

## THE MAXWELLS, A PIONEER GREENVILLE FAMILY

### A. Charles Cannon

It only became possible for Europeans to settle the area of Upper South Carolina now covered by Greenville, Anderson, Pickens and Oconee Counties after Spring 1777, the date the Cherokee Indians ceded this territory to South Carolina by the Treaty of Dewit's Corner.<sup>1</sup> But, of course, at that particular moment in history very few people had heart or energy for settling anywhere since we were still in the midst of the great struggle for independence which did not conclude until 1783. It is true that some Indian traders and a half dozen other settlers lived in the area while it still belonged to the Cherokees, and notable among those was Richard Pearis who seems to have arrived in 1765 and had the Greenville concession. But they were few indeed.

Before the end of the Revolution European families lived in fairly large numbers in Abbeville District to the South and in Spartan District to the East, but not in Greenville. All that changed when the war ended and the state opened a land office (at Pendleton) on May 21, 1784, to begin the process of distributing the former Cherokee lands to prospective settlers. Many of those who took this land had formerly lived East and South in Spartan and Abbeville districts. And many of these were soldiers of the Revolution, especially militia officers and men to whom the State owed salaries for their wartime service. But the state was penniless, could not pay its bills, and offered land grants in exchange for those debts. Many took up that offer, and others from neighboring states bought land for cash, as did wealthy land prospectors from the low country.

### PIONEER SETTLER

Those who came and settled, and then became the leaders who created the structure, organization, legal system and ethos of Greenville County were to a great extent former officers of the Army. They had fought a long hard war and prevailed. They were accustomed to making decisions, taking command and creating order out of chaos. They also knew how to eat lean,

live in bivouac out in the woods, sleep with one eye open, and get along without the conveniences of civilization. They were well prepared to be pioneer settlers in a virgin land.

Among these was Robert Maxwell, the subject of this paper, whose first land grants are dated May 21, 1784, the very day the land office opened. He had fought throughout the war as a captain of militia, usually under General (then Colonel) Robert Anderson and General Andrew Pickens. His land was granted under a warrant from John Thomas, Commissioner of Locations for Ninety-Six District, surveyed in May and June by John Bowie, and recorded July 1, 1784, 840 acres in the area called the Golden Grove, on Grove Creek, which runs into the Saluda River, about 15 miles south of town off the Augusta Road at Ware Place.<sup>1</sup>

Greenville, of course, did not exist then, not even the county, which was created two years later, March 22, 1786.<sup>2</sup> Everything was just a vast empty space and ruined Cherokee villages. But Robert Maxwell was an adventurer and pioneer at heart. He came to his new land and established his homestead which he called "The Grove," built a very large log house, got himself some slaves, cleared and developed his plantation, and lived there the rest of his life. More recently the Maxwell Plantation has been known as the Lenhardt Place.

In many ways he is typical of those who settled our area. He was the oldest child of a Scotch-Irish Family who had come to South Carolina from Northern Ireland in 1765, when he was twelve years old.<sup>4</sup> In Britain the Scotch-Irish are called Ulster Scots. His parents, John and Jane Maxwell, settled on 350 acres of bounty lands in Abbeville District at Long Canes, near Donalds and raised a family of ten children, eight sons and two daughters. The Andersons, also Scotch-Irish, and the Pickens, who were Huguenots, had also lived in Abbeville in the decade before the War. Robert Maxwell had been old enough when they left Ireland in 1765 to understand why they were leaving, and to have a profound animosity toward the English for the treatment they and so many others who were Scots Presbyterians had experienced there. Ten years later in 1775, he was only too glad for the opportunity to fight the English and

declare his independence of a country and system which he hated. So effective was his military service, that a price was set on his head in the name of the King by the English government.

Now in 1784, he had the opportunity he had always wanted, to be part of the creation of a new civilization in a free land, where everybody started from scratch and where there were no inherited privileges and prerogatives, where people could work hard and enjoy the fruits of their labor, as long as they were white and free. But, he also felt a keen sense of public duty and took an active part in the creation of this new society and for doing his part to make it good.

Robert Maxwell served as justice of the peace for the new Greenville County in 1788<sup>3</sup> and 1789, as election commissioner in 1789, and as a delegate to the State Constitutional Convention in 1790. This new Constitution established Greenville as an election district with representation in the state legislature, and Robert Maxwell stood for election, was elected, and served in the 8th, 9th, and 10th General Assemblies, from 1790-1794.<sup>4</sup>

### SHERIFF OF WASHINGTON DISTRICT

It was during his second term in the General Assembly, in 1791, that the legislature created a single, massive judicial district out of the old Cherokee territory and called it Washington District, in honor of the President's visit to South Carolina that year. As it seems is not uncommon in legislative creations, it ignored the natural population clusters developing in Greenville and Pendleton and disregarded the influence of the Saluda River as a natural boundary and barrier between the eastern and western sections of the area. The location of a judicial center or capitol where a court house and jail would be built was evidently determined by putting a pin in a map at the approximate center of the district. There they created what was called Pickensville, about one mile south of the present city of Easley. Washington district endured until 1798, when it was abandoned in favor of the natural division into Greenville in the east and Pendleton in the west. The basic problem with Washington District as a workable judicial model was that few

people lived at or near Pickensville, few wanted to live there, and nobody could get to it without undertaking a lengthy, tedious and possibly dangerous journey.

On November 12, 1794, the State Legislature appointed Robert Maxwell Sheriff of Washington District for a four year term, giving him responsibility for law enforcement throughout that vast area. (The Governor's signature to the commission was not affixed until December 9, 1795.)<sup>7</sup> This job cannot have been an easy one, and in pursuing it he accumulated a number of dedicated enemies. Some of these were political, some were unhappy criminals. He made his presence felt and any number of people wanted him gone.

He is sometimes and erroneously referred to as Greenville's first sheriff, more often as High Sheriff, I suppose because of the size of his jurisdiction. It also seems to have been during this period that he acquired the title, General. Whether this was conferred as a compliment by his friends in the legislature or by popular consent, I have not discovered, but he was generally known as General Maxwell.

Two and a half years into his term, in the early part of 1797, a major campaign was mounted against him with threats of violence, and assaults against his person and property. Governor Charles Pinckney issued two proclamations in April of 1797, in an effort to identify the individuals involved, including the offer of a reward of 600 dollars to anyone who would catch the person or persons who were harassing the Sheriff. They had attempted his assassination in February, and in April had tried to burn his buildings and property. Nothing came of the proclamations.<sup>8</sup>

### AMBUSH AND MURDER

The following Fall, on November 10, 1797, General Maxwell was traveling on horseback from his home to Pickensville, crossing the river at the shoals where the Piedmont Mill Dam was later built, when four or five assassins, dressed as Indians fired on him from ambush and wounded him fatally. He died at home two days later on November 12, 1797, the 3rd anniversary of his appointment as Sheriff.<sup>9</sup>

He was buried on his plantation in the place now called the Maxwell Cemetery, and over his grave was erected a massive concrete stone bearing the inscription:

In Memory  
of  
Robert Maxwell  
who died in 1797  
He was a Whig  
A Soldier and  
a Christian

In the 1950's, Tommy Lewis, one of his great, great grandsons, located this graveyard and drew a map showing us the way to it.

Many remember a news story in *The Greenville News* on October 22, 1967, (22 years ago) telling of the desecration of this grave. Four men were charged with the offence. Sheriff's deputies recovered the skull of General Maxwell hidden in the closet of one of the suspects. Apparently nothing else was taken. I suspect nothing else was there. But the grave was severely damaged. The skull was returned to its grave, the monument repaired, and it has not been disturbed again.<sup>10</sup>

Dr. William E. Kennedy (d. 1825) a neighbor of the Maxwells at Golden Grove and a political rival, was suspected of being the instigator of the murder and was brought to trial. His defense was managed by the future chancellor, Waddy Thompson, another neighbor, and he was acquitted.

It's interesting that in the Kennedy family a tradition has been handed down through the generations proposing an alternative to the accepted facts of General Maxwell's murder. The Kennedys say that a duel was fought between the two men in which Robert Maxwell was killed. A letter to that effect is in the Pendleton Historical Society Archives written by a Kennedy descendant.<sup>11</sup> One can imagine why that family would want to try to remove the cloud from its honor which must accompany a murder accomplished by men dressed in disguise, snipe shooting a man from ambush, with odds against him of four to one.

## THE MAXWELL FAMILY

Robert Maxwell was forty-five years old when he died. He left a widow with four small children. Mrs. Maxwell was Mary Anderson, the second of the five children of General Robert Anderson and Ann Thompson Anderson. General Anderson, of course, is the Revolutionary hero for whom the city and county of Anderson are named. He was appointed administrator of his son-in-law's estate and guardian of the four minor children.<sup>12</sup> Mary Anderson Maxwell was just thirty-one when her husband was murdered. A few years later she married Adam Carruth, owner of the Carruth Armory at Conestee, and lived until 1837. She is buried at the Old Stone Church in Pendleton. The story of Adam Carruth's Armory was given to this Society at the Winter meeting in 1969, by Lloyd Sutherland of Union.

But it is from the descendants of Robert and Mary Maxwell's children that a host of Greenvillians have come, and I want, as briefly as possible, to trace that for you, so you can know who are the Maxwells of Greenville.<sup>13</sup>

## THE NON-GREENVILLE MAXWELLS

Two of the four Maxwell children do not have Greenville descendants. The eldest child, Anne Anderson Maxwell, who was nine years old when her father died, married Dr. Andrew Barry Moore, ninth child of Spartanburg's pioneer Moore family of Walnut Grove Plantation. All of their children died in infancy and Anne herself died in 1831.<sup>14</sup>

The youngest of the Maxwell children, Robert Anderson Maxwell, who was two years old when his father died, inherited the Maxwell plantation in Greenville County as well as one half of General Anderson's extensive lands in Pendleton District. His wife was Mary Prince Earle, daughter of Captain Sam Earle and Harriet Harrison of Greenville and Oconee and a granddaughter of Baylis Earle, the builder of "Four Columns," near Landrum, and one of the three Earle brothers from whom all the vast complex of Greenville Earles descend. Robert and Mary Earle Maxwell had seven children, but this branch of the

Maxwell family was virtually destroyed by the War Between the States. Their three sons never married, one dying at Manassas and the other two being life long bachelors. I suspect that postbellum celibacy was largely due to the effects of combat trauma, a condition as common in the 1860's and 1870's, as it has been in our own post Viet Nam era. One daughter, Miss Harriet Maxwell who also never married, lived her life at Pendleton, kept a boarding house, and served as the family historian and genealogist in her generation. The other three daughters did marry, but two of them lost their husbands in the War and the third was childless. The result of all this was that Robert Anderson Maxwell had only one great grandchild, Robert Maxwell Warren Pickens, born in 1900. He was also a great, great grandson of General Pickens. And I have been unable so far to locate any of his descendants.

### THE MAXWELLS OF GREENVILLE

The Maxwells of Greenville all descend from General Maxwell's second and third children, the elder son, John Maxwell, and the younger daughter, Elizabeth Thompson Maxwell.

### JOHN MAXWELL AND HIS DESCENDANTS

John Maxwell was born on his father's Greenville plantation February 8, 1791, grew up there, and as a young man fought with General Jackson in the War against the Creek Nation in South Carolina and later served in the Home Guard in the War of 1812. After that, he settled on lands he inherited from his father on the Seneca River, near Clemson, and built the plantation he called "The River Place." About 1815/1816, he married Elizabeth Hampton Earle, daughter of Captain Sam Earle and Elizabeth Harrison. Elizabeth, of course, was the sister of Mary Earle Maxwell, his brother Robert's wife. Their maternal grandfather was James Harrison whose plantation, "Cripple Creek," occupied the site of the battle of Great Cane Break, the only Revolutionary Battle fought in Greenville County. James Harrison had come to Greenville from Spartanburg in 1784.

John Maxwell served in the legislature representing Pendleton District 1828-38, 1844-46, and 1853-54, was a delegate to the States Rights Convention in 1852, and the Secession Convention in 1860. He was a signer of the Ordinance of Secession. At the age of 70, in 1861, he reported for duty at Fort Moultrie, and was present at the surrender of Fort Sumter. He spent the remainder of that war at home with his rifle loaded and cocked. He died peacefully in his bed at the age of 80, in 1870.

The John Maxwells had eleven children, four boys and seven girls. Five of them, four of the girls, and one son, came back to live in Greenville as adults; (1) Eliza, who married Dr. Thomas Lorton Lewis and became the ancestress of the two prolific Lewis families of Greenville, those of "Lewis Plaza," the J. O. Lewises, and those of the "Kilgore-Lewis House," the R. E. Lewises; (2) Harriet, who married Dr. Michael Baylis Earle of Greenville, son of Theron Earle, Baylis Earle's son who inherited "Four Columns" near Landrum, and father of Theron Earle, Greenville druggist; (3) Martha, who married John A. Keels, and had three daughters: Fannie, wife of Greenville physician Dr. Tupper Swadale, and Emmala and Susan who married respectively, Frank and John Capers, sons of Bishop Ellison Capers, sometime rector of Christ Church; (4) Miss Miriam Maxwell, who never married, became a notable and peculiar character, and lived with several brothers and sisters, nieces and nephews, until her death in 1931; (5) and finally, Dr. John Maxwell, who was Greenville's first gynecologist.

In addition, some of the children and grandchildren of two other of the John Maxwell children, Robert and Samuel, found their ways back to Greenville. The elder of these sons was Dr. Robert Duff Maxwell who practiced medicine in Fair Play. Four of his children came back to Greenville. (1) His son, James H. Maxwell, whose wife was Fannie Wallace, Judge William H. Wallace's daughter of Union, lived on East North Street and was president of Reedy River Manufacturing Company. (2) Dr. Maxwell's daughter, Sally, married Robert Easley Sloan, a cotton buyer, and they lived on James Street in Greenville. (3)



His daughter, Hattie, married F. W. Poe, who began his business life in Greenville in 1878 as a partner with his brother-in-law, James H. Maxwell, as proprietor of F. W. Poe and Company, selling men's clothing and shoes on Main Street, and later built the Poe Mill over which he presided until his death in 1926. They also lived on East North Street. Any number of us descend from the prolific Poes, the Cogswells, Brawleys, Sparkmans and Frank W. Poes. (4) The Maxwell's daughter, Eugenia Maxwell, who was called "Sweet," also lived here, beloved maiden aunt to a large collection of Sloan and Poe nieces and nephews.

John Maxwell's second son was Samuel Earle Maxwell, a major plantation owner in Oconee County. His losses after the War Between the States were staggering, and his descendants, who abandoned farming and scattered far and wide, include the Keels Nixes, the Merriwether Farises, the Will T. Dunns, and Charles B. Barksdales, all of Greenville.

#### **ELIZABETH THOMPSON MAXWELL AND HER DESCENDANTS**

The second line of Greenville Maxwells are the descendants of General Maxwell's younger daughter, Elizabeth, who was called "Betsy." She always lived in Greenville, except for a time in her teens when she was with her grandfather, General Anderson, to help him keep house in his old age. In 1811, she married Dr. Thomas Blackburn Williams, who had come to Greenville as a boy with his widowed mother to live with his older sister who was Mrs. Waddy Thompson. Their mother, Mrs. Elizabeth Blackburn Williams, who died in 1812, was the first person buried in what became Springwood Cemetery, though at that time it was part of the Thompson's garden. Dr. Williams practiced medicine in Greenville and also was a major land owner and planter, ultimately accumulating 3,500 acres in Greenville County. Their home in Greenville was called "Ivy Lawn"; it is the Marshall Earle home on Grove Road. Dr. Williams also built, about 1810, the house at Marietta, S. C., which became the Cleveland Family ancestral home.

The Williams had four children, two boys, and two girls,

three of whom became the ancestors of a large number of distinguished Greenvillians, past and present.

Betsy Maxwell and Dr. Williams' son, Dr. James T. Williams, was the father of the distinguished Mayor of Greenville, James T. Williams II. He was Mayor of our City 1892-1901. The Mayor's wife was Sarah McBee, granddaughter of Greenville's own Vardry McBee. Only one of their children has Greenville descendants. He is their son, Sumner, who married his cousin, Elizabeth Cleveland Beattie, and they are the parents of Sumner, Jr., and his sisters, Kathryn McCall, Betty Allison, and Ann Campbell. Our Governor, of course, is Ann's son.

Betsy Maxwell and Dr. Williams' first daughter, Mary Louisa, married James Harvey Cleveland, who named his town of Marietta for her. And they, of course, produced a galaxy of noteworthy Greenvillians: (1) Sally, who married Hamlin Beattie, the founder of the First National Bank, and they came the parents of William Edgeworth and Harvey Cleveland Beattie, the brothers who with their sons and grandsons left such a powerful legacy in Greenville's textile and banking worlds. Also among William Edgeworth's children was Elizabeth, who married her cousin, Sumner Williams, already mentioned. That union is a convergence of the Maxwell line and means that the Sumner Williams descendants have more Maxwell blood than any of the others; (2) Elizabeth Maxwell Cleveland who married her cousin Jeremiah Cap Cleveland, and built the building which was on McBee Avenue and named for her EMAXEE; (3) Hattie Cleveland who married William Wilkins and presided in regal state at her home, "The Villa," now the Jones Mortuary on Augusta Street; (4) Jessie Franklin Cleveland, the father of Harvey Cleveland, Sally Fairchild and Louise Gower; and, (5) Richard Mays Cleveland, father of Norwood Cleveland and his brother, Mays, those fascinating gentlemen of Marietta.

The other daughter of Betsy Maxwell and Dr. Williams was Elizabeth Anne Williams. She married Richard Johnson Mays, moved to Florida and was mistress of a great plantation in Madison County called "Clifton." The first ten of her children

stayed in Florida. Only the last came back home. But she was Mary Caroline Mays who in 1875 married John Edgeworth Beattie, brother of the same Hamlin who had married Mary's cousin, Sally Cleveland. The John E. Beatties lived in the old F. F. Beattie home, now the Woman's Club; Mr. Beattie succeeded his brother as president of the Bank; and Mary Beattie was one of the great ladies of Greenville. Among their children were Fountain, the banker, Mary Matthews, Sallie Poe (Mrs. Nelson Poe), Hamlin, Edgeworth, and Emily Perrin.

The descendants of General Robert Maxwell, as you can see, have been numerous and interesting. They still are, in fact, and the number is growing. But not a single one of his descendants in Greenville today bears the surname, Maxwell. All of the male lines have failed, except those which live in other places. Which means that they're not easily recognizable by name. But they do have in common certain traits inherited from their Maxwell ancestor, including a fierce and loyal affection for Greenville, and a willingness to work hard for the welfare of this community, to keep it good, and to earn the right to enjoy the privileges of living here.

<sup>1</sup>Mrs. Oliphant gives the date as May 20, 1777, "The Genesis of an Up-Country Town," *The Proceedings and Papers of the Greenville County Historical Society 1979-1983, Vol. VII*, p. 45. Variant spellings of Dewits are Devises, Dewises, Dewitt's and Duet's. The text of the treaty is found in: Archibald Herdum, "The Treaty of Long Island of Holston, July 1777," *N.C. Historical Review, Vol. VIII (1931)*, pp. 76-78.

<sup>2</sup>Land Grants, South Carolina State Archives, Columbia, SC.

<sup>3</sup>S.S. Crittenden, *The Greenville Century Book*, p. 15.

<sup>4</sup>Jamie Revill, *A Compilation of the Original Lists of Protestant Immigrants to South Carolina (1763-1773)*, pp. 47-48.

<sup>5</sup>Governor's Log, South Carolina State Archives, Columbia, SC.

<sup>6</sup>Bailey and Cooper, *Biographical Dictionary of the South Carolina House of Representatives, Vol. III, 1775-1790*, pp. 487-488.

<sup>7</sup>Governors Log, South Carolina State Archives, Columbia, SC.

<sup>8</sup>Johanny Mack Brown, "The Greenville County Sheriff's Office, Origins and History," pp. 22-24.

<sup>9</sup>*South Carolina Historical Magazine, Vol. 24*, p. 17.

<sup>10</sup>*The Greenville News*, October 22, 1967, p.1.

<sup>11</sup>Letter from Mrs. L. N. Sawyer, dated November 10, 1974, Pendleton Historical Society Archives.

<sup>12</sup>Estate of Robert Maxwell, Probate Court of Greenville County, Apt. 5, File 197.

<sup>13</sup>The record of Maxwell descendants is taken from: A. Charles Cannon, *The Maxwells of Greenville, passim*.

<sup>14</sup>J.B.O. Landrum, *History of Spartanburg County*, pp. 192-193.