

# Bluffton's Fateful Election of April 1, 1903

## Part I of *the story of the incorporation of Bluffton*

by John Samuel Graves III

"Truth is stranger than fiction" as the saying goes. Who could have imagined that *George Sewell Guilford*, a Union soldier from Maine stationed on Hilton Head Island during the Civil War, would fall in love with the South Carolina Lowcountry? That he would move to Bluffton with his wife and eight children in 1887 after a career in the U. S. Navy? That he would spearhead the incorporation of Bluffton in 1903 and become its first mayor? (The early mayors were actually called Intendants in those days.)



George Sewell Guilford (1846-1917)  
(My great grandfather)

This two part article will examine some of the events that led up to the election to incorporate Bluffton on April 1, 1903. That incorporation still stands today even though it has been amended since. Looking into some past lives in my father's family I discovered that my two great grandfathers, *George Sewell Guilford* (a Yankee from Maine)<sup>1</sup> and *Andrew Asbury Graves* (uncle to Representative *James Wilton Graves* and father of my grandfather, *John Samuel Graves, Sr.*), and my grandfather, *John Samuel Graves, Sr.*, all played piv-

1 George Sewell Guilford is also Emmett McCracken's great grandfather.

otal roles in getting Bluffton incorporated in 1903. The roles these men played will become clearer as our story unfolds, but first, a short history of South Carolina's Constitutions and the social and political forces behind them is in order.

South Carolina adopted its first state constitution on March 26, 1776. Since then, it has had six more: 1778, 1790, 1861, 1865, 1868, and 1895. The major constitutions were adopted at critical turning points in the state's history: in 1790 after the state entered the federal union; in 1868 during the Reconstruction after the Civil War, and in 1895 after general economic, social and political distress following the war and the Reconstruction period. The 1895 Constitution was an attempt to aggressively address many of the perceived problems created by the 1868 Constitution and the laws that followed it. Although revised and amended many times since, the 1895 Constitution is still the current Constitution of South Carolina.

South Carolina seceded from the Union on December 20, 1860. It was admitted into the Confederate States of America on February 4, 1861 and rewrote its Constitution that same year. The American Civil War began on April 12, 1861, with the shelling of Fort Sumter in Charleston Bay.

After four long years of terrible sacrifice and devastation the Civil War essentially ended on April 9, 1865, with General Lee's surrender at Appomattox. However, there were many additional, less important, surrenders after that. In fact, many Confederate units never surrendered.



*Confederate Warship CSS Shenandoah,*  
surrendered in Liverpool, England in 1865

The last official Confederate surrender occurred in Liverpool, England, on November 6, 1865, with the surrender of the Confederate Warship *CSS Shenandoah* to the Captain of *HMS Donegal*, a British Naval ship. My great grandmother to be, and future wife of *George Guilford*, *Jane Hore*, was then living in Liverpool as a nine year old girl.<sup>2</sup>



Jane Guilford (1856-1938)  
(My great grandmother)

*George Guilford* had served in the Civil War as a regular Union Army soldier. After the War he was mustered out of the Army and then enlisted in the U. S. Navy. As a sailor he made frequent trips back and forth across the Atlantic, often stopping at the English port of Liverpool. It was there while on shore leave that he met *Jane Hore*. One version of how they met is that Jane's brother was one of George's shipmates and he introduced George to Jane while their ship was in Liverpool for repairs and maintenance.

Jane and George married in Liverpool on February 3, 1872 at St. Peter's Anglican Church. That church today is famous for being the place where John Lennon and Paul McCartney met for the first time. A woman named Eleanor Rigby, the subject of one of the Beatles' greatest songs, is buried in the Church yard.

South Carolina faced many economic and social problems after the collapse of the Confederacy. Its major cities, Charleston and Columbia, had been burned to

the ground (much of Bluffton had also been burned). Agriculture was revolutionized from slave to free labor. The Freedman's Bureau reallocated coastal lands and islands occupied by federal troops from 1861 to freedmen. Federal tax policies provided other land for redistribution to freedmen.<sup>3</sup> The transition from a Confederate State back to a State in the Union was tedious and confusing. The process was plagued with uncertainties and controversies, and often presented formidable hurdles.



Andrew Asbury Graves (1851-1935)  
(My great grandfather)

After the war ended the returning states were required to rewrite their constitutions and laws to accommodate the 13<sup>th</sup> Amendment, the abolition of slavery, which had been passed before the war ended. Additionally, the Federal Government passed the ***Civil Rights Act of 1866***, which insured that all persons born in the United States were citizens and were to be given full and equal benefit of all laws. This act was aimed specifically at protecting the rights of the newly freed slaves. Many in the U. S. Congress worried that as the south regained some of its powers, attempts would be made to rescind the act in future administrations, so they proceeded to develop the complicated and controversial 14<sup>th</sup> Amendment to insure broad protections for the essentials of the 1866 Civil Rights Act. That same amendment and act were later central to the civil rights' movement of the 1960's.

The *First Reconstruction Act* of March 2, 1867, split the ex-Confederate states into five military districts, each under the control of a Northern General whose

2 See my article ***Remembering "Doctor" Jane Guilford*** under the **Articles** tab on [graveshouse.org](http://graveshouse.org).

3 The author is grateful for information from a summary of the SC Constitutions by C. Blease Graham.



responsibility it was to protect life and property. (North and South Carolina made up the 2<sup>nd</sup> district.) Military courts governed the state. The Act also demanded the need for new state delegates and constitutions, the ratification of the 14<sup>th</sup> Amendment, and the provisions of equal rights for each citizen. No state that had been part of the Confederacy would be allowed to rejoin the Union unless they ratified and incorporated the 14<sup>th</sup> Amendment into their new state constitutions.



John Samuel Graves, Sr. (1879-1963)  
(My grandfather)

The *Second Reconstruction Act* quickly followed on March 23, 1867. It supplemented the First Reconstruction Act by establishing and clarifying that the military commanders held responsibility to register voters and hold elections in their territories. The Second Act also required that every voter recite the registration oath promising their support to the constitution and their obedience to the law. Southern office holders who had entered their post before the civil war were specifically disenfranchised and stripped of their office.

The *Second Reconstruction Act* also made it easier for the Constitutional Conventions to ratify the new constitutions by a simple majority of votes cast at the convention, thereby bypassing much of the wishes and protests of ex-Confederates. These *Reconstruction Acts*, even though they were often weakly enforced and underfunded, provided far reaching controls by the Federal government on the direction of reconstruction and had significant impact on the returning states.<sup>4</sup>

The *Civil Rights Act of 1866*, the 14<sup>th</sup> Amendment, and the two Reconstruction Acts triggered the major re-

write of the South Carolina Constitution of 1868 which was ratified on March 17, 1868. South Carolina was readmitted to the Union on July 8, 1868, but did not fully achieve local rule until November 28, 1876.

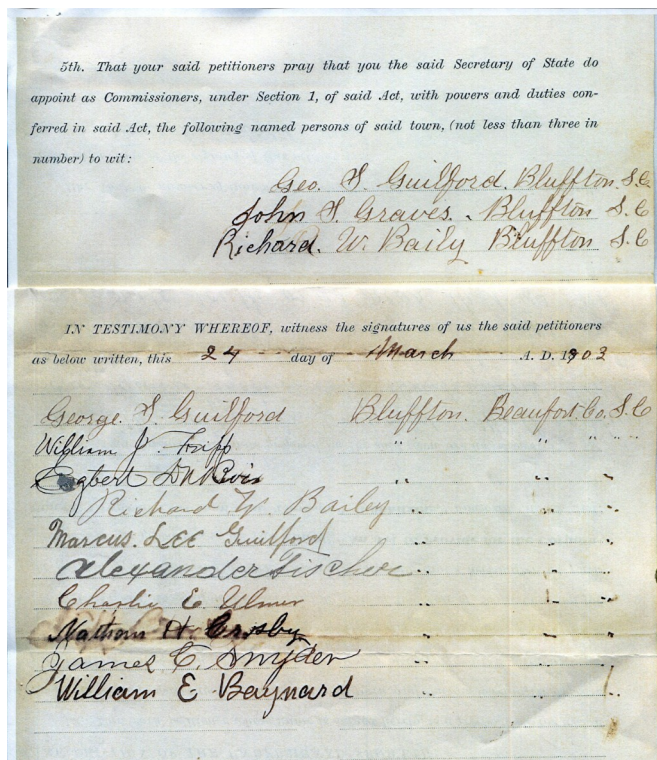
The political history of South Carolina between the 1868 Constitution and the 1895 Constitution was tumultuous. Following the end of the Civil War and all during the Reconstruction Period (1865-1877) Republicans dominated state government. Laws passed during that time were often punitive towards anyone who had participated in the Rebellion. Conflicts between Republicans and those who wished to reverse many of the outcomes of the 1868 Constitution were common. However, in 1876 the Democrats, the opposition party, fully regained control of the state legislature and the governor's office. In 1895 the Democrat-dominated state legislature passed a new constitution that effectively made voter registration and voting much more difficult. The literacy requirements were particularly stringent. Many constituents were essentially excluded from the political system, thereby returning political power to those who had felt disenfranchised by the implementation of the 1868 Constitution.

Why was Bluffton incorporated in 1903? Perhaps some informed guesses are in order. Many of the records of Beaufort County had been destroyed in the Civil War. The War had wrought unimaginable sacrifice and devastation. The years following the war were tumultuous politically and socially. Most South Carolinians had been through many years of economic hardship and uncertainty. There was a tremendous backlash against much that had been done during the Reconstruction Period. Many felt that control over local politics had been lost. The Constitution of 1895, and new or revised state laws that followed it, attempted to right many of the perceived wrongs of that era.

Section 29 of Article I (Declaration of Rights) of the 1895 Constitution specifically stated that “the provisions of this Constitution shall be taken, deemed and construed to be mandatory and prohibitory, and not merely directory...” Also, Section 5 of Article VI (Jurisprudence) calls for the General Assembly to appoint “a Commissioner, whose duty it shall be to collect and revise all the General Statute law of this State.” The requirements for things like Municipal Incorporation were very explicit. Even if a town had been incorporated in the past, it is certain that they were not incorporated using the prescriptions in the 1895 Constitution.

4 This discussion of the Reconstruction Acts was derived from <https://historyengine.richmond.edu>.

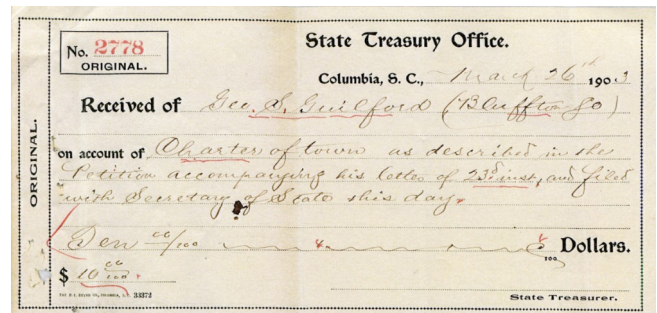
In 1902 the South Carolina Legislature clarified an 1896 law that had been written after the new Constitution of 1895 had been ratified covering the Municipal Corporations of towns. The new law, Chapter XLIX, Article I, Code of Laws of South Carolina, 1902, stated that towns or municipalities seeking incorporation not have less than 100 but not more than 1000 citizens, not have corporate limits greater than one mile from the center, that citizens interested in incorporating their municipality would have to file a petition with the South Carolina Secretary of State setting out the proposed town limits, the name of the town, the number of inhabitants, and that they desired to incorporate. Three petitioners had to apply to and be approved by the Secretary of State.



Signature page of Petition to Incorporate  
(Marcus Lee Guilford was George Guilford's son)

The three petitioners were *George Sewell Guilford* (my great grandfather), *John Samuel Graves* (my grandfather) and *R. W. Fischer*. The Petition to Incorporate specified that the town of Bluffton be measured at one half mile north, south, east and west from the then current location of the post office to form one square mile. Oddly, the exact location of the Post Office in 1903 was not indicated in the Petition to Incorporate! Nevertheless, the signatures of the three Petitioners were on the petition when *George Guilford* personally delivered it to the State Treasury Office in Columbia on March 26, 1903. After paying the \$10 filing fee he received his commission to proceed with the incorporation election for the town of Bluffton.

The 1902 law also required that ten freehold electors witness and validate the results of the upcoming election. *George Guilford* was one and his son, *Marcus Lee Guilford*, was another. Others that might be recognized today were William J. Fripp, Richard W. Bailey, and Charlie Ulmer.



*George S. Guilford's* receipt for his \$10 filing fee for the *Petition to Incorporate Bluffton* on March 26, 1903.

The Petition to Incorporate required that three Managers of the Election be appointed to screen and register all qualified voters in the precinct of Bluffton and to hold an election to determine (1) if the voters wanted to incorporate, (2) what were the town limits going to be, (3) what was the official name of the town going to be, and (4) who were going to be its new elected officials. Those election managers had to be land owners in Bluffton. The managers had to hold the election and report the election results to the Secretary of State. The three appointed Managers of the Election were *Andrew Asbury Graves* (my great grandfather on the Graves side), *William J. Fripp* and *A. Fisher*.

The fateful election took place on April 1, 1903. The population of Bluffton at that time was estimated to be about 350 people. The number of qualified, registered voters that actually voted was only 34. All 34 voted in favor of incorporating Bluffton and of naming the town Bluffton. *George Sewell Guilford* was unanimously elected to be Bluffton's first Intendant (mayor). Four others were unanimously elected as the first Wardens: *W. J. Fripp*, *R. W. Bailey*, *N. H. Crosby* and *A. Fischer*. *George Sewell Guilford* served for eleven one year terms as Intendant. He died on January 16, 1917 while still in office. He is reputed to have been working on his memoirs. They have never been found. *Truth is indeed stranger than fiction.*

The two parts of this article can be found under the *Articles Tab* on [graveshouse.org](http://graveshouse.org).