

Records of the Commissioners of the Colonial Common and Ashley River Embankment, 1881–1952

*The Charleston Archive, Charleston County Public Library
Compiled by Nicholas M. Butler, Ph.D., Manager, 2005*

Collation: 0.5 linear feet.

Description: This collection consists of annual reports (1902–1921, incomplete), correspondence (1899–1949), minutes (1881–1952), by-laws (1881), boating permits (1916–1939, incomplete), and newspaper clippings (1916–1952). The correspondence of the Board of Commissioners concerns the changes, problems, and improvements of the Colonial Common. Included among this material are petitions, financial requests, development offers and estimates, as well as discussions of property and legal issues. The correspondence gives a detailed look at the daily workings of the Common (often referred to as Colonial Lake) and the feedback from the city and its citizens. The newspaper clippings often relate to the issues found in the correspondence, such as the pollution of Colonial Lake, boating activities on the lake, and the vandalism of lakefront property.

Historical Note: Colonial Common is the term formerly used to describe an area of land in Charleston bordered by Rutledge Avenue, Lynch Street (now Ashley Avenue), Beaufain Street, and Broad Street, which is now known as Colonial Lake. The Colonial Common and a board of managing commissioners became active in 1881, although the lake and surrounding marshlands had been designated for public use as early as 1768. Under the administration of Governor Charles Greville Montagu, the colonial government set aside the land for a “common,” or pleasure ground.¹ Over the next hundred years, however, the city gradually sold off much of the Common property. City attorney George B. Eckhard submitted a report on the status of the land to City Council in July 1840.² On July 5th, 1881, a decree of the Charleston County Court of Common Pleas, under judge J. B. Kershaw, led to a city ordinance to return what was left of the land for public use. The *Charleston Year Book* for 1881 stated that “proceedings in court have been pending for years to preserve what is now left, to carry into effect the original purpose.”³ Alderman Dingle of the Charleston City Council pushed a bill to carry the decree into effect, and Colonial Common finally became a public site.

Since parts of the remaining land were being leased in 1881, the leases dating from 1875 were allowed to run their course, and the board for the Common received an initial grant of six thousand dollars and an annual revenue of one thousand. The Board of Commissioners consisted of ten citizens appointed by nomination of the mayor and confirmed by the City Council. A caretaker, earning twenty dollars a week, was responsible for the land maintenance, watching children on the lake, protecting lakefront property, opening the floodgates after a rain, and keeping order. Often, the caretaker was overwhelmed by the responsibility of keeping order and

¹ *Charleston Year Book*, 1881, 200.

² *Charleston Courier*, 23 July 1840.

³ *Charleston Year Book*, 1881, 200.

the Board regularly requested additional police protection for Sundays, ice skating, etc. The lake was closed on Sundays, with the caretaker absent and no boats allowed on the water.

The lake was required to be well lit and the waters tested by the Department of Health. In 1912 Health Department official Mercer Green's results were sobering: all parts of the lake and connected creek were contaminated. Cummings Creek, which ran into Colonial Lake, was also a sewage outlet for the city of Charleston. Green's report noted high content of *colon bacilli* and fecal matter. Swimming and bathing were discouraged to avoid typhoid fever and other illnesses. Despite multiple complaints and efforts by the Board of Commissioners to have the city change the sewage drain, Mercer's negative evaluation of the lake's water was repeated in 1933 by city and county health officer Dr. Leon Banov. This condition did not deter long distance swimming champion Anne Benoit, however. In 1931 Benoit obtained special permission from Dr. Banov to practice and train in Colonial Lake—at her own risk. Swimming was not the only way citizens could risk contamination, however. In January of 1922 a freeze forced many of the lake's fish to the surface, and people took them home for a meal.

Small details, problems, and possibilities kept the Common's board busy. A group of local residents petitioned the Board for a drinking fountain by the lake, which was eventually put up. Unfortunately, vandalism caused the fountain to be replaced six times and finally shut down. The boat permits for some young boys were revoked on the grounds that their boats were “death traps,” being just five feet long and twenty inches wide. Anderson Lumber Company still held the lease for a certain piece of land on which the Board of Colonial Lake wanted to build a playground. An architect, Mr. Cooke, wrote to the Board asking if they might want his services to build a playground, and the Board responded that nothing could be done until the Anderson lease was up. In 1918, the lumber company requested renewal of the lease, but the Board declined to renew. Moultrie Playground, also called Moultrie Park, was erected on the lumberyard site by 1930.

The Charleston Real Estate Exchange offered a resolution of an annual meeting praising the Colonial Common Board of Commissioners for the good job they did on the Common. The Board consistently looked for ways to beautify the Common, planting fifty Oleander trees, petitioning for a watering system for the Crepe Myrtles, and planting Palmetto trees. Not all the suggestions of the Board or its individual members were received with approval. In 1938, the Board of Commissioners requested the services of the Charleston County Chain Gang to clean the lake bottom of debris, despite the health hazard. Several board members considered putting in a yacht basin, but the legislation, money, and geographical issues proved the project to be unfeasible. In 1938, the board voted against a motion allowing motorboats on the lake.

Trouble for Moultrie Park began in the late 1940s and reached a breaking point in 1949. Mayor William Morrison, the Board of Parks and Playgrounds, and the City Planning and Zoning Commission all approved the sale of Moultrie Park for a fourteen story apartment building known as the Sergeant Jasper Apartment Project, promising to replace the lands for a new playground. The approval of the Board of Commissioners was necessary for the sale, and six of the ten Board members voted against it, with three in favor and one abstention, on March 16th. Nine of the ten members sent a letter of protest drafted by attorney and board member H. L. Erckmann who claimed that any attempt to revise city legislation concerning the Colonial Common was a breach of trust by the city and “If this building is erected on this playground site, it will stand as a monument to the broken faith of the city of Charleston.”⁴ The Sergeant Jasper Apartment Project loomed over the Board until July 2, 1949, when a latter announced that the

⁴ H.L. Erckmann to E. Huger Poulnot, n.d. [2 April 1949].

Federal Housing Administration decided to change the location of the apartment building and Moultrie Park would be left alone.

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Collection Outline

- Folder 1. Annual Reports, 1902, 1905, 1906, 1915, 1916, 1921
- 2. Boat Permits and Restrictions, 1916, 1928, 1933, 1939
- 3. By-Laws & Rules, 1881
- 4. Clippings from newspapers, 1916-1952
- 5. Correspondence, 1899-1949
- 6. Minute Book of the Board of Commissioners 1881-1906
- 7. Minute Book (including newspaper clippings and assorted financial records), 1906-1938
- 8. Minute Book 1930-1952 (bulk 1939-1952)
- 9. Loose papers from Minute Book, 1930-1952
- 10. Rough Minutes, 1916, 1917, 1921, 1927, 1928, 1929, 1933, 1937, 1938, 1939, 1949