



Greenwood County Historical Society

P.O. Box 49653, Greenwood, SC 29649

January, 2015

President's Message - January 2015

Happy New Year to all! My wish is that your year is filled with peace, love, and fulfillment for you and your family!

We hope you enjoyed our last meeting at Cokesbury College in October on Francis Salvadore. Thank you to Stefan Wiecki for this presentation. It was truly a highlight and filled with information on South Carolina's Paul Revere! If you were not in attendance, you missed a great event.

This month's meeting will be a celebration of the four properties selected for the sixth annual GCHS Architectural Historical Preservation and Restoration Awards ceremony.

We thank those interested in this process and seek your input for properties at any point during the year. We look forward to seeing you on Sunday, January 25th to congratulate our winners. This meeting will also be held at COKESBURY COLLEGE!

We look forward to our third annual antiques fair on April 25, 2015 at Historic Cokesbury College. Please plan to be a part of our undertaking either as a participant or worker. See Carol Scales for more information.

We welcomed society member and benefactor Joyce Bowden to Tabernacle Cemetery on her visit to Greenwood in early December. During this visit we unveiled a marker to dedicate the Connor family and their place in the founding of the Tabernacle community. We appreciate the efforts of the committee, led by Ernest Prewett, for this effort. He has been working on a long term plan for the cemetery and will report back with further developments which we hope to include the archeological look of the entire Tabernacle community. We look forward to seeing you again soon Joyce!



We thank you for your continued financial support of the GCHS! January is the time most renewals are due! Please see Carol or mail in your contributions.

Meeting dates for 2015: Our series will look toward the Sesquicentennial of the end of the War Between the States.

January 25	3:00	GCHS Architectural Awards	Cokesbury College
March 29	3:00	Greenwood Public Library	William Davies, SCHS
		Robert Mills, SC Architect	
June 28	3:00	Greenwood Public Library - TBA	
September 27	3:00	Greenwood Public Library	Karen Stukes, "Sherman's Path Through South Carolina"
November 1	2:00	Jefferson Davis Driving Tour	Details to follow

We appreciate your continued support! We look forward to seeing you at our meetings this year!

Chip

GREENWOOD HISTORY: OUR OLD ROADS

By Harry Legare Watson

These sketches about the early travel routes in the area that is now Greenwood County and early families who lived along the old roads were written by the editor of *The Index-Journal* of Greenwood, and were published weekly in this newspaper from August 18, 1940 (with an occasional break) until February 1950, numbered 1-428. They include considerable family history information as well as local and area history. They will be reprinted here in following issues with the permission of the editor of *The Index-Journal*.

No. 74

Saturday, January 17, 1942

Old Ninety Six was designated as the site for a Court House after the creation of seven judicial districts of the Royal Colony of South Carolina in the Act of 1769, passed first by the South Carolina House of Commons Assembly in 1768 and after being amended finally reluctantly approved in 1769 by the London authorities in charge of the administration of affairs in South Carolina. Previous to this Act, courts and all legal proceedings were centered in Charleston and this caused great hardship on the inhabitants of the up-country. Through committees these inhabitants had for many years been clamoring for courts which would be more accessible than Charleston. On the 4th day of July, 1768, Thomas Bell, William Calhoun, Andrew Williamson, and Patrick Calhoun, in behalf of themselves and others, presented a memorial to the General Assembly in Charleston setting out that they were entitled to the liberties of British subjects, among which was the right to have courts established among them that they might not be obliged to travel almost two hundred miles to Charles Town for justice. These "British subjects" were all residents of what later became Ninety Six District, and they lived rather near the old town of Ninety Six. This committee did not stop in demanding courts, but went on to request that more ministers of the Gospel and school teachers were needed in the back country, "as many people had never seen a church or heard a sermon." They also wanted a vagrant act and they demanded public roads and competent commissioners to see that the roads were properly laid out and cleared, and they urged a bounty on flour to encourage the growing of wheat, and finally, they insisted that the land on the frontier ought not to be taxed at the same value as lands of great value near the markets, which meant Charleston, or then Charles Town.

It is not necessary to go into great detail covering the final adoption of the Act, which created seven judicial districts in 1769. These seven districts were Orangeburg, Camden, Cheraw, Georgetown, Beaufort, Charleston, and Ninety Six. After defining the areas of the six first named districts, the Act defined Ninety Six District by saying that it was to include all of the remaining area of the province. This area today would include all of the counties of Edgefield, Saluda, Newberry, Laurens, Spartanburg, Union, Greenwood, Abbeville, McCormick, Barnwell and Aiken and a good part of Lexington. Later, after the Revolution, the present area of Greenville, Anderson, Oconee, and Pickens, prior to this time considered as lands of the Cherokee Indians, fell into Ninety

Six judicial district.

The Act provided for the erection of court houses and jails in each of the seven judicial districts, and designated the places in the district in which the court houses and jails were to be located.

The court house at Ninety Six, according to old maps, was near the junction of the old Charleston road and the Willow Ford road. This location is noted on a map of Ninety Six Court House and surrounding country showing roads, streams, etc., appearing in Drayton's Memoirs. This would put the first court house a short distance southwest of the present old fort, and the jail was located a few hundred yards farther southwest near where the present small stream crosses the road which leads from the DAR marker up to the old fort, the stream long having borne the name "Jail Yard Branch." Beyond the old fort on the east on the old road leading to Island Ford there is marked the site of the camp of William H. Drayton's forces there in 1775. At the camp site there is shown a large spring on the right side of the Island Ford road going to Saluda, and the stream by this camp is designated "Camp Creek," and this today is known as the "Kate Fowler Branch." The site of this camp of Drayton's forces is just beyond the Roberts place, home of John D. Arrington.

The first court house at Ninety Six was a log structure and appears to have been ready for use in 1771. The act creating these new judicial districts provided that they should be places for the seating of courts of general sessions and common pleas twice a year. They were to be circuit courts and the judges who were to preside over these courts maintained their residence in Charleston. The courts were to last six days at each place and were to be held twice a year. The judges under the Act could decide without the aid of a jury, matters in which the value of property was not over twenty pounds sterling, or one hundred dollars, except in cases involving the title to real estate. The office of provost marshal, a sinecure held by a gentleman favored by the king in England, was abolished and sheriffs were to be named in each district; also clerks for the courts of each district. Prior to this move the provost marshal in England had received large sums of money as fees and the work he was supposed to do for which he received the fees was done by deputy provost marshals in the province. The deputy provost marshal in the Ninety Six District area was Samuel Earle who lived then near what is now Greenville. Mr. Earle told

Governor B. F. Perry that he, as deputy provost marshal, served the first court writ, which was returnable at a term of court to be held at Old Ninety Six. This was prior to the Revolution, and evidently, this was continued until the beginning of the Revolution, as there is no mention of a sheriff for the district until the first of the Revolution, when at the first session of the South Carolina General Assembly, asserting the independence of the colony from the crown of England, the first sheriffs were elected.

This first meeting of the General Assembly of what was afterwards the independent State of South Carolina, convened in Charleston on March 25, 1776. The members of this General Assembly from Ninety Six District were James Mayson, Andrew Williamson, LeRoy Hammond, Patrick Calhoun, John Lewis Gervais, Richard A. Rapley, Francis Salvador, the Rev. John Harris, William Moore and Henry Pendleton. Five of these representatives at the time lived in what is now Greenwood county. On the following day, March 26, 1776, Andrew Williamson and John Lewis Gervais, neighbors living in the present Whitehall community, were named on a committee to nominate sheriffs in the seven districts to be elected by the General Assembly, a custom including other county officials, which was continued in South Carolina until after the War Between the States. The man nominated and elected as sheriff of Ninety Six district was Robert Stark, and the actual date of his election was March 26, 1776. A long and interesting sketch of Robert Stark, Jr., son of the first sheriff of Ninety Six District, may be found in O'Neill's "Bench and Bar." Robert Stark, Jr. was a gallant Revolutionary soldier and after the Revolution a prominent lawyer of this part of the State. He served as solicitor. He died September 4, 1830. Judge O'Neill says: "As a lawyer Mr. Stark occupied a high position in his day. He had extraordinary powers before a jury for they believed and knew that he was honest." Very little is known about his father, the first sheriff of Ninety Six district. His son, Robert Stark, Jr. was, as noted in O'Neill's sketch, a remarkable man physically. "He was five feet eight inches high; very large; his legs were enormous--one, I think, was twenty-eight inches around, and the other was either twenty-six or twenty-seven; complexion was swarthy; the face was the index of the man--cheerful, frank, bold." Mr. Stark may be considered as a member of the bar of Old Ninety Six. Some very amusing stories are related about Mr. Stark and the noted Peter Carnes, who was also a member of the Ninety Six bar and a resident of the village. Just a year prior to the Revolution the first court house at Old Ninety Six and the jail were the central points of the first engagement between Patriot forces and Tories on the 19th of November, 1775, in which the first blood was shed in the Revolution in South Carolina. The Patriot who gave up his life in this first engagement was James Birmingham, and the following year his widow was voted the sum of one hundred pounds sterling as an annuity from the first day of April 1776, to be con-

tinued during her widowhood and afterwards to the children or child under twelve years of age.

To ten other Patriots who were wounded in this same engagement on the 19th of November, 1775 at Old Ninety Six, various sums were voted at the same time by the General Assembly in Charleston. William Dunlap, who lost a leg and had a wife and two children, was voted an annuity during his life of ninety pounds sterling, or \$400.00. John Tolbert, who lost his right arm and one eye on the 25th December (following the engagement) by firing a swivel (small cannon) and who had a wife and children, was to be paid an annuity during his life of one hundred pounds. Robert Cosby, who was wounded through the knee on the 20th November, 1775, and who "the doctor believes will be impeded in walking" to be paid immediately in lieu of pay to the first of April, 1776, the sum of seventy pounds. And John Wilson who was wounded on the same day and was not yet cured and was believed to be permanently disabled, was to have the same provision as Robert Cosby. Patterson, first name not given, a ranger, "who had a skull fracture in this same engagement, and was doubted whether he ever will recover and be in his senses" was to have the same provision as Robert Cosby. Michael Cane, who was wounded through the hand but cured, was to receive pay for ninety-three days at the rate of ten shillings. John Calhoun, who was wounded in the head on the 21st November 1776, was given a gratuity of thirty pounds. Johnson, first name not given, a ranger, wounded through the thigh and cured, was given fifteen pounds. Boles, first name not given, wounded in the head but cured, received twenty-five pounds. The General Assembly resolved that the annuities were to be paid after six months, upon producing a certificate signed by one of the field officers of the regiment and one magistrate of the district where such persons resided.

Incidentally, a few days later the General Assembly fixed the place of election for the district of Ninety Six and this place was "in the Indian Camp near Major Andrew Williamson's" and the commissioners of election were to be Major Williamson, Captain Anderson, Captain Hammond, Patrick Calhoun, Esquire, and William Moore, Esquire. Only one voting place in the district was provided and usually this was in the Court House of the district. It was unusual in the case of Ninety Six District to have the one election place elsewhere than in the Court House. *(to be continued. . .)*

Our thanks to: • Contributor Henrietta Morton who gives us the 'Old Roads' column each newsletter. She is the Past Pres. of the Old Ninety Six District Chapter of the SCGS; Past State Regent of the SC State Society NSDAR and Past Vice Pres. General of NSDAR. • Editor of the newsletter, Diane Wardlaw, founder of Clan Wardlaw Assoc. - www.clanwardlaw.com and author of 5 books on the Wardlaw history both in America and Scotland.

Joyce Bowden's visit to Tabernacle



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