# THE HUNTSVILLE HISTORICAL REVIEW

## Winter-Spring 1998

Volume 25

No. 1

### PUBLISHED BY

The Huntsville-Madison County Historical Society

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1997-98

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# THE ORIGINS OF HUNTSVILLE'S WATERWORKS UTILITY BOARD

### Patrick McCauley

So convincing were the reasons for sound business management of the Huntsville municipal water system, there was no murmur of opposition when, on July 1, 1954, the City Council handed the system over to the waterworks utility board to operate:

The source of supply was polluted and inadequate to meet the demands of growth at the dawning of the space age.

The distribution mains were dilapidated and deteriorating; storage capacity was insufficient.

To finance renovation of the system, the city would have to borrow heavily; and to secure favorable terms on the bonds, water system revenues would have to be isolated from general expenses of the city.

Against those reasons stood, but not firmly, these arguments:

Nature had provided bountifully at the Big Spring a water supply that is the very reason Huntsville is located where it is.

Revenue from the municipal water system for many years had underwritten the cost of city services, and its loss would require new taxes.

It had always been that way.

In hindsight, with the perspective of 43 years of debate and dissension on urban policy and development, it is inconceivable now that such a sweeping change in municipal government could take place with virtual unanimity. But so it did. Minutes of City Council meetings from that era reflect no dispute on the question. Nor does the general legislative act of 1953 authorizing creation of a municipal waterworks utility board suggest any controversy.

### The Background

The event was glacial. It took 96 years to happen. In 1858 the Huntsville Municipal Corporation went into the water business, buying the privately owned water distribution system from Dr. Thomas Fearn for \$10,000 after having acquired the deed to the Big Spring in 1843 from William Pope for \$1. From then on, the Mayor and Board of Aldermen and their successor local governing bodies operated the system just like any other department of municipal government, until 1954. 1

Before that, beginning in 1823, three groups of private investors had brought water from the Big Spring to homes and businesses of the town. They built weirs, installed pumps, laid hollowed cedar logs for mains, built reservoirs, and delivered water for a flat rate that fit all customers, residential and commercial, large users or small. Dr. Fearn numbered 111 of them in his waterworks account book of 1842.

Among the early management decisions of the Mayor and Board of Aldermen was, in 1859, to set variable rates for water customers: \$12.50 per year for dwellings valued up to \$8,000, and specific annual amounts for commercial users. In 1887 the local governing body was authorized by the state legislature to issue \$15,000 of revenue bonds to finance improvements to the system. The project was to include a 600,000 gallon reservoir on Echols Hill.

### Muddied Waters

By 1889, the municipal water system served 934 customers and in 1891 added a big one, one that used more water than all the others combined. As an inducement to locate here, Dallas Manufacturing Co. was provided 500,000 gallons per day, free, for 10 years.<sup>2</sup>

Unanimity was not always a feature of decision-making concerning the waterworks. A.S. Fletcher, a candidate for mayor in 1891, made a campaign issue of the free water granted to the Dallas Mill. He protested the city's expenditure for laying an eight-inch cast iron main from Walker Street to the Dallas Mill. The mill, he said, had enough incentive with the tax exemptions provided by the state of Alabama; and furthermore, the precedent would compel the city to offer free water to every new industry that located here. Besides, he said, the 500,000 gallons given away would cost the city \$4 a day.

Fletcher, a major stockholder in Huntsville Cotton Mill Co., a competitor of the Dallas Mill, lost the mayoral election to William Mastin. But by 1899 when the free water grant and tax exemptions for Dallas Mill came up for renewal, Fletcher was an Alderman again. He renewed his objections within the Board, and the water grant was not renewed.

Those gay '90s rocked with other scandals in city government. Patronage-corruption--favoritism--cooked books! The waterworks was in the midst of it.

In 1896, the citizenry was in turmoil over a new privilege tax and license for businesses. Public outcry demanded an audit of city accounts. Eventually the audit showed much of the goods, material, and labor used by the city was purchased from elected officials. It showed also the bookkeeping in disarray; it found \$12,000 of unpaid property taxes which the auditors extrapolated to

\$18,000; it found no book of accounts for privilege licenses and taxes showing who paid or who owed. And it found "the water tax in almost the same condition as those of the license and street tax, except a pocket memorandum book, containing in alphabetical order a list of water consumers, where their assessments are kept."

### Out of Svnc

But the Big Spring kept on gushing. Its capacity, according to Elizabeth Humes Chapman<sup>4</sup> was variously estimated at 24 million to 50 million gallons a day. Later geological studies were to show that minimum to be the maximum and the flood to be out of sync with the need. But the generous Big Spring was to prove an asset of great value well into the next century.<sup>5</sup>

As the city grew, the system grew, in pumping capacity and in distribution capabilities, but not in storage capacity. Among the gradual improvements and efficiencies added to the system was metered service. By the end of World War I there were about 2,200 meters, and by the end of World War II, there were 5,700. When the German missile-makers arrived in 1950, there were 7,500.<sup>6</sup> And when the system was handed over to the Waterworks Utility Board in 1954, there were 9,797 metered customers.<sup>7</sup>

Through the years, however, not all water deliveries were metered. In the villages surrounding Huntsville, some of the cotton mills had developed their own water supplies, as Merrimac Mill (later Huntsville Manufacturing Co.) did at Brahan Spring, and as Dallas, Lincoln, and Lowe mills did with high volume wells on their property. The mills supplied their workers, many of whom lived in company-owned houses, through company-owned distribution systems without meters. In time, these private water systems bought water from the Huntsville system, and eventually gave or sold their facilities, sources, and mains to the city. But years went by before individual meters were installed at residences in the mill villages.

Similarly, residential tract developers, in the city limits and outside, received water at single points for redistribution to the lots and dwellings they sold, often without individual meters. Water was abundant, and cheaper than meters. As a consequence, in 1950, water consumption in Huntsville was 150 galls per day per capita, 15 percent more than the national average. Much of it went to waste through careless consumer habits and deteriorated mains and pipes, with significant loss of revenue.<sup>8</sup>

### Not in our Water

Almost a century after John Hunt came and went to escape the crowd, the Big Spring still flowed lavishly, crystal clear, 60 constant degrees, refreshing and delicious. Except that twice, in 1898 and again in 1917, outbreaks of typhoid fever were traced to the municipal water supply; and in 1942 and 1944, droughts reduced the summertime flow to barely enough to meet the daily needs of the 14,000 wartime residents.

Late in the 19th century, the hazard of a polluted water source had been recognized, and the direct approach was tried with, as one may imagine, considerable controversy. Since the groundwater stream that crops out at the Big Spring flows directly under the courthouse, the local Medical Society surmised correctly that horse droppings from traffic concentrated on the square threatened the purity of the water supply. The Medical Society campaigned, then agitated, for a ban against hitching horses and showing fat calves around the courthouse square. Instead, the Town Council paved the streets around the square to reduce the seepages, but typhoid came on clattering hooves in 1898.

With the discovery that chlorine kills bacteria in water, chemical treatment was introduced in 1914, but failed to prevent the typhoid outbreak of 1917. An inspection tour of the cavern beneath the courthouse by Dr. Carl Grote, county health officer, and Claude Phillips, superintendent of the waterworks, found sewage seeping through the rocks from homes and businesses above. New sewer lines were laid and a new type of chlorinator was put in place. The typhoid epidemic was brought under control in 1919.

### The Turning Point

Zigging and zagging over time, even glaciers come to turning points. This one came in 1949, in the form of stern insistence by the state health department that Huntsville find a source of water safe from contamination. It was a warning that had been repeated over many years, but at last Dr. D.G. Gill, State Health Officer, threatened to turn the matter over to the attorney general for action against the responsible local officials.<sup>10</sup>

The latest notification coincided with the anticipated arrival in Huntsville of the Army Ordnance Corps guided missile program. This location was selected because, as everybody knows, the Army owned some 40,000 acres of land, about one-fifth of Madison County, where it had built conventional and chemical weapons during World War II. The choice, moreover, as is generally known, was a kind of sop to Senator John Sparkman who had fought hard for the Air Force to put its new advanced wind tunnel here, and lost the political game to Tullahoma, Tennessee.

No matter, the Ordnance Corps would bring Wernher von Braun and 117 members of his rocket team to north Alabama with their families from Fort Bliss, Texas. With hundreds of other scientists, engineers, and technicians from around

the country and workers from the farms and towns an early-morning's drive away, they would create the "push-button" weapons for World War III. As it turned out, they also created the Space Age. At the time, however, with the postwar slump still about, with memories of housing shortages and visions of economic recovery in mind, political, business, and civic leaders were thinking ahead.

But not all were sanguine. There was a thin thread of public skepticism. The Army had proved to be a fickle suitor within the last decade, grabbing up some of the best farm land in the county for Redstone and Huntsville arsenals, then moving out abruptly when the shooting stopped. Besides, it was said, "We'd whupped the Germans not six years before; now they were coming to town to show us how to fight the next war!" And there were some among them who would redesign the city, splitting it with a parkway up the middle and wiping out the slums and bogs that surrounded the Big Spring Park and Branch to make way eventually for the von Braun Center, the art museum and surrounding business development, even City Hall. Who was to say the federal government would remain constant this time, as it had not done the last?

There were naysayers; but even if it were not to be the wind tunnel, a lot of new people would be coming to town. They would need housing and water and other things.

### Digging for the Facts

Prodded by the State Health department and wary of the 24 million gallon ballyhoo for the Big Spring, the City Council in 1945 had turned for advice to Dr. Walter Jones, a native son who had become the state geologist. At his urging, the Council contracted for a scientific study of the groundwater potential hereabout, to be undertaken by the U.S. Geological Survey and the Alabama Geological Survey. 11

With gauges to record the flow of several springs and 16 test wells drilled to trace the meandering solution channels through the limestone, the five-year study confirmed the suspicion that the Big Spring fell grievously short of its touted abundance at critical moments. The geological study found that:

"The ground water of the area is only partly developed. Much additional ground water could be obtained from the full development of some of the larger springs in the area and from properly located wells. Huntsville Spring, however, is developed to the maximum extent, approximately 4 million gallons a day during periods of normal minimum flow. The

city could supplement this supply with water from other large springs in the area, such as Brahan Spring, which flowed 8.298 million gallons a day on January 14, 1949; Byrd Spring, with a partial flow of 5.364 million gallons a day on January 14, 1949; and Acuff Spring, with a flow of 2.160 million gallons a day on July 10, 1929 (correct date). The discharge of these springs varies greatly from wet to dry seasons and, of course, all springs and wells in the area are affected by periods of prolonged drought:<sup>12</sup>

That said, the conclusion was clear: Huntsville could attract no more large water-consuming industries, or serve not much more population, until additional sources of water supply could be developed. What's more, the very process of development--building new subdivisions and tapping groundwater through wells drilled in the farmlands surrounding the city--threatened further contamination of the source.

The solutions to the dilemma were obvious but damnably expensive: build a water treatment plant or pump water from the Tennessee River, or both. The City Council, faced with a mammoth dilemma, fell silent. Apparently taking silence for deep contemplation of the problem, the State Health Officer wrote to the Mayor and City Council:

"After reviewing correspondence to Attorney General A.A. Carmichael relative to the Huntsville Water Works, it appears that the city officials are taking the necessary steps to install proper and adequate treatment facilities to assure the production and delivery of safe water to the City of Huntsville. Believing in the sincerity of the city officials, I have asked Mr. Carmichael to take no legal action at this time.

...By April 1, 1950, city officials should be in a position to authorize preparation of plans and specifications for construction by November 1, 1950."<sup>13</sup>

Dr. Gill was overly optimistic. It would take five more years to start a comprehensive renovation of the water system and a commitment of \$3,500,000. Huntsville's whole budget at the time was less than \$800,000.

But at that moment, Redstone Arsenal came alive again; and suddenly the City Council was so overwhelmed with demands for public service, the city Water Department was so busy extending mains into subdivided cotton fields, no one had time to prepare plans and specifications.<sup>14</sup>

### Money Matters

In 1949, the year the shoe dropped on the Big Spring, the City of Huntsville levied only 20 mills of property tax, half the average rate of other southern cities Huntsville had no sales tax, no cigarette tax, no gasoline tax, no amusement tax, no sewerage fee, and no garbage fee for daily pickup service. Water sales, along with the privilege license, were the largest sources of revenue for the city's general fund. Water rates were last raised in 1920 again, as they were before 1859, were the same for all classes of customers, domestic, business, and industrial, averaging about \$2.43 a month for residential users. 15

The city's general fund revenues totaled \$778,088, of which \$193,296, or 24.8%, came from the Water Department. For three decades, the water system had provided even larger percentages of annual revenue, and did so right through 1953. However, an expected water proceeds had saved the city from defaulting on its bonded debt during the Great depression, City Clerk-Treasurer Norris Payne often said. For local residents, it was like the biblical miracle, water from the rock, only better; it also paid much of the costs of living in this city.

But there was a cost one did not see. In 1931, 1932, 1933, 1934, 1935, and 1936, not one dime was spent to extend mains to new service areas or to buy new equipment for the water system. From 1937 through World War II and the postwar recovery, only \$12,572 was spent to replace worn out waterworks equipment, and only \$12,012 was spent for new equipment.<sup>17</sup>

For generations of Huntsvillians, the water system was a renewable resource of city services. For elected officials it was a painless pit from which to meet voter demands, with nothing poured back into the reservoir.

### The Physical Facilities

The reservoir! Oh, yes, the reservoir. It was built in 1898 with 564,000 gallon capacity, sufficient to serve the city of 2,200. But by 1950 standards, a city of 30,000 (including the adjacent mill villages) needed a reservoir of 5 million gallons. Relieving the storage deficit somewhat was a 1.2 million standpipe on Russell Hill, deeded to the city in 1950 by Huntsville Manufacturing Co., along with the Brahan Spring, the pumps and 50 miles of mains that served suburban Huntsville Park. But the State Health Department forbade tying the two systems together because of Big Spring pollution. There also was a 20,000 gallon tank off Governors Drive on Monte Sano, but it served only to provide water pressure to 35 homes drawing directly off two-inch lines. 18

As a consequence of inadequate water storage, the 1938 model pump, with a capacity of 3500 gallons per minute, in the museum-like Big Spring pumphouse,

ran 18 hours out of 24. Two smaller pumps, 1929 and 1933 vintage, ran 22 of every 24 hours. They were turned on and off manually. A pumphouse shutdown

of a few hours would have left the city dry and without fire protection. A new pump with a capacity of 5200 gallons per minute was installed at Big Spring in 1951, and running only 40 minutes each hour, kept the Echols Hill reservoir filled. The three older pumps went on standby. But the very day it was retired from mainline duty, the 1938 pump burned out. It was rewound for supernumerary service. 19

Living on the edge of disaster, however, did not impede day-to-day service. Droughts in 1941 and 1943 were followed by low flow at the Big Spring in 1942 and 1944; still, continuous pumping from the pool above the weir kept the mains filled. With population growing rapidly, the City Council in 1952 adopted an ordinance restricting water usage because of a water shortage, as it was to do again in 1956.<sup>20</sup>

The Water Department worked closely with developers to bring service to new subdivisions. Council policy was that the city would extend mains to the edge of a subdivision on a pre-arranged schedule. The developer would provide the pipe, fireplugs, meters and other materials, and Water Department employees would build the distribution system within the subdivision. Once the work was completed, the newly-laid system would be deeded to the city to operate and maintain. Complaints were rare, but not unheard of, and usually pertained to construction schedules or delays, according to Council meeting minutes of the time. In 1953, the Council was asked to extend the cooperative construction policy beyond the city limits, but it declined.<sup>21</sup>

A 1951 description of the water system estimated there were 200 miles of water mains. But it was like "Dry Bones." Eight-inch pipe connected to four-inch pipe, four-inch pipe connected to six-inch pipe, six-inch pipe connected to two-inch pipe. Constant water pressure was impossible to maintain.

The place of growth is reflected in the frantic plea the City Council addressed to Alabama-Tennessee Natural Gas Co. for an increase of supply above that committed in the June 30, 1950, contract:

"...The reason for making this request is that Huntsville has been declared a critical defense area and the activities at Redstone Arsenal near Huntsville have been accelerated to such an extent that a large amount of defense housing has been and still is in process of being constructed."<sup>22</sup>

The missive proceeded to list ten housing developments with 1,406 units under construction. Ensuing years saw the pace of development quicken. Where natural gas was to go, water also went.

In May 1951 the municipal water system--springs, wells, pump stations, reservoirs, mains, and all--was valued at \$5 million. But the first audit report for the Waterworks Utility Board for the fiscal year October 1, 1953, to September 30, 1954, listed utility plant in service, classified and unclassified, at \$1,425,309.

### The Crisis

By 1952, operation of the water system soaked up virtually all \$257,285 of its revenue. Only \$3,434 was left over for other purposes.<sup>23</sup> But by then, the magnitude of the task that lay ahead was clear, though the costs were to be grossly underestimated.

In early 1953, the city turned to the federal government for aid under Public Law 139 which assisted communities "impacted" by defense programs. With a waterworks improvement plan in hand estimated to cost \$778,522, Mayor R.B. "Speck" Searcy, Clerk-Treasurer Norris Payne, and others went to Atlanta, to the regional office of the Housing and Home Finance Agency, seeking a federal grant of \$678,522, and proposing to borrow \$100,000 from local banks for matching funds. The loan application was denied on grounds that the city could easily finance its own improvements, without burdening water rate-payers. Even with water revenue pledged, as it was, to five general obligation bond issues in 1939, the loan examiner noted that the city still could finance \$780,000 of bonds on favorable terms (3.5 to 4 per cent) with its newly adopted water rate, averaging \$3.24 per month. "...Not unreasonable," the examiner wrote, considering "the present water rate...has been unchanged since 1920."<sup>24</sup>

In fiscal 1953, water revenue mounted to \$345,988, or 32% of the general fund's total \$1,084,513, and in that year, its last under Council management, the system contributed \$267,800 to other general fund purposes. The first Waterworks Utility Board audit, for the year ending September 30, 1954, during which the Board had operated the waterworks for only three months, showed total revenues of \$439,595, operating expenses of \$142,436, and an excess of revenue over expenses of \$297,159.

### The Very Idea

Throughout 1951, 1952, and into 1953, the basic question persisted, without decisions: where to turn for a sufficient, dependable, uncontaminated water supply? Hoping to avoid the gargantuan investment in a river intake and a filtration plant, the Council appropriated a few thousand dollars at a time to continue the groundwater survey. Water items were often on meeting agendas.

Strangely, the words "Water Utility Board" were not recorded in the Council's minutes until 1953, but a mention of Gas Board was, on December 14, 1950:

"Alderman (Frank) Wilson brought up the matter of a provision being made for a Gas Board and moved that the City Attorney be authorized to propose and present to the Council for its consideration a resolution requesting Senator-elect (Joe) Foster and Representatives (Robert L.) Eslick and (Luke) Reynolds to consider the introduction and passage of a general bill allowing the municipalities of the state the option of creating a Gas Board to handle all matters of the gas distribution systems of the respective cities and also a local bill to be prepared by the City Attorney of Huntsville and embodied in such resolution."

The motion was seconded by Alderman Wikle and passed on a unanimous vote. The gas system had stirred controversy. The privately owned Huntsville Gas Company since 1856 had distributed gas made by burning coal, for lighting until 1872 and for heating, too, after that. In 1946, the company, then distributing propane, was sold to Alabama Gas Corp. 25

In December, 1949, Alabama Gas Corp. asked the Council for a 20-year franchise, with no payment for the privilege. The Council refused and the company offered to sell its holdings to the city for \$39,000—lock, stock, and barrel, literally. The price included land, improvements thereon, propane storage, generating, mixing, metering and pumping equipment, the entire distribution system—mains, pipes, valves, fittings, regulators, meters on consumers' premises, automotive equipment (a truck and a sedan), and office furniture and equipment. The Council bought. Alabama Gas employees would continue to operate the system until June, 1950.<sup>26</sup>

It was all very amicable, but there was an undercurrent of complaint in the community about government taking over private enterprise. Whatever the personal financial interests involved, the argument took the form of an ideological dispute pitting some of the big guns of local politics and civic affairs. Grady Crunk, Alabama Gas Corporation's manager in Huntsville, Lawrence Goldsmith and Morton Hutchens and others warned of the dangers in public ownership of utilities. Here reverberated the national angst over "creeping socialism" that culminated, at its most benign, in the Dixon-Yates proposals to sell TVA and, at its most paranoid, in McCarthyism. In the opposite corner were Milton Cummings, (before Brown Engineering) a cotton broker, close friend and ally of Senator John Sparkman; and Reese T. Amis, editor of *The Huntsville Times*. Then-Councilman Wilson remembers taking more political heat on this issue than on any other in his term.

The "pros" prevailed. Sentiment here favored "public" utilities. In this area F.D.R.'s "No. 1 economic problem" was a familiar image of recent memory. There was an ardent love affair with TVA, then still in its community development and electrifying heyday.

In its ordinance authorizing construction of a natural gas distribution system, however, the Council cautiously justified its decision: "No gas system is now operated by any private or public utility corporation, individual, partnership, or association within the corporate limits...or adjacent territory." It authorized a \$1,500,000 bond issue to pay the construction cost.<sup>27</sup>

### The After-thought

The model for sound business administration of a public utility had been present here since 1940 when the Huntsville Electric Utility Board was established by the City Council to operate the Huntsville Electric System, just purchased from Alabama Power Co.

Mrs. Ruby Neely, in 1952 a brand new employee in the City Clerk-Treasurer's office, remembers that the notion of a utility board to operate the water system was an after-thought: Since the Council was asking for a Gas Board, why not ask for a Water Board, too? In the parlance of the day, it would take the monkey off the Council's back.

Frank Wilson and Ed Mitchell are the only surviving members of the City Council from that era. Both recalled during interviews that ceding the water system to an independent board was not a source of controversy among the 11 councilmen, or among their constituents. Mr. Mitchell remembers City Clerk-Treasurer Norris Payne not in opposition but simply warning of the dire effect the change would have on general fund revenue. But in the circumstances of the time, it was an idea whose time had come.

So, on September 19, 1953, at 12:06 p.m. the State Legislature adopted Act No. 860 authorizing municipalities of the state to create municipal waterworks utility boards. One minute later it approved Act No. 861 authorizing creation of gas utility boards.

Roscoe Roberts, the only surviving local legislator from that era, also recalls there was no dispute on the matter and little debate of the bills in Montgomery. The Alabama Legislature, then as now, maintains no permanent record of floor debate, according to the Alabama Legislative Reference Service, so there is no source for comments made at the time.

Modeled after the Electric Utility Board, the water and gas boards differed in one significant respect. Electric utilities were under a contractual obligation with TVA to consider reducing rates once all financial obligations were met. There is not such requirement for the water and gas boards. And despite requirements in the enabling acts to separate their funds from all other funds of their municipalities, utilities revenue "shall be distributed by the Board as required by the governing body of the municipality," under terms of all three acts.

And, indeed, while the Council no longer has access to the revenue surpluses of the municipal utilities, it still annually sets payments in lieu of taxes for each of them to make to the city's general fund.

### Taking the Plunge

The Huntsville City Council exercised the authority given in the 1953 acts of the legislature and adopted ordinances on March 25, 1954, establishing the Gas Utility Board and the Waterworks Utility Board. Members of the Council, who were unanimous in this momentous step in city government, were John Broadway, President; William A. Brown, Hall B. Bryant, Robert L. Eslick, Houston Goodson, C.D. Howard Sr., Gordon Loftin, J.E. Mitchell Jr., John Rodenhauser, Vance J. Thornton, and Jimmy Walker. The ordinances took effect June 1, and the boards assumed jurisdiction over the two systems on July 1, 1954.

Jimmy Davis, a merchant and former Council member, was elected to a one-year term; Phil W. Peeler, a cotton mill executive, was elected to a two-year term; and W.D. Tucker, a businessman, was elected to a three-year term, all three to serve on both boards. Mr. Peeler declined the appointments because of failing health. On May 27, Harry M. Rhett Jr. was elected to the three-year term. He subsequently was elected chairman and served until 1995.<sup>28</sup>

Under the act, ownership of the utilities' property remained with the municipal corporation. The plan was for the boards to make policy and oversee operations of the electric, the gas, and the water systems, even if the gas and water boards were comprised of the same individuals and the Electric Utility Board of different individuals. For economy and efficiency, administration of the three utilities was to be vested in the manager of Huntsville Utilities. And so it has worked to this day.

### Making It Work

Anticipating the loss of water and gas revenue to the general fund, the Council on January 8, 1953, levied a one-cent sales tax. In preparation for the transfer of authority over the two utility systems, the Council on May 27, 1954, authorized transfer of all accounts and records to the respective boards, and on September 23 established specific funds for monetary management. The Council also specified

payments to the general fund in lieu of taxes: \$6,000 per month from the Waterworks Utility Board and \$5,500 per month from the Gas Utility Board.

Under new management, the water system renovation went into full swing. On December 22, 1955, the City Council approved contracts totaling almost \$3 million for laying new mains, and announced bids for three 2 million gallon reservoirs and two standpipes to cost an estimated \$2 million. The filtration plant was still to come.

The controversy over leaving the Big Spring to sightseers and drawing water from the Tennessee River was deferred for another decade.

### **ENDNOTES**

- <sup>1</sup>"History of Huntsville Water Works," brochure of Huntsville Utilities, circa 1975.
- <sup>2</sup>Chapman, Elizabeth Humes, *Changing Huntsville*, 1890-1899. Master of Arts thesis, Columbia University, 1932. Republished by Historic Huntsville Foundation, 1989.
- <sup>3</sup>Ibid., pp. 18-20.
- <sup>4</sup>Ibid., p. 17.
- <sup>5</sup>Lamoreaux, P.E. et al. "Ground-water Resources of the Huntsville Area, Alabama," Bulletin No. 62, Geological Survey of Alabama, 1950.
- <sup>6</sup>McCauley, Pat "113 Years Put Water System in its Plight," *The Huntsville Times*, May 16, 1951.
- <sup>7</sup>Notice of Sale, City of Huntsville, Ala., \$1,000,000 Water System Revenue Bonds, Feb. 13, 1957.
- <sup>8</sup>The Huntsville Times, May 16, 1951.
- <sup>9</sup>"A History of Huntsville's Utility Systems," brochure of Huntsville Utilities, circa 1980.
- <sup>10</sup>Minutes of the Huntsville City Council, December 22, 1949.
- <sup>11</sup>McCauley, Pat, "Groundwater Survey Progress Is Noted," *The Huntsville Times*, May 18, 1951.

- <sup>12</sup>Lamoreaux, p. 73.
- <sup>13</sup>Minutes of the Huntsville City Council, December 22, 1949.
- <sup>14</sup>McCauley, Pat, "Water System Growth Limited Without Plan, Funds," The Huntsville Times, May 15, 1951.
- <sup>15</sup>McCauley, Pat, "Water System Keeping City's Services Going," The Huntsville Times, May 20, 1951.
- <sup>16</sup>Appendix I.
- <sup>17</sup>The Huntsville Times, May 20, 1951.
- <sup>18</sup>McCauley, Pat, "Biggest City Asset Run Down at the Heels," The Huntsville Times, May 14, 1951.
- <sup>19</sup>The Huntsville Times, May 14, 1951.
- <sup>20</sup>Minutes of the Huntsville City Council, July 9, 1952.
- <sup>21</sup>Minutes of the Huntsville City Council, October 22, 1953.
- <sup>22</sup>Minutes of the Huntsville City Council, June 12, 1952.
- <sup>23</sup>Appendix I.
- <sup>24</sup>Minutes of the Huntsville City Council, April 9, 1953.
- <sup>25</sup>Interview with Frank Wilson, April 18, 1997.
- <sup>26</sup>Minutes of the Huntsville City Council, November 29, 1949.
- <sup>27</sup>Minutes of the Huntsville City Council, August 30, 1950.
- <sup>28</sup>Minutes of the Huntsville City Council, April 22, 1954, May 27, 1954.

# APPENDIX I MUNICIPAL WATERWORKS REVENUE & EXPENSES 1931-TO 1954

	General Fun	d Revenue		<u>Expendi</u>	tures of the	e Genera	<u>l Fund</u>	
Fiscal		From	% From		For	% For	From Water	%
Year	<u>Total</u>	Water	Water	<u>Total</u>	Water	<u>Water</u>	<u>To Other</u> Ot	<u>ther</u>
1931	<b>\$</b> 316,090	\$77,837	24.62	\$259,331	\$20,968	8.08	<b>\$</b> 56 <b>,8</b> 69 <b>7</b> 3	3.06
1932**		72,866			19,155		53,711 73	3.71
1933	222,769	69,386	31.14	218,210	18,728	8.58	50,658 73	3.01
1934	159,571	77,597	48.63	166,532	19,720	11.84	<b>57,877</b> 74	1.58
1935	197,801	77,667	39.26	167,915	21,387	12.73	56,280 72	2.46
1936	199,697	81,695	40.91	191,968	20,645	10.75	61,050 74	1.72
1937	224,629	85,261	37.96	213,048	22,939	10.76	62,322 73	3.09
1938	225,982	81,135	35.89	230,839	27,332	11.84	53,803 66	5.31
1939**	Í	84,020			22.064		61,956 73	3.73
1940	251,926	84,104	33.38	263,669	28,132	10.66	55,972 66	5.55
1941	285,639	89,144	31.21	264,892	25,516	9.63	63,628 71	1.37
1942	335,853	115,772	34,47	302,917	43,210		72,562 62	2.67
1943	354,740	130,497	36.78	274,986	34,457	12.53	,	3.59
1944	373,822	139,833	37.41	288,557	30,464	10.55	•	3.21
1945	415,744	149,150	35.87	368,909	71,709	19.43	<b>77,44</b> 1 51	1.92
1946	458,927	161,669	35.22	495,903	57,398	11.57	104,271 64	4.49
1947	638,907	174,660	27.33	565,457	52,133	9.21	122,527 70	0.15
1948	702,581	179,986	25.61	796,279	96,103	12.06	83,883 46	5.61
1949	778,088	193,296	24.84	<b>7</b> 79,607	85,045	10.91	•	5.00
1950	818,282	210,577	25,73	811,234	124,757	15.37	,	0.75
1951	934,869	229,802	24,58	913,722	161,696	17.69	•	9.63
1952	943,740	257,285	27.26	1,042.201	253,851		•	1.33
1953	1,084.503	345,988		1,061,210	267,800		•	2.59
1954	1,045,474	407,962	39.02	1,153,904	142,436	12.34	265,526 65	5.09

Source: Audits of the General Fund.

The last two columns show excess of water revenue over water expenses, hence used for other general fund purposes

<sup>\*\*</sup>Audits for 1931 and 1939 are missing. Data from 1957 bond proposal.

Through the last half of the 19th century and the first half of the 20th, the Huntsville public water system operated under the direction of the Mayor and City Council. It was just another department of municipal government, but with this difference: It provided much of the revenue for public services. Letting go of that "cash cow" might, then, have been expected to cause raucous political and public controversy.



This Huntsville Water Works Pumping Station was built in 1899 to replace one built in 1860, and served, with modifications, until the mid-century. The view here is to the south along Gallatin Street. The fountain was added in an effort to beautify the Big Spring.

(Photograph is from the Huntsville Public Library Archives.)

### LIFE AND TIMES OF MARY LEWIS CLAY, 1825-1898

### Nancy Rohr

Impressions abound in literature, and even more so in individual minds, about the ideal of southern womanhood. Discounting the wide-screen cinema vision of Scarlett O'Hara, at the very least one might perceive the dainty southern woman with a fragile nervous system, or a pallid young lady only occasionally seen with glowing cheeks. Perhaps elevated above some of her neighbors, the idealized upper-class southern woman might receive a fashionable education to include the important accomplishments of conversational French, lessons in painting, dance, and fine sewing. She was a delicate flower to be nurtured.

The young miss from Huntsville, Alabama, Mary Fenwick Lewis, illustrated this ideal of southern womanhood. Mary's father, John Lewis, was the son of a Tennessee family proud that its ancestors had been heroes of the Battle of Kings Mountain. The women of the family, not the kind to be hiding under featherbed covers, stood by their men and even loaded their rifles. Mr. Lewis graduated with two degrees from the University of Tennessee and settled in Huntsville at the time of statehood, 1819. Mary's mother was the only daughter to Samuel Betts of Connecticut, who made a fortune in trade with Spanish Cuba and Florida 1

Young Mary Lewis was fortunate in 1842-1844 to "finish" her education at a boarding school in Paris, France. Her trip across the ocean was aboard the latest product of technology, the innovative steam-paddler, *The Great Western*. Reflecting the standing of the select school she attended, two of Mary's classmates were the Peabody sisters of Boston, from perhaps the wealthiest family in the eastern United States. Returning to the village of Huntsville, Mary Lewis was the center of attention. Surely the other young ladies imitated her stylish clothes, manners, and speech. Hostesses in Huntsville vied to have her attend their teas and dances. Throughout all this time, her reputation for modesty and deportment was highly regarded in the community.

Soon the son of a very distinguished Alabama family, John Withers Clay, courted Mary. His father, Clement Comer Clay, arrived in the Madison County area in 1811 with not much more than his law books, and began a family dynasty. Withers Clay, as he was called, the second son of former Governor Clay, was fervently religious and helped found the Episcopal church of the Nativity in Huntsville. A graduate of the University of Virginia, he and his brothers joined their father's law practice in Huntsville. Withers Clay also possessed the credentials for the husband of a southern woman, as a doctor or a lawyer was the most desired husband.

There was no doubt for Withers that this was a love match. He wrote to his dear friend, the Reverend Henry Lay, that his heart was held captive. The Clay and Lewis families were friends, and Mary had been the playmate of his youth. He said he considered the matter "calmly, deliberately, [and] prayerfully." Mary was everything a southern gentleman might want in a woman, wife, and mother of his children. He wrote a verbal sketch, the only picture there is of young Mary: "Her ordinary expression is soft, gentle, pure never dull, but when amused speakingly expressive. Her manners are gentle, winning and graceful, a compound of French politeness and English or American discretion." This was a man clearly in love--with the ideal southern woman as he saw her. Moreover, she also combined "...the artless simplicity and transparent purity of a sinless child with the elevated, dignified demeanor of the chaste, cultivated Christian woman."

Indeed these were fine features, as Withers Clay described his bride-to-be. These words reflect all that any man might want and expect of his future wife. But Mary Lewis must have had attributes that he had not perceived--qualities of womanhood that were called for and were effective as her life progressed.

Mary Lewis would follow Withers Clay as a member of the Episcopal Church. They were married in Huntsville in November of 1846. For the first few months the young couple lived with his parents and brothers at "Clay Castle" on Clinton Avenue. Withers at first practiced law with his father and brothers, but never was happy with this arrangement. In the 1850s he purchased the *Huntsville Democrat*, and the newspaper was to be a mainstay in the family--as a burden or a blessing--for many years to come.

Unlike the marriages of the other Clay brothers, Withers and Mary Clay soon had a growing family. Perhaps because of the increasing number of children, they next lived with the Lewis family on Eustis Street. Caralisa Clay was born in 1847.<sup>5</sup> Ten months later Clement Comer Clay II arrived. After Clemmy, baby John Withers Clay arrived in April of 1850. Unfortunately a measles and typhoid epidemic struck the town in the summer two years later. All three of the Clay children were dreadfully ill. Mary described the death of baby Johnny, just over two years of age, in a heart-wrenching letter to her sister. Little did she know that another tear-stained letter would have to be written eight days later to tell of the death of Cara, age five. Mary, seven months pregnant, was unable to attend the funeral.<sup>6</sup>

There was, however, little time to mourn. William Lewis Clay was born on September 30 of that year, 1852. The first of the four girls who would reach adulthood, Mary Lewis Clay, was born in 1854. Clarence Herbert Clay arrived two years later. This baby died in September, 1858, not quite two years old, of complications of teething. (It was then a common practice to relieve the

symptoms of teething by lancing the swollen gums.) The next baby, Susanna Claiborne Clay, was born that same year. John Withers Clay came in 1860. Sometime during these years, the Withers Clay family was able to have their own home at the southeast corner of Gates and Henry Streets.

In the meanwhile Mary's parents suffered financial reverses from which they would never recover. John Lewis died, leaving his widow, four spinster daughters, and two widowed daughters at the home place on Eustis Street. As the years progressed, these Lewis sisters, by necessity, left home to find positions for which they were suited--tutors or teachers, often living in the homes of other relatives. As such, and by the standards of the time, these women were never quite full members of a society that required husband, father, or brother to protect them. Certainly the Lewis girls and their mother were in unenviable positions.

However, everyone's life was about the change for the worse; the Civil War would irrevocably transform town and countryside. Federal troops occupied Huntsville twice, from April to August of 1962 and again from July of 1863 until the end of the war. As a hostile editor of the local newspaper, Mary's husband, fled both times across the Tennessee River. Mary was left with most of the responsibility of her husband's elderly parents, her widowed mother and family, her own growing family--all this with no husband, no servants, and no income. Mary Lewis Clay persevered.

Her mother-in-law commented that Mary got on "tolerably." She said Mary made shoes with cloth tops and old soles for the children. Mary could not afford to send her son Clement to the local schoolmaster, Mr. Banister, for Greek and Latin studies and she would not go into debt to do so. If Willie was not too busy gathering the wood for her and Ma Lewis, he might be able to attend Miss Bower's school. Young Clement wanted to go to work and purchase his and Willie's clothes. Mary held out, trying to keep the boys in the schoolroom a little longer. Through these years, she continued to educate her children at home, often while giving as many as ten classes a day to the children of the townspeople. 8

The Withers Clay house was full of Yankee boarders as was the older Clay's home and that of Ma Lewis. The mingling of enemies sometimes brought out the best in worthy opponents. One of the northern soldiers shared a Christmas goose with the family. Yankee Billy, when his tour of duty was over, kissed the Clay baby good-bye at the doorstep. Some foodstuffs, such as sugar and flour, came into the house with these boarders. The young Clay boys were treated to meals at the Yankee officers' mess and bragged about roast chicken, pound cake, and real wine. The boys learned quickly where to get handouts because the mess for the regular soldiers was only hardtack and coffee. Mary was able to offer her visiting sisters a meal of egg bread, eggs, crackers, pork and beans and coffee. That same day Mary wrote to Withers, "Willie ate his morsel of bread and went off to

school."<sup>10</sup> It was perhaps not tactful of her husband to mention later a typical meal of "bacon, corned beef, chicken, vegetables of the season, buttermilk, and occasionally Catawba or peach brandy" while he stayed in Macon, Georgia.<sup>11</sup>

Mary gave birth to another child, Virginia Clementine, the ninth baby, in February of 1862. To add to the burden, and to the disapproval of all the in-laws, Mary and Withers were soon expecting again. Ellen Jordan Clay arrived in late June of 1863, in the middle of the second Federal occupation of the town. The baby developed convulsions, lived only six days, and was buried beside the three children who had gone before. In the confusion of these events, her name was not entered in the birth or death pages of the family Bible. Withers left town the night of the funeral with his printing equipment, leaving his wife still in bed. "He committed them with tears, but with humble trust and confidence to the care of our God." 12

Withers, writing to his brother, mentioned that Mary had written to him:

"One and a half years have elapsed since I last saw you, and I, still, toil wearily on...duty and necessity are stern, unflinching drivers, and I hurry over the rocky, flinty road, and stay not to inquire, if I am worn out. I must work while it is yet day - while I can get employment, and thank God gratefully for it." <sup>13</sup>

At war's end much of northern Alabama was in ruins; but peace presented almost as many difficulties. As everyone else did, Withers and Mary began to recover and rebuild their lives. The oldest of Governor Clay's sons, Senator Clement C. Clay, Jr. wrote to his wife, Virginia, not to buy useless things for Brother Withers' family. Earlier, Virginia had sent flannel to the family, a godsend. Senator Clay wrote, "They are in a truly pitiable condition, and brother Withers very unhappy. He confessed to me that he feared he could not feed & clothe his family & supply them necessary fuel thro' this winter.... They seemed to be doomed to hard trials and bitter tribulation." 14

Mary, Withers, and the children suffered from scurvy that winter. Furthermore, still another child was on the way. Born in March 1867, the baby of the family, Elodie Clay, arrived in the days of what must have appeared to be utterly without hope. In May of that year, the entire family, due to a past due debt, were forced to leave their house and move back to the crowded Lewis home on Eustis Street.

Tragedy was not yet finished with Mary's family. The oldest son, Clement, had left home after the war, with a job that promised improvement and a new beginning. His assignment was as a steward on the steamship St. Elmo in Mobile

Bay. On April 26, 1869, the Clay family received a telegram informing them that the steamship had exploded. There was only one casualty--Clemmy. Mary's beloved son, her best friend of the war years, had been thrown overboard in the blast. The newspaper account said simply, "He was an excellent young man." Clemmy, who had shared the privations and hardships of the war with Mary while his father was away, was not yet twenty-one. After she returned to Huntsville with the body, Mary wrote to her sister that she had remained away from church because she had no mourning dress or bonnet to wear. She was ill, and baby Elodie had to be weaned. 16

If Mary's hands were full, so too were Withers'. The beleaguered newspaper consumed his energies, and like many proud southern men after the war, he appeared to be broken in spirit. Always the most religious of the three Clay brothers, he often used phrases like "prayerful and submissive," or "passive and devout." In 1885 he suffered a cerebral hemorrhage and was paralyzed. The family took over the complete management of the newspaper. Withers waited submissively and endured; he died on Palm Sunday, March 29, 1896.

Perhaps, had she not been so preoccupied with the family's survival, Mary could have mourned her husband's poor health and death, but there was little idle time. The two adult sons of Withers and Mary married, supported their own families, and were unable to contribute. Willie Clay remained in the community and involved with the family. Young Withers Clay moved to Birmingham with his own household. Additional income continued with the classes that Mary had begun in her home during the war at the "Old Home Place" on Eustis Street. Mary Clay and her daughters gave lessons on piano, vocal music, and French. If that was not enough to pay the bills, they also gave evening dance classes for ladies and gentlemen. The classes included "the usual English branches and also the French Language, Vocal Music and Instrumental music on the piano and guitar at prices to suit the times." Fortunately all the girls were musically talented. Not surprisingly, Mary's daughters reflected what was expected of ideal southern women

Of Mary's children, the oldest girl, also named Mary, maintained the old home place as the years went by. A newspaper clipping in the family scrapbook noted that she was timid, but she had taught school, in the summer taught dancing, gave entertainments, cared for her father after his stroke, and assisted his making a partial recovery. Miss Mary also had cared for her grandmother Lewis and lightened the burdens of her mother. Her hands were full. This Mary Clay died in 1901, aged forty-seven.

Two of the Clay daughters entered the new century and new south in roles of leadership through the newspaper. Although Virginia served as editor for 21 years, she and her sister Susanna performed all the duties related to the family

business. It was one set of chores to gather the material, write the articles, and compose the editorials. It was another sort of job to set the type, lay the office fire, split and carry the kindling uptown to the office, set the fire, clean the office, carry the water from the public hydrant on the square, and ask the gentlemen in the office not to spit on the floor. Moreover, some days the sisters hitched old Dolly and delivered the paper to their subscribers. Of course, they collected fees and subscription money also. Perhaps more important than the actual management of the newspaper, these Clay women played a prominent community role, often sending a clarion call to citizens to attend to their civic duties. They were pioneer women editors who often provided a moral conscience to the community.

Of the two sisters active in the newspaper, Virginia Clementine Clay died in 1911, at the age of forty-nine. Once her illness was known, friends brought Ginny flowers instead of waiting to put them on her grave. She "had requested Rev. William Jones (a descendent of a former slave of the family) to read the scriptures over her body at the house and the Normal [College] choir to sing 'There Is a Rest for the Weary' at the grave where her casket was covered." Adding a touch of tenderness to the occasion, the hymn was written by her sister Elodie. <sup>10</sup> Susanna continued on alone with the newspaper until 1919.

Virginia Clay's death left this sister, Susanna, in charge of Elodie, the youngest Clay daughter. Previously Elodie taught in the home, clerked in the post office, and helped out some with the newspaper. But Susanna, now getting on in years herself, found it more and more difficult to influence Elodie. This youngest of all Mary Lewis Clay's children, as the years passed, was acknowledged to be peculiar. Elodie wandered the streets much of the time, outrageously insulting townsfolk. Yet she often appeared at some neighbor's back door in time for supper. (It has been suggested that Elodie simply was hungry.) Eventually her eccentric behavior became more difficult to tolerate. In 1922 Susanna signed the papers to commit Elodie Clay to the Insane Hospital at Tuscaloosa. Alone now, Susanna Clay died on January 18, 1928, at the Old Home Place, most likely the only person in the house that must have still faintly echoed with the sounds of music and play of the children. Elodie Clay lived until 1952 at Bryce Hospital. There is no tombstone marking her site in the family plot at Maple Hill Cemetery. No one was left of the family in Huntsville to pay the expense.

Mary Lewis Clay had died of heart failure, age 73, on February 16, 1898. she had survived her parents, her husband, and many of her children. Her life centered in the small town of Huntsville with friends and family. She saw the removal of the Indians; she witnessed the rise and fall of Napoleon, the War with Mexico, the American Civil War, Reconstruction, the hope of better days, and almost the dawn of the new century. Mary and her daughters, in the idealized southern community, might have expected to have a life of complete abundance

and ease. After all, a background of attitudes, wealth, education, and position were theirs--perfect southern womanhood.

From the family scrapbook, a clipping about Mary Lewis Clay reflected the idealized values for women. Mary showed:

"Submission and cheerfulness, faith and freedom from guile; [she was a] tower of strength in adversity, [a] congenial companion. Her character was a beautiful commingling of cheerfulness and faith; a cheerfulness that thoroughly enjoyed all the blessings scattered along her pathway. From her emanated all the sunshine of her home. Her life had its full proportion of anxiety, care and toil, but under it all she schooled herself and taught her children always to look at the silver lining of the cloud. She herself had never failed to see it, and it was this that made her life beautiful to the human eye and acceptable to God."<sup>21</sup>

Fine words, but in the long run the actions of Mary's life's spoke even more. This woman stood on her own merits to become a survivor, not just a casualty to her circumstances. During the dreadfully difficult years, how did the perceived characteristics of the ideal southern woman serve her? What did those vague qualities really represent? One might suggest that the mythological perfect southern woman could not have served their families better than did Mary. This southern woman, Mary Lewis Clay, represented the best as a truly ideal southern woman.

### **ENDNOTES**

<sup>&</sup>lt;sup>1</sup>William T. Lewis, Genealogy of the Lewis Family (Louisville, 1893), 99-117.

<sup>&</sup>lt;sup>2</sup>Ruth K. Nuermberger, *The Clays of Alabama* (Lexington. University of Kentucky Press, 1958), 67-81.

J. Withers Clay to Rev. Henry c. Lay, June 19, 1846, Lay Papers, Collection #418 in the Southern Historical Collection, University of North Carolina, Chapel Hill, NC.

⁴Tbid.

<sup>&</sup>lt;sup>5</sup>The biographical material about Mary Lewis Clay and her family was assembled and used with permission from the following sources: Clement C. Clay Collection, Huntsville/Madison County Public Liberary, Huntsville, Alabama (referred to subsequently as Clay, MSS-H); Henry Lay Papers, Southern

Historical Collection, Wilson Library, University of North Carolina at Chappel Hill; Clement Claiborne Clay Papers, Rare Book, Manuscript, and Special Collections, Library, Duke University, Durham, North Carolina (referred to subsequently as Clay, MSS-D); and the *Huntsville Democrat*.

<sup>&</sup>lt;sup>6</sup>Mary Lewis Clay to Sister, July 17, 1852, Clay MSS-H.

<sup>&</sup>lt;sup>7</sup>Susanna w. Clay to Clement C. Clay, Jr., September 5, 1863, Clay MSS-D.

<sup>&</sup>lt;sup>8</sup>Mary L. Clay to J. Withers Clay, March 20, 1865, Clay MSS-D.

<sup>&</sup>lt;sup>9</sup>Miscellaneous newspaper clippings, Clay Family Scrapbook, Clay MSS-H.

<sup>&</sup>lt;sup>10</sup>Mary Lewis Clay to J. Withers Clay, March 20, 1865, Clay MSS-H.

<sup>&</sup>lt;sup>11</sup>J. Withers Clay to Mary Lewis Clay, May 2, 1865, Clay MSS-H.

<sup>&</sup>lt;sup>12</sup>J. Withers Clay to Clement C. Clay, Jr., July 4, 1863, Clay MSS-D.

<sup>&</sup>lt;sup>13</sup>Mary Lewis Clay to J. Withers Clay, February 4, 1865, Clay MSS-D.

<sup>&</sup>lt;sup>14</sup>Clement C. Clay, Jr. to Virginia T. Clay, January 27, 1867, Clay MSS-D.

<sup>&</sup>lt;sup>15</sup>Mobile Daily Register, April 23, 1869.

<sup>&</sup>lt;sup>16</sup>Mary Lewis Clay to her sister Elodie Lewis, May 1869, Clay MSS-H.

<sup>&</sup>lt;sup>17</sup>Miscellaneous clipping, Clay family scrapbook, Clay MSS-H.

<sup>18</sup> Ibid.

<sup>&</sup>lt;sup>19</sup>Huntsville Democrat, April 12, 1911.

<sup>&</sup>lt;sup>20</sup>Madison County, Alabama, Insanity Records 3:185.

<sup>&</sup>lt;sup>21</sup>Huntsville *Democrat*, February 23, 1898.



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