

Dataw (Datha, Dataw) Island – Chain of Title

The following Chain of Title lists all of the documented owners of Dataw Island up through the purchase of Dataw Island by ALCOA South Carolina, Inc. in 1983. This information is taken from the document "Dataw Island - Cultural Resources Survey – by Larry Lepionka – 1988" – pages 39 through 44.

1600's

CALEB WESTBROOK: 24 October 1682, by Warrant for Land (Salley, Olsberg Revision, Warrants for Land in South Carolina 1672-1711, p.285). This document does not specify the location of the property, which is to be subsequently determined. The only evidence that it was located on Dataw is the association of Westbrook's name with the island in two subsequent documents pertaining to Charles Odingsell.

CHARLES ODINGSSELL: 21 March 1698/99, by Warrant for Land (Ibid., p.586). This document refers to Westbrook's Island. Also, a Memorandum dated 13 November 1702 referencing the prior document and referring to Westbrook or Datha Island (first use of the name), to which claim is forfeited (Ibid., p.606), clearing the title for Joseph Boone.

1700's

JOSEPH BOONE: 28 September 1702, by Grant (Royal Grants, Vol. 38, p.423, Office of the Secretary of State Land Grants, Colonial Series; South Carolina Archives Microfilm). The grant includes all of Dataw, described as 1170 acres.

ANNE BOONE: 9 June 1735, by terms of Will of Joseph Boone "for her use and profit during her natural life", after which the property is to pass to Charles and Thomas Boone, sons of Charles Boone, brother of Joseph (Charleston Probate Court, Will Book Vol. 3, p.202).

CHARLES AND THOMAS BOONE; 1751, by terms of Will of Joseph Boone and that of Anne Boone (Charleston Probate Court, Will Book Vol. 6, pp.550-551); also a Memorial by Charles and Thomas Boone (Memorials, Vol. 7, p.107).

ANNE WIGG: 28 May 1755, by purchase, for 3510 pounds current money of the province and 10 shillings, from Charles and Thomas Boone (Charleston County Deeds, Register of

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Mesne Conveyance, Deed Book 2Q, pp.420-429).

ANNE WIGG: 1759, by terms of Will of Thomas Wigg, husband of Anne Wigg; no proven date available (Charleston County Probate Court, Will Book 13, p.564).

LEWIS REEVE: 31 December 1770, by terms of Will of Anne Gibbes (formerly Wigg, formerly Reeve, formerly Stanyarne, nee Barnwell), mother of Lewis Reeve (Charleston Probate Court, Will Book 13, p.564).

SARAH GIBBES: 17 December 1774, by terms of Will of Lewis Reeve, brother of Sarah Gibbes (Charleston County Probate Court, Will Book 13, p.200, and Journal of the Court of Ordinary 1771-1775), and by subsequent family partition between Sarah Gibbes and Ann Carson, sisters, as attested to in an indenture by James Stuart, son of Ann Carson, appended to the 1783 deed of the property to William Sams (see below).

WILLIAM SAMS: 30 May 1783, by purchase for 55,000 pounds currency from Sarah and Robert Gibbes (Charleston County Deeds, Register of Mesne Conveyance, Deed Book W-5, pp.234-238).

ELIZABETH SAMS: 1798, by terms of Will of William Sams, husband of Elizabeth Sams, dated 10 November 1795 (proven date not available), "during the term of her natural life . . . use of one moiety of my Plantation on Datha Island" (Copy of Will of William Sams, Sams Family Papers, South Carolinian Library).

1800's

LEWIS REEVE SAMS: 1805-1813, by terms of Will of William Sams, father of Lewis Reeve Sams, "my remaining three sons, Lewis Reeve Sams, Berners Barnwell Sams and Edward Hext Sams ... whenever all have arrived at the age of twenty one than each so arriving of age shall receive part of my remaining fortune equal to the value of what I have give [sic] to my son William Sams". Lewis Reeve Sams attained his majority in 1805, the youngest brother in 1811; their mother Elizabeth died in 1813, terminating all other claim to the property. The Memoir of James Julius Sams (n.d.), son of Berners Barnwell Sams, states that Lewis Reeve Sams and Berners Barnwell Sams purchased Edward Hext Sams'

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interest in the property, and that the island was divided into north and south halves. Lewis Reeve Sams was the owner of the north half of Dataw. No other documentation for this division of the island has been found.

BERNERS BARNWELL SAMS: 1808-1813, by terms of Will of William Sams, father of Berners Barnwell Sams, quoted in the preceding entry, Berners Barnwell Sams attained his majority in 1808.

RICHARD FULLER SAMS: 1856, by terms of Will of Lewis Reeve Sams, father of Richard Fuller Sams, dated 22 February 1856, "I will that my plantation on Datha Island be assigned to my two sons Richard Fuller and Thomas Fuller" (Copy of Will of Lewis Reeve Sams, Sr., Sams Family Papers, Beaufort County Library). Also, United States Court of Claims Direct Tax Case No. 17379, in which the Lewis Reeve Sams portion of the island is referred to as Datha Point.

THOMAS FULLER SAMS: 1856, by terms of Will of Lewis Reeve Sams, father of Thomas Fuller Sams, as quoted in the preceding section.

CHARLES CLEMENT SAMS, BONHAM BARNWELL SAMS, HORACE HANN SAMS: 1855, by division of estate of Berners Barnwell Sams, father of the above; no will has been found. According to United States Court of Claims Direct Tax Case No. 17013, James Julius Sams obtained one third interest in the Dataw property through exchange of other land with Bonham Barnwell Sams, and James Julius Sams and Horace Hann Sams purchased the one third interest of Charles Clement Sams, Charles Clement Sams held a mortgage on Horace Hann Sams' property, dated 1 February 1860, which was subsequently transferred (2 March 1860) to Bonham Barnwell Sams. In this document the property is described as all of the south part of Dataw ("six hundred acres more or less, and bounded in the whole To the North on lands of the Estate of Lewis R Sams being part of the said Island of Datha and on all other sides by the Marshes and creeks which separate the said Island from the Islands of Wassau and Saint Helena"). An earlier mortgage on Horace Hann Sams property, held by Elizabeth Exima Sams, is dated 30 January 1860, and refers to 100 acres known as Hill Fields, bounded on the north by the estate of Lewis Reeve Sams and to the east and

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south by lands owned by James Julius Sams, and to the west by land owned by James Julius Sams and marsh. A number of intrafamilial land transactions which are only partially recorded in public records had obviously taken place.

JAMES JULIUS SAMS AND HORACE HANN SAMS: 1855-1860, by final division of the estate of Berners Barnwell Sams, father of James Julius Sams and Horace Hann Sams, through intrafamilial property divisions that are inadequately recorded (Return of General Tax for St. Helena Parish: Records of Comptroller General, South Carolina Department of Archives and History; also United States Court of Claims Direct Tax Case 17013; and by implication in the 1860 Agricultural Census).

UNITED STATES: 10 March 1863, by confiscation for nonpayment of taxes; this included both the northern plantation, termed Datha Point, and the southern plantation, termed Datha Inlet.

JAMES CASE: 24 February 1864, by purchase at auction from the United States Direct Tax Commissioners of 288 acres designated as Sections 31 and 32, Township One (1) North, Range One (1) East; this was the north end of Dataw (Army, Navy, or Marine Land Certificate No. 157, cited in 1 August 1864 quit claim deed, Beaufort County Mesne Conveyance Deed Book 1, p.184, also map entitled "Township One North and one East of St. Helena's Meridian, S.C.", South Carolina Department of Archives and History, Map Book 22-1).

CYRUS ANDREWS: 24 February 1864, by purchase at auction from the United States Direct Tax Commissioners of 160 acres designated as Section five in Township One (1) South Range and One East Range; this is the southeast shore of the north part of the island, east of the Berners Barnwell Sams house (38BU581) (Cash Sale Certificate No. 40, cited in 1 August 1864 quit claim deed, Beaufort County Mesne Conveyance, Deed Book 1, p.186; also Plat dated 29 April 1869).

HENRY KELLAM AND WILLIAM CALKIN; 24 February 1864, by purchase at auction from the United States Direct Tax Commissioners of 548.67 acres total, designated as East half of Section six (207 acres; Army, Navy or Marine Land" Certificate No. 154, cited in a 27

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February 1867 document transferring title to other parties); also West half of Section 6 (147 acres; Army, Navy or Marine Land Certificate No. 155, cited in above 1867 document); and West half of Section seven (193.67 acres; Army, Navy or Marine Land Certificate No. 156, cited in above 1867 document). This land is located in the south half of Dataw (Plat Maps, 29 April 1869, United States Direct Tax Commissioners). There are separate documents certifying the issuance of the Land Certificates for each certificate; these are all dated 27 February 1867 and are in Beaufort County Mesne Conveyance Deed Book 3, pp.64-69. Payment on the Land Certificates was not completed by Kellam and Calkin and the documents cited above are instruments for the transfer of the property named to Rufus Woods and Joseph Winslow; this transaction is finalized in a Certificate of Final Payment, dated 18 February 1867, issued by the United States Direct Tax Commissioners (Beaufort County Mesne Conveyance Deed Book 3, p.69). The property description in this final document is somewhat different from that given in the three preceding ones; it excludes the West half of Section six and includes instead the East half of Section 12. No map has been found for the Section 12 property, but in later transactions the land is treated as a unit.

RUFUS WOODS AND JOSEPH WINSLOW: 18 February 1867, by payment of monies due on Land Certificates and cash supplement to Kellam and Calkins, as indicated in documents cited in the preceding section; the land in question constitutes roughly the south half of Dataw.

JOSEPH WINSLOW: 22 March 1871, by purchase of interest of Rufus Woods and wife (Quit Claim Deed, Beaufort County Mesne Conveyance Deed Book 5, pp.322-323).

AMANDA EWING, EDWARD WINSLOW, SUSAN SAWYER, AND EMILY WINSLOW; (Cited in 1905 transfer of property to Gustave Sanders, Beaufort County Mesne Conveyance Deed Book 25, p.554). Armanda Ewing was the sole heir of Rufus Woods the other three parties were presumably heirs to Joseph Winslow at one time or another, as they are mentioned in Quit Claim Deeds in the above cited transfer of the property to Gustave Sanders. Date of assumption of property, or actual possession of title is not

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established.

ELLEN CROFUT: 25 August 1882, 5 acres at Mink Point for \$100, by purchase from Joseph Winslow and Rufus Woods, subject to a lien held by William Roach (Beaufort County Mesne Conveyance Deed Book 15, p.319). No further information has been found concerning Roach's lien or any continuing claim to the property that may have been held by Woods.

JAMES CROFUT AND GEORGE CROFUT: By inheritance from Ellen Crofut, cited in transfer of land to Ravenel and Brown (see below).

WILLIAM IRWIN AND EDWARD DURANT: 1 August 1864, by purchase from James Case and the United States for \$1087.50 and \$2662.50 respectively; the north end of Dataw (Quit Claim Deed, Beaufort County Mesne Conveyance Deed Book 1, pp.184-185).

WILLIAM IRWIN: 1 January 1866, by purchase (\$2000) and assumption of responsibility for payment of money owed on the property to the United States, from Edward Durant and wife (Beaufort County Mesne Conveyance Deed Book 1, p.189).

W.L. BROWN, NELLY (OR NELLIE) SCOTT, HAMPTON MITCHELL, STEPNEY

MITCHELL, TONY MOULTRIE, PHOEBE BRYAN, SAM MIDDLETON, BOSON

JOHNSON: 4, 6 February and 16 April 1875, assumption of property guaranteed by crop liens, consisting of one or more ten acre lots, from William Irwin (Beaufort County Mesne Conveyance Deed Book 9, 185-187, 260-262). Terms of these liens were apparently never satisfied, as these names do not appear again in the property record; however, some of these individuals remained on Dataw as late as 1900 (United States Census).

ANNA IRWIN AND ELIZA TABOR: January 1884 (date of Quit Claim Deeds from Edward Durant and wife clearing title of property; Beaufort County Mesne Conveyance Deed Books 13, pp. 552-554 and 14, pp. 90-93), by inheritance from William Irwin.

1900's

GUSTAVE SANDERS: 28 February 1905, by purchase of 448 acres for \$1100 from Anna

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Irwin and Eliza Tabor (Beaufort Mesne Conveyance, Deed Book 25, pp.566-568).

GUSTAVE SANDERS: 9 February 1905, by purchase of 547 acres for \$500 from Amanda Ewing and Emily Winslow (Beaufort County Mesne Conveyance Deed Book 25, pp.552-553). By virtue of these purchases on 9 and 28 February 1905 Gustave Sanders reunited Dataw Island under sole proprietorship for the first time since the death of William Sams in 1798, with the exception of 5 acres on Mink Point owned by the Crofut family.

ROBERT RANDOLPH SAMS: No date available; Gustave Sanders transferred title to the Sams Family Cemetery (part of 38BU581) to Robert Randolph Sams (cited in property transfer to Ravenel and Brown; see below). This transfer is cited in subsequent property transactions, but without definition of actual size of the plot; the cemetery is now "heir's property" of the Sams family.

THEODORE RAVENEL AND MARIAN BROWN: 24 June 1907, by purchase from Gustave Sanders for \$10,000 of Dataw Island, less 5 acres belonging to the Crofut family and the Sams Family Cemetery (Beaufort County Mesne Conveyance Deed Book 26, p.656).

THEODORE RAVENEL AND MARIAN BROWN: 24 June 1907, by purchase for \$200 of 5 acres (on Mink Point) from James and George Crofut, sole heirs of Ellen Crofut (Beaufort County Mesne Conveyance Deed Book 26, p.655; reference is made to a plat that could not be located in the Courthouse).

SAMUEL STONEY: 9 February 1915, by purchase at public auction on 2 February 1915 for \$4600 of 997 acres, less 5 acres on Mink Point and the Sams Family Cemetery, following on a judgment rendered against Ravenel and Brown et al. on 14 November 1914 (Beaufort County Mesne Conveyance Deed Book 32, pp.340-342).

SAMUEL STONEY: 9 April 1918, by purchase at public auction on 4 December 1917 for \$25 of 5 acres known as Mink Point (Beaufort County Mesne Conveyance Deed Book 35, pp. 497-499).

SAMUEL STONEY, JR., AUGUSTINE STONEY, HARRIET PORCHER SIMONS, AND LOUISA McCORD POPHAM, 23 June 1926, by inheritance from Samuel Stoney (Charleston

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County Probate Court, Book BB, p.242).

KATE GLEASON: 10 January 1928, by purchase from heirs of Samuel Stoney (see above) of 997 acres, less Sams Family Cemetery, for \$15,000 (Beaufort County Mesne Conveyance Deed Book 45, p.846).

ELIZABETH SANDERS; 13 January 1933, of "All the Lands... known as Dawtaw Island", by inheritance from Kate Gleason (Beaufort Probate Office, Will Book G, p.56).

RICHARD ROWLAND AND LAWRENCE ROWLAND: 9 June 1965, by inheritance from Elizabeth Sanders Rowland, mother of Richard and Lawrence Rowland (Beaufort County Probate Office, Will Book 11, pp.261-268).

ALCOA SOUTH CAROLINA, INC.: 14 January 1983, by purchase from Richard Rowland and Lawrence Rowland (Beaufort County Mesne Conveyance Deed Book 361, pp.1559-1566).

This completes the chain of title for Dataw Island up to the year of its purchase by Alcoa South Carolina, Inc., and the establishment of the Memorandum of Agreement concerning historic and archaeological sites on the island.