

## Robert Rutherford



No Picture Available

Born: Apr 1734 Tappahannack, VA

Married: Dorothy Brooks

Died: 23 Jan 1814 Newberry, NC

Parents: John Rutherford & Violetta Reynolds

Robert was a member of the House of Burgesses in Virginia. Before the Revolution he moved to Chatham County, NC. He was a member of the First North Carolina Provincial Congress at Hillsborough. After the Revolution he moved to South Carolina. He assisted in establishing the county court system and was judge in this court in Newberry. He was said to be a Colonel in the American Revolution.

Information from online research at: [Ancestry.com](http://Ancestry.com)

He was a Col. in Continental Army in Revolutionary War. Delegate to Provincial Congress and Militia of Chatham Co. VA Brush Creek from abstract of Graves of Rev. War Patriots Vol. 3 p.-serial 6924; vol. 14

Annals of Newberry pg. 174 Col. Robert Rutherford, as one of the early settlers and prominent citizens of Newberry District, deserves a prominent place in the sketches which we are now attempting. Would that I had the honor of knowing him intimately, then I might have done something like justice to his name. A friend who knew him intimately, and who felt for him all the esteem which gratitude creates, has given to me the benefit of his recollections. Still our united endeavors will present a very imperfect picture. Such as it is, it is better than none and therefore it is presented.

He was born in April, 1734, in the State of Virginia, and served his apprenticeship to the carpenter's trade, at Hobb's Hole, in the neighborhood of which place he married his first wife, Dorothy Brooks. How long he resided in Virginia is not know; he removed to Chatham County, N.C. where he became colonel of the county, and this gave him the title which he bore to his death.

Before the Revolution, or perhaps before 1780, he removed to South Carolina, and settled in Newberry District, nine miles east of the town, at a place which he called Liberty Hill. What part he bore in the Revolution is not known; that he was a whig, and perhaps an active one, is shown from the position which he maintained in society after its close. He was for many years a member of the Legislature. He was appointed a County Court Judge at the very beginning of the system in 1785, and continued to act until 1791.

In 1791 or 1792, he was called upon to experience that greatest misfortune which can befall a man in this world-the death of his wife and the mother of his children. He had a large family of children

by her, one of whom was Mrs. Elizabeth Nance, heretofore spoken of; and another, William Rutherford, long well known as a citizen of the eastern part of the district. In 1795, he married the widow, Frances Harrington, of Union; by her he had no children. Her children, however, received a father's care and attention.

In 1796, he started one of the Whitney's Cotton Saw Gins; this is believed to have been the first put in motion in the upper part of South Carolina. This great invention is what has made cotton the subject of universal trade, and the commercial agent which now very much governs the monetary affairs of the world. Before the discovery of the saw-gin, cotton was separated from the seed by the slow process of the fingers, or the roller-gin. It was therefore little regarded, except for domestic consumption. But when it was found that by the saw-gin thousands of pounds of seed-cotton could in the day be picked and baled up for market, it became matter to which industry could be profitably be applied. The cotton saw-gin has given to the Southern States the supremacy which they now enjoy as producers. In a day of section hatred, it ought to be remembered-gratefully remembered-that Whitney, the inventor of the cotton saw-gin was a Yankee. Great as was his invention, it benefited him little; his patent was violated and justice denied to him everywhere, except in South Carolina; here he was paid by the Legislature for his invention, and his patent made free to the people. This model gin stood in the Secretary of State's room until after 1820.

About 1809, Col. Rutherford built in the neighborhood of the town of Newberry, where his step-son, Y.J. Harrington, Esq., afterwards lived and there he died in 1814, in his eightieth year. Col. Rutherford was, I should think, about five feet eight; more remarkable for his ponderous heavy grey eye brows, than any other feature which is remembered.

He was a man of great energy of character-"whatever his hands found to do, he did it with his might." This was shown by the success which attended him during life; he succeeded in whatever he undertook. As a merchant, planter and public undertaker, he was tried and not found wanting. He was one of the first cotton planters in Newberry, and an eminently successful one. He was one of the commissioners of Public Buildings with Daniel Parkins, Edward Finch, etc and appointed in 1799. Under their direction and jealous supervision, was constructed the courthouse and gaol, which preceded those now in use. In 1805 he built the Newberry Academy, to this institution he was a large subscriber.

The friend whose pen gave me the benefit of a short sketch of the colonel's life and character, says "He had a heart open as day to melting charity, which he never withheld from any, (except a drunkard, or a lazy person.) Those gentlemen of elegant leisure he utterly abominated. "Work Sonny," was his injunction to such. One of his observations may here be very well chronicled: He said people often said "it was too dry or too wet to work." God, he said, gave the seasons-it was mans duty to work- "work dry, work wet"- and he never failed to find that "God gave the increase". When a poor woman, Mrs. Myers, was left with a house full of little children, in very difficult, if not destitute circumstances, by the death of her industrious husband, John Myers, the rope maker, the colonel sent his negroes, horses and ploughs, and cultivated her crop. To deserving young men, especially his stepsons, he extended a helping hand in placing them in situation to live and do well.

His last wife was a very pious lady, who belonged to the Methodist communion. The colonel made no profession of religion; yet he was always seen at meeting with his excellent lady, although he had no great liking for the shouting and other violent excitements, which were perhaps more common then than now. On some occasions, about the commencement of the last war, he was at a camp meeting and just as a good deal of excitement was getting up, and as a popular preacher was about to offer to sinners the opportunity of asking for pardon, the colonel, who occupied a seat in the midst of the congregation, rose to make his way out. The preacher seeing this, called on all who felt that they were sinners and needed a Saviour's pardoning love, to come forward and kneel down. The colonel was still receding' again he invited Christians to kneel down, still the colonel was erect; at last, said he "let all who are Republicans kneel." This, as the story goes, brought the old gentleman down! He could not bear to be counted as an enemy to the country, under whose

glorious stars and stripes he had grown to competence and honor, and had been blessed with countless blessing. Might not many an one, at the present time, imitate the colonel, and bending down in the presence of the King of Kings, ask him in mercy to avert that worst of all evils- DISUNION.

First County Court was held at the house of Co. Rutherford Sept. 5, 1785. He is buried at the Rutherford Family Grave yard. On his gravestone is written: Here lies the remains of Col. Robert Rutherford, who died the 25th January 1814, in the 79th year of his age. He has left numerous family to lament the loss of an affectionate and provident father. He was a friend to the orphan and the widow. He lived 9 miles south of Newberry

Gggrand daughter's DAR ID 81087. Home was Liberty Hill. Shirley Haskell writes: He moved from VA to Chatham N.C. where he was justice of the county court and was a representative to the third provincial congress which met in Hillsborough N.C. in 1775 when he again was justice to the county court, elected to the house of representatives in the State Legislature, sheriff of the 96 district and a large scale planter. V2, p45

Notes on his second wife Frances Harrington. She had 8 children and were very successful in Newberry Co. They were Delilah b. abt. 1770, Bersheba, Rhoda, Abel, John, b. 1784, Hezekiah, Burt, and Jeptha Revolutionary War Officers: Robert Rutherford (N.C.) Colonel North Carolina Militia 1776-1780 (Died 1814) He is buried at Brush Creek Church Cemetery in Newberry: this info is from Abstract of Graves of Revolutionary War Patriots Bol. 3, p. - serial: 6924;vol 14.

## THE FOUNDING FATHERS

While others made contributions in the establishment of Newberry County and its early administration, six of the original justices and Sheriff Gordon deserve special recognition. Since the Constitution of 1778 did not prohibit dual office holding, some of these men served simultaneously as legislators and county judges.

Colonel Robert Rutherford was born in Hobbs Hole, Virginia, the son of John Rutherford. He married Dorothy Brooks, moved to North Carolina, and was colonel of the militia in Chatham County and a member of the Provincial Congress of North Carolina. He bought land in that part of the Fork which later became Newberry County and moved there near the end of the Revolutionary War. He was elected a member of the house from the Lower District in 1783, sheriff of Ninety Six District in 1785, and served as a delegate to the convention called to ratify the federal Constitution in 1788. He continued to live a useful life until his death on January 25, 1814, at the age of eighty.<sup>13</sup>

General Levi Casey was born in South Carolina about 1752, the son of Abner Casey, one of the early settlers of the Enoree section of Newberry County. He married Elizabeth Duckett and served in the Revolution as a captain and then a lieutenant colonel. He was later brigadier general commanding the brigade consisting of the Laurens and Newberry regiments. A member of the house and senate, tax collector, commissioner to divide Ninety Six District in 1783, he was elected to Congress from Abbeville, Laurens, and Newberry Districts where he served from 1803 until his death in Washington in 1807. He is buried in the Congressional Cemetery there.<sup>14</sup>

WILL OF  
ROBERT RUTHERFORD

South Carolina

In the name of god Amen I Robert Rutherford senior of said State and Newberry District being of sound and disposing mind but being low in body and health and well well knowing the uncertainty of this life and knowing that all must die, do make and publish this my last will and testament, whereas my loving wife Frances Rutherford and myself previous to our enter marriage entered into and executed a deed of marriage settlement bearing date the second day of June in the year seventeen hundred and ninety four wherein she my said wife agreed to accept and take the sum of one hundred pound in lieu of all his <sup>her</sup> right or claim of dower of in or to all and singular my estate both real and personal and whereas the said one hundred pound has been by me deemed insufficient for her support I do there fore in lieu there of give and bequeath unto my said wife the following property, towit, one negro woman named Sookey and her three Children namely Dred Dick and Darcissher choice of two horses two cows and calves a new saddle and Bridle one Thousand weight of Pork two barrels of flour forty barrels of corn two good feather beds and furniture and one hundred dollars in cash to her and her heirs and I lend my said wife during her natural life my negro woman Betty and her daughter Lotty together with my five tracts of land with the improvements which I purchased of Richard Wright Thomas Jay Sam. Pearson William Calmes and James Dobbins to clear annually <sup>1</sup> only so much thereof is is necessary for rails and fire wood and at the death of my said wife the property so loaned her is to be sold at the discretion of my Executors to gether with all other land not here after disposed of out of the sales of which my daughter Mary Mathis, Johannah Minter, Nancy Slappy Elizabeth Nance and the children of my daughter Sarah Hardy are to have four hundred and sixty dollars each which said sum my son Thomas B. Rutherford from the alike sale shall draw or have provided he shall have lost by due course of law that tract of land heretofore given him being an Island in Oconee River in the State of Georgia and the balance after giving my said daughter



WILL OF ROBERT RUTHERFORD. PAGE 2

Nancy one hundred Dollars to be equally divided among my children Mary Mathis Johannah Minter John Rutherford Thomas B. Rutherford William Rutherford Nancy Slappy and the children of my son Robert Rutherford and the children of my daughter Sarah Hardy (according) to the discretion of my Executors and Elizabeth Nance.

I give to my son William Rutherford all that tract of land which I purchased of Isaac Morgan containing two hundred acres more or less except that part I sold to Jesse Owens and one acre in a square the grave of my former wife Dorothy to be in the centre there of to him and his heirs.

I give bequeath unto my son John Rutherford one negro man named Frank (the Blacksmith) the said John returning the negro boy Tom now lent provided Tom does not die to him & his heirs.

I give and bequeath unto my great grand Daughter Betsy Wadlington Dorothy Ann Wadlington Polly Brooks Wadlington and Sarah Wadlington a negro woman named Jenny and her children Tom and all her future increase in trust with their Grandfather Aaron Cates til the eldest of said Wadlingtons becomes of age or marries when she shall draw one fourth part of said negroes and the increase or the value thereof and so on with each as they may marry or become of Age leaving the residue in trust as aforesaid til the youngest marries or becomes of age.

I give and bequeath unto my Grandson Robert R. Nance one lot of land lying in the Village of Newberry which I purchased of John and Henry Coats containing one quarter of an acre and sixteen feet in front and thirty two feet back whereon I now have a store should he die with out issue or before he becomes of age the said land to be the property of my grandson Drayton Nance to them and their heirs forever as the case may be.

I give and bequeath all other of my property not herein mentioned to my children Mary Mathis Johannah Minter John Rutherford Thomas B. Rutherford William Rutherford Nancy Slappy Elizabeth Nance and the legitimate children of my son Robert Rutherford and the children of my daughter Sarah Hardy each one ninth equal share the said Robert and Sarah to have and enjoy a life estate in their childrens part or share which shares shall be ascertained





This is the Rutherford Family Cemetery outside of Newberry, SC

This is in a heavily wooded area on land originally owned by Robert Rutherford. A small road leads to the cemetery, which is in need of repair. When I arrived here, with the help of Chris Prince, a local resident, we found several headstones and graves. Dorothy Brooks Rutherford's headstone was standing and easily legible. Robert's headstone, her husband, was not in sight. I found where the base of it was still in the ground next to Dorothy and Chris and I began to dig around to find his headstone a couple of inches under roots and dirt, still in tact and also legible. We dug it out, stood it up, cleaned it, and placed it next to Dorothy. It was quite a find!





Inscription says:

Here lies the remnants of Col Robert Rutherford

Who died the 23 January 1814 in the 79<sup>th</sup> year of his age

He has left a numerous family to lament the loss of an affectionate man provident father

He was a friend to the Orphan and Widow

