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historic grounds and resource study

COWPENS

NATIONAL BATTLEFIELD / SOUTH CAROLINA

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HISTORIC GROUNDS AND RESOURCE STUDY

COWPENS NATIONAL BATTLEFIELD

SOUTH CAROLINA

Prepared by
Edwin C. Bearss

DENVER SERVICE CENTER
HISTORIC PRESERVATION TEAM
NATIONAL PARK SERVICE
UNITED STATES DEPARTMENT OF THE INTERIOR
DENVER, COLORADO

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Memorandum

To: Regional Director, Southeast Region

From: Associate Director, Denver Service Center

Subject: Historic Grounds and Resource Study, Cowpens National Battlefield

We are especially pleased to forward herewith five copies of the subject study by Research Historian Edwin C. Bearss of our Historic Preservation Division. You will find this thoroughly professional treatment of a difficult and important subject very useful in the preservation and interpretation of the Cowpens Battlefield.

/S/ DAVID G. WRIGHT

David G. Wright

Enclosures (5)

cc:
WASO, Asst. Dir., PP, w/encls. (7)
Supt., Cowpens NB, w/encls. (6)
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JFLuzader:hh 10/1/75

PREFACE

This report, "A Historic Grounds and Resource Study, the Cowpens National Battlefield, COWP-H-2," has been prepared to satisfy the research needs as enumerated in meetings with the Superintendent of Kings Mountain National Military Park, Landscape Architect Jim Kiryakakis of the Denver Service Center, Mr. Al Swift and Dr. Allan Kent of The Harpers Ferry Center, and Historical Architects John Garner and Hugh Miller. Its purpose is:

(a) to provide a documented description of the vegetative cover and roads at the Cowpens as they appeared on January 17, 1781

(b) to trace the history of white settlement of the area, to ascertain the whereabouts of "the cowpens," and to document subsequent land ownerships in the area

(c) to document construction dates and evaluate the local significance of structures included in the Cowpens National Battlefield, and to make recommendations regarding their further study or removal

(d) to study the construction history of the Washington Light Infantry Cowpens Monument and

(e) to secure information on the burial sites of those killed at Cowpens, and to identify other areas needing archeological investigation.

To accomplish these tasks, all available primary and secondary source material focusing on the battle and area, both published and in manuscript form, at the Library of Congress, the National Archives, the South Carolina and North Carolina Departments of Archives and History, and at the Spartanburg and Cherokee County Courthouses were examined. A number of local historians and descendants of early settlers were interviewed. Microfilm of pertinent portions of the "Draper Collection" was reviewed.

Many persons have assisted in the preparation of this report. As always, particular thanks are due my friends and associates at Kings Mountain National Military Park--Superintendent Ben Moomaw, Historian Jim Anderson, Ranger Doug Thompson, Management Assistant Don Crawford, and Maintenance Men Earl Huskey and Jerry Bowen for sharing their knowledge and enthusiasm.

Personnel and elected officials of Cherokee and Spartanburg Counties, South Carolina, were pleasant and helpful. In this respect, I would like to give special commendation and recognition to Ruth K. Clary, Clerk of the Court of Cherokee County, and her hard-working staff.

Messrs. Ken Kitt, Harold Devorme, and Robert Mackintosh of the South Carolina Department of Archives and History worked many hours pulling musty and little-used documents. The staffs of the North Carolina Department of Archives and History and the Spartanburg County Public Library were exceedingly helpful.

Without the assistance and encouragement of these kind people--Professor Bobby Moss of Limestone College, State Representative Sam Manning of Spartanburg County, local historians Jack Blanton of Gaffney and Mrs. C. M. Moser of Shelby, and longtime residents of the area, Mesdames Rosa Scruggs Garrett, Ruth Hatchette, and Lillie Mae Scruggs, and Messrs. Boyce Martin, General Price, and James W. Scruggs, this report would have been stillborn.

My colleagues and friends Elmer O. Parker and John Luzader shared their encyclopedic knowledge of the Revolutionary War and early South Carolina history, while Dr. Harry Pfanz and Barry Mackintosh read the draft and made valuable suggestions. Historical Architect Hugh Miller of the Division of Park Historic Architecture toured the area's historic structures, discussed their significance, and made valuable suggestions for their preservation. Special thanks go to Archeologist Jack Walker of the Southeast Archeological Center for the deep interest he has taken in the project and the many gems he has discovered and shared. Dorothy Dean and Kathy Trujillo had the most difficult task of all, converting my scrawl into a typed document.

TABLE OF CONTENTS

PREFACE iii

LIST OF ILLUSTRATIONS xi

I. THE BATTLEGROUND: A DESCRIPTION 1

II. LAND OWNERSHIP: 1786-1942 3

A. The Daniel McClaren Grants, 1803-1850 3
1. Daniel McClaren Secures the Cowpens Battleground 3
2. Daniel McClaren Disposes of His Land 5
3. The Gists Sell Their Cowpens Property 6
4. Wilson Nesbitt Loses Title to the McClaren Grants 7
B. The James Steadman Grant, 1786-1851 8
1. Steadman Obtains a 2,482-Acre Grant 8
2. The Steadman Estate Sells the 2,482 Acres 9
C. The Byars Grant, 1826-1942 11
1. Byars Secures a Grant 11
2. Byars Loses His Grant 12
3. The Cowpens Monument Tract 13
a) The Washington Light Infantry One Acre 13
b) The G. Lee Martin 59 Acres 14
c) The Division of the G. Lee Martin Estate 14
d) The Jolleys Sell Their 19-2/3 Acres 16
e) The U.S. Government's Cowpens Monument Tract . . . 16
f) Boyce Martin Sells 6.10 Acres to His Sister 17
g) Boyce Martin Buys His Mother's Real Estate 17
h) General Price's 37-1/3 Acres 18
4. The Tench Blackwell Acreage 19
a) Tench Blackwell Buys 100 Acres 19
b) The Blackwell Children Divide the Estate 20
c) The George Blackwell Lot 21
d) The Martha Champion Lots. 21
e) The Columbus Blackwell Lot 23
f) The Margaret Cudd Lot 23
5. The E. V. Hatchette Tract 24
a) The M. B. Scruggs 88 Acres 24
b) The Hatchettes Acquire the Ezell Homestead 25
c) The Hatchettes Purchase 61.15 Acres 26
6. Davis's Battleground Farm, 1918-1929 26
a) W. J. Davis Purchases Four Tracts 26
b) The Subdivision of the Battleground Farm 28

D. The Richard A. Scruggs Farm 31
1. Richard Scruggs Sells a Farm 31
2. The McGinnises Divide the Property 31
3. Lot No. 1 is Partitioned and Sold 32
a) The Lamb Tract 32
b) The McGinnnis Tracts 33
E. The George Williams Grant, 1796-1923 34
1. George Williams Secures a 500-/550-Acre Grant 34
2. George Williams Sells His Land 35
a) Richard Scruggs Acquires 200 Acres of the Grant . . 35
b) Matthew Abbett Buys 350 Acres 36
3. Matthew Abbett Conveys 350 Acres to Will Dobbins . . . 36
4. Will Dobbins Sells Out 37
a) John Hicks's 30 Acres 37
b) Richard Scruggs's 129 Acres 38
c) James H. Ezell's 213 Acres 38
5. James Ezell Sells His Island Creek Property 39
a) The 20-Acre Mill Tract 39
b) James Ezell Conveys 150 Acres to Will Martin . . . 40
c) James Ezell Sells 40 Acres to President Lawson . . 40
6. The J. F. Martin Tract 40
7. The Richard Scruggs Home Place, 1803-1923 41
a) Richard Scruggs Conveys His Land to His Sons . . . 41
b) Robert Scruggs Divides His Real Estate 42
c) Sarah Roberts's 52 Acres 43
d) Martha Lawson's 59 Acres 44
e) James Augustus Scruggs's 269 Acres 45
f) The New Pleasant Church and School Lots 45
(1) The Church and Cemetery Lot 45
(2) The School Lot 46
g) James A. "Black" Scruggs Has the Home Place Surveyed 46
h) James A. "Black" Scruggs Divides the Home Place 47
i) The Martin Martin Place 50
j) The William D. "Sug" Williams Place 52
F. The Isaac Williams 700-Acre Grant, 1806-1885 54
1. Camp's 1806 Survey 54
2. Isaac Williams Sells Part of His Land 55
3. Isaac Williams Dies and His Estate is Divided 57
4. The Drury Williams Plantation 58
a) The Purchase of the Hammett Tracts 58
b) The Division of the Drury Williams Estate 60
5. Henry E. Williams's 26.5 Acres 60
6. Louiza Williams Hayes's 24.7 Acres 61
G. The Will Abbett Grant, 1803-1821 61
1. A Pioneer Secures a Grant 61
2. Richard Scruggs Acquires Part of the Grant 62

H. The James Knox Grant, 1802-1837 63
1. Knox Gets 455 Acres on Island Creek 63
2. Briant Bonner's 225 Acres 63
I. The Matthew Abbett Grant, 1815-1842 64
1. A Belated Grant 64
2. Matthew Abbett Sells His Grant to Rachel Price 65
3. Rachel Price Sells 198 Acres 65

III. THE VEGETATIVE COVER: A DOCUMENTARY HISTORY 67

A. British Descriptions 67
B. Patriot "After Action Reports," Journals, and Reminiscences 68
1. "After Action Reports" and Journals 68
2. Reminiscences 69
C. Eighteenth-Century Secondary Accounts 70
D. The Battleground as Described by Historians from 1822 to 1860 70
E. Benjamin Perry Describes the Battleground in 1835 74
F. The Battleground as Seen by Late-Nineteenth-Century Historians 75
1. The Carrington Map 75
2. Wade Hampton's Description 77
3. Ms. McConkey Describes the Battleground 77
4. Judge Schenck Introduces Some New Elements 78
5. Dr. Landrum Studies the Battleground 79
G. The United States Army Studies the Battlefield 80
1. Major Hall's Trip Report 80
2. Colonel Landers Reconnoiters the Field 82
H. The Battleground as Seen by Contemporary Authors 84
1. A. L. Pickens, Biographer, Writes on the Battle . . . 84
2. Christopher Ward Describes the Battleground 85
3. Hugh Rankin's Monograph 86
4. Robert Bass Describes the Battleground 87
5. The Callahan and Higginbothom Biographies 88
6. The Cowpens Plate in the American Heritage Atlas . . . 90
7. Bobby Moss Describes the Battleground 90
I. Kinds of Trees Used for Boundary Markers 91

IV. THE ROAD NETWORK: BEFORE, DURING, AND AFTER 93

A. The Evolution as Traced by Maps and Plats 93
1. Pre-Revolutionary War Maps 93
2. Post-Revolutionary War Maps 94
3. The Whitten-Mills Map 96
4. The Coast Survey Map of 1865 97
5. The McCullough Map of 1887 97
6. Ezell's Postal Route Map 98
7. The James Steadman Plat 99

8. The Daniel McClaren Plats 100
9. The Nathan Byars Plat 100
10. The Nathaniel Gist Plat 101
11. The T. E. Johnson Plat 101
B. The County Courts and Commissioners and the Roads 102
1. Road Construction and Maintenance under the Tryon County Court 102
2. Road Construction and Maintenance by the Spartanburg County Court 104
3. Road Construction and Maintenance by the Rutherford County Court 107
C. Construction Standards 107
D. The Roads as Located and Described in Revolutionary War Journals 108
1. The Johnson-Allaire Journals Prior to Kings Mountain 108
2. Whig Troop Movements Prior to Kings Mountain 111
3. Troop Movements After the Kings Mountain Battle . . . 111
4. Morgan's Route to the Cowpens 113
5. Tarleton's Route to the Cowpens 114
E. The Cowpens Roads as Seen by Nineteenth-Century Visitors 115
1. Bishop Asbury Visits the Cowpens 115
2. Robert Mills Visits the Battleground 116
3. Benjamin F. Perry's 1835 Visit to the Battleground . 116
4. Benson Lossing's 1849 Visit to the Battleground . . . 117
F. The Roads in the Twentieth Century 119
1. Colonel Landers Describes the Roads 119
2. The Relocation of South Carolina Highway 11 and Other Changes 119

V. THE COWPENS AND THE CAROLINA CATTLE INDUSTRY 121

A. The Origin of the Name 121
1. Johnson Refers to the Battle Site as Hannah's Cowpens 121
2. Nesbitt's Ironworks 122
3. Lossing's Account of the Derivation of the Name . . 123
4. Dr. Graham Draws on Johnson 123
5. Draper Introduces Saunders to the Cowpens 125
a) The Publication of <u>King's Mountain and Its Heroes</u> 125
b) A Review of Draper's Sources 126
6. Saunders's vs. Hannah's Cowpens After Draper 128
7. Conclusions 128
B. Location of the Cowpens 128
C. Recommendations 129

D. South Carolina Cowpens: Their Development and Characteristics 129
1. The Cattle Industry Comes to the Carolinas 129
2. Use and Meaning of the Term "Cowpens" in the Southern Colonies 130
a) In Virginia and Maryland 131
b) In the Carolinas and Georgia 131
3. The Cowpens Spread from the Tidewater to the Piedmont 133
4. Characteristics of Carolina and Georgia Cowpens 135
a) Ownership 135
b) Marking and Branding 135
c) Coping with Eighteenth-Century Rustlers 136
d) Feeding the Cattle 137
e) Fence Laws and Fencing 138
f) Keepers and Cattle Hunters 138
5. Reports, Travel Accounts, and Reminiscences 139
a) DeBrahm's Report 140
b) Bartram's Travels 141
c) Tarleton Brown's Reminiscences 143

VI. HISTORIC SITES AND STRUCTURES: THEIR LOCATIONS AND IMPORTANCE 145

A. The Battleground in 1898 145
1. H.R. 8975 is Introduced into the 55th Congress 145
2. A Correspondent Reconnoiters the Proposed Area 145
B. The Battleground in the Twentieth Century as Recalled by Oldtimers 147
1. Boyce Martin's Recollections 147
2. General Price's Recollections 148
3. Willard Hayes's Recollections 150
C. Structures Within the Boundary Dating to Before 1900 . . . 150
1. Robert E. Scruggs House 150
2. The Rock Chimney and Foundations of the Richard Scruggs House 151
3. The James A. Scruggs, Jr., House 152
4. The Henry Williams House 152
5. The W. J. Davis and Bailey Houses 152
6. The James H. Ezell House 153
a) Nathan Byars, Revolutionary War Soldier 153
b) The Ezells: Their Background 154
c) James H. Ezell as Postmaster 154
d) James H. Ezell as Community Leader 155
e) James H. Ezell Has Troubles with the Law 156
f) Ezell's Store 157
g) James H. Ezell as a Landowner 157
7. The Ezell House: An Evaluation 158

D. Burial Sites and Cemeteries 158
1. British Burial Sites 158
a) Perry's Three Sites 158
b) The "Wolf Pit" 159
c) Recommendations 160
2. The Byars-Ezell Cemetery 160
3. Recommendations 160
a) The R. E. Scruggs House 161
b) The Richard Scruggs Rock Chimney and Foundations 161
c) The James A. Scruggs, Jr., House 161
d) Henry Williams's House 161
e) The W. J. Davis and Bailey Houses 161
f) The Byars-Ezell House 162
E. Other Sites Related to the Battle 162
1. The Cowpens Spring 162
2. Site of Destruction of Tarleton's Train 162

VII. THE WASHINGTON LIGHT INFANTRY COWPENS MONUMENT 163

A. The W.L.I. Becomes Custodian of the William Washington Flag 163
B. The Cowpens Expedition 163
C. The Erection and Dedication of the Monument 164
D. The Monument: A Description 166
E. The Ladies of Spartanburg Make Their Contribution 167
F. The Vandalization of the Monument 168
1. The Monument in 1880 and 1897 168
2. The Monument in 1928 169
3. The W.L.I. Transfers Title and Responsibility to the DAR 170
4. Recommendations 172

APPENDIXES 173

Appendix A. A Visit to the Cowpens in 1857 175

Appendix B. Last Will and Testament of G. M. Champion . . . 179

Appendix C. Celebration of the Battle of Cowpens 181

BIBLIOGRAPHY 183

ILLUSTRATIONS 193

LIST OF ILLUSTRATIONS

Illustration

1. Historical Base Map: Cowpens National Battlefield 194

2. McClaren's 1,000-acre Survey, "including the Battle Grounds of the Cowpens" 196

3. McClaren's 1,000-acre Survey, "including part of the Cowpens Battle Grounds" 198

4. James Steadman's 1786 Survey of 2,482 Acres 200

5. Nathan Byars's 1826 Survey of 394 Acres, "including the Cow pen Battle Ground" 202

6. Nathaniel Gist's 1845 Survey of 356 Acres, "near the celebrated battle ground called the Cowpens" 204

7. George Williams's 1796 Survey of 500 Acres, Southeast of the Battleground 206

8. Isaac Williams's 1806 Survey of 700 Acres, Adjoining on the Northeast the George Williams Survey 208

9. Will Abbett's 1803 Survey of 455 Acres on Island Creek. 210

10. Battle of the Cowpens by Colonel Hammond, "First View" 212

11. Battle of the Cowpens by Colonel Hammond, "Second View" 214

12. Carrington's Map, "Battle of Cowpens" 216

13. Map of Historic Land Grants and Roads in Cowpens Battlefield Area 218

I. THE BATTLEGROUND: A DESCRIPTION

Although the battleground had no commanding geographic features, the topography and vegetation were critical. The battle was fought along the watershed between the Broad and Pacolet rivers. A short distance to the left (northeast) of the position occupied by the force led by Brig. Gen. Daniel Morgan was the boggy ground where Suck Creek No. 2 heads. On the Patriots' right (southwest) were Maple Swamp and the headwaters of Long Branch of Island Creek. In order to turn Morgan's flanks, the British would have to pass these bogs, which recent rains had made more treacherous.

The Green River Road followed the watershed and made a gradual ascent to its intersection with the road leading from Coulter's Ford on the Pacolet to Island Ford on Broad River. This intersection was about 600 yards northwest of Morgan's command post. Northwest of the intersection, the Green River Road followed the Little Buck-Horse Creek watershed. The road to Island Ford, northeast of the intersection, traversed the Horse-Suck Creek watershed. Southwest of the intersection, the Coulter's Ford Road, after crossing Little Buck Creek, ran along the Island-Little Buck Creek watershed.

These roads were little more than traces, and were probably not more than 12 feet wide.

The roads led through a sparsely settled frontier region. Except for a few occupied clearings, the nearest located at Will Abbett's place on Island Creek several miles to the southwest, the region was undisturbed by white men. The area where the battle was fought was an open wood of mature growth. The ratio of hardwoods to pines was at least two to one. Of the hardwoods, red oak, post oak, and white oak predominated. There were also a number of hickory, along with scattered maple, poplar, black and spanish oak, ash, chestnut, and dogwood.

There was little or no undergrowth in the open woods, and it was possible in the winter to see men moving about from a distance of 500 yards. In addition, the woods offered no obstacle to cavalry movements.

Because the woods were open, the ground supported a growth of native grasses, on which cattle could browse.

On the headwaters of Little Buck (Cudds) Creek, a short distance west of the Green River Road, was a "small glade or savanna." The glade, along with the creek bottoms, supported a growth of cane--the favorite forage for Carolina cattle.

Restoration of the core area to its appearance ca. 1781 will require obliteration of South Carolina Highways 11 and 110, and a number of access roads. The Green River (Mills Gap) and the Coulter's Ford-Island Ford roads should be restored and maintained as historic traces. An archeological investigation is required to establish the historic alignment of a portion of the Coulter's Ford Road.

II. LAND OWNERSHIP: 1786-1942

A. The Daniel McClaren Grants, 1803-1850

1. Daniel McClaren Secures the Cowpens Battleground

The first white man to have fee title to the Cowpens battleground was Daniel McClaren. He acquired title a number of years after the classic battle, but before many pioneers moved into the area and secured fee title to lands on the upper watersheds of Island, Horse, and Suck creeks. Title to the acreage, following the Revolutionary War, was vested in the state of South Carolina. On February 19, 1791, the General Assembly enacted legislation repealing certain sections of the Acts of 1784 and 1785 providing "the mode and conditions of surveying and granting vacant lands within this State," and relating to "the granting and selling such lands within the State as are now vacant, at the rate of ten dollars for every hundred acres." The Assembly, taking cognizance that "all the valuable lands in this State" had already been granted, provided that henceforth "such vacant lands" may be "granted to any citizen applying for the same, on paying the fees of entry."[1]

Taking advantage of this legislation, Daniel McClaren of the Spartanburg District, in late autumn 1802, commissioned William B. Smith to survey for him two 1,000-acre tracts. With the plat for Tract A, Smith filed a certificate reading:

> South Carolina
> Spartanburg District
>
> Pursuant to a warrant from James Smith, Esq., Commissioner of locations for the said district, bearing date the 14th of December 1802, I have surveyed for Daniel McClaren one thousand acres of land lying in the said district on the branches of Island Creek, Buck Creek & Horse Creek, including the battle ground of the Cowpens, bounded on the North by the said McClaren's land, East by Abbett's land, and on the South by William Abbett's land, & West by Cantrell's land & unknown lands, and hath

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1. Thomas Cooper, ed., The Statutes at Large of South Carolina (Columbia, 1839), Vol. V, pp. 168-69.

such forms and have marked the kind & quantity as the above plat represents [a copy of the subject plat is found elsewhere in this report]. Surveyed the 16th day of December 1802.

Recorded the 21st day
of December 1802 by William B. Smith[2]

To accompany the plat for the second 1,000 acres, a second certificate was filed, which read:

South Carolina
Spartanburg District

Pursuant to a warrant from James Smith, Esq., Commissioner of locations . . . bearing the date, the 14th day of December 1802, I have surveyed for Daniel McClaren one thousand acres of land lying in said district on the waters of Suck Creek, Camp Creek, and Horse Creek . . . , including part of the Cowpens battle ground, bounded on the North by vacant lands, Northeast by lands unknown, East by Moultrie & Williams lands, Southwest by McClarens lands, & West by Scruggs lands, & hath such forms and have marked the bounds & quantity as the above plat represents [a copy of the subject plat is found in this report]. Surveyed the 16th of December 1802.[3]

Two weeks later, after a review of the plats and certificates, Gov. James B. Richardson of South Carolina on January 3, 1803, granted to McClaren the two 1,000-acre surveys.[4]

The plats recorded to document McClaren's grants locate the Cowpens battleground southeast of the intersection of the

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2. Spartanburg County Plat Book A, Spartanburg County Courthouse, Spartanburg, S.C., p. 28. All Spartanburg County Plat Books cited are found in the County Courthouse. McClaren's name is also spelled McClary and McClarey. He, however, signed his name "McClaren." McClaren paid Surveyor Smith in gunpowder. In 1800 the South Carolina Assembly substituted the term "district" for "county" for this unit of local government. McClaren moved to Bedford County, Tennessee, in 1808.

3. Ibid., p. 29.

4. South Carolina State Grant Books, 1784-1820, South Carolina Department of Archives and History, Columbia, S.C.

Coulter's Ford and Green River roads. Streams located and identified on the plats were Island, Buck (Cudds), Horse, Camp, and Suck creeks. A trail is shown leaving the Coulter's Ford Road and leading northwest down the watershed of Horse and Camp creeks.

Since he failed to make any improvements to the land, Daniel McClaren evidently secured the 2,000 acres merely for speculative purposes. Having moved to Bedford County, Tennessee, McClaren on November 10, 1808, constituted Wilson Nesbitt "to be my true sufficient and lawful attorney . . . to ask, demand, receive, and secure from every person or from all persons . . . all such sums or sums of money, debts, goods, or effects as shall be anywhere found due me."[5]

2. Daniel McClaren Disposes of His Land

Within 3 months, on February 6, 1809, McClaren had conveyed title to most of his 2,000 acres on and adjacent to the Cowpens battleground to Wilson Nesbitt for $100. In the deed the land sold was described as a 2,000-acre tract, more or less, in Spartanburg District on the waters of Suck, Camp, Horse, Island, and Buck creeks, "including part of the Cowpens Battleground." The acreage was bounded on the northeast by lands of Moultrie and unknown parties; on the southwest and west by vacant lands; on the south by Scruggs's land; on the southeast by William Abbett's land; on the southwest by Cantrell's land; and was bounded elsewhere by Matthew Abbett's real estate. It was identical to the two 1,000-acre tracts granted McClaren on January 3, 1803, with such marks and lines as appear on the plats annexed to the grants, except for about 150 acres adjoining Cantrell's survey and William Abbett's land, and about 150 acres "adjoining the battleground on the lines of Scruggs, Hainey, Earle, and Williams."[6]

Vol. 48, 222-23. All South Carolina State Grant Books are found in this depository.

5. Spartanburg County Deed Book M, Spartanburg County Courthouse, Spartanburg, S.C., p. 72. All Spartanburg County Deed Books cited are found in the county courthouse.

6. Spartanburg County Deed Book L, pp. 411-12. In the meantime, Daniel McClaren had been convicted of "tampering with a witness & sentenced to begin six months imprisonment and pay a fine of three hundred dollars." He, however, was pardoned by

Two years later, on January 15, 1811, Daniel McClaren sold the remaining acreage of his 2,000-acre Cowpens grant to Joseph Gist of Union District for $50. The land conveyed was in two tracts. Tract A, 300 acres, adjoined Cantrell's and William Abbett's land. Tract B, about 100 acres, adjoined the Cowpens battleground on the lines of "Scruggs, Earle, Williams, and Hainey."[7]

Apparently there was a conflict in the deeds from McClaren to Nesbitt and Gist. In the deed to Nesbitt, tract A was described as consisting of about 150 acres, and tract B of about 100 acres. Both Nesbitt and Gist were absentee owners, so no legal action was taken by either party to resolve the inconsistencies in their deeds. Nesbitt, a capitalist and promoter, used timber from the acreage he had purchased from McClaren as a source of charcoal for the iron furnace he established on Cherokee Creek in 1811.

3. The Gists Sell Their Cowpens Property

Joseph Gist died in 1836, but in the meantime he had conveyed his Cowpens real estate to his son, William.

On November 11, 1817, William Gist of Richland District sold a 25-acre tract adjoining the Cowpens battleground to Richard Scruggs for $10. The tract was bounded by lands owned by Scruggs, Hainey, Earle, and Williams, and was part of tract B.[8]

Nine years later, on January 15, 1827, William Gist, having moved to Union District, sold about 200 acres on the waters of Island Creek to Richard Scruggs for $10. This tract included all of Gist's land east of the Bulow brothers' line, held in Daniel McClaren's right, and was bounded by property belonging to Richard Scruggs, Williams, Blackwell, Drury Scruggs, Earle, and Nesbitt.[9] This 200 acres constituted the remainder of tract B.

Gov. John Drayton "upon condition that he pay the sum of $100, and be imprisoned until the sum be paid." Elmer Parker to Bearss, Feb. 2, 1974.

7. Spartanburg County Deed Book M, pp. 343-44.

8. Spartanburg County Deed Book R, p. 42.

9. Spartanburg County Deed Book Y, pp. 368-69.

On September 29, 1828, Richard Scruggs conveyed to his son, Robert, in consideration of his love and affection, a 200-acre farm on Island Creek.

The boundary of the farm began at a red oak, near the forks of the road, and ran South 5° East 143 poles to a chestnut; then South 83° West 86 poles to a post oak on an old survey; then North 25° West 150 poles to a post oak corner; then West to a stake on the Bulows' line; then with the Bulows' line to or near a black oak, a corner of Earle's land; then with Earle's boundary East 39 chains to a black oak corner; then North to a stake; then due East to Williams's post oak corner, near the head of Suck Creek; and then South with Williams's line to the beginning.

This tract included land originally granted to Daniel McClaren and George Williams by the governor of South Carolina.[10] This property became the core of Robert Scruggs's place, and on it he erected his home and other improvements.

Tract A was sold by the Gists to Jacob Price. On February 12, 1849, Thomas Gist of Union District sold to Mr. Price for $32 a 176-acre tract on the branches of Island Creek. In marking the boundary, the surveyor began at a stake (Henderson Cash's corner); then went North 11° East 40.10 chains to a red oak; then North 77° West 41 chains to a stake; then South 12° West 38.60 chains to a stake (Cash's corner); and then South 77° East 41 chains to the beginning.[11]

4. Wilson Nesbitt Loses Title to the McClaren Grants

Wilson Nesbitt's dreams of establishing an industrial empire rooted in the iron industry of the upper Broad River and its tributaries were shattered by numerous lawsuits brought against him by his creditors. By 1850 Nesbitt was bankrupt.

In compliance with a writ levied by the Court of Common Pleas for Richland District against the goods, chattels, and lands of Wilson Nesbitt, Sheriff Alexander Vernon of Spartanburg District was ordered to collect the court's judgment of $3,650

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10. Ibid.

11. Spartanburg County Deed Book AA, p. 313.

in damages and costs in favor of Andrew Wallace. Property belonging to Nesbitt that was seized by Sheriff Vernon included: (a) the furnace tract of 7,503 acres, purchased from Daniel McClaren and others; (b) a 1500-acre tract, including the Cowpens battleground, also purchased of McClaren; (c) the lime kiln tract of 452 acres; (d) the Broad River tract of 529 acres; and (e) the 300-acre Thicketty tract.

The five tracts were exposed to public sale at the Spartanburg Courthouse on May 24, 1850. They were purchased by A. B. Moore, B. J. Earle, P. M. Butler, A. P. Butler, Waddy Thompson, and James H. Irby for $3,985.[12]

Five months before, on January 8, 1850, Robert Scruggs, to perfect the title to his 200-acre farm, had purchased from Wilson Nesbitt of Cherokee City, Alabama, for $5, his interest in the two 1,000-acre McClaren grants.

Grant A, 1,000 acres, was on the waters of Horse, Buck, and Island creeks, and included "the Cowpens Battleground." This tract was bounded on the southeast by Abbett's land, on the northwest by Cantrell's land, on the northeast, northwest, and west by an old survey of an unknown date and McClaren's other grant, and on the east by Abbett's and Williams's land.

Grant B, on the waters of Suck and Horse creeks, included "part of the Cowpens Battleground," and in the original survey it was bounded by a line running northeast and northwest by Williams's land, northwest by Scruggs's and unknown lands, southwest, west, and north by vacant lands, and southwest by McClaren's land.[13]

B. <u>The James Steadman Grant, 1786-1851</u>

1. Steadman Obtains a 2,482-Acre Grant

Five years after the Cowpens battle, and 16 years before Daniel McClaren secured his grants, James Steadman, a Charleston carpenter, commissioned Jesse Connell to survey for him several tracts in the region between the Pacolet and Broad rivers.

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12. Spartanburg County Deed Book U, pp. 362-63.

13. Spartanburg County Deed Book BB, pp. 433-34.

One of the tracts surveyed and marked consisted of 2,482 acres, and was situated on the "head branches of Island Creek, branches of Broad River and Buck Creek." The tract was adjacent to and west of the Cowpens battleground.[14] [A copy of the Steadman plat is found in this report.]

A study of the Steadman and McClaren grants leads to the conclusion that they significantly overlapped. The western boundaries of the McClaren grants intruded across the eastern boundary of Steadman's land. Although the Cowpens battleground is not identified on the Steadman plat, an unidentified road, following the alignment of the Green River Road, is found on the Suck and Island creeks watershed.

On April 2, 1787, Steadman, having filed a copy of the Connell plat and having paid into the South Carolina Treasury £59 0s. 1/4d., was granted title to the 2,482 acres by Gov. Thomas Pinckney. The tract was reportedly bounded on the south by Doctor's land, on the west and southwest by Harris's land, and on the other sides by lands of unknown owners.[15]

2. The Steadman Estate Sells the 2,482 Acres

Because of the distances involved, Steadman was unable to oversee his extensive landholdings in Spartanburg County. He accordingly granted a power of attorney to Thomas Tod of Tyger River. Tod was authorized "to enter into and take possession by all lawful means whatever of a certain plantation" of 2,482 acres on "the head branches of Island Creek, branches of Broad River and Buck Creek . . . granted to me on April 2, 1787."[16]

Steadman died within the year, and the power of attorney was revoked. On January 24, 1799, his executors (Charles Steadman and David Haig) sold to John Lee 593 acres of the grant. Laying off the boundary, the surveyor began at a stake and ran a

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14. Plat of James Steadman, South Carolina State Plat Books, 1st Series, South Carolina Department of Archives and History, Columbia, S.C., Vol. 23, p. 192. All South Carolina State Plat Books cited are found in this depository.

15. James Steadman's Grant for 2,482 acres, South Carolina Grant Books, 1784-1820, Vol. 24, p. 7.

16. Spartanburg County Deed Book F, p. 13.

line North 12° East 163 chains to a post oak; then North 77° West 4 chains to a post oak; then North 30° West 55 chains to a black oak; then North 13° East _____ to a black oak; then North 35° East 37 chains to a post oak; then North 55° West to a black oak; then North 13° East 31.40 chains to a white oak; and then South 77° East 59 chains to the beginning corner.[17]

On March 19, 1810, Elizabeth Steadman and the other heirs of the deceased entered a bill of complaint in the Court of Equity at Charleston. They set forth that they were entitled to certain properties of the estate of James Steadman, particularly the land owned by the deceased in Spartanburg District. They "prayed" the court for a writ of partition.

The writ was granted, and William H. Gibbes, master of the court, was ordered to sell the land, after due public notice, to the highest bidders. The highest and last bidders were John and Charles Bulow of Charleston.

On June 14, 1810, Gibbes conveyed to the Bulow brothers the following tracts owned by the Steadman estate:

(a) the 2,482-acre tract on "the head branches of Island Creek, branches of Broad River and Buck Creek," less the 593 acres sold to John Lee in 1799;

(b) the remainder of a 426-acre tract on Pacolet River, after deducting 150 acres sold by the executors to Richard Lee; and

(c) a 767-acre tract on Chinqupen Creek.[18]

John Lee, on August 4, 1800, sold 286 acres on Island Creek to Anna Lee for £10 sterling. In describing the boundary, the recorder began at a white oak on a branch of Island Creek and ran a bearing North 12° East 9 chains to a post oak; then South 77° East 4 chains to a stake; then South 30° East 55 chains to a red oak; then South 15° West 40 chains to a red oak; then South 35° West 18 chains to (left blank); and then North 78° West 14 chains to the beginning corner.[19]

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17. Ibid., pp. 308-9.

18. Spartanburg County Deed Book M, pp. 271-72.

19. Spartanburg County Deed Book L, p. 13.

A search of the Spartanburg County Deed Books failed to disclose a conveyance from John Lee to another grantee for the residual acreage of the tract sold to him by Steadman's executors in January 1799. In addition, during time allotted for this project, it has been impossible to document to whom Anna Lee conveyed her 286 acres of the Steadman grant.

The Bulows retained title to the Steadman Grant for almost half a century. Finally, in the 1840s, Thomas Bulow sold to Nathaniel Gist of Union District for $500 his interest in "a tract on branches of Broad and Pacolet Rivers, being part of the tract originally granted to James Steadman." According to the plat prepared by Richard Thomson on October 13, 1839, the boundary of this 2,690-acre tract began at a spanish oak corner and ran South 77° East 130 chains; then North 12° East 180 chains to Sulphur Branch of Suck Creek; then North 77° West 66 chains to a red oak; then South 57° West 24.50 chains to a red oak; then South 13.55 chains to a stake; then South 77° 59' to a dogwood; then South 9° West 117 chains to the beginning corner.[20]

Nathaniel Gist on May 25, 1847, recorded the sale to Thomas Gist for $160 his interest in the Steadman Grant.[21] Two years before, in February 1845, Nathaniel Gist had had John Gibbs survey for him a 356-acre tract "on both sides of the Green river road and near the celebrated battle ground called the Cowpens." It was "part of a grant originally granted to James Steedman [sic]."[22] [A copy of this plat is found in this report.]

C. The Byars Grant, 1826-1942

1. Byars Secures a Grant

Nathan Byars, a Revolutionary War veteran, moved from Rutherford County, North Carolina, to the Cowpens in 1822. He built a cabin and cleared and fenced a field at the intersection of the Island (Coulter's) Ford and Green River roads.

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20. Spartanburg County Deed Book BB, pp. 483-84.

21. Ibid., pp. 268-69.

22. Plat of Colonel N. Gist's 356 Acres, drawn by John Gibbs, D.S., Feb. 17, 1845, files of Mrs. C. M. Moser, 713 West Graham, Shelby, N.C.

In April 1826, Byars had Joseph Camp survey for him a 394-acre tract in "the dist. of Spartanburgh on the head waters of Island, Suck, and Buck Creeks including the Cowpens Battle[ground] and also his own house and plantation." As surveyed, Byars's acreage was bounded on the east by lands belonging to Richard Scruggs and Earle, and on the other sides by lands of unknown owners.[23]

On the plat, a copy of which is found in this report, are shown the Cowpens battleground, the Green River and Island (Coulter's) Ford roads, Byars's house and field, and a number of watercourses.

Gov. Richard J. Manning, on examining the plat and its accompanying certificate, granted on October 2, 1826, to Nathan Byars, "his heirs and assigns," a 394-acre tract or plantation on the headwaters of Island, Suck, and Buck creeks.[24]

An examination of the Byars, Steadman, and McClaren plats shows that in 1826 Byars had been granted 394 acres of the 2,000 acres granted to McClaren 23 years before. McClaren had conveyed title to most of the acreage in his grants to Wilson Nesbitt, who, plagued by lawsuits, had failed to maintain and defend his title. To the west Byars's grant intruded onto the acreage granted to James Steadman in 1787 by Governor Pinckney. The parties to whom the Steadman heirs had conveyed his 2,482-acre grant were absentee owners. Although the plat prepared for Nathaniel Gist by John Gibbs in 1845 shows a conflict, there were no court challenges.

2. Byars Loses His Grant

The Court of Common Pleas for Spartanburg District issued on November 16, 1840, a writ of Five Facias in the suit of Samuel Ezell against Nathan Byars. When Byars was unable to pay the judgment, Sheriff A. C. Bomar of Spartanburg District was ordered to levy $36.60 on his goods and chattels, with interests and costs. To enforce the writ, Sheriff Bomar

> seized and taken of the Lands and Tenaments of the said Nathan Byars all that certain piece parcel and tract of land containing three Hundred Acres, more or less,

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23. Spartanburg County Plat Book B, p. 393.

24. South Carolina State Grant Books, 1820-1848, 2d Series, Vol. 48, p. 59.

adjoining lands of Robert Scruggs, Richard Scruggs & others, known as the battleground tract . . . , on the Head Waters of Little Buck Creek.

When the tract was offered for public sale in front of the Spartanburg Courthouse door, the highest and last bidder was James H. Ezell, one of Samuel Ezell's two sons. R. C. Poole, who had succeeded Bomar as sheriff, on March 4, 1850, issued a deed to "James Ezell, His Heirs, and assigns forever [to] the said piece parcel and tract . . . with its appurtenances."[25]

It has been impossible to determine how Byars disposed of the 94 acres -- the difference between what he was granted in 1826 by Governor Manning and what was conveyed to James H. Ezell by the sheriff's deed in 1850. There are several possibilities: (a) Byars could have sold the 94 acres to another party and the transaction was not recorded; (b) Byars and Nathaniel Gist may have compromised their conflicting boundaries out of court; or (c) Byars and Thomas Thomas could have included this acreage in the 225 acres they sold to Caberd McCraw on November 12, 1825.[26]

3. The Cowpens Monument Tract

a) The Washington Light Infantry One Acre

Three months after the Washington Light Infantry of Charleston visited the site and erected the Cowpens Monument, James H. Ezell on July 9, 1856, sold to J. W. H. Legg, agent for a group of Spartanburg ladies, the lot on which the monument stood. The one-acre lot was conveyed to "the Washington Light Infantry of Charleston and their successors."

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25. Spartanburg County Deed Book DDD, pp. 146-48.

26. In November 1825 Byars and Thomas had sold to McCraw for $131 a 211-acre tract on the Island Creek watershed. The boundary of the tract began at a red oak and ran South 45° East 2.50 chains to a red oak; then North 45° East 12 chains to a post oak; then North 78° East 20 chains to a pine; then North 16° East 42 chains to a pine; then North 87° West 46.50 chains to a red oak; then South 6° East 59 chains to the beginning. Excluded from this tract were the 225 acres conveyed to Briant Bonner by Susannah Walker in February 1823. Spartanburg County Deed Book T, p. 135.

In marking the boundary of the one-acre lot, Ezell began at a stone corner on the southwest side of the "old Green River road"; then with the road North 40° West 3 chains and 16 links to a stone; then South 50° West 3 chains and 16 links to a stone; then South 40° East 3 chains and 16 links to a stone; and then North 50° East 3 chains and 16 links to the beginning. A plat of the lot was prepared but not recorded.[27]

b) The G. Lee Martin 59 Acres

On January 6, 1887, James H. Ezell conveyed to G. Lee Martin, a grandson, his 59-acre Cowpens Monument tract, situated on both sides of the Green River (Mills Gap) Road. This tract was bounded by lands belonging to Robert Scruggs, Tench Blackwell, J. V. Martin, and others.

In describing the metes and bounds, the beginning corner was placed at a pine knot stake. The line then ran South 58-3/4° West 31.80 chains to a post oak; then North 18-1/2° West 24.80 chains to a stone; then North 75° East 46.25 chains to a stake; and then South 27-1/2° East 17.50 chains to the beginning.

One condition was attached to the conveyance: the grantor excepted the "one acre whereon the monument stands belonging to the Washington Light Infantry."[28]

c) The Division of the G. Lee Martin Estate

G. Lee Martin lived on and farmed the 59 acres until his death in 1906. He died intestate, leaving as heirs his widow, Arminta Bell, and three children--Lillie Mae, Leona, and Boyce. In 1920, the children having come of age and the daughters having married, there was a partition among the heirs out of court.

On July 21, 1920, Arminta Bell Martin, Lillie Mae Scruggs, and Leona Jolley conveyed to Boyce W. Martin "in consideration of recriprocal deeds" made by them and $1,360, their interest in a 19-2/3-acre tract, more or less, on both sides of the Green River (Mills Gap) and Top Soil roads. The tract was bounded by lands

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27. Spartanburg County Deed Book EE, pp. 296-97.

28. Spartanburg County Deed Book ZZ, pp. 313-14.

belonging to B. Z. and Leona Jolley, E. Hatchette, Arminta B. Martin, and others.

The boundary of the tract began at a stake ("A. B." Martin's corner); then North 25¼° West 5.53 chains to a stake (B. Z. and Leona Jolley's corner); then with Jolley's line South 71¼° West 28.92 chains to a stake; then South 16° 30' East 8.40 chains to a stake; and then North 66° East 30.05 chains to the beginning.[29]

The aforesaid deed did not convey to Boyce Martin his mother's interest in the tract.

On July 24, 1920, "A. B." Martin, Lillie Mae Scruggs, and Boyce Martin conveyed to B. Z. and Leona Jolley, "in consideration of a reciprocal deed" and $1,311.11, a tract of about 19-2/3 acres on both sides of Green River (Mills Gap) Road. The tract was bounded by real estate owned by V. E. Hatchette, Boyce Martin, and others.

In establishing the boundary, the surveyor began at a stake (Boyce W. Martin's corner); then ran a line North 25¼° West 5.53 chains to a pine knot; then South 76° 54' West 28.05 chains to a stake (V. E. Hatchette's corner); then with Hatchette's line South 16° 30' East 8.40 chains to a stake (Boyce Martin's corner); and then with Martin's line North 71¼° East 28.92 chains to the beginning corner.[30]

The heirs conveyed to "A. B." Martin a 22.6-acre tract on both sides of the Green River (Mills Gap) Road, bounded by lands belonging to W. J. Davis, Major Blackwell, Boyce Martin, and others. In running the boundary, the surveyor began at a pine knot (the Davis and Broadus Champion corner); then ran a line North 25-1/4° West 6.53 chains to a stake; then South 66° West 30.05 chains to a stake; then South 16.30° East 9.90 chains to a pine knot; and then North 60-3/4° East 29.59 chains to the beginning

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29. Cherokee County Deed Book 2G, Cherokee County Courthouse, Gaffney, S.C., p. 399. Subsequent Cherokee County deed books cited are also found in the county courthouse. The deed was not recorded until September 14, 1929. Cherokee County had been constituted and organized in 1897, and included lands which had been in Spartanburg, York, and Union counties. Arminta Bell Ellison Martin, the widow of G. Lee Martin, usually signed her name A. B. Martin.

30. Cherokee County Deed Book X, p. 329.

corner. Excluded was the one-acre tract reserved by James H. Ezell in his deed to G. Lee Martin, dated December 16, 1887, "as government land around the Cowpens Monument on the Cowpens battleground."[31]

d) The Jolleys Sell Their 19-2/3 Acres

B. Z. and Leona Jolley on January 5, 1925, sold to W. J. Davis for $3,000 their 19-2/3-acre tract on both sides of the Mills Gap Road, bounded on the north by lands belonging to V. E. Hatchette and on the south by lands of Boyce Martin.

In marking the boundary, the surveyor began at a stake (Boyce Martin's corner); then ran a line North 25-1/4° West 5.53 chains to a pine knot; then South 76° 54' West 28.05 chains to a stake (V. E. Hatchette's corner); then with Hatchette's line South 16° 30' East 8.40 chains to a stake (Boyce Martin's corner); and then with Martin's line North 71-1/4° East 28.92 chains to the beginning.[32]

W. J. Davis died in April 1926, and when his heirs partitioned the estate in January 1929, this tract was deeded to Rosa Davis Lamb. For details of the division of the Davis estate, the reader is referred to the section titled, "The Partition of the Davis Property."

e) The U.S. Government's Cowpens Monument Tract

On July 10, 1930, to facilitate construction of a United States memorial, Boyce Martin and his mother sold to the Daniel Morgan Chapter, Daughters of the American Revolution, for $1,000, a 1¼-acre tract. The lot was part of the tract conveyed to Martin by his sisters and his brother on July 21, 1920, and lay at the intersection of South Carolina Highway 11 and the Cowpens road.

In marking the boundary, the surveyor began at an iron pin on South Carolina Highway 11 and ran a line North 31½° West 473 feet; then South 71½° West 20 feet to the Cowpens road; then with the Cowpens road South 7½° East 489 feet to an iron pipe;

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31. Cherokee County Deed Book 3J, p. 280.

32. Cherokee County Deed Book 2B, p. 481.

and then South 66¼° East 220 feet to an iron pipe on South Carolina Highway 11, the beginning corner.[33]

The Daniel Morgan Chapter, Daughters of the American Revolution, in turn conveyed to the United States on November 18, 1930:

> All that lot or parcel of land in Morgan Township, in Cherokee County, in the State of South Carolina, at the intersection of State Highway No. 11 leading from Gaffney, S.C. to Chesnee, S.C. with the public road leading from Cowpens, S.C. by the Cowpens Battleground to Chesnee, situated between the two highways at their intersection: BEGINNING at an iron pipe on the West side of Highway No. 11- 410.7 feet in a southwesterly direction from said intersection, and running thence S 66-15 W for 194.3 feet to an iron pipe on East side of the public road leading from Cowpens, S.C. to Chesnee, S.C. thence with the public road N 7-30 W 424.7 feet to an iron pin on East side of said public road; thence N 71-30 E for 20 feet to an iron pin on West side of State Highway No. 11; thence with the said Highway S 31-30 E for 410.7 feet to the beginning corner, containing one (1) acre.[34]

f) Boyce Martin Sells 6.10 Acres to His Sister

Boyce Martin, on October 23, 1930, sold a 6.10-acre tract to Lillie Mae Scruggs for $5. In marking the boundary, the surveyor began at a stake (Rosa Davis Lamb's corner) east of the Mills Gap Road (South Carolina Highway 11); then ran the line South 71° West along the line of Lamb's property 28.92 chains to a stake at the corner on the west side of the highway; then South 16½° East 2.80 chains to a stake; then North 70° to a stake on Boyce Martin's line, 1.70 chains from the beginning corner; and then North 25¼° West 1.70 chains to the point of beginning.[35]

g) Boyce Martin Buys His Mother's Real Estate

On October 1, 1946, Mrs. Arminta Bell Martin conveyed two tracts to her son Boyce Martin for $500.

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33. Cherokee County Deed Book 2H, p. 122

34. Cherokee County Deed Book 2K, p. 114.

35. Cherokee County Deed Book 2H, p. 188.

Tract A, 22.6 acres (part of the G. Lee Martin estate), lay on both sides of the Mills Gap Road, and was bounded on the north by the Davis estate, and on the west by V. E. Hatchette's property. Excluded was the one-acre tract deeded by James H. Ezell in 1856 to the Washington Light Infantry.

The second tract was about 2 acres, and had been sold to "A. B." Martin by W. H. Champion on February 21, 1901, for $550. This lot, adjoining the Washington Light Infantry monument tract, began at a stake on the Cowpens-Clifton Road and ran North 59-1/2° East 2.35 chains to a stone; then South 32-7/8° East 2.18 chains to a stake on the monument tract; then with said line South 53-1/2° West 1.17 chains to a stone; then with the monument line South 32-7/8° East 3.23 chains to a corner of the monument tract; then 4.18 chains to a stake on Elizabeth Blackwell's property; then with her line South 59-1/2° West 4.25 chains to the Cowpens-Clifton Road; and then with the road 7 chains to the beginning corner.[36]

h) General Price's 37-1/3 Acres

General V. Price, a son of Wofford and Rhody Price, was born in the Mayo community, and when he was four years old his family moved onto a farm across from Champion's store, 2 miles southeast of the battleground. In November 1931 he bought Lot No. 4 of the W. J. Davis Cowpens battleground tract from Rosa Lamb for $1,350. This 19-2/3-acre tract, the most northerly of the divisions of the G. Lee Martin estate in 1920, had been deeded to Leona Martin Jolley.[37]

On January 19, 1938, Lillie Mae Scruggs sold to General Price for $250 one-third of the 19-2/3-acre tract conveyed to Boyce Martin by Lillie Mae Scruggs, "A. B." Martin, and Leona Jolley by a deed dated July 21, 1930. Excluded was the "triangular lot" conveyed to the Daughters of the American Revolution in 1930 as a site for the United States Government's Cowpens Monument.

The boundary of the 6.10-acre tract sold to General Price by Lillie Mae Scruggs began at a stake (the former corner of the Rosa Lamb property) on the east side of South Carolina Highway 11;

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36. Cherokee County Deed Books B, p. 150; 3J, p. 280; and E, p. 116.

37. Cherokee County Deed Book 2G, p. 386.

then ran South 71° West along the line of the former Lamb property 28.92 chains to a stake marking a corner west of South Carolina Highway 11; then South 16½° East 2.80 chains to a stake; then North approximately 70° to a stake on Boyce Martin's line at a distance of 1.70 chains from the beginning corner; and then 25¼° West 1.70 chains to that point.[38]

Thomas Caldwell, clerk of the Court of Common Pleas for Cherokee County, on May 17, 1930, had conveyed to Boyce Martin an 11-3/4-acre tract that had formerly belonged to J. A. and Rosa Lamb. On the east this tract adjoined the original Nathan Byars grant, and in 1826 it was included in land entered under the name of Aspasio Earle of Rutherford County, North Carolina. Hatchette-Smith Motor Co. had foreclosed on the Lamb tract, and Martin had acquired title as the highest and last bidder when it was sold at public auction.[39]

On January 5, 1942, Martin sold the tract to General Price for $500. In marking the boundary the surveyor began at an iron pin on V. E. Hatchette's line; then went North 64° East 21.26 chains to an iron pin (C. J. and J. L. McGinnis's corner); then South 34° East 5.18 chains to a cross pin on R. E. Scruggs's line; then South 64° West 21.11 chains to a pine knot; and then North 25¼° West 5.48 chains to the beginning corner.[40]

4. The Tench Blackwell Acreage

a) Tench Blackwell Buys 100 Acres

In July 1872 James H. Ezell conveyed 100 acres to Tench Blackwell for $125. Much of this acreage, which was south of the Cowpens Monument tract, had been included in the Nathan Byars grant. The deed was not recorded until after Cherokee County was organized and Blackwell had died. As recorded, it identified the 100 acres as those bounded by lands owned by James H. Ezell and Robert Scruggs. The metes and bounds were vaguely described as

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38. Cherokee County Deed Book 2T, p. 51.

39. Cherokee County Deed Book 2E, p. 429. Samuel Earle, on September 6, 1813, had sold to Aspasio Earle for $500 the 300-acre tract granted to William Moultrie in 1786 on Bridge Fork of Suck Creek. Aspasio Earle in turn sold the Moultrie Grant to Robert Scruggs, Jr., in January 1828. Spartanburg County Deed Books R, p. 296; and U, p. 487.

40. Cherokee County Deed Book 2W, p. 619.

beginning at a post oak (William Scruggs's corner), and running South 18° 25' to a post oak; then South 67° East 28 chains to a black oak; then North 15° East 34 chains to a stake; then North 16° West 6 chains to a black oak; then North 45° West 9.50 chains to a stake; and then to the beginning corner.[41]

On April 19, 1892, Isaac Williams, husband of the late Margaret Cudd Williams, conveyed to Martha Champion for $15 his interest and title in the Tench Blackwell lands on which Blackwell's widow, Rody, lived. This tract of about 100 acres was bounded by lands owned by D. H. Sprinkle, Wm. Scruggs, Lee Martin, and others.[42]

b) The Blackwell Children Divide the Estate

Tench Blackwell died intestate and his children (Martha Champion, Margaret Cudd, and George and Columbus Blackwell) divided the approximately 100 acres purchased by their father from James H. Ezell more than a quarter of a century before. The deeds partitioning the Blackwell estate were recorded over a 12-year period between 1892 and 1904.

Columbus Blackwell was deeded a 25-1/2-acre tract on both sides of the Cowpens-Clifton Road. The tract was bounded by property owned by G. Lee Martin and James A. Scruggs, and by other lots of the Tench Blackwell estate laid off for Margaret Cudd and Martha Champion. In defining the boundary, the surveyor began at a stake on G. Lee Martin's Cowpens Monument tract and ran a line South 65° East 31.70 chains to a stake; then North 19-1/6° East 9.05 chains to a stake; then North 65° West 24.60 chains to a stake on the west side of the Clifton Road on G. Lee Martin's line; and then with Martin's line South 59° West 10.90 chains to the beginning.[43]

Margaret Cudd was deeded the 25½-acre lot bounded on the northeast by the Mills Gap Road and on the southwest by Columbus's lot.[44]

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41. Cherokee County Deed Book E, p. 492.

42. Ibid., p. 470.

43. Cherokee County Deed Book P, p. 245.

44. Cherokee County Deed Books P, p. 245; E, p. 471; and H, p. 308; Cherokee Court of Common Pleas, File 1609, Cherokee County Courthouse, Gaffney, S.C.

Martha Champion was deeded the 25-1/2-acre lot adjoining Columbus's lot on the south. Marking the boundary, the surveyor began at a post oak (now down) and ran a line South 2-4/5° West 8.30 chains to a small black gum; then South 65° East 29.85 chains to a stake; then North 14-1/6° East 8.35 chains to a stake; then North 65° West 31.70 chains to a stake; and then South 59° West 68 links to the beginning corner. The lot, like Columbus's, was divided by the Cowpens-Clifton Road.[45]

George Blackwell was deeded a 25-1/2-acre lot on both sides of the Cowpens-Clifton Road, bounded by lands of James A. Scruggs, Mrs. Davis, the estate of William Scruggs, and Columbus Blackwell's lot. In establishing the metes and bounds, the surveyor began at a post oak and ran a bearing with Mrs. Davis's line South 65° East 27 chains to a stake; then North 19-1/6° East 9.05 chains to a stake; then North 65° West 29.84 chains to a black gum; and then with the line of the William Scruggs estate South 2-4/5° West 9.80 chains to the beginning.[46]

c) The George Blackwell Lot

On February 18, 1901, George Blackwell sold his lot to John T. Cabaniss for $250.[47] Twenty-two months later, Cabaness sold the lot to Martha Champion for the same price.[48]

d) The Martha Champion Lots

The purchase of the George Blackwell lot gave Martha Champion possession of one-half, or more than 50 acres, of her father's estate. Her husband, General M. Champion, besides owning a store, held title to considerable acreage in Morgan Township. General Champion died in February 1910. By the terms of his will, he left his estate, both personal and real, to his widow during her lifetime. At her death, a 30-acre tract would be inherited by Elijah Robbins, and the remainder of the estate would be bequeathed to Broadus Dewey Robbins.[49]

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45. Cherokee County Deed Book E, p. 473.

46. Cherokee County Deed Book C, pp. 436-37.

47. Cherokee County Deed Book E, p. 107.

48. Ibid., p. 647.

49. Last Will and Testament of G. M. Champion, Clerk of the Probate Court, Cherokee County Courthouse, Gaffney, S.C. A copy

Martha Champion survived her husband by 6 months, dying in the summer of 1910. By the terms of her will, her real estate was bequeathed to her mother, Rody Blackwell. On Mrs. Blackwell's death, the property was to pass to Broadus D. Robbins, except for Margaret Cudd's tract, which she had purchased for Minnie Quinn, Dolly Sparks, Tench Blackwell, and Rosa, Early, and Settlemeyer Cudd--the children of her deceased sister.[50]

Rody Blackwell died in November 1917, and Broadus Robbins, who in accordance with his benefactor's wishes had changed his name to Broadus Champion, took possession of Martha Champion's real estate. The young man, to fund his agricultural interests in the post-World War I years, borrowed heavily.

In April 1921 he agreed to convey to John W. Rigby and A. M. Faison on June 23 two tracts aggregating 90½ acres, one of which was the Blackwell tract, bounded by property belonging to James A. Scruggs, Davis Sprinkle, Columbus Blackwell's widow, and others. For this acreage, Rigby and Faison were to pay $5,500 and to assume the mortgage thereon. The land had been willed to Broadus by his foster parents.

The two tracts were conveyed as stipulated.[51] A. M. Faison, G. M. Swift, L. L. McDowell, and John M. Rigby, as trustees,

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of Champion's will is found in the Appendices. Champion, at his death, owned five tracts in Morgan Township: Tract A, about 51 acres on the Rutherfordton Road, bounded by lands of R. D. Scruggs, George Moore, and others; tract B, 39½ acres on the headwaters of Island Creek and on the Mills Gap Road, bounded by lands of James A. Scruggs and others, which had been deeded to Champion by A. Y. Wilkins; tract C, 4½ acres on the Cowpens-Clifton Road, bounded by property of Joe Price, Wofford Price, and Evans and William McCraw; tract D, a three-acre lot on the aforementioned road, bounded by land owned by George Blackwell, C. C. McDaniel, and others; and tract E, a one-acre lot where Champion's house and store were located, bounded by property of C. C. McDaniel and Wofford Price. Appraisement of Real Estate, G. M. Champion's Probated Estate, Clerk of the Probate Court, Box 7, Package 42, Cherokee County Courthouse, Gaffney, S.C.

50. Last Will and Testament of Martha Champion, Clerk of the Probate Court, Box 8, Package 10, Cherokee County Courthouse, Gaffney, S.C.

51. Cherokee County Deed Book V, p. 397.

conveyed to A. W. Montgomery on July 27, 1921, for $3,391.70 the 52.18-acre Blackwell tract bounded by lands belonging to James A. Scruggs, D. H. Sprinkle, the widow Blackwell, and others. The tract was on the Cowpens-Clifton Road. In tracing the boundary, the surveyor began at a pine knot; then ran a line South 65° 50' East 810 feet to a stake in the center of the Cowpens-Clifton Road; then South 65½° East 1,327 feet to a pine knot corner; then South 20° 45' East 1,165 feet to a stake in the road (a corner); then with the main public road (today's SC11-58); then North 64° West 1,415 feet to a stake in the center of the Cowpens-Clifton Road; then North 64° West 377 feet to a post oak corner; and then North 3° 45' East 1,200 feet to the beginning corner.[52]

Fifteen years later, on January 20, 1936, Z. V. and Cynthia Jolley, having acquired the 52.18 acres from Montgomery, sold it to G. C. Scruggs for $2,850.[53]

e) The Columbus Blackwell Lot

By February 1936 Columbus Blackwell and his wife were dead. Because they had died intestate, Johnnie, J. C., General Blackwell, Ruby Scruggs, and Bertha Henderson, the heirs at law of Columbus, Laura, Toy, and George M. Blackwell conveyed the 25½-acre lot to Purnia Blackwell for $635.72 and assumption of the mortgage. At this time the tract was bounded by property owned by Mrs. Dovie Davis Scruggs on the northeast, Robert Scruggs on the southeast, Z. V. Jolley on the southwest, and Boyce and Arminta Martin on the northwest.[54]

f) The Margaret Cudd Lot

Tench Blackwell, Minnie Lyles, and Dollie Sparks on February 28, 1918, sold to their uncle, George Blackwell, for $300 their interest in the 25½-acre Margaret Cudd tract.[55]

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52. Cherokee County Deed Book Z, p. 115.

53. Cherokee County Deed Book 2L, p. 686.

54. Cherokee County Deed Book 2R, p. 126. Laura Blackwell Queen had died in 1921, George M. Blackwell in 1935, and Toy Blackwell in 1929.

55. Cherokee County Deed Book V, p. 49.

Within several weeks, Margaret Cudd's other three children (Rosa Lee Huskey, and Early M. and Settlemeyer Cudd) brought suit against George Blackwell. They claimed ownership of one-half of the Margaret Cudd tract, their uncle owning the other one-half. In their request for partition of the 25½ acres, it was pointed out that Margaret Cudd's other children (Tench Blackwell, Minnie Lyles, and Dollie Sparks) had conveyed their interest in the tract to George Blackwell. The 25½ acres, they complained, had been willed by their grandmother, Mrs. Martha Champion, to their mother, Margaret Cudd, but at the moment their uncle was in possession of the entire tract, on which he had raised 1,500 pounds of cotton in 1917.[56]

The Court of Common Pleas for Cherokee County ruled in favor of the plaintiffs, and the tract was ordered to be sold to the highest and last bidder, with the proceeds to be divided. The sale was held on December 2, 1918, with W. J. Davis's bid of $1,975 being accepted by the court.

Accordingly, Thomas Caldwell, as clerk of the Court of Common Pleas, issued a deed to Davis for a 25½-acre tract, near the Cowpens battleground, on the Mills Gap Road, bounded by lands of G. Lee Martin (deceased), J. L. McGinnis, G. M. Champion (deceased), and the heirs of Columbus Blackwell.[57] For the subsequent history of this property, see the section titled, "Davis's Battleground Farm."

5. The E. V. Hatchette Tract

a) The M. B. Scruggs 88 Acres

Twenty years before his death, James H. Ezell, on February 18, 1881, sold to General M. Champion for $264 an 88-acre tract on both sides of the Green River (Mills Gap) Road. The tract adjoined the Nathan Byars Grant (Ezell's home place) on the northwest. The 88 acres were bounded by a part of the homestead on which the grantor lived, on the north by Scruggs's land, on the west by the "Big Survey," and on the east and south by Ezell's homestead.

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56. Cherokee Court of Common Pleas, File 1609, Cherokee County Courthouse, Gaffney, S.C.

57. Cherokee County Deed Book G, p. 421.

In marking the boundary, the point of beginning was a stake (a sweet gum post); then the line ran South 71° West 14.25 chains to a stake; then North 13° East 40 chains across the Green River (Mills Gap) Road to a post oak; then South 81° East 37 chains across the Island Ford Road to a post oak; then South 48¼° West 41.50 chains across the Island Ford and Green River (Mills Gap) Roads to the beginning post.[58]

On October 12, 1896, General Champion sold to M. B. Scruggs for $700 the 88-acre tract he had purchased 15 years before from James H. Ezell. It was bounded on the north by the property of R. P.Scruggs, on the west by lands of Johnson and Martin, on the south by property of Miles Gentry, and on the east by Ezell's lands.[59]

b) The Hatchettes Acquire the Ezell Homestead

Before his death in December 1900, James Ezell conveyed his homestead, the 162.85 residual acres of the Nathan Byars grant, to Columbus Cash, who was "a handsome, hard-drinking, fast-living man." When Cash died in 1919, he left as heirs his wife, Susan, a son, Dr. J. B., and a daughter, Nettie. Two years later, Dr. J. B. and Susan Cash, for $1 and other considerations, conveyed their interest in the 162.85-acre Ezell homestead to Nettie, who had married Vernon E. Hatchette.

In running the boundary, the surveyor began at a stone on the Mills Gap Road, at a corner of the tract and the 61.15 acres deeded to Eugene Hatchette by Columbus Cash, and ran a line South 49-1/2° West 13.20 chains to a stake in a pond near a sweet gum; then South 45-1/10° East 12.50 chains to a pine stump; then South 11-1/2° East 15.44 chains across the Spartanburg Road to a stone; then South 6-9/10° East 10.16 chains to a stone; then South 29-1/4° 10 chains to a stone; then South 76-1/2° East 12.87 chains to a stone in a stump hole; then North 17° West 26.8 chains to a stone; then North 76-4/10° East 27.87 chains to a stake; then North 25° 9' West 14.56 chains to a stake; then North 25-1/3° West 29.44 chains to a hickory (V. L. Livingston's corner); and then with the line dividing this property from the lot conveyed to Eugene Hatchette by Columbus Cash in 1908 South 49-1/2° West

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58. Spartanburg County Deed Book RR, pp. 318-19.

59. Spartanburg County Deed Book MMM, p. 736.

28.10 chains to the beginning corner, as shown on T. E. Johnson's 1908 plat.[60]

c) The Hatchettes Purchase 61.15 Acres

On December 15, 1908, M. B. Scruggs sold 61.15 acres of his 88-acre tract to Columbus Cash for $1,800. The land conveyed was on the north side of the Mills Gap Road, adjoining lands of Columbus Cash, George Moore, R. P. Scruggs, J. E. McKinney, M. B. Scruggs, and the estate of Romeo Martin. Describing the boundary of the tract, the recorder began at a post oak (now down); then ran a line South 13° West 17.20 chains to the Mills Gap Road; then with the Mills Gap Road 21.85 chains to Columbus Cash's line; then North 49° 36' East 28.10 chains to a stake in George Moore's field; and then North 75° 36' West 37.71 chains to the beginning corner.[61]

On December 3, 1918, Columbus Cash deeded the 61.15 acres to Vernon E. Hatchette for "love and affection and one dollar."[62]

6. Davis's Battleground Farm, 1918-1929

a) W. J. Davis Purchases Four Tracts

W. J. Davis was a newcomer to the community. In December 1918, as the highest and last bidder, he purchased the 25½-acre Margaret Cudd tract. This became the Davis home place.

Eighteen months later, Davis purchased a 24½-acre lot near the Cowpens battleground from Z. V. and B. B. Jolley of Chesnee, S.C., for $2,425.[63] Until 1914, this property had been part of the D. S. Scruggs farm. Scruggs had died in that year, leaving as heirs his four sons (R. E., J. B., C. L., and J. S. Scruggs), a daughter Mrs. M. K. McCraw, and the children of a predeceased daughter.

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60. Cherokee County Deed Book X, p. 105.

61. Cherokee County Deed Book K, p. 641.

62. Cherokee County Deed Book V, p. 379. In 1918 the tract was bounded by land owned by Jonas Scruggs, Mrs. Sawyer, V. L. Livingston, Columbus Cash, and the Romeo Martin estate.

63. Cherokee County Deed Book 2B, p. 480.

When the estate was partitioned by the Cherokee Court of Common Pleas, Mrs. McCraw was deeded lot No. 1, comprised of 24½ acres. Mrs. McCraw's lot, the westernmost of the D. S. Scruggs subdivision, began at a stake (a corner of W. T. McGinnis's property and lands of G. Lee Martin, deceased); then ran South 27° East 9.90 chains to a post oak corner (G. L. Martin's and Margaret Cudd's); then south 88° East 14.27 chains to a stake; then with the line of lot No. 2 (assigned to J. S. Scruggs) 18.95 chains to a stake; then South 63° West 21.10 chains to the beginning corner.[64]

In September 1917, Mrs. McCraw and her husband, of Rutherford County, N.C., sold lot No. 1 to Z. V. and B. B. Jolley for $1,500.[65]

In 1925 Davis purchased from Leona Jolley and her husband their 19½-acre lot that had been part of the G. Lee Martin Cowpens Monument tract. Shortly before his death, Davis added another 28.48 acres to his battlefield farm. The latter tract, which was purchased from J. W. Martin, had been part of the General Champion estate.

Champion had bought the tract, which then included 39½ acres, from A. Y. Wilkins. Upon the deaths of General and Martha Champion in 1910, the tract was inherited by their foster son, Broadus Robbins Champion. The property was described as "on the headwaters of Island Creek and on the Mills Gap Road, and bounded by lands of James A. Scruggs and others."[66]

Broadus Champion, to satisfy his creditors, on June 23, 1921, conveyed this tract, along with the Martha Champion property, to John W. Rigby and A M. Faison. Before disposing of the G. M. Champion tract, Rigby and Faison divided it at the Mills Gap Road. The 11.31 acres south of the road were conveyed by Rigby and his associates on July 18, 1921, to

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64. Partition of D. S. Scruggs Estate, Court of Common Pleas, Judgement Roll 1293, Cherokee County Courthouse, Gaffney, S.C.

65. Cherokee County Deed Book T, p. 580.

66. Appraisement of Real Estate, G. M. Champion's Probated Estate, Clerk of the Probate Court, Box 7, Package 42, Cherokee County Courthouse, Gaffney, S.C.

R. E. Scruggs for $938.73. The boundary of the tract conveyed began at a stake in the center of the Mills Gap Road and ran South 16-1/4° West 10.65 chains to a stake, near a poplar; then North 89-85/100° East 15.70 chains to a stake in the road; then North 1/8° East 5.32 chains to a stake in the center of Mills Gap Road; and then with the Mills Gap Road South 69° 30' East 13.10 chains to the beginning.[67]

Rigby, at the same time, conveyed to J. W. Martin for $2,136 the remaining 28-48/100 acres of the Champion tract. This tract north of the Mills Gap Road was bounded by lands belonging to James A. Scruggs, D. S. Scruggs, and others.[68]

Of the four tracts constituting the W. J. Davis home place, two tracts--the Margaret Cudd tract and the Leona Jolley lot of the Cowpens Monument tract--had been part of the Nathan Byars grant.

b) The Subdivision of the Battleground Farm

W. J. Davis died on April 2, 1928, leaving as heirs a widow and seven children--F. X. Davis, 48; Ada Davis Richards, 42; J. G. Davis, 40; Lillie Mae Davis Beason, 37; Olin Davis, 33; Dovie Davis Scruggs, 30; and Rosa Davis Lamb, 26.

A will drawn by Davis provided for the division of his real estate. The relevant sections read:

> Fourthly, I hereby give and bequeath to my son F. X. Davis and my daughter Dovie Davis twenty-five and one-half acres of [the] Blackwell estate, also twenty-eight and one-half acres of the Dude Martin lands to be owned jointly by them, except as hereby provided in Rosa Davis' part.
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> Fifthly, I hereby give to Rosa Nineteen and 1/3 acres of the land bought of Barney Jolley, on which I have given an option of five acres to the Cowpens Battleground Association, which if accepted, she shall be reimbursed with five acres of F. X. and Dovie Davis', on the south side of the Chesnee road, adjoining Bobbie Scruggs' going back to Major Blackwell's line.

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67. Cherokee County Deed Book Z, p. 157; Cherokee County Plat Book, Cherokee County Courthouse, Gaffney, S.C.

68. Cherokee County Deed Book Z, p. 416.

Sixthly, If the above [the option] is accepted I want the one thousand dollars applied to my debts.

Seventhly, I hereby give to Ada, twenty-four and one-fourth acres of land, bought of Z. V. Jolley.

Eighthly, I give to my son J. G. fifty-three acres of the Wilson land, lying [in] North and South Carolina on the east [of] Ashworth Creek.

Ninthly, I give to Lillie Beason, Olin Davis, one hundred and twelve acres, known as the Ray lands.

Tenthly, all my property to remain as it now is for two years, and I hereby appoint my sons F. X. and J. G. and Olin Davis as executors of this my last will & testament. This 2d day of March 1926.[69]

The heirs of W. J. Davis in January 1929 partitioned the estate. As provided in their father's will, lot No. 1 of the battlefield farm was deeded to Dovie Scruggs; lot No. 2 to F. X. Davis, lot No. 3 to Ada Richards, and lot No. 4 to Rosa Lamb. The widow would retain a lifetime interest in the four lots.

Lot No. 1 (26 acres) was bounded by lands belonging to the Major Blackwell estate, Mrs. Arminta Martin, and others. In platting the boundary of the "Battleground Farm," Surveyor John B. Cash began at a pine knot on a corner of the Blackwell estate and then went North 64° West 25 chains to a stake on the Cowpens-Clifton Road; then North 59-1/4° East 20.32 chains to a pine knot; then North 26-1/4° West 2.24 chains to a post oak; then South 87° East 8.80 chains to a stake (a corner of lot No. 2); then a new dividing line ran South 13° West 16.20 chains to a stake in the Mills Gap Road; then with the road South 59-3/4° East 2 chains to a stake in the center of the

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69. Last Will and Testament of W. J. Davis, Clerk of the Probate Court, Box 29, Package 12, Cherokee County Courthouse, Gaffney, S.C. The "Blackwell estate" was better known as the Margaret Cudd Tract. Barney Jolley was the husband of Leona Martin Jolley.

road and R. E. Scruggs's corner; and then with R. E. Scruggs's line to the point of beginning.[70]

Lot No. 2 (26 acres) in the "Battleground Farm" was bounded by land owned by R. E. Scruggs, Sr., R. E. Scruggs, Jr., Jessie Ellison, and others. In marking the boundary, Surveyor Cash began at a stake in the center of the Mills Gap Road and a corner of lot No. 1; then ran with the road South 59¼° East 2 chains to a stake in a bend of the road; then with the road South 66° East 13.80 chains to a stake in the center of the road and R. E. Scruggs's corner; then North 1½° East 11.83 chains to a pine knot; then North ½° East 11.15 chains to a stake (corner of R. E. Scruggs, Jr.); then with the aforementioned line North 87° West 11.70 chains to a stake (corner of lot No. 1); then a new dividing line ran South 13° West 16.20 chains to the beginning.[71]

Lot No. 3 (24¼ acres) was bounded by lands belonging to F. X. Davis, R. E. Scruggs, the W. J. Davis estate, and others. In marking the metes and bounds, Surveyor Cash began at a stake, F. X. Davis's corner; then ran a line South 27° East 9.90 chains to a post oak; then South 88° East 14.27 chains to a stake; then North ½° East with R. E. Scruggs's line 18.95 chains to a stone; and then South 63° West 21.10 chains to the beginning corner.[72]

Lot No. 4 (19-2/3 acres) was bounded by lands of F. X. Davis, Mrs. V. E. Hatchette, Boyce Martin, and others, and was situated on both sides of the Mills Gap Road. The boundary of the lot began at a stake (Boyce Martin's corner); then ran along a line North 25-1/4° West 5.53 chains to a pine knot; then South 76° 54' West 28.05 chains to a stake (Mrs. Hatchette's corner); then with Mrs. Hatchette's line South 16° 30' East 8.40 chains

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70. Cherokee County Deed Book 2D, p. 783. On the lot was the Davis house and a barn.

71. Ibid., p. 794. On January 22, 1929, Davis sold lot No. 2 to J. M. and Jessie Ellison for $1,300. Ibid., p. 795.

72. Ibid., p. 777.

to a stake (Boyce Martin's corner); and then with Martin's line North 71-1/4° East 28.92 chains to the beginning corner.[73]

D. The Richard A. Scruggs Farm

1. Richard Scruggs Sells a Farm

The property originally granted to William Moultrie on Bridge Fork of Suck Creek, northeast of the battleground and owned by Aspasio Earle when Nathan Byars secured his grant, belonged to Robert Scruggs for almost 50 years. On February 18, 1875, Robert Scruggs conveyed to his son, Richard A. Scruggs, as evidence of his "love and affection," a 125-acre tract on Suck Creek. The bequest was bounded by farms belonging to Drury L. and R. D. Scruggs, and its metes and bounds were shown on an accompanying plat. Although the deed of conveyance was recorded, the plat was not.[74]

On November 24, 1906, Richard A. Scruggs sold to J. L., C. J., and W. T. McGinnis for $2,100 the 126.7-acre tract. The land was bounded on the north by property belonging to R. D. Scruggs, on the east by lands of Junius Hicks, on the west by lands of Columbus Cash, and on the south by D. S. Scruggs's farm.

In marking the boundary, the surveyor began at a stake and ran a line South 31½° East 21.75 chains to a stake; then South 60½° West 56 chains to a stake; then North 29° West 20 chains to a stake; then North 53° East 42 chains to a stake; and then North 80° East 10.25 chains to the beginning corner.[75]

2. The McGinnises Divide the Property

The McGinnises in 1909 partitioned the 126.7 acres. W. T. McGinnis was deeded lot No. 1, J. C. McGinnis lot No. 2, and James L. McGinnis lot No. 3, as surveyed by T. E. Johnson.

Lot No. 1, on the waters of Suck Creek and encompassing 42.67 acres, began at an iron pin (R. L. Scruggs's corner) and

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73. Cherokee County Deed Book 2G, p. 386. On this lot, west of the Mills Gap Road and south of the Spartanburg Road, was a residence.

74. Spartanburg County Deed Book TT, p. 117.

75. Cherokee County Deed Book J, p. 464.

ran South 25° 15' East 20 chains to a stake; then with D. S. Scruggs's line North 62-3/4° East 22.78 chains to a stone; then North 34-2/5° East 22.67 chains to a stake; and then South 56° West 18.60 chains to the beginning corner.[76]

Lot No. 2, 41.67 acres, began at a stone on D. S. Scruggs's line and ran with Scruggs's line North 62-3/4° East 17.73 chains to a stone; then North 34-2/5° West 24.85 chains to a stake on R. D. Scruggs's line; then with R. D. Scruggs's line South 56° West 17.40 chains to a stake; and then South 34-2/5° East 22.67 chains to the beginning corner.[77]

Lot No. 3, 41.47 acres on Suck Creek, began at a stone on D. S. Scruggs's line and ran North 62-3/4° East 16.35 chains to a stone; then North 29-1/6° West 21 chains to a stone; then North 81° 24' West 13.60 chains to a stake; then South 56° West 5.92 chains to a stone by an oak bush; and then South 34-2/5° East 24.85 chains to the beginning corner.[78]

On March 20, 1918, J. L. McGinnis sold to J. C. McGinnis for $2,000 lot No. 3, the easternmost lot in the McGinnes subdivision.[79]

3. Lot No. 1 is Partitioned and Sold

a) The Lamb Tract

C. J., J. L., W. G. and C. McGinnis, and Palestine Spake (heirs of W. T. McGinnis) on November 8, 1928, sold to F. X. Davis for $771.04 part of lot No. 1. The boundary of the 11-3/4-acre tract conveyed began at an iron pin (Mrs. Vernon E. Hatchette's corner); then went North 64° 21.26 chains to an iron pin (J. L. and C. J. McGinnis's corner); then South 34° East 5.48 chains to an iron pin; then South 64° West 22.11 chains to a pine knot; and then North 25-1/4° West 5.48 chains to the beginning corner.[80]

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76. Cherokee County Deed Book M, p. 301.

77. Ibid., p. 303.

78. Ibid., p. 302.

79. Cherokee County Deed Book V, p. 598.

80. Cherokee County Deed Book 2D, p. 664.

Davis, two months later, conveyed the lot for $840 to his brother-in-law, J. A. Lamb.[81] The Lamb tract became part of General Price's farm in 1942.

b) The McGinnis Tracts

C. J. and C. McGinnis and Palestine Spake,"in consideration of a partition of land and $2,728.96," in November 1928 conveyed to J. L. and C. J. McGinnis their interest in the remaining 30.92 acres of lot No. 1. The surveyor in marking the boundary of the lot began at an iron pin (Mrs. Vernon E. Hatchette's corner); then followed with her line North 25¼° West 14.52 chains to a stake (R. L. Scruggs's corner); then North 56° East 18.60 chains to a stake; then South 34° East 17.19 chains to an iron pin (F. X. Davis's corner); and then with Davis's line South 64° West 21.26 chains to the beginning corner.[82]

In May 1931 the 30.92-acre W. T. McGinnis tract was divided by the heirs. G. W. and C. McGinnis and Palestine and W. D. Spake, for $5 and "a partition of Land," conveyed to C. J. McGinnis the eastern one-half of the tract adjoining lands that belonged to Roy Scruggs, C. J. McGinnis, and others. In marking the tract, Surveyor John B. Cash began at an iron pin on Roy Scruggs's line and G. McGinnis's corner and ran a line North 56° East 9.10 chains with Scruggs's line to a stake; then South 34° East 17.19 chains to a pin; then 2° 64' West 10.10 chains to a pin; and then North 31° West 16.06 chains to the beginning corner.[83]

The western one-half of the tract was deeded by the heirs of W. T. McGinnis to G. McGinnis. G. McGinnis was dead by May 1936, and his heirs (T. T., Clara, and N. J. McGinnis) conveyed to N. J. McGinnis for $750 their interest in the 15.46-acre tract adjoining lands owned by Mrs. Vernon E. Hatchette, Roy Scruggs, C. J. McGinnis, and others. In defining the boundary of the tract, the surveyor began at an iron pin (Mrs. Hatchette's corner); then went with her line North 25¼° West 14.52 chains to an iron pin (Roy Scruggs's corner); then with McGinnis's line

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81. Ibid., p. 802

82. Ibid., p. 671.

83. Cherokee County Deed Book 2H, p. 470.

South 31° East 16.06 chains to an iron pin; and then South 64° West 11.16 chains to the beginning corner.[84]

N. J. McGinnis on February 1, 1939, sold the tract to J. B. Scruggs for $900.[85] Scruggs subsequently sold the tract to Lucy S. Martin, who in turn conveyed it to Billy Martin on November 7, 1954 for $5 and her love and affection.[86]

E. The George Williams Grant, 1796-1923

1. George Williams Secures a 500-/550-Acre Grant

In August 1796 George Williams commissioned Vardry McBee to make a 500-acre survey for him on one of the long branches of Island Creek. According to the certificate filed with the plat in the office of the Commissioner of Locations for Spartanburg County, the 500 acres surveyed for Williams were on "Island Creek, the watters [sic] of Pacolet River," bounded on the East by Edward Williams's 337 acres and on the South and West by the Matthew Abbett and Robert Lee surveys. The area bounding George Williams's survey on the north was listed as "vacant land." In 1802 this vacant land was surveyed for Daniel McClaren. The only physical features shown on Williams's plat are Island Creek and several of its branches.[87]

Five months later, on January 2, 1797, Williams, having filed the necessary documentation, was granted by Gov. Charles Pinckney a "Plantation or tract" of 500 acres "in Pinckney

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84. Cherokee County Deed Book 2Q, p. 104.

85. Cherokee County Deed Book T, p. 436.

86. Cherokee County Deed Books 4R, p. 242; and 6P, p. 421.

87. Plat of George Williams, Loose State Plats, Bundle 196, Plat No. 140, South Carolina Department of Archives and History, Columbia, S.C. Subsequent Loose State Plats cited are also found in this depository. Edward Williams, George's father, in 1794 had been granted a 327-acre survey on Island Creek. South Carolina State Plat Books, 1st Series, Vol. 33, p. 283

District on waters of Island Creek of Pacolet River, Spartanburg County." The tract's metes and bounds were shown on the accompanying plat,[88] a copy of which is found in this report.

2. George Williams Sells His Land

a) Richard Scruggs Acquires 200 Acres of the Grant

George Williams, in the seven years beginning on Christmas Eve 1801, divided and sold his 500 acres on Island Creek. On the aforementioned date he sold to Joel Blackwell about 100 acres. The acreage was part of the survey granted to him by Governor Pinckney in January 1797.

The acreage conveyed began at the upper line of the 500-acre grant and ran down both lines for a complement of 100 acres.[89]

Blackwell retained title to the 100 acres for a little more than 5 years. On January 11, 1806, he sold to Richard Scruggs for $40 the 100 acres purchased from George Williams.[90]

On January 27, 1803, 13 months after the Blackwell sale, Williams, who was living in Martenburg District, sold to John Parris for $50 a 100-acre tract on "both sides of the long branch of Island Creek." The boundary of the tract was to begin at a post oak; then run South to a stake; then East 90 poles to a stake; then North to the old line; and then West to the beginning.[91]

Parris, on March 4, 1803, conveyed to Richard Scruggs of Rutherford County, North Carolina, for $80 his 100-acre plantation on the east side of long branch of Island Creek." In running the boundary, the surveyor began at a post oak and marked out a line North 83° East 140 poles to a red oak; then South 5° East 143 poles to a chestnut; then South 83° West 80 poles to a post oak on Parris's old line; and then North 25° West 150 poles to the beginning.[92]

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88. Plat to George Williams, Loose State Plats, Bundle 196, Plat No. 140.

89. Spartanburg County Deed Book K, pp. 519-20.

90. Ibid.

91. Spartanburg County Deed Book H, p. 248.

92. Spartanburg County Deed Book I, pp. 457-58.

This deed has special significance, because it is the first land transaction in Spartanburg District involving Richard Scruggs. We can accordingly assume that it was in this period that Richard Scruggs moved from Rutherford County to the Cowpens.

The 200 acres of the Williams grant purchased by Richard Scruggs in the first decade of the nineteenth century formed the core-area of his and his family's Cowpens acreage until 1923.

b) Matthew Abbett Buys 350 Acres

George Williams, in a deed recorded April 10, 1808, sold the remaining 350 acres of his Island Creek survey to Matthew Abbett for $200. The land conveyed was taken off the "lower end" of the 500-acre tract granted Williams by Governor Pinckney in January 1797.[93]

These four transactions left fee title to the Williams grant with Richard Scruggs and Matthew Abbett. The former held title to about 200 acres on either side of the "long branch of Island Creek," while the latter owned "350 acres" of the lower end of the Williams survey of "500 acres." As no legal actions were filed by Scruggs or Abbett to resolve this difference, we may assume that McBee, in running the lines of the original Williams survey in August 1796, had measured 550 acres rather than 500.

3. Matthew Abbett Conveys 350 Acres to Will Dobbins

Matthew Abbett, on March 26, 1804, sold to William Dobbins of Rutherford County, North Carolina, for $200, "a certain plantation of 290 acres." The plantation conveyed was part of the 500 acres granted George Williams on January 2, 1797, "lying on both sides of Island Creek."

In running Dobbins's boundary, the surveyor began at a chestnut "on the original beginning line" and ran a line South 25° East 112 poles (28 chains) to a red oak on Poole's line; then South 45° West 174 poles (43½ chains) to a post oak on the southeast side of Island Creek; then North 45° West 30 poles (7½ chains), crossing the creek to a pine on the northwest side

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93. Spartanburg County Deed Book H, pp. 30-31.

of the creek; then North 80° West 40 poles (10 chains) to a red oak, joining Lee's line; then North 10° East 52 poles (13 chains) to a stake at the old corner; then North 50° West 90 poles (22½ chains) to a red oak on the old line; then North 33° East 290 poles (72½ chains) through the edge of an old field to a post oak on the original line, near the beginning corner; and then South 25° East 164 poles (91 chains) to the beginning. Included was an "old house and a small improvement."[94]

Four years later, on April 11, 1808, Abbett sold a 60-acre tract on both sides of Island Creek to Will Dobbins for $3. This tract was the residue of the "350 acres" purchased from George Williams. Its boundary began at a red oak (a conditional corner) and ran South 25° East to a spanish oak; then South 25° West 25 chains to a pine; then North 85° West 24 chains to a hickory; then North 78° West to a post (a conditional line); and then with the conditional line to the beginning.

The subject 60 acres adjoined the property on which Dobbins lived.[95]

4. Will Dobbins Sells Out

a) John Hicks's 30 Acres

Will Dobbins worked his Island Creek farm for more than 40 years. When he sold out, he disposed of his real estate to three individuals--John M. Hicks, Richard Scruggs, and James H. Ezell.

On January 29, 1842, he sold to a newcomer in the area, John M. Hicks, for $30, a 30-acre tract (a portion of the George Williams grant): that "part of the place on which Dobbins' now lives," on the southeast side of Island Creek. In running the boundary, the surveyor began at a maple (a conditional corner between Dobbins's and Hicks's property); then South 24° East 20 chains to a spanish oak; then South 25° West 20 chains to a pine;

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94. Spartanburg County Deed Book I, pp. 268-69. The information given in the deed is insufficient to enable one to plot, with any degree of accuracy, the location of the "old house and small improvement," other than to determine that it was somewhere on the lower two-thirds of the Williams Grant. Richard Scruggs witnessed this deed.

95. Spartanburg County Deed Book L, pp. 228-29.

then North 85° West 25 chains to a stake; then along the rocky field fence to the creek; and then with the creek to the beginning.[96]

b) Richard Scruggs's 129 Acres

Nine months later, on October 22, 1842, Dobbins sold to Richard Scruggs, his neighbor to the north, 129 acres on both sides of the "long branch of Island Creek" for $80. In running the lines, the surveyor began at a red oak and shot a bearing North 33° East 220 poles to a post oak; then South 25° East 160 poles to a chestnut; then ran a "conditional line across between said Dobbins and Scruggs, running nearly a West course about halfway to a post oak"; then turned a little toward the South to the old line; and then went with the old line to the beginning corner.

Along with the land, Dobbins conveyed title to all woods, mines, and minerals thereon.[97]

c) James H. Ezell's 213 Acres

On May 7, 1844, Dobbins disposed of the remainder of his Island Creek real estate. On that date he sold to James H. Ezell for $10 "the 213-acre plantation" on which he lived on Island Creek. The boundary of the tract conveyed began at a chestnut (Richard Scruggs's corner) and ran South 24° East 44 chains to the creek; then down the creek with its meanders to a sweet gum (John Hicks's corner); then South 1° West 23.50 chains to a stake on an old survey; then North 50° West 17.50 chains to a post oak; then North 38° West crossing the creek at 10 chains to a pine; then North 87° West 16.40 chains to a red oak; then North 13° East 13.80 chains to an old red oak; then North 55° West 14.50 chains to a pine; then North 57° East 32.50 chains to three chestnuts at the head of a hedgerow; then North 77° East with the hedgerow 18 chains to a white oak; and then North 64°

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96. Spartanburg County Deed Book CC, pp. 51-52.

97. Spartanburg County Deed Book I, pp. 458-59. Will Dobbins's daughter, Elizabeth, had married Hicks. Dobbins, who was then 85, was living with the Hickses in 1850.

East 11 chains to the beginning.[98]

Mrs. C. M. Moser, whose grandfather J. Willis Martin purchased 150 acres of the aforementioned tract from James H. Ezell in 1879, has a plat of the 213-acre plantation. Shown on the plat, in addition to Island Creek and one of its tributaries, is the Bonner Road. The road, running from northeast to southwest, lies about midway between the north boundary of the plantation and Island Creek.[99]

5. James Ezell Sells His Island Creek Property

a) The 20-Acre Mill Tract

On May 21, 1851, James H. Ezell sold to Jesse Hammett a tract of about 20 acres on Island Creek. Defining the boundary, the surveyor began at a black gum, on John Hicks's fence line; then ran in a northerly direction to a pine near the ditch running up the north branch of the creek; then in a southerly direction to a poplar stump, near Jesse Hammett's fence; then in the same direction to a poplar; then with Ezell's new fence to John Hicks's pine knot corner; then in an easterly direction, with an old hedgerow, to a black oak; then on a north course along John Hicks's rocky field hedgerow to a sweet gum, near the branch; and then with the meanders of the branch to the beginning.

Included with the 20 acres were a mill, thresher, and cotton gin, along with the privilege of keeping open the two ditches leading up the prongs of Island Creek "for the use and benefit of the mill, thresher, and cotton gin."[100]

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98. Spartanburg County Deed Book Z, pp. 171-72.

99. Plat of Plantation Conveyed by Dobbins to Ezell, 1844, files of Mrs. C. M. Moser.

100. Spartanburg County Deed Book CC, p. 509. The mill site, along with the rest of the 20-acre tract, is not included in the acreage authorized for inclusion in Cowpens National Battlefield.

b) James Ezell Conveys 150 Acres to Will Martin

On December 5, 1879, Ezell conveyed to a son-in-law, J. Willis Martin, a tract on the Island Creek watershed, part of the land deeded to Ezell by Will Dobbins in May 1844. The 150-acre tract was bounded by lands belonging to Drury Williams, Robert Scruggs, and others.

In describing the boundary, the line began at a chestnut (Robert Scruggs's corner) and ran South 24° East 44 chains to Island Creek, marked by a "maypole"; then down the stream with its meanders to a black gum (Hammett's old corner); then up the millrace about 100 yards to a pine; then across the bottom following "a small ditch" to a "stone corner"; then in a straight line to a stake (Bobo's corner) near a black gum; then North 55° West 14.50 chains to a pine; then North 57° East 32.50 chains to three chestnuts at the head of a hedgerow; then North 77° East with the hedgerow 18 chains to a white oak; and then North 64° East 11 chains to the beginning.[101]

c) James Ezell Sells 40 Acres to President Lawson

On January 6, 1881, Ezell sold to President Lawson for $250 a 40-acre tract on Island Creek. The tract was bounded on the North by land owned by Willis Martin, on the East by Drury Williams's and John Martin's estates, on the South by Drury Williams's estate, and on the West by "lands known as the Floyd land."

In establishing the boundary, the surveyor began at a post oak and ran a line South 89° East 30 chains to a gum; then South 87½° East 4.50 chains to a pine; then South 18½° East through a pine swamp; then South 33° West 7.50 chains to a poplar stump; then South 61° West 15.73 chains to a post oak stump; then North 44½° West 4.60 chains to a post oak; then North 84½° West 16.40 chains to a stone (in place of a red oak); and then North 13° East 1.75 chains to the beginning corner.[102]

6. The J. F. Martin Tract

The only part of the 213 acres conveyed by Will Dobbins to James H. Ezell in 1844 which is included within the authorized

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101. Spartanburg County Deed Book QQ, pp. 328-29.

102. Spartanburg County Deed Book SS, p. 38. This tract is outside the authorized boundary of Cowpens National Battlefield.

boundary of Cowpens National Battlefield, is the 36-acre tract bounded by the Bonner Road, the Daisy Martin tract of the James A. Scruggs estate, and acreage that, prior to his death in 1876, had belonged to Drury Williams.

On July 31, 1899, Willis Martin conveyed to his son, J. F. Martin, a 36-acre tract on both sides of Island Creek, north of the Bonner Road, and bounded by lands owned by James A. Scruggs, Henry Williams, John Black, and the remainder of the grantor's real estate, which he was deeding to W. H. Martin, a second son. Marking the boundary, the surveyor began at a dogwood (formerly a chestnut) and ran a bearing with Henry Williams's line North 19-3/4° East 16.55 chains to the Bonner Road; then with the road South 77-2/5° West 6.30 chains; then South 75-1/2° West 7.11 chains; then South 82-7/10° West (crossing Island Creek at 3.50 chains) 8.30 chains to a stake; then South 77° West 2.50 chains to a stone on the east bank of a ditch; then a new line North 19-1/2° West 14.25 chains to a stone; then North 74-1/2° East 13 chains to a stone; and then North 66-1/10° East 11 chains to the beginning.[103]

On December 1, 1908, J. F. Martin conveyed his 36 acres to Joseph Faulkner, who in turn sold the property to W. S. Lamb on December 1, 1908. Several years after the death of her husband, Amanda Lamb, on August 1, 1960, sold the farm to Millie and Willie Phillips for $8,000.[104]

7. The Richard Scruggs Home Place, 1803-1923

a) Richard Scruggs Conveys His Land to His Sons

Beginning in 1803 with the purchase of 100 acres from John Parris, Richard Scruggs continued to increase his landholdings adjacent to the battleground. In 1806 he bought from Joel Blackwell 100 adjoining acres. With the purchase in 1842 of 129 acres from Will Dobbins, Scruggs now owned 329 acres of the George Williams grant on the "long branch of Island Creek." Meanwhile, he had bought from the Gists 225 acres of the Daniel McClaren grant, of which he had subsequently conveyed 200 acres

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103. Cherokee County Deed Book E, p. 364.

104. Cherokee County Deed Book 5F, pp. 10-11.

to his son Robert. In 1821 he had bought from the Will Abbett heirs a 267-acre tract of the Abbett grant. This he conveyed to his son Jesse in 1846.

In 1853, two years before his death, Richard Scruggs prepared his "Last Will and Testament." In the will no mention is made of the division of his real estate, because he had already conveyed to his sons--Jesse, Robert, and Drury--the farms on which they were living. Jesse's farm, which included much of the Will Abbett grant, was on Island Creek about 2 miles south of the battleground; Drury's was on Suck Creek, north of the Green River Road; and Robert's was on the "long branch of Island Creek," southeast of and adjoining the Cowpens battleground.[105]

b) Robert Scruggs Divides His Real Estate

Robert Scruggs lived on the home place until his death in 1890. Twelve years before he had drawn a will dividing his real estate. To his son James Augustus, he left the 343-acre home place, adjoining lands of D. S. Scruggs, Columbus Blackwell, Will Martin, and the Drury Williams estate. To his daughter Susan Martin he bequeathed 80 acres to the east of the home place, to be "run by Drury Williams' line and Willis Martin's square home on both ends as near as possible." To daughters Sarah Roberts and Martha Lawson, he would leave 118 acres "on the other side [southwest] of father's house." To his daughters Mary Parris and Judy Cash he gave

> all the land lying on the other side of R. D. Scruggs' adjoining Swan Parris' and others. The plat will show it, except twenty-five acres which I gave to my grandson Monroe Scruggs. He is to have his adjoining J. H. Ezell, and R. D. Scruggs; J. G. & Mary Parris is to have theirs against Swan Parris' and Judy [Cash] is to have hers next to Monroe Scruggs' land.

In addition, he wanted Mary Parris to have a small tract that adjoined her land and that of Swan Parris, T. Vassey, and Stovall Scruggs.[106]

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105. Richard Scruggs, Last Will and Testament, Spartanburg County Will Book D, South Carolina Department of Archives and History, Columbia, S.C., p. 429. Subsequent Spartanburg County will books cited are also found in this depository.

106. Robert Scruggs, Last Will and Testament, Spartanburg

c) Sarah Roberts's 52 Acres

Robert Scruggs, 5 years before his death, drew deeds implementing the conveyances to Sarah Scruggs Roberts, Martha Scruggs Lawson, and James Augustus Scruggs. As a token of his love and affection, he deeded to his daughter Sarah on March 14, 1885, the 52-acre tract on Mack's Branch of Island Creek. The tract conveyed was bounded by lands belonging to Mary Williams, Martha S. Lawson, James A. Scruggs, and others. In marking the boundary, the surveyor began at a stake and ran a line North 49° West 4 chains to a hickory; then North 34° East 20.50 chains to a stake; then North 25° East 5 chains to three chestnuts; then North 37½° East 18 chains to a red oak; then North 3½° West 38 chains to a stake; and then with Martha S. Lawson's line to the beginning corner.[107]

The 52 acres given to Sarah Roberts bounded the home place on the southwest and the Cowpens-Clifton Road on the west. None of this acreage is included within the authorized boundary of Cowpens National Battlefield.

In September 1896 Sarah Roberts sold a 30-1/4-acre tract of her farm to J. T. Scruggs for $151.25. The land conveyed was bounded by property belonging to George Blackwell, C. K. Davis, James A. Scruggs, and herself. Its boundary began at a hickory stump and ran North 56° East 29.20 chains to a pile of stones; then North 30-3/4° West 15.44 chains to a stake; then South 35 1/6° West 21.93 chains to a stake; and then South 34-3/4° West 21.12 chains to the beginning corner.[108]

Six years later, in November 1902, she sold to J. T. Scruggs for $85 another 10 acres of her inheritance. In running the boundary, the surveyor began at a hickory stump and took a bearing South 48° East 14 chains and 7 links to a stake (Polly Lamb's corner); then North 65° East 14 chains to a stake on the old line; then North 48° West 12 chains to a "lightwood" knot on J. T. Scruggs's line; and then South 56° West 14.50 chains to the beginning corner.[109]

County Will Book G, pp. 321-23. The plat referred to in Robert's will was not recorded.

107. Spartanburg County Deed Book EEE, p. 546.

108. Cherokee County Deed Book H, p. 267.

109. Ibid., p. 255.

On November 2, 1907, she sold to James Scruggs for $3 the remaining 10 acres of her farm, bounded on the east by land belonging to James A. Scruggs, on the south by lands of D. C. Lamb, and on the north and west by acreage she had sold several years earlier to J. T. Scruggs.[110]

d) Martha Lawson's 59 Acres

On March 28, 1885, Robert Scruggs deeded to his daughter, Martha Lawson, a 59-acre farm on Floyd's Branch of Island Creek. Martha's tract was bounded by lands belonging to Willis Martin, B. Champion, Sarah E. Roberts, and James A. Scruggs.

In describing the boundary, the surveyor began at a post oak and ran a line a "little south" to the old line between the Richard Scruggs and Will Dobbins farms; then with said line to a small post oak in place of a red oak; then with Champion's line to a stake; then with Sarah Roberts's line North 64° East 52 chains to a stake; and then North 31° West 14.50 chains to the beginning.[111]

Martha Scruggs Lawson had died and her heirs (R. A., R. D., D. S., and James A. Scruggs, Sarah Scruggs Roberts, Susan Scruggs Martin, and Mary Parris) sold her 59-acre farm to Mrs. Dolly Lamb for $200 on December 16, 1892.[112]

Eleven years later, in August 1903, Dolly Lamb and her husband leased the mineral rights on the tract. In the agreement, the Lambs identified the property as about a mile south of the Ezell Post Office and bounded on the east by J. W. Martin's land, on the south by Wofford Price's land, on the west by Wofford Price's and George Blackwell's holdings, and on the north by Sarah Scruggs Roberts's property.[113]

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110. Cherokee County Deed Book M, p. 696.

111. Spartanburg County Deed Book EEE, p. 540. The Martha Lawson farm is not included in the area authorized for inclusion in the Cowpens National Battlefield.

112. Cherokee County Deed Book J. p. 499.

113. Cherokee County Deed Book F, pp. 263-64.

e) James Augustus Scruggs's 269 Acres

On January 6, 1886, Robert Scruggs conveyed to his son, James A. "Black" Scruggs, the "265-acre" home place on the headwaters of Island Creek. It was bounded by land belonging to D. S. Scruggs, the Drury Williams estate, Willis Martin, Martha Lawson, Sarah Roberts, Columbus Blackwell, and General Champion.

The boundary of the property began at a stake on the branch and proceeded down Parris's line to the road; then with the road to Drury S. Scruggs's line; then across with the aforementioned line to the "old Williams post oak"; then with Williams's line to a pine; then to a white oak; then with _____ line to a sweet gum; then across the branch to another corner but straighter; then to Drury Williams's post oak; then to a chestnut on Willis Martin's line; and then with Martin's line to the beginning.[114]

f) The New Pleasant Church and School Lots

(1) The Church and Cemetery Lot

On November 28, 1889, Robert and James A. Scruggs sold a 2.4-acre lot to the deacons (Capt. James H. Ezell, J. M. Price, S. A. Turner, and G. D. Scruggs) of the New Pleasant Baptist Church for $10.

The boundary was to begin at a locust and run South 4° West 8 chains to a stone; then North 77° East 3 chains to a stone; then North 4° East 8 chains to a stone; and then South 77° West 3 chains to the beginning.[115]

On July 3, 1901, James A. Scruggs, 11 years after the death of his father, conveyed to the New Pleasant Baptist Church a 55/100-acre lot, "adjoining the lot on which said church stands." The lot conveyed began on a stone corner of the tract deeded to the deacons by James Scruggs and his father in 1889, and ran with the church line North 4° East 2.67 chains to a stone; then South 36-1/4° West 1.10 chains to a stone; then South 80-4/5°

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114. Spartanburg County Deed Book EEE, p. 476.

115. Spartanburg County Deed Book HHH, p. 435.

West 2.68 chains to a stone; then South 40° West 1.39 chains to a stone; and then South 89-3/4° East 3.27 chains to the beginning.[116]

On October 9, 1922, James A. Scruggs conveyed a one-acre tract to the deacons of the New Pleasant Baptist Church, in consideration of the "love that I have for the cause of Christ & the church."

The acre adjoined the church lot, the school lot, and Scruggs's land. Its boundary began at a stone (the southeast corner of the church lot); then ran with the lot's line South 83-1/4° West 6.27 chains to an iron pin on the school lot line; then with the school lot line South 4° West 1.58 chains to an iron pin; then North 83-1/4° East 6.27 chains to an iron pin; and then North 3° East 1.58 chains to the beginning.[117]

(2) The School Lot

On September 2, 1903, James A. Scruggs sold to the trustees (C. Cook, J. F. C. Scruggs, and William Martin) of New Pleasant School District No. 15 a one-acre lot for $10. The boundary of the lot conveyed began at a stone corner on the church lot; then ran South 4° West 3.17 chains to a stone; then South 80° West 3.17 chains to a stone; then North 4° East 3.17 chains to a stone on the road; and then North 80° East 3.17 chains to the beginning corner.[118]

g) James A. "Black" Scruggs Has the Home Place Surveyed

In January 1907 "Black" Scruggs had his home place surveyed and platted by T. E. Johnson. Besides showing the metes and bounds, the surveyor on the plat located the branches of Island and Suck Creeks; the Mills Gap Road; the lane separating the Scruggs and Champion lands north of the Mills Gap Road; the New Pleasant Church and Schoolhouse; and the Robert Scruggs, Richard Scruggs, Jim Jolley, and James A. Scruggs, Jr., houses.

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116. Cherokee County Deed Book E, p. 228.

117. Cherokee County Deed Book Z, p. 715.

118. Cherokee County Deed Book H, p. 40.

Adjacent property owners are identified as Martha Champion, General M. Champion, D. S. Scruggs, Martin Martin, W. D. "Sug" Williams, H. Williams, J. F. Martin, Dolly Lamb, Sarah Roberts, and J. T. Scruggs.[119]

h) James A. "Black" Scruggs Divides the Home Place

In May 1918 "Black" Scruggs drafted his last will and testament. Under item two he provided that at his death his

> Real Estate be Eaqly [sic] Devided [sic] with my seven children. My oldest Son James A. Scruggs to have 5 acres more than the Rest by Reason of note and that said children is to pay Eaqual [sic] Rents to my beloved Wife Marie Scruggs each year During her natural Life or Widowhood for her support.

Under item three, he identified the lot that each of his children was to receive. To daughter Daisy Martin would go the Richard Scruggs homestead "wher she now Lives"; to Robert E. Scruggs would go the "Lot wher he now Lives," which was west of the home place lot; to Rosa Scruggs would go "my home Lot wher I now Live"; J. B. Scruggs was "to hav the Lot wher he now Lives," on the north side of the Mills Gap Road from the home lot; and "my Daughters Jessey Elison and Vardy Jolley hav ther Lots on the West End of my Land next to Blackwell Line." Because there were no improvements on these lots, "Dasie Martin and James A. Scruggs and Robt. E. Scruggs and Rosey Scruggs and J. B. Scruggs" each would "pay Jessie Alison and Vardy Jolley Fifty Dollar."[120]

Three weeks before his death, "Black" Scruggs on August 1, 1923, subdivided his 263-acre farm among his seven surviving children, following the scheme outlined in his May 1918 will. He, however, reserved for himself and his wife (Mary Ellen) "life control" of the property.

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119. This plat is found in the Scruggs Papers, which constitute the Rosa Scruggs Garrett Collection.

120. James A. Scruggs, Last Will and Testament, courtesy of Mr. and Mrs. James W. Scruggs.

To Mrs. Jessie Ellison he gave lot No. 1 (35 acres), bounded by lands of W. J. Davis, R. E. Scruggs, and lot No. 2. The boundary of lot No. 1 began at an iron pin in the center of the Mills Gap Road on W. J. Davis's line; then ran with the road North 1½° East 11.16 chains to a pine knot marker; then North 11.50 chains to a stake on R. E. Scruggs's line; then with R. E. Scruggs's line South 88° East 15.10 chains to a stake marking the corner of the R. E. and Banks Scruggs's farms; then South 5° West 25 chains to a cross pin in the center of the Mills Gap Road and a corner of lot No. 2; and then with the road to the beginning corner.[121]

To John B. Scruggs he deeded lot No. 2 (34.9 acres), which was bounded by lot No. 1, Banks Scruggs's and Martin Martin's land, and the Mills Gap Road. The boundary of lot No. 2 began at an iron pin in the Mills Gap Road, the corner of lot No. 1; then ran with the line of lot No. 1 North 5° East 25 chains to a stake (the R. E. and Banks Scruggs corner); then with Banks Scruggs's line South 88° East 13.18 chains to a stake for Martin Martin's corner; then with Martin's line South 6° 25' West 19.33 chains to a stone; then South 16° 45' East 4.28 chains to an iron pin in the center of the Mills Gap Road; and then with the road South 87° West 15.34 chains to the beginning.[122]

To Rosa May Scruggs he gave lot No. 3 (35 acres), "the Home place," bounded by lots Nos. 4 and 6, and lands belonging to Martin Martin. The boundary of lot No. 3 began at an iron pin in the center of Mills Gap Road on Martin Martin's line; then with Martin's line South 16° 45' East 9.58 chains to a stake; then South 50½° West 7.70 chains to a hickory; then South 33° 40' West 3.30 chains to a stake (corner of lot No. 6); then with the line of lot No. 6 North 48° West 19.65 chains to a stake, corner of lot No. 4; then with the line of lot No. 4 North 12° East 15 chains to an iron pin in the center of Mills Gap Road; and then with the road South 74° East 6.04 chains to a bend; and then North 87° East 15.34 chains to the beginning.[123]

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121. Cherokee County Deed Book 2A, p. 674. No plat was filed with the Cherokee County Clerk documenting the boundaries of the Scruggs subdivision.

122. Ibid., p. 670.

123. Ibid., p. 671.

To Robert E. Scruggs he gave lot No. 4 (35 acres), bounded by lands of W. J. Davis and lots Nos. 3, 5, and 6. The boundary of lot No. 4 began at an iron pin in the center of the Mills Gap Road, the corner of lot No. 3, and ran with the line of the aforementioned lot South 12° West 15 chains to a stake; then South 86° West 25.23 chains to a stake on W. J. Davis's line; then with Davis's line North 20° 15' East 14 chains to a stake; then South 88° 35' East 16.07 chains to a stone; then North 1½° East 4.40 chains to an iron pin in the center of Mills Gap Road; and then with the road South 74° East 7.40 chains to the beginning.[124]

To Mrs. Vaud Jolley he gave lot No. 5 (41 acres) bounded by lands of Z. Blackwell, W. J. Davis, and lots Nos. 4, 6, and 7. The boundary of lot No. 5 began at an iron pin in the road (corner of lot No. 6) and ran with the line of the aforementioned lot North 19.85° to a stake on the line of lot No. 4; then with the line of lot No. 4 South 68° West 23.33 chains to a stake on Montgomery's line; then with Montgomery's line South 20° 15' West 6.23 chains to a stake; then North 69° 30' West 56 links to a stake in the public road; then with the public road South 29° 38' East 20 chains to an iron pin (corner of lot No. 7); and then with the line of lot No. 7 North 73° East 14.50 chains to the beginning corner.[125]

To James A. Scruggs, Jr., he gave lot No. 6 (41 acres), bounded by lands of H. Williams and lots Nos. 3, 5, and 7. The boundary of lot No. 6 began at a stake on H. Williams's land (the corner of lot No. 3) and ran North 84° West 19.65 chains to an iron pin (corner of lots Nos. 3 and 4); then with the line of lot No. 4 South 86° North 3.17 chains to a stake (corner of lots Nos. 5 and 6); then with the line of lot No. 5 South 19.85 chains to an iron pin in the road and on the line of lot No. 7; then with the line of lot No. 7 South 73° East 21.10 chains to a stake on the Williams's line; then with Williams's line North 3.62 chains to a sourwood; then North 18° 50' West 11.90 chains to a stone; and then North 33° 40' East 10.73 chains to the beginning corner.

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124. Ibid., p. 356.

125. Ibid., p. 673.

Also conveyed to James A. Scruggs, Jr., was the right-of-way currently in use to "the church and to the top soil road."[126]

To Mrs. Daisy L. Martin he gave lot No. 7 (41 acres), bounded by lands belonging to H. Williams, W. W. Martin, Dollie Lamb and T. E. Johnson, and by lots Nos. 5 and 6. The boundary of lot No. 7 began at a stone on H. Williams's line (the corner of lot No. 6) and ran with the line of lot No. 6 North 73° West 21.10 chains to an iron pin in the road; then South 73° West 14.50 chains to an iron pin in the public road; then with the road South 29° 38' East 12.40 chains to an iron pin in the road (a corner of the schoolhouse lot); then with the boundary of the aforementioned lot North 83° East 6.75 chains to a stake (a corner of the church lot); then North 35° East 1.26 chains to a stake in the church road; then North 5½° East 4.50 chains to a stone; then East 3.16 chains to a stone; then South 4° East 9.65 chains to a stake (a corner of the church lot); then South 83° West 3.67 chains to an iron pin in the road at the corner of the school lot; then South 23° East 2.60 chains to a stake on H. Martin's line; then North 80½° East to a stone; then North 67¼° East 10.68 chains to a stake; and then North 19° 50' West 8.15 chains to the beginning corner.[127]

i) The Martin Martin Place

The will drawn by Robert Scruggs in 1878 bequeathed to his daughter, Susan Martin, the wife of William Martin, 80 acres to the east of the home place, to be "run by Drury Williams' line and Willis Martin's square home on both ends as near as possible."[128]

On December 16, 1890, nine days after their father's death, James A. "Black" Scruggs conveyed to Susan Martin for $145 an additional 29-acre tract, a part of the Robert Scruggs

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126. Ibid., p. 357. The house on the property, which is still extant, dates to the nineteenth century and is said to have been erected by Richard Scruggs.

127. Ibid., p. 672. Located on the Daisy Martin property was the Richard Scruggs house erected in December 1811.

128. Robert Scruggs, Last Will and Testament, Spartanburg County Will Book G, pp. 321-23.

estate. Running the boundary of the 29 acres, the surveyor began at a pine and shot a line North 5° East 32.50 chains to an old post oak (the McCraw-Grant corner); then West 10 chains to a stake on Sanford Scruggs's line; then South 5° West 19 chains to a stake; then South 27° East 14 chains to a stake on Susan Martin's old line; then North 48° East 4.50 chains to a white oak; and then South 82° East 3.25 chains to the beginning.[129]

On November 1, 1898, Susan Martin conveyed to her son, Martin Martin, "in consideration of my love and affection," two lots adjoining each other and bounded by lands belonging to R. M. Martin, D. S. Scruggs, James A. Scruggs, Myra Vickers, and Nancy Williams. The boundary of this 46-acre tract began at a hickory and ran due East 18.55 chains to a stone; then North 1-1/4° East 11.30 chains to a black oak stump; then South 88-1/2° West 4.25 chains to a pine stump; then North 2-1/4° West 26.50 chains to a post oak; then North 89-2/3° West 10 chains to a stake; then South 5-1/3° West 19 chains to a stake; then South 16-2/3° East 14.10 chains to a stone; and then South 48-9/10° West 7.74 chains to the beginning.[130]

Twenty-one years later, in March 1919, N. C., J. W., M. E., and G. Martin sold to Martin Martin for $3,850 a 32.5-acre tract on the Mills Gap Road, a part of the R. M. Martin estate. Marking the boundary, the surveyor began at a red oak (now down) and ran a line North 32½° East 28.96 chains to a stone; then North 84½° West 21.55 chains to a stone; then South 17° East 25.93 chains to a pine stump; then South 89¼° East 4.20 chains to the beginning.[131]

On December 29, 1925, Martin Martin sold to Z. V. Jolley, B. B. Jolley, and W. C. Watson for $8,555.63 two tracts, aggregating 76 acres, in accordance with J. B. Cash's survey. Tract A, 32.05 acres, had been purchased by Martin from the other heirs in 1919, and was bounded by lands belonging to Myra Vickers, the estates of James A. and D. S. Scruggs, and others. Tract B, 46 acres, had been given to Martin 27 years

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129. Cherokee County Deed Book E, p. 754.

130. Cherokee County Deed Book C, p. 65.

131. Cherokee County Deed Book V, p. 668.

before by his mother, and was bounded by tract A, by lands belonging to the James A. and D. S. Scruggs estates, by Myra Vickers, and by the Mills Gap Road.[132]

The 76 acres were subsequently acquired by J. Mack Hayes. Hayes died May 1, 1959, leaving as heirs his widow and nine children. The widow, "in consideration of the partition and division" of her husband's estate, conveyed on October 25, 1960, a 26.05-acre tract on the south side of South Carolina Highway 11 to Estelle H. McCraw. The 26.05 acres were bounded on the west by Rosa Scruggs Garrett's property, on the south by lands formerly belonging to W. D. Williams, on the east by Osklow Williams, and on the north by South Carolina Highway 11.[133]

j) The William D. "Sug" Williams Place

Susan Scruggs Martin, on November 1, 1898 (the date of her conveyeance to Martin Martin discussed in the preceding section), conveyed to Decatur Scruggs "in consideration of the natural love and affection that I have for my son," a 30-acre tract. The 30 acres adjoined lands owned by John Johnson, Mrs. Louiza Hayes, Henry Williams, and others. Defining the boundary, the surveyor began at a chestnut (now down) and ran a line South 86-4/5° West 21.90 chains to a red oak (now down); then North ½° West 3.63 chains to a sourwood; then North 19-1/7° West 9.65 chains to a stone; then North 87° East 25.50 chains to a stone; and then South 1-1/4° West 12.85 chains to the beginning.[134]

On November 12, 1900, Scruggs sold the 30-acre tract to William D. "Sug" Williams for $200. On doing so, the boundary was resurveyed and platted by T. E. Johnson. As now described, the boundary began at a post oak and ran North 86-4/5° East 21.90 chains to a chestnut; then South 1-1/4° East 12.85 chains to a stone; then South 87° West 25.50 chains to a stone; then South 19-1/7° East 9.65 chains to a sourwood; and then

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132. Cherokee County Deed Book 2C, pp. 212-13.

133. Cherokee County Deed Books 3A, p. 49; and 5G, pp. 42-43.

134. Cherokee County Deed Book C, p. 164.

South 1/10° East 3.63 chains to the beginning corner.[135]

Decatur Scruggs, seven months before, had sold to T. E. Johnson for $180 the 30-acre tract on which he lived, it being the property deeded by Susan Martin to Myra Vickers and by Myra Vickers to Scruggs. This lot, which was on the waters of Island Creek, was bounded by lands belonging to James A. Scruggs, D. C. Scruggs, Nancy Williams, and Martin Martin.

Establishing the boundary, the surveyor began at a small hickory and ran a line due east with Martin Martin's fence for 18.55 chains to a stone on Williams's boundary; then South 1-1/4° West 12.58 chains to a stone; then South 87° West 25.50 chains to a stone; then North 19-1/2° West 2.35 chains to a stone; and then North 34-2/5° East 14.10 chains to the beginning.[136]

One year later, on May 7, 1901, T. E. Johnson sold the 30-acre Myra Vickers lot to "Sug" Williams for $200.[137]

"Sug" Williams died in 1928. The heirs (Willie H., Alvie and J. W. Williams, and Mrs. Viola Scruggs) partitioned the estate. The reciprocal deeds were dated December 12, 1930.

Willie H. Williams received lot No. 1 (18 acres) on SC11-372. Its boundary began at a pin on the road, the corner of lot No. 2, and ran with the boundary of that lot South 79.30° West 26.25 chains to a stone on James A. Scruggs's line; then with Scruggs's line West 35.30° East 14.04 chains to a hickory, the Jolley brothers' corner; then with the Jolley's line South 89° East 18.55 chains to a pin on the road; and then with the road South 2° West 6.40 chains to the beginning corner.[138]

Lot No. 2, 21 acres, was deeded to Alvie Williams by his brothers and his sister. Its boundary began at a pin in SC11-372, at the corner of lot No. 3, and ran with the road

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135. Cherokee County Deed Book B, p. 786. "Sug" Williams was Drury Williams's oldest surviving son.

136. Ibid., p. 652.

137. Cherokee County Deed Book O, p. 18.

138. Cherokee County Deed Book 2H, p. 392.

North 2° East 10.22 chains to a pin at the corner of lot No. 1; then with the boundary of lot No. 1 South 79° 30' West 26.25 chains to a stake on James A. Scruggs's line; then with Scruggs's line South 18° 30' East 5.35 chains to a stake on the branch and corner of lot No. 3; and then with the north line of lot No. 3 South 88° 45' East 24.88 chains to the beginning corner.[139]

Lot No. 3, 21 acres, was deeded to J. W. Williams. In marking its boundary, the surveyor began at a pin on SC11-372, the corner of lot No. 2, and ran a line with the road South 2° West 8.59 chains to Mrs. J. M. Hayes's corner; then South 27° 30' West 21.86 chains to a stone, J. A. Scruggs's corner; then with Scruggs's boundary North 1° East 3.60 chains to a pin; then North 18° 30' West 6.57 chains to a stake on the branch; and then South 88° 45' East 24.48 chains to the beginning corner.[140]

Lot No. 4, 16-2/5 acres, was deeded to Mrs. Viola Scruggs by her brothers. It was not contiguous with the other lots. It was, however, on SC11-372. In describing the boundary, the recorder began at a pin on SC11-372, a corner of the J. W. Williams estate, and ran East 27.10 chains to a stone on Walter Hayes's land; then with Hayes's boundary South 21-3/8° East 6.15 chains to a stake; then West 29.30 chains to a pin on the road; and then with the road Northeast 5.65 chains to the beginning corner.[141]

F. The Isaac Williams 700-Acre Grant, 1806-1885

1. Camp's 1806 Survey

In January 1806 John Camp surveyed and platted for Isaac Williams a 700-acre tract "on the heads of Island and Suck Creeks, waters of Broad River." The survey was bounded on the south by Poole's land, on the east by lands entered in the names of M. Williams and Spear, on the north by Bonner's land, and on the west by land granted to George Williams by Governor Pinckney in 1797. Examination of the Isaac and George Williams plats reveals that the southwest corner of the Isaac Williams tract intruded on land granted to George Williams and conveyed to Matthew Abbett in 1808.

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139. Ibid., p. 387.

140. Ibid., p. 393.

141. Ibid., p. 394. "Sug" Williams had purchased this 16-2/5-acre lot from J. T. Johnson on January 4, 1901, for $200. Cherokee County Deed Book O, p. 17.

In addition to the watercourses, Camp located two roads on the plat, a copy of which is found in this report. The Green River Road, labelled by Camp the "Cowpen Road," follows the Island-Suck Creek watershed, while a byway, labelled the "Charleston Road" is to the east of the alignment of the Bonner Road--present SC11-372.[142]

2. Isaac Williams Sells Part of His Land

On April 12, 1808, Isaac Williams conveyed to John Williams for $165 two tracts on Island Creek. Tract A, 100 acres, began at a post oak and its first bearing ran South 12° West 43 chains to a black oak; then South 21° East 8 chains and 5 links to a red oak on the stream; then South 30° West 10 chains to a white oak; then North 46° West 11 chains to a poplar near a spring; then North 11° West 48 chains and 50 links to a red oak; and then North 84° East 36 chains to the beginning. Tract B, adjacent to tract A, began on a red oak with the first line running North 21° West 8 chains and 50 links to a black jack; then North 12° East 45 chains to a post oak; then South 35° East 32 chains to a pine on the creek; and then down the stream with its meanders to the beginning red oak. Tract B included 65 acres.[143]

Williams on December 7, 1809, sold to John Wells for $50 an 80-acre tract on Suck Creek. Marking the boundary, they began at a post oak and ran a line North 39° East 37 chains to a white oak; then South 79° East 21.50 chains to a white oak; then South 45° West 14 chains up a branch to a white oak; then with the branch to a post oak; then South 28° West 35 chains to a red oak; then South 58° West 3 chains to a pine; and then in a straight line to the beginning.[144]

On February 9, 1825, Isaac Williams sold to Edward Williams for $100 a 190-acre tract on Suck Creek, where Edward Williams was living. The boundary of the tract conveyed began at a white oak and ran North 76° West 22 chains and 50 links to a white oak; then North 40° East 32 chains and 50 links to a post oak; then North 25° West 11 chains to a white oak; then South

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142. Spartanburg County Plat Book A, p. 194.

143. Spartanburg County Deed Book L, pp. 356-57.

144. Spartanburg County Deed Book M, p. 153. The deed was witnessed by John Williams and Joseph Camp.

87° East 25 chains and 30 links to a stake; then South 34° East 45 chains to a red oak; then South 30° West 13 chains and 50 links to a stake; and then North 73° West 38.50 chains to the beginning corner.[145]

This Edward Williams is not to be confused with the Edward Williams who secured a grant to 337 acres from Governor Moultrie in 1794. Because the Edward Williams survey was bounded on the east by the George Williams grant, it would have included much of the 700 acres surveyed for Isaac Williams in 1806.

Edward Williams I was the father of George Williams. In May 1796 he had deeded to his son, George Williams, for his "love and affection," all the 784-acre tract where he lived. He also conveyed to his son a 7-year-old sorrel horse, 4 feet 11 inches in height, branded "W" on the right hindquarters; 24 head of neat cattle; 12 sheep; and all his hogs, household furnishings, and work tools, including his firearms.[146]

It is not in the scope of this report to determine the location of the Edward Williams "home place," but we do know that it was not in the immediate vicinity.

Edward Williams II, to whom Isaac Williams conveyed the 190-acre Suck Creek tract, died in 1847. Three years before, he had drawn his last will and testament. It was willed that his "Stock of Cattle Hogs & Sheep remain on the plantation for the care and benefit of my family." His "beloved wife" was to "remain and live on my Land during her natural life or widowhood." Upon her death Williams desired that "the Land to be equally divided amongst my three sons, to wit Perry, Wilson, and Austin."

Williams named his sons Perry and Wilson and "my trusty friend Drury Williams" as executors of his last will and testament.[147]

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145. Spartanburg County Deed Book T, p. 202.

146. Spartanburg County Deed Book D, pp. 303-4.

147. Edward Williams, Last Will and Testament, Spartanburg County Will Book D, p. 125. Named to appraise the deceased's property were Robert and Drury Scruggs, and Magistrate W. B. Turner.

3. Isaac Williams Dies and His Estate is Divided

In the meantime, Isaac Williams had died. In November 1836 he had prepared his will. After bequeathing his "soul to Almighty God" and his "body to the dust from whence it came," he provided that his "Land be run out and then divided except the Land where Pella Reynolds now lives which I do give & bequeath to his wife and heirs of her body." This land was described as "lying between the Two Branches they live between from the heads to the mouth." His widow, Susanah, was to "remain on the Land to have the house and plantation during her natural life or widowhood." At her death or remarriage, he desired that his "youngest son Thomas Anderson have it." After the balance of his land had been surveyed and measured, and Tilla (Mrs. Pella Reynolds) had taken the acreage previously mentioned, "the Remainder be equally divided among the rest of my children to have it as they become of age." He, however, wanted his eldest son, Drury, to take "his part where he likes[,] the rest may draw for their parts."

As executors he nominated his friend Edward Williams II and his son Drury.[148]

Williams's will was admitted to probate on January 11, 1837. Robert and Stovall Scruggs and Joseph Camp, in accordance with an order from District Ordinary J. Bomar, appraised the deceased's personal property at $208.50.[149]

Before his death, Isaac Williams had sold 270 acres of his grant on the headwaters of Suck Creek to John Wells and Edward Williams. In 1808 he had sold 165 acres on Island Creek, at the opposite end of his grant, to John Williams. In addition, he had acquired, either by inheritance or an unrecorded deed, an undetermined quantity of land that had belonged to Edward Williams I. On September 18, 1809, he had sold to Robert Scruggs for $80 an 80-acre tract on "the waters of Thicketty Creek adjoining the Cowpens, it being part of two tracts" formerly belonging to Edward Williams, deceased. The surveyor, when he marked the boundary, began at a black oak and ran a line North 30° East 44 chains down a branch to a black oak; then South 50°

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148. Isaac Williams, Last Will and Testament, Spartanburg Probate Files 2169, South Carolina Department of Archives and History, Columbia, S.C.

149. Ibid.

East 9 chains to a post oak; then South 30° East 24 chains to a post oak; and then South 36° west 46 chains to the beginning.[150]

Within the scope of this study and the limited information available, it has been impossible to pinpoint this tract.

The tracts to be conveyed to Thomas Anderson Williams and Tilla (Matilda) Reynolds were identified in their father's will, and the other five children (Drury, Temperance, Ann, Noah, and William) would divide the remainder of the land. Before this was accomplished, Temperance Smith conveyed to Drury for $20 her interest in the Island Creek estate inherited from their father.[151]

When the land was partitioned, Drury took as his share the tract east of Island Creek, which was divided by the Bonner Road and bounded on the west by land belonging to Richard and Robert Scruggs and Will Dobbins.[152] Efforts to locate a plat showing the division of the Isaac Williams land among the heirs have been unsuccessful. If there is one, it is probably in the possession of Carlos Williams, who was not contacted.

4. The Drury Williams Plantation

a) The Purchase of the Hammett Tracts

Drury Williams (1806-1878) married Jane Potter and built his home on the south side of Bonner Road, nearly opposite the Henry Williams house. It is no longer extant. Drury and Jane had 11 children (Hosea, Mary Ellen, John Thomas, William D. "Sug", Perry, Sarah, Elizabeth, Isaac Aaron, Henry, Adaline, and Louiza), four of whom died in childhood.

Williams, during his lifetime, added to his farm. Jesse Hammett, who owned the local mill and whose Island Creek property adjoined Williams's on the southwest, had drawn up his will in 1868. He willed that his lands should be "rented out booth [sic] the mil tract and whereon my Son Josephh Hammit now livs to support my Dear and beloved wife and my son John So long as she

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150. Spartanburg County Deed Book P, p. 281.

151. Spartanburg County Deed Book EE, p. 353. Temperance Williams had married Levi Smith.

152. Willard Hayes with Bearss, personal interview, Jan. 22 & 23, 1974. Mr. Hayes is a grandson of Drury Williams.

lives." At his wife's death all was to be sold and equally divided among his children. Drury Williams was named executor, with full power to attend to "my beloved wif and my Son John Hammit and to be paid . . . for his services." Williams was authorized to "keep such property as he thinks necessary for the benefit of the above named and he may sell such as not needed for support."[153]

Hammett was soon dead, and his will was admitted to probate on June 18, 1869. Robert Scruggs, Willis Martin, and Tench Blackwell were named by Magistrate William M. Champion to appraise the property of the deceased.

The Widow Hammett died in January 1871, and Drury Williams petitioned the probate court for authority to sell Jesse Hammett's real estate, as provided in the will of the deceased. The land consisted of "two small tracts on Island Creek, one containing ninety Six acres and bounded by J. E. Ezell, Hugh Price & others--the other of Seventeen acres whereon is a mill & cotton gin bounded by J. H. Ezell, W. Williams & others."[154]

Judge Benjamin Wofford of the Spartanburg Probate Court, after studying the petition, issued an order on August 30, 1871, directing the sheriff to sell the tracts at the courthouse door on "the first Monday in October next or on Such other Sales day

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153. Jesse Hammett, Last Will and Testament, Dec. 2, 1868, Spartanburg Probate Papers, File 1318, South Carolina Department of Archives and History, Columbia, S.C.

154. Estate of Jesse Hammett, Spartanburg Probate--Real Estate Papers, File 189, South Carolina Department of Archives and History, Columbia, S.C. Hammett had purchased the 96-acre tract from Jacob Price on July 18, 1859. The surveyor, in marking the boundary, began at a "pine corner" from which he ran a line South 50° East 35 chains to a black oak; then South 20° West 25 chains to a stake; then North 44° West 32.60 chains to a stake; then North 59° East 3.75 chains to a fence; then with the "Water Brakes 5.20 chains across Island Creek to a stake; then South 59° West 3.75 chains to a stake; then North 44° West 13.50 chains to a spanish oak; then North 10° East 11.50 chains to a red oak; then South 86° East 15 chains to the beginning. Spartanburg County Deed Book FF, p. 442.

as will be most advantageous for the parties" involved.[155]

At the sale, held on October 7, Drury Williams was the highest and last bidder for the 96-acre plantation and the 17-acre mill tract. He was accordingly issued a sheriff's deed by the court for the Hammett land.[156]

b) The Division of the Drury Williams Estate

Drury Williams died intestate in 1878, leaving as heirs his widow, Jane Potter Williams, and their seven surviving children. The property, less the home place which was retained by the widow, was surveyed in 1885 and divided into seven tracts. To determine their inheritance, the children drew lots.[157]

5. Henry E. Williams's 26.5 Acres

Henry E. Williams, the youngest son, was deeded lot No. 5 on the headwaters of Island Creek. The boundary of lot No. 5, as established by Surveyor Parris, began at a stone, with the first bearing running North 65° East 9.30 chains to a stake; then North 21-3/4° West 28.50 chains to a post oak; then North 86° East 11.40 chains to a blazed dogwood; and then North 19° West 24.40 chains to the beginning corner. Lot No. 5 measured about 26.5 acres and was bounded on the southwest by land belonging to Robert Scruggs and J. F. Martin.[158]

On October 7, 1936, Williams sold lot No. 5 of the Drury Williams partition to Cly Jolley for $1,000.[159]

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155. Estate of Jesse Hammett, Spartanburg Probate Papers, File 1318, South Carolina Department of Archives and History, Columbia, S. C.

156. Spartanburg County Deed Book NN, pp. 195-97.

157. Willard Hayes with Bearss, personal interview, Jan. 22 & 23, 1974. Efforts to locate a plat showing the survey and division of the Drury Williams Estate made by H. Parris on Nov. 4, 1885, have been unsuccessful.

158. Cherokee County Deed Book R, p. 686.

159. Cherokee County Deed Book 2R, p. 243.

6. Louiza Williams Hayes's 24.7 Acres

To Louiza, the youngest daughter, went lot No. 4. The boundary of the 24.7-acre lot began at a chestnut (now a stone) and ran South 21° East 22.40 chains to a stone (now a pine); then South 65½° West 11 chains to a stone; then North 19° West 24.40 chains to four blazed sourwoods; and then North 86° East 10.70 chains to the beginning corner.

Following the deaths of their parents, James, Roland, and Hosea Hayes conveyed to Jane Hayes, their sister, for a dollar and their "love and affection," lot No. 4 of the Drury Williams estate, as platted by Surveyor D. Parris, on November 4, 1885. The land had been allotted to Louiza Williams as her "distributive" share of the estate.[160]

Lot No. 4 of the Williams estate is bounded on the southwest by lot No. 5, on the south by the Bonner Road, and on the southeast by SC11-372.

The five remaining Williams lots, along with the Jane Williams place, are not included within the authorized boundary of Cowpens National Battlefield.

G. The Will Abbett Grant, 1803-1821

1. A Pioneer Secures a Grant

One of the first settlers in the area, if not the first, was William Abbett. There is a good possibility that in 1780 he was living at the Cowpens, the source of the name of the area and the battle fought 2 miles away. On June 23, 1803, Abbett had surveyed for himself a 455-acre tract in Spartanburg District, on both sides of Island Creek, about 2 miles southwest of the battleground. The tract was bounded on the west by Young's land, on the north by Moses Cantrell's property, on the east by Knox's and Murray's land, and on the south by lands, the owners of which were unknown. On the plat prepared by the surveyor are shown, in addition to Island Creek, several improvements. A large fenced field with a symbol for a house, and a legend reading "William Abbitt's' home & field," is west of Island Creek, while a smaller fenced field is east of the stream. A road is depicted in the northeast

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160. Ibid., p. 605. Louiza Williams had married James Melton Hayes.

quadrant of Abbett's survey. A copy of this plat is found in this report.[161]

On September 5, 1803, Abbett, having submitted the necessary documentation, was granted by Governor Richardson title to the 455 Island Creek acres on which he lived.[162]

2. Richard Scruggs Acquires Part of the Grant

Will Abbett continued to live on this tract until his death in 1819. To settle his estate, his widow, Sarah, and the other heirs (William, Solomon, Drury, Matthew, John and William Abbett, James Knox, James Williamson, and William Cobb), on April 14, 1820, sold to Jesse Scruggs for $333.75 a 267-acre tract on both sides of Island Creek. The tract conveyed was bounded on the west by Young's survey, on the north by Cantrell's land, on the east by Knox's and Murray's property, and on the south by Potter's holdings.

Marking the boundary, the surveyor began at a spanish oak on Young's line; then ran with Young's line North 2° East 144 poles to a white oak corner marker on the branch; then with Cantrell's line North 82° East 93 poles to a post oak; then with the subject line North 85° East 107 poles, crossing Island Creek to a red oak on Knox's line; then with Knox's line South 35° East 45 poles to a post oak; then on another bearing of Knox's line South 42° East 80 poles to a dead red oak; then with Murray's boundary South 10° West 182 poles to a post oak; then with Potter's line South 82° West 54 poles to a stake on Potter's line; then North 7° West with Potter's boundary 150 poles to a small cherry; and then South 85° West with Potter's line 168 poles to the beginning.

The tract was the north part of the 455 acres granted Will Abbett on September 5, 1803.[163] Included in the land conveyed were the improvements shown on the 1803 plat.

On November 10, 1821, Jesse Scruggs sold the 267-acre tract to his father, Richard Scruggs, for $333.[164] Twenty-five years

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161. Spartanburg County Plat Book A, p. 60.

162. South Carolina State Grant Books, 1784-1820, Vol. 50, p. 93.

163. Spartanburg County Deed Book R, pp. 45-46.

164. Ibid., pp. 358-59.

later, Richard Scruggs reconveyed the tract to Jesse for the same sum.[165]

H. The James Knox Grant, 1802-1837

1. Knox Gets 455 Acres on Island Creek

Gov. John Drayton, in compliance with the act of February 19, 1791, granted to James Knox on March 1, 1802, "his heirs and assigns, a plantation or tract of land, containing four hundred & fifty-five acres (surveyed for him the 23rd of Dec. 1799) situate in the District of Spartanburg on Island Creek waters of Pacolet River." The grant was bounded by "lines running NE and NW by William Abbett's land, SW & SE by Wade's, and on other sides by lands said to be vacant."[166]

A copy of the plat, which Knox submitted along with the Commissioner of Locations's certification, shows Island Creek bisecting the 455-acre grant.[167]

2. Briant Bonner's 225 Acres

On September 7, 1807, James Knox sold a 225-acre tract on Island Creek (the north one-half of the Knox grant) to Will Abbett for $100. The boundary of the tract began at a red oak stake and ran North 30° East____ poles to a red oak and pine stake; then South 55° East ____ poles to a red oak; then South 40° East ____ ____ poles to a hickory; then South 20° West ____ poles to a red oak ____ poles to a chestnut stake and post oak corner; and then in a straight line to the beginning.[168]

On June 20, 1808, Will Abbett sold to Susannah Walker for $200 the 225 acres on Island Creek bounded by "lines running NE-NW by William Abbett's land, SE by Wade's, and all other sides by lands said to be vacant."

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165. Spartanburg County Deed Book 4C, pp. 231-32.

166. South Carolina State Grant Books, 1784-1820, Vol. 48, p. 252.

167. South Carolina State Plat Books, 2d Series, Vol. 38, p. 592.

168. Spartanburg County Deed Book L, pp. 67-68.

Running the boundary, the surveyor began at an oak stake on the northeast side of Island Creek; then ran a line North 30° East to a pine stump corner; then South 55° East 43 chains to a red oak; then South 40° East 3.50 chains to a hickory (Wade's old corner); then with Wade's line South 20° West 43.50 chains and crossing Island Creek to a dead post oak; and then in a straight line to the beginning.[169]

On February 3, 1823, Susannah Walker conveyed to Briant Bonner for $100 the 225-acre tract on Island Creek. The boundary was recorded as beginning at a red oak (a station on the "old line of the original survey"); then continuing North 30° East 45.30 chains to a pine stump; then South 55° East 43 chains to a red oak; then South 40° East 3.50 chains to a hickory; then South 20° West 43.50 chains to a dead post oak; and then North 58° West 54 chains to the beginning.[170]

The heirs of Briant Bonner (Obediah and Sally Surratt, Jeremiah and Charlotte Martin, Thompson and Lucinda Robb, Andrew and Susan Bonner, and Ann and Louise Bonner) sold to Nancy Martin (wife of Will Martin) on January 21, 1837, for $225, "all of the 225-acre plantation on Island Creek."[171]

I. The Matthew Abbett Grant, 1815-1842

1. A Belated Grant

Although Matthew Abbett, a son of Will and Sarah Abbett, and his family had lived on Island Creek since before the turn of the century, it was not until 1815 that he secured title to his land. On June 15, 1815, Abbett submitted the necessary documentation, and Gov. David Williams granted him "his heirs and assigns, a plantation or tract of 342 acres, surveyed for him on August 22, 1800, in Spartanburg District, on both sides of Island Creek." The 342-acre grant was bounded on the northwest by lands belonging to Will Abbett and David McClaren, on the southwest by vacant lands, on the east by George Williams's land, on the southeast by

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169. Ibid., pp. 286-87.

170. Spartanburg County Deed Book S, pp. 151-52.

171. Spartanburg County Deed Book KKK, p. 411.

Steadman's land, and on the northwest by Wade's holdings.[172]

The only geographic features shown on the Matthew Abbett plat are Island Creek and several of its tributaries.[173]

2. Matthew Abbett Sells His Grant to Rachel Price

Within 8 months of the date he obtained title to his survey, Abbett, on February 3, 1816, sold to Rachel Price for $350 his 342 acres on Island Creek. Marking the boundary, the surveyor began at a hickory and ran a line North 39° West 3.50 chains to a red oak; then North 55° West 38 chains to a post oak; then North 22° West 15.50 chains to a stake; then South 78° East 65 chains to a white oak; then North 20° East 17 chains to a pine; then East 13.50 chains to a pine; then South 50° East 34.66 chains to a red oak; then South 20° West 39 chains to a stake; and then 82° West 60 chains to the beginning.[174]

3. Rachel Price Sells 198 Acres

On December 14, 1842, Rachel Price sold 198 acres of the tract to Thomas Evans for $240. Marking the boundary, the surveyor began at a stake on E. Dobbins's line and ran a bearing North 72° West 35 chains to a hickory (Dobbins's corner); then North 39° West 3.50 chains to a red oak; then North 54° West 38.50 chains to a post oak; then North 20° East 15.50 chains to a post oak near a pine (an old corner); then North 78° East 65.50 chains to a white oak; then South 50° East 2 chains to a branch; then South 30° East 13.50 chains to a water oak; and then South 20° West 22 chains to the beginning corner. Rachel Price and her husband (Esaw) retained a life tenancy to the house on the tract.[175]

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172. South Carolina State Grant Books, 1784-1820, Vol. 60, p. 28.

173. South Carolina State Plat Books, 2d Series, Vol. 44, p. 44.

174. Spartanburg County Deed Book EE, pp. 57-58.

175. Ibid., pp. 56-58.

III. THE VEGETATIVE COVER: A DOCUMENTARY HISTORY

A. British Descriptions

The only contemporary account describing the vegetative cover of the Cowpens battleground is General Cornwallis's report. Writing Sir Henry Clinton from Turkey Creek, South Carolina, on January 18, 1781, Cornwallis reported that Colonel Tarleton

> conducted his march so well, as to make it dangerous for him [Morgan] to pass Broad river, and he come up with him at eight o'clock of the morning of the 17th instant. Every thing now bore the most promising aspect: The enemy were drawn up in an open wood, and having been lately joined by some militia, were more numerous. . . .[1]

In his History of the Campaigns of 1780 and 1781, published in 1787, Colonel Tarleton recalled that he was informed by his scouts that the area where General Morgan had posted his command was open woods and free from swamps, and that "the part of Broad river; just--above the place where King's creek joined the stream, was about six miles distant from the enemy's left flank, and that the river, by making a curve to the westward, ran parallel to their rear."[2]

Roderick Mackenzie, an officer in the 71st Regiment and a participant in the fight, recalled how General Morgan had "formed his command in an open wood, secured neither in front, flank, nor rear."

Continuing, Mackenzie wrote that Colonel Tarleton attacked before the "seventy-first regiment and cavalry . . . had . . . disentangled themselves from the brushwood [in] which Thickelle Creek abounds."[3]

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1. Banastre Tarleton, A History of the Campaigns of 1780 and 1781, in the Southern Provinces of North America (London, 1787), p. 250, hereafter cited as Tarleton, Campaigns of 1780 and 1781.

2. Ibid., p. 215.

3. Roderick Mackenzie, Strictures on Lt. Col. Tarleton's

In analyzing the two British reports, we observe that Tarleton and Mackenzie are in agreement that Morgan formed his command in open woods. East of where Colonel Tarleton effected his initial deployment, there was brushwood on either side of the Green River Road--the British line of advance.

B. Patriot "After Action Reports," Journals, and Reminiscences

1. "After Action Reports" and Journals

Unfortunately none of the "after action reports" filed by Patriot leaders refer to the ground cover on January 17, 1781. A review of the reports filed by Brig. Gen. Daniel Morgan and Lt. Col. John E. Howard, in which they describe troop movements and positions, clarifies that the battlefield had to be open woods, devoid of underbrush. Otherwise, it would have been impossible for Colonel Howard to have maneuvered his battalion as described, and to have "observed their artillery a short distance in front."[4]

After describing the Whigs' deployment, General Morgan wrote in his "after action report" made to Maj. Gen. Nathaniel Greene on January 19, 1781, that "The enemy drew up in single line of battle, four hundred yards in front of our advanced corps."

The cavalry charge, which Colonel Washington executed with such "firmness," would have been impossible in anything but open woods.[5]

Lt. Thomas Anderson of Colonel Howard's command noted in his journal:

> We had no artillery to annoy them and the Genl. not thinking it prudent to advance from the ground we had form'd, we look'd at each other for a considerable time, about sunrise they began the

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History "of the Campaigns of 1780 and 1781, in the Southern Provinces of North America" (London, 1787), p. 97.

4. John E. Howard, "Report of the Battle of Cowpens," in Henry Lee, The Campaign of 1781 in the Carolinas (Philadelphia, 1824), pp. 97-98.

5. Morgan to Greene, Jan. 19, 1781, in James Graham,

attack by the Discharge of two pieces of cannon and three Huzzas.[6]

2. Reminiscences

Reminiscences by Patriot participants provide some detail of the ground cover. Col. Samuel Hammond of South Carolina recalled:

> The ground on which the troops [Morgan's] were placed, was a small ridge, crossing the [Green River] road nearly at a right angle. A similar ridge, nearly parallel with this, lay between three hundred and five hundred yards in his rear. The valley between was made by a gentle slope; it was, of course, brought within range of the eye; passing from one to the other ridge, the land was thickly covered with red oak and hickory, with little if any underbrush. The valleys extending to the right of the general's camp, terminated in a small glade or savanna.[7]

Hammond thus identifies the open woods, where the battle was fought, as being red oak and hickory. The "small glade or savanna" would have been west of the Green River Road on the headwaters of Buck (Cudds) Creek. Hammond's line maps depicting troop movements do not show any vegetative cover. The only geographic features depicted are the Green River Road and a ravine in front of the ground occupied by Morgan's skirmishers at the beginning of the battle. (Copies of the Hammond maps are found in this report.)

The Life of General Daniel Morgan, with Portions of His Correspondence (New York, 1859), pp. 467-70, hereafter cited as Graham, The Life of General Daniel Morgan.

6. Thomas Anderson, "Journal of Lieutenant Thomas Anderson of the Delaware Regiment, 1780-1782," The Historical Magazine, 2d Series, I (April 1867), 209, hereafter cited as "Journal of Lieutenant Thomas Anderson."

7. Samuel Hammond's account is found in Samuel Johnson, Traditions and Reminiscences, Chiefly of the American Revolution in the South (Charleston, 1851), p. 527.

James P. Collins, writing many years after the battle, observed that "about sunrise on the 17th of January, 1781, the enemy came in full view." Collins, in recounting the cavalry charges, describes movements that would have been impossible unless the woods were open.[8]

C. Eighteenth-Century Secondary Accounts

The Marquis Chastellux, while en route from Monticello to the Natural Bridge, Virginia, in 1781, met a rifleman who had fought at the Cowpens. In discussing the fight, the soldier told the Marquis that "Morgan drew up his troops in order of battle, in an open wood, and divided his riflemen upon the two wings."[9]

British historian and Revolutionary War veteran C. Stedman, in writing about the battle, used for his principal source Tarleton's History of the Campaigns of 1780 and 1781. Describing the battleground, Stedman observed that the ground occupied by the Patriots was not "well chosen. It was an open wood, and consequently liable to be penetrated by the British cavalry: Both his [Morgan's] flanks were exposed; and the river, at no great distance, ran parallel to his rear."[10]

D. The Battleground as Described by Historians from 1822 to 1860

During the first 60 years of the nineteenth century, four books were published in which authors devoted considerable attention to the Cowpens battle. Two of these historians, William Johnson and Benson J. Lossing, visited the battleground while collecting data for their publications.

Johnson, who published his Sketches of the Life and Correspondence of Nathaniel Greene in 1822, therefore had firsthand

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8. James Collins, Autobiography of a Revolutionary War Soldier, ed. John M. Roberts (Clinton, La., 1859), pp. 264-65.

9. Francois Jean Chastellux, Travels in North America in the Years 1780-1781-1782 (New York, 1827), pp. 236-37.

10. C. Stedman, The History of the Origin, Progress, and Termination of the American War, 2 vols. (London, 1794), II, 321.

knowledge of the terrain and ground cover. He pointed out that

> the subject on which Morgan has been most severely censured, was the choice of ground. An open woodland, possessing nothing to recommend it but a trifling elevation; and a river winding round his left at the distance of six miles and extending parallel to his rear, so as to cut off all retreat in case of misfortune.[11]

General Morgan, in justifying his action, wrote "I would not have had a swamp in the view of my militia on any consideration; they would have made for it, and nothing could have detained them from it."[12]

According to Johnson, Morgan took up a position "on an eminence gently ascending for about three hundred and fifty yards, and covered with an open wood."[13]

"The militia of the front line," Johnson continued, were allowed "to consult their security as far as circumstances would admit, by covering their bodies with trees and firing from a rest."

"The order to the advanced party was, not to deliver their fire until the enemy was within fifty yards, then to retire, covering themselves with trees as occasion offered."[14]

Historian-illustrator Benson Lossing visited the scene of the Cowpens fight on January 11, 1849. In his two-volume Pictorial Field-Book of the Revolution, published in 1860, he describes the site as it appeared when he made his field study. He reported:

> Upon the gentle hills on the borders of Thicketty Creek, covered with pine woods, with a triangle, formed

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11. William Johnson, Sketches of the Life and Correspondence of Nathaniel Greene, Major General of the Armies of the United States, in the War of the Revolution, 2 vols. (Charleston, 1822), I, 375, hereafter cited as Johnson, Sketches of the Life and Correspondence of Nathaniel Greene.

12. Ibid.

13. Ibid., p. 377

14. Ibid., p. 378.

> by the Spartanburg [Coulter's Ford] and Mill-gap [Green River] roads, having a connecting cross-road for a base, the hottest part of the fight occurred. The battle ended within a quarter of a mile of [Robert] Scruggs's, where is now a cleared field, on the northeast side of the Mill-gap road, in the center of which was the log-house, as seen in the annexed engraving. The field was covered with blasted pine stumps, and stocks of Indian corn, and had a most dreary appearance. In this field, and along the line of conflict, a distance of about two miles, many bullets and other military relics have been found. Among other things, I obtained a spur, which belonged to the cavalry of either Washington or Tarleton.[15]

Lossing reported that General Morgan on the morning of January 17, 1781, posted his men "upon an eminence of gentle descent, covered with an open wood."[16]

The British, Lossing wrote, "retreated along the Mill-gap [Green River] road to the place near [Robert] Scruggs's . . . , then covered with an open wood like the ground where the conflict commenced. There the battle ended, and the pursuit was relinquished. It was near the northern border of that present open field that Washington and Tarleton had a personal conflict."[17]

Thus from Lossing's account we learn that the open woods extended southeast from where Morgan deployed his command at least as far as Robert Scruggs's. Lossing also informs us that by 1849 the red oak and hickory, recalled by Colonel Hammond, had given way to pines.

In 1858, two years before the secession of South Carolina precipitated the Civil War, Henry B. Dawson's Battles of the United States, by Sea and Land was published. Dawson described the ground where General Morgan formed his little army:

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15. Benson J. Lossing, The Pictorial Field-Book of the Revolution, 2 vols. (New York, 1860), II, 430-31.

16. Ibid., p. 433.

17. Ibid., p. 436.

> As in Spartanburg District, South Carolina, about three and a half miles south from the line of North Carolina. It is intersected by the road which leads from the Cherokee Ford, on the Broad River, to Mills' Gap through the mountains, and by that which leads from the court-house of the district, over the Broad River, at the Island Ford, into North Carolina; being about twenty-five [17] miles northeast from Spartanburg Court-house. It embraces a number of small, parallel ridges, at short distances apart, crossing the road at right angles; and at the time of the action, it was covered with a heavy growth of red-oak and hickory, with little, if any, underbrush. There was no swamp or other obstruction to protect the flanks of General Morgan's force.[18]

Dawson, unfamiliar with the site, made a major error. The intersection of the Green River (Mills Gap) and Coulter's Ford (Spartanburg) roads was several hundred yards behind Morgan's battle line. Unlike the participants and earlier historians, he refers to a "heavy growth of red-oak and hickory" rather than open woods.

General Morgan's kinsman and first biographer, Dr. James Graham, reported that the ground defended by the Patriots

> extended from front to rear about five hundred yards, and was crossed by two eminences, the first of which, gently ascending and stretching to the right and left, attained its highest point about three hundred yards from the front. The ground then descended for about eighty yards, when it gradually rose into the second eminence. The position was far from the neighborhood of swamps and in a country free from underbrush and covered with an ordinary growth of pine trees.[19]

Unlike the participants and other historians, Dr. Graham states that the open woods were pine. By the 1850s we know that this was true, but in the 1780s hardwoods predominated in the area.

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18. Henry B. Dawson, Battles of the United States, by Sea and Land, 2 vols. (New York, 1858), I, 648.

19. Graham, The Life of General Daniel Morgan, p. 294.

Dr. Graham reported, "In the rear of the cavalry, the horses of the militia were secured by boughs of a grove of young pines, saddled and bridled, and ready for immediate use."[20]

General Morgan, Dr. Graham wrote, rode up to where McDowell's and Cunningham's picked marksmen were posted. He directed them "to take the cover of the trees, and upon the advance of the enemy's line within good shooting distance, to show whether they were entitled to the reputation of brave men and good shots. They were directed to retire as the enemy advanced, seeking shelter from the trees."[21]

E. Benjamin Perry Describes the Battleground in 1835

Benjamin F. Perry was interested in local history. In 1835 he visited the area and prepared several articles that he planned to publish. In the one titled, "Revolutionary Incidents, No. 7, The Cowpens," Perry describes the battleground

> as in Spartanburg District, about seventeen miles north of the Court House; and four or five miles from the North Carolina line. The surrounding country is a beautiful and almost perfect plain; with a fine growth of tall pines; oak & chestnut. On the memorable 17th of January; 1781; the entire country; for miles around the Battleground; was one vast; untouched forest.[22]

Perry, who toured the area with "one of the few surviving gallant officers who commanded in the Battle," reported:

> The American Army; under Gen. Morgan; had encamped between the head waters of Suck & a branch of Buck Creek; which are not more than two or three hundred yards apart. There is now a little field on either side of the road where the American Army lay on the night previous to the seventeenth. In the morning about day light; Gen. Morgan drew up his little army on a slight ridge, extending from the head of one of those spring branches to the other.[23]

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20. Ibid., p. 296.

21. Ibid., p. 297.

22. Benjamin F. Perry, "Revolutionary Incidents, No. 7, The Cowpens," from the Benjamin F. Perry Papers found in the Southern Historical Collection, University of North Carolina Library, Chapel Hill, N.C.

23. Ibid.

These spring branches, Perry continued, were at the time of the battle "pretty well lined with cane & small reeds."[24]

When he attended "the late celebration of the Battle of the Cowpens," some of the participants had pointed out "the very trees from behind which they had fired."[25]

"The only vestige of the Battle" visible to Perry, 54 years after the event, were some of the trees "which have been cut by bullets. Some of these chops are twenty or thirty feet high; an evidence of bad shooting by one or the other of the parties. A great many of the bullets are yet to be found in the trees."[26]

On January 17, 1781, Perry concluded

> there was no undergrowth on the battle ground, & objects might be seen at a great distance through the woods; but since that bushes & saplings have grown up; & destroyed in a great measure the beauty of the forest. The whole of the Battle ground is yet in woods.[27]

F. The Battleground as Seen by Late-Nineteenth-Century Historians

1. The Carrington Map

In the 25 years between 1875 and the turn of the century, a number of historians wrote about the battle or wrote biographies of its participants. As to be expected, descriptions of the battlefield's appearance in January 1781 were drawn from previous publications.

To take advantage of interest in the Centennial of the Revolution, Henry B. Carrington in 1876 published his Battles of

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24. Ibid.

25. Ibid.

26. Ibid.

27. Ibid.

the American Revolution. According to Carrington

> the battle was fought near Broad River, about two miles south of the North Carolina boundary line, on ground used especially for pasture, which gave its name to the locality.
>
> The field of battle itself was open woodland, sloping to the front, and well adapted for skirmishing, while sufficiently clear of undergrowth for the movements of mounted men.[28]

Carrington, although generally adopting previous writers' descriptions of the geography, added a new concept--that the battlefield had been used as a "pasture."

To supplement his battle account, Carrington included a troop movement map which he had compiled and drawn. The map has no scale. Topographic features shown are Broad River and two "eminences." Carrington's map is greatly distorted: Broad River is depicted as just behind the "eminence" where Colonel Washington posted his cavalry at the beginning of the fight; the river then veers to the southeast and skirts the battleground to the east; Colonel Howard's command is posted on the south "eminence"; and Pickens's militia and Cunningham's and McDowell's skirmishers are positioned in front of this "eminence."

No roads are shown on the Carrington Map, and the entire countryside is depicted as wooded.[29] (A copy of the Carrington map is found in this report.)

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28. Henry B. Carrington, Battles of the American Revolution (New York, 1876), p. 542.

29. Ibid., p. 546. A number of authors have used the Carrington map, with minor modifications, to supplement their accounts of the battle. Among these are Christopher Ward, The War of the Revolution, ed. John R. Alden, 2 vols. (New York, 1952); and Henry Steele Commager and Richard B. Morris, eds., The Spirit of 'Seventy-Six,' the Story of the American Revolution as Told by Participants, 2 vols. (New York, 1958).

2. Wade Hampton's Description

Wade Hampton--Confederate war hero, former governor, and presently a United States Senator--made the principal address at the dedication of the Cowpens Battle Monument on the Spartanburg Square on May 11, 1881. Describing the battle, Senator Hampton told the crowd

> The position selected for the action was an admirable one. The country was open woodland, with little or no underbrush. Two ridges parallel to each other, separated by an intervening depression, crossed the field at about 150 yards distance apart. To the crest of the first the ground rose gradually for about 350 yards, and on this crest Morgan formed his main line.[30]

Senator Hampton's battle description has considerable importance, because, as a military man, he had a keen appreciation of terrain.

3. Ms. McConkey Describes the Battleground

Rebecca McConkey published a biography of General Morgan in 1885. She reported that Morgan deployed his command on a field "since occupied by the iron works of Messrs. Hampton and Elmore in Spartanburg district."[31]

A review of the chapter of this report, titled "The Cowpens and the Carolina Cattle Industry," will demonstrate to the reader that in making this statement Ms. McConkey has erred. Although ironmaster Wilson Nesbitt owned the battleground at one time, the nearest ironworks were on Cherokee Creek, about 5 miles east of the scene of Morgan's victory.

Describing the topography and ground cover, Ms. McConkey quotes Dr. Graham almost word for word. She wrote that the

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30. Hampton's address is found in 1781-1881, Proceedings at the Unveiling of the Battle Monument in Spartanburg, S.C., in Commemoration of the Centennial of the Battle of Cowpens (Spartanburg, 1896), p. 73, hereafter cited as Proceedings at the Unveiling of the Battle Monument.

31. Rebecca McConkey, The Hero of Cowpens: A Revolutionary Sketch (New York, 1885), p. 236.

position where General Morgan deployed his little army

> measured from front to rear about five hundred yards, and was crossed by two eminences; the first of which, was gently ascending and stretching to the right and left, attained its highest point about three hundred yards from the front. The ground then descended for about eighty yards, when it gradually rose into a second eminence. The position was far from the neighborhood of swamps, free from underbrush, and covered with an ordinary growth of pine trees.[32]

4. Judge Schenck Introduces Some New Elements

Judge David Schenck of North Carolina in 1889 published his excellent monograph, North Carolina, 1780-81, Being a History of the Invasion of the Carolinas.

Morgan's camp, Judge Schenck wrote, was at the Cowpens

> on a wide plain covered with primeval pines and chestnut and oak, about sixteen miles from Spartanburg, seven miles from Cherokee Ford on the Broad River, and a little less than five miles south from the North Carolina line. It was also on the same ground where the "Backwater men" encamped the evening of the 6th of October [1780].[33]

In describing the ground cover, Judge Schenck failed to include hickory, which was cited by Colonel Hammond, a participant, but did include pines that were first mentioned by Lossing and Dr. Graham, and he became the first writer to mention chestnut. His statement about the "Backwater men" was taken from Draper, King's Mountain and Its Heroes.

Describing General Morgan's deployment, Judge Schenck reported, "There was a slope of three hundred and fifty yards gently ascending to an eminence on which Morgan had taken his ground. It was covered with an open wood."[34]

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32. Ibid., pp. 236-37.

33. David Schenck, North Carolina, 1780-81, Being a History of the Invasion of the Carolinas (Raleigh, 1889), p. 207, hereafter cited as Schenck, North Carolina, 1780-81.

34. Ibid., p. 209.

Morgan's orders to the skirmishers were "to cover themselves by trees, if necessary, and not to fire until the enemy was in fifty yards."[35]

5. Dr. Landrum Studies the Battleground

Dr. J. B. O. Landrum of Spartanburg, unlike most historians writing of the battle, was familiar with the site. He had visited the battleground on numerous occasions. In his Colonial and Revolutionary History of Upper South Carolina, published in 1897, Dr. Landrum wrote that the battle was fought about 8 miles north of the town of Cowpens "and rather between the junction of the main road from Spartanburg City via Cherokee Springs and the Green River Road, just below J. H. Ezell's store."

Continuing, Dr. Landrum observed:

> The writer has often traveled over the main [Green River] road through the old battle ground and has taken some pains to inspect it. What has been described by several writers as eminences on the battle field, where the different lines were formed, are nothing more than ridges scarcely noticeable. The main [Green River] road leading to Gaffney City, between Ezell's store, half a mile above the old [Washington Light Infantry] monument and the Bobby Scruggs place, about the same distance below, between which two points the battle was fought, is in fact so level that if ties were properly placed and rails spiked down a train of cars could run over them with scarcely any grading. The only rising ground of any note on the whole field is a little eminence a short distance in rear of the ridge, where the main line was formed. This is of sufficient height to cover a man on horseback placed in the rear of it. Behind this . . . is the place where Colonel Washington remained concealed for a time with his cavalry.[36]

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35. Ibid., p. 211.

36. J. B. O. Landrum, Colonial and Revolutionary History of Upper South Carolina (Greenville, 1897), pp. 276-77, hereafter cited as Landrum, Colonial and Revolutionary History.

As Dr. Landrum has pointed out, the Green River (Mills Gap) Road, between Robert Scruggs's house and its intersection with the Coulter's Ford (Spartanburg) Road runs along the watershed separating the Island Creek and Suck Creek drainages. At the Scruggs house the elevation is about 940 feet above sea level, while the elevation where Morgan posted his skirmishers, 1,000 feet southeast of the site of the present-day junction of the Clifton-Cowpens and Green River roads, is about 970 feet above sea level. The three highest points in the battleground area are only a little more than 980 feet above sea level. These "eminences" are located as follows: (a) the first one is just behind the right flank of Morgan's skirmish line and on ground occupied by the right flank of General Pickens's militia, and several hundred feet south of the Washington Light Infantry Monument; (b) the second "eminence" is just west of the junction of the Clifton-Cowpens and Green River roads. and at the head of the Island-Buck (Cudds) Creek watershed; and (c) the third "eminence," the one behind which Colonel Washington concealed his cavalry, is east of the Green River Road, several hundred feet north of the junction with the Clifton-Cowpens Road.[37]

Continuing his description, Dr. Landrum wrote, "the forests at that time were more open, and the elevations and depressions were more easily seen, than at present, as the old battle ground is now covered with a thick, scrubby growth of blackjack and other timber, with here and there an occasional tall pine or oak of ancient appearance."[38]

The orders, Dr. Landrum wrote, were for the "front line of sharpshooters [McDowell's and Cunningham's men] . . . to protect themselves as much as possible by trees, to fire from a rest and not to deliver their fire until, the enemy was within fifty yards."[39]

G. The United States Army Studies the Battlefield

1. Major Hall's Trip Report

With the introduction of legislation in the mid-1920s to establish a national monument to commemorate the Cowpens battle, several

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37. U. S. Department of the Interior, Geological Survey, Cowpens Quadrangle, 15 Minute Series, 1959.

38. Landrum, Colonial and Revolutionary History, p. 278.

39. Ibid., p. 280.

army officers visited the area on behalf of the War Department, which until 1933 was responsible for the national military parks.

Maj. C. L. Hall of the Corps of Engineers, who visited the site on September 9, 1926, reported:

> The Cowpens Battleground is about eight miles northwest of . . . Gaffney. . . . It is not shown on any mapped Geological Survey quadrangle. The standard historical maps contained in text books on the American Revolution are in error, since they fail to show that the battlefield is about 5 miles south of the Broad River.

The maps Major Hall referred to were the Carrington map and others that had been adapted from it.

Major Hall found the site to be "a plateau, partly covered by second growth timber and partly by small cotton farms."

In his trip report, he complained:

> As accounts agree that in 1781 this was pasture land the battlefield is difficult to spot. The problem is made easier by the existence of a very badly dilapidated monument, erected in 1856. . . . This is said to mark the exact spot where Tarleton's men broke. As in 1856, a few participants in the battle were still alive, this assumption may be taken as correct. It is confirmed by the large number of bullets formerly found in the vicinity.[40]

Use of the words "pasture land" by Major Hall indicates that he could not have been very familiar with the history of the area and battle.

With the Washington Light Infantry Monument as a reference point, Major Hall advised his superiors that "the topography (but not the culture) of the battlefield, as described by H. B. Carrington in 'Battles of the American Revolution' can be checked."

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40. Hall to Chief of Engineers, Sept. 10, 1926, NA, RG 79.

Because he was in the area, U. S. Representative J. J. McSwain of the 4th South Carolina District and a proponent of the Cowpens legislation, employed a local surveyor to make "measurements with a view of preparing a rough plot of the battlefield site."[41]

His discussions with Representative McSwain and members of the Spartanburg Chapter of the Daughters of the American Revolution led Major Hall to conclude that "it was desired to establish a federal military park of about 20 acres, covering practically the entire field of battle, and marked by cast iron markers of the Antietam type, with a special paved road along Morgan's original front."[42]

2. Colonel Landers Reconnoiters the Field

By 1928 legislation had been enacted by Congress appropriating funds for a survey and study of the Cowpens battlefield. To make the site study and evaluation, the Secretary of War selected the War Department's expert on the nation's battlefields--Lt. Col. H. L. Landers of the Army War College's historical branch.

Colonel Landers, after studying the sources, visited the battleground on April 8, 1928. He reconnoitered the field, took a number of photographs, and chatted with longtime residents, such as Mrs. James A. Scruggs, Sr.

When he returned to Washington, Colonel Landers prepared his account of the battle and its significance, which was published by the Government Printing Office in 1928 under the title Historical Statements Concerning the Battle of Kings Mountain and the Battle of the Cowpens, South Carolina. Included as a supplement to the study were two troop movement maps. Employing the recently completed topographic map of the area, Colonel Landers plotted the troop positions. Engrossed as he was in preparation of his published study, Colonel Landers apparently failed to submit a trip report describing his April visit to the battleground.[43]

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41. Ibid.

42. Ibid.

43. Ms. Joyce Eakin with E. Bearss, telephone interview, Jan. 2, 1974. Ms. Eakin reported that a file card indicated

In his published report, Colonel Landers located General Morgan's camp "in a wooded ravine having a stream of water running through it, which lay north of the Mill Gap [Green River] Road, and about a thousand yards northwest of the cabin of Robert Scruggs, which was visited by Lossing in 1849."[44]

Colonel Landers identified the site selected by General Morgan for the battle as

> on both sides of the Mill Gap [Green River] Road, just south of the camp. The ground is slightly undulating, and at the time was covered with scattered trees of red oak, hickory, and pine. Being used for the grazing of cattle, there was but little, if any underbrush. Two very slight elevations top the ridge along which the Mill Gap Road runs, and these were selected as the lines of deployment for the American troops.[45]

Morgan's main line of resistance, Colonel Landers wrote,

> was on the elevation just south of the ravine, in which camp was established. To its front for 300 yards there is a scarcely perceptible slope downward; beyond this the slope is greater, dropping off into a shallow ravine 700 yards from the main position. To the rear of the

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that Colonel Landers's reports were transferred from the Army War College to Office, Chief of Military History, in 1951. Ms. Hannah Zeidlik of the Office, Chief of Military History, has searched unsuccessfully for the Landers files.

44. H. L. Landers, Historical Statements Concerning the Battle of Kings Mountain and the Battle of the Cowpens, South Carolina (Washington, 1928), p. 63, hereafter cited as Landers, Historical Statements.

45. Ibid. Colonel Landers, in identifying the two very slight elevations, refers to the one several hundred feet southeast of the Washington Light Artillery Monument where Pickens's militia was posted, and the one beginning at the junction of the Green River and Cowpens-Clifton roads and extending several hundred feet in a northwesterly direction. He has undoubtedly included with the latter, the slight elevation east of the Green River Road, several hundred feet north of the junction, behind which Colonel Washington posted his cavalry.

main position, and just west of the camp site, is an elevation slightly higher than that of the main position. This ridge continues across the road in a south and southwest direction, but at a slightly less elevation. From either ridge the terrain between the two was visible under and through the trees. The ground offered no cover for either the attack or the defense, except such as was furnished by the trees. The flanks of both armies were exposed, as the terrain was favorable in all directions for the operation of mounted troops. The ravine [on the headwaters of Suck Creek] in which Morgan camped and one [on the headwaters of Buck Creek] on the opposite side of the road offered but little interference with the movement of foot or mounted troops.[46]

H. The Battleground as Seen by Contemporary Authors

1. A. L. Pickens, Biographer, Writes on the Battle

During the years following the establishment of the Cowpens National Battlefield Site in 1929 and 1973 (especially between 1954 and 1961), a number of monographs and biographies were published that gave descriptions of the Cowpens battleground. As previous writers had done, the authors, with the exception of Hugh Rankin, relied on previously published accounts for their information.

The first of these publications was A. L. Pickens's Skyagusta: The Border Wizard Owl, Major-General Andrew Pickens, published in 1934. According to this first biographer of Pickens, the general, on January 16, 1781, told his men, "We are going to fight, tomorrow. Stand fire as long as you can. Don't shoot until the men are within thirty paces of you. You can dodge behind trees and stand it."[47]

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46. Ibid., pp. 63-64.

47. A. L. Pickens, Skyagusta: The Border Wizard Owl, Major-General Andrew Pickens (1739-1817) (Greenville, 1934), p. 69. Since then two other Pickens biographies have been published, but they contain no new information on the appearance of the battleground.

This further corroborates that the battlefield was in an open wood.

2. Christopher Ward Describes the Battleground

Christopher Ward in his The Delaware Continentals, published in 1941, reported that General Morgan

> withdrew precipitately toward the Broad River, his adversary occupying the ground, on which he had lain the night before, a few hours after it had been vacated. At a place called the Cowpens, from the fact that there "a certain prosperous Loyalist, named Saunders" was accustomed to round-up his ranging cattle, Morgan halted his troops on the evening of the same day [January 16, 1781].[48]

The information about Saunders first appears in Draper, King's Mountain and Its Heroes.[49]

The ground where the Patriots camped that night, Ward continued, was in "a wide plain covered with primeval pines, chestnut and oak," free from undergrowth and therefore open to horsemen. There were no "swamps or thickets upon which to rest the flanks of a battle line."[50]

Ward reported that

> behind and to the north of the ground where his men had bivouacked, there was a slight eminence, rising gradually for about 350 yards and then sloping off

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48. Christopher Ward, The Delaware Continentals, 1776-1783 (Wilmington, 1941), p. 372, hereafter cited as Ward, The Delaware Continentals. In 1952 Macmillan Co. published Ward's two-volume work, The War of the Revolution, ed. John R. Alden. The chapters of this two-volume work covering battles in which the Delaware Continentals fought are almost identical to Ward's earlier book.

49. Lyman C. Draper, King's Mountain and Its Heroes: History of King's Mountain, October 7th, 1780, and of the Events which Led to It (Baltimore, 1967), pp. 223-24, hereafter cited as Draper, King's Mountain and Its Heroes.

50. Ward, The Delaware Continentals, p. 372.

> to the north into a swale. Behind that again the ground rose to a lesser eminence which in turn sloped north toward a plain beyond which ran the river; the whole terrain was covered with an open wood.[51]

A reconnaissance of the battleground and a study of the Cowpens Quadrangle leads to the conclusion that Ward, if he ever visited the field, possessed no appreciation of the terrain. The "slight eminence" where Morgan posted his command was southwest, not north, of his camp. The only swales to the north of the "slight eminence" were to the east and west of the Green River and Island Ford roads. The road to Island Ford, north of its intersection with the Green River Road, follows a ridge for a number of miles before dropping into the valley of Broad River.

Morgan's skirmishers, Ward continued, "were to take cover behind trees. They were to withhold their fire until the advance of the enemy was within 50 yards and then to take careful aim at 'the men with the epaulets.'"[52]

Ward wrote that the British broke camp at 3 a.m. on January 17, 1781. "For five hours they marched in darkness on muddy roads, through swamps and creeks and over broken ground, covering a distance of eight very long miles before they came in sight of the Americans."[53] The fact that the Patriots were some distance to the front further substantiates that the woods were open.

3. Hugh Rankin's Monograph

In 1954 Hugh F. Rankin had a monograph of the Cowpens battle published in the North Carolina Historical Review. Rankin's account shares with Colonel Landers's Historical Statements the distinction of being the best and most accurate history of the battle.

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51. Ibid., p. 373

52. Ibid., p. 374.

53. Ibid., p. 376. The British, in marching from their camp at Ferguson's cabins, would have traveled about 15 miles, not 8 miles.

According to Rankin's copiously documented monograph, "the position selected for the American stand was at the summit of a long, gently sloping ridge, covered with an open woods facilitating cavalry operations. The Broad River at the rear discouraged all thoughts of retreat and Morgan's exposed flanks invited encirclement."[54]

Continuing with his description of the topography and vegetative cover, Rankin wrote, "The battle ground was slightly undulating with a thick growth of red oak, hickory and pine. Because of the cattle, there was little undergrowth."[55]

A review of the sources cited by Rankin in his footnote for these sentences fails to show where he obtained authority for his statement that there was a "thick growth" of the enumerated types of trees. Information in the primary sources, by inference, and the tactics employed, lead to the conclusion that the trees would not have constituted a "thick growth."

4. Robert Bass Describes the Battleground

Dr. Robert Bass in 1957 published his biography of Banastre Tarleton and Mary Robinson. Dr. Bass, describing the area where General Morgan proposed to accept battle, wrote:

> The country around Morgan was exceedingly rough and hilly. Before him ran a red clay byroad. Behind him for 350 yards the terrain rose toward a ridge, a slope of open wood of oak and chestnut where once a Loyalist named Saunders penned his cows from the range. For 80 yards behind this crest the ground dropped into a swale. Then from a smaller ridge the country leveled into a plain stretching toward Broad River. To the east stood Thicketty Mountain, and in the distant west loomed the Blue Ridge Mountains.[56]

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54. Hugh F. Rankin, "Cowpens: Prelude to Yorktown," The North Carolina Historical Review, XXXI, No. 3 (July, 1954), 354.

55. Ibid., p. 356.

56. Robert D. Bass, The Green Dragoon: The Lives of Banastre Tarleton and Mary Robinson (New York, 1957), p. 154.

Once again, a reconnaissance of the area and a review of topographic maps lead to the conclusion that, although he taught at Limestone College in nearby Gaffney, Dr. Bass failed to appreciate the terrain. The two roads (Green River and Coulter's Ford) followed gentle ridges. To the northeast, southeast, southwest, west, and northwest of the battleground the land sloped rather gently into the drainages of Suck, Zekial, Island, Buck (Cudds), and Horse creeks.

Dr. Bass is one of the few writers to identify the battleground as the open woods where Saunders penned his cattle. The location of the swale, the smaller ridge, and the plain stretching toward Broad River were commented upon in our review of Christopher Ward's description of the area's topographic features.

"Across the crown of the ridge" at the Cowpens, Dr. Bass continued, "among the oaks and chestnuts, in a line about a quarter of a mile long, Morgan deployed his seasoned troops."

In "the swale behind the crown of Cowpens, Morgan posted Lieutenant Colonel Washington. . . . This was his only reserve." He had already ordered "the drivers of the baggage train to move on toward Broad River and the horses of the militia to be tied in the woods beyond the swale."[57]

5. The Callahan and Higginbothom Biographies

Two biographies of Daniel Morgan were published in 1961. North Callahan, in Daniel Morgan: Ranger of the Revolution, wrote that the Patriot force on the evening of January 16, 1781, "reached a rolling, grassy slope covered by scattered pine, oak, and chestnut trees, near the Broad River, called Hannah's Cowpens from the name of the man who had grazed his cattle there. Two low and successive hills topped the slope."[58]

Like Ward and Bass, Callahan writes of two eminences or low hills. It is apparent that the trio, in describing the terrain, were being unduly influenced by the Carrington map. By referring to the map, the reader will see that there are two eminences

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57. Ibid., pp. 154-55.

58. North Callahan, Daniel Morgan: Ranger of the Revolution (New York, 1961), p. 205.

separated by a swale. On the first of these Morgan posted Colonel Howard and his Continentals, while Colonel Washington took position with his cavalry behind the second.

Continuing his description of the topography and ground cover, Callahan wrote:

> at the crest of the gently sloping, open woodland and for a good part of the way along its sides and front, trees were scattered so sparsely that Tarleton's cavalry could operate through them with little difficulty. Neither on the flanks nor in the front were there any natural obstacles such as ridges, swamps, or thickets.[59]

Don Higginbothom, in Daniel Morgan: Revolutionary Rifleman, described the area in similar words. General Morgan, he wrote,

> resolved to spend the night on the west side of the Broad at a place known as the Cowpens, where Carolina farmers grazed their cattle before sending them east to market. The Cowpens was a long, gently sloping ridge covered with open woods of red oak, hickory, and pine. Beyond the crest of the ridge was a swale extending northward for eighty yards. Then came a smaller ridge behind which the ground gradually leveled into a plain, stretching toward the Broad River. The open woods would give Tarleton room to maneuver his cavalry, and there were no swamps or thickets to protect the American flanks.[60]

As previously observed, the battleground lies on a gently sloping ridge--the watershed that separates the drainages of Island, Suck, Buck (Cudds), and Horse creeks. Most of the land involved in the fight is from 960 to 980 feet above sea level. Only three small areas rise above 980 feet. One of these is south of the Washington Light Infantry Monument, another begins at the junction of the Cowpens-Clifton and Green River roads

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59. Ibid., p. 206.

60. Don Higginbothom, Daniel Morgan: Revolutionary Rifleman (Chapel Hill, 1961), p. 131.

and extends several hundred feet to the southwest, and the third is east of and paralleling the Green River Road about midway between the aforementioned junction and the Ezell house.

Dr. Higginbothom continued,

> Astride his horse, behind Howard's Continentals, Morgan caught sight of green-jacketed dragoons moving among the dense foliage at the far end of the slope; they were followed by infantrymen in scarlet and white. It was now about seven A.M. As the British gathered at the edge of the open wood, Tarleton sent a detachment of dragoons to disperse Morgan's skirmishers.[61]

Higginbothom, the reader will observe, has made contradictory statements. At one point he refers to "dense foliage" and in the next sentence he writes about an "open wood."

6. The Cowpens Plate in the American Heritage Atlas

In 1966 American Heritage published its Pictorial Atlas of United States History. Among the plates appearing in this handsome volume is one depicting the Cowpens battle. The Cowpens plate correctly shows the area as an open wood. The road network as shown is incorrect on several points: first, the road labelled "Old Mill Gap Road" is the Green River Road; second, the road labelled "Green River Road" was not extant in 1781; and finally, the artist has not shown the Coulter's Ford Road, which intersected the Green River Road north of the battleground.[62]

7. Bobby Moss Describes the Battleground

Local historian Bobby Moss, in The Old Iron District, published in 1972, correctly describes the topography and ground cover. "The terrain," he wrote, "on which the battle was to be fought was

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61. Ibid., p. 136.

62. The American Heritage Pictorial Atlas of United States History (New York, 1966), pp. 110-11.

almost a plain with a ravine on each side and with little undergrowth in front of the troops which they could use for cover."[63]

I. Kinds of Trees Used for Boundary Markers

The surveyors, in marking boundaries of the landholdings in the Cowpens area, generally used trees. On the plats and in the grant and deed descriptions the kind of tree is recorded. These sources thus provide documentation of the kinds of trees found on and near the Cowpens battleground in the late eighteenth and early nineteenth centuries.

In marking Daniel McClaren's two 1,000-acre grants encompassing the battleground and its immediate vicinity in 1802, Surveyor William Smith identified as boundary markers nine pines, seven post oaks, four red oaks, three black oaks, one white oak, one maple, one poplar, one hickory, and one ash. Where no prominent trees were convenient, he employed three stakes.[64]

Twenty-six years later, in 1826, Joseph Camp surveyed for Nathan Byars 394 acres on both sides of the Green River Road, including the Cowpens battleground. In marking the boundary, Camp used and identified six red oaks, two pines, two white oaks, one post oak, and one stake.[65]

John Gibbs, who surveyed in 1845 the 356 acres claimed by Col. N. Gist on Buck Creek west of the battleground, employed as markers two red oaks, two stakes, one post oak, one white oak, and one spanish oak.[66]

In 1796, 6 years before the McClaren surveys, Vardry McBee ran and marked the metes and bounds of 500 acres for George Williams on a branch of Island Creek. The Williams grant was

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63. Bobby G. Moss, The Old Iron District: A Study of the Development of Cherokee County--1750-1897 (Clinton, S.C., 1972), p. 75, hereafter cited as Moss, The Old Iron District.

64. Spartanburg County Plat Book A, pp. 26 and 29.

65. Spartanburg County Plat Book B, p. 383.

66. Plat of Colonel N. Gist's 356 Acres, drawn by John Gibbs, D.S., Feb. 17, 1845, files of Mrs. C. M. Moser.

adjacent to and southeast of the battleground. For boundary markers, McBee used four red oaks, four post oaks, two white oaks, two pines, one hickory, one chestnut, one spanish oak, and one stake.[67]

Jesse Connell, in the autumn of 1786, surveyed for James Steadman of Charleston a 2,482-acre tract on "the head branches of Island Creek, branches of Broad River and Buck Creek." The Steadman tract is west of the battleground. In marking the boundary of the Steadman survey, Connell used as markers eight black oaks, four post oaks, three hickories, two pines, two dogwoods, one maple, one spanish oak, and one white oak.[68]

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67. Plat of George Williams, Loose State Plats, Bundle 196, Plat No. 140.

68. Plat of James Steadman, South Carolina State Plat Books, 1st Series, Vol. 23, p. 192.

IV. THE ROAD NETWORK: BEFORE, DURING, AND AFTER

A. The Evolution as Traced by Maps and Plats

1. Pre-Revolutionary War Maps

In January 1781 there were few roads in the region between the Pacolet and Broad rivers. As expected, maps of the provinces of North and South Carolina, published in the early and mid-1770s, show no roads traversing the area.

John Collet's "A Compleat Map of North Carolina from an Actual Survey," published in 1770, locates and identifies only one trace in the region--the "Trading Path to the Cherokee Nation." This trace, also known as the "Lower Cherokee Traders Path," passed through Salisbury and Charlottesburg, crossed Broad River below the mouth of the Pacolet, and continued on to the lower Cherokee towns.[1]

James Cook's "Map of the Province of South Carolina," published in 1773, fails to locate or identify the "Trading Path to the Cherokee Nation." Cook, however, pinpoints a road ascending the watershed between Broad River and Fair Forest Creek and striking, but not crossing, the Pacolet River near the mouth of Richland Creek. In the area between the confluence of the Pacolet and Broad rivers and the 1772 line separating North and South Carolina, are shown a number of smaller streams. Flowing into the Broad River from north to south are "Thickelle, Cherokee, Scrratt, and Suck creeks," while joining the Pacolet are Island, Buck, and Bear Creeks.[2]

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1. John Collet, "A Compleat Map of North-Carolina from an Actual Survey," engraved by I. Bayly, May 1, 1770, from the William P. Cumming Collection; John W. Walker to Richard F. Carrillo, Nov. 23, 1973. John W. Walker is a research archeologist assigned to the NPS Southeast Archeological Center at Tallahassee, Fla., and Richard F. Carrillo is an archeologist with the South Carolina Institute of Archeology and Anthropology at Columbia, S.C.

2. James Cook, "Map of the Province of South Carolina, with all Rivers, Creeks, Bay, Inletts . . ., published according to Act of Parliament, July 7th 1773 and sold by H. Parker, in Cornhill by James Cook."

Henry Mouzon's "An Accurate Map of North and South Carolina," published in 1775, adds a few details not depicted on the Cook map. It locates the "Path from the Cherokees," which is shown crossing Broad River just below the mouth of the Pacolet or Sandy River. The same watercourses featured on the Cook Map are located and identified in the area between the Pacolet and Broad rivers.[3]

2. Post-Revolutionary War Maps

William Faden, Geographer to the King, in 1786 published "The Marches of Lord Cornwallis in the Southern Provinces, now States, of North America; Comprehending the Two Carolinas, with Virginia and Maryland, and the Delaware Counties," to supplement Colonel Tarleton's History of the Campaigns of 1780 and 1781.

On the map, in the region between the Broad and Pacolet rivers, Faden locates and identifies "Thicket Cr." Among the Broad River tributaries shown are Sandy Run, Little Broad (First Broad River), Buffalo Creek, Kings Creek, Bullocks Creek, and Turkey Creek. Located and labelled on the Faden map are these crossings of Broad River: Tate's Ferry, Cherokee Ford, Smith's Ford, and Talbot's Ferry.

Roads that are depicted on the map include a north-south road crossing the Pacolet about midway between its confluence with the Broad River and the mouth of Lawson's Fork. About halfway between the Pacolet River and "Thicket" Creek, this road forks. One branch veers to the northwest, enters North Carolina, crosses Broad River west of the mouth of Sandy Run, and intersects the River Road that runs parallel with the north bank of Broad River. It then continues up the west side of Sandy Run to a junction with the east-west road that connects Gilbert Town with Charlotte by way of Tuckasege Ford. The other fork of the road continues to the northeast into North Carolina. After crossing "Thicket" Creek, it intersects a road paralleling Broad River and connecting Smith's Ford and Tate's Ferry. Passing Broad River at Cherokee Ford, the road follows

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3. Henry Mouzon, "An Accurate Map of North and South Carolina, with Their Indian Frontiers, Showing in a Distinct Manner all the Mountains, Rivers, Swamps, Marshes, Bays, Creeks, Harbors, Sandbanks, and Surroundings on the Coasts, with the Roads and Indian Paths . . ., from Actual Surveys by Henry Mouzon and Others, May 30, 1775."

the Buffalo-Kings Creek watershed into North Carolina. About midway between Broad River and the North Carolina line, it intersects the River Road paralleling Broad River.

In evaluating the Faden Map, it must be pointed out that, because of the scale, a number of roads that were unimportant in portraying the movements of the principal British columns are not shown. Among these are the Green River and Coulter's Ford roads.

On the Faden Map are shown the principal movements of the British columns. Lt. Col. Banastre Tarleton's line of march is depicted as proceeding along the north-south road across the Pacolet, and then advancing up to the forks, midway between the Pacolet and "Thicket Cr." Taking the left-hand fork, Tarleton's corps continued up this road to its defeat at the Cowpens.

Tarleton's line of retreat is traced down this road to the forks. It is then shown moving cross-country, fording Broad River between the mouths of the Pacolet and Bullocks Creek, and then on to a rendezvous with Maj. Gen. Charles Cornwallis's army near Turkey Creek.

Faden depicts the marches of the British columns in the fourth week of January, as they sought to intercept Brig. Gen. Daniel Morgan's corps. Cornwallis's line of march is depicted as up the River Road, paralleling the north bank thereof. Tarleton's foray west of Broad River is depicted. Crossing Broad River at Smith's Ford, Tarleton took the road paralleling the south bank of Broad River to Tate's Ferry, where he re-crossed Broad River and rejoined Cornwallis's column. The British army then continued up the River Road to the Buffalo Creek-Little Broad watershed. Here the British took a road that ascended the watershed and connected with the Gilbert Town-Tuckasege Road.

A review of surveyors' plats, the Whitten-Mills Map, and the reports of participants leads to the conclusion that Faden has correctly located a number of the local roads and the movements of Cornwallis's and Tarleton's columns. Tarleton, on his march from Burr's Mill to the Cowpens, took the road south of Thicketty Creek. Passing to the west of Thicketty Mountain, this road joined the Green River Road (not shown on Faden's Map) about 2 miles east of the battleground. At this point Tarleton turned his column onto the Green River Road.

The road depicted as Tarleton's line of march on the Faden

Map is located and identified on the survey prepared by John Camp for Isaac Williams in 1806 as the "Charleston Road." The Whitten-Mills Map shows the "Charleston Road" converging into the "Green River Road" at the battleground. This is questionable, because no plats or deed descriptions of the area prior to the 1860s relate such a situation.[4]

3. The Whitten-Mills Map

The first detailed, large-scale map of the area was published in 1825 by Robert Mills, 44 years after the Battle of the Cowpens. The map of Spartanburg District, which Mills included in his Atlas, was based on J. Whitten's 1820 survey of the district. Shown on this map, drawn at a scale of 2 miles equals 1 inch, are the principal physical features--roads for which the commissioners of roads were responsible, mills, post offices, and taverns--along with information on the resources of the country. Mills, as to be expected in a project of this scope, locates the "Battle of the Cowpens" with both a symbol and a label.

In Spartanburg District, between the Pacolet and Broad rivers, Sarratt's, Cherokee, Peoples, Gilkey's, Thicketty, and Buck creeks are located and identified. Unlike Cook and Mouzon, Mills fails to locate and label Island, Suck, and Bear creeks.

A number of public roads are located on and near the Cowpens battleground. Immediately west of the battleground is the road leading from Island Ford on Broad River to Spartanburg by way of Cothe's (Coulter's) Ford on the Pacolet. Crossing the aforementioned road, south of and adjoining the battleground, is a road leading from the Union District line via Coleman's Tavern to the North Carolina boundary and on to the Green River. Intersecting the Island Ford-Spartanburg Road, north of and adjacent

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4. William Faden, "The Marches of Lord Cornwallis in the Southern Provinces," frontispiece in Banastre Tarleton, The Campaigns of 1780 and 1781 in the Southern Provinces of North America (Dublin, 1786). The Isaac Williams plat is found in Spartanburg County Plat Book A, p. 194. My colleague, Archeologist Jack Walker, playing the part of the devil's advocate, called my attention to the Faden Map, stressing its importance as a document in determining the whereabouts of certain of the historic roads and in interpreting the movements of the principal British columns in the Cowpens campaign.

to the battleground, is a road (the Green River Road), which passes to the north of Thicketty Mountain and joins the Island Ford-Union Line Road, near Nesbitt's Cherokee Creek furnace.

Mills identifies the countryside northwest and northeast of the battleground as "Extreme Poor and Level Land," and the countryside southwest and southeast as "Poor Land." The presence of iron ore is indicated on Thicketty Mountain, and in the triangle formed by the Green River and the Island Ford-Union Line roads.[5]

4. The Coast Survey Map of 1865

The United States Coast Survey map of "Virginia, North Carolina, and South Carolina," published in 1865, has a scale of 10 miles equals 1 inch. In the region between the Broad and Pacolet rivers, Thicketty, and Buck creeks are shown and identified. Located but not labelled are Cherokee, Sarratt's (Ross), McGowan, and Gilkey creeks.

The road network in the vicinity of the battleground is identical to that depicted on the Whitten-Mills Map of 1825. The battleground is located and labelled, "Battle Field 1781." The symbol for the battle is positioned northeast of the intersection of the Green River and Island Ford roads.[6]

5. The McCullough Map of 1887

In 1887, E. H. McCullough published his "Map of the County of Spartanburg, Compiled from Sloan and Epton's Survey of 1869, State & U.S. Maps and other Authentic Sources by E. H. McCullough, 1887," with a scale of three-fourths of an inch equals 1 mile.

Local topographic features shown and identified on McCullough's map include Thicketty Mountain, Big Thicketty, Island, and Suck creeks. The "Cowpens Battle Ground" is pinpointed and labelled by a conventional symbol, about one-half mile southeast of "Ezells P.O." An incorrect date, "1780," is given to the battle.

The road network, except for several additions, is the same as shown on the Whitten-Mills Map of 1825. The Green River Road (now called the Mills Gap Road) crosses the Coulter's Ford Road at Ezell's Post Office. The road, which in 1825 led southeast

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5. Robert Mills, Atlas of the State of South Carolina (Columbia, 1825), Spartanburg District.

6. Calvin D. Cowles, comp., Atlas to Accompany the Offical Records of the Union and Confederate Armies 1861-1865, (Washington, D.C. 1891-1895), Plate CXLII.

from the intersection of the two aforementioned roads to the Union District line by way of Coleman's Tavern, follows its historic alignment.

Three local roads,not previously depicted on maps, are found on the McCullough Map. Crossing the Green River (Mills Gap) Road about 2 miles east of Ezell's Post Office is the "Old Horse Power Tramway," running north and south from State Line Post Office to the village of Cowpens. A crossroad, the Bonner Road, runs southwest from the intersection of the Green River (Mills Gap) Road and the Tramway, intersecting the Coulter's Ford Road at the Martinsville Post Office. A third road leaves the Coulter's Ford Road about one mile south of Ezell's Post Office. Running northwest, the road converges with the Green River (Mills Gap) Road about 3 miles west of Ezell's Post Office.

Unlike previous maps, the McCullough Map locates and identifies homes of a number of local residents. On the Green River (Mills Gap) Road, about one mile southeast of Ezell's Post Office, are symbols pinpointing the homes of Bob Scruggs and D. Martin. On the Bonner Road and along Island Creek to the south are found symbols for Hammett's Mill and the homes of R. B. Martin, J. J. Price, and ----- Scruggs. Along the Coulter's Ford Road, north of Ezell's Post Office, a symbol pinpoints R. P. Scruggs's home, while on either side of the road, between Ezell's Post Office and the Martinsville Post Office, are symbols for the homes of C. S. Jarrett, G. Lawson, W. R. Cudd, F. H. Cash, and Jesse L. Scruggs.

The area is bisected by a line running north and south that divides Limestone and Cherokee townships. The "Battle Ground" is in Cherokee Township, and Bob Scruggs's residence is in Limestone Township.[7]

6. Ezell's Postal Route Map

In 1897 James H. Ezell, in accordance with the rules and regulations of the Post Office Department, prepared a sketch map on which he located the post office he operated, the adjacent post offices, the local road network, and several rivers and

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7. "Map of the County of Spartanburg, Compiled from Sloan and Epton's Survey of 1869, State & U.S. Maps and other Authentic Sources by E. H. McCullough, 1887."

streams. The sketch map was accompanied by a questionnaire.

On the questionnaire, Ezell identified the post office for which he was responsible as Ezell, and stated that it was in Cherokee Township of "Cherokee (late Spartanburg) County," South Carolina. The nearest "prominent river" was the Broad, 6 miles north of Ezell, and the nearest creek was Buck, one-half mile to the south. Ezell identified the nearest post office on the same route as State Line, 2 miles north, and "the nearest Office, on the same route, on the other side, "as Martinsville, 4 miles south. The nearest post office not on the same route, was Maud, 6 miles east.[8]

On the sketch map that he submitted, Ezell located, in addition to Broad River and Buck Creek, Pacolet River, and Suck, Island, and Horse creeks. Besides locating the Ezell, Maud, State Line, and Martinsville post offices, Ezell pinpointed four more local postal centers--Cherokee to the south, Parris to the west, Brooks to the northwest, and Hicksville on Broad River to the north.

Ezell located and identified these roads: the Gaffney (Green River) Road, running southeast from Ezell on the Suck-Island Creek watershead; the Clifton Road, joinning the Gaffney Road a short distance southeast of Ezell and crossing Island Creek; the Spartanburg (Coulter's Ford) Road, intersecting the Gaffney Road at Ezell; the Mills Gap (Green River) Road diverging from the Rutherford (Island Creek) Road a short distance northwest of Ezell; and the Rutherford (Island Creek) Road, leading north along the Suck-Horse Creek watershed.[9]

7. The James Steadman Plat

The best sources for identifying and locating local historic trails and roads are the surveyors' plats, which those individuals securing grants to lands were compelled to file with appropriate authorities. The earliest plat of the Island Creek area was drawn in 1786, but it was not until 1802 that plats were drawn at a scale large enough to show the road network and to identify and label the battleground.

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8. Post Office Department Questionaire, filled out by J. H. Ezell, Apr. 23, 1897, Records of the Post Office Department, Bureau of the 4th Asst. Postmaster General, Div. of Topography, Report of State Locations, S.C., NA, RG 28.

9. Ezell's sketch map, Apr. 23, 1897, found in ibid.

In 1786 James Steadman had Jesse Connell survey and mark the metes and bounds of a 2,482-acre tract "on the head branches of Island Creek branches of Broad River and Buck Creek." Shown on the Steadman plat (a copy of which accompanies this report), are three branches of Suck Creek flowing to the northeast, six branches of Island Creek running to the east and south, two branches of Buck Creek streaming to the west and south, and the "waters of Horse Creek" flowing to the north. A dotted line, indicating a trace, but not labelled, follows the Island-Suck-Horse Creek watershed. This is undoubtedly the Green River Road.[10]

8. The Daniel McClaren Plats

The first plats locating the Cowpens battleground were prepared by William B. Smith, at a scale of 40 chains equals 1 inch, to locate and document the two 1,000-acre grants secured by Daniel McClaren from Gov. James B. Richardson in January 1803. The first of the grants included the "Cowpens Battleground," which is shown southeast of the intersection of the Green River and Coulter's Ford roads. In addition to the battleground and roads, several other features--watercourses and boundary markers--are depicted. Streams shown and identified by the surveyor are Horse, Buck (Cudds), and Island creeks.[11]

Smith's second plat documents the location of McClaren's second 1,000-acre grant, which bounds the first on the north. Once again, the Green River and Coulter's Ford roads and the Cowpens battleground are located and labelled. Watercourses shown are the headwaters of Horse, Suck, and Camp creeks. A trail is shown leaving the Coulter's Ford Road and leading northwest down the Horse-Camp Creek watershed.

As to be expected, both roads follow the high ground that separates the watersheds of the maze of streams heading in the area adjacent to the battleground.[12] Copies of both the McClaren plats are found in this report.

9. The Nathan Byars Plat

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10. South Carolina State Plat Books, 1st Series, 1784-1820, Vol. 23, p. 192.

11. Spartanburg County Plat Book A, p. 26.

12. Ibid., p. 29.

The next plat showing the road alignment and location of the battleground is the one prepared by Joseph Camp in April 1826 to document Nathan Byars's 394-acre grant. On his plat, Camp shows the Green River Road intersecting the Island (Coulter's) Ford Road, northwest of the Cowpens battleground. Although he does not label them, Camp locates the headwaters of Suck, Island, and Buck (Cudds) creeks. Both roads are on the watersheds.

Camp locates Byars's fenced field at the road intersection. Byars's house and improvements are in the field southwest of the intersection.[13]

10. The Nathaniel Gist Plat

In 1845 John Gibbs surveyed and platted for Col. Nathaniel Gist a "tract of three hundred and fifty six acres . . . on both sides of the Green river road and near the celebrated battle ground called the Cowpens." Gibbs locates the junction of the "Colthers ford road" and the Green River Road northwest of the battleground. The "Colther's ford road," as previously depicted, follows the Island Creek-Little Buck (Cudds) Creek watershed. About 20 chains northwest of the junction of the "Colthers ford" and Green River roads is shown the Island Ford Road, leading north to Broad River.[14]

This constitutes an important change in the road alignments from those shown on the Camp and Smith plats. The 1802 and 1826 plats had depicted the road from Coulter's Ford to Broad River as crossing the Green River Road at nearly a right angle. None of the plats show the road leading southeast from near the intersection to the Union District line, as it is depicted on the Whitten-Mills Map of 1825. A copy of Gibbs's plat is found in this report.

11. The T. E. Johnson Plat

The plat prepared by T. E. Johnson in 1908 shows the road network north of the United States Government's Cowpens Monument much as it is today. The Green River (Mills Gap) Road follows

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13. Spartanburg County Plat Book B, p. 383.

14. Plat of Col. N. Gist's 356 Acres, drawn by John Gibbs, D.S., Feb. 17, 1845, files of Mrs. C. M. Moser.

the same alignment as depicted on the 1802, 1826, and 1845 plats; the Coulter's Ford (Spartanburg) Road and the Island Ford Road follow the same alignment as depicted on the 1845 plat. A road leading northeast from the junction of the Green River (Mills Gap) and Island Ford roads appears on the Johnson plat.

Ezell's house and store are located on opposite sides of the Green River (Mills Gap) road at the Y. A structure, its occupant unidentified, is shown south of the Coulter's Ford (Spartanburg) Road, about 1,300 feet west of its junction with the Green River (Mills Gap) Road. The Coulter's Ford (Spartanburg) Road has been realigned since this plat was drawn and now, following the General Price-West Gate Acres property line, it joins the Green River (Mills Gap) Road about 100 yards farther south.[15]

B. The County Courts and Commissioners and the Roads

1. Road Construction and Maintenance under the Tryon County Court

Additional information on the area's road network is found in the minutes of the local county courts and district road commissioners. From 1769 until 1772, the county court of Tryon County, North Carolina, was responsible for the public roads in this region. Even after the survey of 1772 placed the Cowpens area in South Carolina, the Tryon County Court (and after 1778 the Rutherford County Court) continued its interest in the area's public roads.

In 1762 a bill had passed Parliament dividing Anson County, North Carolina, and establishing a new county, Mecklenburg. Within several years an enactment was passed to the effect that on and

> after April 10, 1769, the county of Mecklenburg shall be divided into two separate and distinct counties and parishes by a line beginning at Earl Granville's where it crosses the Catawba River; and the said river to the line of the South Carolina line; and that all that part of the said county which lies to the eastward of the said dividing line shall be a distinct county and parish, and shall remain and be called Mecklenburg County and St. Martin's Parish, and all that part of

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15. Map of C. Cash and Ezell tract and the 61.15 acres bought from M. B. Scruggs, Cherokee County Deed Book U, p. 269.

the county to the westward of the said dividing line shall be one other distinct county and parish and be called Tryon County and St. Thomas' Parish.

The act also specified that the Tryon County Court should be held on the fourth Tuesday of April, July, October, and January.[16]

At the January 1775 term of the Tryon County Court it was ordered that William Thomason and John McKinney "lay out a Road from George Winter's Mill to the Island Ford on Main Broad River, thence the nearest and best way to the So. Carolina line." Joseph Clark would be overseer of the road.[17]

Plats of South Carolina land grants show that McKinney, at the turn of the century, owned land south of the South Carolina boundary, on both sides of the Island Creek-Coulter's Ford Road.[18] It therefore appears that the road leading southeast from Island Ford to the South Carolina boundary and onto the Cowpens dates to 1775, about 6 years before the battle.

At the July 1777 term of the Tryon County Court, overseers were named for the road leading from the mouth of Green River to the South Carolina line. James Adear would have responsibility for the road from "the ford on Broad River below the mouth of Green River and his own House"; Wiliam Henry for the section between James Adear's and Colonel Walker's; Thomas Welsh from Colonel Walker's to the Grassy Branch; George Harris from the Grassy Branch "to Muddy fork of Buffaloe"; and Solomon Beason from Muddy Fork to the South Carolina Line.[19]

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16. Clarence W. Griffin, History of Old Tryon and Rutherford Counties, North Carolina, 1730-1936 (Asheville, 1937), p. 3.

17. Minutes of the Tryon County Court, 1769-1781, January 1775 Term, North Carolina Department of Archives and History, Raleigh, N.C. All Tryon County Court Minutes cited are found in this depository.

18. Spartanburg County Plat Book C, p. 38; South Carolina State Plat Books, 2d series, vol. 51, p. 328.

19. Minutes of the Tryon County Court, 1769-1781, July 1777 Term. This road paralleled Broad River on the north, and was used by Col. Patrick Ferguson on his October 2-3, 1781, march from Denard's Ford to Buffalo Creek.

The Tryon County Court at its April 1778 term named overseers for the road leading from Gilbert's Town, via Twitty's Ford, to the South Carolina line. Davis Miller would be overseer for the section between Gilbert's Town and Twitty's Ford, George Paris for the area between the ford and Pullam's Mill, and Benjamin Vaughn for the section from the mill to the South Carolina boundary.[20]

A road leading south from Gilbert's Town to the South Carolina boundary, via Twitty's Ford, would connect with the Green River Road. This constitutes evidence that the Green River Road was extant by April 1778, 3 years before the battle. The road leading from the mouth of Green River to the South Carolina line, for which overseers were named at the July 1777 term of court, follows an alignment north of the Green River Road of Cowpens fame.

2. Road Construction and Maintenance by the Spartanburg County Court

The records of the Ninety-Six District County Court--the corporate body responsible for road construction and maintenance in the area of South Carolina south of the Tryon County boundary, as redrawn in 1772--are not extant. In March 1785 the South Carolina assembly enacted legislation dividing the Ninety-Six District into a number of counties. The Cowpens battlefield, from 1785 to 1897 would be in Spartanburg County, or, as it was known from 1800 to 1867, Spartanburg District.

Although Spartanburg County was established in 1785, the minutes of the county court contain little of interest pertaining to the road network in the Cowpens area. Perhaps this was because this part of the county did not attract many settlers until the 1790s.

At its December 1785 term, the Spartanburg County Court ordered that Thomas Warner be overseer for both forks of the upper road from the North Carolina line to the Pacolet River, and that James Turner be overseer of the road from where it crossed the Pacolet at Hammett's Ford to Wofford's Ironworks.[21] This road was southeast of the Cowpens and was intersected by the Green River Road.

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20. Minutes of the Tryon County Court 1769-1781, April 1778 Term.

21. Journal of the Spartanburg County Court, June 1785-March 1787, South Carolina Department of Archives and History, Columbia, S.C.

In 1800 the county courts were abolished, and the public roads in South Carolina became the responsibility of the commissioners of roads.

The Spartanburg District Commissioners of Roads, in March 1801, ordered V. Camp to oversee and keep in good repair the road from the cowpens to the Spartanburg Road. All hands residing within 3 miles would be required to work on the road.[22]

James Black was named overseer and ordered "to keep in repair the road from the Cowpens to Wm. M----- 's called the Green River road." John Williams was to warn all hands residing within 3 miles of the road of their obligations to work thereon.[23]

Andrew Rhea would be overseer and keep in good repair the section of the Green River Road from Wm. M----- 's to the North Carolina line. Matthew Abbett was to warn all hands liable for work on the road to turn out when called.[24]

A review of these orders demonstrates that in 1801 the Green River Road and the road leading southwest from the Cowpens to Coulter's Ford were part of the public road system of Spartanburg District.

The road commissioners of Spartanburg District at their July 3, 1801,meeting, ordered Maj. John Gowen, James Alexander, John Nelson, and Matthew Abbett to "review a road joining the road at the Cowpens and from there the best and direct way to James Alexander's Mill on Mottley's Creek and so on until the Greenville line." They would report to the commissioners at their next meeting "whether it will be of general utility to the public."[25]

The road, as traced by the four men, failed to win the approval of the commissioners, and no overseers were appointed for

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22. Spartanburg District Commissioners of Roads Order Book, 1800-1803, South Carolina Department of Archives and History, Columbia, S. C.

23. Ibid.

24. Ibid.

25. Ibid.

opening it. By 1825, when Mills Atlas was published, a road had been opened from Island Ford to the Greenville District line. This road intersected the Green River Road about 4 miles northwest of the Cowpens battleground and crossed the North Fork of the Pacolet near McMullen's Mill and the South Fork of the Pacolet near the mouth of Mottley's Creek.[26]

The commissioners at their April 1803 meeting ordered John Bartholomew Groggin, Thomas Roddy, and Samuel Hunt to review and mark out a road from Maj. John Gowen's store down the South Pacolet River until it intersected the Coulter's Ford Road leading from William Easley's to the Cowpens. They would report to the next meeting of the commissioners "whether such a road would be in public interest."[27]

The report was favorable, and the commissioners at their September 1802 meeting named Samuel Hunt as overseer of the road which they laid out from Major Gowen's store and intersecting the Coulter's Ford Road.[28]

The commissioners at their April 1803 meeting ordered John Turner, Jacob Davis, and Joseph Price to view, lay out, and mark a road from the Union Meetinghouse, "the nearest and best way, to the Cow Pens road." They were to report to the next meeting whether such a road would "be of utility to the public or not."[29]

The commissioners, in April 1803, named Peter Gasnell to replace V. Camp as overseer of the Coulter's Ford Road from the Cowpens to the Spartanburg Road. William Turner had the responsibility of warning the hands to turn out.[30]

At their April 1803 meeting the commissioners ordered George (surname illegible), William Morrow, and Robert Dunaway to "mark and view out a road from the Cowpens road near the battleground to the forks of the road that goes to the Island ford, the nearest and best

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26. Mills, Atlas of the State of South Carolina, Spartanburg District.

27. Spartanburg District Commissioners of Roads Order Book, 1800-1803.

28. Ibid.; Mills, Atlas of the State of South Carolina, Spartanburg District.

29. Spartanburg District Commissioners of Roads Order Book, 1800-1803.

30. Ibid.

way." They were to report to the next meeting whether such a road would "be of utility to the public."[31]

Records of the Spartanburg District Commissioners of Roads for the period subsequent to the April 1803 meeting are missing. Consequently, we do not know what action was taken on the reports of the committees named to lay out a road "from the Cowpens road near the battleground to the forks of the road that goes to Island ford," and the road from Union Meetinghouse "to the Cow Pens road." The former road, if built at this time or before 1820, would be the road shown in the Mills Atlas leading from the battleground to the Union District boundary by way of Coleman's Tavern.[32]

3. Road Construction and Maintenance by the Rutherford County Court

Responsibility for maintenance of the road leading to Island Ford, north of the state line, following dissolution of Tryon County, was vested in the Rutherford County Court. In 1804 the court named Gabrial Martin overseer of the public road between Island Ford on Main Broad River and the state line, as a replacement for A. Camp.[33]

C. Construction Standards

Standards for the roads of Spartanburg District were established in 1825. The commissioners at their November meeting ordered that in the future road overseers would see that the roads of Spartanburg District were "at least 18 feet wide," were "well cleared of stumps and runners," and where necessary were "well corduroyed or made from rock."

At all forks in the roads, signs were to be erected, with the distance on them "to the most noted place" to which the road led.

All roads radiating from the Spartanburg Courthouse were to be measured and their distance to the district line posted.[34]

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31. Ibid.

32. Mills, Atlas of the State of South Carolina, Spartanburg District.

33. Road Docket, Rutherford County, N.C., North Carolina Department of Archives and History, Raleigh, N.C.

34. Commissioners of the Roads Journal, Spartanburg District, 1825-1840, South Carolina Department of Archives and History, Columbia, S.C.

D. The Roads as Located and Described in Revolutionary War Journals

1. The Johnson-Allaire Journals Prior to Kings Mountain

The journals of Dr. Uzal Johnson and Lt. Anthony Allaire, members of Maj. Patrick Ferguson's ill-fated command, describing troop movements in the 5 weeks before the Battle of Kings Mountain, provide details regarding the area's roads 4 months before the Battle of the Cowpens.

Dr. Johnson reported that on September 6, 1780, we "forded Pacolet River, marched six miles to Buck Creek." Next day the column crossed Buck Creek and entered North Carolina. After marching about 6 miles, Major Ferguson called a halt. Accompanied by 300 militia, Ferguson pushed on to Gilbert's Town. On September 8 the main column broke camp and marched 6 miles to Broad River, where it remained until September 11. Then, having been rejoined by Major Ferguson, the column forded Broad River at Denard's and marched 10 miles to James Adear's plantation.[35]

Lieutenant Allaire recorded that on September 2, 1780, the column forded Fair Forest Creek and marched 10 miles to the "Iron Works, on Lawson's Fork." Two days later, on the fourth, Ferguson marched his command 10 miles to Case Creek, and the next morning marched 1½ miles to Pacolet River. The Pacolet was forded on the sixth, and the little army marched 6 miles to Buck Creek. Crossing Buck Creek on the morning of the seventh, Ferguson led his column into North Carolina. The troop movements recorded by Allaire for the period of September 7-11 are identical to those described by Johnson.[36]

A review of the Mills Atlas and U.S. Geological Survey Quadrangles reveals that Ferguson's corps, on the march north from the ironworks, probably crossed the Pacolet near present-day Buck Church, and moving up the Buck Creek-Pacolet watershed, gained the Green River Road, over which it entered North Carolina.

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35. "Manuscript Diary Kept by a Loyalist Military Surgeon who was taken Prisoner at the Battle of Kings Mountain," pp. 69-71. This diary is from the Thorne Boudinot Collection in the Princeton University Library. The diary was copied and called to my attention by Archeologist Jack Walker of the NPS Southeast Archeological Center, Tallahassee, Fla.

36. "Diary of Lieut. Anthony Allaire of Ferguson's Corps," in Draper, King's Mountain and Its Heroes, pp. 506-7, hereafter cited as "Diary of Lieut. Anthony Allaire."

On September 12, 1780, Dr. Johnson wrote in his journal, "we marched from Adear's Mill to Col. John Walker's, where I took quarters not able to march any farther." Dr. Johnson remained at Colonel Walker's until Sunday, the twenty-fourth, when he was moved to Gilbert's Town, taking quarters in Gilbert's home. There he remained until the twenty-eighth, when he and Capt. James Dunlap were moved back to Adear's.

Major Ferguson on Saturday, September 30, ordered Captain Dunlap to take command of the baggage guard and march from Adear's to Broad River. The detail was in motion by 8 a.m., and after crossing Broad River at Denard's Ford, it reached the heights beyond, taking quarters in Powers's house. Major Ferguson showed up the next day, having made a forced reconnaissance to White Oak. At 5 p.m. on October 2, Ferguson, with his American volunteers and militia, started in pursuit of a force of Whigs. One hundred men remained behind under Boyle to guard the train and the Whig prisoners. Boyle's orders were to escort the prisoners and train south across the Thicketty. He had his column in motion before dark. Captain Dunlap and Dr. Johnson spent another night at Powers's.

Dunlap and Johnson made an early start on October 3. A 10-mile ride brought them to Buck Creek, where they overtook the train. They then rode on 2 miles to Case Creek, where they halted to refresh themselves. After the baggage train had forded the Pacolet, Boyle and Dr. Johnson left Captain Dunlap at Case's house, and, crossing the Pacolet, followed the train 10 miles to Will Abbett's, where they spent the night.

Breaking camp at 6 a.m. on October 4, they marched 12 miles to Sharps's. After a halt to eat, they pushed on 3 miles to Tate's. William Tate was "out with the Rebels," but his family was home. While at Tate's, a messenger arrived from Major Ferguson with orders to join him east of Broad River. Because the "waggon horses" were "tied down we were obliged to remain all night at Tates."

The next evening, October 5, they got the baggage across the Broad at Tate's Ferry. A march of 1½ miles brought them to Ferguson's camp on Buffalo Creek.[37]

A review of maps and the topography reveals that Dr. Johnson

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37. "Manuscript Diary Kept by a Loyalist Military Surgeon who was taken Prisoner at the Battle of Kings Mountain," pp. 71-79.

and the train returned from Denard's Ford to Case Creek by way of the Green River Road and the trace following the Buck Creek-Pacolet watershed. They then recrossed the Pacolet at Coulter's Ford, moved up the Coulter's Ford Road to its intersection with the Green River Road, and turned onto the Green River Road. On Island Creek, south of the intersection, they called on Will Abbett. Passing to the north of Thicketty Mountain, they reached Tate's Ferry via the Green River and Tate's Ferry roads.

Lieutenant Allaire, during the period of Dr. Johnson's sickness, was very active. On September 15 he left Colonel Walker's with the column led by Capt. Abraham De Peyster on an expedition that took them across the Catawba. After an absence of 8 days Allaire returned to Colonel Walker's plantation. Next day the Tories marched 3 miles to Gilbert's Town, taking position on the high ground about one-half mile from the village.

On September 27, Major Ferguson put his column in motion. Marching by way of Rucker's Mill, the Tories forded Broad River at Twitty's on September 28, and marched 2 miles farther, crossing Green River at McDaniel's Ford. The last 2 days of September were spent at James Steps's plantation, 5 miles beyond McDaniel's Ford.

On October 1, 1780, Major Ferguson had his column on the road by 5 a.m. A 12-mile march brought the Tories to Denard's Ford, where they rendezvoused with the baggage train and Dr. Johnson. The Tories camped for the night on the high ground south of Broad River. Next afternoon, 11 hours after the baggage train had started down the road to South Carolina, Major Ferguson put his corps in motion. Broad River was forded, and, after a 4-mile march, the corps camped. Next day, October 3, the march was resumed, Ferguson leading his corps eastward along the River Road. The Second Broad River was crossed at Camp's Ford, and Sandy Run was crossed at Armstrong's plantation. Seven miles beyond Sandy Run, the Tories forded Buffalo Creek. One mile beyond, on the road to Tate's Ferry, Ferguson camped. Here he was joined on the evening of October 5 by the baggage train.[38]

On the march from Denard's Ford, Ferguson's corps had followed

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38. "Diary of Lieut. Anthony Allaire," pp. 507-9.

the road paralleling Broad River on the north and leading from "the mouth of Green River to the South Carolina line," near Kings Mountain.[39]

2. Whig Troop Movements Prior to Kings Mountain

The Whig forces, in their pursuit of Major Ferguson's corps in the days before the Kings Mountain fight, also used the local road network. On the evening of October 5, 1780, the "over-mountain" men reached Green River. Learning that Ferguson's column was encamped near Tate's Ferry, the "over-mountain" men decided to strike for the Cowpens rather than for the Lawson's Fork ironwork.

Breaking camp at daybreak, the "over-mountain" men took the route "to Sandy Plains, following a ridge road well adapted for travel; thence bearing southeasterly to the Cowpens, a distance of some twenty-one miles." They reached the Cowpens a little after sunset, where they rendezvoused with the South Carolinians.

The Whigs, having reorganized their force, resumed their pursuit of the Tories long before daybreak on October 7. The night was very dark, and a "drizzly rain" had commenced. Although the "road was pretty good," some of the men lost their way. With the light of day, the march accelerated. The plan had been to cross Broad River at Tate's Ferry, the most direct route to Kings Mountain where Ferguson had marched on October 6. As they approached the ferry, the Whig leaders determined to bear down Broad River, "some two and a half miles, to the Cherokee Ford."[40]

The "over-mountain" men, in marching from Green River to the Cowpens on October 6, followed the Green River Road. The Whigs, on their night and morning ride from the Cowpens to Cherokee Ford, followed the Green River Road down the watershed separating the Cherokee and Thicketty drainages to the intersection with the Tate's Ferry Road where, in 1802, Michael Gaffney established his store and tavern. Here the Whig leaders turned their column onto the road to Cherokee Ford.

3. Troop Movements After the Kings Mountain Battle

On the morning of October 8, 1780, subsequent to the battle

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39. Minutes of the Tryon County Court, 1769-1781, July 1777 Term.

40. Draper, King's Mountain and Its Heroes, pp. 221-29.

of Kings Mountain, the Whigs left the battleground with their prisoners and camped for the night at Waldron's plantation, near the left bank of Broad River and several miles west of Buffalo Creek. On the ninth only a 2½-mile march was made, the Whigs and their prisoners halting on Boweens Creek. The next day, in a 20-mile march, the column crossed the First Broad and Sandy Creek and camped near the crossing of the Second Broad River. On the eleventh a 12-mile march brought the column to Colonel Walker's.[41]

A study of the sources leads to the conclusion that, on the march from Kings Mountain to Colonel Walker's, the Whigs and their prisoners traveled the same route that Ferguson's corps had taken on its October 3, 1780, march from the Second Broad River to Buffalo Creek.

Lieutenant Allaire and two fellow officers (Lt. William Stevenson and Lt. John Taylor) and South Carolina militia Capt. William Gist, satisfied there was no immediate prospect of their being paroled, took "French Leave" of their captors. Departing from Bethabara on the evening of November 8, 1780, they headed south. Crossing the Catawba River on November 13, the four men made their way through the Bushy Mountains along Indian paths. After leaving Sheppard's plantation at dusk on the sixteenth and traveling 16 miles, they crossed Second Broad River at Camp's Ford. Three and one-half miles beyond, they crossed Broad River at Island Ford, stopping at the nearby plantation belonging to Captain Townsend who had been wounded while fighting with the Tories at Kings Mountain.

Allaire and his companions left Townsend's at 6 o'clock on the evening of November 17. A 12-mile journey brought them to Morris's. Here they learned that a Whig patrol was "directly in our front." They hid in the woods until Sunday, November 19. When they resumed their journey at 3 p.m., they got Mr. Murray "to guide us to the main road that leads to the Iron Works, which is twelve miles distant." They followed byways until dusk, when they turned onto the main road. They then made good time crossing the Pacolet, Lawson's Fork, and Tyger River. At daybreak on November 20, after a 37-mile ride, they arrived at James Duncan's plantation.[42]

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41. Ibid., p. 323; "Diary of Lieut. Anthony Allaire," p. 510; "Manuscript Diary Kept by a Loyalist Military Surgeon who was taken Prisoner at the Battle of Kings Mountain," pp. 82-86.

42. "Diary of Lieut. Anthony Allaire," pp. 513-15.

The account of Allaire's escape documents the existence of the road leading south from Island Ford to the Pacolet by way of the Cowpens.

4. Morgan's Route to the Cowpens

General Morgan marched from Charlotte with his little army on December 21, 1780, taking the road to Biggin's Ferry. Nightfall found the Patriots camped on the Catawba, and the next day they crossed the river at Biggin's and marched 5 miles. On December 23, a 16-mile march brought Morgan's column to "Cane Creek." On December 24 they crossed Broad River at Howell's Ferry, about 5 miles above the mouth of the Pacolet. On Christmas Day, Morgan advanced 8 miles to Grindal Shoals and had his tired troops take position and camp on the high ground overlooking the Pacolet at this point.[43]

Sergeant-Major William Seymour described the march:

> It was very difficult marching in crossing deep swamps and very steep hills, which rendered our march very unpleasant. The inhabitants along this way live very poor, their plantations uncultivated, and living in mean dwellings. They seem chiefly to be offspring of the ancient Irish, being very affable and courteous to strangers.[44]

Morgan's column, on its march from Biggin's Ferry to Broad River, followed roads southeast of and paralleling Kings Mountain.

General Morgan, learning of the rapid advance of Colonel Tarleton's column, evacuated his position covering Grindal Shoals on January 14, 1781, and marched "further up the river toward the iron works in order to frustrate the designs of the enemy who were coming round on us, Colonel Tarleton on one side Lord Cornwallis on the other."[45]

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43. Graham, The Life of General Daniel Morgan, pp. 262-63; William Seymour, "A Journal of the Southern Expedition," Historical and Biographical Papers (Wilmington, 1896), pp. 12-13; Joseph B. Turner, ed., The Journal and Order Book of Captain Robert Kirkwood of the Delaware Regiment of the Continental Line (Wilmington, 1910), p. 13, hereafter cited as The Journal and Order Book of Captain Robert Kirkwood; "Journal of Lieutenant Thomas Anderson," p. 209.

44. Seymour, "A Journal of the Southern Expedition," pp. 12-13.

45. Ibid.; "Journal of Lieutenant Thomas Anderson," p. 209; Graham, The Life of General Daniel Morgan, p. 283.

After an 8-mile march, Morgan's troops halted and took position at Burr's Mill. They remained there on the fifteenth. On January 16 General Morgan, after receiving word that Colonel Tarleton was threatening to cross the Pacolet at Esterwood's Shoals and turn his right flank, abandoned his ground at Burr's Mill. The Patriot column, making a 12-mile march via the "Charleston" and Green River roads, encamped for the evening on "the Cowpens Plains."[46]

5. Tarleton's Route to the Cowpens

Leaving Brierleys Ford, on Broad River, in the second week of January 1781, Lt. Col. Banastre Tarleton's column crossed the Enoree and Tyger on January 14, passing the latter at Musgrove's Mill. Tarleton learned from his spies that evening that General Morgan was in position to his front guarding "all the fords upon the Pacolet." By the morning of January 15 "circumstantial intelligence" had been secured by Colonel Tarleton concerning the strength of the detachments Morgan had posted at the Pacolet fords.

Tarleton resumed his advance in the evening toward "the iron works, which are situated high upon the river" in order to turn the Whigs' right. Next morning, January 16, Tarleton changed the direction of his march, his "light troops" having secured a crossing of the Pacolet at Easterwood's, within 6 miles of Morgan's camp at Burr's Mill.

As soon as his corps had crossed the Pacolet, Tarleton advanced "towards some log houses, formerly constructed by Major Ferguson, which lay midway between the British and the Americans, and were reported to be unoccupied by General Morgan." While his troops were taking position at the huts, a mounted patrol learned that Morgan's army had evacuated Burr's Mill. Colonel Tarleton thereupon ordered his "light troops" to occupy that position.

Patrols and spies were thrown forward to observe the movements of the foe, while "the dragoons were directed to follow the enemy till dark." Early in the evening of January 16, a patrol returned to the huts and its leader informed Colonel Tarleton that "General Morgan had struck into byways, tending towards Thickelle Creek." A Whig colonel, captured by local Tories, told Tarleton that Morgan had withdrawn from the Pacolet

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46. Seymour, "A Journal of the Southern Expedition," p. 13; Graham, The Life of General Daniel Morgan, p. 286; "Journal of Lieutenant Thomas Anderson," p. 209; The Journal and Order Book of Captain Robert Kirkwood, p. 13.

to facilitate a meeting with reinforcements en route to his assistance. Other reports brought in by spies corroborated the colonel's story. About midnight Tarleton received a report that a "corps of mountaineers" had marched from Green River to reinforce Morgan.

This information determined Colonel Tarleton's next move. He would push his column hard, hang upon "Morgan's rear, to impede the junction of reinforcements," and harass his passage of Broad River. Having called in his pickets, Colonel Tarleton had his corps on the road at 3 a.m. on January 17. The British followed the route the Patriots had taken the previous day.

Colonel Tarleton recalled:

> The ground which the Americans had passed being broken, and much intersected by creeks and ravines, the march of the British troops during the darkness was exceedingly slow, on account of the time employed in examining the front and flanks as they proceeded. Before dawn Thickelle creek was passed, when an advance guard of cavalry was ordered to the front.[47]

E. The Cowpens Roads as Seen by Nineteenth-Century Visitors

1. Bishop Asbury Visits the Cowpens

Surprisingly few visitors to the historic battlefield have left descriptions of the roads, or the routes they traveled to get there.

Francis Asbury, the peripatetic Methodist bishop, saw the Cowpens on one of his many trips to South Carolina.

In his journal for Monday, April 4, 1796, he wrote:

> I crossed Fair Forest, and came to J. Gist's, where I had to stop and rest. Since I came into South Carolina I have ridden through Newbury, Spartanburg, Union, and Lawrence [sic] counties. There is a general complaint of the want of corn in these parts; and no wonder, when we consider the great storm which they have had, and the number of stills in the country:

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47. Tarleton, Campaigns of 1780 and 1781, pp. 213-15.

> the people here drink their bread as well as eat it. I am so very poorly in body that close study injuries me. I crossed Lawson's Fork at the high shoals a little below the Beauty Spot. I could not but admire the curiosity of the people--my wig was as great a subject of speculation as some wonderful animal from Africa or India would have been. I had about one hundred people at the meeting-house, some came to look at, and others to hear me. . . . After Brother M. and myself had preached we passed the Cow-Pens where Morgan and Tarleton had their fray.[48]

2. Robert Mills Visits the Battleground

Robert Mills, while researching his Statistics of South Carolina, published in 1826, visited the battleground. He reported that the Cowpens

> is situate three and a half miles south of the North Carolina line, and on both sides of the road leading from the Cherokee ford, (over Broad river) to Mill's Gap through the mountains, and where the road from the court-house crosses it into North Carolina, over Broad (or Green river) at the island ford. The Thicketty mountain, from whence the iron ore for the furnace contiguous is obtained, is situate just below.[49]

The road from Cherokee Ford to Mills Gap was known at the time of the battle as the Green River Road, while the road from the Spartanburg Courthouse to Island Ford was known locally as the Coulter's Ford Road.

3. Benjamin F. Perry's 1835 Visit to the Battleground

On his 1835 visit to the battleground, Benjamin Perry was shown a troop movement map and was given a tour by "one of the few surviving gallant officers who commanded in the Battle." He was shown the road over which "the Americans had been retreating; in order to avoid Colonel Tarleton & his army," which leads

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48. Francis Asbury, The Journals and Letters of Francis Asbury, ed. Elmer T. Clark, 3 vols. (Nashville, 1958), II, 81.

49. Robert Mills, Statistics of South Carolina, Including a View of its Natural, Civil, and Military History, General and Particular (Charleston, 1826), p. 735.

from the upper part of Union District into North Carolina & passes immediately between" the headwaters of Suck and Buck creeks. "The road leading from Spartanburgh Court House," Perry continued, "intersects the Union or Island Ford road a few paces south of the headwaters of this branch of Buck Creek."[50]

The road network, as described by Perry, is identical to that shown on the Nathaniel Gist plat. The road from "the upper part of Union District into North Carolina" is the Green River Road, and "the road leading from Spartanburg Court House" to Island Ford is the Coulter's Ford Road.

4. Benson Lossing's 1849 Visit to the Battleground

The historian-illustrator Benson J. Lossing visited the Cowpens battleground in January 1849. He spent the night of January 10 at Mrs. Ross's on the west side of Broad River. This was 15 miles east of the Cowpens. At daybreak on January 11, he "started for that interesting locality." He was told that the battle "was among the hills of Thicketty Mountain, and near the plantation of Robert Scruggs." Lossing reported:

> After traversing a rough road, much of it, especially along the water-courses, of red clay, I began the ascent of Thicketty Mountain, upon the Mill-gap road, at the forks leading to Clarke's iron-works and Rutherfordton.[51] Here the ground was covered with snow, and I had no means of discriminating between the beaten tract of the Mill-gap way and the numerous forks. I ought to have turned to the northwest after leaving the Rutherfordton Fork half a mile, and descended the northern slope of the mountain. Instead of that, I kept along the ridge road, skirted by the forest on each side, without any indication of habitation. For an hour I slowly traversed this gradually ascending way, and almost imperceptibly approached the summit of Thicketty Mountain, until convinced that I was not in the Mill-gap road. Far to the northward, some thirty

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50. Perry, "Revolutionary Incidents, No. 7, The Cowpens."

51. By 1849 the Green River Road was being referred to by historians, as well as local residents, as the Mill-Gap or Mills Gap Road. The forks of the road were about one mile west of Camps Cross Road on the McCullough map and the Furnace P.O. on the map in the Mills Atlas.

> miles distant, I could see the azure range of the Blue Ridge, near the Nut-gap, where the springs of the Broad River gush from the mountains. They were covered with snow, and from their lofty summits came a keen breeze, like that of December at the North.
>
> The day was waning, and I had no time to lose in deliberation, so I turned back and sought a lateral road, toward the west, to the settlements below. Presently I heard the crying of a child, and looking in the direction of the sound, I saw some thin blue smoke curling among the trees near. I tied Charley to a laurel shrub, and soon discovered a log cabin, in front of which some children were at play. They fled at my approach, and the mother, a lusty mountaineer, whose husband was at work in the iron-beds which abound in that mountain, appeared astonished at the apparition of a stranger. From her I learned that I had left the Mill-gap road at least three miles back. By her direction I found it, and at about four o'clock reached the residence of Mr. Scruggs. His house is upon the Mill-gap road, and about half a mile west of a divergence of a highway leading to Spartanburg, the capital of Spartanburg District, in which the Cowpens are situated.[52]

It was almost sunset on January 11, 1849, before Lossing was ready to leave the Cowpens "to return to a house of entertainment upon the road to the Cherokee Ford, seven miles distant; for the resident there [Robert Scruggs] could not find a corner for me in his dwelling, nor for Charley in his stable, that cold night 'for love nor money.'" Scruggs, however, "generously proposed that I should send him a copy of my work when completed, because he lived upon the battle-ground!"

To a planter from Spartanburg, who overtook him on the road, Lossing was "indebted for kindness in pointing out the various localities of interest at the Cowpens; to the other for the knowledge that a small building near his house was the depository of a field-piece used by an artillery company in the vicinity, when celebrating the anniversary of the battle."

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52. Lossing, The Pictorial Field-Book of the Revolution, II, 429-31. The road leading to Spartanburg was the Coulter's Ford Road, and it was about three-quarters of a mile northwest of Robert Scruggs's house, not one-half mile as Lossing has written.

It was after dark when Lossing reached Mrs. Camp's, where he was comfortably lodged for the night. Early next morning he proceeded to Cherokee Ford on Broad River.[53]

F. The Roads in the Twentieth Century

1. Colonel Landers Describes the Roads

Lt. Col. H. L. Landers of the Army War College's Historical Branch made a field study of the battleground on April 8, 1928. In his report, which was published by the Government Printing Office later that year, Colonel Landers wrote:

> The place where General Morgan established his camp on the night of the 16th was near the intersection of the Mill Gap Road and the road from the present city of Spartanburg running northeast into North Carolina and crossing the Broad River at Island Ford. Many roads of more recent construction now traverse this territory, but during the Revolutionary period they were few in number. The Mill Gap Road crossed the Broad at Cherokee Ford and ran northwestwardly through the present town of Gaffney, into the mountains far to the west. Its course followed generally the tops of ridges, thereby avoiding the crossing of creeks and rivers. The road from Spartanburg to North Carolina now runs through Chesnee, but in olden days it crossed the Mill Gap Road about 3 miles southeast of Chesnee.[54]

Colonel Landers, it will be observed, no longer coupled the Green River and Mills Gap roads. In addition, he failed to use the Mills Gap Road in its correct or possessive form.

2. The Relocation of South Carolina Highway 11 and Other Changes

In the early 1930s, South Carolina Highway 11, as the old Green River (Mills Gap) Road was then called, was relocated and surfaced. The relocation was from a point about one-third of a

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53. Ibid., p. 437. Mrs. Camp's place was at the intersection of the Lincolnton and the Rutherfordton-Union roads.

54. Landers, Historical Statements, p. 63.

mile east of the Robert Scruggs House to the junction with the Cowpens-Clifton Road north of the United States Monument triangle. The old alignment was retained for local use and was referred to as the "Top Soil Road."

In 1937 the Cowpens-Clifton Road was surfaced. In the 1950s, Superintendent Ben Moomaw obliterated and landscaped the Top Soil (Green River) Road where it crossed the monument grounds.

V. THE COWPENS AND THE CAROLINA CATTLE INDUSTRY

A. The Origin of the Name

1. Johnson Refers to the Battle Site as Hannah's Cowpens

Although the battle, fought January 17, 1781, took its name from the locality, and all contemporary sources refer to the area as the Cowpens, no effort was made to trace the origin of this name until 1822. In that year William Johnson published a two-volume work, Sketches of the Life and Correspondence of Nathanael Greene, in which he reported that:

> The place of this memorable event [the Cowpens battle] has now lost its name, but no American will reflect with indifference on the possibility of its identity ever becoming doubtful. The Cowpens, at the first settlement of the region, "was a place of considerable notoriety from a trading path with the Cherokees which passed by it. In the early grants of land in that neighborhood it is distinguished by the epithet of Hannah's Cowpens, being the grazing establishment of a man of the name of Hannah. In time it became known by the epithet of the Cowpens, and is now distinguished as attached to Nesbit's iron works, the property of the honorable Wilson Nesbit."[1]

A review of the South Carolina State Grant and Plat Books, and of the Tryon and Spartanburg Counties Plat and Deed Books failed to identify any legal instruments or documents indicating that a person named Hannah owned land in and about the Cowpens. If there was a Hannah in the area, he established himself as a squatter, a situation not infrequent in a frontier area such as this was in the 1770s.

William E. Myer, in his monograph "Indian Trails of the Southeast," locates the Lower Cherokee Traders' Path as passing some distance southeast of the Cowpens, and he locates the Old Cherokee Path to Virginia an equal distance to the west of

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1. Johnson, Sketches of the Life and Correspondence of Nathanael Greene, I, 377.

the battleground. No Indian trails are identified as passing by the Cowpens.[2]

2. Nesbitt's Ironworks

Legal instruments on file in the Spartanburg County Courthouse document that in 1809 Wilson Nesbitt acquired from Daniel McClaren title to most of the area at and around the Cowpens battleground. By 1811 Nesbitt was operating iron furnaces on Cherokee Creek, near Thicketty Mountain, and at Limestone Springs. Ore was mined on Thicketty Mountain, with the former McClaren land serving as a source of wood to fire the furnaces.[3]

These activities were conducted on a modest scale until 1826, when Nesbitt, with Abner Beason and Andrew Moore, incorporated the South Carolina Manufacturing Company. Furnaces and forges were constructed with the increased resources at Hurricane Shoals, and the furnace on Cherokee Creek, near Thicketty Mountain, was modernized and its capacity expanded.[4]

Nesbitt, to finance his iron-making operations, had to borrow money frequently. Many times he was unable to repay the loans as stipulated. Accordingly, the records of the Courts of Common Pleas for Spartanburg and adjacent districts chronicle numerous suits brought against Nesbitt.

One of these involved Daniel McClaren, from whom Nesbitt had purchased the Cowpens tracts. Nesbitt and James Swaney on October 1, 1816, borrowed $3,318 from McClaren to be repaid on or before December 1, 1816, with interest. If they did not have the necessary money on December 1, it was agreed that the grantees could repay the loan with young blacks between the ages of 9 and 11, valued at $500 each.

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2. William E. Myer, "Indian Trails of the Southeast," in Forty-Second Annual Report of the Bureau of American Ethnology (Washington, D.C., 1928), pp. 771-72 and 777-78.

3. Moss, The Old Iron District, p. 310; Spartanburg Unit of the Writers Program of Works Project Administration in the State of South Carolina, comp., A History of Spartanburg County, (Spartanburg, 1940), p. 68.

4. Moss, The Old Iron District, p. 310; A History of Spartanburg County, pp. 68-70.

Nesbitt and Swaney, however, failed to meet their obligations, and on October 9, 1819, McClaren brought suit in the Spartanburg Court of Common Pleas. He secured a judgment against Nesbitt and Swaney, and to enforce collection the sheriff levied on 7,500 acres of their Cherokee Creek land, on which were located a furnace and sawmill.

This had the desired effect, and in January 1822, Nesbitt satisfied McClaren's claim by payment of $1,000 and five blacks.[5]

3. Lossing's Account of the Derivation of the Name

Benson Lossing, on his visit to the area in 1849, was told that

> the name [the cowpens] had been applied to the area well before the Revolution. At that time several residents of Camden had employed "two men to go up to the Thicketty Mountain and in the grassy intervals among the hills, raise cattle. As a compensation, they were allowed the entire use of the cows during the summer for making butter and cheese, and the steers for tilling labor. In the fall large numbers of the fattest cattle would be driven down to Camden to be slaughtered for beef, on account of the owners. This region, so favorable for rearing cows, on account of the grass and fine springs, was consequently called The Cowpens."[6]

Lossing's informants either failed to identify Hannah or, if they did, Lossing failed to mention it in his book.

4. Dr. Graham Draws on Johnson

Dr. James Graham used Johnson's Sketches as his source when he wrote that the position occupied by General Morgan's force

> was a piece of ground about six miles from Broad river, and known by the name of the Cowpens. This name

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5. Daniel McClaren v. Wilson Nesbitt & James Swaney, File 510, Spartanburg Court of Common Pleas, Oct. 9,1819, South Carolina Department of Archives and History, Columbia, S.C.

6. Lossing, Pictorial Field-Book of the Revolution, II, 430.

> has since given place to another; but the spot is associated with events too important, recollections too glorious, to countenance a fear that its identity will ever be lost. In the early settlement of this part of the country [this] was a place of considerable notoriety, from a trading path with the Cherokees which passed by it. In the early grants of land in the neighborhood, it was called Hannah's Cowpens it being part of the grazing establishment of a person named Hannah. In time it became known as the Cowpens, and is now occupied by the iron works of Messrs. Hampton and Elmore, in Spartansburg [District] South Carolina.[7]

Dr. Graham had failed to update changes in land ownerships in and around the Cowpens. Twenty-four years before The Life of General Daniel Morgan was published in 1859, Wilson Nesbitt had associated himself with a new company possessing greater resources. The new company was known as the Nesbitt Manufacturing Company, and among its stockholders, in addition to Nesbitt, were Dr. Thomas Cooper, Wade Hampton, Gov. Pierce Butler, and U.S. Representative Franklin Elmore. These individuals were among the wealthiest in the state. With money borrowed from the state bank, the board of directors purchased 8,000 acres of land, including Limestone Springs. Within a short time, the company had erected two blast furnaces, a puddling pool, a foundry, a forge, an eight—roller rolling mill, a toll bridge across Broad River, a 300-yard dam, and a network of canals.

Hard times following the Panic of 1837 caused grave problems for the company. Although the South Carolina General Assembly approved the issuance of $1,000,000 in stock, the company found scant interest on the part of investors. Besides its financial problems the company found it increasingly difficult to secure enough charcoal. The hills and hollows to an ever-increasing distance from the furnaces were being stripped of timber. No effort was made at reforestation, and the price paid for timber constantly escalated. In a futile effort to meet this crisis, the iron companies sought in vain to have the General Assembly vote funds for construction of railroads, and to open the rivers to navigation by steamboats to enable the capitalists to bring

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7. Graham, The Life of General Daniel Morgan, p. 294.

in low cost coal and charcoal.[8]

Long before the Nesbitt Manufacturing Company was declared bankrupt in 1850, the 1,600 acres, including the Cowpens battleground, purchased by Wilson Nesbitt from Daniel McClaren in 1809 had been alienated. By 1826 Nathan Byars had perfected his claim to 394 acres on either side of the Green River Road, including the battleground. Other individuals, such as Richard Scruggs, had acquired title to lands adjoining the battlefield.

5. Draper Introduces Saunders to the Cowpens

a) The Publication of King's Mountain and Its Heroes

In 1881 Lyman C. Draper published his monumental King's Mountain and Its Heroes, for which he had collected "materials" since 1839. Utilizing manuscript narratives of David Vance, Joseph McDowell, and Silas McBee, Draper wrote that on the evening of October 6, 1780

> there was a stirring bivouac at the Cowpens. A wealthy English Tory, named Saunders, resided there, who reared large numbers of cattle, and having many pens in which to herd his stock--hence the derivation of Cow-pens. Saunders, was, at the time, in bed--perhaps not very well, or feigning sickness; from which he was uncermoniously pulled out, and treated pretty roughly. When commanded to tell at what time Ferguson had passed that place, he declared that the British Colonel and his army had not passed that way at all; that there was plenty of torch pine in his house, which they could light, and search carefully, and if they could find any track or sign of an army, they might hang him, or do whatever else they pleased with him; but if they made no such discoveries, he trusted they would treat him more leniently. Search was accordingly made, but no evidence of an army passing there could be found. Several of the old Tory's cattle were quickly shot down and slaughtered for the supply of the hungry soldiers; and the bright camp fires were everywhere seen lighting up the gloomy surroundings, and strips of beef were quickly roasted upon the coals and embers;

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8. Moss, The Old Iron District, pp. 310-11; A History of Spartanburg County, pp. 68-70.

while fifty acres of corn found there were harvested in about ten minutes.[9]

b) A Review of Draper's Sources

Draper secured most of the information he used in his account of the halt at the Cowpens from the reminiscences of David Vance. Vance in 1799 recalled for Robert Henry:

> We marched on, crossing Ferguson's trail on the track?, and proceeded to the Cowpens and came to a Tory's house, pulled him out of bed, treated him roughly, and asked him at what time Ferguson had passed that place. He said he had not passed at all; that he had a torch pine--that we might light it and search; and if we could find a track of any army we might hang him, or do what we pleased with him; and if no signs of an army could be found, he might expect more leniently treatment. Search was made and no sign of an army found.[10]

It will be observed that Draper, in recounting this story, added some details not found in Vance's recollections. Vance does not identify the Tory by name, nor does he make any mention of "large numbers of cattle, and having many pens in which to herd his stock."[11]

Silas McBee, a participant in the Kings Mountain campaign, informed Draper in 1842 that

> they went to the Cowpens (the same place where Morgan afterwards fought) & stopped to get beef. This was a place where large stocks of cattle were kept, and

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9. Draper, King's Mountain and Its Heroes, pp. 222-23. Although Ferguson's column had not passed this way on its march from Denard's Ford to its camp on Buffalo Creek, his train and its escort had. The train, while en route from Coulter's Ford to Tate's Ferry, had camped on the night of October 3 at or near the Cowpens.

10. Narrative of the Battle of Cowan's Ford, February 1, 1781, by Robert Henry and Narrative of the Battle of Kings Mountain (Greensboro, 1891), pp. 22-23.

11. Draper, King's Mountain and Its Heroes, pp. 223-24.

> the owners made large pens or pounds to herd them. Hence the name so often referred to in our war's history. Here they were detained the day in procuring beef--during which time Col. Williams joined them with 200 or 300 men. They were 25 miles from the Cherokee Ford where they expected to find Ferguson.
>
> The route road lay through a poor, sterile country with but few inhabitants.[12]

Although McBee refers to cattle and "pens or pounds," he makes no reference to Saunders. A review of other documents found in the Draper Papers, referring to the Cowpens rendezvous, failed to yield any information on this individual.

Ben Sharp, another participant, recalled:

> We halted at a place called the cow-pens in South Carolina, fed our horses and ate a hearty meal of such provisions as we had procured, and by dark mounted our horses, marched all night and crossed Broad river by dawn of day.[13]

According to an article by Joseph Graham appearing in The Southern Literary Messenger in September 1845, the Patriots

> came to the Cowpens, where Ferguson had camped on the night of the 4th, and there met Col. Williams, of South Carolina, with near 400 men, and about 60 from Lincoln County, who had joined them on their march, under Col. Hambright and Maj. Chronicle. After drawing rations of beef, the whole proceeded on, a little before sunset, taking Ferguson's trail.[14]

A review of the South Carolina State Grant and Plat Books, the Spartanburg and Tryon County records, and claims filed by

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12. McBee to Draper, Jan. 1, 1843, Draper Collection of Manuscripts, State Historical Society of Wisconsin, Madison, Wis.

13. Ben Sharp, "Battle of King's Mountain," American Pioneer, Feb. 1843, II, 67.

14. Joseph Graham, "Battle of King's Mountain ," The Southern Literary Messenger, Sept. 1845.

Loyalists failed to provide any information regarding Saunders's identity.

6. Saunders's vs. Hannah's Cowpens After Draper

Hereinafter, most persons writing about the battles of Kings Mountain and the Cowpens incorporated in their narratives the Draper account of the Saunders incident. The first to do so was Judge Schenck. In his North Carolina, 1780-81, published in 1889, Schenck wrote:

> The overmountain men, 700 strong, on October 6, 1780, marched from Green River, by way of Sandy Plains to the Cowpens. There "they slaughtered the fat beeves of Sanders, a wealthy Tory, who herded his cattle at the Cowpens, and pulled the fresh corn from his fields, and the men and horses ate and drank and were refreshed for the chase."[15]

A few historians, however, continued to refer to the area as Hannah's Cowpens.[16]

7. Conclusions

The absence of any primary sources referring to the Cowpens as either Hannah's or Saunders's Cowpens raises several questions: (a) was Hannah a squatter who moved on without securing title to any acreage? (b) was Hannah an employee of Will Abbett, William Case, or some other person living in the area in 1780? (c) was Hannah an individual coined by William Johnson in 1822? (d) where did Draper come up with Saunders? Neither of the sources cited by Draper identify the owner of the Cowpens.

B. Location of the Cowpens

Although at the time the battle was fought, on January 17, 1781, cattle grazed in the area of the battlefield, the pens where the cattle were kept, the habitations where the keeper and cattle hunters lived, the cornfields, the garden, and other improvements were about "two miles distant." But, as Benjamin F. Perry, a visitor to the site in 1835, wrote, "inasmuch as

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15. Schenck, North Carolina, 1780-81, p. 154.

16. Callahan, Daniel Morgan: Ranger of the Revolution, p. 205.

there was no other or nearer known place in the neighborhood; it is called the 'battle of the Cowpens.'"[17]

The pens, cabin(s), fields, fences, and other improvements were probably on Island Creek, on the 455 acres granted to Will Abbett in 1803. Abbett was living on Island Creek in October 1780. The plat, which was filed to document the metes and bounds of his grant, locates two large, fenced fields, along with Abbett's home.[18] If not located on the 455 acres patented by Will Abbett in 1803, the pens and their dependencies may have been on the 500 acres acquired by George Williams in 1796. In 1804, when Matthew Abbett sold the lower 290 acres he had secured of the Williams grant to Will Dobbins, mention was made of an "old house and a small improvement."[19]

C. Recommendations

Because there were no physical structures associated with the Cowpens within the authorized boundaries of the Cowpens National Battlefield, the National Park Service must be on the alert to guard against proposals to reconstruct such features. A proposal to reconstruct such structures (cabins, corrals, barns, etc.), while having interpretive value, would be in violation of "Administrative Policies for Historical Areas of the National Park Service," which dictate that: (a) "sufficient historical, archeological, and architectural data exist to permit an accurate reproduction"; and (b) "the structure can be erected on the original site . . . ."

D. South Carolina Cowpens: Their Development and Characteristics

1. The Cattle Industry Comes to the Carolinas

The cowpens of the Southern Colonies were the precursor of the open-range cattle industry of the high plains. Such an industry, however, was incompatible with a plantation economy. By

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17. Perry, "Revolutionary Incidents, No. 7, The Cowpens,"

18. Plat of Will Abbett, South Carolina State Plat Books, 2d Series, Vol. 40, p. 104; "Manuscript Diary Kept by a Loyalist Military Surgeon who was taken Prisoner at the Battle of Kings Mountain," p. 78.

19. Spartanburg County Deed Book I, pp. 268-69.

1650, Virginia planters had taken up, cleared, and fenced so much of the land on the tidewater that the stockmen were compelled to seek new ranges. Many of them turned to the abundant pastures found in the milder climate of North Carolina.

Stock raising thrived in the early stages of Anglo-American occupation of the Atlantic Coastal Plain of the Carolinas. In 1680, less than a decade after the first colonists had landed in South Carolina, Maurice Mathews, the colony's surveyor general, was writing that there were "severall Thousands cattle in the country." In 1682 Samuel Wilson reported that some individuals possessed 700 to 800 head. Gov. Francis Nicholson of Maryland in 1695 wrote of the "vast flocks of cattle" in the Carolinas, and in 1710 Thomas Nairne wrote, "South Carolina abounds with black Cattle, to a Degree much beyond any other English Colony." Some colonists had as many as 6,000 head, "but for one Man to have 200 is very common."[20]

The practice of permitting livestock to roam, either with or without incidental feeding, was almost universal. Very early it became a habit to establish some type of enclosure into which stock could be driven during roundup. These enclosures became known as "cowpens." As early as 1634 the term was employed in a court judgment on the Virginia Eastern Shore. In 1661 cowpens were mentioned in Maryland, and from this date forward they were referred to frequently in accounts of frontier districts and in advertisements and notices appearing in colonial newspapers.[21]

2. Use and Meaning of the Term "Cowpens" in the Southern Colonies

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20. Lewis C. Gray, History of Agriculture in the Southern United States, 2 vols. (Washington, D.C., 1933), I, 57, 148, hereafter cited as Gray, History of Agriculture; Maurice Mathews, "A Contemporary View of Carolina in 1683," South Carolina Historical and Genealogical Magazine, LV, 157; Samuel Wilson, "An Account of the Province of Carolina, 1682," in Narratives of Early Carolina, 1650-1708, ed. Alexander S. Salley, Jr. (New York, 1911), p. 171.

21. Gray, History of Agriculture, I, 147-48.

a) In Virginia and Maryland

A cowpen in Virginia and Maryland was different from a cowpen in the Carolinas and Georgia. As Dr. Lewis C. Gray and others have written, the earliest use of the term was in 1634 on the Virginia Eastern Shore. In his monumental History of Agriculture in the Southern United States, Dr. Gray observed that these Virginia cowpens were enclosures "into which stock could be driven in the round-up."[22] Historian Wesley N. Laing noted, however, in his dissertation, after an exhaustive study of the cattle industry in colonial Virginia, that the Virginia cowpens were probably only small enclosures, pens, or barnyards.[23]

b) In the Carolinas and Georgia

In the Carolinas and Georgia, however, a cowpen was a site for open-range cattle spreads similiar to those that dominated the economy of the high plains states from Texas to Montana in the decades from the end of the Civil War until the 1890s. Here, were introduced and developed, before the Revolutionary War, practices, techniques, and laws that helped govern the better-known and economically more important open-range industry of the last one-third of the nineteenth century.

Historian Laing, after sifting the evidence, reached the conclusion that "large-scale open-range operations were not found in Virginia and that the use of 'cowpen' to mean 'ranch' was limited to the Carolinas" and Georgia during the colonial period. The largest cattle herds in Virginia, Laing has documented, seldom numbered more than 75 head.[24]

Writing in Agricultural History in 1961, Dr. Gary S. Dunbar explores his thesis that "the cowpen complex was a South Carolina institution which was in time extended northward into North Carolina and westward into Georgia by South Carolinians." Dr. Dunbar maintains that the cowpens "complex was born in South Carolina and did not draw its distinguishing traits from any prior or contemporary cattle-raising areas." He argues that the term "cowpen," meaning "ranch," in its western connotation

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22. Ibid., p. 147.

23. Wesley N. Laing, "Cattle in Early Virginia," (Ph.D. diss., University of Virginia, 1954), pp. 224-25; Gary S. Dunbar, "Colonial Carolina Cowpens," Agricultural History, (July 1961), p. 125.

24. Laing, "Cattle in Early Virginia," pp. 224-25.

was confined to colonial "South Carolina and those areas which South Carolinians invaded with their stock."[25]

The earliest reference Dr. Dunbar can document in South Carolina for a cowpen "meaning more than an enclosure" appeared in the South-Carolina Gazette for August 4, 1733. On that date there was advertised for sale "200 Acres of Land at English Santee, on the north side of the River, joining a large Savannah, very commodious for a Cowpen or Hog Craul."[26] A review of the South-Carolina Gazette for the decades from 1730 to 1770 disclosed to Dr. Dunbar that in advertising property for sale, cowpens were mentioned on a number of occasions. He found on comparing and evaluating these notices that in South Carolina, the typical cowpen was a cleared area frequently 100 to 400 acres "in extent, each with a large enclosure for cattle, enclosures for horses and hogs, dwellings and other buildings for the manager, his family, and hands, and a garden tract for provisions."[27] As in the open-range industry of the high plains, where the home ranch was located on a small tract owned in fee and thousands of acres were leased or used as public grazing lands, the owner usually held title to the cowpens lands, but not to the area over which the cattle ranged.

Among the sales advertisements were several that gave excellent descriptions of South Carolina cowpens. One appearing on July 18, 1768, in the South-Carolina Gazette announced:

> To be sold, Belonging to the estate of Capt. John North, deceased, A Stock of very fine, tame, well-governed Cattle, containing in the whole about 2000 head, great part of which is now fit for market: the said stock is divided in two parcels, about ten miles asunder, for the advantage of the range, one at Buck-Head on the eastern branch, and the other in the Great Fork between the two main branches of Saltcatcher great swamp, being as good a range for cattle as any in the southern parts of the province, having a large cane swamp between them for a winter's range. . . . Also will be sold with the Cattle, A Settlement suitable for a Cow-pen, with necessary buildings thereon, and a good pasture inclosed, together with about 50 head of Horses and Mares, and

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25. Dunbar, "Colonial Carolina Cowpens," pp. 125-26.

26. South-Carolina-Gazette, Aug. 4, 1733.

27. Dunbar, "Colonial Carolina Cowpens," p. 126.

a small stock of Hogs, some provisions, and many necessary Cowpen and plantation utensils. A very careful white man, who has managed the stock for some years, and is well acquainted with such business may be engaged to continue on easy terms.[28]

An advertisement in February 1779 in the South-Carolina & American General Gazette offered for sale

> The undivided moiety of a Stock of Cattle in St. John's parish, Berkley county, supposed to be at least 900 head to the whole: also, of 150 acres of land for a cowpen and to raise provisions for the negroes and horses; and of 7 horses, kept for hunting the cattle; and the whole of 2 negroes, excellent cattle hunters, used to the stock, and well known to it.[29]

South Carolinians referred to the coastal or settled parts of the province as the low country and called the Piedmont area the "back settlements" or "out parts." Cowpens in the back settlements were accordingly designated "back cowpens," "back pens," or "out cowpens" in advertisements and notices.[30]

3. The Cowpens Spread from the Tidewater to the Piedmont

The South Carolina cattle industry began in the low country near Charleston and spread within a few decades to other parts of the tidewater. By the first decade of the eighteenth century, South Carolina historian Robert L. Meriwether has written, there were adjoining the tidewater, but at times on the frontier, cowpens, as the larger cattle-raising establishments were called. The cattle ranged for miles and were brought to the enclosures at regular intervals for branding.[31]

These enclosures were frequently temporary pens built in an open wood, savanna, or glade, into which cattle were driven at

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28. South-Carolina Gazette, July 18, 1769.

29. South-Carolina & American General Gazette, Feb. 18, 1779.

30. Dunbar, "Colonial Carolina Cowpens," p. 126.

31. Robert L. Meriwether, The Expansion of South Carolina 1729-1765 (Kingsport, 1940). p. 12, hereafter cited as Expansion of South Carolina.

the annual roundup. Here the cattle were salted, calves were branded, and most of the bull calves were castrated. Occasionally, the enclosure consisted merely of the forks of a stream, fenced or ditched across, with an opening for the "drive." This type was frequently a temporary headquarters for wandering herdsmen.[32]

The cattle industry in southeastern South Carolina was dealt a setback from which it never fully recovered by the Yamassee War, because before the end of the 1730s that section of the colony had become wedded to the plantation economy. At this time Georgia was being colonized, while unsettled Indian affairs in upper South Carolina restricted expansion in that direction. By the mid-1730s, South Carolina herdsmen were encroaching on Indian lands in Georgia to such an extent that it was necessary for Gov. Edward Oglethorpe to issue a prohibitory order. By 1757 the available ranges in the South Carolina low country were so overstocked that great herds of from 300 to 1,500 head were being trailed into the region of Georgia between the Savannah and Ogeechee rivers and "kept in ganges under the auspice of cowpen keepers."[33]

In the inevitable conflict between herdsmen and planters, the herdsmen lost, and were compelled to move to new territory. Although cattle raising was in many respects a frontier occupation in colonial Carolina, there was little reason to raise cattle so far from market, and the middle country continued until the Revolutionary War to be thinly populated. Its numerous swamps, especially those in such comparatively isolated areas as the Coosawhatchie and Edisto forks, remained the colony's principal cattle ranges.

In selection of a site for settlement, the backcountry man was habitually influenced by the distance from other settlers. He was rarely found more than 10 miles from the nearest settler, but within these liberal limits he sought out land to answer rather exacting requirements. He usually bypassed the larger rivers, such as the Broad, and even the secondary streams, such as the Enoree and Little Saluda. Where there were extensive lowlands on the rivers, the owner of several hundred acres risked everything in the event of a flood; where the valley was narrow, the adjacent high ground was frequently steep and rocky, while the rivers themselves were obstacles rather than means of transpor-

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32. Gray, History of Agriculture, I, 147-48; Perry, "Revolutionary Incidents, No. 7, The Cowpens."

33. Gray, History of Agriculture, I, 148.

tation. Instead he made his way to the valleys of the creeks, where the Carolina Piedmont offered

> its choicest combination of soil, and, indeed, of beauty too. The clear stream was easily crossed, on its banks grew the cane or grass essential for cattle, the soil of the slopes was good, that of the narrow bottom as rich as was to be found.[34]

The middle and upper country from Virginia to Georgia thus became the "paradise of herdsmen, for the range was much richer on these comparatively fertile soils than in the low country." Cow drivers ruled until the planters began to drift into the region. In 1776 a list of large cowpens between the upper Ogeechee and the Savannah, in Georgia, showed herds from 1,500 to 5,000 or 6,000 head. The long whips employed by the herdsmen gave rise to the nickname of "crackers." Annually drovers brought large herds of cattle and hogs to the seaboard. In the late colonial period, stock from the backcountry of Virginia and the Carolinas, and even from Georgia during the Revolutionary War, was driven to markets in Baltimore, Philadelphia, and New York.[35]

4. Characteristics of Carolina and Georgia Cowpens

a) Ownership

Most of the cowpens were owned by men of considerable wealth. Often the cowpens cattle belonged to a planter, and frequently they were owned by one or more Charleston merchants. Advertisements were found by Dr. Dunbar offering "one-third of a stock" or "one-fourth of a stock," and one man advertised himself as "desirous of being concerned a Part in several Cowpens or Stocks of Cattle."[36]

b) Marking and Branding

To identify their cattle, the owners were required to use marks and brands which were recorded. The registration of brands

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34. Meriwether, The Expansion of South Carolina, pp. 162-63.

35. Gray, History of Agriculture, I, 148-49; John D. Schoepf, Travels in the Confederation (1783-1784), ed. Alfred J. Morrison, 2 vols. (Philadelphia, 1911), II, 222-23.

36. Meriwether, The Expansion of South Carolina, p. 12; Dunbar, "Colonial Carolina Cowpens," p. 126.

and marks was no proof against the claim that stock bearing the marks of other people had been acquired by legitimate means. To cope with this problem, the toll system was devised. A South Carolina act of 1705 provided that when selling horses, the animal must be carried before a toll keeper, usually a justice of the peace, who was required to record the date of sale, name, and residence of seller and buyer, the brand or other distinguishing mark of each animal, and the price or exchange value. An official certificate stated that the animal or animals had been legally acquired. Butchers and others killing cattle for sale were required to "toll them before slaughter." A later act required plantation owners to report to the toll keeper any strays found on their property. The toll keeper then had to advertise them, and on appearance of a claimant, determine if his claim was valid. Slaves were forbidden to brand stock except in the presence of a white, and severe penalties were imposed for changing brands or misbranding.[37]

c) Coping with Eighteenth-Century Rustlers

Despite these precautions, theft of livestock was an acute problem in frontier districts. Contributing to this were a number of factors: (a) the stock of various owners were indiscriminately intermixed in the woods; (b) the sparseness of settlement; and (c) the "prevalence of wild and desparate characters on the fringes of settlement." A failure of the colonies to cooperate in bringing rustlers to justice encouraged forays across provincial boundaries to carry off stock.

A Virginia act of 1742 alleged that vagrants from other colonies came into Virginia ostensibly to peddle horses, but actually to buy or steal great numbers of neat cattle. The great extent and importance of herding in the Carolinas made the problem more acute in those provinces. In the backcountry brigands flourished by stealing horses and cattle and altering the brands.

During the years between the French and Indian War and the Revolution, depredations became so serious that the entire countryside was terrorized. A remonstrance to the Assembly was made in November 1767 by inhabitants of upper South Carolina, who complained about the lack of police and judicial protection and asserted, "Our Large Stocks of Cattel are either stollen or destroy'd--our cow pens are broke up and All our valuable Horses are carried off--Houses have been burn'd by these Rogues." So desperate were the citizens that they resorted to lynch law.

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37. Gray, History of Agriculture, I, 144-45.

The colonies sought to cope with this problem by imposition of severe penalties, "the severity of which tended to increase" with the passage of time, despite general humanitarian advances. A North Carolina act of 1786 provided that for the first offense the culprit should stand in the pillory one hour, be publicly given 39 lashes, be nailed to the pillory by his ears, which afterwards were to be cut off, and branded on the right cheek with the letter "H" and on the left cheek with the letter "T." Four years later, the penalty was changed to death without benefit of clergy. A South Carolina law of 1784 provided for death without benefit of clergy for the first offense, whereas this penalty had been applied in an earlier law only to a second offense.[38]

d) Feeding the Cattle

In the winter, some of the Carolina cattlemen fed their livestock corn blades and crabgrass hay, while a few shipped in hay from New England. "Cowpen cattle," as Dr. Dunbar has written, "were raised on many different types of terrain and vegetation." Favored ranges seemed to be "the 'firm' or 'feeding' marshes of the islands and estuaries, the savannas and cane swamps of the inner coastal plain, and the canebrakes and 'peavine pastures' of the Piedmont."

Popular locations for cowpens were "in an area of both savannas and cane swamps, the former for summer feeding and the latter for winter." Savannas were created and enlarged by burning. Cane enjoyed its best season of growth from May to November, and it was most heavily grazed during the winter "because it was the best natural forage available in that season."[39]

By 1802 overgrazing had resulted in a great reduction of the total cane acreage in South Carolina. In that year John Drayton, having observed this, wrote:

> These canes [arundo, gigantea, etc.] are now to be found in quantities, only in the rich deep swamps of the lower country. At the first settlement of this state, the vallies of the middle and upper

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38. Ibid., I, 143-44.

39. John H. Logan, A History of the Upper Country of South Carolina, from the Earliest Periods to the Close of the War of Independence (Charleston, 1859), p. 151, hereafter cited as Logan, History of the Upper Country; Dunbar, "Colonial Carolina Cowpens," pp. 126-27.

country, then in the possession of the Indians, encouraged a plentiful growth of cane. But since the whites have spread themselves over the same, with their herds of cattle and hogs, the canes in these narrow swamps and vallies, are kept so closely cut down, by the continual browsing of cattle, as to have nearly extripated them.[40]

e) Fence Laws and Fencing

The fence laws of South and North Carolina followed the principle established in Virginia in 1642 that a person whose fences were "insufficent" should have no recourse for damages and should even be liable for any damage he might do to encroaching stock in driving them off his premises.[41]

At the Carolina cowpens there would be enclosures into which the range cattle were driven to be branded and marked, the bull calves castrated, and the herd salted. Fences would be erected to keep the stock out of the garden and cornfields.

These enclosures throughout South Carolina were usually of split rails or, as it was more commonly called, a worm fence. Law required that they be 6 feet high. When erected in this fashion, they were sufficiently strong to keep out the large herds of cattle and hogs that continually roamed the woods, and "to whose attacks, hedges, made after European modes, would, probably, not be sufficiently strong."

In the lower and middle districts of South Carolina, the rail fences were usually of pine, but in the upper districts, such as Spartanburg, chestnut and oak were favored.[42]

f) Keepers and Cattle Hunters

Although the cowpens were frequently owned by men of wealth, they hired a "cowpen keeper" or a "cowpen manager" to see to the

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40. John Drayton, A View of South-Carolina, as Respects Her Natural and Civil Concerns (Charleston, 1802), p. 62, hereafter cited as Drayton, A View of South-Carolina.

41. Gray, History of Agriculture, I, 145-46.

42. Drayton, A View of South-Carolina, p. 114. By the 1840s several of the settlers near the Cowpens were using hedgerows to divide their fields, and as property lines.

day-to-day operations of their business. The hands were called "cattle hunters" or simply "hunters." The keepers were whites, but the hunters were frequently slaves. Because the latter were mounted and became skilled horsemen, the owners often lost both slave and horse.[43]

A description of one of these hunters reads:

> This North is a very mean and inconsiderable person one of those who in this country are called Cattle Hunters[.] These sort of people from their continual ranging the Woods are better acquainted with the land than any other set of men.[44]

According to the mid-nineteenth century South Carolina historian John H. Logan, the keepers and hunters were "active men, experienced woodsmen, and unfailing shots at long or short sight with the rifle."[45]

These people helped open and develop the backcountry, without in "the beginning having any intention of establishing permanent settlements." They entered the region before any grants were made or any clearings opened by the whites. In the years before the Revolution these men had crossed the Pacolet and had established at least three cowpens--one near Hardin's place, the second near Grindal Shoals, and the third on Island Creek.[46] The latter, first referred to as Hannah's Cowpens was about 2 miles south of the site of the battle. As Dr. Dunbar has complained, this has caused many writers to inadvertently "emphasize the piedmont, rather than the coastal plain as the site of the most significant open-range operations" in the colonial Carolinas.[47]

5. Reports, Travel Accounts, and Reminiscences

Travelers' descriptions, official reports, and reminiscences by eighteenth-century visitors to South Carolina and Georgia provide invaluable information about cowpens found in this region

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43. Dunbar, "Colonial Carolina Cowpens," p. 130.

44. Meriwether, The Expansion of South Carolina, p. 12.

45. Logan, History of the Upper Country, p. 152.

46. Moss, The Old Iron District, pp. 9-10; A History of Spartanburg County, p. 15.

47. Dunbar, "Colonial Carolina Cowpens," p. 128.

at this period.

a) DeBrahm's Report

William G. DeBrahm, His Majesty's Surveyor-General for the Southern District of North America, spent a number of years between 1751 and 1766 in South Carolina and Georgia. In 1773 he made a report describing, among other facets of South Carolina resources and economy, the cattle industry. According to DeBrahm:

> Cattle in this Province are thus increased, that all Pains would prove in vain to number them, yea the Province is rather over stocked, and in order to make room for the yearly immense Increase, great Herds, from 3 to 1,500 Heads have been driven from this into the Neighbouring Province of Georgia, there spread between Savannah and Hogetohee [Ogeechee] Streams, ever since 1757, and kept in Gangs under the Auspice of Cowpen Keepers which move (like unto the ancient Patriarchs, or the modern Bodewins in Arabia) from Forrest to Forrest in a measure as the Grass wears out, or the Planters approach them whose small stock of Cattle are prejudicial to the great Stocks, from among which, the former draw the Bulls, and sometimes the Calves, (the latter, if not marked are apt to become the Planters Property) and as the Cows follow the Bulls also, great Gangs are apt to be misled in the Pasturage near the Plantations, which not affording sufficient Range for a great stock, the cattle are in Danger to grow poor and sick, for which reason the Cowpen Keepers prefer their Solitude to the Neighbourhood of Planters.
>
> The Cow Pen-Keepers determine the Number of their Stocks by the Number of Calves, which they mark every Spring and Fall; if one marks 300 calves per annium, he reckons his Stock to consist of 400 Heifers, 500 Cows and 300 Steers, in all 1,500 Heads besides Horses; this proves that not even a Cowpen-Keeper knows the true Number of his own Cattle.
>
> If they sell a Stock of 300 Heads, they allow 124 Cows, 80 Steers, including the Bulls, 90 Heifers, and 6 Horses, which Stock they sell for £ 300 Sterling, and deliver them gratis on the other side of one, two, or three navigable Rivers, according as

the Cowpenkeepers are in want of selling.[48]

b) Bartram's Travels

Several years after Surveyor-General DeBrahm had filed his report, the British Naturalist William Bartram, while traveling through Georgia, described visits to two cowpens.

In the spring of 1774, on a journey through present-day Glynn or Camden County, Georgia, Bartram arrived one evening at

> a cow-pen, where there was a habitation, and the people received me very civilly. I staid here all night, and had for supper plenty of milk, butter, and very good cheese of their own make, which is a novelty in the maritime parts of Carolina and Georgia.[49]

Leaving Charleston in April 1776, Bartram started for the Cherokee Nation. After crossing the Savannah River into today's Effingham County, Georgia, on April 23, 12 miles beyond the river, he saw

> in a high Pine forest on the borders of a savanna, a great number of cattle herded together, and on my nearer approach discovered it to be a cow pen: on my coming up I was kindly saluted by my host and his wife who I found were superintending a number of slaves, women, boys and girls, that were milking the cows. Here were about forty milch cows and as many young calves; for in these Southern countries the calves run with the cows a whole year, the people milking them at the same time. The pen, including two or three acres of ground, more or less, according to the stock, adjoining a rivulet or run of water, is enclosed by a fence: in this enclosure the calves are kept while the cows are out at range; a small part of the pen is partitioned off to receive the cows, when they come up at evening: here are several stakes drove into the ground, and there is

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48. Louis DeVorsey, Jr., ed., DeBrahm's Report of the General Survey in the Southern District of North America (Columbia, 1971), pp. 95-96.

49. William Bartram, Travels Through North & South Carolina, Georgia, East & West Florida, the Cherokee Country (London, 1794) p. 18.

a gate in the partition fence for a communication between the two pens. When the milkmaid has taken her share of milk, she looses the calf who strips the cow, which is next morning turned out again to range.

I found these people, contrary to what a traveller might think, perhaps, reasonably expect, from their occupation and remote situation from the capital or any commercial town, to be civil and courteous: and though educated as it were in the woods, no strangers to sensibility, and those moral virtues which grace and ornament the most approved and admired characters in civil society.

After the vessel were filled with milk, the daily and liberal supply of the friendly kine, and the good wife, with her maids and servants, were returning with it to the dairy; the gentleman was at leisure to attend to my enquiries and observations, which he did with complaisance, and apparent pleasure. On my observing to him that his stock of horned cattle must be very considerable to afford so many milch cows at one time, he answered, that he had about fifteen hundred head: 'my stock is but young, having lately removed from some distance to this place; I found it convenient to part with most of my old stock and begin here anew; Heaven is pleased to bless my endeavors and industry with success even beyond my own expectations.'

Yet continuing my interrogatories on this subject: your stock I apprehend must be very profitable, being convenient to the capital and sea port; in affording a vast quantity of beef, butter, and cheese, for the market, and must thereby contribute greatly towards your emolument: "yes, I find my stock of cattle very profitable, and I constantly contribute towards supplying the markets with beef; but as to the articles of butter and cheese, I make no more than what is expended in my own household, and I have a considerable family of black people, who, though they are slaves, must be fed, and cared for: those I have, were either chosen for their good qualities, or born in the family, and I find from long experience and observation, that the better they are fed, clothed and treated, the more service and profit we may expect to derive from their

labour: in short, I find my flock produces no more milk, or any article of food or nourishment, than is expended to the best advantage amongst my family and slaves."[50]

c) Tarleton Brown's Reminiscences

Tarleton Brown recalled that he moved to South Carolina in 1769 and settled on Brier Creek, opposite Burton's Ferry, in the middle country. He reported:

> The range for cattle was excellent; it was a very common thing to see two hundred in a gang in the large ponds. In any month in the year beeves in the finest order for butchering might be obtained from the forest. It was customary then to have large pens or enclosures for cattle under the particular charge or direction of some person or persons; I was informed by one of those who kept a pen at Kings Creek, that there had been marked that spring seven hundred calves. Our produce for market was beef, pork, staves, and shingles.[51]

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50. Ibid., pp. 308-9.

51. Alexander S. Salley, Jr., The History of Orangeburg County, South Carolina, from its First Settlement to the Close of the Revolutionary War (Orangeburg, 1898), pp. 219-20.

VI. HISTORIC SITES AND STRUCTURES: THEIR LOCATIONS AND IMPORTANCE

A. The Battleground in 1898

1. H.R. 8975 is Introduced into the 55th Congress

In March 1898 Representative Stanyarne Wilson of South Carolina's 4th District introduced H.R. 8975 to establish a national military park at the Cowpens. Approximately 180 acres, to be included in the park had been staked out.

In Mr. Wilson's bill, the boundary of the proposed Cowpens National Military Park was to begin at a stake 200 yards south of the Howards Gap (Green River) Road and run in a "southeasterly direction to Little Buck Creek one hundred yards below its source"; then across the Spartanburg Road "to the head of Maple Swamp (or Island Creek No. 1)"; then in an easterly direction to the head of Island Creek No. 2; then nearly due east to a stake in Black Scruggs's field; then nearly due north, crossing the Howards Gap (Green River) Road "east of the 'Wolf pit' (where the British were buried)," to a stake in Black Scruggs's field; then nearly west to the head of Suck Creek No. 3; then west, crossing Suck Creek No. 2, 100 yards below its source; then to the head of Suck Creek No. 1; then to a stake 200 yards northeast of James H. Ezell's store; and then by a straight line crossing the Howards Gap (Green River) Road to the beginning stake.[1]

H.R. 8975 was referred to a committee, where it died. It was reintroduced by David E. Finley on December 13, 1899, as H.R. 4005. Once again, the bill to establish a Cowpens National Military Park expired in committee.

2. A Correspondent Reconnoiters the Proposed Area

In the last week of February 1898, a correspondent for the Gaffney Ledger visited the proposed national military park. It was mid-afternoon on Wednesday, February 28, when he reached Black Scruggs's house. Here he received a cordial welcome, an excellent dinner, and feed for his horse.

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1. H.R. 8975 in the 55th Congress introduced by Stanyarne Wilson, Mar. 9, 1898. Efforts to locate a plat of the proposed national military park have been unsuccessful.

As he informed his readers, the Robert Scruggs house

> lies just on the inside of the battle ground plat. The old part of his house was built just a few years after the close of the Revolutionary War. In front of his house musket balls, gun flints and other paraphernalia necessary for an army outfit have been found in abundance from time to time.

So far as the newspaperman could see, there was not at present "any sign of any tree, stump or root, that could have been part of the original forest." Black Scruggs told of the many relics he had found in the fields on either side of the Green River Road. He had sent a number of these to be exhibited at the Atlanta Exposition in 1895. Within 100 yards of Scruggs's house was the "wolf pit." It was near the roadside, and he was told that "signs of the old chestnut could be seen until just a few years ago."

Accompanied by Black and R. A. Scruggs, the correspondent went to see James H. Ezell, who lived at the far end of the battleground, about 1¼ miles up the Green River Road from Black Scruggs's. Ezell, he found, had "nearly reached his four-score years." His mind, however, was keen.

The Green River Road, the reporter observed, cut the battleground "in two longitudinally." To the north were three springs, the headwaters of Suck Creek, "the outlets of which usually form bogs, thus making a flank movement of cavalry or artillery difficult, if not impossible." South of the road, the headwaters of Little Buck, Maple Swamp, and Island Creek served the same purpose. Thus, he wrote, "the military student will readily see the strategy of the American commander in choosing this ground upon which to fight an enemy of superior forces and resources."[2]

His guides indicated the proposed boundaries. The northwest boundary crossed the Green River Road at nearly right angles near Ezell's store. The proposed northeast and southwest boundaries paralleled the Green River Road, running respectively to Spring No. 1 at the head of Suck Creek, and to the head of Little

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2. The correspondent, a Confederate veteran, thus recognized a fact about the topography ignored by most historians. The position occupied by General Morgan and his men would have been difficult to outflank because of these bogs and springs, especially since it had been raining for several days before the battle.

Buck Creek. The lines then paralleled the road to a point a little east of Black Scruggs's house, where the eastern boundary had been staked.

The acreage proposed for inclusion in the park, the correspondent informed his readers, was "in a high state of cultivation, and beautiful farming land at that."

His guides, as they toured the field, told the reporter that a few years before "a cannon ball was cut from a tree not far from where the monument now stands."[3]

B. The Battleground in the Twentieth Century as Recalled by Oldtimers

1. Boyce Martin's Recollections

Boyce Martin was interviewed on December 5, 1973. A son of G. Lee and Arminta Martin, Boyce was born in the battleground area shortly before the turn of the century and lived there all his life. He died within only 5 weeks of our interview and was buried in the New Pleasant Cemetery.

Mr. Martin stated that in his boyhood only a few families lived on the 850 acres to be included in Cowpens National Battlefield.

Structures that Boyce Martin recalled were the Ezell house and store. The Ezell house, unchanged, is extant, but the store, which in Boyce's boyhood was owned and operated by his father, across the road from the Ezell house, has been gone for many years. On the site of General Price's home was the house occupied by Martin Ellison and later by J. M. Lamb. His parents' home stood about where his house now stands. His house, he stated, had been erected in 1930, after fire had destroyed the family home.

Several hundred yards south of the old Martin home, east of the Cowpens-Clifton Road, stood the Major Blackwell house. The Blackwell home has burned and has been replaced by another structure.

There were two houses on opposite sides of the Green River Road, several hundred yards east of his parents' home. These

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3. The Ledger (Gaffney, S.C.), Mar. 3, 1898.

houses were on the Cudd property. In the 1920s the Davises lived in the large frame house on the south side of the road.

On the south side of the Green River (Mills Gap) Road, on either side of the crossroad leading to the New Pleasant Baptist Church, lived two families. The Robert Scruggs house was the home of the James A. "Black" Scruggs family, and Jim Jolley rented the new frame house west of the Scruggs's.

Near the Church, on opposite sides of the crossroad, were two residences. The one east of the road, on the north side of Island Creek, was rented by James A. Scruggs to a succession of tenants before being permanently occupied by James A. Scruggs, Jr., and his family. The Richard Scruggs house, west of the road and south of Island Creek, was the home of Fayette and Daisy Scruggs Martin.

New Pleasant Baptist Church and the New Pleasant Public School were northeast of the intersection of the crossroad and the Bonner Road. J. F. Martin lived on the old Willis Martin place. On Island Creek, southeast of the church and southwest of J. F. Martin's,was Jesse Hammett's old waterpowered mill.

While farming his land on either side of the Green River Road after heavy rains, Boyce Martin has found musket balls in freshly cultivated ground. In recent years he has uncovered fewer objects associated with the battle.

Responding to a question on the subject, Boyce Martin stated, "There is no local tradition regarding burial sites of soldiers slain in the battle."[4]

2. General Price's Recollections

General Price, who has lived on the property north of the Cowpens Monument and south of the Spartanburg Road since 1931, was interviewed on December 5, 1973. Price is a retired NPS employee, having served as custodian of Cowpens National Battlefield Site for more than 35 years. Prior to moving to the battleground, Price had lived for a number of years on the Cowpens-Clifton Road, on the opposite side of the road from Champion's store.

At the time of his move to the battleground, the United

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4. Boyce Martin with Bearss, personal interview, Dec. 5, 1973.

States Government's monument was under construction. The workers, he recalled, were from Macon, Georgia. He also remembers that South Carolina Highway 11 was relocated after he established his home on the battleground. The Spartanburg (Coulter's Ford) Road, north of Price's property, was realigned and located a little farther south, near Price's house.

By 1931, General Price continued, the store that had stood on the east side of the road across from the Ezell house was gone. Price had moved the house he now lives in from a site several hundred feet to the southwest. The house that had stood on the site was relocated behind and to the south of his present residence.

General Price recalled that the store on the east side of South Carolina Highway 11, at the monument triangle, was constructed subsequent to his move to the battleground.

In 1931, Mr. Price stated, Boyce Martin lived where he now resides, and in the same dwelling. The Blackwells lived in a frame house down the Cowpens-Clifton Road from Boyce Martin's. He reported that a fire had destroyed the Blackwell residence. A cement block building was erected on its site.

Along the old Green River (Mills Gap) Road, southeast of the monument triangle, were several residences. The first of these, on the south side of the road, was the home of Claude Scruggs. The Morrises now own that property and live in the big frame house. Across the road was a frame house occupied by Charlie Harris, a renter. This structure has disappeared from the scene. Robert and Lillie Scruggs lived in the frame house still standing on the south side of the road. On the same side of the road, east of the crossroad to the New Pleasant Baptist Church, was the home of Rosa Garrett. North of the Green River (Mills Gap) Road, midway between the Scruggs and Garrett homes, was the frame house occupied by Jessie Ellison. This house has been demolished.

General Price recalled two families living on the crossroad to New Pleasant Baptist Church. James Scruggs and his family lived in the frame house east of the road, on the north side of Island Creek. On the south side of the stream and west of the road was the Daisy Martin home. This house burned, and its site is now identified by the stone chimney.

The only other houses dating to 1931 included in the proposed Cowpens National Battlefield, of which General Price is cognizant, are the Henry Williams and Will Lamb houses.

General Price, in the years he has lived on the battleground, has found a number of musket balls and one 3-pounder cannon ball. He sold the artillery projectile to Wofford College of Spartanburg.

According to General Price, he had heard "oldtimers" say that the men slain in the battle were buried near the Washington Light Infantry Monument.[5]

3. Willard Hayes's Recollections

Willard Hayes, a grandson of Drury and Jane Potter Williams, Island Creek pioneers, was interviewed on January 22 and 23, 1974.

A student of family history, Mr. Hayes was able to locate the site of his grandfather's home. The Drury Williams home, which no longer stands, was east of the Bonner Road, on land not authorized for inclusion in the national battlefield.

The frame house on the Curtis Williams tract, Mr. Hayes stated, was built by his uncle, Henry Williams, in the 1880s, after the division of the Drury Williams real estate among the heirs.

Mr. Hayes recalled that Will Lamb erected the frame house on the Martin tract when he was a young man. The house in which the Lambs lived, following their purchase of the 36-acre tract, is standing and is used as an outbuilding.[6]

C. Structures Within the Boundary Dating to Before 1900

There are a number of structures within the authorized boundary that are more than 70 years old, which "reflect the settlement pattern and the development of life styles in the Piedmont since the battle." We are in agreement with Architect Hugh Miller that the NPS needs to "consider their possible continued or adapted use for public facilities and park support activities."[7]

1. The Robert E. Scruggs House

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5. General V. Price with Bearss, personal interviews, Dec. 5, 1973 & Jan. 24, 1974.

6. Willard Hayes with Bearss, personal interviews, Jan. 22 & 23, 1974.

7. Hugh Miller to Chief Historical Architect, Dec. 12, 1973.

This modest frame house is on the south side of the Green River (Mills Gap) Road, about 200 yards west of the Robert Scruggs house. It is currently occupied by Mrs. Lillie Martin Scruggs, widow of Robert E. Scruggs.

The house was built about 1900 by James A. "Black" Scruggs, who used it as rental property until March 1910. During this decade, Jim Jolley occupied the house for much of the time. Mrs. Lillie Scruggs recalls that she and her husband moved into the house on March 26, 1910, and since then she has known no other home.

Her husband received fee title to the home and to the adjacent 35 acres in 1923, when her father-in-law divided his real estate before his death. Several years before, they had purchased from John W. Rigby and his associates 11.31 acres of the Broadus Champion property, adjoining their farm on the west.[8]

2. The Rock Chimney and Foundations of the Richard Scruggs House

Richard Scruggs, soon after moving from Rutherford County, North Carolina, to the Cowpens area, erected a log cabin to house his family on "Long Branch of Island Creek." On one of the chimney stones is inscribed "R.S. Ⓓ 17 1811." Documentary evidence, deeds on file in the Spartanburg County Courthouse, corroborate that the cabin was built about that date.

Richard and Mary Dobbins Scruggs lived in this house until their deaths in the 1850s. Other members of the family resided in the structure until the fifth decade of the twentieth century. Following their marriage, it became the home of Daisy Scruggs and her husband, Fayette Martin. When Black Scruggs divided his property among his children 3 weeks before his death in August 1923, he deeded to Daisy lot No. 7, on which her great-grandfather's home stood.

Many years before, probably prior to Richard's death, the log cabin had been framed and boxed in, in much the same manner as the Robert Scruggs house. Several rooms were added to the structure by Fayette and Daisy Martin.

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8. Mrs. Lillie Martin Scruggs with E. Bearss, personal interview, Dec. 5, 1973. The 1907 plat of the Black Scruggs property locates this structure, as do the maps in Colonel Landers's 1928 Historical Statements.

The Richard Scruggs homestead burned in the early 1950s, leaving only the huge rock chimney and the stone foundations.[9]

3. The James A. Scruggs, Jr., House

East of SC 11-122, several hundred yards north of where the road crosses "Long Branch of Island Creek," is a frame house. This structure, or part of it, may date to the mid-nineteenth century or before.

James W. Scruggs, who is in his mid-fifties, was born in this house, which, along with the adjacent 41-acre tract, was deeded to his father, James A. Scruggs, Jr., by Black Scruggs when he divided his farm among his seven surviving children. Family tradition, Mr. Scruggs stated, was that this house had been built by Richard Scruggs, his great-great-grandfather, as slave quarters. His father had added to the structure during the years it served as the family home.[10]

4. The Henry Williams House

Following the death of Drury Williams in 1878, his farm was divided among the heirs. Henry E. Williams received lot No. 5 fronting on the Bonner Road and bounding on the southwest the Robert Scruggs and Willis Martin farms.

On lot No. 5 Henry Williams built a single-story frame house.[11]

5. The W. J. Davis and Bailey Houses

The W. J. Davis house, now owned and occupied by the Harley Morreses, is more than 50 years old--the core of the house having been erected by Margaret Cudd and her husband. This house, because of its location in the core-area of the battlefield, constitutes such an extreme intrusion on the historic scene that it must be removed. It might, however, be relocated at some less strategic point on the battlefield.

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9. Mrs. Rosa Garrett with Bearss, Walker, and Miller, personal interviews, Nov. 11 & 28, 1973, and Jan. 17 & 25, 1974; Mesdames Lillie Martin Scruggs and Leona Martin Jolley with Bearss, Dec. 5, 1973; James W. Scruggs with Bearss, Dec. 5, 1973. The 1907 plat of the Black Scruggs property pinpoints this structure.

10. James W. Scruggs with Bearss, personal interviews, Dec. 5 & 6, 1973.

11. Willard Hayes with Bearss, personal interviews, Jan. 22 & 23, 1974.

The Bailey house, on the Spartanburg Road (SC11-57) northwest of its junction with South Carolina Highway 11, is likewise more than 50 years old. Located as it is on the fringe of the battlefield core-area, its removal is dictated by the need to restore the historic scene.

6. The James H. Ezell House

a) Nathan Byars, Revolutionary War Soldier

The plat prepared by Joseph Camp for Nathan Byars in 1826 to document his title to 394 acres "on the head waters of Island, Suck, and Buck Creek," locates a house southwest of the intersection of the Green River and Island (Coulter's) Ford roads. The plat drawn by John Gibbs for Col. Nathaniel Gist in 1845 shows a house in the same location.

Nathan Byars, the builder of this house,was born in Granville County, North Carolina, in 1749. He was living in Caswell County when he was drafted for 3 months service in the Revolutionary War. He served as a private in Captains Cunningham's and Forbes's companies, and in the regiment commanded by Colonel Moore. Byars was drafted for two additional tours of duty, and later volunteered for a 3-month term. Byars was unable to recall, in his application for pension, the dates of his service, but his declaration states that he was in the army "at the time of the battle of Eutah Springs, Kings Mountain, and at the time of Gates' defeat," although he did not participate in these battles.

During his tours of duty, Private Byars was usually stationed in and around Hillsborough,North Carolina, and the nearby counties, and, during one enlistment, he participated in a campaign against the Indians in western North Carolina.

His application for pension, dated December 31, 1844, was supported by an affidavit submitted by two sons of Richard Scruggs --Jesse and Rev. Drury Scruggs.

Just before the Revolution, Byars married Drucilla Harrelson, and to the couple were born at least 11 children. After the death of Drucilla, Byars remarried, taking as his second wife, on October 8, 1819, Delphy Logan. One child was born to this union.

Byars, in 1783, purchased from James Webb 200 acres in Rutherford County, North Carolina, on Broad River. In 1822

Byars moved to Spartanburg District, South Carolina, settling on the high ground separating the Suck and Little Buck Creek watersheds. Four years later, on October 2, 1826, Byars secured a grant from Gov. Richard J. Manning of South Carolina to 394 acres "on the headwaters of Island, Suck & Buck Creeks, including the Cowpens Battle and also his own house and Plantation."[12]

In 1840 Byars, having lost a suit to Samuel Ezell, sold 300 acres of his grant to James H. Ezell, one of Samuel's sons. On this tract were the improvements shown on the Camp and Gibbs plats. Byars died August 18, 1846, at the age of 97, and was buried in the family graveyard behind the house and outbuildings.

b) The Ezells: Their Background

Samuel Ezell, James H. Ezell's father, was born in the late 1790s in South Carolina. He was a son of James and -----Ezell, and married Rachel Paigne. The couple were the parents of eight children, the oldest being James H., born in 1823, and the next oldest being John Swillivan, born January 29, 1825.

James H. Ezell married Artimisia Dobbins, and to the couple were born four daughters (Elizabeth, Caroline, Tena, and Libbie) and two sons (James and Wofford). Elizabeth married G. Lee Martin, Caroline married Willis Martin, Tena married Robert Martin, Jr., Libbie married Fred Parris, and Wofford married Pink Goode.

c) James H. Ezell as Postmaster

James H. Ezell was an important man in the community for

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12. Pension File, N. Byars, W-6223, Dec. 31, 1844, National Archives; Mrs. C. M. Moser with Bearss, personal interview, Dec. 5, 1973. Mrs. C. M. Moser of 713 West Graham Street, Shelby, N.C., a regent in the Daughters of the American Revolution, has prepared detailed genealogies of a number of families that have lived in the battleground area since 1800. She is a direct descendant of Martin Martin, a Revolutionary War soldier who died in 1837 and is buried at New Pleasant Baptist Church. Martin Martin's grandson was J. Willis Martin, Mrs. Moser's paternal grandfather. The old Willis Martin home, still extant, is west of Island Creek, south of the area authorized for inclusion in the Cowpens National Battlefield.

The Willis Martin place was that part of the George Williams grant conveyed by Williams to Matthew Abbett in 1808, and by Abbett to Will Dobbins, Dobbins to James H. Ezell, and by Ezell to Willis Martin.

13. Christine W. Sheldon, The Ezell Family in America--Descendants of George Ezell of Old Surry, Va., 1692-1961 (n.p., n.d.), pp. 26, 47, and 74-75. James Ezell died in childhood in the 1850s and is buried in the Byars-Ezell Cemetery.

more than 50 years. In August 1859 he succeeded Robert Scruggs as the Cowpens postmaster, and held that position until September 29, 1866, when the post office was discontinued. After the post office was reestablished a second time on September 27, 1878, Ezell was again named postmaster.

On October 8, 1880, following the platting of the town of Cowpens on the railroad, 8 miles to the south, the post office was redesignated "Ezell." Ezell continued as postmaster until his death on December 29, 1900.[14]

Upon Ezell's death, William H. Champion became the Ezell postmaster, to be succeeded by Ezell's son-in-law, G. Lee Martin, on June 6, 1903.[15]

d) James H. Ezell as Community Leader

Both James H. Ezell and his brother, Rev. J. S. Ezell, were community leaders. Whenever there was a local gathering, they were participants. Typical was the commemoration of the 80th anniversary of the Cowpens battle, which for South Carolinians had tremendous significance. Just 4 weeks before, a special convention meeting in Charleston on December 20, 1860, had passed, by unanimous vote, an "ordinance" declaring that "the union now subsisting between South Carolina and other States, under the name of the 'United States of America,' is hereby dissolved."

A committee chaired by Dr. J. L. Wofford made plans for a rousing celebration at the Cowpens for January 17, 1861. In announcing plans, it was revealed that Dr. J. G. Landrum, a member of the Secession Convention, would address the gathering on the proceedings of the convention, and the Honorable G. Cannon would address the gathering on the proceedings of the General Assembly. In event that former speaker of the U.S. House of Representatives, James L. Orr, and Colonel Farrow were unable to attend, speeches would be called for by others.

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14. Records of Appointments of Postmasters, Records of the Post Office Department, NA, RG 28. The post office at Cowpens was established May 14, 1847, with Robert Scruggs as postmaster. The post office was reestablished for the first time on Oct. 3, 1871, with Richard A. Scruggs as postmaster.

15. Ibid.

Four companies of cavalry had announced plans to parade at the celebration, while the militia captains from the Cowpens section of Spartanburg District were requested to muster and parade their companies on the historic field. The local artillery company had agreed to participate and would keep order.

> Accordingly, it was announced that all clamor will be suppressed and all persons are forbidden to bring any ardent spirits on or near the grounds on that day. The companies and citizens are requested to bring their fire arms to salute the flag.

The order of the day called for a torchlight procession to inaugurate the day's festivities, which were to begin at 5 a.m. January 17, and be led by Capt. B. B. Williams.

At 10 o'clock the palmetto flag would be hoisted, superintended by Rev. J. S. Ezell, proclaimer. At 11 a.m. the marshal would take command, with the speeches commencing at noon.

Capt. James H. Ezell, the local postmaster and owner of most of the battlefield, would be chairman of the arrangements committee.

Ladies were urged to attend.[16]

At 10 a.m. on January 17, 1861, the palmetto flag was raised, and "the military evolutions and orations began." There were more than 2,000 in attendance. Someone during the previous evening had cut down and desecrated the flag, thus proving that there were some Unionists in the district. An investigation by a vigilance committee resulted in the apprehension, conviction, and punishment of one of the guilty parties. A confederate, however, escaped despite a reward offered for his capture.[17]

e) James H. Ezell Has Troubles with the Law

During the Civil War, Ezell ran afoul of the laws passed by the State and Confederate governments as war measures prohibiting the unlicensed distilling of alcohol from corn and other grains that the army and civil populace needed for foodstuffs. On April 4, 1864, P. W. Farrow appeared before magistrate J. M. Elford,

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16. The Carolina Spartan (Spartanburg, S. C.), Jan. 10, 1861.

17. A History of Spartanburg County, p. 47; Moss, The Old Iron District, pp. 143-44.

and complained that he had reason to believe Ezell "was guilty of being concerned in the Distilling of spiritous liquors from grain contrary to the law within the district of Spartanburg."[18]

Elford issued a warrant for Ezell's arrest. On appearing before Elford, Ezell posted a bond for $1,000 and was released on his own recognizance. The trial was postponed a number of times, and in the fall of 1866, the Confederacy having collapsed, the case against Ezell was dismissed and his bond refunded.[19]

f) Ezell's Store

In the 1870s, James H. Ezell built and opened a general store on the Green River (Mills Gap) Road opposite his house. The local post office, of which he was postmaster from 1878 until his death, was in the store.

Ezell's store also served the precinct as its polling place.

Upon Ezell's death, his grandson, G. Lee Martin, became owner-manager of the store. The store had closed and the building had been razed by 1930.[20]

g) James H. Ezell as a Landowner

Ezell, beginning in 1840 with the purchase of 300 acres from Nathan Byars, continued during the next decade to add to his acreage. In 1850 he was listed as owner of 100 acres of improved land and of many unimproved acres; 10 years later he listed 75 acres as under cultivation and 650 acres as unimproved; in 1870 he reported owning 30 acres of improved farmland, 98 acres of woodland, and 288 acres of unimproved land; and in 1880 he had 40 acres under cultivation and 185 acres in woodland.[21]

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18. State of South Carolina v. James H. Ezell, Case No. 75, Fall 1866, Court of General Sessions, Spartanburg County, South Carolina Department of Archives and History, Columbia, S.C.

19. Ibid.

20. Mrs. Moser and Messrs. Martin and Price with Bearss, personal interviews, Dec. 5, 1973.

21. Fourth Schedules, Agricultural Census for Spartanburg District/County, 1850, 1860, 1870, and 1880, South Carolina Department of Archives and History, Columbia, S.C.

The Spartanburg County Deed Books and the Agricultural Census Schedules are in agreement that in the 1870s James H. Ezell began to dispose of his real estate. By the time of his death, in December 1900, he had alienated all his land.

When he died, his personal estate had shrunk to about $200. A widower, he left as his heirs three daughters (Mesdames C. J. Martin, R. A. Martin, and M. L. Parris), and daughter-in-law A. D. W. Good, four grandsons (G. L., J. M., J. A., and J. V. Martin), and the children of Mrs. N. E. Martin, a predeceased daughter.[22]

Ezell's personal estate, which was appraised on January 31, 1901, consisted of corn, fodder, cottonseed, a mule, a cow and calf, an engine boiler and sawmill, farm tools, and household and kitchen furniture.[23]

7. The Ezell House: An Evaluation

A house has stood on this site since 1822. Until an architectural investigation of the fabric has been undertaken, we will not know what part, if any, of the structure dates to the Nathan Byars years. This study may demonstrate that the entire structure was built by Ezell.

Nancy Williams, who was a granddaughter of Nathan Byars and 70 years old in 1898, recalled that she was born in her grandfather's house and lived there until she was three.[24] This leads to the conclusion that changes to the structure, during the years that she was familiar with it (from the time she was a teenager), were minimal.

D. Burial Sites and Cemeteries

1. British Burial Sites

a) Perry's Three Sites

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22. J. H. Ezell, Probated Estate, Box 2, Package 27, Cherokee County Probate Court, Cherokee County Courthouse, Gaffney, S.C.

23. Ibid.

24. The Ledger (Gaffney, S.C.), March 3, 1898

Benjamin Perry, who toured the battleground in 1835 with "one of the few surviving gallant officers who commanded in the Battle," was shown the burial sites. He reported, "Three places of burying are now to be distinctly seen. The largest is near the chimney of a cabin in one of the fields mentioned. The second is fifty or a hundred yards distant, & the third on the spot where the engagement took place."

Previously, Perry had noted that the place where the Patriot Army had camped on the night of January 16, 1781, was on the high ground between Suck and Buck creeks, which at this point are "not more than two or three hundred yards apart." By 1835 Nathan Byars had cleared "a little field on either side of the road where the American Army lay on the night previous to the seventeenth."[25]

The plat, accompanying Byars's 1826 survey of 394 acres on both sides of the Green River Road near the Cowpens battleground, locates Byars's cabin and field at the intersection of the Green River and Island (Coulter's) Ford roads.

b) The "Wolf Pit"

By the 1890s, when legislation was introduced in Congress to establish a Cowpens National Military Park, local tradition referred to the burial site of many of the British dead as the "wolf pit," and located it near the Green River Road, west of the Robert Scruggs house.[26]

A correspondent for the Gaffney Ledger, who visited the battleground in February 1898, reported that the "famous 'wolf pit' is within one hundred yards of Mr. Scruggs' house. It is near the road side," and he was told that signs of the "old chestnut stump could be seen until just a few years ago."[27]

Mrs. Nancy Williams told the Ledger's correspondent on his 1898 visit that her grandfather had told her that the British were buried in the "wolf pit." When she was first shown the site by her grandfather, "it was waist deep to her."

The reporter and his guides theorized that as the bodies

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25. Perry, "Revolutionary Incidents, No. 7, The Cowpens."

26. H.R. 8975, 55th Congress.

27. The Ledger (Gaffney, S.C.), Mar. 3, 1898.

decayed, the earth sank in, and "until the land was put into cultivation the interstices were plainly to be seen."[28]

A second burial site was pointed out to the correspondent by Black and R. E. Scruggs. It was on the "knoll between where John Cudd and Black Scruggs lived."[29]

c) Recommendations

Efforts should be continued to find the 1898 plat of the battleground, which may locate the "wolf pit" and other sites considered significant to the battle by local residents in that year. Prof. Bobby Moss of Limestone College, a distinguished local historian, has seen a copy of this plat, or a similar one, but he was unable to recall when or where.[30]

If the 1898 plat is found, or if other information becomes available concerning the whereabouts of the burial sites, they should be investigated by NPS archeologists. If found to be the burial sites of the Cowpens dead, the locations should be suitably marked and interpreted.

2. The Byars-Ezell Cemetery

West of the Ezell house, behind the barn in the brambles, is the Byars-Ezell Cemetery. There are a number of graves, but only two stones are in position. A broken headstone for Nathan Byars, Revolutionary War soldier and one-time owner of much of the battleground, and a second unidentified headstone have been uprooted and placed against a tree. Although James H. Ezell was buried here, his grave is either unmarked or the stone has disappeared.

Recommendations: This cemetery contains the remains of persons significant to the area's history. Consequently, the NPS should restore and reposition the broken stones, should make a study to determine the number and identities of others buried here, and should clean up and maintain the cemetery.

3. Recommendations

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28. Ibid.

29. Ibid.

30. Mr. Bobby Moss with Bearss, personal interviews, Dec. 5, 1973, and Jan. 7, 1974.

All these structures (the R. E. Scruggs house, the rock chimney and foundations of the Richard Scruggs house, the James A. Scruggs, Jr., house, the Henry Williams house, the W. J. Davis and Bailey houses, and the Byars-Ezell house) are illustrative of the vernacular architecture of this area of the Carolina Piedmont from 1800 to the first decades of this century. As such, it is incumbent on the NPS to attempt to preserve and protect certain of these structures.

Our recommendations for the treatment to be accorded each of these features follows:

a) The R. E. Scruggs House

This structure was built more than 70 years ago and is typical of the frame houses erected during that period. It possesses no historical significance and is in poor structural condition. Its removal or demolition will require the approval of the Associate Director for Professional Services.

b) The Richard Scruggs Rock Chimney and Foundations

Immediate measures must be taken by the NPS to stabilize and preserve these structures. To secure additional information about the Richard Scruggs house and outbuildings, an archeological investigation and a historic structure report should be programmed.

c) The James A. Scruggs, Jr., House

To determine the construction date of this building, an architectural investigation should be programmed. If this investigation verifies that the structure dates to the mid-nineteenth century or earlier, the house should be stabilized and preserved, and its interior adapted to a compatible usage by the NPS.

d) Henry Williams's House

This farmhouse is characteristic of the vernacular architecture of the Carolina Piedmont during the latter third of the nineteenth century. As such, it merits investigation by NPS architects, and a historic structure report should be programmed. If this structure is found to be a good example of vernacular architecture, it should be protected and preserved. The exterior should be restored to its ca. 1890 appearance, and its interior adapted to a compatible usage.

e) The W. J. Davis and Bailey Houses

Although both these structures are more than 50 years old, their location in and on the fringes of the core-area of the battleground necessitates their removal. In removing these structures, it may be desirable to relocate the W. J. Davis house outside the core-area, and to utilize it as park quarters. The Bailey house is in poor structural condition, but before proceeding with its demolition, the approval of the Associate Director for Professional Services must be secured.

f) The Byars-Ezell House

The Byars-Ezell house, because of its local historic significance, should be preserved and protected. Its exterior should be restored to its ca. 1900 appearance, and its interior adapted to a compatible usage. To accomplish this goal, a historic structure report should be programmed at an early date to provide management with information to guide it in the treatment of this handsome nineteenth-century structure.

E. Other Sites Related to the Battle

1. The Cowpens Spring

According to Nancy Williams, her grandfather, Nathan Byars, had told her that the personal encounter between Colonels Washington and Tarleton took place near "Cowpens Springs--a large bold fountain of free-flowing water gushing from beneath a little red hill on the top of the ground and headquarters of Gen. Morgan just before and at the time of the battle."[31]

Local residents were questioned about the location of Cowpens Spring, but none of them were familiar with its whereabouts. Undoubtedly, the spring is shown on the plat used to support legislation for the establishment of Cowpens National Military Park.

2. Site of Destruction of Tarleton's Train

North of the Green River Road and west of Cowpens Spring, large quantities of "broken crockery ware" were being found after heavy rains in 1898. These fragments were presumed to be the wreckage of camp equipage abandoned by the British and destroyed by the Patriots before evacuating the area.[32]

An effort should be made by NPS archeologists to identify this site.

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31. The Ledger (Gaffney, S.C.), Mar. 3, 1898.

32. Ibid.

VII. THE WASHINGTON LIGHT INFANTRY COWPENS MONUMENT

A. The W.L.I. Becomes Custodian of the William Washington Flag

The attack by the British frigate Leopard on the United States ship Chesapeake off the Virginia Capes in 1807 aroused the American people. Although war was averted for the time being, hundreds of militia companies were organized from men "eager to assert the national honor and punish the national insulter." Among these companies was the Washington Light Infantry composed of a company of Charleston gentlemen.

The company remained active during and after the War of 1812. In April 1827, Mrs. Washington, the widow of Col. William Washington, presented her husband's flag to the Washington Light Infantry. This was the crimson banner that her husband's command had carried in its charge at the Cowpens, at Eutaw Springs, and at many other engagements in the Southern campaign. On doing so, Mrs. Washington charged the company "Gentlemen, to your hands I commit the flag of my husband; it has never been dishonored while in his keeping, I am sure it will never be in yours."[1]

B. The Cowpens Expedition

In this manner the Washington Light Infantry,by becoming custodian of Colonel Washington's battle flag, "became linked with the Battle of Cowpens." On the 75th anniversary of the battle, Capt. Lewis M. Hatch, commander of the unit, proposed at the annual commemorative parade that the Washington Light Infantry visit the battleground in the spring. His suggestion was approved by company members.

During the next several months, preparations were made for the trip, only part of which could be made by rail. It was decided to erect and dedicate a monument on that historic field. The

> showy dress uniform was laid aside; button and broadcloth and lace stripes and feathers were doffed for the less gay but far more serviceable hunting-shirt and rough leggings in General Morgan's style, and for

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1. "Genesis of The Battle Monument," in 1781-1881, Proceedings at the Unveiling of The Battle Monument, pp. 3-4.

the stiff brain-racking army hat was substituted the more comfortable, if not equally military, "slouch."

On the evening of April 16, 1856, the company (4 officers, 5 sergeants, and 32 privates) assembled at the Military Hall. At 10 p.m. the Washington Light Infantry left Charleston aboard the night train for Columbia.[2]

The company detrained at Columbia at 8 a.m. on April 17. After a hearty breakfast, the men boarded the train for Laurens. This was the end of the railroad line, and as the troops left the cars, Captain Hatch called, "Fall in Promptly." Their coming had been well publicized, and the local militia and most of the citizens of Laurens had turned out to welcome the group. There were salutes and speeches.

The 100-mile march now began. Surplus gear was loaded into waiting wagons, and when the bugle sounded, the company moved out with arms slung. It took the company the better part of 3 days to reach Spartanburg, which it entered about noon on Saturday, April 19. A short distance from town, the men were greeted by a welcoming committee. Escorted by these gentlemen, the Washington Light Infantry marched through Spartanburg to their campground east of town. Within a few minutes the Stars and Stripes were flying "and the quiet plain converted. . . into a stirring scene of animated and bustling life."[3]

That evening the ladies of Spartanburg honored the Washington Light Infantry with a "handsome entertainment." The next day, Sunday, there were religious services.[4]

C. The Erection and Dedication of the Monument

On Monday, at 8 a.m., the company marched from Spartanburg to the Cowpens, passing Wofford College on the outskirts of town. Off to the north and west the column, as it marched along, could see in the distance the mountains "piled away, like a bank of

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2. J. Dickson Bruns, "The First Public Memorial," in the Proceedings of the Unveiling of The Battle Monument, pp. 6-7. Dickson Bruns was a private in the Washington Light Infantry and participated in the expedition.

3. Ibid., pp. 7-10; The Charleston Daily Courier, Apr. 24, 1856. The company camped on the evening of Apr. 17, 6 miles beyond Laurens, and marched 24 miles on the eighteenth.

4. Bruns, "The First Public Monument," pp. 10-11.

somber clouds." Cherokee Springs was passed, and about noon the Pacolet was crossed at Coulter's Ford. They reached the Cowpens about 3 p.m. and planted the "crimson flag of Cowpens, Guilford, Hobkirk's Hill and Eutaw Springs on the same spot where three-quarters of a century before it had first been flung to the breeze." As it was, the men of the Washington Light Infantry "made the silent forest ring with three times three hearty cheers."[5]

Tents were pitched on the right near the road. Meanwhile, a detail, employing a map of the battle and assisted by local people familiar with the ground, had carefully reconnoitered the field. After locating the site where it was believed the Tarleton Legion had been first checked by Colonel Washington's charge, a crew was turned to clearing the ground. Next, a detail was turned to laying the foundation of the monument "with rock previously procured for the purpose."

As night closed in, Historian Bruns observed:

> A small circle sat alone by the embers of a slowly dying fire, and memory, busy with the past, called up the dim-remembered shapes and shifting scenes of the time "long ago." Overhead the drowsy folds of the national flag stirred lazily. . . . The plaintive note of the whip-poor-will broke at intervals upon the dreary stillness, and in the deep gloom giant pines . . . lifted their tall forms.[6]

By the time the editor of The Carolina Spartan reached the battleground on Tuesday morning, April 22, the monument, about 40 yards west of the Green River Road, "was advancing with great industry." Each member of the Washington Light Infantry had been given a task "and labored with zeal to push forward the enterprise that won the company to the weary march." At 2 p.m. the shaft crowned by the gilt eagle was positioned and "saluted by the Infantry and the large concourse with three times three." Simultaneously, the cannon of the Cowpens Light Artillery roared a salute while drums rolled.

The Light Infantry and the crowd then took a break for a

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5. Ibid., p. 11; The Carolina Spartan, Apr. 24, 1856; Charleston Mercury and Charleston Daily Courier, Apr. 24, 1856.

6. Bruns, "The First Public Monument," pp. 11-13, and 15.

picnic lunch. After eating, the Washington Light Infantry was called to order in parade dress and formed around the monument. The formal program commenced.

The Reverend Gilman, after "a few well chosen remarks," read a portion of Deuteronomy, the 27th chapter. This was followed by a prayer. W. D. Porter, an ex-captain of the unit, then addressed the crowd. He was followed by Rev. J. G. Landrum, who traced the history of the battle. Pvt. J. D. Bruns of the Washington Light Infantry made a few remarks, followed by the singing of the ode, "Banner Song." Lt. T. Y. Simons then read an ode, written for the occasion by Dr. Samuel H. Dickson. This closed this part of the program.

The Washington Light Infantry was then called to attention by Captain Hatch, and entertained the crowd by the "perfection of their drill and skirmishing" until 4 p.m.

As the corps was preparing to take up the march for Greenville, en route back to Charleston, the crowd gave three cheers for the monument and three cheers for the Light Infantry, and Reverend Landrum pledged Spartanburg to erect an "iron railed enclosure to protect from injury the . . . monument left to their custody by the Washington Light Infantry."[7]

The company bivouacked on the night of April 22, 1856, on the banks of the Pacolet. On April 23, "over a miry road, through a rain which tried their mettle and india-rubber cloths," the corps marched 27 miles "and well fagged-out rested that evening within thirteen miles of Greenville." Both at Greenville and Columbia on the return journey, the Washington Light Infantry was entertained. When they arrived by train in Charleston on the evening of April 26, they were welcomed "by their remaining comrades and other military units."[8]

D. The Monument: A Description

Describing the monument, the editor of The Carolina Spartan reported that

on a solid stone foundation rises an octagonal base

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7. The Carolina Spartan, Apr. 24, 1856; Charleston Daily Courier, Apr. 26, 1856. The corps was accompanied by a daguerreotypist who took a number of pictures, including at least one of the unit at the Cowpens.

8. Bruns, "The First Public Monument," p. 17.

of concrete, composed of shell and sand from Fort Moultrie. Capping this is an 8-sided slab of white marble from which springs a cast iron shaft, surmounted by an English bombshell, on which is perched a golden eagle.

On the several sides of the marble slab are the following inscriptions:

WASHINGTON.

The Washington Light Infantry of Charleston, to whose custody the Widow of William Washington intrusted his banner, visited this battle-field, April, 1856, and again waved over it the Flag borne by him on that occasion.

Morgan. Howard.

Fort Moultrie, King's Mountain, Cowpens, Eutaw Springs, our Heritage.

PICKENS.

To the Victors of Cowpens: we enjoy the results of their struggles. Let us emulate the virtues which secured it.[9]

On the marble slab was an inscription reading:

This Monument was erected by the Washington Light Infantry, Capt. L. M. Hatch, April, 1856.

Inside the monument were deposited several objects--a bottle of water from Eutaw Springs, a brick from the house at Eutaw Springs in which the British took refuge, a roll of the officers and men of the Washington Light Infantry participating in the expedition, and a pamphlet describing the Cowpens battle, from Dr. Joseph Johnson's Traditions and Reminiscences, Chiefly of the American Revolution in the South.[10]

E. The Ladies of Spartanburg Make Their Contribution

In late May the citizens of Spartanburg moved to redeem the pledge made by the Reverend Landrum at the dedication. The ladies would raise funds to purchase the land whereon the monument stood, while the men would see to the erection of a 30-foot square iron fence to protect the memorial. Funds for the purchase of the railing would be collected district wide by keymen in each voting

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9. The Carolina Spartan, May 1, 1856.

10. Bruns, "The First Public Monument," pp. 15-16.

precinct. A committee consisting of G. Cannon, Rev. J. G. Landrum, Col. S. N. Evins, Simpson Bobo, Dr. J. Winsmith, and T. S. Farrow was named to superintend erection of the railing.[11]

The ladies were much more successful in their fund raising efforts than were the men. Employing $25 raised by the ladies, Spartanburg attorney J. W. H. Legg purchased from the local landowner, James H. Ezell, the acre lot on which the monument had been erected. The lot was conveyed by Ezell to "the Washington Light Infantry of Charleston and their successors."[12]

In appreciation of their good work, the Charleston Light Infantry sent the ladies a handsome gold-headed walking cane fashioned of palmetto.[13]

The men were not near as successful in their fund raising efforts. On May 7, 1857, the editor of The Carolina Spartan complained that the Reverend Landrun's pledge had been redeemed only as far as "the manufacture of the railing is concerned." Within a few weeks, it was "fully consummated," when the 30-foot enclosure was positioned around "the hallowed spot." To pay for the railing, the keymen were urged to solicit again contributions on the next sale day.[14]

F. The Vandalization of the Monument

1. The Monument in 1880 and 1897

A theory held by many park managers and visitors that vandalization of memorials is a product of mid-twentieth century society and an urban environment is disproved by history. By

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11. The Carolina Spartan, June 5, 1856.

12. Spartanburg County Deed Book EE, pp. 296-97. For a description of the metes and bounds of the monument lot, the reader is referred to the chapter of this report titled "Land Ownerships, 1786-1942," subtitle "The Cowpens Monument Tract."

Among the ladies contributing toward purchase of the tract were: Mesdames J. D. Wright, J. W. Carlisle, G. W. H. Legg, S. Bobo, J. J. Boyd, W. H. Thimmier, G. W. Moore, A. H. Kirby, A. T. Cavis, J. V. Thimmier, L. C. Kennedy, J. H. Goss, W. C. Bennett, T. S. Farrow, D. G. Finley, J. A. Lee, H. Mitchell, O. E. Edwards, J. B. Tellerson, T. O. P. Vernon, J. Epton, J. M. Best, J. H. Wilson, R. E. Cleveland, and J. Farrow.

13. The Carolina Spartan, Sept. 4, 1856.

14. Ibid., May 7, 1857.

1880, when plans were being made for commemoration of the Cowpens centennial and erection of the Battle Monument, one of the factors that caused the committee to locate it on the Spartanburg Square was the extensive damage done to the Washington Light Infantry Memorial and its iron fencing by rural vandals.[15]

A visitor to the site in April 1897 reported:

> A great deal of lettering was done on the smooth surface of the stone /of the monument/ giving the names of the principal actors in the battle. The whole surrounded by an iron fence, and it provided in excellent taste a suitable momento of the stirring scenes it was intended to commemorate. But the war came on and since then unlicensed vandalism has done its work. The beautifully dressed stone has been chipped by curiousity seekers. The iron fence is gone, and now the whole presents an unsightly and desertable appearance which should be replaced with some ornamentations and somebody put to guard them against such outrages in the future.[16]

2. The Monument in 1928

With the introduction of legislation in Congress which provided for establishment of a national monument at the Cowpens, the War Department sent officers at various times to study the area. One of these was Maj. N. Y. DuHamel, District Engineer for the Charleston District. Major DuHamel was at the Cowpens in February 1928.

Reconnoitering the area, he observed that the 1856 Washington Light Infantry Monument was

> very badly dilapidated and has suffered through vandalism. The Washington Light Infantry is the custodian. A movement has been started to transfer it to the custody of the Spartanburg Chapter of the Daughters of the American Revolution to prevent further deterioration. This monument is said to mark the spot where

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15. Proceedings at the Unveiling of The Battle Monument, pp. 18-19. It was reported in 1880 that "the monument had been utterly destroyed by vandal hands--even the iron fence around it, and, as well of the monument itself, had literally disappeared."

16. The Ledger (Gaffney, S.C.), May 6, 1897.

Tarleton's men broke. However, it was not erected upon the most prominent site on the battlefield."[17]

The monument, Major DuHamel wrote,

> is upon an acre of ground owned by the Washington Light Infantry. . . . The owners of this land have signified their willingness to transfer it to the United States free of cost. Local sentiment is in favor of restoring this monument. It is believed that a better and more prominent location exists for any monument which the United States might care to erect. The owner of this proposed site Mrs. V. E. Hatchette . . . has stated her willingness to transfer title to the United States free of cost five acres. . . . The Gaffney Chapter of the Daughters of the American Revolution have proposed acquiring and adding to Mrs. Hatchette's five acres an additional five acres for the purpose of creating a park.[18]

Colonel Landers, on his April 1928 visit to the Cowpens, took a number of photographs. One of these, included in his published report, shows the Washington Light Infantry Monument. Landers captioned his illustration:

> Monument erected in 1856 by the Washington Light Infantry of Charleston, S.C. There is no other monument or marker on the battlefield of the Cowpens. Howard's line ran very close to where this monument is located.[19]

The illustration shows a badly disfigured memorial; the eagle and most of the engravings are gone, along with the fence. The eagle had been salvaged, and is now on display in the museum of the Spartanburg Historical Society.

3. The W.L.I. Transfers Title and Responsibility to the DAR

As Major DuHamel had reported, custody of the monument was

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17. DuHamel to Chief of Engineers, Mar. 19, 1928, NA, RG 79.

18. Ibid.

19. Landers, Historical Statements, not paginated.

about to change. The Spartanburg Chapter of the Daughters of the American Revolution, through their historian, Mrs. Howard B. Carlisle, had expressed a desire to the Washington Light Infantry to become custodian of the Cowpens Monument and to restore and maintain it "at their own expense." The Washington Light Infantry was agreeable.

A deed was accordingly drawn conveying the one-acre tract, on which the monument stood, to the South Carolina Daughters of the American Revolution. For their part, the Daughters agreed to: (a) "repair, restore and perpetually maintain the Monument erected by the Washington Light Infantry in 1856 to commemorate the Battle of Cowpens"; (b) preserve "the record on said monument that it was erected by the Washington Light Infantry in 1856"; (c) erect on the tract and "maintain any other monuments or other structures or improvements of any kind the purpose of which is to promote or preserve patriotic knowledge and interest in the glorious deeds of our fathers."

It was agreed that if at any time the grantees or their successors or "assigns should cease to exist or function as a patriotic society or if for any other reasons the terms of this trust should cease to be carried out, then and in that case the title to said tract together with any and all erections and improvements that may have been placed thereon shall revert" to the grantor. The deed was dated and signed on April 3, 1928.[20]

In 1938 the Cowpens Chapter of the Daughters of the American Revolution, having rehabilitated the memorial, erected an iron fence on rock footings around it. They then positioned a granite base and bronze plaque inside the enclosure. The inscription on the plaque read:

This Monument was erected by
the Washington Light Infantry of
Charleston, S.C.
L. M. Hatch Capt.
April, 1856
Cowpens Chapter D.A.R.
Custodians
1938

As the years passed, the Daughters of the American Revolution paid less and less attention to their obligation to maintain the memorial. Vandals again took their toll. By January 1974 the

20. Cherokee County Deed Book 2F, pp. 396-98.

handsome iron fence and rock foundation were battered and broken; several sections of the ironwork have been stolen. The iron shaft and "British cannon ball" of the 1856 memorial are rusted, the masonry is eroded and weathered, and there is no evidence of the inscriptions.

4. Recommendations

The 1856 memorial is a historic structure. As such, it is incumbant that the NPS restore it and retain it on its historic site. The fence currently enclosing the monument dates to the 1930s. If the NPS can locate a photograph of the 1857 fence, it would be advisable to replace the present fence with period fencing.

Before any restoration of the memorial is undertaken by the NPS, it is incumbent that a detailed architectural investigation be programmed and implemented. An archeological investigation should also be undertaken to locate the footings of the 1857 fence and other archeological details that may be present.

APPENDIXES

Appendix A

A VISIT TO THE COWPENS IN 1857

Obadiah Haggis of Newberry visited several Revolutionary War battlefields in northwestern South Carolina, and described his travels in a series of articles titled, "Fireside Revisitings," published in the Newberry Conservatist in the spring of 1858. His account of the visit to the Cowpens battleground appeared in The Conservatist for May 11.

Riding in a carriage, Haggis, his traveling companion, and driver, left Spartanburg via the Coulter's Ford Road. The distance to the Cowpens was 17 miles, and the road

> traverses a poor region of chesnut highlands, intersected at the watercourses by bottom flats of considerable fertility. It is to be deplored that chesnut lands are not so rich as chesnut hair; but there is, nevertheless, in these forests, a redeeming charm in the "boundless contiguity of shade," which falls upon the undergrowth, deepening its verdure. . . . The impudent blackjack is everywhere rearing up its squatty shape. . . . The farms, in the vicinity of Lawson's Fork and the Pacolet, were flourishing with waving corn. . . .

Within 3 miles of the battleground, a shower compelled the trio to take shelter at the home of a widow and her children. They all had a "hideously jaundiced complexion." The widow paced to and fro in the yard, while they sat on her piazza. When they commented on her prospects for a good corn crop, she replied, "I do not know which is worst,--to be sick from scarity in time of drought or from the diseases which follow good seasons."

She inquired, "Did you pass a store-house three miles back?"

Haggis said they had, and they had observed that three men were building a coffin. The widow then explained that

> for the last thirteen days, they have made, at that store-house, from one to three coffins a day; and they ain't done yet, for there's still others to die. Last year and the year before last, when we were all burnt up with the drought, there was no sickness in the neighborhood although we could scarcely get anything to eat; but now, the rains that have

brought us plenty have also scattered death amongst us.

They next asked the widow, who had three children (2 girls and a boy), about the battleground.

"Are there any traces of the battle yet to be seen?"

"Oh yes," she answered, "there's the monnyment."

"Well," Haggis replied, "my dear madam, you do not understand. Are there any remains in the neighborhood--such as bullets and bones?"

She then explained that her brother on the Green River Road "has plowed up, in his field in front of his house, the butt-ends of pistols, bullets, bones, and bagginnets, but I do not know if he has any now or not."

When asked if she had heard the old folks tell of the battle, she said her grandmother was only 2 miles off when the battle began. She heard

> the first gun go off, and I have often heerd her say that she thought it was some one a killin' of squirrels, for it was a rifle. But it was followed up by sich dreadful shootin' and hollerin', that she know'd it was a battle. Eight times cannon went off, two at a time. She stood still and listened, until the noise began to git less, and when the firin' stopped and she knowed which side had whipt, she ventured to the place, with the rest of the neighborhood, and found the place all covered with dead people.

The rain having ceased, they said goodbye to the widow and got back into the carriage. Within a half hour they sighted the battleground. Haggis was unimpressed. As he informed his readers:

> Diverted of its thrilling association, a more uninteresting spot cannot be selected in the whole State. In its present condition, the first object, attracting notice, is a small field, to the left, with a diminutive meadow midway between its center and the road.[1]
>
> At the time of the battle, this grassy spot was a savannah; and it was immediately behind it that Morgan pitched his camp. From the south corner of the field a farm house can

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1. This field would be north of the Coulter's Ford Road and west of the Green River (Rutherfordton) Road. The meadow was at the head of Little Buck Creek.

be seen diagonally across it,[2] and along its rear, the observer, standing in the road which runs in a northeastern direction can trace a ridge. It rises into something like a knoll near the farm-house, and then sweeps round across the road, continuing its reverse course on the right, so as to form two parallel ridges, equidistant from the observer,--uniting in front of him and losing themselves behind him in the general level of the country. They enclose a space erroneously described as a ravine, and from the right or Eastern eminence, an easy slope sets off towards Broad River. The Rutherfordton [Green River] road crosses the Spartanburg [Coulter's Ford] road at the upper corner of the field, and takes its direction, obliquely across the slope, towards Limestone Springs.

Turning into the Green River Road, the travelers changed direction to the right "to approach the monument which has been erected upon the spot where the struggle was the fierest." Haggis, seeing the monument, chided:

> What is this put here to commemorate South Carolina's pet battle? No, no, gentlemen of the Washington Light Infantry, this will never do,--you must try again. The cannon with which you celebrated the anniversary would be better than the ornamental pillar you have erected. Come up again. Come with an obelisk of gray granite thirty feet in height, and Spartanburg will give you a full-sized gray eagle from her iron foundries; one which cannot be mistaken for a parrot, but will be recognized for ages, as the appropriate emblem of Freedom, hovering over the spot where her votaries struck so gallantly.[3]

Haggis spent the next half hour walking through the woods, reconnoitering and speculating on the troop positions. He walked up the road, through the woods, toward "the little meadow in the field." Upon the brow of the rise, he "fixed" in his mind where Howard "paced anxiously to and fro before his men, and nearer yet to the field," he "marked out where Morgan nursed the soldier's determination by joking him about his sweetheart, while the foe was rushing on." Down the Green River Road toward Limestone Springs, he estimated, "a hundred yards, must be where the videts cocked their rifles and peered through the woods along the slope to catch a view of the approaching enemy." As he stood there in the stillness of the summer evening, he could

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2. This would be the Byars-Ezell House.

3. The monument had been erected in April 1856.

"almost fancy, that the old black oaks whispered to one another, 'mark the epaulette men.'"

Returning to the monument, Haggis reboarded the carriage. The trio then drove to Limestone Springs, where they spent the night.[4]

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4. Before visiting the battleground, Haggis had studied all available accounts of the battle. The May 25, 1858, edition of The Conservatist carried the article Haggis had written describing the Battle of the Cowpens. A review of this article demonstrates that Haggis was familiar with these sources: Joseph Johnson's Traditions and Reminiscences; William Johnson's Sketches of the Life and Correspondence of Nathanael Greene; David Ramsay's History of the Revolution of South Carolina; Tarleton, Campaigns of 1780 and 1781; and Thomas Young's "Memoirs of Major Thomas Young," which appeared in the October 1843 issue of Orion.

Appendix B

LAST WILL AND TESTAMENT OF G. M. CHAMPION

"State of South Carolina

County of Cherokee

In the name of God, Amen!

I, G. M. Champion of Cherokee County, being of sound mind, do make, declare the following my last will and testament, revoking all former wills made by me at any time.

Item One. I give, bequeath and devise unto my beloved wife M. H. Champion all the property I may die possessed of whether same be real estate, personal property, money, stocks or choses in action for and during her natural life, and at her death it is my will, wish and desire, that Elijah Robbins who has been with us a good while and helped me and my wife, shall have thirty acres of the tract of land known as part of the Robert Scruggs land and adjoining lands of R. P. Scruggs, Geo. Moore and others, giving to the said Elijah Robbins the part of the land the house is on and in cutting off the thirty acres herein to Elijah Robbins same shall be done with the view and so the remaining part with the thirty acres shall both come to the road, Giving to the said Elijah Robbins said thirty acres in fee.

Item Two. After the death of my said wife, I will and devise in fee to Broadus Dewey Robbins, who is now living with me, all the residue of my estate of every kind and nature, and it is my wish and desire that his name be changed to Champion, and I have so instructed my attorney to take the necessary steps.

Item Three. I hereby nominate, constitute and appoint W. H. Champion and M. H. Martin Executors of this my last will and also Guardians of Elijah Robbins and Broadus Dewey Robbins.

In witness whereof I have affixed my name and seal this the 25th day of January 1910, and signed same in the presence of the undersigned who, at his request, in his presence, and the presence of each other have subscribed our names thereto as witnesses.

G. M. Champion

Oliver Evans
C. J. Hicks
Thomas B. Butler

Codicil No. One

I, G. M. Champion, after making the above as my will, desire to add this as a Codicil, and make same in every sense part of my will in the manner and form following that is to say. I wish, will and desire that in the event of the death of the said Broadus Dewey Robbins before he attains his majority without lawful issue their in that event, I will that all my property of every description shall revert to my heirs and the heirs of my wife.

G. M. Champion"

Clerk of the Probate Court, Box 7, Package 42, Cherokee County Courthouse, Gaffney, S. C.

Appendix C

CELEBRATION OF THE BATTLE OF COWPENS

The 53d Anniversary of the Battle of the Cowpens was celebrated on that hallowed ground on the 17th Jan. The Greenville Mountineer says,

> that the day was remarkably fine, and several thousand of the citizens of Spartanburg and the adjoining Districts and counties of South and North Carolina, joined in the Celebration--many of whom were Heroes of the Revolution, and several of whom fought in the battle at that place.
>
> A number of citizens encamped upon the battle ground, on the night previous to the celebration, imitative of their Fathers on the night previous to that memorable battle. The dawn of the 17th was ushered in with the roar of musketry, and the long, loud and repeated huzzas of the rejoicing multitude. The morning sun rose bright and clear, and shone through the atmosphere of smoke, as it did on the morning of that battle, as the eyes of countless millions of inhabitants had been directed to that favored spot.
>
> At 10 o'clock, A.M., an extensive military procession was formed under the command of Col. H. H. Thomson, as Marshal of the day, and moved to a stand, erected near the center of the battle ground. The Throne of Grace was addressed in feeling and pious terms by the Rev. Hicks, which added solemnity and additional grandeur and interest to the scene. After which Major [B.F.] Perry, of Greenville, (the orator of the day) arose, and in the most sublime and eloquent manner, addressed the assembly. He gave a most glowing description of the battle which was fought on that ground, as well as a most satisfactory delineation of the character of the gallant officers who commanded upon that occasion.
>
> A number of regular toasts were drank, and replies to letters and invitations from Judge O'Neall, J. L. Petigru and Alfred Huger, Esqrs., were read, regretting that their private affairs prevented their attendance. The festival closed with an appropriate report, and an ode composed for the occasion by T. F. Smith, Esq.

Army and Navy Chronicle, Vol. 1, No. 7, Thursday, February 12, 1835, p. 51.

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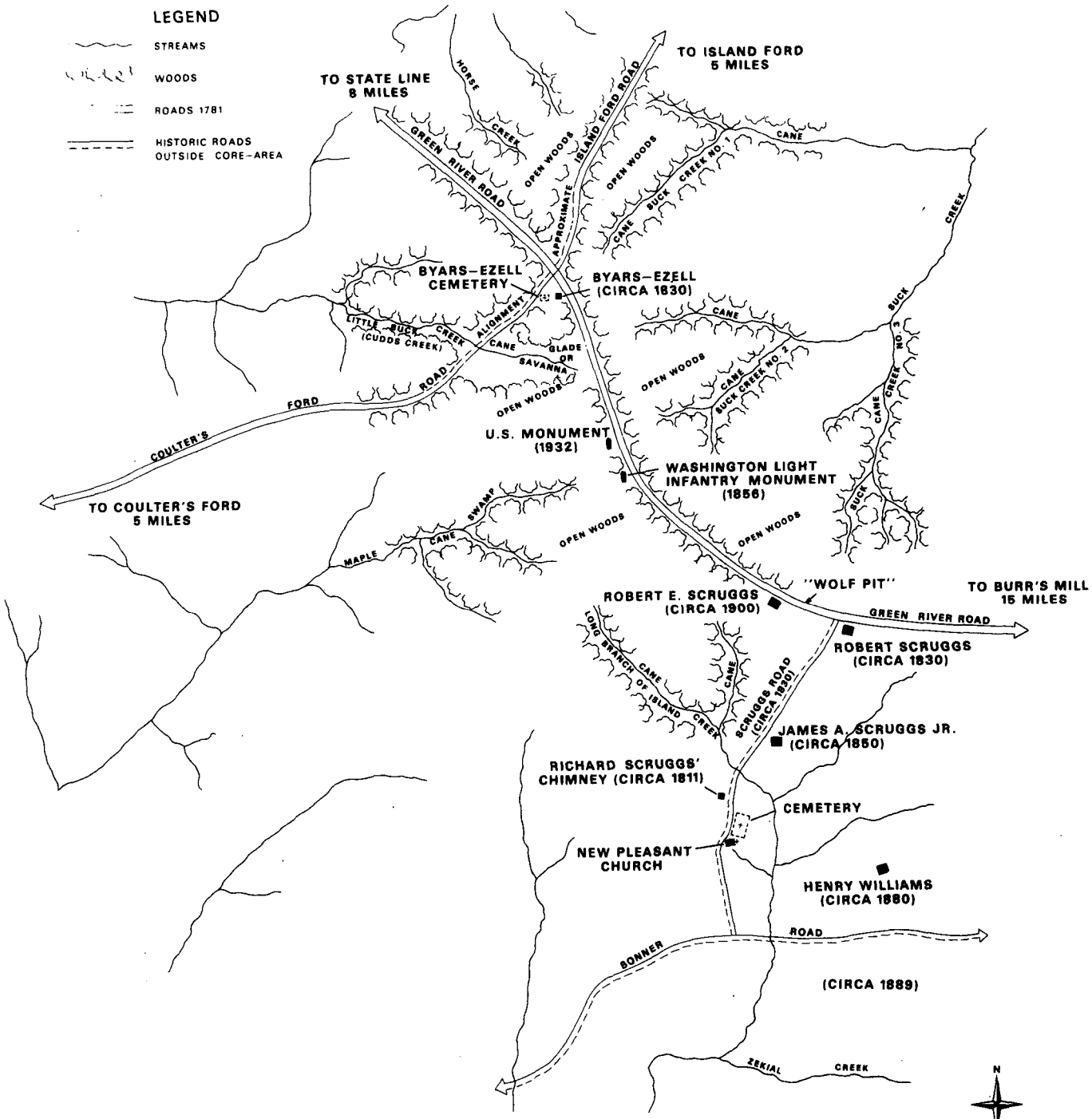
Scruggs, Mrs. Lillie Martin, with E. C. Bearss, December 5, 1973.

ILLUSTRATIONS

Illustration 1.

Historical Base Map: Cowpens National Battlefield.



HISTORICAL BASE MAP

COWPENS NATIONAL BATTLEFIELD

331/28,000

Illustration 2.

Plat of 1,000 acres surveyed in 1802 for Daniel McClaren on "the Branches of Island, Buck & Horse Creeks of Pacolet River including the Battle Grounds of the Cowpens," found in South Carolina State Plats (2d), Vol. 39, p. 181, South Carolina Department of Archives and History, Columbia, South Carolina.

South Carolina

I do hereby certify for Daniel McClary a Tract of Land containing One Thousand Acres (Surveyed for him the 16 day of December 1802) situate in the District of Spartanburgh on the Branches of Island, Buck & Horse Creeks of Pacolet River including the Battle Grounds of the Cowpens, And hath such Form & Marks, bettings and boundings as the above Plat represents

Given under my hand this 1st day of January 1803

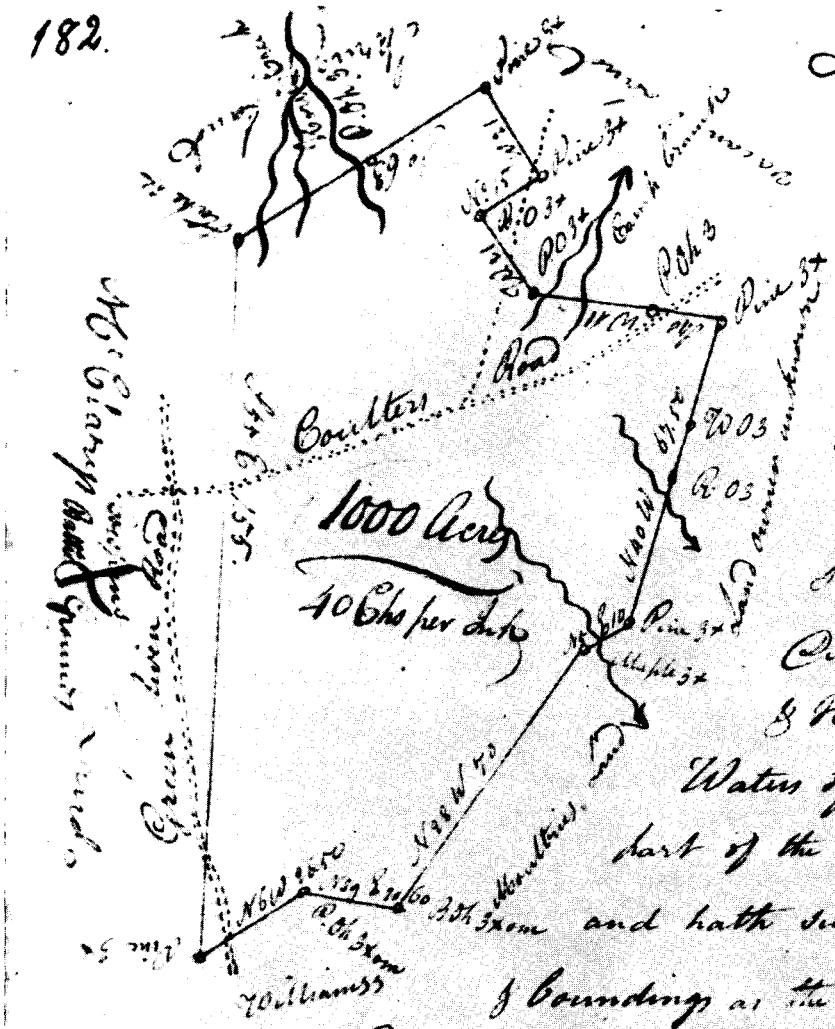
Wm R Smith Dep. Surv.

J. G. Guignard Surv. Genl

Illustration 3.

Plat of 1,000 acres surveyed in 1802 for Daniel McClaren "on waters of Suck & Horse Creek & Camp Branch Waters of Pacolet River, including part of the Cowpens Battle Grounds," found in South Carolina State Plats (2d), Vol. 39, p. 182, South Carolina Department of Archives and History, Columbia, South Carolina.

182.



South Carolina

I do hereby certify for Daniel McClary a Tract of Land containing One Thousand Acres Surveyed for him the 16 day of December 1802 situate in Spartanburgh District on Waters of Suck & Horse Creek & Camp Branch Waters of Pacolet River, including part of the Cowpens Battle Grounds, and hath such Form & Marks, Butings & boundings as the above Plat represents

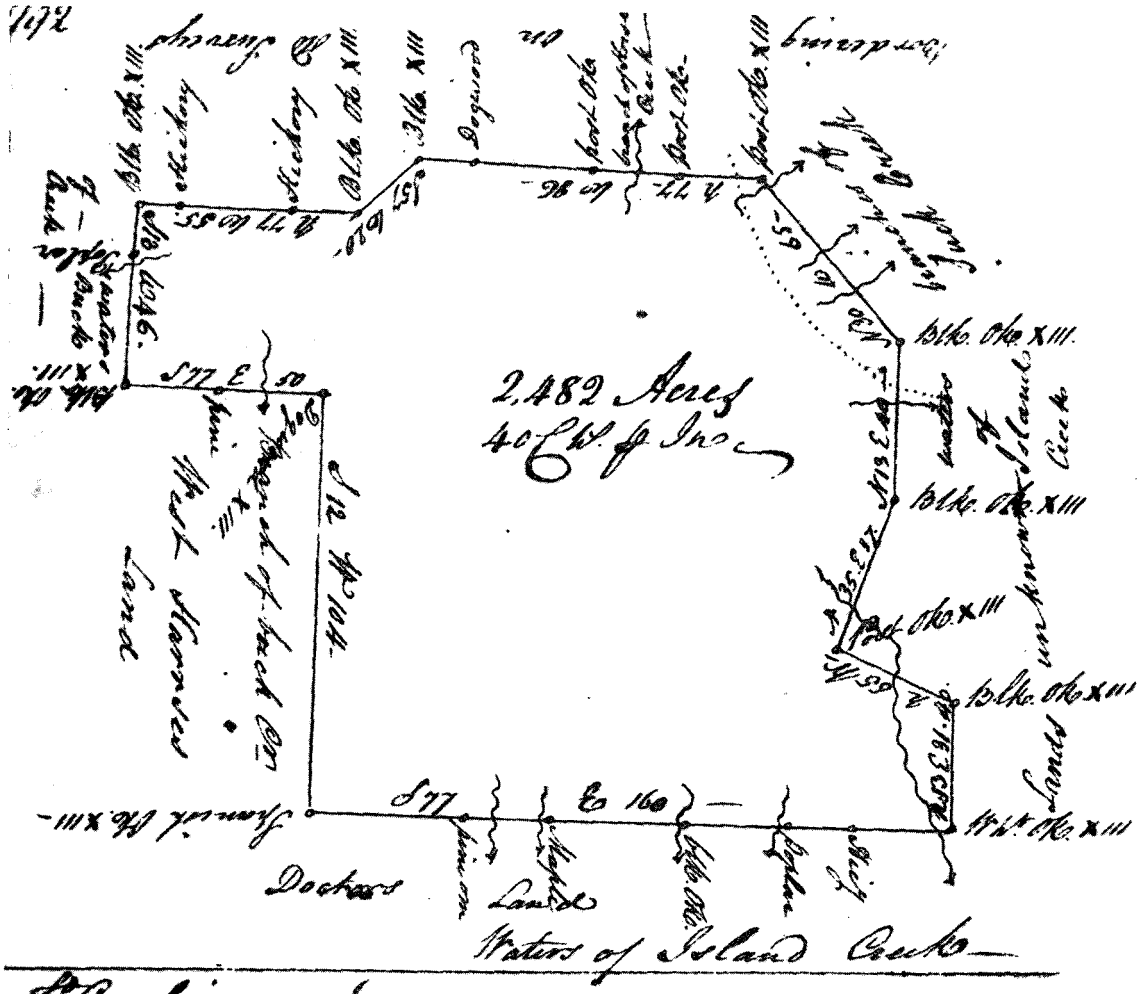
Given under my hand this 1 day of Jany. 1803

J. G. Guignard
Surv. General

Wm R. Smith
Dep. Surv.

Illustration 4.

Plat of 2,482 acres surveyed in 1786 for James Steadman "on the head branches of Island Creek, branches of Broad River and Buck Creek," South Carolina State Plats, Vol. 23, p. 192, South Carolina Department of Archives and History, Columbia, South Carolina. Note: The dotted line in the northeast corner of the survey, skirting the headwaters of Suck Creek, is the Green River Road. The surveyor, unlike McClaren's surveyor, did not locate or identify the Cowpens battleground.



S. Carolina — ✓

I have Caused to be admeasured and laid out unto James Steadman a Tract of Land Containing Two Thousand Four Hundred and Eighty Two Acres Situate in the District of Ninety Six, on the head branches of Island Creek, branches of Broad River and Buck Creek & hath such Form, marks, buttings and boundings as the above Plat Represents —

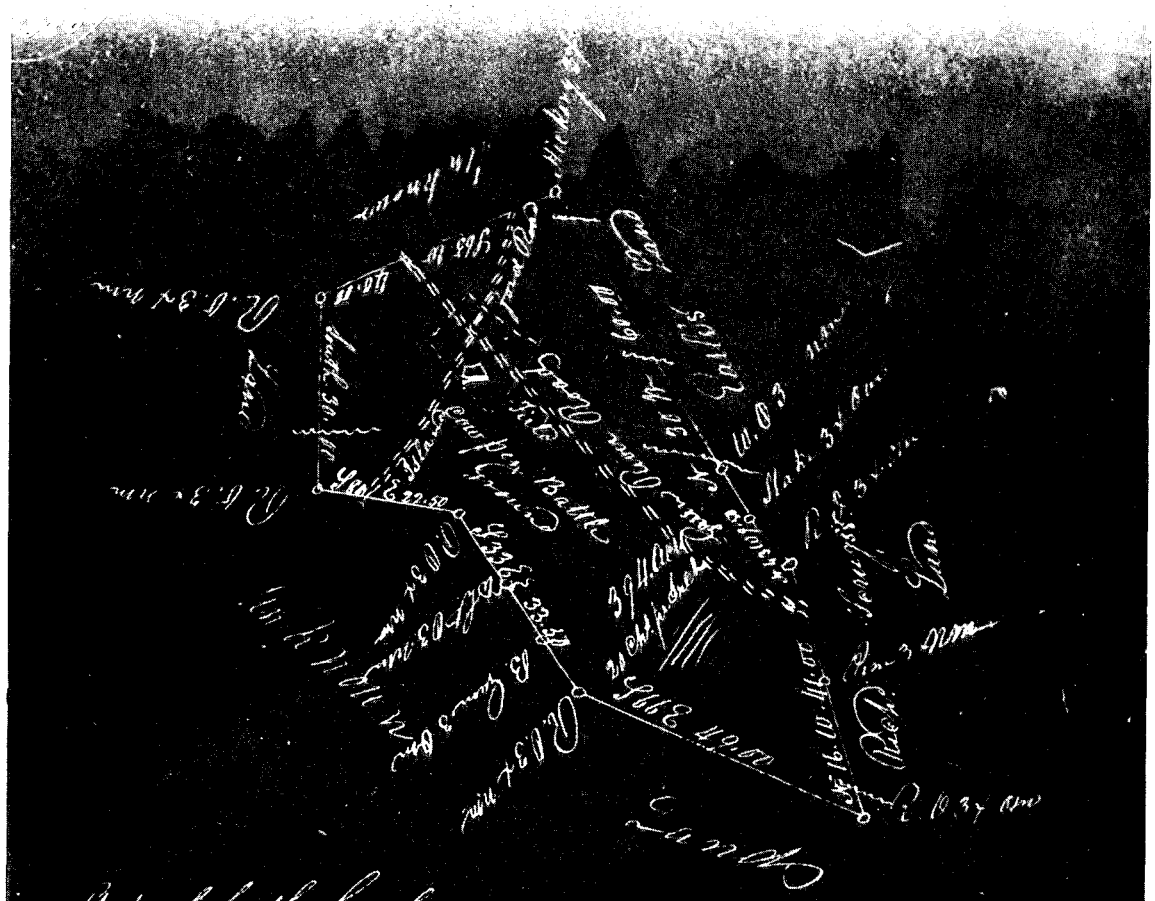
Certified for the 12th October 1786.

Jesse Connell Dep. Surs.

Ephraim Mitchell — S. S.

Illustration 5.

Plat of Nathan Byars's 394 acres "on the head waters of Island Suck & Buck Creeks including his own home & plantation also including the Cow pen Battle Ground," found in Spartanburg Plat Book B, p. 393, Spartanburg County Courthouse, Spartanburg, South Carolina.
Note: The road alignment in 1826 is similar to that shown on the McClaren plats.



State of South Carolina

Pursent to a warrant from Jabez Galt Esqr. Comissioner of Locations in Spartanburgh District dated 8th of March 1826 — I have admeasured & laid out unto Nathan Byars Senr. a Tract of Land Containing three Hundred & ninety four acres. Situate in Said District and on the head waters of Island Luck & Buck Creeks including his own house & plantation. Also including the Cow pen Battle Ground Bounded East by Scruggs's & Earle's Land and all other Sides by unknown Lands — And hath such Shapest form as the above Plat represents. Surveyed this 5th day of April 1826 —

By me Joseph Camp D.S.

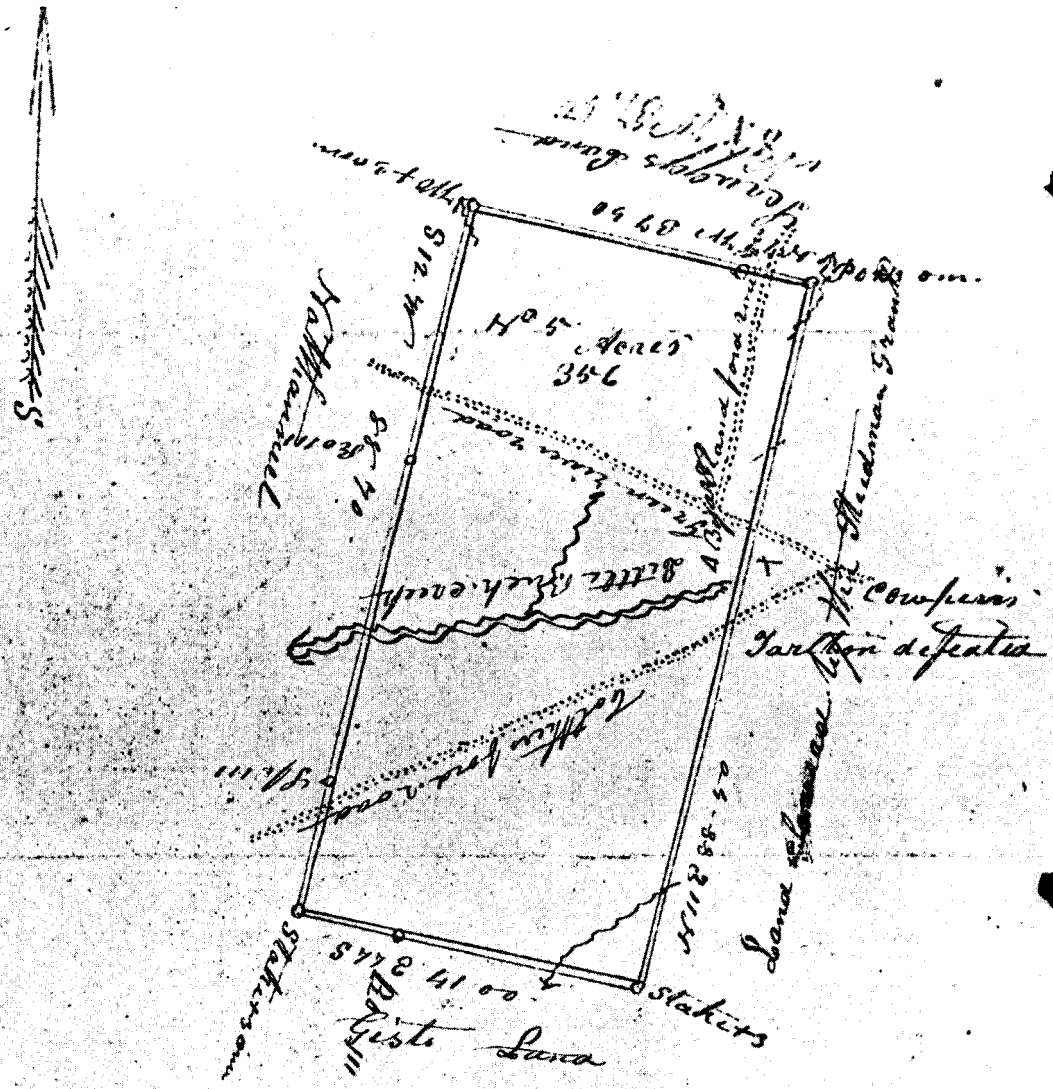
Andrew Rhea } C.B.
[illegible] — }

Recorded 13th April 1826

[illegible] paid

Illustration 6.

Plat of 356 acres surveyed in 1845 for Col. Nathaniel Gist "on both sides of the Green river road and near the celebrated battle ground called the Cowpens," courtesy of Mrs. C. M. Moser of 721 Graham Street, Shelby, North Carolina. Note: In the years since 1826 the road alignment has been changed, and the Coulter's Ford-Island Ford Road no longer crosses the Green River Road at a right angle. The road alignment, as depicted on this plat, is for practical purposes identical to that which existed until the 1930s.

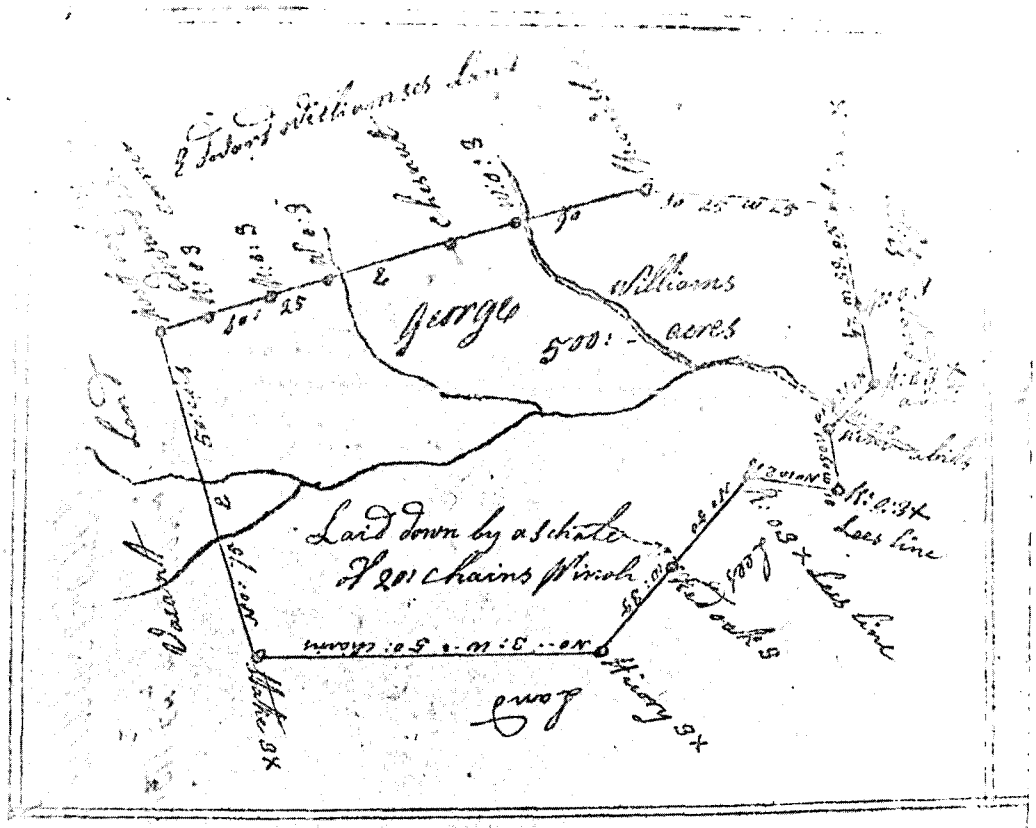


South Carolina } This above Plat truly represents
Spartanburgh District } a tract of three hundred and
fifty six acres of land lying in
said District on both sides of the Green
river road and near the celebrated battle
ground called the Cowpens Belonging to
Col. N Gist it being part of a grant
originally granted to James Sleadman
Resurveyed this 17th Feb: 1845

John Gibbs D.S

Illustration 7.

Plat of 500 acres surveyed for George Williams in 1796 "on watters of Island creek watters of Packelett River," found in Loose State Plats, Bundle 196, Plat No. 140, South Carolina Department of Archives and History, Columbia, South Carolina. Note: This survey is on the Long Branch of Island Creek, southeast of the battleground. The upper two-fifths of this survey became, in the first decade of the nineteenth century, the core of the Richard Scruggs plantation.

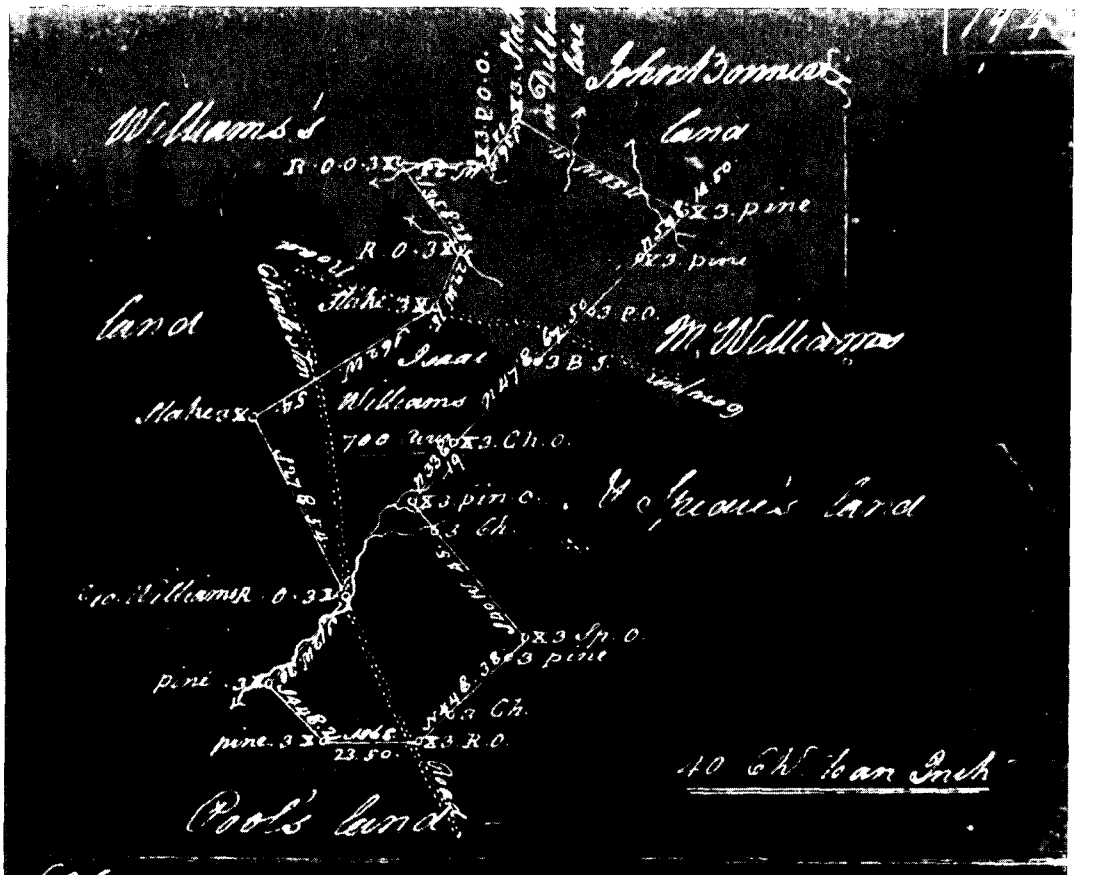


South-Carolina, Persuant to a warrent under the hand And Seal of John Thomas Esq. Commisionner of Locations No. of Salluda River I have Measurd and Laid out unto george Williams a tract of Land containing five hundred Acres Sittuate in Spartanburge County in Pinkney district on the watters of Island creek watters of Packalet River Bounded East by Edward Williams Land and South and west by Mathew ablits and Robert Lees Land and hath Such Shape form and Marks As the above plat Rx presents Surveyd by me This 6th Day of august 796

Vardry McBee D.S.

Illustration 8.

Plat of 700 acres surveyed for Isaac Williams in 1806 "on the heads of Island and Suck Creek Waters of Broad river," found in Spartanburg County Plat Book A, p. 194, Spartanburg County Courthouse, Spartanburg, South Carolina. Note: This tract adjoined the George Williams survey on the northeast. In the nineteenth century the core-area of this farm bounded on the northeast the Robert Scruggs farm. The road labelled the Cowpens Road is the Green River Road and the one designated the Charleston Road follows in part the alignment of South Carolina 11-153.



Carolina

Pursuant to a warrant from James Smith Commission of Locations for the district of Spartanburgh bearing date the 6th day of January 1806. I have admeasur'd & laid out unto Isaac Williams a tract of land Containing Seven hundred Acres Situate in said district on the heads of Island and [illegible] Creek Waters of Broadriver bounded So. bounded So. by Pool's land East by M. Williams & Speace's land No. by John Bonner's land & West by [illegible] land & hath such shape and marks as the plat Represents Surveyd the 24th day [illegible] 1806

By

[illegible] the 24th day

J. [illegible]

Illustration 9.

Plat of 455 acres surveyed in 1803 for Will Abbett "on both sides of Island creek of Packolet River," found in Spartanburg County Plat Book A, p. 60, Spartanburg County Courthouse, Spartanburg, South Carolina. Note: This survey on which Abbett was living in 1780 was on Island Creek two miles southwest of the battleground and adjacent to the Coulter's Ford Road. The cowpens, which gave their name to the battle, may have been here. This is the nearest habitation to the battlefield in 1781 of which we have record.

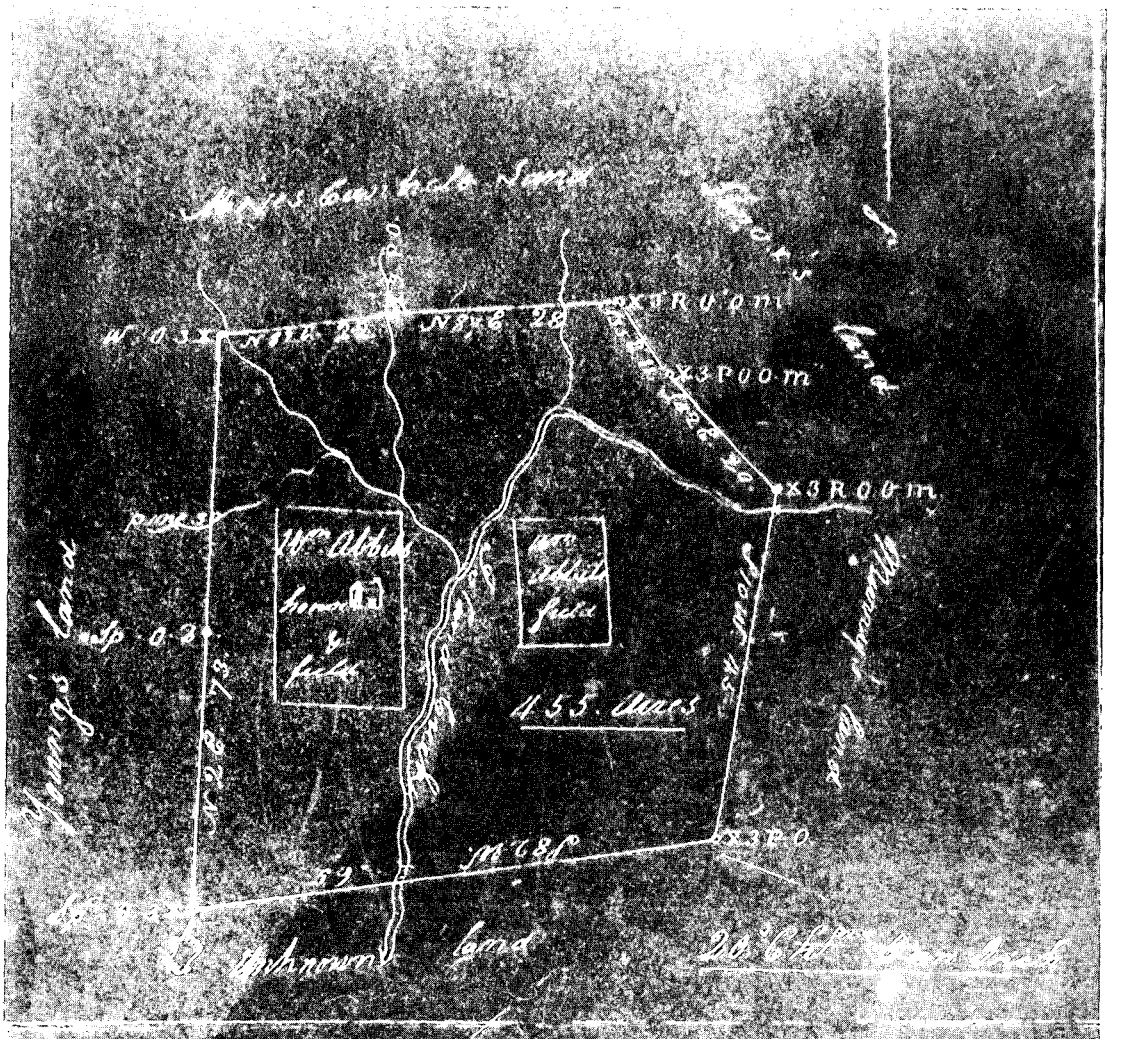
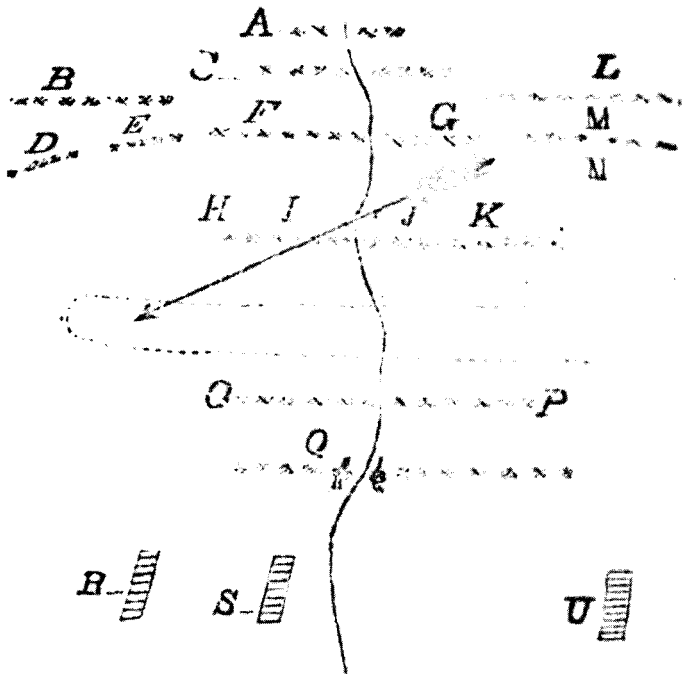

455. Acres
Unknown land

Illustration 10.

"Battle of the Cowpens, First View of the Two Armies Formed for Action," compiled and drawn by Col. Samuel Hammond, found in Johnson's Traditions and Reminiscences, p. 529.

BATTLE OF THE COWPENS.

FIRST VIEW OF THE TWO ARMIES FORMED FOR ACTION.



References to the Plate.

A.—American Main Guard.
B.—Triplet's command.
C.—The Continentals.
L.—Pickens' command.

The commencement of the battle.

D.—Triplet's.
E.—Beaty's.
F and G.—Colonel Howard's.
M and N.—Pickens, with Anderson and Brandon.
H. I, J, K.—Georgia and Carolina riflemen, under Cunningham, McDowal, Samuel Hammond and Donnolly.

Valley or ravine.

O and P.—British advance, under Inman and Price.
Q.—British line of battle with artillery.
R—British horse,—reserve.
S.—McArthur, 71st regiment—reserve.
U.—Tarleton's cavalry.

Illustration 11.

"Battle of the Cowpens, Second View of the Two Armies after the Retreat of the American Militia," compiled and drawn by Col. Samuel Hammond, found in Johnson's Traditions and Reminiscences, p. 530.

SECOND VIEW OF THE TWO ARMIES AFTER THE RETREAT OF THE AMERICAN MILITIA.

1.—Colonel Howard's Maryland troops.
2.—Pickens; 3, Brandon; 4 and 5, Anderson and militia rallied.
6.—Colonel Washington's charge.
7.—Tarleton's charge.
8.—British line advancing; 9, their horse reserve.
12.—Major McArthur.
13.—Major S. Hammond's second position, } Americans.
10.—Major Triplet's " " } Americans.
11.—Captain Beaty's " " } Americans.

Illustration 12.

Carrington's Map, "Battle of Cowpens," compiled and drawn by Col. H. B. Carrington, found in Carrington's Battles of the American Revolution.

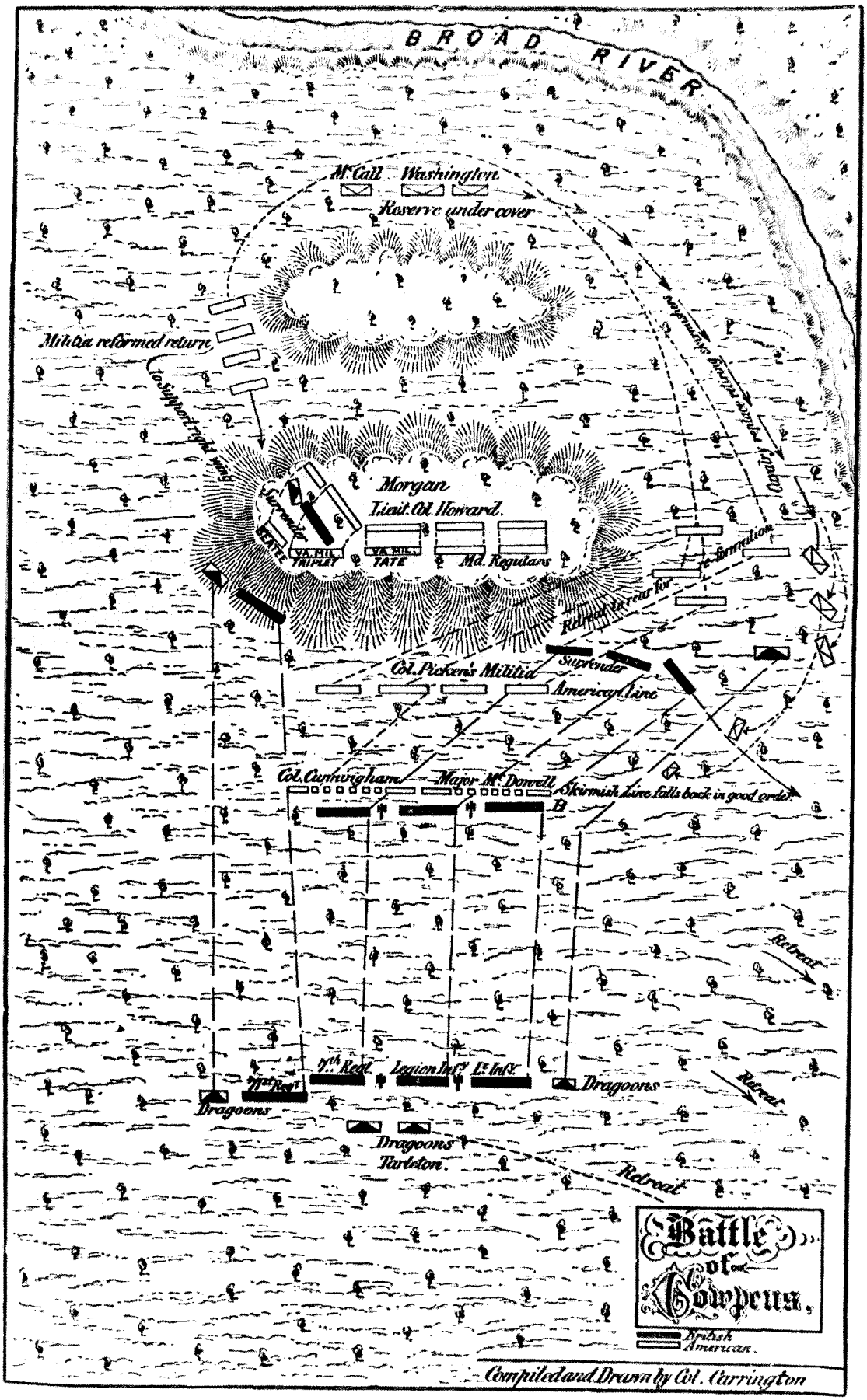

BROAD RIVER
McCall
Washington
Reserve under cover
Militia reformed return
to Support right wing
Morgan
Lieut. Col. Howard.
Surrender
SEATEE
VA. MIL.
TRIPLET
VA. MIL.
TATE
Md. Regulars
Retreat to rear for re-formation
Surrender
Col. Picken's Militia
American Line
Col. Cunningham
Major McDowell
Skirmish Line falls back in good order.
B
Retreat
7th Regt.
Legion Infy.
Lt. Infy.
Dragoons
Dragoons
Dragoons
Tarleton.
Retreat
Retreat
Battle of Cowpens.
British
American.
Compiled and Drawn by Col. Carrington

Illustration 13.

Historic land grants and roads in the Cowpens Battlefield area. This map was prepared by Archeologist John Walker, who plotted historic land plats (copies of which were provided by Historian Bearss) on a base map drawn from aerial photographs taken in 1938.

Camden Road
1806
Camden Road
1806
Camden Road
1806

US NPS - Denver
DSC009031