



# **Greenwood County Historical Society**

P.O. Box 49653, Greenwood, SC 29649

June 2015

## **President’s Message - June 2015**

We wish you a great summer full of rest, learning, and service and hope that you enjoy your time. We hope you enjoyed our last meeting at the Greenwood Library in March on Robert Mills, America’s Architect. Thank you to Greenwood native Bill Davies for this presentation. It was truly a highlight and filled with information on South Carolina’s premier architect! If you were not in attendance, you missed a great event.

This month’s meeting will be a remembrance of our area’s rich tradition of textile baseball history as we welcome locals Tom Perry and Mac Kirkpatrick. They have an extensive history on the subject, authoring books and plays. We look forward to seeing you on Sunday, June 28th to hear this great sports and history topic. Please bring friends and family that may be interested in this topic. This meeting will also be held at the Greenwood Library!

We enjoyed our third annual antiques fair on April 25 at Historic Cokesbury College. For those that were a part of our undertaking either as a participant or worker, we appreciate your help. Neither the early rain nor time could take away from our endeavors. See Carol Scales for more information on our 2016 4th annual craft fair!

We thank you for your continued support of the GCHS! Financially, we appreciate the renewals, and in attendance of our meetings in support of our mission. Please join and bring a friend if you have not done so.

You are invited to the Greenwood Train Museum on Friday, June 26 at 4:00 for a reception and to see a glimpse of the restoration efforts of the local trains on Main Street. The City of Greenwood, The County of Greenwood, and many local individuals have supported the efforts to restore this landmark which pays homage to our important Greenwood railroad history. I hope to see you there.

If you have nominations for our Architectural Restoration and Preservation Awards please send those in!

Remaining dates for 2015: Our series looks toward the Sesquicentennial of the end of the War Between the States.

June 28                   **3:00 Greenwood Public Library - Kirkpatrick and Perry, “Our Textile Baseball History”.**

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 remaining meetings this year!

*Yours in History!*

*Chip*

*<http://greenwoodcountyhistoricalsociety.com/>*

# 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. 76

Saturday, January 31, 1942

Terms of the court of general sessions and of common pleas which were held at Old Ninety Six between the years 1772 and 1776 were presided over by judges who had been named by the British Crown ministers in London. The judges had come out from London to make their homes in Charlestown or were already living there. Three judges or assistant judges were named with the last Chief Justice under English rule, Thomas Knox Gordon; with Edward Savage, Englishman; John Murray, a Scot; and Fewtrell, a Welshman, according to tradition as to nationality.

After the Revolution got under way, new judges, Patriots, were elected, this being one of the notable acts of the first General Assembly meeting in Charleston in 1776 and the new judges were William Henry Drayton, Chief Justice; John Mathews and Henry Pendleton. Two years later Aedanus Burke was added and in 1799, Thomas Heyward as judges. All of these presided over courts held at Old Ninety Six and so also did the great John Rutledge who, in 1791, succeeded William Henry Drayton as Chief Justice. Rutledge previously had been named an Associate Justice of the Supreme Court of the United States. He served two years. Later he was named by Washington as Chief Justice of the Supreme Court of the United States but was not confirmed. He resigned as Chief Justice of South Carolina and actually presided over the August term of the Supreme Court of the United States in 1795. His health and mind soon gave way and he was an invalid until his death in 1800.

Chief Justice O'Neil said Chief Justice John Rutledge enjoyed much the wit and convivialities of the courts held in the seven "country" judicial districts and adds "this was especially the case at Ninety Six where Carnes' (Peter Carnes, lawyer) wit ruled and rioted in wild luxuriance". On one occasion, the opening of court at Old Ninety Six, Chief Justice Rutledge entered the court room an hour later than the usual time. As he took his seat the Grand Jury presented him for being late. Chief Justice Rutledge quietly said: "Mr. Clerk, hand me the presentment," and running it down into his pantaloons' pocket he turned to the Grand Jury and said "Gentlemen, I would have you know that it is never ten o'clock until I am in court."

This incident, it would seem certain, took place in the second or new court house at Old Ninety Six, the brick building erected after the Revolution; and it stood on the hill near the site of the present D.A.R. marker. The first court

house stood in the southwest corner of the intersection of the Willow Ford road with the Old Charleston road. It was not directly in the corner but was the second building from the corner, according to the map made for Johnson's Life of Nathanael Greene, copied in McCrady's History of the Revolution or third volume of his four volume history of South Carolina, and also copied by Kenneth Roberts in his recent novel, "Oliver Wiswell."

Mr. Roberts in his description of Old Ninety Six refers to the "brick court house and the brick jail."

The evidence available does not fully bear him out in this. The act of 1769 contains a provision for a large sum, for the times, for the erection of "gaols, whipping posts, stocks and pillories" in the seven judicial districts, but there is no statement that the building, court houses and gaols (jails) in the back county were to be of brick; and while it may be correct to say the first court house and jail at Old Ninety Six were of brick, the fact cannot be positively established now.

The second court house at Old Ninety Six undoubtedly was of brick as there are statements on record to that effect by persons who had lived in the village. This building was near the center of the new village of Cambridge, which sprawled along the present paved highway on which the D.A.R. marker faces. Edward J. Hooker mentions it as "old" in 1806. It was authorized after the Revolution, 1785. And that was the year in which the College of Cambridge was authorized and its first and only building was of brick. About 1820 the second court house was sold - Ninety Six had lost out completely as a place for holding any sort of court - and bought by the Cambridge Library Association. This body used the second floor of the court house for its "library" and it became more of a "gentleman's club" than anything else. The first floor of the old court house had been used as a store for some time and the post office was located there.

The holdings of the Cambridge Library Association and the old college property a few years later were sold and the proceeds, by act of the Legislature, were turned over to the Greenwood Educational Association and a new educational effort with Greenwood as the potential center was started. Col. Dick Griffin sponsored this move.

The evolution and development of the courts of South Carolina, although vitally affecting Old Ninety Six, would require too much space to accurately describe.

In brief it may be said that immediately after the Revolution the General Assembly of the newly established State of South Carolina voted to form twenty-six counties out of the seven judicial districts; but while these counties were to have court houses and jails, these county courts were to be only "inferior courts" and the seven judicial districts of Charleston, Georgetown, Orangeburg, Camden, Cheraw, Beaufort and Ninety Six, soon increased by two new districts, Washington and Pinckney, were still to have held within them the courts of general sessions and common pleas.

Ninety Six district was cut into six counties by this act: Abbeville, Edgefield, Laurens, Newberry ("Newbury"), Spartanburg and Union.

For a number of years, however, or until the county courts were completely abolished, the courts of common pleas and general sessions, as above noted, were held in the district court houses.

Old Ninety Six was the scene of one of the most unusual and notable judicial and extra judicial events in the State at one of the terms of the court of general sessions held there after the Revolution. This was the famous execution of Mathew Love, a notorious Tory. The case is one of great historical importance in that the validity of the Treaty of Peace between "His Britanic Majesty, King George the Third, and the United States of America" was involved.

Love was arrested about 1783 and put in jail at Ninety Six to be tried on a charge of "Sedition and Murder." The charge grew out of Love's brutal and atrocious part in the massacre of the Whig band of patriots at Hay's Station in 1781. Love, it was said, after the Whigs had surrendered and were put inside a ring and then murdered, hacked and mutilated the bodies with his sword. Although Love was jailed and was brought before the court at Ninety Six, the presiding judge, the Honorable Aedanus Burke, ruled that the acts of Love, brutal and atrocious though they were, had been committed "as acts of war" and that after the treaty of peace had been signed and duly recorded in the records of the court at Ninety Six, as they were in every court house in the several States, the court, by reason of the treaty, must discharge Love and any others who might be in the same category.

This famous case of Mathew Love and his execution by outraged citizens of Old Ninety Six for a long time was incorrectly described by various writers. Chief Justice O'Neill and the late General Samuel McGowan of Abbeville - he was a native of Laurens and went to school as a boy in Greenwood - finally brought to the public an accurate account of what happened at Ninety Six on the fateful day of November 7, 1784. O'Neill in his "Annals of Newberry" published in the Newberry Sentinel before they were put into book form, referred, sometime in 1850, to the story of Love's execution as given in Johnston's Traditions (and written he says by Governor B. F. Perry, of Greenville, who knew of it only by tradi-

tion) as incorrect and then gave an account which was almost correct. O'Neill knew, however that the records of this term of court and all other court records which had been kept in the court house of Old Ninety Six, were then, 1850, intact and in the court house at Abbeville. These records had been removed from Ninety Six to Abbeville when Ninety Six was abolished as a place for holding courts. They were taken to Abbeville because when the county line between Abbeville and Edgefield was run, the court house at Ninety Six was left on the Abbeville side of the line. All of these most valuable records, with the exception of the records of the Judge of Probate or Ordinary, were destroyed when the court house at Abbeville was burned in 1878.

O'Neill, in concluding his account of the Mathew Love execution at Old Ninety Six, suggested that General McGowan at Abbeville make a study of the records at Abbeville, including the minutes or journal of the court of general sessions held at Ninety Six and make public what he might find.

*(to be continued. . .)*



# Textile Baseball History

3:00 - Greenwood Public Library - Kirkpatrick and Perry,  
"Our Textile Baseball History".

After the Civil War, the Yankee textile industry began a steady transfer south, bringing with it the tradition of a mill village, usually owned by the mill's owner, where the workers and their families lived. The new game of baseball quickly became a foundation of mill village life. With pictures from across the decades, we share a rich tradition of textile league baseball in South Carolina.

## Mac C. Kirkpatrick

Former textile worker, now Director of Institutional Research at Lander University, Greenwood.

Furman University graduate: 1982 (BA) Business Administration. Piedmont Technical College graduate: 1985 (AS) Engineering Technology.

Member at First Baptist Church Greenwood. Enjoys combing through history,

Research assistant for book Textile League Baseball (1993); Co-author of The Southern Textile League Basketball Tournament: A History (1997). Producer of the play, Shoeless Joe, which premiered in 1995.

## Thomas K. Perry

Fourth generation linthead, now Newberry SC coordinator for the coalition to prevent underage drinking.

Wake Forest University graduate: 1974 BA (English), 1977 MA (English).

A love for his family, baseball history, textile history, reading, golf.

Married to the former Donna Adams of Greenwood; they have a 27 year old daughter, Meghan

Published Textile League Baseball (1993); The Southern Textile League Basketball Tournament: A History (1997); Just Joe: Baseball's Natural (2007). Wrote the play, Shoeless Joe, which premiered in 1995.

Member, Board of Directors, Shoeless Joe Jackson Museum.

The Historical Society wishes to thank the newsletter editorial committee including Missy Lowery, Henrietta Morton, Carol Scales, Chip Tinsley and editor Diane Wardlaw for their dedicated contributions to the Greenwood County Historical Society Newsletter.

For all others who contribute in one way or another. Thank you.

If you haven't yet renewed your membership, please send your dues now. Individual \$20. Couple \$30. Make check payable to the Greenwood County Historical Society and send to PO Box 49653, Greenwood, SC 29649



**Greenwood County Historical Society**

**P.O. Box 49653**

**Greenwood, SC 29649**

**Return Service Requested**

