

THE RICHARD PHILLIPS
FAMILY HISTORY

1791 - 1983

An incomplete history of
The Reverend Richard Phillips,
his wife, Delilah Rainwater,
and their descendants
through eight generations

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CHAPTER ONE
THE RICHARD AND DELILAH (RAINWATER)
PHILLIPS FAMILY

I-1. Richard Phillips (1791 - 1865)

Richard Phillips, our progenitor, was born March 9, 1791, in North Carolina. He died September 28, 1865, in Forsyth County, Georgia. Richard was of Welsh or English descent. The exact location of his birth and the name of his parents are unknown. He had at least one brother. His childhood was spent in the Carolinas, and he was living in South Carolina in the Pendleton District by 1809. He had a better than average education, with an excellent command of the English language and a sound knowledge of the Bible. His good, basic education included a grasp of the issues of the day. He attended whatever schools were available to him in preparation for his work as a minister of the Gospel.

Richard Phillips was united in marriage with Delilah Rainwater ca. 1809 in South Carolina. This happy union which lasted for over fifty years ended in 1865 when Delilah predeceased her husband by three weeks.

Delilah Rainwater was born in South Carolina on October 4, 1785, daughter of Solomon and Ruth (Felton) Rainwater. Her father was born in North Carolina in 1765 and died in South Carolina in 1814. Her grandfather, James Rainwater, was born in North Carolina ca. 1736. John Rainwater (1705-1777) and his wife, Mary Fussell (1708-1782), were her great-grandparents. They also lived in Surry County, North Carolina. Both John and James Rainwater were members of the Colonial Militia. See Appendix A on Rainwater Family.

In 1800 Solomon Rainwater, Delilah's father, was living with his wife Ruth and six sons and four daughters near the present boundary

between Anderson and Oconee Counties in South Carolina. On December 7, 1812, he purchased 387 acres of land on Kennon's Creek from John Watson. The land was located on both sides of the General's Road leading from Pendleton Court House to Abbeville, South Carolina. (Anderson County, South Carolina, Deed Book M, page 38.)

Delilah and Richard Phillips bought a fifty acre plot from Abraham Padget on October 11, 1813. It was situated in the District of Pendleton on the waters of twenty-six mile creek, bounding on the northeast and south on Solomon Rainwater's lines. (Anderson County, South Carolina, Mesne Conveyances Vol. M, page 504.) Being near her family was a great comfort and joy to Delilah and Richard as they set up housekeeping and soon started their own family.

However, the death of her father in 1814 brought about many changes. The estate soon had to be divided. Since Solomon Rainwater died intestate, his son John applied for letters of administration. The application was published on November 20, 1814, at the Salem Meeting House, by Cooper Bennett. Salem Meeting House was a Baptist Church established in 1803 and Cooper Bennett served as pastor of the church for over forty years.

The estate sale was held in December of 1814. Richard and Delilah purchased some of the household articles for keepsakes and some to be used as needed by their own growing family. (Solomon Rainwater--Estate Sale, 1814, Anderson County, South Carolina, 1819 Microfilm Roll Number 578.)

In 1821 Delilah's brother, Job Rainwater, purchased from the other heirs the plantation owned by their father Solomon Rainwater, deceased:

"... being that land located on both sides of the General's Road from Pendleton Court House to Abbeville--it being the same plantation where on the said Rainwater lived at the time of his death, containing 387 acres."

Richard Phillips, Delilah's husband, signed the document for his wife. (Anderson County, South Carolina--Pendleton District, Mesne Conveyance Book P, page 382.)

In the estate records a reference was made concerning John Wilson, who was a tutor for the Rainwater children. Nothing more is known concerning this person. However, only people with above average means would be able to provide a tutor for their children. It also points out the fact that Solomon and Ruth (Felton) Rainwater realized the great importance of providing their children with an opportunity to get an adequate education.

Richard and Delilah continued on in South Carolina for some years. Their eldest child, a daughter, Clarinda, was born ca. 1810. Then they were blessed with four sons. Daniel M. was born in 1812. William W., the third child, was born ca. 1817. Lewis Berry was born in 1819 and the youngest son, King David, was born in 1821. The second daughter, Amanda G., was born in 1823. These six children were all born in Pendleton District, South Carolina. (Two younger daughters were later born in Georgia.)

Clarinda, the oldest child, was married in South Carolina to a neighbor, James Major, in ca. 1825. She and her husband lived in Pendleton District in the section to become Anderson County in 1826. Chapter Three will go into detail concerning this family.

Richard Phillips proved the deeds of Elizabeth Major, widow of Daniel Major, Sr., and mother-in-law of Clarinda Phillips Major, on July 9, 1825. In these deeds Elizabeth Major deeded slaves to her four sons, James, William, Elijah and Daniel. (Pendleton District, South Carolina Deed Book R, Page 215, Anderson Co., S.C.)

It was probably in the fall of 1825 that Richard and Delilah (Rainwater) Phillips moved from South Carolina to Gwinnett County, Georgia, a distance of less than two hundred miles. The 1830 United States census shows them living in Gwinnett with four sons and two daughters. By 1835 Richard was pastor of Island Ford Baptist Church, Orr's or Orrsville, in Gwinnett County.

There is a reference by Jesse Williams, editor of the Paptist Leader, a Forsyth County newspaper, which stated that Richard Phillips came from Mauldin's Mill, in Hall County, Georgia, to Forsyth County in about 1835. We do not know this for a certainty, but it is

altogether possible that he could have lived for a short time in Hall County.

By 1836 Richard and Delilah and children had moved to Forsyth County, one of the new counties formed in North Georgia in 1832. The 1840 United States census shows Richard Phillips and his three older sons, Daniel M., William W., and Lewis Perry each as being head of a household in Forsyth County.

There were three daughters and one son at home. The male listed was between 15-20, and the females, one between 5-10, one 10-15 and one 15-20. The male adult was listed as between 40-50 years of age, and the female adult between 50 and 60.

Forsyth County grew quite rapidly during the period 1833-1838. D. L. Shadburn in his Pioneer History of Forsyth County, Georgia, makes the following statement on pages 56-57:

"The county and village experienced sporadic but rapid growth during the period 1833-1838. The wave of primary emigrants had rushed into the county on the heels of dispossessed Cherokee natives. When the Treaty of New Echota was ratified by the United States Senate in 1836, the poorer class of Indians saw the futility of clinging any longer to a dream of remaining forever in their homeland in peace. When the final removal of the tribe had been achieved in 1838-1839, other land and improvements in Forsyth County were open for settlement by whites, setting the stage for a windfall migration from the Carolinas, Virginia, and Tennessee which would continue at an increasing rate well beyond the half-century mark."

The discovery of gold in this area as early as 1828 and the land lottery system of Georgia for those who qualified also contributed to the influx of settlers to this area of north Georgia in the 1830s and following.

For several years Richard Phillips dealt in real estate, buying and selling and perhaps gaining a small profit. This was a practice of many of the earlier settlers. On January 19, 1842, he purchased land from Charles Estes, and apparently sold the same land (plot 203, district 2, section 1) to Joel Estes on May 17, 1843. The deed referred to "the Phillips' Mill Pond which may be covered by water." In June of 1842 he purchased land from Joel Estes, this time plot 204,

district 2, section 1, with a reference again to the Phillips' Mill Pond lying on the waters of Vickery's Creek. This leads us to think that Richard Phillips may have also owned and operated a mill as well as farming and preaching.

The Richard Phillips family settled near Cumming, Georgia. He did some farming but most of his time and effort were given to preaching the Word and shepherding the flock, as a Baptist minister.

Chapter Two of this volume deals entirely with this phase of his life.

He was not only an active Baptist minister, he was also alert to the needs of the community, county, and state. He took an active part in his county and state. He was a member of the Georgia General Assembly from Forsyth County, Georgia, in 1842. This enabled him to take a strong stand for right in the state legislature.

Richard Phillips was also active on the county level. His name appeared from time to time as one of the jurors in the County Courts. He always stood up for progress and clean moral living. In the August, 1851, term of court, he was foreman of the Grand Jury. They reported on the roads which were in bad condition as usual, and recommended to the Inferior Court Justices to have them "worked out" and placed in good order--especially "Market Roads." They further requested that the next Grand Jury take the whole matter into consideration and have the Road Laws enforced in a correct and proper manner.

In 1849 he was one of the jurors who served on the February Term. They inspected the county jail and "took pleasure in saying its entire management is altogether creditable to its present keeper." On public roads, they found "some degree of improvement in some parts of the county." The large number of cases of assault and battery, they believed, was evident of the low morality among many of the citizens; but, for some justification, they pointed out that there were at the time thirty-three "retail houses for the sale of ardent spirits" licensed in the county limits. The jurors also urged Justices of the Peace to "strictly bring up all those who have

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illegitimate children that are likely to fall on the county and have their fathers identified on oath for this monstrous Evil." They were also cautioned to be on the watch for "individuals of doubtful standing and who do not follow any occupation to obtain a living but spend their time at various haunts of dissipation and have no ostensible means to bring them in a living." They strongly urged the justices to use their authority in "suppressing the riots that are becoming so frequent at Justices Courts," and to impose heavy fines and even imprisonment if necessary. They allowed a tax of ten percent for the Poor School Fund (taken from Appendix G., Jury Lists and Grand Jury Presentments, 1834-1854 in Pioneer History of Forsyth County by Don Shadburn, pages 526 ff.).

All eight of the children of Richard and Delilah (Rainwater) Phillips grew to adulthood, were married and established homes of their own. Of the four sons two of them, Lewis B. and K. David, settled in Forsyth County. They were both successful farmers and land owners. They were respected citizens of the community and made their worthwhile contributions. Their names are found among those who helped advance progressive movements in the community.

The two daughters who remained in Forsyth County were Clarinda and Edna Frances. Clarinda and her husband James Major moved from Anderson County, South Carolina, sometime before 1855. They and their large family settled close to Cumming, Georgia, near her parents, Richard and Delilah (Rainwater) Phillips. They were quite active in the community and also in Haw Creek Baptist Church.

Edna Frances married twice, both husbands lived in Forsyth County, Georgia. She reared her children there. By 1865 the two older sons, Daniel M. and William W., had moved to other parts of Georgia. The other two daughters, Amanda and Elizabeth, moved to other counties in Georgia after they were married. They all were respected citizens who made a worthwhile contribution to the neighborhood in which they lived.

Not only did several of their own children settle near Richard and Delilah R. Phillips, but several members of the Rainwater family

also moved from South Carolina to Georgia. Job Rainwater, Delilah's brother, lived for many years in Milton County (presently part of Fulton County, Georgia). As shown in the 1850 United States census, Rachel Rainwater, Delilah's younger sister, lived for several years in the home of Delilah and Richard. By 1860 another sister, "Dicy" or Laodicea Rainwater, had also moved to Forsyth County. She and Rachel were living in their own home next door to Delilah and Richard Phillips. These two maiden sisters must have been a great joy to Delilah. They were also a source of comfort and help to them in Delilah's and Richard's declining years. These sisters, in all probability, helped nurse and care for Delilah and Richard during their last illnesses in the fall of 1865.

Richard and Delilah had resided in Georgia for over forty years. They were highly respected and honored citizens of Cumming and Forsyth County and of all north Georgia. They were charter members of their beloved Haw Creek Baptist Church, where they had served for so long. The Rev. Richard Phillips was widely known and was affectionately known as "Uncle Dickey Phillips" by young and old alike.

These two pioneers in Forsyth County had migrated to that area soon after the formation of the county. They were a part of the development and growth, especially of the religious life of the people. They had lived through the resettlement of the Cherokee Indians from their Cherokee Nation in Georgia to lands in the West. They had experienced the various phases of growth and development of the county and state. These brave souls had later survived the terrible years of Civil War, so devastating to Georgia and all of the South.

It was just at the close of the war that Richard and Delilah died within twenty-six days of each other in September 1865. The double marker of marble in the Haw Creek Baptist Church Cemetery bears the following inscriptions:

Richard Phillips

Born: March 9, 1791

Died: Sept. 28, 1865

Delilah Phillips

Born: Oct. 4, 1785

Died: Sept. 2, 1865

Several of their children and grandchildren were also buried there. Many descendants of this dedicated couple have also been buried in the historical Haw Creek Cemetery.

Conditions in the South were unsettled and chaotic at the end of the Civil War. The newly freed slaves were filled with uncertainty and bewilderment. They were unprepared for their new freedom with its load of responsibility. This upheaval brought forth the "carpetbaggers" from the North. Much trouble and suffering was endured by the South during this period. Confederate money was almost worthless. The bottom had dropped out of the economy. Most families had lost husbands or sons in the war, and many were destitute.

Richard Phillips died intestate, leaving considerable estate both real and personal. Lewis B. Phillips, the oldest son residing in the county, at that time applied for temporary letters of administration on October 3, 1865, which were granted, he giving bond and security in the sum of twelve hundred dollars with Hiram Mathis and Stephen Clement as his securities and that he take the oath of office. (Signed W. D. Bentley, Clk. Court Ordinary)

On that same date--Upon application of Lewis B. Phillips, Temporary Administrator of Richard Phillips, deceased, for the appointment of appraisers to appraise the estate of said Richard Phillips, it is ordered that a warrant of appraisement issue to John L. Black, Joel Estes, B. J. Harris, Wm. Parker and N. V. Samples. (Signed W. D. Bentley, Ordny.)

Lewis B. Phillips served as temporary administrator and on December 5, 1865, was appointed administrator of all and singular the goods, chattels, rights and credits of said deceased.

It is interesting to note the inventory and schedule of the money, books, APCS (?), notes, etc. of Richard Phillips, deceased, as listed on October 5, 1865.

In Specie	10.05
	120.00

Georgia Sixes dated Feby 1st, 1863

1 \$10.00 Bill Bank Fulton No. 722 letter Sept. 20, 1855
 1 \$ 5.00 Bill Bank Fulton No. 8758 A July 20, 1858
 2 \$ 1.00 Bill Bank Fulton
 1 \$ 5.00 Bank Athens
 1 \$ 1.00 Bank Savannah
 1 \$ 1.00 State S. C.
 1 \$ 1.00 Augusta Insurance
 1 \$ 1.00 Union Bank
 1 \$ 1.00 Empire State
 1 \$ 1.00 Merchant & Planters Bank
 1 \$ 1.00 Bank State Georgia
 1 \$ 2.00 Planters Bank Georgia
 1 \$ 2.00 Merchant Bank Georgia
 1 \$ 5.00 Merchant Bank Georgia
 1 \$ 2.00 Dalton Bank
 1 \$ 2.00 Confederate
 1 \$ 1.00 State of Alabama

Signed L. B. Phillips, Oct. 5, 1865

The Sale Bill of the personal property belonging to the estate of Richard Phillips, deceased, was sold on October 15, 1865, by Lewis B. Phillips. (A listing of all the articles, etc. can be found in Forsyth County, Georgia Probate Records, Book K. 1863-1866. Inventories and appraisments and Misc. Records on Estates LD.S Film #334,909.) A random list of a few of the things sold includes:

To W. J. Mosly	1 white faced cow	\$19.40
To Lewis B. Phillips	3½ bu. wheat @ \$4.00	14.00
To James T. Major	1 blind mare	30.00
To H. W. Strickland	Candle mole (<u>sic</u>)	.30
To K. D. Phillips	1 lot dried fruit	.90
To J. L. Fincher	1 stone churn	1.30
To J. L. Blackstock	48 lbs. salt @ 5¢ per lb.	2.40
To Clarinda Major	1 trumpet	.15
To D. M. Pruett	1 barrell soap grease	.50

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Random list of estate sale items, continued:

To K. D. Phillips	1 wooden churn	.80
To J. W. James	1 trunk	2.95
To D. M. Pruett	1 bed, 2 pillows, 1 sheet and 1 counterpane	24.55
To L. B. Phillips	1 bedstead and cord	6.85
To D. M. Pruett	1 spinning wheel	.50
To E. M. Major	1 bed quilt	2.70
To Clarinda Major	1 quilt	5.00
To A. G. Pirkle	1 large chair	1.25
To D. M. Pruett	20 chickens @ 20¢	4.00
To J. L. Fincher	1 side saddle	10.00
To M. M. Samples	1 dinner pott	1.50

The total amount brought from the sale of personal property was \$631.95.

There were four lots of land on which Richard Phillips resided at the time of his death. The land had to be sold in order that a fair division be made among the eight heirs.

On November 2, 1869, LeRoy Edmondson bought the lots #354, #355, and #356 for \$425.00. The same being three of the four plots of land included in the Richard Phillips estate, second district, third section, Forsyth County, Georgia.

K. David, son of Richard Phillips, deceased, bought the fourth lot, number 295, second district, first section, Forsyth County, Georgia, from the other seven heirs on April 15, 1871, for \$100 cash. This plot contained about fifty acres.

The heirs mentioned in the estate settlement, who signed for the sale of land on November 2, 1869, were:

- 1) Clarinda Major, formerly Clarinda Phillips--Forsyth County, Georgia
- 2) King D. Phillips--Forsyth County, Georgia
- 3) Lewis B. Phillips--Forsyth County, Georgia
- 4) J. R. Edmondson and his wife Edna Frances Edmondson, formerly E. F. Phillips--Forsyth County, Georgia
- 5) William W. Phillips--Floyd County, Georgia
- 6) Daniel M. Phillips--Chattooga County, Georgia

- 7) William J. Mosley and his wife, Amanda Mosley, formerly Amanda Phillips--Gwinnett County, Georgia
- 8) Daniel M. Pruett and his wife, Elizabeth Pruett, formerly Elizabeth Phillips of the County of DeKalb, Georgia (Forsyth Co., Georgia Deed Book O, 1867-1872, page 281.)

Deed of Land Bought by K. D. Phillips

Source: Forsyth County Georgia - Deed Book "P" 1872 - 1878
IDS Film #329,955, page 124.

This indenture made and entered into this the fifth day of April Eighteen hundred and seventy-one between Clarinda Major by her agent K. D. Phillips of Forsyth Co., D. M. Phillips of Clayton County by his agent L. B. Phillips, L. B. Phillips of Forsyth County, W. W. Phillips of Floyd County by his agent K. D. Phillips, W. J. Mosely and his wife Amanda Moseley of Cherokee County by their agent K. D. Phillips, D. M. Pruett and his wife Elizabeth of Newton County by their agent L. B. Phillips, J. R. Edmondson and Frances Edmondson of Forsyth County by their agent K. D. Phillips all of said state of the one part, and K D. Phillips of the county of Forsyth and state of Georgia of the other part, Witnesseth that said Clarinda Major, D. M. Phillips, L. B. Phillips, K. D. Phillips, W. W. Phillips, W. J. Mosely, Amanda Mosely, D. M. Pruett, Elizabeth Pruett, J. R. Edmondson and Frances Edmondson by themselves and their several agents for and in consideration of the sum of one hundred dollars cash in hand paid at and before the sealing and delivery of these presents the receipt whereof is hereby acknowledged hath bargained and sold and doth by these presents remise release and forever quit claim to the said K. D. Phillips his heirs and assigns all right title interest claim or demand the said Clarinda Major, D. M. Phillips, L. B. Phillips, K. D. Phillips, W. W. Phillips, W. J. Mosely, Amanda Mosely, D. M. Pruett, Elizabeth Pruett, Jas. Richard Edmondson & Frances Edmondson has or may have had in and to lot of land Number two hundred and ninety five in the second district and first section of said county of Forsyth containing forty acres more or less with all rights members and

appurtenances to said lot of land in any wise appertaining or belonging. To have and to hold the said lot of land to the said K. D. Phillips so that neither the Clarinda Major, D. M. Phillips, W. W. Phillips, W. J. Mosely, Amanda Mosely, D. M. Pruett, Elizabeth Pruett, J. R. Edmondson and Frances Edmondson nor their heirs nor any other person or persons claiming under them shall at any time by any way or means, have claim or demand any right or title to the aforesaid lot of land or its appurtenances or any part thereof. In testimony whereof the said Clarinda Major, D. M. Phillips, L. B. Phillips, K. D. Phillips, W. W. Phillips, W. J. Mosley, Amanda Mosely, D. M. Pruett, Elizabeth Pruett, J. R. Edmondson and Frances Edmondson, have hereunto set their hands and seals, in person and by their respective agents, the day and year above written.

Signed, sealed and delivered
in presence of
Henderson Estes
Wm. D. Bentley, Ordinary

(Signed) D. M. Phillips by L. B. Phillips
L. B. Phillips
C. Major by K. D. Phillips
W. W. Phillips by K. D. Phillips
W. J. Mosely & his wife
Amanda Mosely by
K. D. Phillips
D. M. Pruett & his wife
Elizabeth Pruett by
L. B. Phillips
J. R. Edmondson & his wife
Frances Edmondson by
L. B. Phillips

Recorded March 24, 1873 J. T. Brown, Clerk

Children of Richard and Delilah (Rainwater) Phillips.

- 1) Clarinda Phillips, b. ca. 1810, S. C., d. in Ga. Oct. 11, 1870.
m. James Major in S. C. Fourteen known children.
- 2) Daniel M. Phillips, b. ca. 1812, S. C., d. ____ m. Partheny Rogers in Ga. Seven known children.
- 3) William W. Phillips, b. ca. 1817, S. C. m. Mahaley Barker.
Six known children.
- 4) Lewis B. Phillips, b. Feb. 15, 1819, S. C., d. Apr. 18, 1894,
in Ga. m. Haley Pirkle. Ten known children.
- 5) King David Phillips, b. Aug. 28, 1821, S. C., d. June 26, 1904,
in Ga. m. 1st Tabitha Estes, ten children. m. 2nd Laura A.
Gage, no issue.
- 6) Amanda G. Phillips, b. ca. 1823, S. C. m. William J. Mosely.
One known child.
- 7) Elizabeth Phillips, b. Oct. 1829 in Ga., m. Daniel W. Pruett.
Twelve children.
- 8) Edna Frances Phillips, b. Nov, 1833 in Ga., m. 1st. Joseph L.
Fincher, four children. m. 2nd. James Richard Edmondson,
four children.

Richard and Delilah (Rainwater) Phillips had eight children and over sixty known grandchildren. Their descendants can be found today in Georgia and other southern states, and in fact from California to Florida and even in Australia. Many have been farmers, some have been ministers, teachers, lawyers, doctors and leaders in other professions. Most of them have been Baptists, however some have married into other faiths. They have all distinguished themselves as upright, worthy citizens. They are all proud to be able to trace their ancestry back to Richard and Delilah (Rainwater) Phillips, their venerable progenitors.

For further information on the Rainwater family, see Appendix A, page 317.

APPENDIX A

THE RAINWATER FAMILY

I. John Rainwater, the oldest known ancestor of Delilah (Rainwater) Phillips, was born ca. 1695 probably in Virginia (or England). He was a farmer in Granville County, North Carolina. Later he moved to Surry County, North Carolina, where he resided until his death in May, 1777. He was a soldier in the Colonial militia during the French and Indian War, which he joined in Granville County, North Carolina, and served from 1754 to 1755.

John Rainwater was married before 1735, probably ca. 1733, to Mary Fussell. She was born ca. 1708 in St. Peter's Parish, New-kent County, Virginia, daughter of Thomas and Sarah Fussell. Mary (Fussell) Rainwater died ca. 1780 in Surry County, North Carolina.

John and Mary were the parents of at least nine children:

- 1) John, 2) James, 3) Mary, 4) Sarah, 5) Betty, 6) Winney, 7) Milley,
- 8) Molly and 9) William.

1--John Rainwater was born in 1734 and remained in Granville County, North Carolina, until his death.

*2--James Rainwater was born in 1736 in Bertie County, North Carolina.

3--Mary Rainwater was born in 1738.

4--Sarah Rainwater was born in 1740.

5--Betty Rainwater was born in 1743.

6--Winney Rainwater was born in 1745.

7--Milley Rainwater was born in 1746.

8--Molly Rainwater was born in 1748.

9--William Rainwater was born in 1770. It is thought by some that he married a Cherokee Indian maiden.

entirely incorrect

The will of John Rainwater was filed in Surry County, North Carolina, in May, 1777. It reads as follows:

WILL of JOHN RAINWATER

Filed in Surry County, North Carolina May, 1777

Pg. 73.

Surry Co. N.C.

I, John Rainwater of Surry County, North Carolina, being now in perfect sense and memory, thanks be to God, but yet considering that life and sense is uncertain, do make and ordain this my last Will and Testament (viz). My soul I recommend unto the hands of God. My body I recommend to the earth to be buried in a christian manner, and as to my worldly estate I give, devise, bequest and dispose of the same in the following manner and form.

First, I give to my daughters, Mary, Sarah, Betty, Winney, Milley and Molley, to each Five Shillings Prov., money to them and raised out of my estate the same is in full, and a bar from their obtaining any more.

Item I give to my son John Five Shillings Prov., money to be raised as aforesaid, the same is in full and a bar from his obtaining any more unless he should succeed his brother James as Trustee in the management of that part of my estate which I give for the support of my wife and son William.

Item I GIVE MY PLANTATION AND ALL MY LAND, MY NEGRO MAN JACK and all other of my estate of what kind soever to the whole and sole use, support and maintenance of my wife and son William during their lives, and do hereby will and subject the same into the hands, care and management of my son James whom I hereby constitute and make Trustee to appropriate the said estate to their sole use, support and maintenance as aforesaid, to them either jointly or single in such way and manner as he the said James shall judge and think most to their profit and best for their support and comfort. And if any part of the said estate should remain after their decease, my will and intent is that he, the said James, his heirs and assigns, enjoy the same forever.

Item If my son James decease before my wife and son William I will that my son John succeed my said son James in every point as Trustee.

Lastly I appoint my wife, Mary, Executrix and my son Jon (sic.) and James, Executors of this my last will to see that all things be performed according to the true intent and meaning thereof. And I do hereby disannul and revoke every former will and ratify and confirm this and no other to be my last will and testament. In witness whereof I have hereunto set my hand and seal, this fourth day of November 1771.

JOHN x RAINWATER. (SEAL)

Signed, sealed, published, pronounced and declared in the presence of us.

Jesse Brimp

John Pain

(page 2) NORTH CAROLINA, Surry County, May Court 1771:

Jesse Brimp, one of the subscribing witnesses to the last will and testament of John Rainwater made oath that he saw the said John Rainwater publish and declare the same to be his last will and testament; that he was of sound and disposing mind and memory and that at the same time he saw John Pain sign the same as a witness and on motion it was ordered to be recorded.

Recorded Accordingly-----Joe Williams, C.C.

A True Copy Test: Fred Llewellyn
Asst. Clerk Superior Court,
Surry County, North Carolina

SEAL SURRY COUNTY, SUPERIOR COURT, NORTH CAROLINA

II. James Rainwater, the child of John and Mary (Fussell) Rainwater, was born ca. 1734 in Bertie Parish, Bertie County (?), North Carolina. He was later in Warren County, North Carolina, and moved to Surry County, North Carolina, in 1777. He died ca. 1805 in Surry County. He served in the North Carolina militia as a colonial soldier during the French and Indian War. An early map of Surry County, North Carolina, shows his farm or plantation on Hogan's Creek in the south-east section of the county not far from the Yadkin-Adkin River. He perhaps purchased the farm and settled there ca. 1784.

The name of his wife is unknown. The following list of children is incomplete and of the eight named only four have been documented. (In the 1790-1800 Census there are listed three daughters, so we are reasonably certain the following list is incomplete):

- 1) Solomon, 2) James, 3) Moses, 4) Elizabeth, 5) John, 6) Miles, 7) William and 8) Abraham.

1--Solomon Rainwater born 1765 in Granville, County (?), North Carolina, and died in 1814 in Pendleton District, South Carolina. Married Ruth Felton.

2--James Rainwater was born ca. 1766 in Granville (?) County, North Carolina.

3--Moses Rainwater was born in North Carolina, Granville (?) County.

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- 4--Elizabeth Rainwater born ca. 1769 in Granville (?) County, North Carolina. She moved to Pulaski County, Kentucky, in 1813, where she was living in 1850.
- 5--John Rainwater was born in Surry (?) County, North Carolina.
- 6--Miles Rainwater was born ca. 1787 in Surry County (?), North Carolina. He died in South Carolina on July 5, 1826. He was married to Nancy Miles. EDWARDS
- 7--William Rainwater was born June 3, 1774, in Lowgap, Surry County, North Carolina, and died January 6, 1825, at Fau-bush, Pulaski County, Kentucky. He married Martha "Patsy" Hodge ca. 1800. They moved to Pulaski County, Kentucky in 1813.
8. Abraham Rainwater was born ca. 1784 in Surry County, North Carolina. He moved to Pulaski County, Kentucky, ca. 1811.

III. Solomon Rainwater was born ca. 1765 in North Carolina and died in 1814 in Pendleton District, South Carolina. He was married to Ruth Felton. They had a large family. The older children were born in North Carolina and the younger ones in South Carolina. The following list is not in consecutive order and very little is known of some of the children.

- 1--John Rainwater was perhaps the elder son of Solomon and Ruth (Felton) Rainwater as he was the administrator of his father's estate. He was married to Martha Adams. He died July 22, 1837, in Green County, Georgia.
- 2--Job Rainwater was born in 1784 in North Carolina, died in 1863 in Georgia. He was married to Dihama Hembree. He was a Baptist minister in Georgia. They had seven children.
- *3--Delilah Rainwater was born in South Carolina on October 4, 1785, died September 2, 1865, in Forsyth County, Georgia. She was married ca. 1809 to Richard Phillips. They were the parents of eight children.

- 4--Joshua Rainwater--date of birth unknown. He died August 15, 1878, in Hamilton, Texas. He was married to Polly Peterson on February 10, 1820, in Pendleton County, South Carolina.
- 5--Solomon Rainwater, Jr., was born ca. 1793 in South Carolina (?). He was married to Nancy Linn of Warren County, Georgia, on December 28, 1826. They had a large family.
- 6--Elisha Rainwater, dates of birth and death unknown. He was married to Elizabeth Grant.
- 7--Rhoda Rainwater, dates of birth and death unknown. She was married to Lasten Cox before September, 1821.
- 8--Rebecca Rainwater, dates of birth and death unknown. She was married to Arron Oliphant before 1821 and moved to Hancock County, Georgia.
- 9--Laodicia (Dicy) Rainwater was born ca. 1795 or 1798, died July 23, 1867, in Georgia. Unmarried.
- 10--Rachel Rainwater, born ca. 1803 in South Carolina (?). She was living in Forsyth County, Georgia, in 1860. Unmarried.
- 11--Abner Rainwater, born ca. 1798. He married Elizabeth Henry.
- 12--Ruth (?)

The above information on John Rainwater and some of his descendants was gathered by Terrell Rainwater, Sherman, Texas; H. C. Rainwater, Tifton, Georgia; Hazel Major Smith, Whittier, California; and from other genealogists working on the Rainwater family. It has been gathered through wills, tax lists, Federal Census records, Land Records, and information found in North Carolina Colonial Records. We have included all proven and unproven material in the hope that someone may be able to verify undocumented statements and relationships. We are grateful for this information and wish to acknowledge our indebtedness to all of those who have labored diligently to trace the Rainwater family.