. James L. Reid, 730 Walnut Hill Road, Campobello SC 29322

While perusing the pages of the *The Carolina Spartan* recently, I came upon an allusion to a cold snap in January of 1893 that blasted Spartanburg County and the remainder of upstate South Carolina some 107 years ago. That cold spell of 1893 was compared by the editor with one that had occurred back in 1835. I was reminded that I had seen reference made to the same extremely cold weather of 1835 in the January issues of *The Carolina Spartan* for 1886. In this article I gather together the items related to that cold day in 1835 from the *Spartan* and a couple of other upstate newspapers. I start with the accounts that appeared in 1893 and work backward to 1835. Words inserted by me are enclosed by square brackets, [ ].

## *The Carolina Spartan*, issue of January 18, 1893

This cold spell makes the oldest inhabitant's mind turn back to the cold Friday and Saturday of 1835, which came in January, perhaps. [No. It came in February, as we shall see.] There were no thermometers in the up country to indicate what the temperature was. [Wrong again.] It is said that Friday was very windy with rapidly falling temperature every hour. People could not keep warm sitting by big fires even when they wrapped bed quilts around them. Birds would fall frozen while attempting to fly, chickens froze stiff on their roosts, water thrown up in the air would drop down in a shower of hail. Forrest trees would split open by the freeze. Such are the reports made by the old people concerning that memorable cold spell.

## *The Carolina Spartan*, issue of January 25, 1893

When it comes to cold weather the old people go back to the cold Saturday of 1835. Dr. J. J. Boyd has a very clear recollection of the day. Mr. Allan Thomason was living with his father's family near his present home. He says there had been some snow and pretty cold weather. Friday night, February 6, he went to a quilting frolic at Mrs. Lancaster's who lived at the spring on Chincapin a few hundred yards above Beaumont. When he left there about ten o'clock the snow was melting a little, caused by the fire within perhaps. Next morning the 7th of February, the wind was blowing very hard and it increased during the day. He thinks there no cases of freezing in the county. He says that two school boys Robert Cleveland and Charlie Roberts went out hunting about where Mr. Maxwell's farm is early in the morning, but they

returned in a half frozen condition. Up to Saturday Lawson's Fork was not frozen over. There was thin ice along the edges of the stream. Sunday morning he took an axe and cut through the ice at the mouth of the spring branch, and it was six inches thick. He does not know what the thermometer was. He thinks there may have been a few in the county but he does not know who had them. If there are other persons in the county who have any facts to give in regard to that cold Saturday, the *Spartan* would like to have them.

## *The Carolina Spartan*, issue of February 8, 1893

"Squire Camp has a very distinct recollection of the cold Saturday, Feb. 7, 1835. He says he was upon Green River then and that he got closer to the fire than he ever got to a girl when he was courting her in dead earnest and then he thought he would freeze to death. He says the weather was quite warm before that and the sap was rising in the trees. The freeze made them split and the noise could be heard a long distance. The Monday after the cold spell the ice on Green river was 10 to 12 inches thick.

Wiley W. Hammett near Wellford, also remembers the cold spell. The night before he was at a frolic like Mr. Thomason. He says that the cold night he slept between two other young men in a bed and when he awoke next morning the hair of one of them, Lorenzo Chapman, stood out [a] solid mass of icicles as large as his finger. The moisture of his breath had turned to ice.

## *The Carolina Spartan*, issue of March 1, 1893

MR. EDITOR:—I have in my possession a slip of paper cut out of some paper that is pasted in a book that gives the temperature of the weather in

1835, also 1886, which is as follows:

It is recorded that the thermometer in Greenville went down to 11 degrees below zero the cold Saturday of 1835. The lowest point in Spartanburg in 1886 was as follows: January, Saturday, 9th, 12 degrees above zero; Sunday, 1 degree below;

Tuesday, 10 degrees below, Wednesday, 6 degrees below, Thursday, 6 degrees above. Observations taken at sunrise, 2 p. m. and 9 at night, give the following average:

Monday, the 11th, 8 above zero; Tuesday, 7½ above; these were the coldest days.

W. J. TUCK, Shoaly, S.C.

This last item by William Jackson Tuck, who lived on Shoaly Creek in Spartanburg County, gives us some specificity about the temperatures that prevailed in the cold weather of January 1886. From Mr. Tuck's data, the freeze of 1886 rivaled that of 1835. His reference to Greenville gives us a clue as to where to look for a first hand account of the the big chill in 1835. First, I will present some items from the *Spartan* concerning the weather of January 1886.

## *The Carolina Spartan*, issue of January 13, 1886, page 2

The cold was dreadful in the North-West last week. Here in South Carolina where the thermometer seldom reached Zero, one cannot conceive of weather 30 to 40 degrees below zero. Throughout Dakota it was 20 to 30 degrees below; in Kansas City 15; Canada 30 to 40; Duluth has not been heard from but she will beat any other place for cold. Trains are stopped by snow and severe cold, and transportation is at a stand still.

The coldest days in Charleston for the past thirteen years have been December 30, 1880, 13; January 6th, 1884, 16; January 10th, 1886, 11. The people of that comfortable old city are not used to them. The fact is the average Charlestonian is not built for intensely cold weather.

## *The Carolina Spartan*, issue of January 20, 1886, page 1

—A negro woman and two children, one an infant two weeks old, were all frozen during the cold spell in a cabin near Belton in Anderson [County]. The woman was too weak to get food or cook food and the negroes of the neighborhood did not know of her condition, or did not relieve her wants. When two men went to her house Sunday morning they found all three of them frozen stiff on the hearth. It was a sad spectacle. Some body is to blame.

## *The Carolina Spartan*, issue of January 20, 1886,

## page 2

Monday the Northwest was enveloped in another cold wave. In Montana the spirit thermometers were 48 below zero.

Many persons were frozen to death in various parts of the country last week. A blizzard is almost as bad as a battle.

Navigation was closed on the Chesapeake Bay last week. There was too much ice for steamers and not enough for ice boats.

The 10th of February, 1835 was the cold Saturday. That was preceded by warm open weather. It is said that the thermometer went to Zero, or two degrees below, in Savannah. It was eight above last week in that city. [Note error in the date above.]

Many were the fires and accidents during the cold weather. In many places persons were frozen to death. No case of freezing or great want has been reported for this county, and aside from the fire reported last week, no accident of consequence has befallen our people. Union [County] fared badly. Mr. J. T. Hill fell and broke his arm. A colored girl, Mary Thomas, about five years old, near Santuc, was burned to death. The dwelling house and furniture of Jno. R. Smith, three miles from town [i.e., the town of Union] were burned. At King's Mountain, on the Air Line [Railroad], two negro



women and one little girl burned to death in their cabin which took fire in the night. They were on the premises of Captain W.T.R. Bell.

*The Carolina Spartan*, issue of January 27, 1886, page 1

#### The Cold Weather of 1835

(Copied from the *Augusta Chronicle*)

The oldest inhabitant has bragged about the cold weather of 1835 for fifty years, but the general verdict was so unanimous in favor of our recent blizzard that the O. I., being largely in the minority, was obliged to keep quiet and let us brag about our freeze. Now that the thaw came and the lowest point has been reached, and we have boasted sufficiently about our six degrees above Zero, the oldest inhabitant quietly brings out his diary and lo and behold, we have not beaten the record—in fact

That was a nice touch for the *Spartan* to give us a weather report from Augusta, Georgia for February of 1835. Now let's turn to a couple of upstate newspapers for on the spot coverage for that awful freeze 166 years ago.

*The Greenville Mountaineer*, issue of Saturday, February 14., 1835, page 2

*The weather*.—On the morning of Saturday the 7th inst. at sunrise, the mercury stood at 12° above zero. At 2 o'clock, P.M., at 18° above—at five o'clock, 4° above—and at 7 P.M. at 2° below zero. Sunday morning the mercury sunk to *Eleven degrees below zero!*—At 10 o'clock, A.M. it had risen to zero. On Monday the temperature began to moderate, and it has not been unusually cold, since. Snow still lies on the ground, in the country, at least two inches deep.

*The Pendleton Messenger*, issue of Friday, February 13, 1835

Saturday and Sunday last were the coldest

can hardly lay claim to a good second. The blizzard of 1886 was right chilly, but compared to the record of 1835, it was not so frigid after all.

The following record is taken from the diary of N. B. Moore:

February 1, 1835 — Snow squalls.

February 3 — Cold, sleet and snow.

February 9 — Ground frozen for eight days.

Yesterday the coldest for many years. Thermometer in town at Zero — at Judge Holt's place

(now Mr. Thomas), seven degrees below Zero.

February 11 — Moderating a little.

February 12 — Ground still frozen.

March 1 — Ground frozen for three days past

March 6 — Snow and sleet again all night—four inches deep in the morning.

days that have been experienced here for many years. The ground has been covered with snow since the night of the second inst. till within a day or two, and there are still considerable remains of it. On Sunday morning, the thermometer in the open air was below zero.

The mail on Tuesday has not yet arrived, and we are without any late news from the northern papers. The last Washington dates received here are only to the 29th January. The failure of the mail on the present occasion is probably due to the unusually severe weather of last week, though there has been great irregularity for some time past.

End of weather report.

#### DEATH NOTICE OF ISAAC YOUNG OF SPARTANBURG COUNTY

Source: *The Carolina Spartan*, issue of November 27, 1873, page 2.

ISAAC YOUNG, a respected citizen of the County died at his home on Buck Creek, on the 15th instant. He was in the 88th year of his age.

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#### QUERIES

Query Editor: Faye Berry, 833 Hayne Street, Spartanburg, SC 29301-1866

Phone: 864-585-8125 Fax: 864-585-0308 E-mail: fbjrgphs@spartanburg.net

#### CERTAINS/SERTAINS MILL CREEK

Jerome T. Wylie, 616 Carolina Avenue, Greenville, SC 29607

In the 1820's some York County deeds refer to land "on Certains (or Sertains) Mill Creek." It is thought that this creek was near or flowed into Buffalo Creek or Broad River. Does anyone know the location and or name of this creek now? It is not shown on the Mills maps of 1820-1825.

#### JOHNSON HEATHERINGTON HETHERINGTON

Shirley Wagstaff, P O Box 1559, Bandon, OR 97411 E-mail: DSPW@webtv.net

Elias Earl Johnson, b Oct. 1, 1819, d Aug 2, 1882. The 1860 census for Spartanburg County, SC show him living in said county with wife and several children. His wife was Elizabeth Heatherington who was born Dec. 21, 1821, probably in SC. Elizabeth died March 19, 1905. Her parents and siblings have been discovered. Need the parents and siblings for Elias Earl Johnson whom we believe to have been born in NC, perhaps Old Buncombe County, NC. We know he owned vast tracts of land, had a considerable personal estate, was a school teacher turned bookkeeper at the Fingerville Textile Mills, SC. His land holdings extended throughout upper Spartanburg County, SC and into Polk and Rutherford County, NC. This man does not appear prior to the 1840's in either SC or NC that we know of. This seems to be the story of a rich man with no beginning. Any help appreciated.

#### FOSTER

Carolyn C. Baugh, 707 Enford Court, Katy, TX 77450

E-mail: carolynbaugh@aol.com

Searching for a copy of *Fosters of Flanders, England and America* by Dr. B. G. Foster. If anyone knows of a copy for sale, please let me know. Thanks.

#### YOUNGBLOOD HOLLISTER THOMPSON

B. P. Lamb, 415 Mt. Creek Road, Troy, SC 29848-9727

Would like information on Catherine Youngblood who wed a Mr. Hollister and was living in or around Greenville, SC 1800-1810. Also need information on Mary Youngblood who married Mr. Alexander M. Thompson. They lived in or around Greenville, SC 1800-1820. Mary and Catherine Youngblood were sisters and were daughters of Abraham Youngblood who died in Edgefield District about 1790. Thanks for any information.



**SILLS HEARD**

Isom L. Stephens, 979 Amethyst St., Layton, UT 84041-2554

Would like to hear from any descendants of the following persons: Samuel Sils, b ca 1773/4, wed Jane M. Heard, b. Jan 23, 1777. Their children: James Monroe Sils, born Sept. 13, 1795, Laurens Co., SC; Abigail Sils, born July 2, 1797, Laurens Co., SC; Elizabeth Sils, born March 26, 1799, Abbeville Co., SC; John Sils, born Oct. 29, 1801, Abbeville Co., SC; Tabitha Sils, born May 12, 1804, Abbeville Co., SC; Nancy Sils, born June 27, 1807, Abbeville Co., SC; William Sils, born March 13, 1810, Abbeville Co., SC; Samuel Sils, Jr., born Oct. 23, 1812, Abbeville Co., SC; Benjamin Sils, born Nov. 28, 1814, Abbeville Co., SC; Jane M. Sils, born Jan. 4, 1817, Abbeville Co., SC. I have additional information that I will gladly share. Will answer all correspondence.

**HUSKEY MOORE**

Kurt Huskey, 2515 Buckle St., Murfreesboro, TN 37129

Would like any census, deed, military, marriage, obituaries or any other records that apply to Thomas Cleveland Huskey, born May 8, 1849 in SC, wed on Dec. 5, 1869 to Elizabeth Cordelia Moore, daughter of Governor John Moore of SC. These families lived in Spartanburg County, (Grassy Pond and Limestone Springs) and maybe other areas. Their children were: Honorah, b 1870; Lucy Jane, b 1872; Mary Leah, b 1874; Robert, b 1877; James Patrick, b 1879; John M., b 1882; Alma C., b 1884; Charles Petty, b 1887; and Ragan Andrew, b 1890. All were born in South Carolina.

**HUSKEY HARRIS**

Kurt Huskey, 2515 Buckle St., Murfreesboro, TN 37129

Interested in finding the same records listed above for the following: James Barnett Huskey, b 1822 in SC, wed on Dec. 16, 1841 to Margaret C. (Peggy) Harris. They lived in Spartanburg County, in the Grassy Pond and Limestone Springs area. Their children were: Elizabeth Jane, b 1843; William Alexander, b 1845; Mary A. C. Magdaline, b 1847; Thomas Cleveland, b 1890; Sarah Estelle, b 1852; Albert Burrell, b 1854; James Andrew Barnett, b 1856; John C., b 1861; Colonel Lem Jenkins, b 1863; Joel L. Paul, b 1865; and Margaret Julia T., b 1871. All born in SC.

**HUSKEY HUMPHRIES**

Kurt Huskey, 2515 Buckle St., Murfreesboro, TN 37129

Interested in finding the same records as listed above for the following: Thomas Huskey, b 1797 in Virginia; and his wife, Jane Humphries, b NC and lived in Spartanburg County, SC in the Grassy Pond and Limestone Springs area. Their children were: Matilda J., b 1818; James Barnett, b 1822; Arena Louisa, b 1824; Mary Ann, b 1830; Clarintia Clementine, b 1832; Lorenzo Dow, b 1832; Jane C., b 1840. All were born in South Carolina.

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**LIBERTY HILL CHURCH DEED**

Deed copied by Lynn Sellers and transcribed by Betty Jean Foster Deal.

Source: Spartanburg District Conveyance Book BB, 1850-1852.

(SC Archives Microfilm C 609)

Book BB, pages 366-367.

Jno. P. McClemons }	Deed of Conveyance
To }	
W <sup>m</sup> Mayfield Et Al }	South Carolina
	Spartanburg Dist

Know all men by these presents that I, **John P. McClemons** of the State & District aforesaid, for and in consideration of one Dollar to me in hand paid. Have granted bargained Sold and released, and by these presents do grant bargain Sell and release unto **William Mayfield, Jeremiah Glenn and Thomas Christopher** Trustees for Liberty Hill Church and their successors all that parcel of land containing three acres more or less Situate in State & District aforesaid, near a branch of Abners creek, waters of Enoree River. Beginning on a Black Oak (small) 3x new N 36½ E 3.73 to a Rock corner 3x. thence S 51 E 4.35 to a Red Oak (large) 3x new; thence S 2½ W 4.03 to a White Oak 3x new; thence S 71½ W 0.50 to Spring branch. one; thence 0.40 to a white oak 3x new; thence N 50 W 6.22 to the beginning. Together with all and Singular the rights, members hereditaments and appurtenances to the Said premises belonging or in anywise Incident or appertaining to have and to hold all and Singular the Said premises unto the said **William Mayfield, Geremiah Glenn and Thomas Christopher** Trustees for the Said Liberty Hill church and their Successors forever, for the Sole use and purposes of the Said church belonging to the Protestant Methodist Denomination on condition that the Said church is to be free and open to all other orthodox denominations for preaching, except on the appointed meeting days of the Said church, and also for the further use and purposes of a house thereon to be erected for a School. And I do hereby bind myself my heirs Executors and administrators to warrant and defend the Said premises unto the Said Trustees and their Successors against myself and my heirs and against every other person or persons whomsoever lawfully claiming or to claim the Same or any part thereof. under me. Witness my hand & Seal this 9<sup>th</sup> day December, 1850. Signed & Sealed in presence of

W <sup>m</sup> A. Mayfield }	John P. McClemons
Benjamin B. Wood }	~~~~~ [LS]

South Carolina }	Personally appeared W <sup>m</sup> A. Mayfield before me, the subscribing
Spartanburg Dist }	magistrate, and made oath in form of law and testifyeth on Said oath that
	he was personally present and Saw <b>John P. McClemons</b>

Sign Seal and deliver the Within Deed of conveyance to **W<sup>m</sup> Mayfield, Jeremiah Glenn and Tho<sup>s</sup> Christopher** trustees for Liberty Hill church for the use and purposes withing mentioned also testifyeth that he Saw **B.B. Wood** Sign his name as a witness with himself to the due execution of the Same. Sworn to before me 7<sup>th</sup> June 1851.

Isham Wood Mag S.D. }	W <sup>m</sup> A. Mayfield
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Registered Examined & certified 7<sup>th</sup> June 1851.

Original delivered to ~~ [not filled in]

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## THE JENNINGS ORPHANAGE

Contributed by Betty Jean Foster Dill, 168 Bullington Road, Spartanburg 29306-6308.

My great-uncle, William Harrison Bullington, (1875-1943), married Ethel Jennings (1884-1962). Members of her family do not know who Aunt Ethel's parents are. They know she was raised in "The Jennings Orphanage." I would like to know if anyone knows of any other children raised in this orphanage; was there ever a house built to house the Jennings orphans? Below are newspaper accounts copied from the *Carolina Spartan* by Dr. James Reid, census data and the information from Joe Jennings's death certificate. [Additional notes, enclosed in square brackets, by the contributor.]

*The Carolina Spartan*, issue of September 23, 1891, page 3:

### The Jennings Orphans.

It is known to the friends of Mr. and Mrs. Jennings that a tract of land has been bought for the orphan home. They wish to move to it as soon as their crops are gathered. The houses on the place are very poor. It is necessary that a better one be built at once. Some of the friends of the children have started a subscription to build the house. About \$500 is needed. Half that amount has been subscribed. Any persons wishing to help this enterprise will be aiding a most worthy cause by contributing money to build the house. The children are well cared for. They receive a common school education and they grow up. They are taught good manners and politeness. Great economy is used by Mr. and Mrs. Jennings in caring for them. Contribution for the house or support of the orphans will be used in the right way. Not a cent will be foolishly spent. It may be well to let the public know what this work is.

In 1878 these two good people, who were childless, moved with compassion and loving hearts, took the first orphan to their home. She was small, neglected, helpless with all chances against her living. In a few days the little girl, who they called Altona\*, brightened up and began to grow. She soon became the joy of the family. Life seemed worth living. It was not long before circumstances threw another girl in their way. They were made so happy by the first that they concluded a second would not be in the way and Adelia was added to the little household. The door was now open and they began to drop in pretty fast. Montie was the third one and then came Joe\* who rode in on the Air Line road one day. Soon after his arrival Jimmie, who is a brother of Montie was added to the family. With these five Mr. and Mrs. Jennings began to think their hands were full, but before they took much time to count the cost, Nellie and Ethel\* [This must be my Aunt Ethel], who were sisters, joined the happy group. Not long after their arrival quaint, womanly little Maud put in an appearance one morning before day in a little basket. She was about six weeks old and soon found the warmest place in the house and hearts of all the children. Then followed Charlie a fine lad about ten years old, and the last accession to the family was Alberta, who is called Bertie. She is the tenth and last. These children range in years from three to thirteen. Again we say that any help bestowed in assisting to build a house, will bless both the giver and the given.

*The Carolina Spartan*, issue of March 16, 1892:

### For the Orphans.

It is known that a tract of land has been bought for the Jennings Orphan home. A portion of the money was paid at the time of the purchase. About \$500 was unpaid. One installment with interest is now due, which amount to about \$200. It is necessary to provide for this payment at once. A few persons have contributed about one-sixth of the necessary sum. An appeal will be made to the public to

help raise this payment. This is a necessity right here at home that needs our help. It is well known that ten children have been rescued from want and bad surroundings and are being brought up in a good home where they are taught good morals industrious habits. Mr. and Mrs. Jennings are engaged in a good work. Give them a little help to pay for their land, the title of which is in the trustees [names]. Persons wanting to make a contribution to this most praiseworthy cause may send the money to the *Spartan* office and it will be handed to the trustees.

*The Carolina Spartan*, issue of October 18, 1895, page 3, column 1:

— Last Tuesday night a girl baby only a few hours old, was left with Mr. and Mrs. Joe Jennings between 10 and 11 o'clock. Two men in a buggy, one of them being colored, drove down there. They inquired the direction at two houses on the road. The vehicle stopped 100 to 150 yards from the house. The negro went to the house and after arousing Mr. Jennings he informed him that a lady from Laurens had sent Mrs. Jennings a package. He took the basket which was a large, covered lunch basket and set it down on the floor. The man who delivered it left immediately. Mrs. Jennings thinking there was something wrong investigated the matter and found the infant wrapped in a blanket. It had on no clothes and had not had any nourishment. There were two pieces of bacon in the basket, which had been used to keep the child quite. From all indications the child was only a few hours old. It was evidently born Tuesday. The mother must have been not far off, unless the child had been sent in on a train. The mother and the man who had charge of the child were cruel and inhuman. If found out, and it is pretty certain that they will be caught up with, they should be indicted. It is probably that Mrs. Jennings will report the matter to the County Commissioners and may turn it over to the keeper of the poor house. The best thing for the mother of the child is to claim it and take charge of it. The matter is going to be investigated. Mr. and Mrs. Jennings do not want such children. They do not want to encourage bastardy and abandonment of children. It would not be very safe for anyone to go around the premises at night with a package.

### Spartanburg County Deed Book NNN

D.E. Converse }		The State of South Carolina
J.W. Carlisle }	Trustee	Spartanburg County
H.E. Ravenel }		
to }		
Joseph A. Jennings }		Whereas we D.E. Converse, John W. Carlisle, and H.E. Ravenel

the grantors below named hold the tract of land below described in trust for the objects set forth in a deed which we caused to be executed to us by Harriet Allen bearing date March 3rd 1891 Recorded in Book FFF page 282 for Spartanburg County

And whereas the main purpose of said trust was to establish an orphan Home to be known as the Jennings Orphanage; and in order to carry out said object to permit and suffer Joseph A. Jennings and Calpurnia Ann Jennings his wife to occupy and cultivate said lands

And whereas also by virtue of said deed we reserved to ourselves discretionary power to encumber or sell said land and to re-invest or disburse the proceeds for the furtherance of the general object; and whereas further the said orphanage has been so established, but the said Mrs. Calpurnia A. Jennings has since the organization of the trust departed this life in consequence of which act of Providence it is deemed



impracticable to continue to adopt and receive orphans into said Home and we consider that in the course of the next five years the main object of the trust will have been practically accomplished, and the children now at the home will for the most part have become self supporting and will have received elementary education and sound religious training

And whereas the Institution remains quite largely in debt for a balance of purchase money advanced by W<sup>m</sup> S. Finch and by ourselves individually, but, by the surrender of a portion of our individual claims an arrangement can now be effected by making title to Joseph A. Jennings whereby if the interest of the debt is paid annually he will not be disturbed for a period of five years;

And whereas the said Jos. A. Jennings expects to be able in the course of five years to pay the said debt and also to maintain the Orphanage, some of the children being already well able to aid in the farm and house-hold work; and we deem it best for all concerned, in the exercise of a sound discretion that the arrangement referred to above should be entered into: Now Know all men by these presents that we D.E. Converse, John W. Carlisle and H.E. Ravenel trustees as aforesaid in consideration of the premises and of the assumption by the said Joseph A. Jennings of the payment of a debt of Six hundred Dollars resting upon said orphanage the mortgage given by us to W<sup>m</sup> S. Finch be cancelled and released. have granted bargained sold and released and by these presents do grant bargain sell and release unto the said Joseph A. Jennings, all that tract or parcel of land in the state of South Carolina County of Spartanburg, Containing one hundred and thirteen (113) acres more or less; bounded by lands of Mrs. Elizabeth Moss, Mrs. Harriet Allen, Mrs. Harris and by Fair Forest Creek and having such shape and marks as are shown on plat made by W.W. Harris surveyor and as are set out in a deed to us for said tract made by Mrs. Harriett Allen dated 3<sup>rd</sup> day of March 1891. Recorded Book FFF page 282.

Together with all and singular the rights, members hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining To have and to hold all and singular the said premises unto the said Joseph A. Jennings his heirs and assigns forever freed and discharged of all trusts

And we do hereby bind ourselves and our successors in office to warrant and forever defend all and singular the said premises unto the said Joseph A. Jennings his heirs and assigns forever and against and against and successors in office lawfully claiming or to claim the same. So far as we can or ought to do as trustees. Witness our hands and seals this 20<sup>th</sup> day of May A.D.

In presence of	}	
(The words Parcel and discharged	}	
of all trusts on reverse being first inserted)	}	
H.B. Carlisle	}	D.E. Converse {Seal}
Arthur Irwin	}	Jas. W. Carlisle {Seal}
	}	H.E. Ravenel {Seal}
	}	Trustees

The State of South Carolina }  
Spartanburg County }

Personally came before me Arthur Irwin and being first duly sworn says that he saw D.E. Converse, J.W. Carlisle and H.E. Ravenel trustees sign seal and as their act and deed deliver the above written deed and that he with H.B. Carlisle witnessed the execution thereof.

Sworn to before me this }

21<sup>st</sup> day of May A.D. 1896 } Arthur Irwin  
H.B. Carlisle {Seal} Not. Pub. }

# 1860 Census Spartanburg County, SC, Southern Division, page 332:

207/207. R. Jennings, age 35, Male, Farmer [Ransom Jennings]  
Harriet L., 30, Female.  
Joseph A., 13, Male. [Married Culpertia Jennings before 1870]  
Frances E., 12, Female.  
Mourning Teletha, 10, Female.  
Elizabeth, 9, Female.  
James H., Male.  
Luela M., Female.  
Ransom, 2, Male.  
John E., 6/12, Male.

433/433 Mansel Jennings, age 39, Male, Farmer.  
Nancy, 38, Female.  
Culpertia A., 11, Female. [Married Joseph A. Jennings, above, before 1870]  
Rhoda A., 8, Female.  
John K., 7, Male. [John Henry King "Doc" Jennings, G Grandfather of Tim Foster].  
Sarah M., 6, Female.  
Harriet E., 2, Female.

# 1870 Census Spartanburg County, SC:

303/306. Jennings, Mansel, age 45, White Male, Farmer, \$1000. [Pars/o Culpertia, next door]  
Nancy [Bearden], age 40, White Female, Keeping House.  
John, age 17, White Male.  
Sarah, 14, White Female.  
Susan, 13, White Female.  
Harriet, 11, White Female.  
Nancy, 1, White Female.  
304/307. Jennings, Joseph, 24, White Male, Farmer. [son/o Ransom & Harriett Jennings]  
Culpertia, 22, White Female, Keeping House. [dau/o Mansel & Nancy Jennings]

# 1880 Census Spartanburg, S.C.,

Glenn Springs twp., Enumeration District 143, Sheet 45, Line 17:

Jennings, Joseph A., White Male, age 33, born in SC.  
Jennings, Culpertia, wife, age 32, born in SC. [Died before 1900 Census]  
— Henrietta, relationship, A.D., age 7, born in SC. [Adopted Daughter?]  
— Altonia, relationship, A.D., age 4, born in SC. [Adopted Daughter? Altona\* above?]

# 1900 Census Spartanburg, SC.

Pacolet Twp., E.D.#22, Sheet 2, Line 21:

Jennings, Joseph A., White, born Sept 1846 in SC, age 53, head of household.



Joseph C., Son, born Sept. 1883 in SC, age 16. [Joe\*, who rode in on the Air Line road?]

### Death Certificate #5179, Spartanburg County, SC

Township of Pacolet,

Joe A. Jennings, married [widowed?];

Date of Birth [blank] in SC; Date of Death: January 28, 1919, at age 73;

Father: Ransom Jennings, born in SC. [Died during Civil War];

Mother: Don't Know [She was Harriet LouElla Finch];

Informant: J.C. Jennings, RFD Spartanburg. [Joe\* who came in on the Air Line road?]

Place of Burial: Cedar Springs, on January 29, 1919.

Undertaker: J.F. Floyd, Spartanburg, S.C.

Died from Lobar pneumonia.

Ransom Jennings was William Harrison Bullington's Uncle, a brother of William's mother, Maria Emeline Jennings Bullington. Joseph A. Jennings was William H. Bullington's first cousin. Culpernia Jennings Jennings was a 3<sup>rd</sup> cousin of Joseph A. Jennings and William Harrison Bullington.

\*\*\*

### POPLAR SPRINGS ACADEMY DEED

Copied by Lynn Hicks Sellers at RMC Office, transcribed by Betty Jean Foster Dill  
Spartanburg Deed Book AA, page 220,  
22<sup>nd</sup> day of March, 1830.

M. Dickson	}	
To	}	Deed of
Trustees Poplar Spring	}	Trust
Academy	}	
State of South Carolina	}	
Spartanburg District	}	

Know all men by these presents that I, Michael Dickson of the District and State aforesaid for and in consideration of divers good and Sufficient causes me thereunto moving and for and in consideration of the Sum of Seventy five Dollars to me in hand paid by Andrew B. Moore, James Chamblin, and John Crawford, a committee from the trustees of the Poplar Springs Academy. - have granted, bargained, Sold and released and by these presents do grant bargain, Sell and release with the Said Committee, in trust and for the use of the Said academy all that parcel or tract of land situate in Said District on the waters of Tyger River containing Seven and Six-tenths acres marked and bounded as follows to wit: Beginning at a Red oak and running S 80 E 8.50 to a pine, thence N 10 E 7.50 to a Post Oak, thence No. 80 W 7 to a stump, thence S 21 W 6 to a Stone in the Road, thence S 77 W 6.50 to the spring and thence, to the beginning bounded by lands of Drummond, James Chamblin and myself; to have and to hold the Same and every part thereof Together with all and Singular the appurtenances unto the Same belonging or in anywise Incident or appertaining unto the Said Trustees and their Successors forever, in trust and for the use of the Said Academy, and also reserving the right and the Said Trustees or their Successors, are hereby authorized to build or permit the members of the Presbyterian Congregation of Nazareth to build a church on the said premises when, and in what manner they may deem expedient and for the Said uses and purposes. I do hereby warrant and forever defend all and Singular the Said premises unto the Said Trustees and their Successors and in trust forever against me and my heirs and against all persons claiming the Same or any

part thereof. In Witness whereof I have hereunto Set my hand & Seal this 22<sup>nd</sup> day of March in the year of our Lord one thousand Eight hundred & thirty

Signed Sealed and delivered in presents of

(Erasure) Interlined before Signing.

s/ A. Vernon }

s/ M. Dickson {Seal}

s/ W<sup>m</sup> Trimmier }

State of South Carolina }

Spartanburg District }

Personally comes J.V. Trimmier and being duly Sworn, on his oath, Saith that he has Seen William Trimmier write, and

that he is familiar with his hand writing, deponent also further makes oath that he believes and is satisfied that the Signature of the Said W<sup>m</sup> Trimmier to the within Deed of Conveyance as a Subscribing witness thereto, is the hand writing of the said W<sup>m</sup> Trimmier. Sworn to & Subscribed before me this 28<sup>th</sup> Feb. 1851.

s/ J.B. Tolleson clk & mag Exoff }

s/ J.V. Trimmier

Registered Examined and certified 29<sup>th</sup> Feby 1851. Original deliver to ~- [ blank ]

\*\*\*

### FAIRFOREST SCHOOL HOUSE DEED

Deed copied by Lynn Sellers and transcribed by Betty Jean Foster Deal.  
Spartanburg District Conveyance Book AA, 1848-1850.

SC Archives Microfilm C 609.  
p. 409-410.

A.T.P. Hempley	}	Deed of Conveyance
To	}	State of South Carolina
Richard Moss & others Trustees	}	Spartanburg District

Know all men by these presents that I, Adam Hempley of the District and state aforesaid for the consideration of the Erection of a School House in the neighborhood by the contribution of the Neighbors on the old field lying near the Fair Forest immediately on that is turned the Upper Greenville Road and generally known by the name of the Mulberry Tree old field, have bargained and agreed and by these presents do bargain and agree with Richard Moss, John Martin, William Smith & Hiram Bullman Trustees of the school, to be kept there, that the said school house shall be built on the old field as above mentioned and as above specified and that having been built it shall be left and kept open and for the use and occupation of the neighborhood as and for a school house for the term of 10 years from the time of the completion thereof. Said building to be erected according to and under the directions of those who undertake to build the same, free from any control and interference. and it is further agreed that the said School shall have free access to the Spring and all other like conveniences essential to its Ease and well being, and further for the purposes of Fire Wood &c. the school shall be permitted to gather and trim the dead wood around or near the School House from my land if desired. In witness whereof, I, the said Adam Hempley have hereunto set my hand and seal this the 15<sup>th</sup> day of Dec. A.D. 1849.

Signed Sealed and delivered in the presence of

Jas. Biving }

John Keast }

Adam T.P. Hempley {Seal}



The State of South Carolina } Personally came before me **John Keast** & made oath that  
Spartanburg District } he saw **Adam T.P. Hempley** Sign Seal and deliver the within  
Deed for use and purposes therein contained and

**Dr. James Bivings** together with himself in the presence of each other witnessed the due Execution thereof. Sworn to before me this 23<sup>rd</sup> Jany 1850

J.B. Tolleson Clk & Mag Exiffo.

John Keast

Registered Examined and certified 21<sup>st</sup> Jany 1850.

Original delivered to ~- Richard Moss.

\*\*\*

### WOFFORD ACADEMY DEED

Deed copied by Lynn Sellers and transcribed by Betty Jean Foster Dill

Register of Mesne Conveyance Deeds, Spartanburg County, S.C. Book KKK, page 60.

T.E. Garrett

to

T.M. Pearson, N.J. Wood and J.B. Wofford } State of South Carolina, County of Spartanburg

----- Trustees -----

Know all Men by these Presents, THAT I, **J.E. Garrett**

of the County of Spartanburg in the State aforesaid, for and in consideration of the sum of five dollars, and other good and sufficient reasons, for and by **T.M. Pearson, N.J. Wood and J.B. Wofford, Trustees of Wofford Academy**

of the County of Spartanburg in the State aforesaid, have granted, bargained, sold, and released, and by these presents, do grant, bargain, sell and release unto the said **T.M. Pearson, N.J. Wood and J.B. Wofford, Trustees of Wofford Academy**, and their successors in office all that certain lot of parcel of land lying and situate on the west side of the Buncombe road, Reidville Township, Waters of Enoree River, County and State aforesaid. Beginning at a stone 3 x on J.E. Garrett's line, and running thence S. 65 E., 3.17 to a stone, 3 x; thence N. 25 E., 3.17 to a stone 3 x; thence N. 65 W., 3.17, 3 x; thence S. 25. W., 3.17 with J.E. Garrett's line to the beginning, containing one acre, more or less, and bounded by lands of J.E. Garrett and William T. Garrett.

The further condition to this deed of conveyance is that it must be used entirely for the benefit of the white race for educational or church purposes, and whenever it ceases to be used for such purposes, it is to revert back to me and my heirs, or estate.....

Witness my hand and seal, this Second day of August in the year of our Lord one thousand eight hundred and Ninety Three and in the one hundred and Eighteenth year of the sovereignty and independence of the United States of America.

Signed, Sealed and delivered in the presence of

W.W. Simpson

G.W. Leatherwood

J.E. Garrett {Seal}

State of South Carolina, }  
County of Spartanburg }

Personally appeared before me, **G.W. Leatherwood** and made oath that he saw the within-named **J.E. Garrett** sign, seal, and, as his act and deed, deliver the within written deed; and also that he with **W.W. Simpson**, in the presence of each other witnessed the execution thereof.

Sworn to before me, this second day of August 1893

S.G. Anderson {Seal}

G.W. Leatherwood

Notary Public

The State of South Carolina } I, S.G. Anderson, Noty Pub.

County of Spartanburg } do hereby certify unto all whom it may concern, that

**Mrs. Adeline Garrett** wife of the within-named **J.E. Garrett** did this day appear before me, and, upon being privately and separately examined by me, did declare that she does freely, voluntarily, and without any compulsion, dread or fear of any person, or persons whomsoever, renounce, release and forever relinquish unto the within-named **J.M. Pearson, N.J. Wood and J.B. Wofford, Trustees of Wofford Academy**, and their successors in office, all her interest and estate, and also all her right and claim of dower, of, in or to all and singular the premises within mentioned or released.

Given under my hand and seal, this 11<sup>th</sup> day of August Anno domini 1893.

Duly entered in this office Dec 12/93. s/ L.P. Epton, Co. Audr.

\*\*\*

### FROM THE LAW LIBRARY

William S. Ferguson v Allen Coleman - Columbia, August Term, 1846

*Gaming - Vendor and Purchaser* Defendant, by instrument in writing, dated in January 1843, promised to pay on the first January, 1844, to the plaintiff, nine hundred and two dollars and fifty cents, "if cotton should rise to eight cents, by the first November next, and if not, to pay five hundred dollars." It was proved that the consideration of the contract was the purchase money of a tract of land, and that cotton did rise to eight cents sometime between the date of the instrument and the first November, 1843. Held, the the plaintiff was entitled to recover the larger sum; that the agreement was not a wager on the price of cotton-and that the word *by* in the instrument, meant on or before, and not on or near.

Before Frost, J. at Chester, Spring Term, 1846.

This was an action on an instrument, dated 31<sup>st</sup> January, 1843, whereby the defendant promised "to pay on the first of January, 1844, to W. S. Ferguson, or bearer, nine hundred and two dollars, fifty-eight cents, if cotton should rise to eight cents by the first November next, and if not, to pay five hundred dollars, for value received." It was admitted at the trial that this instrument was given in part payment of a tract of land which the defendant had purchased of the plaintiff, that between the date of the agreement and the first of November, 1843, the highest prices of cotton were, in Columbia, 8 1/2 and 8 3/4 cents, and in Charleston, 9 and 9 1/4 cents.

The defendant contended, 1<sup>st</sup> That the agreement was a wager on the price of cotton. 2d. That according to the true construction of the instrument, the defendant was only bound to pay the larger sum, if cotton was selling for eight cents on or near the first of November, and that this had not been shewn.

Under the instructions of his Honor, the presiding Judge, the jury found for the plaintiff the larger sum.

[Editor's Note: The defendant appealed, and then moved the court for a new trial.]

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## INDEX

- Academy  
 Poplar  
 Springs 48  
 Wofford 50  
 Ackels 10  
 Adair 28  
 Adams 10  
 Alexander 10  
 Allen 45,46  
 Alston 10  
 Anderson 10,23,24,  
 25,51  
 Bain 13  
 Ball 10  
 Bankhead 1,2  
 Barksdale 27  
 Barrot 10  
 Bates 18,19  
 Batsford 10  
 Baugh 41  
 Baxter 10  
 Beard 10  
 Bearden 4,47  
 Beasley 25,26,27  
 Bell 10,23,28,40  
 Bennet 25  
 Bennett 24,27,28  
 Benoest 10  
 Berry 10,41  
 Bivings 50  
 Black 10  
 Blake 32  
 Boone 10  
 Bowen 8  
 Boyce 24,25,26,27,28  
 Boyd 3,4,38  
 Bradley 24  
 Brenan 10  
 Briant 16  
 Brisbrance 10  
 Brown 7,10,37  
 Bryant 10,14,19  
 Brysen 10  
 Buckingham 10  
 Bullington 44,48  
 Bullman 49  
 Burgess 10  
 Burke 10  
 Burnside 10  
 Butler 10  
 Byrd 10  
 Caldwell 10  
 Calhoun 10  
 Camlin 10  
 Camp 38  
 Campbell 7,10  
 Cannon 10  
 Capels 29  
 Carlisle 45,46  
 Cater 10  
 Ceal 13  
 Certains 41  
 Chamblin 48  
 Chancey 10  
 Chapman 38  
 Chavas 10  
 Christopher 43  
 Churches  
 Liberty Hill  
 43  
 Nazareth  
 Presbyterian  
 48  
 Clacke 1  
 Cleveland 38  
 Clinckscates 7  
 Cochran 10  
 Coleman 51  
 Collins 10,17,18,20  
 Converse 45,46  
 Cooper 10,29  
 Copeland 2,3  
 Corry 4,5  
 Cowan 10  
 Cox 7  
 Craige 10  
 Crawford 7,10,48  
 Critey 10  
 Cruise 10  
 Cunningham 10  
 Curry 4  
 Daniels 10  
 Darby 31  
 Dargan 7  
 Darnell 29  
 Davidson 2  
 Davis 3,10,24,25,26  
 Dawson 10  
 De Saussure 20  
 Deal 11  
 Dickinson 13  
 Dickson 48  
 Dilard 24,26,27  
 Dill 44,48,50  
 Dillard 23,24,27,28,  
 30,31  
 Dobbins 11  
 Doyley 11  
 Drummond 48  
 Duckett 24,25  
 Duke 7  
 Dukes 11  
 Dumbille 11  
 Dunbar 11  
 Duncan 11,35  
 Dunlap 11,25  
 Dunnivant 37  
 Eakins 11  
 Eddings 11  
 Eison 19  
 Eldridge 11  
 Elliott 11  
 Elmor 24  
 English 11  
 Enloe 7  
 Epton 51  
 Emil 11  
 Erwin 11  
 Fanning 11  
 Fant 7  
 Feasy 11  
 Featherston 1,2  
 Felder 7  
 Ferguson 51  
 Fermin 1  
 Finch 46,48  
 Fincher 31  
 Finney 23,25,26,27  
 28  
 Floyd 48  
 Folter 11  
 Ford 4  
 Forman 28  
 Fort 1,2,3,4  
 Foster 18,19,20,23,  
 41,47  
 Fowler 1,3,24  
 Franklin 9  
 Franks 34  
 Frost 51  
 Galbraith 11  
 Galloway 11  
 Galt 7  
 Gamble 25,28,29  
 Gamboll 11  
 Garity 29  
 Garret 25,28  
 Garrett 27,28,50,51  
 Gaston 11  
 Geigher 11  
 Gibson 11,23,24  
 Gist 11,23  
 Glenn 43  
 Glover 11  
 Glynor 11  
 Golightly 18,19  
 Goodin 14  
 Goodman 3  
 Gordon 7,11  
 Gore 29  
 Gossett 15,16,19  
 Gourlay 11  
 Graham 2,11  
 Gray 6,11,24  
 Gredy 11  
 Gregg 11  
 Griffin 7  
 Guthrie 6  
 Hamilton 11  
 Hammett 38  
 Hanna 11  
 Hannah 11  
 Harper 11  
 Harris 27,28,30,31,  
 42,46  
 Harrison 11  
 Harvey 11,16,19  
 Hatfield 11  
 Hay 11  
 Heard 42  
 Heatherington 41  
 Hempley 49  
 Herbert 7  
 Hetherington 41  
 Hest 11  
 Hickson 11  
 Hill 11,27,28,39  
 Hillen 11  
 Hoff 12  
 Hoffer 37  
 Hoffer 37  
 Hogan 29,30  
 Hogans 29  
 Holland 37  
 Hollen 25  
 Hollingsworth 11  
 Hollis 6  
 Hollister 41  
 Holman 11  
 Holt's 40  
 Hood 11  
 Hornby 11  
 Howerton 24  
 Huger 11  
 Hughes 34  
 Hughey 30  
 Hull 11  
 Humphries 42  
 Hupman 11  
 Huskey 42  
 Ingram 11  
 Irby 28  
 Irving 7  
 Irwin 46  
 Jacks 27,28  
 Jackson 29  
 James 25,26,27,29  
 Jeanes 24  
 Jeans 24  
 Jefferies 1,2,3,4,5  
 Jeffries 1,2  
 Jenkins 11  
 Jennings 44,45,46,  
 47,48  
 Jennins 11  
 Johnson 7,25,41  
 Johnston 24  
 Jones 11,24,27,28,  
 32,34,35  
 Junior 30  
 Keast 49  
 Kelly 24  
 Kennedy 29  
 King 11  
 Kirby 15,16,19  
 Kirk 11  
 Lamb 29,41  
 Lancaster's 38  
 Langston 29  
 Leatherwood 50  
 Leitch 6  
 Liberty Hill Church  
 43  
 Lipscomb 6  
 Little 11  
 Lomax 35  
 Long 11,24,25,26,  
 27,28  
 Loward 24  
 Lowery 3,7  
 Madill 11  
 Mann 11  
 Mannie 11  
 Markland 8  
 Martin 5,11,49  
 Martindale 31  
 Mason 11  
 Maxwell's 38  
 Mayfield 43  
 McAndoria 11  
 McBride 11  
 McCaskill 7  
 McClemons 43  
 McClintock 11  
 McCluney 11  
 McConnell 11  
 McCords 11  
 McCoy 24,27  
 McCoye 27  
 McCrary 25,26,27,28  
 McDill 11  
 McDougall 11  
 McDowall 11  
 McGill 7  
 McHaffey 11  
 McKenzie 11  
 McKinney 1,2  
 McLane 11  
 McLaren 7  
 McLeland 11  
 McMullen 11  
 McQuann 11  
 McCoy 24  
 Meadows 25,26,27,  
 28  
 Meek 11  
 Middleton 11  
 Miller 24  
 Milwee 11  
 Mitchell 11  
 Mkoy 24  
 Monford 24  
 Monfords 25,26  
 Montgomery 11,27,  
 28  
 Moore 1,2,40,42,48  
 Moorehead 11  
 Morgan 22  
 Morrison 14  
 Morton 11  
 Morrow 2  
 Morse 35,36  
 Moss 46,49  
 Muccell 11  
 Mulberry Tree  
 School House 49  
 Munford 23,24,25,  
 26,27,28  
 Murphy 31  
 Muse 13,14,31  
 Nazareth Presbyter-  
 ian church 48  
 Nederman 31  
 Neill 11  
 Nelson 24  
 Nixon 7  
 Nodgers 11  
 Norwood 7  
 Orr 16,18  
 Owens 11

- Glynor 11  
 Golightly 18,19  
 Goodin 14  
 Goodman 3  
 Gordon 7,11  
 Gore 29  
 Gossett 15,16,19  
 Gourlay 11  
 Graham 2,11  
 Gray 6,11,24  
 Gredy 11  
 Gregg 11  
 Griffin 7  
 Guthrie 6  
 Hamilton 11  
 Hammett 38  
 Hanna 11  
 Hannah 11  
 Harper 11  
 Harris 27,28,30,31,  
 42,46  
 Harrison 11  
 Harvey 11,16,19  
 Hatfield 11  
 Hay 11  
 Heard 42  
 Heatherington 41  
 Hempley 49  
 Herbert 7  
 Hetherington 41  
 Hest 11  
 Hickson 11  
 Hill 11,27,28,39  
 Hillen 11  
 Hoff 12  
 Hoffer 37  
 Hoffer 37  
 Hogan 29,30  
 Hogans 29  
 Holland 37  
 Hollen 25  
 Hollingsworth 11  
 Hollis 6  
 Hollister 41  
 Holman 11  
 Holt's 40  
 Hood 11  
 Hornby 11  
 Howerton 24  
 Huger 11  
 Hughes 34  
 Hughey 30  
 Hull 11  
 Humphries 42  
 Hupman 11  
 Huskey 42  
 Ingram 11  
 Irby 28  
 Irving 7  
 Irwin 46  
 Jacks 27,28  
 Jackson 29  
 James 25,26,27,29  
 Jeanes 24  
 Jeans 24  
 Jefferies 1,2,3,4,5  
 Jeffries 1,2  
 Jenkins 11  
 Jennings 44,45,46,  
 47,48  
 Jennins 11  
 Johnson 7,25,41  
 Johnston 24  
 Jones 11,24,27,28,  
 32,34,35  
 Junior 30  
 Keast 49  
 Kelly 24  
 Kennedy 29  
 King 11  
 Kirby 15,16,19  
 Kirk 11  
 Lamb 29,41  
 Lancaster's 38  
 Langston 29  
 Leatherwood 50  
 Leitch 6  
 Liberty Hill Church  
 43  
 Lipscomb 6  
 Little 11  
 Lomax 35  
 Long 11,24,25,26,  
 27,28  
 Loward 24  
 Lowery 3,7  
 Madill 11  
 Mann 11  
 Mannie 11  
 Markland 8  
 Martin 5,11,49  
 Martindale 31  
 Mason 11  
 Maxwell's 38  
 Mayfield 43  
 McAndoria 11  
 McBride 11  
 McCaskill 7  
 McClemons 43  
 McClintock 11  
 McCluney 11  
 McConnell 11  
 McCords 11  
 McCoy 24,27  
 McCoye 27  
 McCrary 25,26,27,28  
 McDill 11  
 McDougall 11  
 McDowall 11  
 McGill 7  
 McHaffey 11  
 McKenzie 11  
 McKinney 1,2  
 McLane 11  
 McLaren 7  
 McLeland 11  
 McMullen 11  
 McQuann 11  
 McCoy 24  
 Meadows 25,26,27,  
 28  
 Meek 11  
 Middleton 11  
 Miller 24  
 Milwee 11  
 Mitchell 11  
 Mkoy 24  
 Monford 24  
 Monfords 25,26  
 Montgomery 11,27,  
 28  
 Moore 1,2,40,42,48  
 Moorehead 11  
 Morgan 22  
 Morrison 14  
 Morton 11  
 Morrow 2  
 Morse 35,36  
 Moss 46,49  
 Muccell 11  
 Mulberry Tree  
 School House 49  
 Munford 23,24,25,  
 26,27,28  
 Murphy 31  
 Muse 13,14,31  
 Nazareth Presbyter-  
 ian church 48  
 Nederman 31  
 Neill 11  
 Nelson 24  
 Nixon 7  
 Nodgers 11  
 Norwood 7  
 Orr 16,18  
 Owens 11



- Painter 5  
 Parker 5  
 Patrick 7  
 Patterflier 11  
 Paul 23  
 Pearson 50,51  
 Pettigree 11  
 Philips 11  
 Phillips 24  
 Piper 11  
 Plowden 11  
 Pole 11  
 Pool 11  
 Poole 18,19  
 Poor 31  
 Pope 13  
 Poplar Springs Academy 48  
 Potts 29  
 Powell 11  
 Prater 27,28,29  
 Prier 11  
 Pringle 11  
 Prye 11  
 Quinn 15  
 Raiford 11  
 Ramage 29  
 Ravenel 45,46  
 Reader 27,28  
 Reed 11  
 Reeder 27,28  
 Reid 5,6,8,13,31,32,38,44  
 Richardson 11  
 Richay 11  
 Ridgill 11  
 Riley 7  
 Rivers 11  
 Roberts 1,2,38  
 Robinson 11  
 Rodgers 11  
 Rogers 7,11  
 Ross 25  
 Runnels 13  
 Russel 11  
 Russell 7  
 Sawyers 12  
 Sayne 12  
 School House Mulberry Tree 49  
 Scoot 7  
 Scott 6,12,23,26,28  
 Seal 14  
 Seavers 12  
 Sellers 48,50  
 Senier 1  
 Sertains 41  
 Shaver 11  
 Sheldon 27,28  
 Sills 42  
 Simpson 11,12,25,50  
 Sloan 11,12  
 Smith 1,2,3,4,6,11,16,17,18,20,21,29,31,39,49  
 Sparks 15,16,19  
 Starrat 11  
 Steadly 12  
 Steel 12  
 Stephens 42  
 Stevens 7  
 Stirmount 11  
 Stoney 11  
 Sullivan 12  
 Surry 12  
 Swan 12  
 Taylor 12  
 Teate 12  
 Templetown 12  
 Thomas 39  
 Thomason 38  
 Thompson 12,18,19,20,21,29,41  
 Thomson 20  
 Tolleson 15,18,21,32,49,50  
 Tollison 14,15,16,18,19,20,21,22,23  
 Torrance 29  
 Townsly 12  
 Trimmier 49  
 Trotti 7  
 Tuck 39  
 Turner 6,12  
 Tweed 12  
 Tynes 12  
 Vernon 12,49  
 Wagstaff 41  
 Walker 12  
 Wallace 12  
 Walter 12  
 Washington 9,10  
 Watson 12,37  
 Webb 12  
 Weems 10  
 White 7,12,18,19  
 Whitmore 23,24  
 Whitsides 1  
 Whitten 27,28  
 Wigfall 12  
 Wilcocks 12  
 Wilds 12  
 Wilkins 4  
 Wilkinson 12  
 Williams 1,2  
 Willis 6  
 Wilson 12  
 Witherspoon 7  
 Wofford 50  
 Wofford 51  
 Wofford Academy 50  
 Wolfe 1,3  
 Wood 43,50,51  
 Wylie 41  
 Yancey 12  
 Young 12,27,28,41  
 Youngblood 41

## SLAVES

- Belinda (Muse) 13  
 Belinder (Muse) 14  
 Benjamin (Muse) 13  
 Charles (Muse) 14  
 Cooper (Tolleson) 15  
 Dick (Tolleson) 15  
 Isaac (Tolleson) 15  
 Isaac (Sparks) 15  
 Lucy (Muse) 13,14  
 Nell (Muse) 13,14  
 Penelope (Ceal) 13  
 Penelope (Muse) 13  
 Rachell (Muse) 14