

What Became Of The 5,000 Acres Of Land In Fork Section Of South Carolina Granted To The University Of Georgia?

February 23, 1934

Along with the mystery of "Who Struck Billy Patterson," is the one of the disposition of the five thousand acres of land located in the Fork Section of South Carolina which was granted to establish a "seminary" or "institute of learning" by the act creating Franklin county. In the act creating Franklin county of Feb. 25th, 1784, provision was made for setting aside 20,000 acres of good land to be used or sold and that the proceeds be used for establishing an educational institution. It so happened that 5,000 acres of this land was located in the Fork Section of South Carolina, west of the Seneca River, which was a part of Georgia from Feb. 25th, 1784, till the signing of the Treaty in 1787.

It is understood that the lands were not reserved when that part of Georgia became part of South Carolina. Hence, after the founding of Franklin College these lands were used as a basis for founding the college which afterwards became a part of the University of Georgia system. Efforts were made to secure a grant from South Carolina for the 5,000 acres provided for in the act creating Franklin County.

5,000 acres in Fork Section for the use of said college. Below is a copy of the files showing the appointment of this committee and its report to Governor John Milledge after their visit to the Capitol of South Carolina and their appearance before the General Assembly of that state.

Committee Appointed By Board Of Trustees

Board of Trustees,
Athens, Thursday, 30th May, 1805.

Messrs. Carnes & Watkins who were appointed to advocate the claim of the Trust to the tract of land in the fork of the Tugalo & Keowee, before the Legislature of South Carolina, reported, which report was read and Ordered to be filed; and thereupon Resolved, That this Board do approve of the conduct of their agents in this regard, and that they be requested to attend the ensuing session of the Legislature of So. Carolina, and endeavor to obtain a decision of that body on their claim; and in case of said agents can obtain a resolution to have the Grant recorded, that they be and are hereby authorized and empowered to compound, compromise, adjust and Settle the said Claim on such terms, and for such compensation for sum of money as they may deem just and reasonable, having a special regard to the interest of the Trust.

Extract from the minutes of the Board of Trustees.
J. Hammill, Secy.

Report of Committee To Governor John Milledge

The Undersigned who were appointed to attend the Legislature of So. Carolina, to advocate the claims of the Trust to a tract of land in the fork of the Tugalo & Keowee Rivers, Respectfully Report, That in conformity to the instructions of the Board, they prepared and presented to each branch of the Legislature of So. Carolina, at their late session, a memorial wherein they stated, according to their best judgement, the claim of the trust to this

tract of land, accompanied with all the documents they were able to procure. The Senate & House of Representatives, after hearing the memorial read, appointed a special committee to report thereon, who having taken the same into consideration, and after repeated conferences with the undersigned, reported, "that the Legislature were incompetent to afford relief, but recommended, upon conciliatory grounds, that the memorialists now be at liberty to record their Grant in the Secretary's office of this state: provided, nevertheless that it shall not be construed to give any other or greater validity to such Grant than what was attached to it, when

it was formerly tendered for record." This report was agreed to by the Senate and sent to House of Representatives, for their concurrence, who concurred therein with some trivial alteration, to wit, that the Certificate of the Governor that the Original Grant was lost, and that the Copy produced was a true one, should be sufficient to admit it to record without requiring the Oaths of two witnesses.—As an amendment, however trivial, required, according to the legislative rules, that the Resolution should be sent back to the Senate for the approbation, and as no resolution of either Branch can be taken up by the other on the same day in which it returned, a

delay was produced which the undersigned could not control or avert, and they having prior important engagements were under the painful necessity of returning to Georgia before the amended resolution could pass the Senate: however at the time they left So. Carolina, they did not entertain a shadow of doubt but it would be passed, having made arrangements, and an understanding being had to that effect; but they are sorry to learn that after their departure, there was not so much attention paid to the subject as they had reason to expect, and that in the hurry of business, the resolution as amended has been omitted to be carried through the Se-

nate; and we have no hesitation in believing that if it is attended to at the next session it will ultimately be crowned with success.

(Copy)

Thos. P. Carnes
Robert Watkins

and

J. Hamill

Augusta, 8th June 1805—

Sir,

For your Excellency's satisfaction, we do Ourselves the pleasure of transmitting to you a copy of the Report of the persons who were appointed to advocate the claim of the Trustees of the University of Georgia, before the Legislature of South Carolina, to a tract of land in the fork of the Tugalo and Keowee; also the Resolution of

the Board upon the raid Report.

We hope it will meet your Excellency's approbations and that the result will be such as will be satisfactory to the Friends of the University.

We are Sir, with great respect

Your very Obedient

Servants.

Watkins & Hamill.

His Excellency

John Milledge

On Reverse Of Above Letter

His Excellency Governor

Milledge

Tho P. Carnes

Robt. Watkins &

John Hamill

Esqres. 1805

Lands

Land Subject