

Toomer, John De Rossett ^[1]

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by Ida B. Kellam and Leora Hiatt McEachern, 1996

13 Mar. 1784–27 Sept. 1856

John De Rossett Toomer, attorney, legislator, and superior court judge, was born in [Wilmington](#) ^[2], the son of Henry and Magdalene Mary De Rossett Toomer. [Henry Toomer](#) ^[3], who moved from South Carolina to Wilmington with his father, Joshua Toomer, in 1747, was a member of the Wilmington Safety Committee in 1775 and 1776. Magdalene, his third wife, was the daughter of Dr. [Moses John](#) ^[4] and Mary Ivy De Rossett. After attending [The University of North Carolina](#) ^[5], John D. Toomer began to practice law in Wilmington. In 1815 he was county attorney. He moved to [Cumberland County](#) ^[6] and was living in [Fayetteville](#) ^[7] in 1824.

The [General Assembly](#) ^[8] elected Toomer a superior court judge on 18 Dec. 1818 to fill a vacancy created when several superior court judges were sent to the state supreme court, but he resigned in 1819. Eight years later, in 1827, he was elected to the [General Assembly](#) ^[8] to replace [Robert Strange](#) ^[9], who had resigned. Appointed an associate justice of the supreme court by the governor on 8 May 1829, Toomer resigned on 1 December of the same year. In June 1835 he was a delegate to the constitutional convention. He was elected a judge of the superior court on 7 Jan. 1837 and served until 1840, when he resigned because of ill health. Sometime after this he moved from Fayetteville to Pittsboro, where he died.

In Wilmington on 9 Dec. 1805 Toomer married Maria J. Rhett Swann, who was born on 13 May 1787 in [New Hanover County](#) ^[10] to John and Sarah Moore Swann. Sarah was the daughter of [Brigadier General James Moore](#) ^[11]. The children named in Toomer's will were John, Henry, Duncan, Frederick, Lucy, Eliza (m. Thomas Hill), Sarah Ann (m. Albert Torrence), and Mary (m. [Warren Winslow](#) ^[12]).

Both Toomer and his wife were buried in Pittsboro.

References:

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Chatham County Will Book C.

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New Hanover County Court Minutes, 19 June 1799 (microfilm, Cape Fear Technical Institute Library).

New Hanover County Deed Book P.

New Hanover County Will Book AB.

St. James Church Register, Wilmington.

Additional Resources:

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http://www.lib.unc.edu/mss/inv/d/DeRosset_Family.html ^[13] (accessed May 29, 2013).

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