

LANDGRAVE THOMAS SMITH V. RICHARD BERESFORD AND RICHARD SPLATT

[South Carolina Filed August 15th 1720 per Thos Moore ⁷³ Register]

To the Honourable William Dry ⁷⁴ Esq. Chancellor (pro hac Vice) of the Settlement of South Carolina.

Humbly Complaining Sheweth unto Your Honour your Orator Landgrave Thomas Smith ⁷⁵ That your Orator Sometime in the Month of October In the Yeare of Our Lord One Thousand Seven hundred and Eighteen purchased of Richard Beresford Esq. Chancellor of this Settlement Twenty Eight Negroe Slaves for Twenty Three hundred and Sixty Barrells of Tarr And for the payment of the said Quantity of Tarr by a Certain Obligation bearing date the Eighth day of October in the yeare aforesaid became bound unto the said Richard Beresford and Richard Splatt Merchant in the penal Sume of Five Thousand pounds Current Money of South Carolina Under the Condition Following (vizt) Whereas the abovesaid Richard Beresford and Richard Splatt have sold and Delivered unto the above bounden Thomas Smith Twenty Eight Negroes upon this Consideration that the said Thomas Smith his heirs Executors and Administrators Should pay and deliver unto the said Richard

⁷³ This may have been the Thomas Moore who brought suit against William Hawett, *supra* note 34.

⁷⁴ William Dry, son of William Dry and his wife Elizabeth Blake, was assistant judge in 1721, a commissioner for printing the paper currency in 1723, and speaker of the House, 1728-1733. In the riots of Middleton's administration, as captain of the Goose Creek militia, he took the lead in planning to seize Alexander Skene in reprisal for the imprisonment of Landgrave Thomas Smith and his son. He married Rebecca, daughter of the first Governor James Moore, *supra* note 8. In 1737 he sold his plantations at the Quarter House and Goose Creek and removed to North Carolina. (SCHGM, XXXVII, 21; Smith, *S. C. as a Royal Province*, *passim*.)

⁷⁵ Thomas Smith (1664-1738) second landgrave of the name, arrived in 1684 to begin a noteworthy career. During Gov. Moore's administration, Smith and other members of the opposition were mobbed in the streets of Charleston. Public receiver, 1701-1703; Speaker of Commons House, 1708; and a Dissenter member of Council, which he ceased to attend when offended by Nicholson, he was usually a storm center. During the currency dispute of 1727, he planned to displace Middleton and was arrested for high treason. Refused *habeas corpus*, he presented a memorial to the House, at whose bar Nicholas Trott plead Smith's case, and the doors were thrown open to excited crowds; but the Assembly was prorogued before a decision was formulated. On his Winyah Barony near Georgetown, shortly before his death, he projected a plantation, which failed, although he bequeathed a down lot to each of his thirty-one grandchildren and great grandchildren. (SCHGM, XIII, 5-20; Smith, *S. C. as a Royal Province*, pp. 247-252; Wallace, *History of S. C.*, I, 164. See also JCHA for years mentioned.)

Richard Beresford, the only colonial chancellor, appears to have had no legal training except service as clerk of peace in 1690; and as member of Council in 1708. A wealthy merchant and planter, he sat in Commons House 1702-1703, and was sent by the Assembly in 1707 to treat with the Savannah Indians, and in 1714 to England to protest Trott's powers. Killed by a falling tree in 1722, he bequeathed the "Beresford Bounty" to found a school for poor children. The fund is still in existence. (McCrary, *S. C. under the Proprietary Government*, pp. 236, 456, 477, 530; JCHA 1702, 1703; PR, XI, 304.)

Richard Splatt, merchant of Charleston, owned a plantation at Goose Creek and married Anne Mellish, probably before he settled in Carolina. He died in 1728. (SCHGM, XXIX, 4, 5.)

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