

SOUTH CAROLINA
STATE ARCHIVES
Columbia, South Carolina

By John W. Lawrence

^{Proprietary}
ROYAL GRANTS (1714)

Volume 39. Page 44

JOHN PENDARVIS had a grant for 500 acres of land in Colleton County on the east side of the South Edisto River, bounded south on Henry Nicholls, west on Mr. Wm. Livingston.
Dated 17 August 1714.

/s/ Charles Craven, Charles Hart, Saml. Eveleigh, Ralph Izard, Pryce Hughes.

Volume 39. Page 44. (1714)

JOHN PENDARVIS had a grant for 109 acres in Colleton County on the south side of South Edisto River, bounded northeast on Mr. Thomas Waring's land, southeast on John Prescott, southwest on said JOHN PENDARVIS, northwest on vacant land. Dated 17 August 1714.

/s/ Same names as above. (The correct location of this land was on the "east" side of the South Edisto River.)

Volume 39. Page 43. (1714)

JOHN PENDARVIS had a grant for 500 acres of land in Colleton County on the east side of the South Edisto River, bounded north on Tho: Ferguson, west on Mr. Butolph's, south and east on vacant land.
Dated 17 August 1714.

/s/ Same names as above.

Volume 39. Page 43. (1714)

JOHN PENDARVIS had a grant of 500 acres in Colleton County on the east side of the South Edisto River, near Bob Savannah, bounded east on said JOHN PENDARVIS, and John Prescott, north on said JOHN PENDARVIS, west on said JOHN PENDARVIS, south on Henry Nicholls.

Dated 17 August 1714.

/s/ Same names as above.

Volume 39. Page 171. (1715)

JOHN PENDARVIS had a grant for 500 acres of land in Colleton County on the east side of the South Edisto River near Bob's Savannah, bounded north and east on land not yet laid out, south on said PENDARVIS, west on Jno. Cattel and Mr. Bulop's.

Dated 25 February 1714/1715.

/s/ Charles Craven, Charles Hart, Joseph Boone, Robert Daniell, Saml. Eveleigh and Nich. Trott.

57-

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

JOURNAL OF THE COMMONS HOUSE OF ASSEMBLY (1703)

Minutes of y^e 8th. of September 1703.

A Bill for makeing good y^e Last Will and Testament of JOSEPH
PENDARVIS, late of this p^rvince, deceased, And for Vesting
of Certaine land to William Allen Coop^r. one of y^e devisees in
s^d will was brought into y^e House and Ordrd to be Read,
which was acc^{ry} Read y^e First Time and past wth Amendments.

(2n^d Time) An Explanatory & Additional Bill &c./ Read y^e Second
Time and past.

SOUTH CAROLINA
STATE ARCHIVES
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COLONIAL DEEDS

Volume Q. Page 8.

[Abstracted]

WILLIAM & ANN CARLILE to JONATHAN AMORY. (1697)

William Carlile of Berkley County, tanner, and Ann his wife,
daughter of JOSEPH PENDARVIS of same place, deceased, sell
to Johnathan Amory of Charles Towne, merchant, for 7 pounds,
10 shillings sterling a town lot known as No. 218; whereas, the
said JOSEPH PENDARVIS by his Last Will & Testament dated
19 November 1694 bequeathed unto his two daughters MARY
and ANN two town lots in Charles Towne known as No. 217 &
218, and, whereas Giles Titmarsh, shoemaker, and Mary his
wife, daughter of the said JOSEPH PENDARVIS by indenture of
27 July 1697 agreed that Giles Titmarsh and Mary his wife shall
have and take to themselves the southernmost lot known as No.
217, and that the said William Carlile and Ann his wife shall have
and take to themselves the northernmost ^{lot} ~~lot~~ known as No. 218.
Dated 5 August 1697.

/s/ William (seal) Carlile

/s/ Ann (seal) Carlile

Witnessed by Ch. Jarrard, Gyles Titmarsh, Priscilah P Rose.

Proved 10 July 1699.

Recorded 29 June 1736.

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STATE ARCHIVES
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JOURNAL OF THE COMMONS HOUSE OF ASSEMBLY (1703)

Thursday, April the 19th 1703.

According to the Ord^r. of y^e. day JOHN PENDARVIS attended this House and Gave what reasons he Had, why this House Should not p^r.ceed to y^e. making a Bill, as in y^e. s^d. ord^r. is Expressed for making good y^e. Last Will & Testament &c of his Father JOS: PENDARVIS, Deceased.

M^r. Speaker In formed y^e. House of A Message from y^e. upper house by M^r. Allen wth y^e. Bill for making good y^e. Last Will and Testament of JOS: PENDARVIS, Deceased.

NOTES

On the objections of John Pendarvis to settling his father's will. (1703)

The journal does not explain why John Pendarvis objected to the settlement of his father's will. Perhaps he had been managing and profiting from the plantation lands at Magnolia Umbra (his father's home place, which had been willed to John's sisters) and didn't want to see the estate broken up.

Quite likely there were religious differences involved, also. William Rhett was an Anglican, and apparently Daniel Sindrey also was an Anglican. Perhaps George Logan was also an Anglican. John Pendarvis was a Dissenter (Quaker).

Perhaps John Pendarvis simply did not want to deal with Anglicans. Religious factionalism was running high at this time.

82-

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

JOURNAL OF THE COMMONS HOUSE OF ASSEMBLY (1703)

Friday y^e 30th of aprill, 1703.

The Bill for makeing Good y^e Last Will and Testament of JOS:
PENDARVIS, Read y^e 2^d time and Past wth amendm^{ts}.

Saturday, May the first, 1703.

The Committee being informed of Another Message from y^e
upper house, the Speaker^e was reseated and the message
read, That y^e Bill for makeing good y^e Last Will & Testament
of JOSEPH PENDARVIS, deceased, be Ingressed.

Tuesday, y^e 4th of May, 1703.

Ordrd A Bill for Makeing good the Last Will and Testament of
JOS: PENDARVIS, deceased, Read the Third Time and Past into
Law.

Ordrd That the foregoing Bill be Carried to y^e Upper House for
their Third Reading by Cap^t David Davis and M^r DANIELL SINDRY.

SOUTH CAROLINA
STATE ARCHIVES
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Book.

Index of the Statutes of South Carolina.

List of All The Acts.

A.D. 1703.

An Act for making good the last Will of JOSEPH
PENDARVIS, late of this Province, deceased, and
for vesting of severall lands and tenements in the
devisees, and in severall mean purchasers of them.

[The word "mean" in the above is a reference to a "mesne"
conveyance, or a deed. Many of the clerk of court offices
in this state are still called The Office of Mesne Conveyance.]

NOTES

On the act to make good the will of Joseph Pendarvis.

1. The minutes of the Upper House for this period do not exist, but we can see by the master list of Acts, found in the index of the Statutes, that this act was passed into law in 1703. Unfortunately, there is no extant copy of the act itself.
2. This report next shows a similar act for William Allen [Cooper] and a copy of that act has survived. The copy of that act shows us that the will of Joseph Pendarvis was flawed throughout, because it did not include the term "to him [or her] and her his [or her] heirs and assigns forever" as it should have after each item bequeathed. Because of the lack of that all important clause, the children could not make a valid deed of sale to any of the items left to them by their father. They therefore sought legislation to permit them to so do.

92-

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

ORIGINAL RECORDS AT THE SOUTH CAROLINA STATE ARCHIVES

"Jenkins" collection.

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Page 1 of 2.

[Transcription]

AN ACT to Settle a Piece of Land Lying on the Neck of Charles Towne on William Allen Cooper his Heirs & Assignes For Ever, devised to him by Joseph Pendarvis in his Last will & Testament.

WHEREAS the said Joseph Pendarvis some time before his death did make his Last will & Testament in writing & did therein (amongst other gifts & devises) Give, Bequeath & Devise to y^e said William Allen certain lands lyeing & being between the lands of John Watkins & of Jonathan Amory late deceased---commonly called or known by y^e name of y^e Ratt Trapp, And Whereas a doubt & an ambiguity is since arrisen in & from y^e words & letter of y^e said Will (occasioned by y^e clerk's mistake that drew y^e same) for that what land or land were given & devised by y^e said Will to y^e said William Allen was not in Express words in y^e said Will given to him & his heirs & assignes for ever & that therefore it may be doubted whither y^e said William Allen can make or derive any Estate in Fee to any y^e purchaser or purchasers under him he being by y^e said Will Tennant for Life or y^e said Premises---yet for as much as by divers collaterall proofs made upon y^e Intent of y^e said Joseph Pendarvis was that y^e said William Allen should have, hold & Enjoy y^e said land & Premises to him and his heirs for ever.

For y^e clearing whereof & removeing of all scriples & doubt which at any time may arise or be Conceived touching or concerning y^e disposition of any Lands or Tenaments to y^e said William Allen in any by y^e Last Will and Testament of y^e said Joseph Pendarvis: BE IT ENACTED at y^e

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STATE ARCHIVES
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Page 2 of 2.

Continued...ACT to settle land on William Allen Cooper.

instence and Request of y^e. said William Allen by his Excellency
John Granville, Esqr., Palatine & etc. & rept. of y^e. true & absolute
Lords & Proprietors of the said Province by & with y^e. advice & consent
of y^e. rest of the members of y^e. Generall Assembly now mett at Charles
Towne for y^e. South West Part of this Province, AND IT IS ENACTED
y^e. authority of y^e. same that all & every y^e. devise & devisees to y^e.
said William Allen in & by y^e. said Will of y^e. said Joseph Pendarvis of
any lands in this Province ought to enure & is & are hereby declared
to enure & make good, firm, valid & substanciall in Law to him, his
heirs & assignes for Ever, notwithstanding y^e. want or omission or y^e.
word heirs or any other word or words whatsoever which might have
created y^e. [word unclear] in them or any other omission, neglect,
? misprisiin or other default in any wise whatever.

Read three times &
ratified in open assembly
seventeenth day of September
1703.

/s/ R. Johnson
/s/ Tho: Broughton
/s/ Ja: Moore
/s/ Rob^t. Gibbs
/s/ Nicholas Trott
/s/ Henry Noble

On the act to settle land on William Allen Cooper.

At this point, I am unsure why William Allen has become
William Allen Cooper. Perhaps his mother Priscilla Allen
Rose (maiden name unknown) later married a person named
Cooper, and her son assumed his last name.

In the Spring of 1704, Governor Johnson suddenly issued a call for an emergency meeting of the Assenbly on April 26. Before the dissenters from Colleton County could reach Charles Towne, the Assemblymen from Berkeley County achieved a quorum and squeezed through by one vote an act of exclusion; barring dissenters from the Assembly by requiring all members to swear either that they took communion in the Church of England or that they conformed to Anglicanism and had not taken communion in any other church for one year. The true motive of the Anglicans became apparent when they next promptly passed an act establishing the Church of England as the state church of South Carolina. The law refused legal recognition to marriages performed by dissenting clergymen and provided for public funds to pay for the erection of Anglican churches and for salaries for their ministers.

The Lords approved of the acts, but, because of the obvious public uproar in the province over them, Queen Anne directed the Lords to disallow them. News of her action reached South Carolina in November 1706.

In 1706, while yellow fever raged in Charles Towne, a fleet of five ships in a Franco-Spanish fleet anchored off the town and demanded its surrender. Governor Johnson refused and sent a squadron commanded by William Rhett to defend the colony. Rhett moved out with six small vessels and the enemy ships hoisted anchor and fled. Rhett pursued them and captured one enemy ship.

When news of Queen Anne's denial of the exclusion and church acts of 1704 reached Charles Towne in 1706, Governor Johnson with reluctance suggested that the Assembly should repeal the acts, but he recommended a new watered-down church act for adoption. This new act required that marriages must be registered with the Church of England, but the marriage itself could have been conducted by another clergy. Dissenters would not be directly taxed for the support of the Church of England. Anglicans still held a majority of votes in the Assembly and the new act was passed.

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

ROYAL GRANTS (1704)

Volume 38. Page 461.

ELIZABETH SINDRY had a grant for one hundred twenty and five acres of land on Charles Towne Neck in Berkley County purchased from the quit rent bounding to the east on Cooper River, to the west on the Broad Path, to the north on Mr. Wigington and to the south part on John Watkins and part on Mr. Cartwright.

Dated 5 February 1704.

/s/ M. Johnson

/s/ Ja: Moore

/s/ Nich: Trott

/s/ Job Howes

NOTES

On the grant to Elizabeth Sindry for 125 acres. (1704)

As this document shows, Elizabeth Sindry moved quickly after the enactment of the act to settle the will of Joseph Pendarvis to lay claim to the old family home tract on the Charlestown Neck.

Joseph Pendarvis had willed this tract to his daughters Ann and Mary. At this point in time, Ann is married to William Carlile and they are living over on the Edisto River. Mary may be this "Elizabeth" Sindry.

Whoever Elizabeth Sindry is, she is by this grant getting this tract of land into her sole possession by paying all back quit rents and having a new grant issued to her.

In 1712, Charles Craven became Governor of South Carolina, and he proved to be a great man.

At this time (1712), the colony was in a rather neither-here, neither-there situation. From its beginning in 1670, the colonists had moved forward and grown up economically. Just as children grow up and leave home, the colonists had grown up and proved to be almost ungovernable by the Lords. Through the Assembly, they were governing themselves, and paying little attention to the Lords or the Governors. The Fundamental Constitutions were a dead issue. For lack of the constitutions, however, there was no body of law in the colony. The Assembly was addressing every and all questions as they arose, usually by reference to English law.

Governor Craven immediately went to work. He promised that the colony would "show the greatest Tenderness" to dissenters and do nothing to endanger religious toleration. He hit it off well with the Assembly, and they began to address the problem of the lack of laws by which to govern the colony. The assembly enacted 43 laws of its own in 1712, and also adopted---in a sweeping move---more than 200 English statutes to deal with legal problems. This was, and remains, the largest amount of legislation ever enacted in South Carolina in a single session of the Assembly.

When Governor Craven arrived in the colony in 1712, the old political factions were beginning to fade away. During his administration, they disappeared, and the political history of the colony was no longer merely a struggle between the Anglicans and the Dissenters.

In 1708, Governor Johnson was replaced in office by Edward Tynite, who did nothing of significance and died in 1710. Robert Gibbes then became Governor and held office for nearly two years, during which time he became notorious for his bribery and little else. The few laws that existed in the colony did not change.

Good Friday, 15 April 1715, was a black day in the history of South Carolina. With sickening suddenness, the Yamasee Indians fell upon the frontier settlements near Port Royal and murdered about a hundred whites. The attack was a signal for a massive uprising among all Indians along the southern frontier. Led by the Lower Creeks, the Indians butchered the white traders among them who had abused them for so long. Only the Cherokees and the Chichasaws spared their traders.

The attack was a culmination of years of frustrations on the part of the Indians. The South Carolina Assembly had tried repeatedly to come to grips with regulation of the Indian traders, always without success. The traders continued to take advantage of the Indians.

Governor Craven called out the militia, attacked the Yamasee in their villages, and drove them across the Savannah River, and, later on, into Florida. But he could not contain the Creeks. Frightened farmers abandoned their homesteads and fled into Charles Towne for protection.

The Cherokees were the traditional enemies of the Creeks. The Cherokees were the largest Indian nation on the southern frontier, with about 3,000 warriors in a population of about 10,000. Governor Craven marched his troops into the mountains to negotiate with the Cherokees. He returned a month later with a treaty committing the Cherokees to support the colony against the Creeks. Even so, sporadic fighting continued along the frontier until the Creeks made peace with the colony in 1717. In all, about 400 colonists lost their lives.

The Yamasee War caused a growing disgust for the Lords among the colonists. The Lords had contributed nothing to the settlers in this time of great need. The original Lords were dead, and their successors knew they would never make any money out of their American "possessions". The colonists were ready to become a royal colony.

Governor Craven left South Carolina for England after he had negotiated the treaty with the Cherokees in 1716. His successor was Robert Daniel, who was old and ill and was succeeded in 1717 by Robert Johnson. He was a son of former governor Sir Nathaniel Johnson. Robert Johnson had none of the bigotry or low cunning of his father and he quickly won the respect of all factions of the Assembly, and together they began trying to restore fiscal order to the colony.

Because more than half of the land under cultivation had been abandoned during 1716, the colony suffered severe famine in 1717. An observer wrote that in Charles Towne, "the people came near to Eat each other".

In 1718 South Carolina began to suffer sharply from the pirates who had infested the coast. Blackbeard, Stede Bonnet and Richard Worley were sailing before the Skull & Crossbones and pillaging the sea trade out of the colony.

The Colony organized squadrons commanded by Governor Robert Johnson, his father and former governor Sir Nathaniel Johnson, and Willian Rhett to attack the pirates. Bonnet was captured. Blackbeard and Worley were killed outright. Bonnet and more than sixty members of the various pirate ships' crew members were hanged on the wharf at Charles Towne.

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STATE ARCHIVES
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COLONIAL WILLS & MISCELLANEOUS RECORDS (1719)

Volume 1711-1718. Page 126.

[Abstracted]

GUARDIANSHIP OF JOHN HEARN.

BOND---This document consists of a bond in the amount of 2,000 pounds, posted by THOMAS HASFORT and CLADUS FAURE to the Honorable ROBERT JOHNSON, Exqr., Governor of South Carolina, on 5 February 1718/19 to permit THOMAS HASFORT to be guardian of JOHN HEARN, son of JOHN HEARN, deceased, the said JOHN HEARN being in his minority.

/s/ Thomas Hasfort

/s/ Cladus Faure

Witnessed by: E. CROFT.

COLONIAL WILLS & MISCELLANEOUS RECORDS (1724)

Volume 1722-24. Page 420.

[Abstracted]

GUARDIANSHIP OF JOHN HEARN.

JOHN HEARN, orphan child of JOHN HEARN, deceased, now over the age of 14 years, chooses THOMAS FAIRCHILD, Gen^t, to be his guardian.

Dated 12 June 1724.

/s/ ffr. Nicholson

Recorded 13 June 1724.

117

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

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Book.

BIOGRAPHICAL DIRECTORY OF THE S. C. COMMONS HOUSE.

By Walter B. Edgar and N. Louise Bailey
University of South Carolina Press
1977.

JOSEPH BLAKE.

Joseph Blake was the son of Gov. Joseph Blake and Elizabeth Axtell Turgis. Born within months of his father's death, he was raised by his mother in a strongly dissenting household at the family home on the Ashley River. The Blakes were Presbyterians and the Turgis family was Anabaptist.

Joseph Blake grew up to become one of the wealthiest men in South Carolina. It is estimated that he owned 29,085 acres in five working plantations in St. George [at Beech Hill], in St. Bartholomew Parish, in St. Paul's Parish and in two locations in Prince William Parish.

Joseph Blake married Sarah Sindrey, daughter of Elizabeth and Daniel Sindrey on 16 June 1720. They had Daniel, William, Rebecca (m. Ralph Izard), Anne (m. Adam Daniel).

[Citations of his public service.]

Joseph Blake died in 1751.

The rebellion of 1719 that ended the proprietary government in South Carolina was not a revolt against tyranny, for the question of political rights played almost no part in the overthrow of the Lords. The rebellion was, rather, directed against the neglect and maladministration of the Lords, who had lost interest in the colony and were unable to comprehend the truly desperate circumstances in the colony.

Meanwhile, in South Carolina, the colonists had elected their own Assembly and selected a twelve-man Council. They took care of "housekeeping" chores of government and avoided making any long-term policy decisions. Governor Moore ordered the clergy to perform no marriages without a license from him.

Governor Nicholson arrived in Charles Towne in late May 1721 and he was greeted with a petition of welcome signed by more than 500 of the colony's leading citizens.

[In 1721, South Carolina had a population of about 19,000 persons, of whom about 7,800 were white and about 11,800 were Negroes.]

Governor Nicholson found the colonists especially concerned about economic and military problems. The primary economic problem was being caused by the Navigation Acts. The Governor petitioned the Privy Council for relief from the Acts, but to no avail. The military problems were caused by the fact that France and Spain were still potential threats, and so were the Creek Indians. To bolster the frontier as well as the alliance with the Cherokees, Governor Nicholson built a fort [Fort Prince George] in the heart of the Cherokee Nation.

Governor Nicholson made every effort during his administration to unite all factions in the colony behind the Crown. He had been empowered to appoint the Council, and he deliberately selected twelve men who represented all of the political interests of the province. Nicholson established and went out of his way to maintain a cordial relationship with the Commons House.

Governor Nicholson experienced only one difficulty in his administration of the colony. He was a High Church Anglican who despised and distrusted dissenters. When Governor Nicholson met with his first Assembly in 1721, he requested that all members must take their oaths of office by swearing on a Bible. Several dissenters refused to do so. Hasty conferences were held with the Governor, and both the House and the Council persuaded him to change his position. The dissenters were allowed to simply make an affirmation that they were loyal to the Crown. However, when the new election bill came before the Assembly, Governor Nicholson urged Council to insert a clause to require all assemblymen to be sworn -in by a formal oath. Reluctantly, the Commons House agreed, and thereafter dissenters either took the oath or refused their seats in the Assembly.

The Election Act of 1721 apportioned Assembly seats among the parishes, limited the duration of a single Assembly to three years, and forbade a lapse of more than six months between the dissolution of one Assembly and the first meeting of its successor. The law required that all candidates for a seat in the Assembly must own 500 or more acres of land and either 10 slaves or personal property worth 1,000 pounds currency. To vote, a person had to own 50 acres of land or have paid 20 shillings currency in taxes in the previous year. This law remained in effect until the Revolution.

Governor Nicholson did not resort to persecution of dissenters, but he did do all within his power to assist the Church of England in its role as the established church of the colony, even though there was nothing in law at the moment to make the church the "established" church.

Governor Nicholson left South Carolina for England in May 1725, and he was succeeded in office by a colonist, Arthur Middleton, who had been president of Council.

128
SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL WILLS & MISCELLANEOUS RECORDS (1723)

Volume 1722-24. Page 198.

[Abstracted]

SHEM BUTLER, Deceased. Ca. 1723.

This page shows the Last Will & Testament of SHEM BUTLER of Berkley County, who gives all of his estate real and personal to be divided amongst his wife and children [none named], and appoints his brother RICHARD BUTLER and his brother-in-law SAMUEL WEST, and his son-in-law EDMUND BELLINGER as his Executors.

Dated 9 October 1718.

/s/ Shem Butler

Witnessed by John Mell, Jn^o PENDARVIS, Joseph Mell.

Proved on 9 May 1723 by John Mell and Joseph Mell, the other witness, JOHN PENDARVIS being sick.

Memorandum: That on this 13th day of May 1723 I administered the usual affirmation to M^r JOHN PENDARVIS a Quaker and one of the witness^s to the within will, who solemnly affirmed and declared that he saw the within named Shem Butler sign and declare, etc.

129

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

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BIOGRAPHICAL DIRECTORY OF THE S. C. HOUSE OF COMMONS.

By Walter B. Edgar and N. Louise Bailey
University of South Carolina Press
1977.

EDMUND BELLINGER.

Edmund Bellinger was the second son of Edmund Bellinger and Sarah Cartwright. He married first Elizabeth Baker, daughter of William Baker and Susannah Rowsham. They had one child, Susannah, (m. Henry Hyrne). His second wife was Elizabeth Butler, daughter of Esther and Shem Butler. Eleven children were born to this marriage: Edmund, Richard, George, Thomas, Thomas, William, John, Richard, Elizabeth (m. Thomas Wright), Mary (m. Thomas Law Elliott), and Hester.

Edmund Bellinger was a dissenter.

[Citations of his public offices]

Edmund Bellinger died between 21 February 1739 when he signed his will and 5 March 1739 when he was buried in the Parish of St. Andrews.

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JOHN PENDARVIS.

John Pendarvis, the son of the immigrants Joseph and Elizabeth Pendarvis, was born in South Carolina sometime after 1672 and became a planter in Berkley County and Colleton County. He held grants for 2,109 acres of land on the South Edisto River, in addition to his home plantation on the Ashley River in St. Phillips Parish (317 acres, 24 slaves). Pendarvis was a member of the Ninth Assembly (1707) and held several local offices which included receiver for raising money for a watch on Sullivan's Island (1690); tax inquirer for St. Phillips (1721). A Quaker, he was married twice. His first wife was Mary West, by whom he had four children: Joseph, John, Benjamin, and Mary (m. Thomas John Elliott). In June of 1721, Pendarvis married a widow Hannah Keys. On child, Josiah, was born to this marriage. John Pendarvis died on 14 February 1723 and was survived by his second wife and five children.

4

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

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NOTES

On the age of JOSEPH PENDARVIS, son of JOHN PENDARVIS.

John Pendarvis wrote his will in 1719, at which time his son Joseph Pendarvis was under the age of twenty one years. However, Joseph Pendarvis had reached twenty-one years of age by 1723 when his father died, because said Joseph was named as a co-executor of his father's will.

So, Joseph Pendarvis apparently was born ca. 1700.

You have asked if the fact that Joseph Pendarvis appears on the Jury Lists of 1718, etc., belies his date of birth as figured above. Not so. Under English Law, all freemen over the age of 12 years (the legal age at which English freemen reached their minority and could take an oath) and under the age of 60 were eligible to serve on Petit Juries which heard only minor offenses. Joseph Pendarvis served on Petit Juries in 1718 and 1720....he did not serve on a Grand Jury until 1731. The laws of this province also specified that jurymen had to have paid at least 5 pounds tax during the previous year to be eligible to serve on a Grand Jury, and a "lesser amount" to serve on a Petit Jury. Apparently, that meant any lesser amount.

English Law divided a male's life into three stages: birth to 12 as an infant; 12 to 21 as a minor; over 21 as a man. A male 12 and over could take an official oath (witness deeds, serve on a jury, etc.) and choose his guardians. He could own slaves, enter into contracts (but not own real estate) and he could marry, with parental permission.

SOUTH CAROLINA
STATE ARCHIVES
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COLONIAL WILLS & MUSCELLANEOUS RECORDS (1725)

THOMAS JOHN ELLIOTT & MARY his wife)	
)	
v.)	Suit for
)	
HANNAH PENDARVIS & JOSEPH PENDARVIS)	Partition

Filed 12 November 1725.

Thomas John Elliott and Mary his wife (the daughter of JOHN PENDARVIS, late of this province, planter, deceased) did by their petition to me in Council on the 9th day of Sept.^{br} last sett forth that the said John Pendarvis in his life time made a will in writing dated the 15th day of Sept.^r thereby giving to his daughter Mary (the pet.^r) three hundred pounds to be paid her at the age of one & twenty or marriage, which shall first happen & also Several other specifick Legacies in the said petition sett forth. The y^e said John Pendarvis (with^t ever revoking the said will or making any new one) dyed on the fourteenth day of February 1723[4?], leaving behind his widow Hannah, three sons and the pet.^r Mary who marryed to the Peticioner Thomas in his Life time.

That the said Testator having made no Disposition of the residue of his personal estate by the said Will, he (as to that) dyed Intestate & therefore that the same ought to be divided (according to the Statute for Settling Intestates Estates of force in this province) viz^t one third to the said Hannah his widow & the remaining two third parts amongst his children, whereof the pet.^r Mary was one. That soon after the Testator's decease, two of his said sons dyed Intestate whereby their share of the residue of the personal estate of the said Testator of right ought to be divided equally between the surviving children.

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL WILLS & MISCELLANEOUS RECORDS (1725)

Page 2 of 3.

Continued....Elliotts v. Pendarvis'

That since the said Testator's decease, the said Will hath been duly probated and the two Executors therein named having renounced in due form Letters of Admcon with the Will Annexed have been granted to Hannah Pendarvis his Widdow & to his sonne Joseph Pendarvis joyntly.

That the pet^r has frequently applied as well for the said Legacy as for a distribution of the said Testator's personal estate but could not obtain Satisfaccon, the said Joseph Pendarvis having gott all the Negroes in to his possession & worked them to his own separate use.

It was therefore prayed that proper Citations should be granted against the said Hannah and Joseph Pendarvis that they should appear before me at a time therein to be Limited to render an account of their admcon and also to pay the Pet.^{rs} legacy and to make a distribution of the Residue of the said Testator's personal estate, according to Law. WHEREUPON, I have caused citations to issue & the said Joseph Pendarvis having been served therewith to appear before me on Wednesday the tenth day of November instant, He the said Joseph Pendarvis did on that day by his humble petition to me sett forth that he was ready to Submitt the accompts of his admcon to be audited and settled & that he is ready to produce them upon oath before me, or before such persons as I shall think fitt to appoint.

That he is very desirous that the Estate and Effects of his sid ffather should be shared & divided according to the intent & meaning of his Last Will & Testament and therefore prayed that I would nominate & appoint proper persons for that purpose.

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL WILLS & MISCELLANEOUS RECORDS (1725) Page 3 of 3.

Continued....Elliotts v. Pendarvis'

I therefore reposing Special Tuest & Confidence in you, the said Ralph Izard, Coll. Bull, Sam^l. West, Rich^d. Butler & tho^s. Elliott do hereby empower and authorize you or any --3-- of you to view and appraize and value (or if the same hath been already made) equally to share, divide and allott the personal estate and effects of the said John Pendarvis, deceased.

/s/ Ar: Middleton, Ordinary

NOTES

On the suit of the ELLIOTTS v. the PENDARVIS'

A minor point; this suit cites the date of death of John Pendarvis as having been 14 February 1723.

That citation is misleading...it should be 1724. The suit of Alexander Kinloch and the probate records for John Pendarvis show that he died in 1724...not 1723...and the reason for the difference is that the English were still observing the Roman calendar, which ended on March 25th., and not the Gregorian calendar (as was most of the world), which ended in December (the one we use today). Because of this worldwide difference, the English usually dated documents that fell after December with a split designation of, say, 14 February 1723/24. This particular record failed to stipulate the split designation, and has caused some researchers to cite the incorrect year for the death of John Pendarvis.

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

NOTES

On the suit between the Elliotts and the Pendarvis'.

People die either "testate" (leaving a Will) or "intestate" (leaving no Will), and sometimes they die both testate and intestate; that is, they die leaving a will that does not in itself dispose of all of their estate.

John Pendarvis died both testate and intestate. He left a Will that bequeathed most of his estate to his heirs. This suit by the Elliotts does not challenge the Will, rather, it merely says that the Will did not dispose of all of his estate, and that unbequeathed portion of his estate would have to be divided under the laws governing the division of an intestate estate. That law provided that the widow would receive one-third (her Dower right) and the children would equally divide the remaining two-thirds, etc.

This suit has to do with the "personal estate" of John Pendarvis. The term "personal estate" would have included his slaves, and it appears that slaves indeed were the issue in this suit.

154

On 26 February 1726, the Lords made one last and vain attempt to re-claim the colony. They petitioned the Privy Council to say that, since the provisional governor had restored order to the colony, they were ready to resume control of its affairs. Governor Middleton and the Assembly quickly convened in special session and drafted a memorial to the Privy Council to deny the request. The Council on 26 June 1726 voted to deny the request. This move by the Lords was obviously simply a move on their part to assert their desire to be paid for their interests in the colony. Negotiations between the Lords and the Crown took some time, and were completed in 1729 when the Crown agreed to pay each of the Lords 2,500 pounds and a lump sum of 5,000 pounds for quit rent arrears. South Carolina officially was a royal colony.

In 1729, the Crown appointed former governor Robert Johnson as the new governor of South Carolina.

Governor Johnson was the most remarkable politician in the colonial history of South Carolina. As governor throughout the revolution of 1719, he had managed to keep the good will and respect of the people of the colony. He had returned to England, and stayed in good stead with the Crown and helped with the negotiations between the Crown and the Lords.

Governor Johnson immediately returned to South Carolina and showed himself to be a man of vision and leadership. To help the economy and to assist with the Indian problem, he proposed the establishment of ten new townships on the frontier. The townships were to be settled with poor Protestant refugees from Europe. Their passages would be paid, they would be given free land, and they would be provided with tools and grain to start their homesteads. Each immigrant would receive 50 acres plus 50 acres for each member of his family, servants or slaves. Within a few years, this scheme would result in an in-coming floodtide of immigrants from Europe.

Governor Johnson next persuaded England to amend the Navigation Acts, and let South Carolinians export rice directly to Spain and Portugal. This set off an economic boom, and rice exports rose from 37,000 barrels in 1732 to 67,000 barrels by 1739. At long last, South Carolina planters were Getting Rich!

153

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL DEEDS

Volume F. Page 275.

[Abstracted]

GILLSON & MARGARET CLAPP to ROBERT HUME. (1726)

Gillison Clapp of Berkley County, merchant, and Margaret his wife sell to Robert Hume of Charles Town, Gen^t for 3,500 pounds sterling several tracts of land, viz: a tract of 112 acres part of 137 acres originally granted to JOSEPH PENDARVIS by the Lords Proprietors and the said 112 acres became vested in ELIZABETH SINDRY, widow, then late Elizabeth Clapp; also 13 acres of land part of an original grant to Henry Simons then became vested in ELIZABETH SINDRY; also 39½ acres purchased of Richard Cartwright by ELIZABETH SINDRY; and, whereas, the said ELIZABETH SINDRY in and by her last will & testament did give, devise and bequeath to her son the said GILLSON CLAPP the aforesaid several tracts of land, and whereas the said GILLSON CLAPP did on 14 June 1720 purchase of Edward Weekly a tract of 10 acres of land, now the said GILLSON CLAPP & MARGARET his wife do sell all of the above tracts to the said Robert Hume.

Dated 2 September 1726.

/s/ Gillson Clapp

/s/ Margaret Clapp

Witnessed by J. Hepworth, Thomas Barnes.

Proved 2 July 1727.

Recorded 8 August 1727.

158

In 1731, Governor Johnson and the Assembly took up the delicate question of land grants and quit rents. This was the item that caused Governor Johnson his greatest problems. The colony's land system was a mess. The Land Office had been closed since 1719, but the demand for land, especially as a result of the popularity of rice as a crop, had been unrelenting. The colonists had resorted to, shall we say, claims of questionable legality during the interim period, and they had added about 210,000 acres to their holdings.

The time-honored political tool of compromise was utilized. A law was passed to validate all proprietary [the law didn't specifically say so, but it also was interpreted to include all provisional] land grants, warrants, patents, surveys, and any and everything else. All holders of property were required to enter registrations of them [these are the "Memorials" in the report] within 18 months, and people who held anything less than a grant were required to take out a grant within two years. All arrears of quit rents were remitted. Future quit rents had to be paid on March 25 of each year, and if a land-owner was three months late in paying up, the land could be confiscated by the Crown.

The Governor and Council were authorized by the Crown to issue new land grants, and the Land Office was re-opened. Grants were the same as for the immigrants for the new townships; that is, 50 acres per person, plus 50 acres for each person in their household, including servants and slaves. Quit rents on these royal grants were 4 shillings per 100 acres. The law for these new royal grants specified that no South Carolinian could obtain a grant within one of the townships laid out for immigrants, but this feature was never seriously observed. The law also failed to include these new grants in the requirement for registration for tax purposes, and so most of the recipients of these grants never registered them with the Auditor's Office.

The Governor and Council issued royal grants for about 900,000 acres during the 1730's. Most of this land was granted in tracts of 400 to 1,000 acres. There was no "top" or limit on how much land a single individual could claim. The law

law simply required that the land had to be put quickly into cultivation and that it had to be part of the claimant's "residence" which was loosely interpreted to mean part of the claimant's "plantation" system.

Although many landowners developed large plantations during this period, there were few outright abuses of the grant system. Most of the grantees were indeed building up plantations contiguous to or nearby their principal place of residence.

South Carolina was haunted by the fear of a slave insurrection all during the 1730's. The Negro population was growing more rapidly than was the white population. By 1740, there were 39,000 Negroes in the colony and there were about 20,000 whites. Slaves were being imported at a rate of 2,500 a year.

This problem also was a great influence on the welcome mat that South Carolinians put out for immigrants from Europe. New white faces were badly needed in the colony.

In May of 1740, the Commons House passed a Slave Code; the first precise definition of slavery since the disallowed act of 1690. Slavery no longer rested on the custom of the time, but on law. Slaves were defined as personal chattels, that is, as personal property, of the master. In other respects, the slave code of 1740 was consistent with previous practices.

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL DEEDS

Volume R. Page 438.

[Abstracted]

JOSEPH PENDARVIS to ELISHA CARSLILE. (1731)

JOSEPH PENDARVIS of Berkley County, son of JOHN PENDARVIS, deceased, sells to ELISHA CARSLILE of Berkley County for 80 pounds a tract of 100 acres of land located in Colleton County, originally granted as part of a tract of 500 acres to said JOHN PENDARVIS on 25 February 1714, and is bounded north by lands of said ELISHA CARSLILE and east by lands of WILLIAM DRAYTON, west by land of JOHN CATTLE and south by land of said JOSEPH PENDARVIS.

Dated 6 September 1731.

/s/ Joseph Pendarvis

Witnessed by John Barton and William Smith.

Proved 8 July 1734.

Recorded 9 November 1737.

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162
SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL WILLS & MISCELLANEOUS RECORDS (1732)

Page 1 of 2.

JOSEPH PENDARVIS, JOSEPH HASFORT)
AND (MARY) HASFORT HIS WIFE)
 HANNAH?)
Ex Parte)
In the Estate of John Pendarvis)

Filed 16 May 1732.

WHEREAS, Joseph Pendarvis and Joseph Hasfort and ^{? HANNAH?} Mary Hasfort his wife, admors. of the estate of John Pendarvis, late of Berkly County, planter, deceased, set forth that a commission of distribution heretofore issued to Ralph Iazard, William Bull, Samuel West, Richard Butler and Thomas Elliott, equally to share, allot and divide the personal estate and effects of the said John Pendarvis, deceased, the accounts of the administration being first duly settled, which they were thereby impowered to do, and to make all just allowances according to the Law for the use of the several parties who were to share and partake of the same according to their several and respective interests, but by reason of the Long Sickness of the said Joseph Hasfort, and Joseph Pendarvis, and of the Sickness and death of Samuel West and Thomas Elliott two of the commissioners who were most acquainted with the affiars of the said John Pendarvis, deceased, and the said accounts being very long and tedious and intricate, there hath been no return hitherto made, that the petitioners to take away all suspicion of any seeming delay in them not settling the accoun.^{tts} did long since deliver up the Specifick Legacies and have paid of the other Legacies and debts of the Testator out of their own proper Estate; so that no person has any interest to receive thereout or is any wise concerned in the estate of the said John Pendarvis but themselves; That the accounts are now prepared and ready to be adjusted

163
SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL WILLS & MISCELLANEOUS RECORDS (1732)

Page 2 of 2.

Continued....Pendarvis and Hasforts.

and thereby humbly pray'd that a New Commission might be directed to such persons as I should think fit for adjusting the same and making a Distribution thereof according to the several shares and interests therein.

I therefore reposing Special Trust and Confidence in you the said Ralph Izard, William Bull, Richard Butler, Richard Allen and Thomas Cooper do hereby authorize and empower you or any three of you to view and appraise and value and divide and allot the personal estate and effects of the said John Pendarvis.

/s/ Rob^t Johnson, Governor.

164

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL DEEDS

Book R. Page 441.

[Abstracted]

JOSEPH & HANNAH HASFORT to ELISHA CARLILE. (1733)

Joseph Hasfort and Hannah his wife of Berkley County sell to Elisha Carlile of same place, carpenter, for 5 shillings sterling a tract of 100 acres of land located in St. Paul's Parish, Berkley County.

Dated 22 June 1733.

/s/ Joseph Hasfort

/s/ Hannah Hasfort

Witnessed by W. Young, Saml. Elms.

Proved [blank] 1737.

Recorded 9 November 1737.

165-

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

SOUTH CAROLINA LAND MEMORIALS (1733)

Volume 3. Page 351.

[Abstracted]

JOSEPH HASFORT enters his Memorial for a tract of 500 acres of land in St. Paul's Parish, near Bob's Savannah, bounded east on lands of the late JOHN PENDARVIS, deceased, and John Prescot, north late also of JOHN PENDARVIS, deceased, south on land of Henry Nichols, deceased, which said land was conveyed to the said JOSEPH HASFORT by JOSEPH PENDARVIS by deed dated 8 June 1732.

---Also for a tract of 146 acres in St. George Parish, Berkley County, bounded north on John Parker, south on Thomas Elm, west on Benjamin Childs, east on Samuel Elm.

---Also for a tract of 267 acres in Berkley County on the south side of the Santee River, bounded north on Dave Williams, northeast on the Santee River, southwest on John Stroud, southeast on vacant land, both of the above tracts were willed to me by my father JOHN HASFORT by his will dated 8 September 1706.

Dated 18 May 1733.

Governor Johnson died 3 May 1735 and he was succeeded by his brother-in-law, Lt. Gov. Thomas Broughton, who served with little distinction or excitement and who died in 22 November 1737.

The Crown named James Glen, an impecunious young Scot, as governor in 1738, but he managed to avoid leaving the comforts of home until 1743. Meanwhile, Lt. Gov. William Bull served as the chief executive of South Carolina.

Governor Glen finally arrived in Charles Towne on 17 December 1743. To show his appreciation for the local officials who were required to greet him, he came ashore at 3 o'clock in the morning.

Governor Glen fortunately had little to do during his 12 years in office. The colony was more at peace with itself and its neighbors during this period than at any time in the preceding 40 years.

The politics of the colony in this era reflected internal harmony. The governor, council and the assembly occasionally bickered over their respective authorities, but nothing disturbed the public at large.

The people were merrily getting rich. Rice money was rolling in, and Indigo also had become a big money crop. The colony enjoyed a heyday that eclipsed all other colonies in America. Up to the Revolution, South Carolina enjoyed the largest personal fortunes and the highest per capita income of any colony in the New World.

Prosperity soared; religion waned. Josiah Quincey Jr. wrote in 1740 that "the state of religion here is repugnant not only to the ordinances and institutions of Jesus Christ, but to every law of sound policy". An Anglican rector inveighed against the "fashionable principles of libertianism and infidelity". Another was upset because "the people are not much given to marriage". And still another reported that he had not performed a marriage ceremony in a year wherein more than one or two of the brides had not been pregnant".

174

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

Book.

BIOGRAPHICAL DIRECTORY OF THE S. C. HOUSE OF COMMONS.

By Walter B. Edgar and N. Louise Bailey
University of South Carolina Press
1977.

THOMAS ELLIOTT.

Thomas Elliott was a carpenter when he immigrated to South Carolina before 23 January 1690, but within the next twenty years he became one of the Province's more substantial planters. Between 1696 and 1711, he obtained 18 grants totaling 7,156 acres of which 6,781 were in Colleton County and the remaining 375 acres were across the Stono River in Berkeley County. Sometime before 1719, he purchased Long Point, a 158 acre plantation on the Charles Towne Neck, where he lived in his latter years. In Charles Towne, he owned a lot on the Bay with a wharf, two other lots, and a house. In the Stono area, he was tax assessor (1703, 1719) road commissioner (1703, 1712) and tax inquirer and collector (1716); he also was High Sheriff of Colleton County (1711-1716) and a captain in the militia (1711-1719). Elliott was a member of the Second (1695) and Eleventh (1708-09) Assemblies and represented Colleton County in the Fourth (1698-99) Fifth (1700-01) and Sixth (1702-03) Assemblies. A Quaker, Elliott was an active member of the Charles Towne Meeting. Following his first wife's death, he wed Hepzibah [?], who died 27 Sept. 1719. On May 1, 1721, he married Ann Clifford. By his first wife he had nine children: Ann (m. 1st. Jonathan Fitch [d. 1723?]) 2d. Roger Saunders, 3d. [?] Waight, Rachel, Thomas, William, Joseph, Elizabeth (m. 1st. Thomas Butler, 2d. Robert D'Arques, 3d. Robert Yonge), Martha (m. 1st. William Fairchild, 2d. John Man), Hepzibah, and Beulah (m. Thomas Rose). Thomas Elliott died sometime between 9 June 1731 and 11 Feb. 1732 when his will was probated.

175

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

Book.

BIOGRAPHICAL DIRECTORY OF THE S. C. HOUSE OF COMMONS.

By Walter B. Edgar and N. Louise Bailey
University of South Carolina Press
1977.

THOMAS ELLIOTT.

Thomas Elliott, son of the immigrant Thomas Elliott, was born in South Carolina 15 January 1699. Like his father, he was a Quaker. On 20 April 1720, he wed Beulah Law in the Quaker Meeting House in Charles Towne. They had two children: Mary and Thomas Law. Following her [Beulah's] death, he married Susannah [?] 17 August 1727 who bore him seven children: Jehu, James, Charles, Mary (m. 1st. Robert McKewn, 2d. Robert Rowland), Charles, Joseph, and Sarah (m. Archibald Stanyarne). Elliott's third wife was Elizabeth Butler, daughter of Esther and Shem Butler, and the widow of Edmund Bellinger (d. 1739). They were married 30 January 1745 and had no children.

Building on a modest inheritance of 500 acres on Horseshoe Creek, Elliott through grant and purchase amassed holding in excess of 7,500 acres. At his death he was one of the largest slave holders in South Carolina, with 445 slaves on his plantations. In addition to his residence in St. Paul's Parish, he purchased Long Point Plantation on Charles Towne Neck from the heirs of his brother Joseph.

[Citations of his public offices].

Thomas Elliott was buried 25 December 1760. He left an estate valued in excess of 200,000 pounds.

178

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL DEEDS

Book R. Page 443.

[Abstracted]

ELISHA & ELIZABETH CARLILE to CHARLES FILBIN. (1737)

Elisha Carlile of Berkley County and Elizabeth his wife sell to Charles Filbin of the same place for 800 pounds, two tracts of land---one containing 100 acres located in Colleton County and being part of a tract of 500 acres originally granted to JOHN PENDARVIS, deceased, and conveyed by JOSEPH PENDARVIS, son and heir, to the said Elisha Carlile, bounded north on lands of said Carlile, east on Drayton, west on John Cattel, south on the rest of the said 500 acre grant---also, another tract in Colleton County (being the whole quantity of vacant land which was contained in the original plat of a tract admeasured by mistake for 132 acres) and found by re-survey to be only 100 acres and granted to Joseph Hasfort, planter, and sold by said Hasfort and Hannah his wife to the said Carlile, bounding on Bob's Savannah and south on the said 500 acre tract laid out for JOHN PENDARVIS, west on land of John Cattell, northeast on land of Drayton.

Dated 22 September 1737.

/s/ Elisha Carlile

Witnessed by Benjamin Child, Wm. Cockfield, Charles Barker.

Proved 4 October 1737.

Recorded 11 November 1737.

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL DEEDS

Volume X. Page 240.

[Abstracted]

WILLIAM COOPER to JOHN HARN. (1742)

William Cooper of Edistoe in Orangeburg Township sells to John Harn of same for 500 pounds sterling a tract of 400 acres of land located in the fork of the Edistoe River on the south side of the said river where the Township of Orangeburgh is laid out.

Dated 12 November 1742.

/s/ William Cooper

Witnessed by William Truiman, Saml. West.

Proved 13 November 1742.

Recorded 18 November 1742.

187

SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

COLONIAL DEEDS

Volume CC. Page 140.

[Abstracted]

WILLIAM COOPER to BRAND PENDARVIS. (1744)

WILLIAM COOPER of Colleton County, planter, and SARAH his wife,
sell to BRAND PENDARVIS of Orangeburg, County of Berkley, yeoman,
for 200 pounds, a tract of 400 acres of land located in Colleton County
and bounded east by the Pon Pon [North Edisto] River and on all other
sides by land not yet laid out, said land was originally granted [apparently,
to said WILLIAM COOPER] on 4 June 1735.

Dated 26 February 1744.

/s/ William Cooper

/s/ Sarah Cooper

Witnessed by David (X) Black, W. Siddall, Jacob Rumph.

Proved 2 January 1745/46.

Recorded 3 September 1746.

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SOUTH CAROLINA
STATE ARCHIVES
Columbia, S. C.

By John W. Lawrence

SOUTH CAROLINA LAND MEMORIALS (1754)

Volume 7. Page 247.

[Abstracted]

JAMES PENDARVIS enters his Memorial for a tract of 499 acres of land, part of a tract of 500 acres of land in Colleton County originally granted 14 August 1714 to JOHN PENDARVIS and descended to JOSEPH PENDARVIS who by his Last Will & Testament devised his land amongst his children JAMES PENDARVIS, BRAND PENDARVIS, WILLIAM PENDARVIS, JOHN PENDARVIS, THOMAS PENDARVIS and MARY PENDARVIS who afterwards intermarried with DAVID RUMPH, and ELIZABETH PENDARVIS who died as an infant, said heirs conveyed the land to the said JAMES PENDARVIS on 16 September 1754.

[This document is interesting, in that it specifically says that these are the children of JOSEPH PENDARVIS rather than identifying them as children of PARTHENA, a negro woman who lived with JOSEPH PENDARVIS.]

S U M M A R Y

Nothing shows in research to date to deny the apparent historical fact that Joseph Pendarvis had seven children by a Negro woman named Parthena who lived with him on his plantation. [Parthena must have died prior to the death of Joseph Pendarvis in 1735. Her parents may have been the older slaves that Joseph Pendarvis provided for in his will.]

During this period of history in South Carolina, there are other references in wills to white men leaving legacies to children of their slaves, always referred to as the mulatto children or this or that slave. The will of Joseph Pendarvis is distinctive, however. Joseph Pendarvis took steps far beyond the usual situation. Perhaps this was because he had [it seems] never married, so he had no one to worry about or provide for other than his children by Parthena.

It seems that the father of Joseph Pendarvis...John Pendarvis, the Quaker... knew of his son's association with Parthena at the time that he [John Pendarvis] wrote his will in 1724. This fact apparently is the reason for the unusual construction of the will of John Pendarvis. The will bequeaths his property to his sons, but goes on to say that if his sons produce no legal heirs, the property is to go to his "rite" heirs if they will take the name Pendarvis. The only definition of a "rite" heir would be a person of the blood-line, but perhaps not out of a legal marriage. A legal definition could be any "designated" heir.

The fact that John Pendarvis was a Quaker, and that his son Joseph Pendarvis had been raised in a Quaker household, should not be taken lightly. Although the beliefs of Quakerism were totally at odds with the agricultural system and requirements of South Carolina, in that the system could only work by using slave labor, Quakers still believed that all people were equal.

In the inventory of the estate of John Pendarvis, we see that it lists a Negro slave named "Pothena" and a son of the same woman. This son would, of course,

have been James "Pendarvis". When John Pendarvis wrote his will in 1724, this James "Pendarvis" either existed or was soon to come into existence. In any case, John Pendarvis had to have been aware of the relationship between his son Joseph Pendarvis and Parthena.

Joseph Pendarvis either wrote or had written a good, solid will. His grandfather and his father had written faulty wills, and no doubt Joseph Pendarvis was well-aware of that fact.

Joseph Pendarvis, by one means or another and likely by some heavy financial payments and bribes, held off the final administration of the estate of his father [John Pendarvis] for many years. Joseph Pendarvis could not risk any division of the slaves of the estate of his father, because such a division would involve his own children. Joseph Pendarvis succeeded in this effort, but it seems that he did so behind-the-scenes. There is no evidence that any of the laws of the colony were passed solely to benefit the situation of Joseph Pendarvis, even though some of the laws that were passed were to his benefit.

It seems that Joseph Pendarvis did not name his seven children by the surname "Pendarvis" because he had never been legally married to Parthena. Therefore, he apparently relied on the will of his father [John Pendarvis] and the ^{cl}auses in that will concerning "rite" heirs who would take the name "Pendarvis" to pass the line to his children.

Whatever the case, Joseph Pendarvis surely went out of his way to provide for his children by Parthena. He skillfully selected the executors of his estate: one was Childermas Croft, the Clerk of the Assembly, who would have had great sway over any legal questions arising from his will, and the other was John Harne, who lived near the children and could look after them.

The will of Joseph Pendarvis specifies that the children should be educated and well-cared for, and apparently those conditions were met. It seems that all of the children could read and write as adults [an exception for the time and place]. They married well. The males amassed large plantations and were successful.

Also, the records show that the family alliances remained intact throughout this era. The names of allied families in the records before Parthena continue to show as allied families after Parthena.