# A View Of THOMAS HEYWARD, JR.



By Robert E. H. Peeples

When July 4th 1776 dawned South Carolina had four delegates to the Continental Congress sitting in Philadelphia: Thomas Heyward, Jr., Thomas Lynch, Jr., Arthur Middleton and Edward Rutledge. All four pledged "their lives, their fortunes and their sacred honor' to the cause of freedom by signing the Declaration of Independence. Thomas Heyward, Jr. commands the special interest of Hilton Head Islanders for he was born less than twenty-five miles away July 28, 1746 on Hazzard Creek, a tributary of Port Royal Sound's Broad River. Both Old House Plantation, his father's chief country seat, and Hilton Head were then in St. Helena's Parish: both became part of St. Luke's Parish in 1767.

The Signer's father, Col. Daniel Heyward (172-1777) was elected in October 1768 to represent St. Luke's Parish in Assembly. He was a pioneer in the reclamation of swamp lands for indigo and rice culture, owning more than 25,000 acres and nearly 1,000 black slaves. He built both Old House Plantation and the handsome Church Street residence now known as the Heyward-Washington House in Charleston.

The Signer's mother was Maria Miles (1727-1761), daughter of William Miles, Esq., planter and Church Warden of St. Andrew's Parish, also a member of Assembly. Maria Miles Heyward had six children, the eldest designated "Thomas, Jr." to distinguish him from his uncle Thomas. She died in 1761 only 34 years old, survived by three sons. As was usual among the Carolina gentry, the three boys were sent abroad for their education. Col. Daniel Heyward remarried shortly.

In England Thomas, Jr. was educated as a lawyer in January 1765. He also applied to the Herald's College and received a Patent for Arms dated 1 December 1768. Its crest features a Tomahawk, blade down, "as if to commemorate the life of ancestors ever exposed to the Indian and his tomohawk". He was called to the Inn

of Courts 21 May 1770.

Back in South Carolina Thomas was commissioned Attorney in the Court of Common Pleas 22 January 1771 and elected to Commons in 1772 age 26. He married Elizabeth, daughter of Hon. John Matthews on the 20th of April 1773. They had several children. all of whom died in infancy except one son, Daniel, born 1774. When the commons met in August of that year Thomas was chosen to report to Lt. Gov. William Bull, that commons had unanimously provided for delegates to the Second Continental Congress to meet in Philadelphia in September with expenses to be paid from the public treasury.

It should not be inferred that Thomas was a radical or ardent



(Photo by Bill Moore)
Still and isolated by the low country foliage
Thomas Heyward's bust gazes out at the scenes
he loved best.

proponent of the idea of separation from England. He had joined the Charleston Artillery early in 1775 and was elected 1st Lieutenant. Edward Rutledge was its 2nd Lieutenant until March when a second company was formed and Thomas became Captain of the 1st Company with Edward Captain of the 2nd Company. On 14 June commons elected Thomas to the Council of Safety which had supreme power over the Colony's army, militia and military affairs and executive power over the Colony. Its thirteen members, all staunch Episcopalians, were divided on several issues but Thomas Heyward immediately joined the group for moderation which was headed by the Hon. James Parsons, Speaker of the House. Miles Brewton, Rawlins Lowndes and Thomas Bee were also members of the faction for moderate measures in the Council of Safety. "They could scarcely allow themselves to believe it possible that they could be engaged in a war with the mother country to which they were so much attached."

Yet after Lord William Campbell, the last Royal Governor, took refuge aboard the sloop of war Tamar, the Council of Safety determined to seize Fort Johnson on James Island since under its guns the Tamar and Cherokee safely anchored. Captain Heyward's Company was assigned the job and embarked under cover of darkness, only to be overtaken by a severe windstorm and heavy rains. Despite rough seas they reached the fort with their clothes, gunpowder and supplies completely soaked. They were astonished to find the fort deserted by the British and quickly took possession, forcing Lord Campbell's ship to withdraw.

Thus 17 September 1775 became an historic date, the first time in South Carolina that an American flag was unfurled: a blue field with a silver crescent! On 14 October 1775 the Council of Safety appointed Thomas Heyward, Jr., William H. Drayton and Col. Motte as Commissioners to erect a fort west of Fort Johnson to control

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This marker is located at the entrance of the oak lined avenue which leads to Thomas Heyward's grave.

the channels leading to it.

In February 1776 Thomas Heyward, Jr. was elected a delegate to the Second Continental Congress and took his seat therein. After long debate the Declaration of Independence was duly passed on 2 July 1776 and was later signed.

Thomas' father, Col. Daniel Heyward, remained a staunch Tory, loyal to his king until his death 22 October 1777. He had married thrice, leaving heirs by each marriage. But Thomas inherited the Church Street mansion and Old House Plantation where Col. Daniel was buried. By then Thomas was dividing his residence between Church Street and his newly-built Whitehall Plantation, a few miles from Old House, where he planted what would grow into the magnificent double avenue of live oaks which may still be seen leading to the site of his great house. There he planted vast fields of "Carolina Gold" rice, named for the tawny color of its husk.

Thomas Heyward served in South Carolina's Revoluntionary War army; at the Battle of Port Royal Island in February 1779 he received a wound, the scar of which he wore for the remainder of his life. Serving under Gen. Moultrie he continued to resist Gen. Prevost's invasion of South Carolina through the Seige of

Charleston which began 12 March, until it's surrender 12 May 1780 when he became a prisoner of war. He accepted parole and was allowed to live in his Church Street house. Then on 27 August he was one of 33 leading patriots seized in their homes and hustled aboard the prison ship Sandwich to be transported to exile in St. Augustine, Florida. Mrs. Heyward and their six-year-old son Daniel were left behind. Reputedly "graceful and majestic in person, beautiful in countenance, angelic in disposition," Elizabeth Heyward gained renown for her adamant refusal to support the British celebration of their victory at Guildford Court House illuminating the windows of her home. A British Officer forced his way into her presence and threatened the destruction of the mansion in which she had the additional burden of the care of her dying sister, Mrs. George Abbot Hall, whose husband was among those patriots exiled to St. Augustine. Still she refused to permit even one candle to be shown. The climax came 12 May 1781, the anniversary of the British capture of Charleston, when a mob of drunken soldiers and riffraff assailed her darkened house with brickbats and garbage. Amid violent shouts, curses and the breaking of windows, Mrs. Hall agonizingly departed this life. But

Elizabeth Heyward remained unshaken in her resolution to support only the American cause.

In their St. Augustine prison compound, three of South Carolina's Signers of the Declaration: Thomas Heyward, Arthur Middleton and Edward Rutledge, with the other patriots prepared to celebrate the Fourth of July as honorable as possible. They had a large plum pudding prepared to grace the center of the table and topped it with an American flag secretly prepared for the occasion. Appropriate prayers were offered by the two clergymen imprisoned with them. Judge Heyward had spent the morning beneath an orange tree in the compound, composing a hymn:

"God save the Thirteen States, Thirteen United States,

God save them all."

which the company sang to the tune of "God Save The King". The British guards heard the tune and stuck their heads in the windows, supposing their prisoners had finally capitulated. Their vapid hopes were confounded when they heard Thomas Heyward's words and the brave toasts which followed.

The very next day the prisoners were informed they would be sent by sea to Philadelphia where a prisoner exchange was to be effected. On 19 July 1781, nine days before Thomas Heyward's 35th birthday, the ships sailed. A near tragedy occurred when Thomas fell asleep on deck and rolled overboard. Seeing the accident, another prisoner threw a coil of rope to him and he was with difficulty hauled back aboard. In Philadelphia he was met by his faithful wife who had led a party of wives and children to greet the returning heroes. But her health had broken and it was necessary for her to remain under medical care in Philadelphia when Heyward returned to South Carolina for the opening of the Jacksonborough Assembly 18 January 1782.

"A more distinguished body of men had never before, and never after, met in the State of South Carolina, nor perhaps in any State in the Union". General McCrady wrote of the 1782 Jacksonborough Assembly, Lord Cornwallis had been hounded from South Carolina to surrender at Yorktown but Charleston was still occupied by the British. In fact, most of coastal Carolina remained at the mercy of Britain's superior naval power. The Assembly, able to meet only under the protection of South Carolina's army, passed the Confiscation Act and effectively re-established the State government. Thomas Heyward's brother-inlaw, John Matthews, was elected Governor by the Assembly.

Before British evacuation of Charleston could be effected, Mrs. Thomas Heyward died 18 August 1782 and was buried in St. Peter's Churchyard in Philadelphia. She left Thomas with the care of their seven-year-old son Daniel.

"After having gloriously succeeded by assistance of Divine Providence and our own exertions in terminating a war which has laid waste our country, it is encumbent upon us equally to promote and enjoy the blessings of peace", Heyward wrote with his quill pen. Thus he turned his attention towards agriculture.

At his Whitehall estate he found the slave quarters empty and the fields overgrown with weeds. The British had sold his slaves to sugar planters in Jamaica. Years of earnest effort passed before Whitehall could be restored to life and prosperity. At its organizational meeting 24 August 1785 Thomas Heyward was elected first president of the Agricultural Society of South Carolina, a society formed to promote and encourage agricultural experimentation and excellence.

In May 1786 Heyward married Elizabeth Savage, daughter of Col. Thomas Savage and his wife Mary Elizabeth Butler. They settled at Whitehall where a son Thomas was born on Bastille Day. That year he resigned his post as Judge of the Civil and Criminal Court of South Carolina; he wanted nothing to interfere with his agricultural interests. His last public service was as delegate in 1790 to the State Convention which ratified the U.S. Constitution.

Thomas Heyward resigned as president of the Agricultural Society in 1798. After that he seldom left Whitehall because of his health. He died in his 63rd year, 6 March 1809, funeral services being held in St. Helena's Episcopal Church, Beaufort where he was a life-long member. The funeral procession from Whitehall rolled beneath the live oak canopy of its great avenue, through the pines to Old House where his body was laid to rest near the tombs of his parents.

In 1922 the grateful State of South Carolina erected a handsome stone monument, nine feet high, mounting a bronze bust of the Signer from St. Luke's Parish. Both Old House and Whitehall plantation houses lie in ruins but the Cemetery remains where one may visit with prayer and thanksgiving the Tomb of Thomas Heyward, Jr. who risked all, that we may enjoy "life, liberty and the pursuit of happiness".

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Thomas Heyward Ir.:

## Declaration of Independence Signer Remembered Here

By GERHARD SPIELER

In August 1780, 67 South Carolinians were exiled by the British occupation authorities of Charleston, sent to St. Augustine, Fla. and confined there. Among them was Thomas Heyward Jr. of near Beaufort, a signer of the Declaration of Independence.

On the Fourth of July 1781, the exiles gathered together for dinner. As usual, the fare was simple, except for a large plum pudding and an American flag in the middle of the table, with it's 13 stars and 13 stripes.

Dr. John Johnson in his book Reminiscences of the American Revolution, described what happened: "On this occasion was first sung the celebrated American hymn, 'God save the 13 states, 13 united states, God save them all'..."

"It was written that moming by Capt. Thomas Heyward of the artillery (afterwards Judge Heyward) while sitting under one of the orange trees in their enclosure and several copies made of it before dinner. After dinner, it was sung with great animation and exultation. Being of the same tune with 'God Save the King,' the British supposed it to be their national air, and were peeping in at the windows, wondering what had gotten into the Yankees to sing 'God Save the King.'

"The American version of this hymn was soon sent among them, and they were perfectly satisfied that the Yankees were not singing 'God Save the King' - that they had not 'changed their tune'."



Heyward bust in Beaufort's Waterfront Park.

Heyward Jr., a young planter and lawyer, was one of the four signers of the Declaration of Independence for South Carolina. A monument erected at Old House, in Jasper County, (formerly part of Beaufort District) by the State of South Carolina in 1920 bears the following inscription:

"1746-1809 in memory of Thomas Heyward Jr. Patriot-States man-Soldier-Jurist. Member of the Continental Congress, 1775 - Signer of the Declaration of Independence, July 4, 1776 - Signer of the Articles of Confederation in behalf of the State of South Corolling July 8, 1778.

Commanded the Charleston Battalion of Volunteers, 1780, was captured and imprisoned -Member of the Constitutional Convention of South Carolina, 1790."

While his grave is located in Jasper County, his name was associated throughout life with Beaufort, St. Helena's Parish, Beaufort District and the Port Royal area, in addition to Charleston. His name was chosen by members of the local chapter of the Daughters of the American Revolution for their chapter's name. The chapter was instrumental in placing a bust of the signer in the Henry C.

There is a good possibility that Thomas Heyward Jr. was born in the town of Beaufort in 1746. Lena Wood Lengnick, a local historian, in a 1937 booklet on historic houses of Beaufort wrote:

"Many of the older members and residents will remember a house with small white columns just east of the jail. This was the old Heyward Home and some say that the signer was born there.

"History gives the birthplace as the plantation in St. Luke's Parish, but he was born in July when all the old planters left their rice plantations, so Beaufort is much more plausible,

"In Simm's Life of Marion, he tells of Beaufort's most noted citizen, Judge Heyward, taking part in the Battle of Port Royal the Revolution and being wounded. He was sent to the Commons House of Assembly from St. Helena's Parish in 1772 and was often a contributor of St. Helena, so we can certainly claim him as a resident, if we are not able to prove he was born here."

Signing the Declaration of Independence in Philadelphia besides Heyward were Edward Rutledge, Thomas Lynch and Arthur Middleton. All had more or less close ties with Beaufort and the parishes comprising Beaufort District. All four were young and aware that opinion regarding political separation from Great Britain was divided. Perhaps that was why they wrote President John Rutledge of South Carolina on July 9, 1776, adding almost as a post script:

"Enclosed also are some of the occasional resolutions and a very important Declaration which the King of Great Britain has at last reduced us to the necessity of making.

All the colonies were united upon this great subject except New York, whose delegates were restrained by an instruction given several months ago. Their convention is to meet in a few days, when it is expected that instructions will be immediately withdrawn and the Declaration unanimously agreed to by the Thirteen United States of America."

Calling Together Legislative Bodies At Places Unusual

Beaufort was not named specifically in the Declaration of Independence. Yet, Beaufort was touched upon indirectly in that document. Declaring their intention "to dissolve the political bonds which have connected" the people of England and America, the signers stated that "a decent respect to the opinions of mankind require that they should declare the causes which impel them to the separation."

The King of England, the signers declared, "has called together legislative bodies at places unusual, uncomfortable and distant from the depository of their public record, for the sole purpose of fatiguing them unto compliance with his measures."

That statement may well have been a direct reference to Lord Montague, royal governor of South Carolina, who convened a meeting of the General Assembly in Beaufort on Oct. 8, 1772. In doing so, Lord Montague made Beaufort the capital of South Carolina, even if only for one day.

Lord Montague was engaged in a running fight with many members of the General Assembly in Charles Town. He had not been satisfied with the quarters furnished him. Then, there was the Wilkes Fund. John Wilkes had been arrested in England for printing a newspaper article attacking a speech the King had made from the throne. For the next 10 years, the English government sought to imprison Wilkes under sundry charges.

The South Carolina General Assembly voted to advance 10,500 pounds currency (about \$75,000) to a committee which was to send the money to England to aid the legal defense of John Wilkes. The English government felt that was a misuse of public funds and informed Lord Montague accordingly. The latter did his best to convince the General Assembly to reconsider its action.

Unable to secure the desired legislation, Lord Montague decided on a stratagem. He would call a meeting of the General Assembly, not in Charles Town, but in far-off Beaufort. He hoped that many members not friendly to the Crown would hesitate to travel 75 miles to Beaufort, considered, in the words of the future Declaration, "unusual, uncomfortable and distance from the depository of their public records."

Gov. Montague hoped for cooperation from the loyal merchants, planters and royal officials of Beaufort. In a letter to Lord Hillsborough, quoted in a thesis by Dr. Lawrence Rowland, University of South Carolina, Beaufort, the governor wrote: "...They know their harbor and bar exceed any in this province and hope by such behavior that the seat of government might be fixed in their town."

Lord Montague miscalculated the temper of the patriotic faction of the General Assembly. Again, quoting Dr. Rowland, "nearly all the Charleston members made the long trek to Port Royal Island and early in October there gathered in Beaufort the most august assembly of gentlemen in the town's his-

The "Beaufort Assembly," as it is called in history texts, was called to order. Gov. Montague realized that his plans had miscarried. The meeting was probably held in the courthouse, at that time on the corner of Craven and Carteret streets, where the Old Arsenal stands at the present time. He made a short speech about the relative responsibilities and prerogative of Governor and Assembly and closed the meeting.

Beaufort almost was mentioned by name in the Declaration. Beaufort almost became the capital of South Carolina. In fact, for one day Beaufort was the official capital of South Carolina.

All of the four South Carolina signers of the Deciaration of Independence, except one, Thomas Lynch Jr., who resided in St. James Parish, Santee, had relations or connections with Beaufort District.

Both Edward Rutledge, fifth, son of Dr. John Rutledge and Sara Hext, and Heyward participated in the battle of Port Royal Island near Gardens Corner on Feb. 4, 1779. The latter was wounded in that engagement.

Arthur Middleton, although his plantation was in St. Andrew's Parish, was elected to represent St. Helena Parish in 1765 in the Commons House of Assembly. In the 1772 election, he won the scat from Prince William's Parish in the Assembly.

## LOCAL Sunday, July 2, 2006

## DAR chapters remember Heyward

BY SANDRA WALSH THE BEAUFORT GAZETTE

RIDGELAND — White-haired members of the Sons and Daughters of the American Revolution gathered to pay homage to their compatriot in front of his tomb Saturday morning.

Each year, about 50 members from area chapters make a pil-grimage to Thomas Heyward Jr.'s burial site at Old House Cemetery on S.C. 462 near Ridgeland, about 100 yards from where Heyward was born.

They meet just before the Fourth of July to honor the day the Declaration of Independence was approved by the Continental Congress. Heyward was one of four South Carolinians to sign the document in which 13 colonies in North America declared themselves independent of Great Britain.

"That's why we're here — that's what the Fourth of July is all about, isn't it?" said Paul Grier, regional vice president of the S.C. Society of the Sons of the American Revolution. He made the trip from his home on Hilton Head Island.

A handwritten copy of the document is on display in the National Archives in Washington, but Caroline Jenkins and Anne Heyward don't have to travel quite that far to feel a connection with Heyward's past. The sisters are Heyward's sixth-generation descendants.

Anne Heyward, a Port Royal resident, said she is the last Heyward to have been born in Old House. She said she was born in a house that is now an overgrown vacant lot just up the street from the cemetery.

"The first time we came (to the cemetery) we were about 4 and ...



Kim Afford/The Beaufort Gazette

Dean Hewitt, left, and Bill Ten Eyck stand at the foot of the grave of Thomas Heyward Jr. on Saturday during the 20th annual pilgrimage to the gravesite.

5 years old," Anne Heyward said.

"We used to call him Great Father," Jenkins said, remembering a moniker the family used to reference Heyward.

Anne Heyward said the property the cemetery is on was private property before their mother purchased it more than 30 years ago and gave it to Jasper County with the hope that it would be preserved.

After the Hilton Head High School Navy Junior ROTC Color Guard marched the flag in front of an oxidized metal bust of Heyward's likeness that rests on top of his tall, granite memorial marker, Richard Austin spoke about plans to preserve Heyward's memory. Austin, president of the Hilton Head chapter of the Sons of the American Revolution, said former Beaufort Mayor Henry C. Chambers is raising money to buy the land surrounding the cemetery to make it into a park.

Elizabeth Waskiewicz, member of the Beaufort-based Thomas Heyward Jr. chapter of the Daughters of the American Revolution, said a park would be a good idea as she wove through the crowd distributing copies of a book in pamphlet

form about Heyward written by local historian Gerhard Spieler in 1978.

Waskiewicz said that many years have passed since Heyward's death in 1809, but the tradition of celebrating his contribution to the state's history is still alive.

"I think more and more people want to know where they came from, what their history is — I think it's a new trend," she said. "I don't think that's ever going away."

Contact Sandra Walsh at 986-5538 or swalsh@beaufortgazette.com. To comment on this story, please go to beaufortgazette.com

South Carolinians in the Revolution Sara Sullivan Ervin GPS, Baltimore 1976

The Names as far as can be ascertained of the Officers who served in the SOUTH CAROLINA REGIMENTS on the Continental Establishment –Prepared by Wilmot G. DeSaussure. Published by order of the General Assembly, 1886.

Page 58 –

HEYWARD, WILLIAM Lieutenant 1<sup>st</sup> Regiment Resigned 22d Oct., 1777.

Page 71 -

Source: Journal of Council of Safety, 26 February 1776:

HEYWARD, DANIEL, JR. Captain, Volunteer Company, Beaufort

HEYWARD, JOHN Ensign, Volunteer Company, Beaufort

Source: Moultrie's Revolution, 1776 [Old Cheraws, 1781]:

HEYWARD, THOMAS, JR. Captain, Battalion of Artillery, Charles Town Militia

#### Some revolutionary war prisoners of South Carolina

Source: South Carolina Historical and Genealogical Magazine, and checked with Ramsay and other sources:

Page 85 -

"On 17 May 1781, the followinf persons were sent aboard the prison ship TORBAY and the schooner PACKHORSE: '-----------------.....HEYWARD, JAS....---"

Page 86 -

"On 31 Dec. 1781, the Edict of Col. Balfour Commandant of Charleston, BANISHED all who would not take protection from the British. The heads of families of these persons are hereby given---'----. .HEYWARD THOS. . .HEYWARD JAS. . .---'"

ANNCESTRAL ROLL, S.C. Daughters of the American Revolution Compiled 1938 by Mrs. E. T. Crawford, State Registrar.

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HEYWARD, NATHANIEL HEYWARD, THOMAS, JR., Captain

#### Wofford E. & Joyce C. Malphrus Rt. 1 Box 9 Grahamville Ridgeland, S.C. 29936

February 1,1995

Rev. Dr. Robert E. Peeples, Pres. Dr. George Moss Chapter, S.A.R. Hilton Head Island, S.C.

Dear Rev. Dr. Peeples.

At the request of my friend Keels Smith, I am sending to you, herewith, a copy of a rough map of the property surrounding the old Thomas Heyward Toomb site. I have taken the liberty of shading in the property owned by the County in a lite green color. As you may know, the surrounding property is owned by members of the Cooler family.

One thing that is not shown on this particular map is the location of what is thought to be the foundation of the old Daniel Heyward home, which was called "Old House" and was the name eventially adopted by that community as its name. I am enclosing a copy of a segment of another map which gives a rough idea as to the location of those "ruins". I am sure that the County would prefer that there be no vehicular traffic over that site. I assume that further excavation of the site will be done in the future.

You will note that I am sending a copy of this letter to Mr. Ross Mingledorff, Jr. He is Chairman of The Thomas Heyward Toomb Site Committee and also President of the Heyward Family Association. I am sure that he would appreciate hearing from your organization as to plans to use the site for your gathering. As the Heyward Family Association is also planning a large reunion in the spring of the year, you may avoid a conflict.

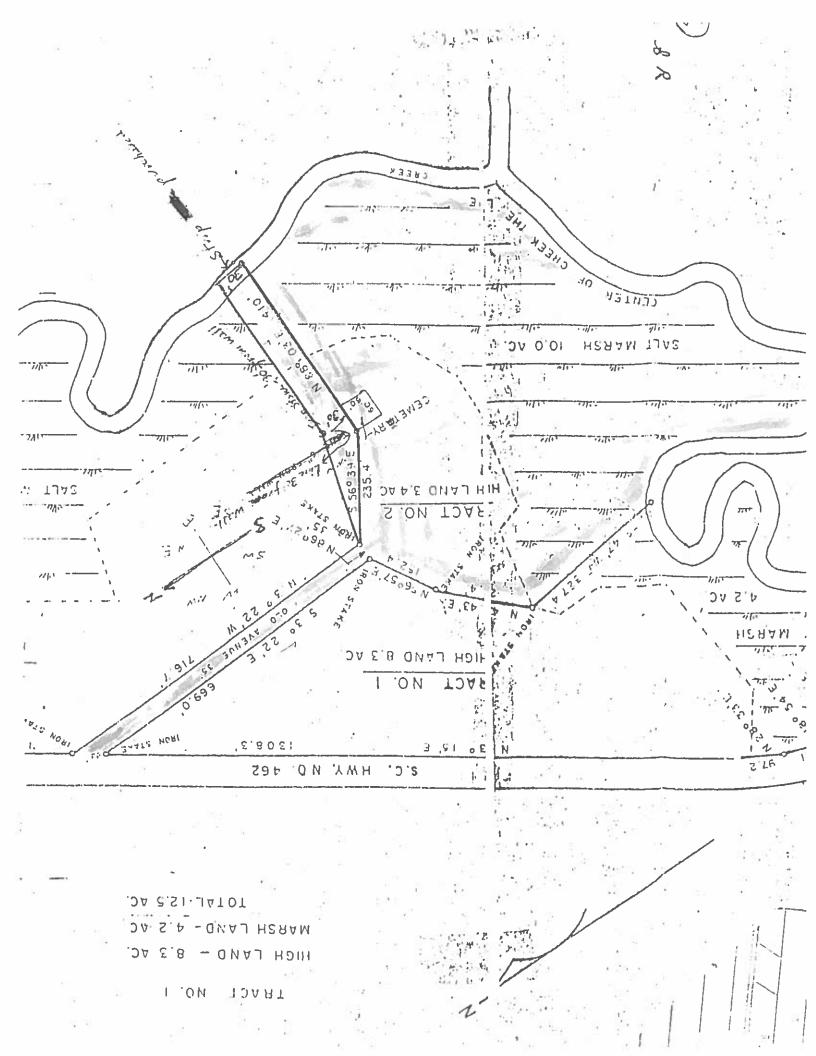
You may be wondering as to my interest in the site. I represent the Jasper County Historical Society on the Thomas Heyward Toomb Site Committee which Mr. Mingledorff "chairs". This committee was established by the County Council to give oversight to the maintenance and preservation as well as public use of the site.

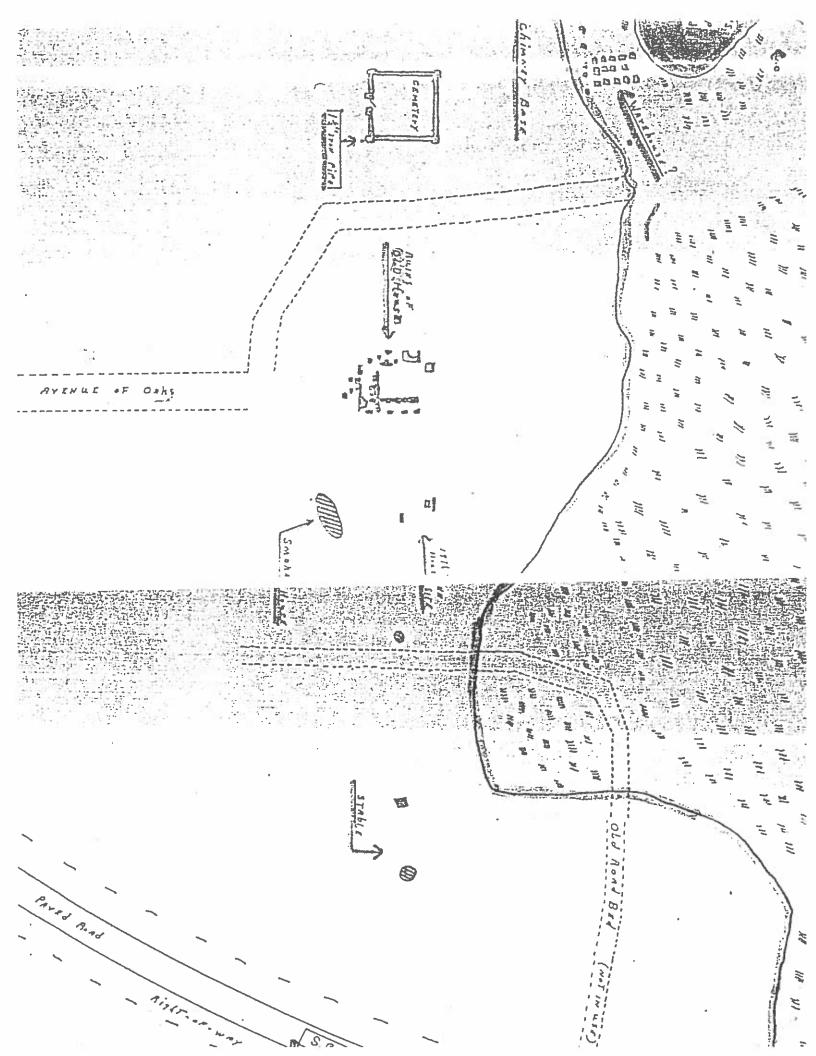
I hope that this information will be of use to you and your organization .

Sincerely

Wofford E. Malphrus

CC: Ross Mingledorff Keels Smith





I thought that you might be interested in the following:
Like in all family names there are many various ways of spelling the name such as Hubele - Houbly - Hoobly - Hubly and Hubley.

Some genealogists claim that the family is thoroughly Germatic while others claim that they the family was quite prominent in France and were Huguenots. I much prefer the latter version.

"After the Revocation of the Edict of Nantes in 1685, owing to the dreadful persecution of the Protestants, some of the family fled to Germany, others to Switzerland, while others remained in France."

"Among those who fled to Switzerland was Joseph (or Joseph Bernard) the paternal ancestor of the most important branch of the family who later came to Lancaster. From Switzerland he made his way into Germany where he lived a short time, and where his children were born. Here he lost his wife by death, persecuted and much discouraged, he resolved to emigrate to America and seek a home in the land of Penn. Joseph Hubley with his two sons, Bernard and Michael, and his daughter, Susan, sailed from Rotterdam on the ship "Pink John and William" Constable Tymperton Master, and landed at Philadelphia, October 17th. 1782. "

Note: Pink, ship with narrow stern.

