

Planter, Legislator Built House On Property He Didn't Own

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Special Writer

William Stevens Smith, attorney, planter and state legislator, built the house and outbuildings at 101 Rutledge Ave. between 1796 and 1804, on land he did not own.

Smith, in a Court of Equity suit he initiated in 1804 to clear the complex title, said he had built the house and outbuildings believing his wife owned the land, but that it actually was owned by her uncle, Benjamin Waring.

Smith said he had built the house as his family residence but then declined to live there. He sold the property in 1804, after finally acquiring title to the land.

Subsequent owners included Dr. Thomas Ballard McDow, who achieved notoriety for himself and for the house by fatally shooting Capt. Francis Warrington Dawson, editor and manager of The News and Courier, at the house in 1889.

Benjamin Waring, in March 1778, bought from John Harleston the eastern halves of four lots on the west side of Rutledge Street, extending between Bull and Montagu streets, lots 91 through 94 in the plan of Harlestonborough or the Village of Harleston, as laid out in 1770.

Waring redrew the lot lines to orient the two northern lots to face on Bull Street.

In October 1778, Waring signed a bond obligating him to transfer the two lots fronting on Bull Street to his nieces, Dorothy Waring and Juliette

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Lee Waring, on their 21st birthdays or their wedding days. Dorothy Waring was to receive the lot at Bull and Rutledge, while Juliette would receive the adjacent lot to the west.

Since Dorothy Waring bore no children, the bond provided that after her death her lot fall to her next sibling, Edmund Waring.

Juliette Waring married William Stevens Smith in 1796. Their marriage contract entitled her to the Bull Street lot, but Benjamin Waring failed to transfer title to her on the date of her marriage.

Smith said he was unaware of the entanglement of the 1778 bond, "but intending to erect buildings for the residence of his family on land which he believed belonged to his wife," made plans to do so.

At the request of his brother-in-law, Edmund Waring, Smith agreed to a second redrawing of the lot lines, reorienting the lots to face on Rutledge Street again.

Smith, according to his civil complaint, then "proceeded to build a dwelling house and convenient out-houses" on the southmost of the two lots, spending \$10,000 on the improvements.

Smith stated he "hath engaged to a considerable extent in the planting business, and finds it inconvenient to let so large a proportion of his prop-

erty remain vested in an House and lot of land," which as he "has declined using as a family residence only produces a Rent by far inferior to the profits of planting on the same Capital."

He asked the court to disencumber the title so he could sell the property. The court agreed, and on Dec. 7, 1804, the house, outbuildings and lot were conveyed to Smith. He sold it on Dec. 28 to William Mathews for 2,500 pounds of sterling silver, the equivalent of \$12,000.

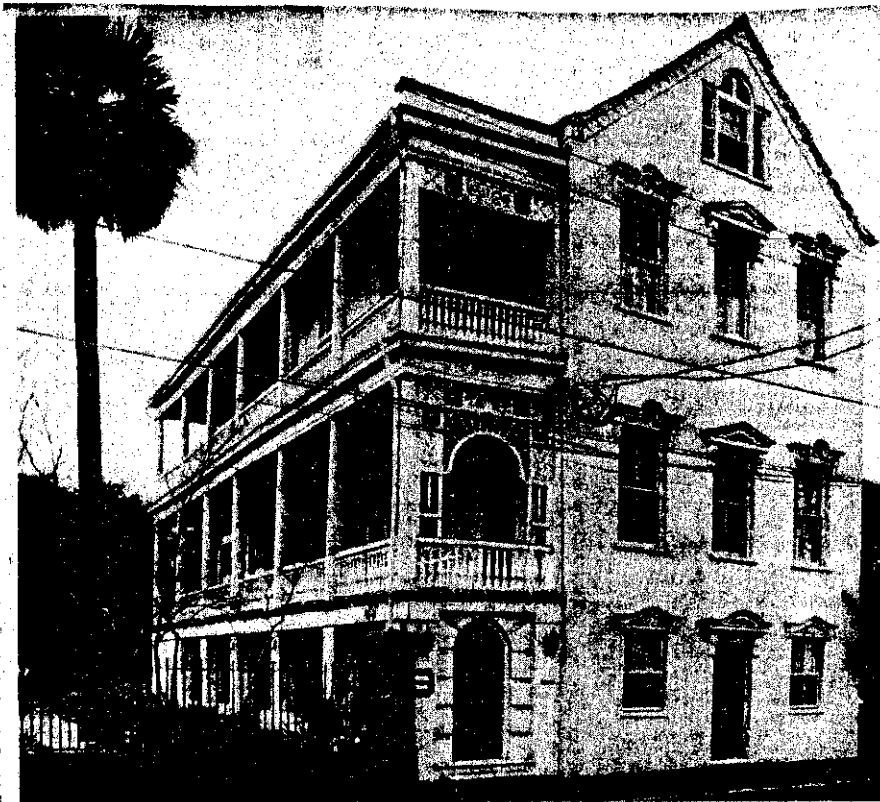
Smith was born in 1773, a son of Josiah Smith Jr. and Mary Stevens. His father was a prominent Patriot leader during the Revolution, whom the British exiled to St. Augustine. Smith was elected to the state House of Representatives from the parishes of St. Philip and St. Michael in 1801. He died in 1837.

The property was owned from 1804 to 1818 by the family of William Mathews, a planter. It was bought in 1818 by Mary Ward, also a planter, and her sister, Sarah Ward, who married Edward Armstrong. The Armstrongs sold the property in 1836 to William C. Murray, a merchant.

Murray sold it in 1846 to William M. Lawton, a prominent cotton and rice factor, who retained the property until 1877.

Subsequent owners included McDow, who purchased the property in 1887.

Witnesses at McDow's sensational murder trial testified he had made



Staff Photo by Wade Speer

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101 Rutledge Ave.

...Home Built

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advances to a young French woman in Dawson's employ. When the young woman complained to Dawson, he went to McDow's office, in the basement of 101 Rutledge, on March 12, 1889.

There, an argument ensued and Dawson was fatally shot. After first attempting to conceal the body in the dirt floor of a closet under the stairs, McDow surrendered himself to police and confessed to the shooting, which he claimed was in self-defense. After a much-publicized trial, McDow was acquitted.

McDow died in 1904 and his family sold 101 Rutledge in 1918. The current owners are Dr. and Mrs. Thomas L. Lucas and Dr. and Mrs. Thomas L. Lucas Jr., who purchased it in 1977. The basement is used as an office and the main portion of the house is a residence.

The main house, kitchen building and carriage house which appear on an 1895 plat remain but have been altered.

The main house is 2½ stories of brick on a high brick basement. It is a traditional single house, three bays wide and five bays deep. Unlike most single houses, it apparently did not originally have a small extension to the rear but had piazzas continuing completely across the rear of the house.

Subsequently, the space between the main house and kitchen building was filled with additions.

The facade of the main house has a Palladian window in the gable, and a

cornice with brick dentils, widely spaced, following the rake of the gable and continuing along the sides of the house. The facade windows have Italianate cornices of pressed metal, added in the late 19th century.

The unstuccoed facade has Flemish bond brickwork. The piazza entrance has a stuccoed brick surround, rusticated to resemble a keystone arch of stone blocks. Above that is another arch of wooden Victorian gingerbread work.

The interior retains some Federal woodwork, including paneled wainscoting, six-paneled doors, a round-headed window surround on the stair landing, and the staircase itself with its slender rail connected by columnar newels on the landings and ending in a spiral at the base.

An odd feature is the wainscoting of the front bedroom, the panels of which do not align with the windows.

Woodwork in the drawing room and dining room was replaced about 1840 with wider surrounds, having channeled pilasters and entablatures and square cornerblocks. Cornerblocks in the drawing room have applied oak leaves.

Mantels in all rooms were replaced in the latter part of the 19th century with mantels of stenciled, marbleized slate.

All rooms have plaster cornices with classical moldings and the drawing room and dining room have plaster ceiling medallions with acanthus leaves, rosettes and rope molding.