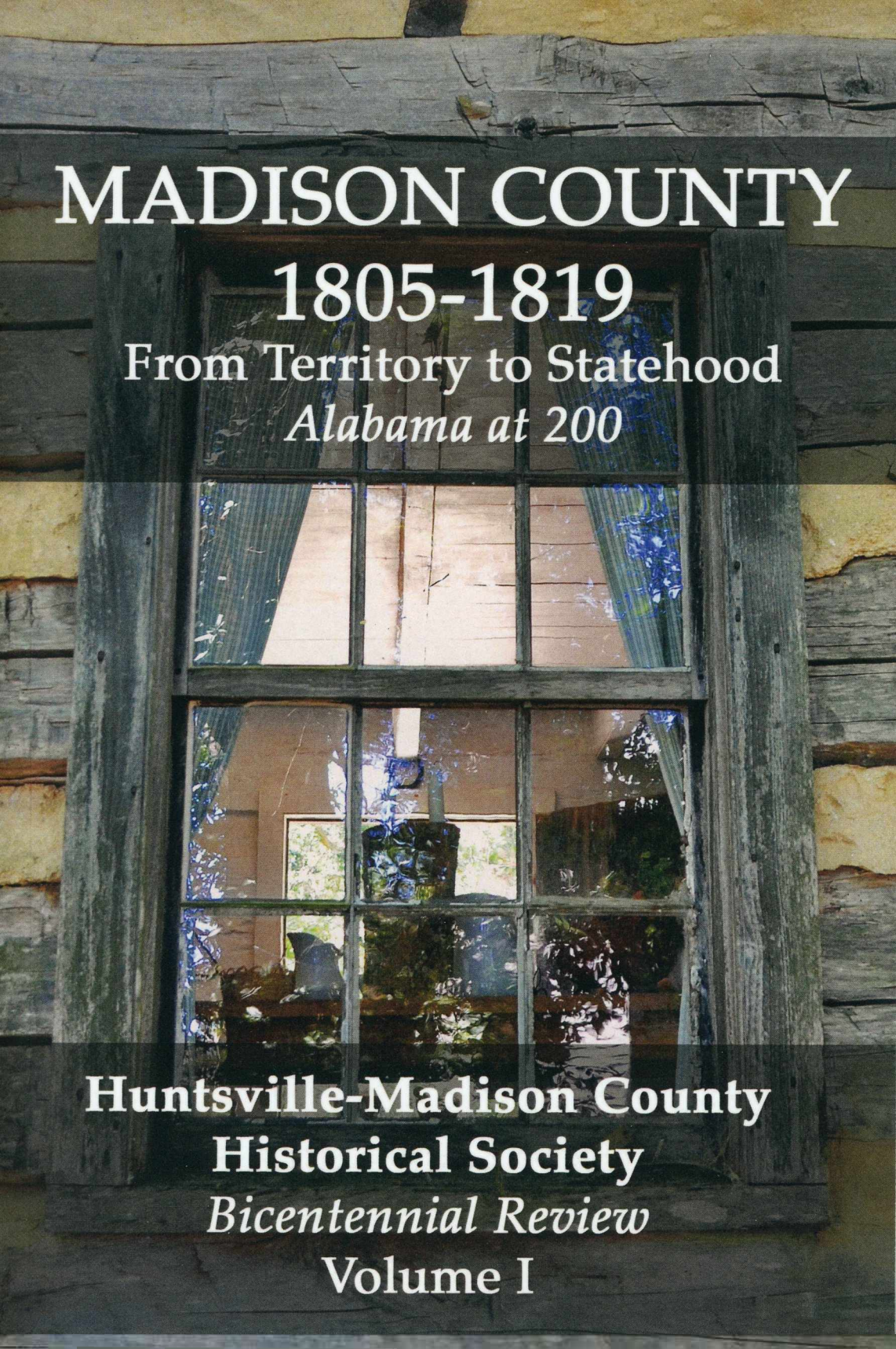

MADISON COUNTY
1805-1819
From Territory to Statehood
Alabama at 200

Huntsville-Madison County Historical Society

Bicentennial Review

Volume I

Huntsville – Madison County Historical Society

The Huntsville Historical Bicentennial Review

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Madison County 1805-1819: From Territory to Statehood *Alabama at 200*

Presented by the
Huntsville–Madison County Historical Society

Dedication

Dedicated to the earliest settlers in Madison County, both known and unknown.

Cover photo by Lorraine Reed
Second Printing

Introduction

Happy Birthday, Alabama!

The first written record of the inhabitants of what would become the State of Alabama was during the expedition of Spanish conquistador Hernando de Soto in 1540. It was not a pleasant encounter for either side, and historians believe it was not the first introduction by Indians to European explorers. Migration patterns indicate the earliest Indians may have crossed the Bering Strait from Siberia around 50,000 B.C. and spread across the continent over the next 40,000 years, leaving much evidence of their existence for archaeologists and historians.

In retrospect, our 200 years of statehood is a paltry drop in the glorious ocean of time, but what incredible progress we have made in those years! Our first constitution, penned and signed in Huntsville, was considered progressive. The excitement of that time was matched 150 years later when our progressive spirit helped send Americans to the moon. The years of struggle in between – dark, stormy, yet always hopeful, prove that the spirit of the people of Alabama is strong.

Join us as we step back in time to bring you a few of the stories published in our past Reviews. In this volume, we focus on our earliest years leading up to, and immediately after statehood was achieved. Some of our authors have since passed away, but we appreciate all who have taken the time to record our history, to be appreciated by you, as well as millions yet unborn.

Jacquelyn Procter Reeves
Past President/Editor

Past President's Letter

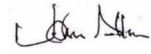
The year was 1971.

It was when National Public Radio began broadcasting for the first time. Texas Instruments introduced the first pocket-sized calculator. Disney World opened. A gallon of gas was 40 cents and first-class postage stamp was 8 cents. The number one hit song back then was Tony Orlando's "Knock Three Times."

But 1971 was also the year that the Huntsville-Madison County Historical Society began publishing its Historical Review. Since then, more than 800 articles have appeared in the pages of the Review, representing our earliest history from territorial days to statehood to the present. So, it is clear that we have a talented pool of writers of history in our midst.

It is well that Alabama's Bicentennial (2017-2019) is upon us because it has given us good reason to resurrect the best-of-the best stories from previous editions of the Historical Review and rebind them into an anthology, with particular attention to subjects relative to our earliest period. Volumes II and III will follow during the next two years of the Bicentennial.

Our sincere thanks go to Arley McCormick and Jacque Reeves for their collaborative editing efforts on these three volumes. This is a value-added benefit to all HMCHS members; the volumes aren't free, but can be purchased by members at a discount price, either from us, or on Amazon.com.



John Allen

President August 2015 – July 2017

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Madison County Mississippi Territorial Period, 1804-1817

By Kathleen Paul Jones

My interest is in tracing families, but to do that one must read all sorts of records to formulate impressions of the conditions under which they lived.1

About 1805 Thomas Freeman and Pharoah Roach began to survey the land now included in Madison County. But earlier than that East Tennesseans had heard of this rich, new country through John Hunt who had come here game-hunting. Judge Thomas Jones Taylor tells of a personal interview he had with Isaac Criner who came with his uncle, Joseph Criner, and another kinsman, Stephen McBroom, apparently early in 1804.2 Criner said that in the fall of that year Hunt and David Bean spent the night with them. The next morning, his uncle's wife baked bread for them, and they went on to Huntsville's Big Spring, built a cabin and then returned to Tennessee.

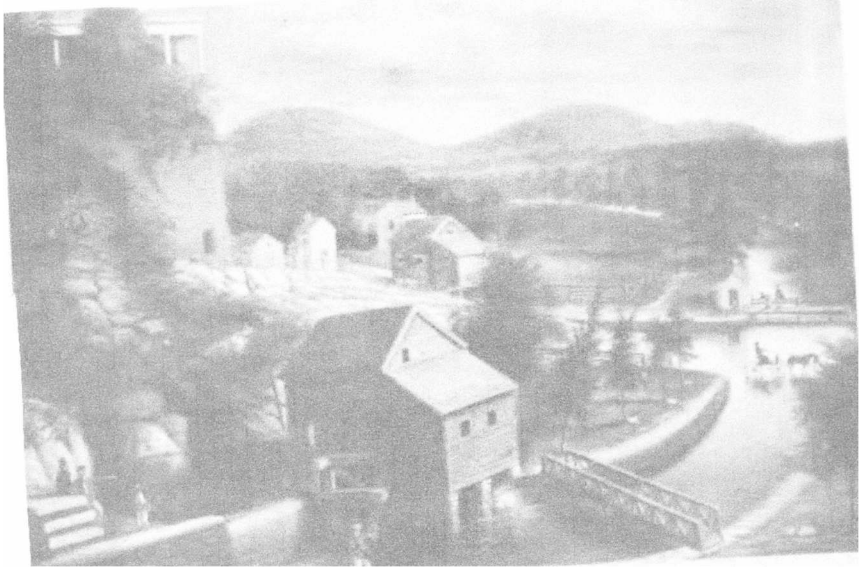
Earlier in the year Samuel Davis and several of his sons arrived at the Big Spring, cut some poles, then went back to Tennessee for their families. A great grandson of Hunt wrote that when Hunt built his cabin, he found a pole lean-to which, he thought, Ditto had abandoned. But almost surely the lean-to was made of the Davis logs. When the Davises got back and

The Big Spring as it probably looked in the antebellum period.

[1] This paper was read to a meeting of the Huntsville Historical Society on January 17, 1965.

[2] Thomas Jones Taylor, "The History of Madison County, Alabama," 7. Typed copy in Huntsville Public Library of Mss. Written from 1880-86.

discovered that a cabin had been built of their poles, they were furious.



Samuel Davis said angrily he would never be a neighbor to a man who would use another person's logs, so he settled new Plevna.

The family tradition of the Criners indicates that they went first to the Big Spring, did not like the water, and settled on Mountain Fork. Many years ago an old riverman recalled that, as a boy, he frequented Cooper's Tavern in Huntsville, where the "first comers" were often discussed. It was generally agreed that Criner, Ditto and Hunt all came about the same time, but that Hunt was a hunter, Ditto an Indian trader and riverman, and the Criners the first to clear and till land.

The first comers picked out a likely spot, built cabins and prepared to farm—these were called their "improvements." Sadly enough, when the land was put up for sale in August, 1809,3 many were unable to make the required payments and bid high enough, so they lost both the land and their labor. Much of the land was bought by wealthy speculators, as is generally the case. The minimum bid allowed was two dollars and acre, plus three dollars down for each quarter section, or five dollars for a section to pay for the surveying. One fourth of the price had to be paid in forty days, with the balance in one, two, and three years with interest. Cash was a very scarce article in those days. Barter and promissory notes were usual. Most

[3] It had taken that long because the rattlesnakes were so numerous that surveying could only be done in certain months.

of the early lawsuits were efforts to collect past due notes, which had passed through several hands, much like endorsing a check today.

Madison County of that day, though not a residence area for Indian tribes, was claimed by both Cherokees and Chickasaws as a hunting ground. Old maps clearly show the Indian boundary lines and deeds mention them. Huntsville architect G. W. Jones told that one man once refused to give the surveyors a drink of water, so they told him they would run the line around him and leave him on Indian land – and they did.

In an effort to prevent squatting on Indian land, soldiers were stationed here to remove those who did. But many settlers like the Criners went right back. These settlers maintained two cabins to move back and forth from Madison County proper to east of the line. Apparently no effort was made to burn them out, although some old stories indicate that this was often done by the solders.

The Indians here were not hostile, but they did pick up things which were left lying around. The Criner women had their loom in a shed, as there was no room for it in the cabin. Each night they had to cut out what cloth had been woven that day. Now and then a settler reported a horse or two missing; but if he found his property and could prove that it was his, the Chief always made the thief return it. One time the Criners tracked some of their horses to what is now Guntersville and got them back with no difficulty.

Because of the proximity of the Natchez Trace west of Huntsville, and accessibility of Muscle Shoals as the head of navigation on the Tennessee River, there were many white people in the Shoals and on the Trace long before a white man ever settle here. But they came rapidly once the lands were opened for settlement. In January, 1809, a census listed 2, 223 whites and 322 slaves. All these had come into rich and fertile virgin land, with towering forests so shading the ground there was no undergrowth. One could see a deer running for a quarter of a mile and drive a wagon anywhere under the trees.

Those trees would be priceless now, but the only thought then was to get them out of the way. Even many years later, they were still plentiful, so that it was easy to get planks wide enough to make a coffin with no joints except as the corners. The houses built in the 1820's and even later, usually had paneling around the lower parts of the best rooms, the centers being of eighteen-inch-wide plank, and often matching window sills.

It seems that those who came first were preponderantly from John Hunt's area in the East Tennessee counties of Knox, Grainger, Hawkins, Anderson, Washington, and others near them. Many, however, were

natives of Virginia or the Carolinas, which a little later, along with Georgia, supplied most immigrants. These earliest settlers were true pioneers with but very few slaves. They did most of their work with their own hands and very inadequate tools. Cabins were necessarily small, so that one wonders how such large families were raised in them. At least, the children have plenty of room for an outdoor playground.

Coming by foot, horseback, and in ox carts, the settlers brought only the barest necessities with them. Slips of the creeping myrtle, which blankets so many old graveyards today, were brought by the women who knew there would be fresh graves to cover. There were doctors among the newcomers, as old bills against estates show, but their skills and drugs were quite limited. They had emetics, purges, blisters, morphine, and little else. The sick and injured suffered; many died from diseases that are now practically wiped out. Death from childbearing was great and second and third wives common. A lack of knowledge about sanitation was a factor which, coupled with poor refrigeration, made many infant and children's graves, even without the recurrent epidemics of diphtheria and scarlet fever.

By 1807 a few whites, without hindrance from the Indians, had squatted new the spring, among them Stephen Neal, later the first sheriff; Hunt's son-in-law, Samuel Acklen; and the Morgans, who were later merchants. By 1809 there was a settlement of several hundred inhabitants within reach of the spring. There were no buildings on what is now the downtown square, a rough, rocky, knoll, sloping on every side with a large pond at the northeast corner.

Judge William E. Skeggs of Decatur, a great-grandson of John Hunt, wrote that Hunt kept a pubic house, and having many mouths to feed at the land sale, entrusted his money to LeRoy Pope to buy the quarter on which the spring is situated for him. Pope bid up to ten dollars an acre which was far beyond Hunt's ability to pay. As the story goes, Hunt was so incensed that he would have killed Pope had not his friends protected him. Later however, Pope reimbursed Hunt and the matter was settled.

On January 1 1818, Anne Royall gave a lucid description of the bustling community:

> "The land around Huntsville... is rich and beautiful as you can imagine, and the appearance of wealth would baffle belief. The town stands on elevated ground, and enjoys a beautiful prospect. It contains 260 houses, principally built of brick; has a bank, a courthouse and

> market house. There is a large square in the center of the town…and facing this are the stores, twelve in number. These buildings form a solid wall, though divided into apartments. The workmanship is the best that I have seen in all the states; and several of the houses are three stories high and very large. There is no church. The people assemble in the Court House to worship."[4]

There are no records before 1809. Judge Taylor's daughter once told me that couples who wished to marry, used the Quaker (and frontier) method of declaring before witnesses that they considered themselves to be man and wife. After Madison County was established an Act was passed (presumably by Mississippi authorities) legalizing all such unions. One of our earliest records is of a marriage on August 28, 1809, between a couple, whose descendant said they lived new Elk River, and rode horseback all day to get here to be certified by the proper authorities.

Even in 1810 there was only one grist mill in the county. For many this meant an all day's journey to have their corn ground. But soon mills sprang up all along all the good watercourses. The first settlers, after gathering their cotton, sat near the fire at nights and handpicked the lint from the seed, so that it might be spun. By January, 1814, there were eighteen cotton gins in the county. There was one, long abandoned, at my grandmother's which I dimly remember. It ran by mule power. The little ginheads were about the size of one of today's small pianos, and ginning must have been a slow process indeed. Naturally, stills came in with the pioneers, and are mentioned in many estates. One man willed "my still and tubs" to his wife.

How little these people brought is shown in the inventories of old estates. What was done about property of those who died before courts were set up remains a mystery. Perhaps the heirs settled the matter among themselves. One of these was Spencer Rice who died in 1808. His widow went back to North Carolina, taking her two youngest sons with her. Soon she died, however, and the unhappy boys, about ten and twelve years old, joined a caravan of neighbors moving to Madison County, and returned to their brother's homes new New Market, making the trip in less than two weeks.

When local laws were established, after the executor or administrator

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[4] Anne Newport Royall, Letters from Alabama, 1817-1822 (Tuscaloosa, Alabama, 1969), 119.

was named, men were appointed to appraise the personal property of the decedent, down to the last pot, pan, or other small article. Then a sale was held, and what the family wished to keep, they had to bid on. Later a "year's provision" was allowed to be set aside for the widow and minor children. One of these listed a tablespoon of pepper.

From the start, Alabama's laws were in some degree concerned about women; at least no man could sell his homestead without her, "without fear, constraint or threat" signing the deed, or later signing a relinquishment of her dower right. In a few cases a suit was brought and her right established. But the poor married woman could not hold title to property herself; whatever she had before, or inherited after marriage, was immediately vested in her husband and subject to seizure for his debts. So the careful father often left his daughter's heritage in the hands of a trustee, for her benefit, and after her death to go to the heirs of her body.

Of course, schools were few. While many newcomers were well educated, there are many more legal papers signed with a mark than with the maker's signature. Where there were enough children, often someone, usually a preacher, set up a small private school, but for children of the very early years getting an education was a struggle.

To clear the great forests, the pioneers first girdled the trees and then let them die. A little corn could be raised between them but not much. After a time the branches rotted and fell and had to be piled. When the trunks were felled, the huge logs, some so large a man could not see over them, were notched at about ten foot intervals. A fire was built and a dead branch laid across it; and as that branch burned out, another replaced it until the fire had burned all the way through. As soon as enough "cuts" had been made, the landowner sent out a call for a log rolling, and all the able-bodied men were expected to come and help. Often there were as many as forty or fifty men present.

In order to stack the logs, the first cut above the one at the roots was turned at right angles. Then several others were rolled alongside it for the base of the heap. Long dogwood spikes were inserted under the remaining cut logs, and all together the men raised the log and walked with it to the log heap and slid it into place. There was quite an art in getting the handsticks placed so that the load was distributed fairly. This originated the phrase "to tote fair," and also probably the story about getting the short end of the stick. If the men at each end of the stick were both strong, the stick was placed evenly. But if one were less strong, the more able man was given the shorter end, and thus, the heavier part of the load.

After all the logs were piled they were set afire and illuminated the night. Log rollings were indeed hard work with not even a rope and pulley to help the men who worked from early morning till sundown. The host always furnished supper, passed the jug, and frequently had a dance or "frolic."

Skilled axmen that they were, the men cut the trees for their buildings, rived the boards to roof them, and adzed the half logs for the puncheon floors. Roof boards were held down by weight poles, nails being too few and precious for such. Instead pegs were used in construction. Later the local blacksmiths made the square-ended hand wrought nails in old fences and buildings.

The early settler usually arrived with dogs and a gun, an ax or two, some iron wedges, and a cross cut saw, which he sometimes had to borrow. If he had only his wife for help, he had to use poles which he could handle himself; if there were friends to aid, then larger logs could be cut, notched, and put in place. Chimneys were made of stick and clay, window shutters of boards, and hinges of wood.

These hardy people travelled long distances over new roads, through untraversed forests, and across unbridged streams, often waiting for flooded ones to subside. Water came from a well which the pioneer dug, or more likely a spring some distance away. Isaac Criner's spring was at the foot of a steep bluff. Until old age blinded him, he washed his face in it every morning often returning to the house with icicles in his beard when the weather was exceedingly cold.

Washing was probably done as it was in my mother's childhood in the after-war years with battling sticks and soft soap. The clothes were soaked, soaped, and laid on a table or rock, and beaten with sticks resembling long, slender paddles, the blades about an arm's length and some three inches wide. There were no washboards in those days. This battling resulted in many broken buttons, because of the vigorous threshing given the clothing. When I was small, I can recall seeing the old paddles still around the old home.

To obtain the main necessities of bread and salt, the earliest settlers often had to go from fifty to a hundred miles, and at times do without. After corn was raised each family had hominy. A mortar was made by burning a bowl-shaped hollow in the end of a block of wood, and with that they used a large wooden pestle, usually run by a sweep. The lye for making the hominy came from leaching wood ashes. Ash hoppers were V shaped troughs of boards with a vessel underneath. The ashes were placed in the hopper and water poured on them; as it seeped through and fell into the

vessel, it leached out the lye. This was also used in making soft soap from waste grease, a slimy, loathesome, ill smelling stuff. Salt first brought in from Nashville, was later obtained more easily from the Whitesburg trading post where shipments were received from East Tennessee. Iron and other necessities were also obtained at the trading post.

Flintlock rifles were popular for hunting. A supply of lead was usually hard to obtain. Powder was scarce and dear, but the dirt in caves was worked for the saltpetre.5 Sulphur was bought, charcoal burned, and gunpowder manufactured. When cattle became plentiful, tallow candles were dipped. Judge Taylor tells of taking a wick, twenty or thirty feet long, dipping it into pine resin and beeswax, and wrapping it around a cob with the end pulled up; after lighting, it gave light for a good while.

Life despite its hardships, had its pleasures. Horse racing was a favorite sport; Andrew Jackson raced his thoroughbreds at the tracks at Buckhorn, Green Bottom Inn, and other spots, and it is said, fought his cocks as well. Quite a bit of card playing seems to have gone on, and some of the very first citizens were arrested for gaming. Apparently "dancing frolics" were often held at private homes.

People then were much as people then were much as people are now. Some were honest; others definitely were not. Some were peaceful; some preferred strife. Some were good husbands and wives; some were not. Some seem to have enjoyed litigation; others preferred to settle matters their own way. These people had fought figuratively and literally to stay alive and were ready to do so again. The county was very well represented with soldiers at Emuckfau, Horseshoe Bend and New Orleans. Many of the early arrivals had fought in the American Revolution.

An old Court Minute Book of 1811 reveals that most cases were for assault or riot. An amusing legal phrase concerns value: "Did stab him the said Samuel with a large knife of the value of one dollar, in and just above the second rib on the left side." The testimony in this case might have been interesting, as the jury found the defendant guilty but fined him only twenty-five cents. One wonders what the value of the weapon had to do with the case.

The pioneers who settled Madison County worked hard, lived hard, played hard. They wore no man's collar.

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[5] Records show that Sauty Cave in Jackson County as early as 1812 was used to make saltpetre.

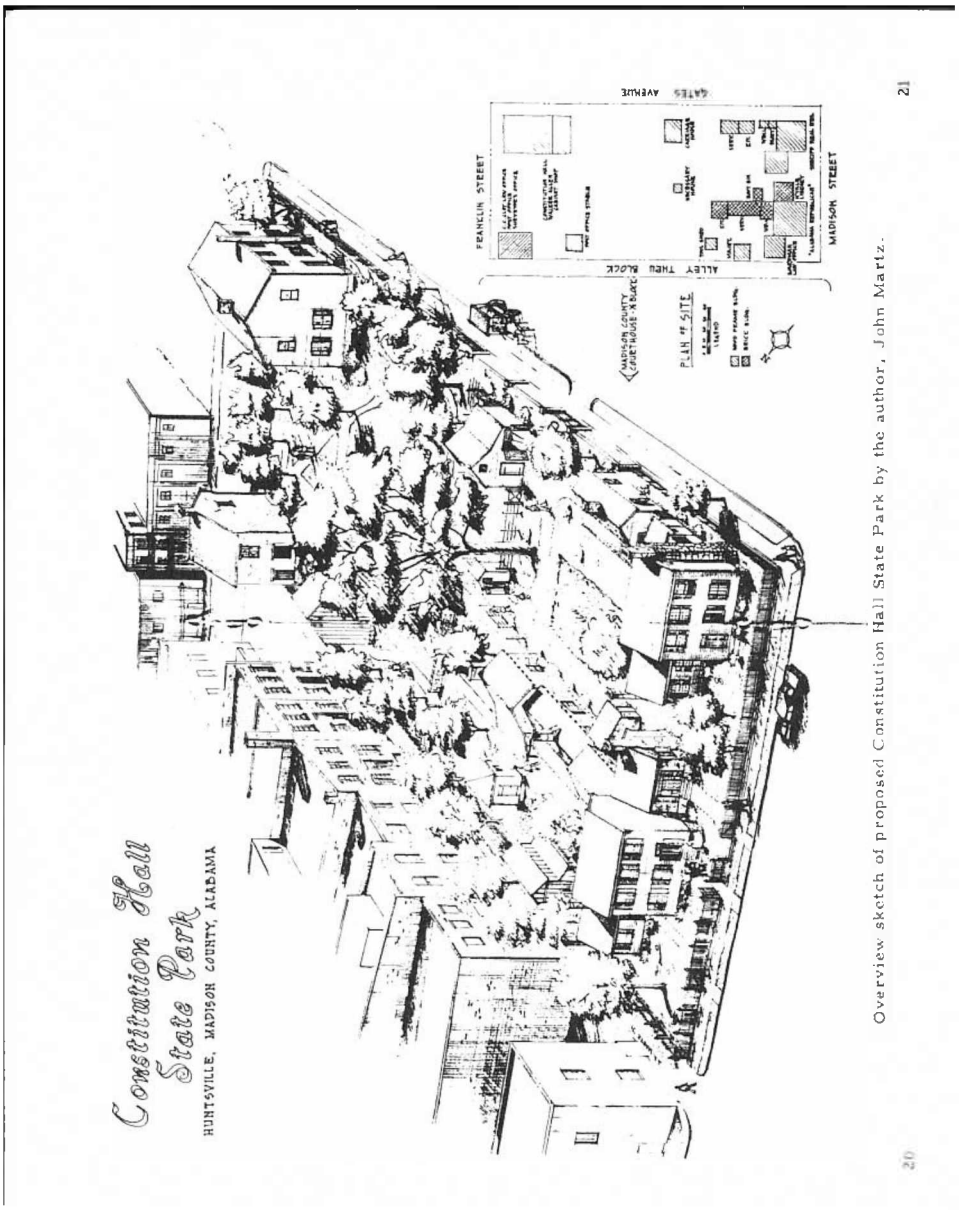
Early American Architecture Related to Constitution Hall State Park

By John Martz

In 1968, members of the Board of Governors of the Huntsville Historical Society, including Mrs. Burke Fisk, president of the society; Dr. Frances Roberts, Mrs. Anna W. Rosborough, and Dr. W. M. McKissack, formed a committee to reconstruct the place where the Constitutional Convention was held on August 2, 1819, for the purpose of entering Alabama as the twenty-second state of the Union. On August 10, 1970, the committee met with Harvie Jones, of Jones & Herrin Architects, to formulate a plan for constructing Constitution Hall State Park at the original site, on Gates Avenue, on-half block south of the Madison County Courthouse. The committee had envisioned the Park after preparing a map of "1819 Huntsville," which had been accomplished after seven years of examining early newspaper articles, want ads, deeds, and assorted letters kept over the years by descendants of some of the first Huntsville families. It was felt that the Park with its historical emphasis would complement the Alabama Space Museum in Huntsville and the new Civic Center to be located near the downtown section of the city. In September, 1970, the site was purchased by the State Department of Conservation.

Methods of Architectural Research

Normally, a modern architectural firm tries to keep up to date on the latest methods and materials available in the building trade, but in the case of Constitution Hall things were a little different since we were moving into the past instead of the future. The research phase, which preceded the construction drawings, was divided into three parts: first, meeting with the



Sketch: Overview sketch of prposed Constitution Hall State Park by the author, John Martz

Constitution Hall Committee to obtain as much background material on early Huntsville as possible; second, acquiring detailed information on construction from the many books available; and finally, visiting many of

the houses built in Huntsville in the early 1800's which are still standing and occupied.

We met with the committee and pondered the following questions: from what areas of early Alabama did the pioneer settlers come? what was the special attraction that made them want to settle in this area of the Tennessee River Valley? how good was their education, and what traditions did they bring with them? was Twickenham (later Huntsville) just another frontier town? are some of the early trails into Madison County still in existence today? were there any photographs, maps, written accounts or descriptions of buildings on the site in 1819, still available? As answers to these and other questions emerged we got a very good picture of what Huntsville looked like in 1819.

We found that in 1805 beginnings were crude with John Hunt and others building their log cabins above the Big Spring. The 1809 federal land sales in Nashville, Tennessee, however, set the boom rolling toward Madison County and people began arriving from Virginia down to Georgia. Most of the new comers were well educated English planter families, who brought with them their money and resources to make a living. Roads leading from Huntland and Pulaski, Tennessee, were among the first main routes into this area. Areas south of what is now Jackson County, and below the Tennessee River, were still part of Indian lands, thus forcing people from Georgia to circle as far north as Chattanooga before coming into Twickenham. The Big Spring was highly important to the growing community, for from it came an abundant supply of fresh, clear, limestone water. The valley land was also very fertile and ideal for growing such crops as cotton, corn, tobacco, and wheat. It was found that by 1818, Huntsville was having vigorous trade, both by river and overland, with the port city of New Orleans. A theater, art gallery, and newspaper were here. Two schools of higher learning were known to have existed. Many handsome residences were described.

In our research, we were unable to locate any photographs of the town site before 1890. However, we did find an excellent 1861 map of Huntsville showing three of the original 1819 buildings to scale, and indicating their building material to be of wood frame or brick. These trees were the Boardman building, where the print shop of "The Alabama Republican" newspaper was located, and which included the adjacent library; the Clement C. Clay building, which housed a post office and surveyor's office; and the Stephen Neal house which was a typical residence of that period. We found that Constitution Hall before 1819 was a cabinet maker's shop and furniture store owned by Walker Allen. The

second floor to the same building was used as an assembly hall in which theatrical groups lived and performed while in town.

There were many other structures on the site in 1819, as indicated in deeds and newspaper articles, but these had little significance to the Constitutional Convention. We did, however, think that reproductions of some of the various out-buildings would add color to the Park, so, a horse stable, carriage house, and a necessary house will be included in the project. Elegant landscaping in the 1819 style is also planned.

Next, detailed architectural information was needed on how buildings were constructed, what styles of architecture existed in 1819 with a range from simple dwellings to the beginning "white pillar" era, and from what periods and places influences were derived. For most of this information libraries and various books were consulted. In this research phase, emphasis was placed on information about pre- and post- 1819 architecture, not only in this country, but throughout the world. The late Renaissance in Europe had special interest, for the people who came to this country often brought their European customs with them. Such names as Chippendale, Hepplewhite, Wren, Jones, Gibbs, Morris, Adams, and many other eighteenth century European architects and designers were prominent authors of handbooks on styles of architecture and furnishings including formulae for orders and details. Many of these handbooks were imported into this country after the American Revolution. Architects were few in the early days of the new nation, and so the art of building houses and other establishments of living and working were left chiefly up to the carpenters, who often used these handbooks for any detailing or room arrangements required. Asher Benjamin was one of the first architects in this country to publish a handbook on architectural styles for building use. Benjamin himself, styled many of his own buildings after Bulfinch (e.g., New England churches, meeting houses, and apartments).

Fortunately, copies of these handbooks are still available today, making it possible for us to obtain much invaluable information about early buildings in America. It was also a very timely lesson on what to look for as we went into the third phase of research. The periods that we were directly involved with are listed chronologically.

Colonial Period (early 1600's to 1780) – characterized by the boldness in color and form of the late Renaissance in Europe.

Federal Period (1780 to 1820) – evidenced a more delicate use of color and form, with abandonment of the provincial style of the Colonial Period.

The Roman Orders of architecture were used, for it was felt the new states had their closest analogy with that of the ancient Romans. Handbooks for carpenters usually included a set of the Roman column proportions at the beginning of each publication with adaptations to shape mouldings of wood for fireplace mantles, chair rails, cornices, baseboards, and window and door trim.

Greek Revival Period (1820 to 1861) – the succeeding higher order of architecture after the Roman era was also typified by adaptation of column proportions, this time the Greek temples.

Victorian Period (1850 to 1898) – known as the Gothic Revival in this country, developed into a new eclecticism using older forms of architecture found. The primary reason for studying Victorian styles was to distinguish what not to look for in early Huntsville.

Several significant dates had direct or indirect bearing on the method in building. Most of the iron and brass hardware used in this country before 1790 was imported from Europe. The few iron foundries here at this time produced raw rod or strap iron stock, but little hardware. The local blacksmith of each town would often take this rod or strap iron stock and forge it into hinges, hasp, nails, wagon ware, and other items the townspeople requested. Machine cut nails were imported around 1800. They did not have a round shaft and head as modern nails do, but were square, being cut from strap iron stock, with an offset lip at the head. Screws in the early 1800's did not have points as today. A hole was first drilled before the screw was inserted and turned into the wood. Wood hardware became an excellent substitute when metal hardware was scarce or too costly.

The year 1830 marked the beginning of the Industrial Age in the United States. Water powered mills sprang up and replaced pit sawing lumber by hand. With the invention of the rotary saw, the old method of framing a wood house with post-and-beam using wood pegs and mortise-and-tenon joints, gave way in 1833 to the balloon frame method of building. The ornate detailing of Greek Revival was made easier by using the newly invented machines.

The third and most enjoyable phase of research involved touring a few of the many existing houses actually built in Madison County in the 1810's and 1820's, and applying the two previous areas of study. It was in this part that we became detectives. Many additions and changes were usually made to the original building, over the years, and these had to be

distinguished before dimensions, elevations, profiles of moldings, and photographs could be taken. The pre- and post- 1819 studies thus paid off, and accurate physical information was obtained.

Several general considerations had to be kept in mind during this period of intense observation. Modern conveniences like electricity, gas, and pressured water did not exist, of course. Candles for light, fireplaces and wood stoves for heat, and wells or water cisterns were among the best substitutes our fore-fathers had. Clothing, especially in winter, was heavier. Few powered machines were available, thus parts of wood and metal had to be worked by hand. The curved lines of the rotary saw could be set apart from the rough straight cut of the pit saw. The perfect appearance of drop-forged hardware lacked the individual character possessed by hardware produced on a blacksmith's forge. Hand plane marks were readily noticed on wall boards and doors. Handmade brick also had a color of its own, and often a person or animal would leave his print pressed into the face. Slave labor had its impact on the local economy and building construction. Without it, many of the great strides in developing the area would not have been realized.

Williamsburg, Virginia, with little limestone to use in construction, made good use of clay brick and wood. One author noted that the blacksmiths mainly made hardware for buildings and wagons since horses could go unshod on the sandy, clay coastal plain. Madison County, on the other hand, had a plentiful supply of limestone, and implemented the stone to the fullest, making such items as stone foundations and chimneys for buildings, stone steps, carriage or horse mounts, carved stone dairy troughs (refrigerator adjacent to well house), and bases for foot scrapers.

When a newcomer bought land with plans for permanent settlement, he would often build a small one-room house at the rear of his lot, to serve as living quarters until time and money were available to erect the big house. When the big house completed on the front of the lot, the small house could be transformed into a kitchen, or used as servants' quarters.

Room sizes in most buildings were based on a module of eighteen or twenty feet square. Hallways were eight to ten feet wide in smaller dwellings and up to twelve feet wide in larger dwellings. We found in most examples of Federal Period architecture having hallways, a centered door in one side of the hall would open into a room with a fireplace also centered on the wall opposite the door. A stair leading up to a second-floor hall and room was also a common occurrence. Some houses were two rooms deep, others had rooms on either side of the stair hall, and in various

combinations.

Flooring boards and structural joist/rafters were taken from a wood log that had been quarter-sawn using a pit saw. This method of cutting would expose the edge grain of the wood, giving a more durable wearing surface on the floors and strength without warping the structural members. We found several samples of wood used in the above manner and counted rings for density. The number of rings per inch varied from twelve to sixteen as compared to eight rings per inch in today's high-yield forestry methods.

Roofs were mostly of cedar or cypress shingles, cut from a short log edgewise using a froe. Smoothing, if needed, was done with a draw knife. Looking up through the roof from inside, daylight could be seen. These openings provided good ventilation in the attic or loft spaces. One might wonder why the roof didn't leak. When the rain started to pour, the dry wood shingles soaked up the moisture to swell and seal the openings from the outside climate. When the rain stopped the shingles opened up again. A recognizable characteristic of the older buildings was the absence of attic vents in the eave wall adjacent to the roof peak. Attic wall vents did not become a part of the building design until sheet iron and/or tar paper roofs became popular around 1825. Gutters and downspouts were available in 1819 Huntsville, as a newspaper ad pointed out. Buildings without cutters would often have water tables and splash aprons of brick or stone at the foundation.

Glass sized for windows and doors was shown in advertisements to range from 8"x10" and 10"x12" to 12" panes. The larger windows and glass panes were usually reserved for the front or side of the house. As a matter of prestige, when even larger panes of glass became available, entire windows would be changed to keep in style. The smaller windows were left to the rear parts of the main building and more subordinate out-buildings. Early imported glass was only 1/16th of an inch and streaked with bubbles and lines. Wood shutters were necessary for protection against strong winds and storms. Extensive use of glass light transoms over doors, both interior and exterior, took maximum advantage of natural daylight conditions.

Shutters over windows of commercial and residential buildings varied. In most cases a business would have solid wood shutters with some locking device at the first-floor windows to prevent vandalism. The second-floor windows, if there were any, probably had louvered shutters until thicker glass could be obtained. At that time, from what we observed, shutters at the second floor were eliminated. Residences had wood-

louvered shutters over all windows, thus providing ventilation and preventing direct sun from penetrating room interiors during the hot summer months. In most cases, half or all of the louver blades on each shutter were adjustable to vary the amount of light and privacy. Even the doors had large louvered shutters over their exterior to help carry natural convection air currents through the house.

Wood doors varied from the crude rough sawn plank type, in some cases finished with hand plane and beaded edges, to the two, four, and six paneled doors with moulded edges and mortise-and-tenon joints. Heavy doors 1 ¾" thick were found on exterior walls, while lighter doors ¾" and 1" were used in the interior. A common size found was three feet wide by six feet four inches high. One exterior door decorated in a characteristic Engilsh way was located. Upholstery nails (boullion tacks) had been driven into the entire outside face of the door in a diagonal pattern. This or the same manner of decoration was mentioned in The Builder's Dictionary by Francis Price, published in London in 1734. Price had probably seen one of the European medieval church doors with its diagonal spikes, and thought it unique for his handbook.

Many regional differences were noticed among building trends in New England and the South. In the northern states, roofs had a higher pitch for shedding snow; low ceilings seven to nine feet; lower windows because of the low sun angle; smaller in area to keep in heat; and massive chimneys usually located in the center portion of the house to retain heat for the longer and colder winter season. In the southern states, roofs had a lower pitch, high ceilings about nine to twelve feet for summer coolness and ventilation, higher windows because of the high sun angle, and larger ventilation area. Chimneys, used fewer days out of the year, were less massive and usually built on the outside wall.

Building Types in the South

The three structures built in the South at the beginning of the nineteenth century were the log cabin, the wood frame with post-and-beam framing, and the masonry bearing which was usually brick with wood floors, ceilings, and roof. Several sources consider the log cabin an invention of the Swedish people who immigrated to America. In Sweeden, timber was abundant, and wood logs, having good insulating qualities and fire resistance, suited their living conditions adequately. It is quite possible that

other European immigrants found the log cabin style and method of building to their liking, and copied from the Swedes. The logs, taken from land cleared for farming, were usually squared with an adz, and dado or double saddle joints were made at the building corners before lifting the finished log into place. Chinks, or openings, left between the logs were filled with dobe. Again, room size would average around eighteen feet square. Some log houses would have a loft to increase the area for sleeping quarters. The "dog trot" was felt to be an adaptation by the English, with their predilection for central hallways. The method of building with logs is timeless, some log houses being constructed even today.

Wood frame structures are believed derived from the early Tudor style half-timber structures in England in the 1500's. Clapboard soon took the place of brick infill and stucco plaster in America because of dampness and termites. The order of construction was much like the Dutch barns in Pennsylvania today. First, piers of rock were placed where the corners were to go. Next, the sill beams were placed on the piers and joined at the corners with wood pegs. Corner posts were erected and braced diagonally both ways with the sill beam, using mortise-and-tenon joints and wood pegs. Frequently, a brace would determine how far away from a corner doors and windows were located. In this locale, doors and windows were a minimum tow studs or four feet from the building corners. The roof beams, or second floor beams on two storied buildings, were then attached. Notches were cut for floor joist and wall studs at two foot intervals. Roof framing was put up and wood shingles applied. Clapboard siding was nailed to studs and wood flooring laid, using nails or wood pegs.

Post-and-beam was easily recognized from the exterior by the way the corner trim was applied. A single corner board 1 ½" x 6"± was nailed to the long side of the 4"x8" corner post with the clapboard butted to both sides. Plaster on wood lath strips, or planed wood boards were applied to the inside walls. If plaster was chosen, often a chair rail protected the walls from damage by furniture. Trim and rails were attached to the studs before plastering was begun. A chimney of stone or brick was constructed with a fireplace, making the building ready for occupancy. Room arrangements varied according to the needs of the individual family.

After consulting the plan measurements of the 1861 map, we felt that both the Stephen Neal house and the John Boardman building were originally wood frame English row type houses. The front of these structures, built without porches was located on the Madison Street property line.

Newspaper accounts of events were found confirming that type building.

Constitution Hall was also a wood frame building designed to house a commercial establishment on the first floor and a meeting house on the second floor. A person touring the Park when it is completed will be able to see examples of the exposed wood joinery especially in the outbuildings.

Masonry buildings were arranged similarly to the wood frame types, with the exception of walls of solid brick twelve and eighteen inches thick, and heavy wood lintels of cedar or poplar over windows and doors to support the wall above. English and Flemish bonding of the brick seemed to have been the trend, from both a decorative and structural standpoint. Ends of brick would sometimes have a gray colored glaze resulting from firing, which was put to decorative use in walls, a solid foundation of stone or brick was built up to support the floor joist. Structural foundation vents of 1 ½" square cedar rods joined vertically in a cedar frame, would be placed in the walls to keep dampness from under the building and prevent rotting of wood members. Sometimes, if a foundation settled, and the wall had tilting-outward tendencies, an iron rod would have to be run through the building with plates or ties at each end to keep the masonry walls from spreading farther. In our exploration of remaining buildings of the early 1800's, the number of bricks existing is much greater than the number of frame houses still here. The library adjacent to the south side of the Boardman building and the Clement C. Clay building will be the main masonry structures in the Park area.

After much pondering, the architects decided that the best approach to the reconstruction would be to build all houses, offices, and shops as if new in 1819. No attempt to wear finishes or artificially age each building will be done. We have been approached by several people who had parts from old buildings, but found that nail holes and finishes made the parts difficult to incorporate into the project since these parts would be antiqued, and would force artificial antiquing of all new parts to appear consistent. The freshly done buildings will transport visitors back 150 years when the structures were new.

When construction begins on Constitution Park, it is hoped that the back or alley side of all existing stores facing the south side of courthouse square will be arranged into shops and stores to relate to the Parks (i.e., souvenir shops, restaurants, antiques, etc.). Many displays are planned including maps of the area, tools and furnishings used by our ancestors, documents including a copy of the first Alabama Constitution, a display on archeological digs done at the site, and other displays on building

methods. The Park should intensify efforts to preserve the many old architectural examples still existing, our best and most vivid link with history. The project, it is believed, will give a new spiritual boost, not only to Huntsvillians, but to all who are interested in Alabama history, tourist and native alike.

The Williams Street Area in the Early 1800's

By Sarah Fisk

Huntsville's historic Williams Street, originally the town's southeastern boundary, lies in the area where more than 150 years ago early settlers found a magnificent grove of tall oak and stately poplar trees.[6]

Home sites on the rolling acres that stretch from Williams toward the foothills of Mote Sano were early recognized as choice residential spots. Many of the people who built their town houses and mansions there were leaders, not only in the development of Huntsville, but of the state and nation as well. Many of the homes erected in this lovely setting remain today, and are cherished by the present generation as they were cherished by past generations.

Williams Street was named for Robert Williams, governor of the Mississippi Territory when Madison County was established on December 13, 1808. On the original town plat, the street was only four blocks long, and only a scant half-block has been added since to connect with Adams and McClung Streets on their opening around 1825.

Williams Street and the area bordering it lie within the southwestern and southeastern quarters of Section 36, Township 3 South, Range 1, west of the basis meridian. These two quarter sections were among those purchased by LeRoy Pope on August 25, 1809, at the Nashville

[6] This paper by Mrs. Fisk was prepared jointly with Mrs. Wayne Smith of the Huntsville Public Library. It was read to a meeting of the Huntsville Historical Society by Dr. W. M. McKissack, June 20, 1965.

sale of Federal Lands in Madison County. Pope, noting the exceptional beauty and possibilities of the location above the spring, became the highest bidder for the southwest quarter of this section at a price of twenty-three dollars per acre.

When the town site was selected along the bluff and laid out in 1810 under the name of Twickenham, Pope agreed to sell thirty-eight lots in the southeastern half of the town area to the city commissioners. The profit made on the transaction was used to erect public buildings.[7] This sale included all the lots on the north side of Williams, except numbers 71 and 72. Lot No. 72, which is the last of the numbered city lots in the original plat, lies opposite the Masonic Temple. No. 71 joins 72 on the west. All of the town lots, as originally laid out, where 150 feet square and contained one-half acre. The land east and south of Williams Street outside of the original town limits remained in Pope's possession until he sold it to various individuals. For his own home, he selected a choice spot on the bluff east of Lincoln Street There he began the erection of his mansion before 1815, facing it toward the town.[8]

In examining the early history of the area adjoining Williams Street, it will be practical to proceed lot by lot, beginning with No. 71, on the corner of Williams and Greene Streets. This lot was apparently purchased from Pope by Simeon Jennings sometime before 1815, though a deed does not appear to have been recorded. On July 6, 1815, Jennings sold this lot and another one to Neal B. Rose, who held it for three years, selling during the boom times of 1819 at twice what he had paid for it.[9]

The lot where the Howard Weeden home stands is No. 63, to the northwest of No. 71. It was first sold in 1816 by the city commissioners to Alexander Wasson for fifty dollars. Two years later John Jones purchased it for $350. On May 15, 1819, Henry Bradford purchased it for $700. This price increase from fifty dollars to $700 for a vacant lot within a space of three years is a good example of soaring land values during Huntsville's first land boom in 1818 and 1819. Sometime in

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[7] The sale was not made final until September 1, 1815.

[8] Pope also operated a cotton gin, which stood at the far southeast end of Williams Street. The gin was there as early as 1820, and probably very much earlier. His other acreage in the present McClung and Adams Street areas was used as pasture land or cultivated until around 1824.

[9] For more than 100 years, Lot 71 held only a stable and a garden that became rather famous in the late 1800's. Here "Uncle Champ," with his hoe, reigned supreme, immortalized in the verses of Howard Weeden, Huntsville's artist-poet.

1819 or 1820, Bradford erected the brick house which stands there today. On Lot 71, which he also purchased, he built a frame stable. However, he mortgaged and lost both of these lots early in 1821.

The next owner was John Read, a city commissioner and the registrar for the sale of public lands when the Federal Land Office was opened in Huntsville in 1811. Read made this house his residence until he sold it in 1824 to John McKinley for $6,000. McKinley, one of numerous distinguished public men who owned property in this area in the early days, was a lawyer and United States Senator. From 1827 to his death in 1852 he served as associate justice of the United States Supreme Court. Other owners of both of these lots were Bartley M. Lowe and Mrs. Martha Betts, who sold the property in 1845 to William Weeden, father of Howard Weeden. The Weeden family owned it for over 100 years.

Lot No. 72, across Lincoln Street from the Masonic Temple, was sold on February 13, 1816, by LeRoy Pope to Alexander Wasson for sixty dollars, the deed stating that Wasson lived on the lot. On January 29, 1818, Wasson was still living on the lot when he sold it to Jesse Searcy for $700. Wasson had moved by August of that year, however, when Searcy sold to John I. Winston, receiving almost twice what he had paid for the property only eight months before.

In 1825, Catherine G. Brown acquired this lot for $1,650. But two years later a levy was placed on it to cover her debts, and Sheriff John P. Neal sold the property to Henry Cook, the highest bidder, for only $525. The "For Sale" ad in The Southern Advocate of March 2, 1827, described the property as "one house and lot known as the place where Robert Orrell, Jr., formerly lived and fronting the Masonic Hall."[10]

After the sheriff's sale of Lot 72, it changed hands several times in a short period, the price continuing to decrease. In 1830 Bartley M. Lowe acquired it for $400. Apparently there was no house, or a small one, on the lot at this time.

Lot 64, the fourth lot in this block, was sold by the city commissioners on August 16, 1817, to John K. Kyle for $400. On January 12, 1826, Edward G. Kyle and his partner, Nathaniel Herbert, sold to Harry Innis Thornton for $4,000.[11] This 1826 deed is particularly interesting for it describes Lot 64 as "being the same

[10] Page 3. If newspapers spelled names incorrectly in those days, this was probably intended for Robert Norrell, Jr., a Huntsville innkeeper in the early days.

[11] Thornton held this property for ten years and resided in the Weeden house. The acquisition of Lot 64 made him owner of the entire block.

whereon William F. Moore now resides and opposite the Presbyterian Church."

Facing Lot 64 across Lincoln Street, on a lot which originally extended to the boundary of the Masonic Lodge's property, there stands today what appears to be one of the very earliest of Huntsville's homes. On December 2, 1819, LeRoy Pope sold this lot to Arthur F. Hopkins, a resident of Lawrence county, prominent lawyer, and member of the convention which framed the State Constitution. His deed to this property describes the lot as containing half an acre and including the brick house and other buildings erected by Colonel Peter Perkins. Information given in deeds to the adjoining property, indicates that John J. Winston lived on this lot in February 22, 1819, and that Richard Pryor was in occupancy before that and as far back as August 16, 1816.

Whether Colonel Perkins built the house before 1816 and occupied it himself has not been determined. It is, however, entirely possible that he did. He was living in Huntsville very early, having been appointed by the Territorial Legislature as a member of the committee to select the seat of justice for Madison County in 1809. Also, he served as the first clerk of the Superior Court, when it was established in 1810.

Arthur Hopkins held this lot almost ten years after he bought it, selling on September 12, 1827, to George W. Harris for $2,000. Harris mortgaged it almost immediately, the mortgage stating that the property had recently been occupied by George Fearn. On November 14, 1831, Harris sold to Richard Lee Fearn for only $1,250, considerably less than the amount he paid for it.

Richard Lee Fearn's wife was Mary Jane Walker, daughter of Senator John Williams Walker and his wife, Matilda Pope, daughter of LeRoy Pope. On January 27, 1834, Mrs. Walker became the owner of this house and lot, paying $3,360, a price which indicates that her daughter and son-in-law had made improvements to the property during their ownership. At the time Matilda Walker came into possession, she had been a widow for more than ten year. Whether she resided in the house or to whom she sold it is not known.

The original lot owned by the Masonic Lodge in Alabama, was purchased from LeRoy Pope in 1823 for one dollar. This lot was only fifty by sixty-six feet and did not extend to the corner of Williams Street. The first lodge hall was erected there in 1820 before the actual transfer of the property from Pope. In 1850, when the present lodge hall was built, the Masonic bodies purchased the corner section of the lot from the estate of William Patton.

Turning to the south side of Williams Street, one of the first pieces of property sold in this area by Pope was at the southeastern corner of the

junction of Williams with Franklin. On March 21, 1816, David Munroe paid Pope $150 for two acres there, Pope agreeing in the deed to extend Franklin Street southeastward from its junction with Williams and to keep it open as far as the sectional line.

Munroe held this property for three years selling on March 22, 1819, to John Read, who, according to the deed, was already residing on the property. The $3,000 that Read paid indicates the presence of a substantial house. It is believed that this was the house, or at least the main part of it, which is presently known as the Erskine-Dilworth house.

At the time that Read lived on this corner lot, he acquired all the land on the east side of Franklin down to the Samuel Hazard property, which is now known as the Rhett-Pipes home just north of Dry Branch Creek. On August 9, 1819, Read sold all of this land to Robert Fearn for $9,000, and the deed stated that Fearn resided on the property. All indications are that he lived in the house on the corner lot, Read having vacated it on April 14, 1819, when he bought the second lot to the east.

On June 2, 1820, Fearn sold this corner lot to Alexander Erskine for $6,232, which indicates the presence of a fine house. [12] Fifty-nine years later, Susan C. Erskine, widow of Alexander Erskine, sold to Kate Erskine her interest in this property, stating that it had been her residence for more than fifty years. These transfers seem to indicate that the Erskine-Dilworth house, or at least part of it, was erected before June 2, 1820.

On April 2, 1817, Pope sold two large adjoining lots on the south side of Williams. The purchaser of the most westerly of the two lots was Henry Minor, another public man who resided in this area. Minor served Madison County in the Constitutional Convention in 1819 and the same year was chosen reporter of the State Supreme Court. In 1823 he was elected to the bench and two years later became clerk of the Supreme Court, a position in which he distinguished himself until his death in 1838.

Minor built a large house on this lot and resided there until his public responsibilities necessitated his moving nearer to the state capital in Tuscaloosa.[13] Minor's house was said to be similar to the Bibb mansion

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[12] Fearn did not dispose of his other property along the east side of Franklin at this time.

[13] Phillip M. Mason, "Henry Minor, 1783-1838." Alabama Review, XII, 121-2 (April, 1959)

on the adjoining lot to the east. It stood very near the line of the Bibb lot and almost directly in front of the Greene Street intersection. One long extension, possibly a kitchen or servants wing, extended behind the house. Though the main structure was replaced more than fifty years ago by the present house, there still stands near the northeastern property line an old building which very likely may be the original wing of Minor's house. Minor sold this property to George W. Malone in 1824. The deed stated that the house and lot were then occupied by James W. McClung, for whom McClung Street was later named.[14]

In 1826 this property went to Josephine DeVendel and her husband Emile DeVendel, who conducted one of the first schools in Huntsville. In 1834 Robert Fearn acquired the property and occupied it for a number of years. All of these transfers from Minor down to Fearn, were for almost exactly the same amount of money, about $4,150.

The lot to the northeast of Minor was purchased by John M. Taylor. The deed, which was dated April 2, 1817, carried a consideration of $445.50. Taylor, a lawyer, had apparently only recently come to Huntsville to open a mercantile business with Phillip A. Foote, his wife's brother. It appears that this business soon ran into difficulties and Taylor resumed his legal practice. Chosen to represent the county at the Constitutional Convention in 1819, he served on the sub-committee which drafted the State Constitution. He was subsequently the law partner of henry Minor and succeeded him on the Supreme Court bench in 1825.

After Taylor acquired the lot adjoining Minor on the northeast, he built a large house and resided there. On April 14, 1819, he sold this property to John Read for $16,000. This sum, by far the largest in this area, indicated either the presence of a mansion on this lot, or some arrangement for an exchange of properties, which is not apparent from the records.

Read occupied this property, after selling his corner lot to Robert Fearn, and remained in occupancy until he purchased the Weeden house and moved there in 1821, thus making it three lots that Read owned and occupied in this neighborhood within a period of three years.

On April 30, 1821, Read sold the property which had cost him $16,000 to Thomas Bibb for $8,000. Perhaps this great difference in

[14] McClung was a lawyer who served Madison County in the state legislature at various times, being speaker of three different sessions.

his purchase and selling price was due to the cotton market crash in late 1819, or to some other property transaction. Nevertheless, the deed is most interesting, for it not only states that John Read had lately resided on the lot but that it was then in the occupancy of Thomas Bibb.[15]

What happened to the original large house built by John M. Taylor on the Williams Street lot is a matter of interesting conjecture. Did Bibb tear it down after paying $8,000 for it? Or did it burn? One writer says that Bibb built the present house on the lot for his daughter, Mrs. James Bradley, in 1837 at a cost of $32,000 and nine years of labor. The house is said to have been patterned after Bibb's home at Belle Mina in Limestone County.

On September 9, 1836, Bibb deeded the Williams Street property to his son-in-law, James Bradley, for $5,000. The deed describes the property as "a certain lot of ground and tenements formerly occupied by Thomas Bibb fronting on Williams Street, containing 2-80/100 acres."

After Bibb's death, his heirs sold the property on August 6, 1844, to George T. Beirne, who was already in occupancy at this time, for the sum of $7,500. No transfers indicate the presence of a $32,000 house; however, Governor Bibb must have been able to build one had he wished, for he was very wealthy. His estate included numerous plantations in Mississippi as well as Alabama.

The lot northeast of Bibb was sold by Pope to Clement C. Clay on January 15, 1819, for $1,465. This is about a thousand dollars more than the two lots to the west had sold for two years earlier. The increase was probably due to the land boom, for when Clay disposed of this lot on October 1, 1823, after the market crash he received only $800. The purchaser, Captain Francis T. Mastin, is said to have built, soon after he acquired the property in 1823, the beautiful home which stands on the lot today. Captain Mastin's wife was Ann Elizabeth Caroline LeVert, daughter of Claudius LeVert, who had come to America from Lyons, France, during the Revolutionary War to assist the colonists in their struggle for freedom. This property remained in the Mastin family for a number of years.

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[15] At that time, Bibb was serving as Alabama's second governor, filling the unexpired term of his brother, William Wyatt Bibb, who had died while in office. After coming to Madison County in 1811, Bibb had lived on his large plantation at Meridianville until he sold it in 1818 upon the purchase of extensive lands in Limestone County. The mansion that he built on his plantation in that county at Belle Mina still stands today.

The lot on the south side of Williams across from the Masonic Hall was not sold by Pope until January 27, 1824.[16] The purchaser of this corner lot was Dr. Dabney M. Wharton, who paid $515 for the two acres. Dr. Wharton, one of Huntsville's earliest physicians, erected a large house on the lot and made it his residence until he sold it in 1831 to George P. Beirne for $4,500. Beirne lived there until he moved into the Bibb house in 1844. John Patton became the new owner of the corner lot and resided there until he sold it on September 18, 1855, to LeRoy Pope Walker.[17]

At the time Walker, a prominent attorney, purchased this lot, he was returning to Huntsville after making his residence in Lawrence and Lauderdale counties and other localities where he had distinguished himself in various positions of honor in Alabama. During the time he occupied the large brick house on this corner lot, he also served as a delegate to the historic Democratic Convention in Charleston of 1860 where irate Southern delegates withdrew when the Convention deadlocked over the Party's stand on slavery. Chosen as the first Secretary of War of the Confederate States, he gave the order to fire on Fort Sumter.

While Walker owned this property, the home and all its contents were destroyed by fire, on March 8, 1862, shortly before Federal troops occupied Huntsville. There still remains on this lot, behind the present house, two small brick buildings which appear to be some of the original buildings which were not destroyed.

On the northwest side of Williams, Lot 69 was sold by the city commissioners to Rebecca Ballard on August 28, 1820, for $212. Apparently, the purchaser built a large house on this lot for when she sold it on April 1, 1823, to Thomas Bibb, the deed mentions a transfer of houses, buildings, and appurtenances, the consideration being $2,000. It is very likely that Governor Bibb bought this house for his eldest daughter Adeline, who had married Major James Bradley in 1821. He deeded the property to James Bradley on March 15, 1830 for $2.00 and the deed stated, "whereon the said James Bradley now resides."

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[16] In that year neither McClung nor Adams yet existed as streets, all of this area still being part of Pop's pasture and farmland.

[17] LeRoy Pope Walker's father was Senator John Williams Walker, who in 1819 had presided over the convention that framed the State Constitution. His mother was Matilda Pope, who was mentioned earlier in this paper as once owning the house on the lot that originally joined the Masonic Hall lot.

After James Bradley and his wife Adeline moved into the Bibb mansion on the south side of Williams years later, this lot and the adjoining No. 61 were occupied by Joseph C. Bradley, a brother of James. In 1861 there were two houses on Lot 69 and Joseph Braley appears to have occupied the one on the northwest. It is possible that the houses there today may include some part of these original structures.

Lot 61 was sold by the commissioners on October 3, 1816, to Clement Clay for $500.[18] On December 22, 1819, Clay, in turn, sold to Clayton Talbot, local inn-keeper, for $3,500. Though the deed does not state, there surely must have been buildings on the lot. Whether these buildings were occupied by Clay and his wife, Susanna Claiborn Withers, who were married in 1815, is undetermined. They did not purchase their home on the present site of the West Clinton Grammer School until 1823.

The two remaining lots in this block, Nos. 62 and 70, are unique in at least two respects. They seem to have always been owned together by the same person, and no record indicates that a residence has ever stood on Lot 70. The main portion of the present house on Lot 62 is believed to have been built before 1825 by one of the lot's first owners, Phillip A. Foote, brother-in-law and mercantile partner of John M. Taylor.

On March 31, 1825, the settlement of a circuit court suit against Foote by complainants John Brahan and William Atwood brought about the public sale of Lots 62 and 70. A Philadelphia firm purchased for the high bid of $3,000. The deed of transfer stated that the house and lots being sold had formerly been owned and occupied by Foote and were then occupied by Brahan.

On February 27, 1827, Brahan purchased the property from James T. Mather, representative of a Philadelphia firm, for $4,000. This deed also stated that Brahan resided on the lots.[19] Brahan was still in occupancy of these two lots when he sold the property on August 2, 1833, to Edmund Irby, whose family held it for many years.

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[18] Clay served as chairman of the committee which reported the original draft of Alabama's State Constitution. His illustrious public career included the offices of chief justice of the Alabama Supreme Court; speaker, 1828; member of Congress, 1829; governor of Alabama, 1836; and United States senator, 1837.

[19] General John Brahan, for whom Brahan Spring is named, was an extensive local landholder and city commissioner. When the Federal land Office was opened in 1811 he served as receiver of Public Monies.

There is much room for further historical search concerning the Williams Street area in its early days. In this beautiful natural setting where the pioneers found tall oaks and stately poplar trees, men who were leaders in the founding and progress of our city and state, chose to build their homes and live their lives. As research goes on and additional facts are unearthed, papers and stories concerning them and their families and this historic street will continue to be written and told.

Early Huntsville's West Side Square

By Joyce Smith

Each city has a vital spot which in its distant past provided the spark for expansion, the location of a community surrounding that site. Huntsville's vital point was the Big Spring, the existence of which was carried in tales by the Indians to far-off places.

The name of the first white man to behold the spring's gushing force is uncertain—perhaps Old Man Ditto, Samuel Davis, the Criner brothers, or John Hunt. We do know that Hunt was the first to build a cabin on a hillside near the spring in 1805. Other settlers soon followed and in only four years the Indians had ceded the lands to the Federal Government and the great land sales commenced. LeRoy Pope, called the "Father of Huntsville," purchased the Big Spring and surrounding lands for $23.50 an acre, an unheard-of price in those days.

The spring and bluffs above it were important in providing water for the settlement and points on a compass for the surveyors. The streets of the new city with the short-lived name of Twickenham were laid out parallel to the bluff which ran N 34°W. This street lay-out looked very neat on the map but occasionally caused consternation to land owners, who discovered that their carelessly written deeds had divided their adjoining lots with a true N-S line. In reality the land was divided on the diagonal, leaving each owner holding a triangle of land.

Despite the fact that the rocky bluff circling the spring was instead with rattle snakes, the narrow strip of land above it was eagerly sought-after property. This area became the west side of the courthouse square. As early as 1816 there were several two-story brick buildings serving as storehouses and advertising elegant assortments of dry goods, hardware,

crockery, and groceries. Shop owners promised merchandise of superior quality at wholesale prices, and pledged that no exertion should be wanting in order to merit a share of the public patronage.

By 1819 there were five general merchandise stores and the offices of three lawyers on this block. At least nineteen lawyers and twenty-one physicians were practicing in Madison County. Apparently some citizens were dissatisfied with the fees charged by the doctors, as evidenced by the following statement signed by several doctors in the Alabama Republican:

> In consequence of certain unfriendly reports having been industriously circulated to the injury of the Faculty of Huntsville they have thought it a duty owed themselves and the public to make known the rates of charging:
> For a visit from town -- $1.00
> For a visit in the country – 50¢ to $1.00 per mile, according to circumstances
> Prescription -- $1.00
> Medicines as usual
> All visits at night double[20]

In 1816 the first bank in what would be Alabama and one of the first in the Mississippi Territory was chartered by the Mississippi Territorial Legislature. It was the Planters and Merchants Bank and it occupied a two-story brick building on the bluff. This building, as well as the other edifice on the block, used every available inch of land. William H. Brantley, in his book Banking In Alabama. 1816-1860, gave a brief description of the building and said that it extended fifty-four feet in a westerly direction where its rear hung precariously, almost directly over Huntsville's Big Spring.[21]

LeRoy Pope was the first and only president of the bank. The Board of Directors read like a "Who's Who" listing. They included John W. Walker, John P. Hickman, Thomas Bibb, David Moore, John Brahan, John Read, John M. Taylor, Nicholas Pope, James Manning, Thomas

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[20] Alabama Republican, August 8, 1818, 2.

[21] Alabama Republican, September 22, 1820.

Percy, Henry Chambers, and James Clemons, all of Madison County.

Old issues of the Alabama Republican give glimpses into the brief but eventful life of this bank and its employees. One editorial noted:

> Mr. Hill, the clerk in the Huntsville Ban, arrived in town on Monday last with about $50,000 specie from New Orleans. In accomplishing the trip, we understand Mr. Hill has had many difficulties and dangers to encounter, from the great value of his charge and the suspicious character of those who were necessarily entrusted with the secret. This valuable cargo was brought up to the mouth of the Cumberland in a steamboat, but it being impracticable to ascend that river on account of low water, he was compelled to come up the Tennessee in a keel boat to Florence, thence to take wagons to Huntsville.[22]

The bank was robbed twice. The first robbery in 1822 netted $5050 in bank notes from the cashier's desk while he was upstairs eating supper. A servant in the bank supposedly tipped off the thief when the teller went upstairs. Fortunately, he overlooked $1,000 in specie in the same desk.

Two years later the bank was again robbed, this time of $29,000. The cashier, William G. Hill, who had brought $50,000 from New Orleans with no worse effects than fright, was not so lucky this time. Mr. Hill was on his way to the director's office upstairs when the robbery occurred. The Alabama Republican reported:

> We understand that he had taken the bundle from an iron chest and was approaching the back door of the passage which had previously been left unlocked, with a candle in his hand, when it was suddenly burst open by the robber, who stunned the cashier by a blow on the head, and possessing himself of the money, made a

[22] William H. Brantley, Banking In Alabama, 1816-1860, Vol. I (Birmingham, 1861), 7.

precipitate retreat out of the back way.[23]

To add insult to injury the bank sued Mr. Hill for the loss, claiming negligence and defalcation but he was acquitted. The money was never recovered nor the robber apprehended.

On February 1, 1825 the bank's charter was voided by a Proclamation of Alabama Governor Israel Pickens. Four years later, almost to the exact day, fire raged in the west side of the square, entirely consuming six brick tenements including the former home of the Planters and Merchants Bank. It was thought that the fire was set to cover a robbery.

In this way Alabama's first bank with a colorful, turbulent history vanished from the scene. However, it remains in memory and the site now holds a handsome marker erected by the Alabama Historical Association.

[23] October 15, 1824, 2.

Archaeological Information from the Constitution Hall State Park Site

By William H. Wesley

Four months of small scale archaeological testing on the Constitution Hall State Park site in the block bounded by Franklin and Madison Streets and Gates Avenue in the Spring of 1971 brought to light over 3,000 bits and pieces of material that, for the most part are the remains of buildings and accouterments from nineteenth century Huntsville.

There are numerous ways in which past events are preserved for the members of current societies. The items that become buried in the soil at some locations where human activity has been especially intensive can serve as one form of stored information. The Constitution Hall site is such a storehouse.

History is usually considered to be factual information, yet, we are familiar with the various phrases indicating that history is often rewritten. This is simply the admission that human frailty allows the recording of inaccuracies and mistakes, and often one person's opinion of what happened at a given point in time just isn't a fair interpretation of what actually happened. In scientific writing one sees often, "In the light of new information, we now find that ---." History is no different. The events themselves are not changeable, but what is known about events and how they are viewed, do change.

The many artifacts now buried on the Constitution Hall State Park site may not have the potential capability of changing history, but on the basis of items removed in the archaeological test project, must interesting information about what daily life was like in the last century could be available, and specific information relating to activities on the site could

be a worthwhile contribution to the long term informative value of the State Park. Certainly, displays of artifacts from the site would make the events of the past more realistic to future visitors to this site where Alabama became a state.

Based on the artifacts and other evidence unearthed, it seems that some of the citizens in the vicinity of this half block area of Huntsville, near Big Springs, were people who smoked clay pipes, dipped or sniffed snuff and drank wine. Some of the men carried pocket knives and firearms, and the women did a lot of sewing. Some of the meals eaten included duck, squirrel, fish, eggs, pork, beef, squash and fruit. Gourds and jimsonweed grew in the immediate vicinity or somewhere nearby, and someone played a harmonica.

The many ceramic fragments from the pits show that meals were served on dinnerware typical of the period and included blue and green "shell edge" or "feather edge" ware, and "willowware." A typical mid nineteenth century newspaper advertisement is this one from the Huntsville Advocate: "A splendid assortment of queensware, glassware, hardware, wooden and willoware can always be found at S. W. Thompson's, Power's old stand N. E. corner public square. Having bought, painted, repaired, and refitted the building known as Power's old stand, the highest prices are now always paid in cash for butter, eggs, chickens, potatoes, etc."

Rather than changing history, historic archaeology most often serves to support or verify written history, and it is amazing that so much information concerning man's activities accumulates in the soil. In the case of the Constitution Hall site, the four small (5' x 5') test pits excavated have tended to support the existing facts and impressions relating to the site's history. Pieces of foundry type, many with the letters and digits still readily discernable, bring vivid reality to the former existence of the Alabama Republican newspaper office at this location. Fragments of brick with heavy gray glaze give an idea of how trim work on some of the brick buildings may have looked, and numerous bits of thick plaster reveal something of the interior appearance of the buildings. Flat window glass fragments with patches of green, yellow, black, and white paint suggest lettering on the windows of some of the buildings. A brass "A" two inches high, with a slant and a slight old English appearance may have been part of words over a doorway, or on a sign hanging near a boardwalk – such words as "Alabama Republican. Constitution Hall, Cabinet Shop or Library" – all establishments that once existed on the site.

A wedge-shaped brick removed from the rubble in one pit may have been part of a well or cistern, since such bricks were used to build round

structures by laying them with the narrow end pointing inward and the wide end to the outside. If such is the case, such a well or cistern would have been in use before ca. 1830 when Huntsville's cedar pipe water system was constructed. If a well or wells did exist, they were sure to have been filled with trash and rubbish when they were no longer needed and are storehouses of archaeological information. The lower portion of any such well would very likely have the brick walls still in place.

Bullets of the "minnie ball" variety and several percussion caps that had been fired, were found. Such ammunition was in use for a number of years prior to the Civil War, but could well have been a part of military activity that took place in Huntsville during that period.

Very small brass screws and a small brass lock plate from the area of the cabinet shop provide visible evidence of this activity from the now distant past.

A large glass bowl or possibly a chandelier is represented by seventy-two pieces of clear, thick glass. In either case, large punch bowl or chandelier, such an item would lend a touch of elegance to past events.

The archaeological literature is filled with references to the fact that every archaeological project is unique, and there are indeed some unique circumstances that tend to enhance the archaeological potential at this particular site. The first test pit excavated chanced to reveal the foundation of a building judged to be the remains of a cotton warehouse built in the 1890s. This foundation consists of the brick wall base and a thin layer of mortar on the inside area, which serves as a perfect temporal dividing point. Everything above the mortar is almost entirely from the early twentieth century and all below it is from the nineteenth century. Other such building remains probably exist here.

Another plus factor is that the lime in the mortar and plaster from the old buildings has contributed to the alkalinity of the soil on the site, which means that organic material has been better preserved than it might otherwise have been. This accounts for the presence of such perishable material as leather and fabric.

The 5' x 5' pits excavated as a test project on this important site represent less than ½ of 1 percent of the surface area contained in the ½ block area, and excludes that portion presently covered by concrete. The very small sample of archaeological information produced so far from this small fraction of the Constitution hall site has not proved to be exceptionally surprising, but somehow it seems very much worth having, and to allow the vast amount of remaining information to be destroyed by the construction that will be necessary for making the state park a reality,

seems to be something like setting fire to a library filled with rare books. After all, this is the only spot in the world where Alabama became a state. What will become of this storehouse of buried history? If it develops that more archaeology can be arranged on a large enough scale to salvage this important part of Alabama's past it will be a definite asset to the future of the site as a state park.

Alabama Makes Her Debut into the Union

By G. W. McGinty

Almost immediately following the end of the War of 1812, the nation began a period of reconstruction and expansion. A tariff was enacted by the Congress to protect the infant factories that had been built; the military was reorganized to provide a more efficient army and navy; the finances were revised and a Second Bank of the United States was chartered; and a program of internal improvements was launched calling for roads, canals, etc. To facilitate trade and communication between distant points.

The movement westward was accelerated by the admission into the Union of the states of Louisiana (1812), Illinois (1816), Mississippi (1818), Alabama (1819), and Missouri (1820). The energetic young nation was seeking new farms, new products, and new adventure which brought unheard of growth and prosperity by 1825.

The cotton gin was proving that growing cotton with slave labor could be profitable. People were leaving the older settled states of the Atlantic seaboard and moving west in search of fertile lands. The sons and sons-in-law of the slave holders from Virginia to Georgia were searching for cotton lands. Lesser folk came west for adventure, or to escape the law or debts back east. All were on the move to some degree.

Georgia did not cede her western lands to the United States until after the scandal of the Yazoo Land sales of 1793. These land claims cast a cloud over titles in the area organized as the Mississippi Territory, comprising most of the present states of Mississippi and Alabama. The

Indian claims had to be disposed of before the area could be surveyed and sold to white settlers.

However, there were settlements around Mobile and along the Mississippi River dating back almost a hundred years. Around 1816 the Indians relinquished most of the land in what is now Alabama. Up to that date a majority of the settlers of the Mississippi Territory were along the Mississippi River and the territorial capital was first at Natchez and then Washington, a few miles east. Prior to 1816 the American settlers were concentrated in the valleys of the Alabama, Tombigbee, and Tennessee Rivers. Territorial delegates from the areas found it inconvenient to travel the great distance to Washington, where they were outnumbered and outvoted. Hence, in 1803 they began agitating for a division of the territory. They complained in 1816 that there were eight delegates from the settlements east of the Pearl River and sixteen delegates from west of that river, notwithstanding that the east had more free whites than the west. Senator George Poindexter had proposed in 1811 that Congress divide the Mississippi Territory with a line beginning at the mouth of the Yazoo River and running east to the Chattahoochee. Strong opposition killed the proposal. By 1800 a number of Americans had settled along the Alabama and Tombigbee Rivers where they experienced extreme hardships and privation because of isolation and Indian raids. Captain John Hunt built the first cabin in Huntsville in 1802, but he was not the first settler in the Tennessee Valley. Evidence indicates that the settlers in this valley did not suffer as much privation, nor as many hardships as the earlier settlers in the river valley to the south. The Alabama-Tombigbee settlers, however, had made economic and cultural progress by 1812, at which time Huntsville was one of the most promising villages on the American frontier and Madison County was conspicuous for its wealth and culture.

The rifle, axe, froe, and cow-bell were necessary accouterments for a comfortable existence on the frontier. The dwellings were small cabins built of rough poles with dirt, or rough plain puncheons, for a floor. The wardrobe consisted of wooden pegs attached to a log in the wall. Split logs were used for settees and chairs were blocks of wood. The master of the house had few tools with which to fashion his house and furniture. A mere opening through the woods was called a road and travel was on foot, horseback, or ox wagon. A house-raising, a wood-chopping, or a log-rolling was a social event. Life was hard and somber but it did have excitement, romance, and some fun. The young folks frolicked at play

parties in the log cabins and wedding festivities were a time of merriment.

The Indians had to relinquish their claims to the land before the land was surveyed and offered for sale at public auction. The land office for land sales in North Alabama was at Huntsville and the lad office for South Alabama was Milledgeville, Georgia, at first, but later offices were opened in Mobile, St. Stephens, Cahaba and Tuscaloosa. Land sales generated nationwide interest. Men came from every part of the country to participate. Speculation in land was common. The opportunity for quick wealth by speculation generated conditions for still quicker wealth by swindling. The swindlers cooperated and one association of swindlers was said to have cleared approximately two thousand dollars each on one transaction. The situation became so notorious that the Federal government authorized its agents to bid against the combinations when they thought it advisable at the land auctions.

The law of 1800 reduced the minimum tract to be sold to 320 acres and in 1804 it was reduced to 160 acres and the minimum price was $2.00 per acre. The purchaser paid on-fourth of the price in cash and on-fourth each year thereafter until paid in full. The panic of 1819 caused a number of people to lose what they had previously paid, when they were unable to meet the annual installment. Congress responded in 1820 by reducing the minimum tract to eighty acres and the minimum price to $1.25 per acre, provided it was a cash transaction. Following the auction the unsold land could be entered at the minimum price.

All land west of Madison County on both sides of the Tennessee River was offered for sale in 1818 through the Huntsville land office. Sales that year totaled $7,000,000 with on $1,500,000 of this sum paid in cash, over $1,000,000 of which was Yazoo scrip. Men from Virginia, Georgia, Kentucky, and Madison County organized companies to speculate in these land sales. Some prominent Tennesseans bid against these speculators and bid the price up to $50 to $100 per acre for the best land in the Tennessee Valley. Average cotton land sold from $20 to $30 per acre.

The prevailing situation was ripe for a rush to the unoccupied lands to be relinquished by the Indians. The influx of immigrants was so great in 1816 and 1817 that the Indians and scattered pioneers did not have enough corn to meet the needs of the newcomers. Corn along the road from Huntsville to Tuscaloosa sold for $4 per bushel. The commodity became so scarce among the Indians that the government extended relief

in 1817 to forestall widespread starvation.

Immigrations were accelerated after 1815, even though the Indians had not completed their cession and the land had not been surveyed. The immigrants simply "squatted" on the land they wanted in spite of the law and the efforts of the government to prevent the intrusion before the sale at auction. It was difficult to remove these squatters. When troops arrived to burn the cabins of those who refused to evacuate, the squatters would return, rebuild their homes and resume life as usual. The problem persisted after the land was surveyed and put up for sale. Any man who would bid against the squatter for the land he had cleared and lived on for years was considered pretty low by all frontiersmen. Such a heartless purchaser would be ostracized, or run out of the community, if he gained title to the squatter land.

The earliest immigrants used the streams for ingress and transportation. Later the Federal Road from Athens, Georgia, to New Orleans passed through the southern part of the territory, and the Natchez Trace from Nashville to New Orleans traversed the northwestern corner, crossing the Tennessee River in the vicinity of Muscle Shoals. Another road from Augusta, Georgia, to Knoxville, Tennessee, had a spur connecting it with Huntsville. Huntsville had a road to Tuscaloosa, at the head of navigation on the Black Warrior River. This road passed through Jones Valley where present day Birmingham is located. A portage road connecting tributaries of the Tennessee with those of the Coosa River was used for travel and freight.

After purchasing new land in Alabama the prospective immigrant returned to his home, sold it, packed his household goods and farm implements on wagons and began the journey to his new home. The slaves drove the herds of cattle and hogs, while the planter's family brought up the rear in a carriage. It was tedious journey. The smaller streams were forded and the larger ones were ferried. Men and boys hunted along the way supplying the caravan with fresh meat. All gathered around the campfire at night to prepare the food, discuss the events of the day, and re-assess the plans for the next day or until they reached the journey's end. Quite often there was singing or other festivities.

On reaching his new land, the planter constructed a log cabin, which usually consisted of two log pens joined by a passageway or hall with a chimney at the end of each pen. These passageways were known in some sections as "dog trots." The chimneys were built of stone, if stone was available, if not, clay was used. The chimney was framed and the wood

sticks were daubed with clay making the walls eight to twenty-four inches thick, the thickest part being at the bottom and thinning toward the top. The huge open hearths served for heating and cooking. A "lean-to" might be attached to one or both rooms in the rear. Later, as the family increased, additional ends. The attic provided sleeping areas for the boys.

Before sawmills were constructed in the area, the floors were made of puncheons, or logs split in halves with the flat side upward. The space between the logs of the wall was filled with clay; the doors and shutters were of crude boards and the roof was of hand-split boards or shingles. In such a dwelling, the planter who brought his household furnishings could establish a kind of rude comfort, which sufficed for even the wealthiest immigrants in the first year's sojourn.

Miss Anne Royal described Huntsville in 1818 as a rich and beautiful town of about 260 houses with a bank, courthouse, and market house. The square in the center of the town had twelve stores facing it. Many of the houses were constructed of brick and some were three stories high. The citizens were described as gay, polite, and hospitable.

Most of the small farmers came to the area with little or no property. Their household property and farming equipment were crude. In many instances their cabins only had dirt floors. They had come into the new country in search of economic freedom rather than to seek a fortune. These hardy pioneers sought subsistence for their family rather than cotton lands and accessible locations because they did not possess capital, and because it was not to their interest to do so. They, therefore, were not dependent on the price of cotton. A secluded nook would serve them well for they loved the freedom of the forest, the rifle, and the axe. They built their cabins, cleared small patches of land for corn and other foods and turned their hogs loose to roam the woods and multiply. The cattle likewise found subsistence in the woods and meadows.

In spite of the mixture which was produced by the flow of immigration into Alabama, three areas can be distinguished that have peculiarities characteristic of the predominant element in the population. For example, the preponderance of Tennesseans in the Tennessee Valley gave a strongly democratic flavor to the political ideas; in the Tombigbee-Warrior Rivers region, where the Carolina-Virginia immigrants predominated, there was a flavor of political conservatism; and in Montgomery County the influence of Georgia politics was clearly discernible. Nevertheless, there were other factors that were very potent in shaping opinions and politics along with the origin of population.

When Congress passed the enabling act for statehood, the seven eastern counties of the Mississippi Territory were designated the Territory of Alabama on March 3, 1817. President James Monroe signed the commission of William Wyatt Bibb as governor of the territory on September 25, 1817. The laws in force in the Mississippi Territory would remain in force in the new territory until changed by the Alabama Territorial Assembly. Thus the Mississippi officials functioned during the interval from March to September, 1817. St. Stephens was named the capital of the new territory and the first Territorial Legislature met there in two rented rooms of the Douglas Hotel on January 19, 1818. The thirteen members of the House of Representatives elected Gabriel Moore of Huntsville, speaker. The Council or Upper House, was composed of three members chosen by President Monroe from six names submitted to him by the territorial House of Representatives.

Governor Bibb recommended to the Legislature the promotion of education and internal improvements. The Legislature created thirteen new counties; divided the Alabama Territory into three judicial circuits; incorporated a steamboat company, a bank at St. Stephens and an academy; and elected John Crowell the first delegate to Congress.

The second session of the Legislature convened in November, 1818, created two new counties, and spent much time arguing over apportioning representatives from South and from North Alabama. The Tennessee Valley was the most populous and desired representation of white population only. This would give Madison eight representatives, whereas, the next most populous county would have four. South Alabama finally accepted this and agreed that the temporary capital be moved to Huntsville, but the permanent capital remain at Cahaba.

A census indicated that the population of Alabama exceeded 75,000 at this time. People were arriving so rapidly that it was difficult to get an accurate count. The Huntsville Republican, in April, 1819, estimated that the population was 100,000. The Legislature was optimistic over the chances of Alabama being made a state and authorized appropriations to pay the expenses of a State Constitutional Convention. At the same time the Legislature approved a petition for statehood, written by Clement Comer Clay and John W. Walker, Speaker of the House, both from Huntsville. Walker was directed to end copies of the petition to President Monroe, the territorial delegate, the Speaker of the House of Representatives, and to United States Senator Charles Tait of Georgia.

When Walker forwarded the petition to Senator Tait, he enclosed a letter stating that "I have---always regarded you as the effective delegate

of the territory: and you will have seen that our House payed (sic) you the compliment of presenting to the Senate our memorial for Admission to the Union." He asked Tait to work for admission of Alabama with the apportionment bill passed by the Territorial Legislature as the basis for apportionment of representation in the Constitutional Convention, and that Huntsville be the meeting place of the Convention.

Senator Tait wrote the Alabama Enabling Act, served as chairman of the committee to which it was referred, and steered the bill through the Senate. He successfully opposed the efforts of the Mississippi senators to change the boundary line of 1817. John Crowell, Alabama's territorial representative, presented the petition from South Alabama people opposing the "White" basis of apportionment as passed by the last Territorial Legislature, but failed to impress the House which approved the enabling bill as passed by the Senate. President Monroe signed it March 2, 1819.

The Constitutional Convention was to have forty-four members and was to meet in Huntsville. Two townships of land were granted for a seminary and the 640 acres given in 1818 for the capital at Cahaba were increased to 1620 acres. The sixteenth section of each township was set aside for the public schools and three per cent of all land sales within Alabama were to go for internal improvements.

There ensued two months of spirited campaigning for delegates to the Convention. Madison had twenty-two candidates for the eight positions from the county; Limestone had seven candidates for three positions and Cotaco four for two positions. Madison had eight delegates; Monroe four; Blount and Limestone three each; Clark, Cotaco, Franklin, Lawrence, Montgomery, Shelby, Tuscaloosa and Washington two each; and the remaining counties each had one delegate. The delegates from Madison included lawyers and lawyer-planters who were well educated and particularly interested in political theory.

The Convention which met in Huntsville on July 5, 1819, was composed of eighteen lawyers, four physicians, two ministers, a surveyor, a merchant, and four planters or farmers. No information on the other delegates before or after the convention was found. Nine of the delegates were former judges or legislators in their home states. For instance, Harry Toulmin, ex-president of Transylvania University, had been secretary of state in Kentucky and judge in the Mississippi Territory. William Rufus King has been a member of Congress from North Carolina, 1804-16, and secretary of the American Legation in St. Petersburg, Russia. Israel Pickens was a member of Congress from North

Carolina, 1811-17, and Marmaduke Williams had also represented North Carolina, 1803-17. At least eight delegates had some college training. Six delegates later became governors of the state; six became judges of the Alabama Supreme Court; and six represented Alabama in the United States Senate.

The birthplace of twenty-eight delegates has been ascertained and fifteen of these were from Virginia; five from North Carolina; Georgia and South Carolina each furnished two; Delaware, Pennsylvania and Vermont one each; and one was a native of England. The average length of residence in the Alabama Territory of twenty-six delegates was five years. William Rufus King had been in the territory only one year, whereas, Israel Pickens and Henry Hitchock had been here two years. Oldtimers like Harry Toulmin, John W. Walker, Marmaduke Williams, Clement C. Clay, and Thomas Bibb had been in the territory fifteen, nine, nine, eight, and eight years, respectively. Governor Bibb was not a member of the Constitutional Convention, but two of his brothers, Thomas Bibb and John Dandridge Bibb represented Limestone and Montgomery Counties respectively.

The Convention unanimously elected John W. Walker to preside over the sessions and John Campbell was made secretary. Thus, Huntsville furnished the officials and influenced the work of the Convention in many ways. Besides, North Alabama had twenty-eight delegates to sixteen from South Alabama. The proceedings were conducted informally and with little decorum. Strict parliamentary procedure was not followed. Secretary Campbell wrote his brother in Tennessee that President Walker "knew little more parliamentary proceedings than your boy Richard, although an accomplished scholar." Campbell also wrote his brother that Thomas Bibb, one of the leaders of the Convention and Alabama's second governor "gets sometimes in his cups; and during the sitting of the convention when in that situation would keep the house in a roar for an hour at a time."

Five days after the Convention opened, Campbell wrote his father in Virginia: "The convention is composed of forty-four members and I have never seen in any deliberative body for the numbers more urbanity and intelligence. It would do no discredit to any country however old and respectable."

A committee of fifteen was appointed to write the Constitution. Of these, eleven were lawyers, three were physicians, and one a merchant. Most of them were also planters. The majority of the committee was

from the Tennessee River, the lower Tombigbee, and Alabama River valleys. Seven counties with a slave population of forty percent had five members; and nine counties with a slave population of less than thirty percent were represented by only one member. Thus, eight counties with a slave population of less than thirty percent had no representative on the committee. Madison County, with a slave population of forty nine percent, had three members. North Alabama had a majority with eight and South Alabama had seven. The Chairman was C. C. Clay of Madison. These statistics indicate the influence the slave holder exercised over the Convention.

The original draft of the Constitution, prepared by the committee of fifteen, was changed only slightly by the Convention. It contained a preamble and six articles: (1) a declaration of rights, (2) the separation of powers, (3) the legislature, (4) the executive, (5) the judiciary, and (6) the general provisions, with sections on education, banks, slavery, amending procedure, and a schedule for putting the constitution into effect.

The only name suggested for the new state was "Alabama." There was no mention of submitting the Constitution to the people for approval, because this had never been done. Minnesota in 1857 was the first state to have her Constitution approved by popular vote.

The framers of the Alabama Constitution were guided by experience, the practices in other states and by the economic situation at the time. This fact is evident in the qualification for voting, holding office, appointive power given the governor, election by the Legislature or by the people, the freeing of slaves, and the provision for slavery. The economic situation in 1819 must have been of deep concern to the delegates and especially speculation in land. Land near Cahaba in the Black Belt, for instance, sold for $150 per acre the previous year.

The Constitution was evaluated as a "mixture of liberalism and conservatism, a product of the past and forerunner of the future." Another critic thought that the document conformed more to that of Mississippi than to any other state's, but was regarded as more democratic in suffrage, office holding, popular elections, protection of slaves, the amending process, religious restrictions, and education.

A voter had to be a white male, twenty-one years of age; a resident of the state one year and of the district three months. He was required to be a member of the militia, unless exempt by law from military service. This was undoubtedly the result of the Indian menace at the time. It was not required of the voter to own property or be a tax payer.

The Federal ratio was set as the basis of apportionment in the State

Legislature; annual elections and annual sessions of the Legislature were provided; the governor was given the veto power and some appointive power; and he was required to be elected by the people every two years.

The governor's veto could be overridden by a majority of the elected members of each house. The Legislature, by joint vote, elected all state judges. The judges held office during good behavior and could be removed by the governor if approved by two thirds vote of the Legislature. There was no property qualification for membership in either house of the Legislature. Another unusual provision was that slaves were granted trial by jury in cases more serious than petty larceny, and in case a slave suffered personal injury, the offending party should be punished just as though the person injured had been a white man. Owners could emancipate slaves and the Legislature could prohibit acquiring slaves as merchandise.

All forty-four members of the Convention signed the Constitution on August 2, 1819. It was transmitted to Congress, which accepted it the first Monday in December that year. President Monroe signed it on December 14, 1819 and Alabama became the twenty-second state of the union on that date.

One analyst thought two factors at work in the state shaped the Constitution. These factors were the frontier, which was a leveling force regardless of property or social background. It tended to put all men on the same basis. Opposed to this was a force tending to build up or create an aristocratic class. This tendency was already evident in the Tennessee, Alabama and, lower Tombigbee river valleys. This element was composed of planters from Georgia, Virginia, Tennessee, and the Carolinas and was based on the plantation slavery system. These planters, as a rule, were educated and trained for leadership and were already steeped in plantation-slavery tradition when they came to Alabama. It has been suggested that this social class furnished the leadership of the Convention and dominated the Committee of Fifteen which wrote the original draft of the Constitution. Changes made to the original draft were the work of plain men who came largely from the "white counties."

The personal visit of President Monroe to Huntsville a few weeks before the Constitutional Convention convened might have enhanced the prestige of the Huntsville leaders in the Convention. Whether it was so intended is doubtful. The visit of the President seems to have been an incident in his tour of the South to inspect the forts and to ascertain locations for new defenses if necessary. The city of Huntsville sought to

express its appreciation of the honor by giving a public dinner for the President. Most of the prominent men and women of the Valley attended and made it a festive occasion. The President was saluted with the firing of cannon, patriotic songs were sung and toast were drunk "to the President, to the Constitution of the United States, to national heroes and celebrities, to the army and navy, to the late treaty with Spain, to the women, to education, to the industries, to Alabama, to the people west of the Mississippi, to the friends of freedom in South America, to public sentiment, etc." The President's visit served as a tonic to stimulate the hopes and aspirations of a people on the verge of assuming the duties and responsibilities of statehood.

In the election of 1820, William Wyatt Bibb received 8,342 votes to 7,140 for Marmaduke Williams in the race for governor. The first Legislature chose John W. Walker and W. R. King to represent Alabama in the United States Senate. Charles Tait became the first Federal judge and William Crawford was appointed the first Federal district attorney for Alabama.

The first Legislature met in Huntsville in October for a six weeks session. It created six new counties; passed a law forbidding dueling; tried to prevent fraud at public land sales; created a system of patrols to preserve order among slaves and to capture runaways; and leased salt springs and lands donated by the Federal government. Religious societies were extended the right to incorporate and to hold real estate not to exceed fifteen acres. A university was chartered; however, its location at Tuscaloosa was not made until 1827, and it did not open its doors until 1831.

Immigrants continued to come into the new state and the census of 1820 recorded 127,901 people. This number increased to 309,527 ten years later. The percentage of negroes in the total population increased from thirty-one to thirty-eight percent between 1820 and 1830. It was estimated that one family in four owned slaves.

This cursory description of the economic, political and social situation of Alabama as she acquired statehood during the Era of Good Feeling leaves much to be said. Nevertheless, it is the fervent hope of the write that it has in some measure fulfilled your expectations in a similar spirit to that of the old lady who thought that a remarriage could not offer more comforts than she was enjoying.

Huntsville's Green Academy 1812 – 1862

By O. C. Skipper

The legislature of the Mississippi Territory in the early years of the nineteenth century had to concern itself with problems of constituents who were creating home sites from a wilderness from which the former occupants, for the most part, had recently been expelled. The education of the youth required legislative assistance, hence on November 25, 1812, the legislature authorized the establishment of Green Academy, the first chartered school in Madison county (Alabama); the second in the territory.[24] After authorizing the Academy, the legislature appointed fifteen trustees, and in January, 1814, added five more. Still the school seems to have existed merely on paper. Thinking perhaps that more Trustees were needed, the lawmakers added six in November, 1818. The enlarged Board was authorized to select a site for the school, erect buildings, elect teachers, and fill vacancies in the governing body. The legislature was farsighted in establishing the Academy and in providing it with a board of prominent citizens, but it gave it "no splendid and

[24] Acts, Mississippi Territorial Legislature, 1812, 1814, 1816, 1818.

munificent endowment."[25]

In 1816, however, the lawmakers began to provide financial assistance for the Academy, granting it $500. A decade later they allowed the school to receive all fines and forfeitures collected in Madison County for five years. The legislators agreed to permit the Trustees to raise up to $4,000 by lottery and exempted the property of the school from territorial and local taxes. Apparently the lottery was never used, but in 1818 the Academy received additional aid in the amount of $2,000 from the profits derived from the sale of shares in the Planters and Merchants Bank in Huntsville. Meantime, "subscription papers" were circulated locally and were liberally filled."[26]

The school may have been operating for some time in makeshift quarters. By August 3, 1821, however, the Board had accumulated $2,500, which the Trustees considered adequate to erect a suitable building. Without mentioning a teacher or teachers, the Trustees appealed to the people to patronize the Academy. The lack of adequate support was "a standing reproach to the citizens of the area."[27] While construction proceeded the school would continue to operate, but neither it nor any similar institution in Madison County met the expectations of the people.[28] Of these only Green had been incorporated or had received state support.

Ten years after the Academy was chartered and following several years of haphazard operation, it entered a new era of life. On December 30, 1822, the Trustees paid John Brahan and his wife Mary $600 for four acres of land at the northeast corner of the intersection of East Clinton and Calhoun streets.[29] A local paper carried a glowing opinion of the proposed location of the school, stating that it would be in a "pleasant grove," on a beautiful eminence about a quarter of a mile from town. The situation was

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[25] Alabama Republican, August 3, 1821. Newspapers cited in this study are on microfilm in the Huntsville Public Library.

[26] Ibid.

[27] Ibid.; The Reverend John Allen, a Presbyterian minister, came to Huntsville in 1820 to teach in Green Academy.

[28] Alabama Republican, August 3, 1821.

[29] Deed B K Vol. 1 J 114-116; Alabama Republican, August 5, 1823, August 26, 1825.

one of the most "eligible possible." Almost surrounded by mountains, it was regarded as one of the healthiest spots in North Alabama, adjacent to one of the wealthiest and most populous areas in the western world.[30]

There was to be a separate building for small boys in an English School. The other buildings would accommodate up to 100 students in a Classical School. These three one-story brick structures were arranged to form a small quadrangle. This plan was thought to pose less danger from fire, and provide a playground in the center. The two principal buildings had three thirty by twenty-four feet rooms, each with two fireplaces. There were also four additional rooms eighteen by eighteen feet, each with a separate fireplace. For the school principal the Trustees planned to provide a dwelling, including a kitchen and a "green garden."[31] His pay, derived from tuition, would amount to at least $1,000 a year, the Trustees promised. Initially the appointment would be for only a year; but after the principal proved himself, he could expect a contract for a longer period of time.[32]

In 1824-1825 there were between thirty and forty students of varying ages and accomplishments who had to be arranged into classes. To gain admission, a boy had to be prepared to study English grammar, arithmetic, and elementary geography.

The tuition was considered reasonable. The Classical School in November, 1823, charged ten dollars a quarter payable in advance to the treasurer, Lemuel Mead. For students in the "higher studies," including "vulgar arithmetic," the charge was twenty-five dollars a quarter. In addition students paid two dollars for repairs, water and fuel. In August, 1850, tuition in the English School was six dollars and seven dollars and fifty cents in the Classical School.[33]

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[30] Alabama Republican August 3, 1821, August 5, 1823, August 26, 1825.

[31] The Democrat. November 11, 1823.

[32] Alabama Republican. August 4 1823. Actually appointments varied one or more terms. Net income for the year beginning September 7, 1856 was $1,084.05. (The treasurer's was $120.45).

[33] The Democrat, November 11, 1823; unidentified newspaper clipping dated November 11, 1831, in Huntsville Public Library; Minutes of the Board of Trustees. August 10, 1850. The Minutes for August 1, 1850, to February 3, 1860, inclusive are extant, and were kindly lent to me by Professor Frances, C. Roberts of The University of Alabama in Huntsville.

A committee of the Board delegated in August, 1823, to secure a teacher for the Classical School announced that an "unexceptionable moral character" was an essential qualification. The candidate's attachment to his profession and the power to excite in his pupils ardent and active effort for their own improvement were considered as important as knowledge of the subject taught. He would offer Greek and Latin Classics, and such a course in science as was usually taught in the best academies.

The quest resulted in the selection of Andrew Wills, a Scotsman and graduate of the University of Aberdeen, and a teacher in Fredericksburg, Virginia since 1819. He had submitted in support of his application, impressive testimonials concerning his moral character, assiduous habits, accomplishments as a classical and scientific scholar, and skill as an instructor. With A. E. Russell assisting, the Academy resumed operation after a short vacation, in the autumn of 1823.[34] The Committee thought it had made a fortunate selection; others shared this view. A group of trustees in January, 1825, extolled wills for "assiduity, morality, and learning," and the Alabama Republican in its issue of January 4, 1825, referred to the "rapid growth and flourishing condition of the infant seminary." The enrollment was about sixty. Messrs. Wills and Russell were noted as "men of literary and scientific acquirements."[35]

Wills soon assumed additional duties, which he assured his patrons would not interfere with his school work. In writing for the Democrat, he revealed a glaring lack of restraint that resulted in his dismissal from Green and within a few months, to his murder.[36] The Trustees who forced his resignation, charged him with poor discipline and unsatisfactory performance of his students on public examinations. More pertinent, he had become involved in the political controversies of the region. He compounded his errors in writing slanderously against one political faction, only soon to join that element and to dump his venom on the faction he had lately extolled.

Forced from the principalship of the Academy as a result of partisan political writings, he became Editor of the Democrat. His faction claimed credit for the election of John McKinley over Clement Comer Clay to the

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[34] The Democrat. Op. cit.

[35] Alabama Republican. January 4, 1825.

[36] The Democrat. January 19, 1826; Alabama Review, VI, (July, 1953), 198.

United States Senate in 1826. Wills aggravated the bitterness between the political factions by publishing an attack on John White McClung, a law partner of Clement Comer Clay. The victim murdered the writer; Clay gained an acquittal for his law partner.[37]

In seeking a successor to Wills in August, 1825, a committee of the Trustees specified no qualifications for the principal, but promised him a house, and with an assistant of his choice that he would receive all of the Academy's income of some $1,400, less the sum required to keep the school buildings in repair. On at least two occasions, the principal arranged for and initially paid for repair work.[38]

When the Messrs. Crawfords took charge of the school in 1827, its condition was notably poor. Tuition had not been collected in some time, enrollment was small. Its situation soon improved, however, for in March, 1831 Principal Crawford was assisted by John A. Gretter, a graduate of the University of Virginia, and William T. Allen, a graduate of Centre College. More students could be accommodated than hitherto; instruction could be offered in "every department of literature." Board, including "washing, lodging, etc., could be arranged with respectable families in town from $45 to $50 per session of five months.[39]

In the autumn of 1836, the Trustees recommended the Academy to the public, because Principal F. Dean, a graduate of Union College, came highly recommended for character and scholarship. He would offer the usual Classical and English branches. Dean was still principal of the Academy a decade later.[40]

Securing a principal seems to have been the most difficult task confronting the Trustees. In August, 1850, they advertised in the National Intelligencer and in similar publications, and sought the assistance of the Alabama delegation in Congress.[41]

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[37] Alabama Review. VI, 98, 198, 205, 209.

[38] Unidentified newspaper clipping, dated August 26, 1825, in Huntsville Public Library; Minutes of the Trustees. August 19, 1850.

[39] Southern Advocate. August 21, 1828; March 25, 1831; unidentified newspaper clipping, Huntsville Public Library

[40] Southern Advocate. October 18, 1836, December 26, 1846; Minutes of the Trustees. August 10, 1850.

[41] The Democrat. September 1, 2, 146; Minutes of the Trustees. August 14, 1850.

Through the greater part of the Academy's history, students were required to pay their tuition and fees to the Treasurer, a local businessman and Trustee. He collected dues for a term in advance, receiving ten percent of the sum collected for his services. When J. J. Fackler gave up the post in December, 1845, Samuel Coltart took over for about ten years. William Echols succeeded him, then Septimus Cabaniss held the office for some months. The Board carefully audited the accounts of the Treasurer. Finally in July 1859, the Board took a step that it should have adopted much earlier. It made the joint principals, Charles O. Shepherd and A. E. Russell, joint treasurers. Each official was placed under a bond of $1,800.

Cabaniss was long a prominent member of the Board. After serving as secretary, then treasurer, he became president and may have held that office when Federal troops ended the operation of the Academy during the Civil War. But even Cabaniss, along with several other prominent Trustees, became victims of the rule under which an unexcused absence from a meeting was penalized by a fine of one dollar.

The record of the Academy for holding teachers was very poor, but probably comparable to that of similar schools of the day. Also like other schools, Green sometimes employed ministers as teachers. The faculty was probably never larger than 1845 when J. M. Davidson was principal. His wife taught history, geography, and chronology; P. L. Blake taught mathematics and lower English; and J. H. Finney tutored in mathematics and the Classics. The school year was divided into quarters, beginning September 1, November 15, February 15 and May 1. Students might enter at any time by paying for the time attended. Tuition in the Academic Department was ten dollars; six in the preparatory division. In addition the student paid a matriculation fee of fifty cents. Principal Davidson assured patrons that teachers were impelled to superior effort by their interest, sense of duty, and concern for the reputation of the school.

Teacher tenure continued to be short and uncertain. For example during the 1850's about ten different men held the principalship. Of these only A. E. Russell merits being singled out, and he only because he was on and off the faculty from the early 1820's until the school was destroyed by Federal troops during the occupation of the town in 1862. The Trustees seem to have been concerned primarily with securing a principal. Some applicants for the place were spurned at one time only to be chosen at another, no reason being given in the official minutes for the actions. The next problem that seemed to have been of major concern for the Trustees was checking the books of the Treasurer. No objection to the work of that official was

recorded in the extant minutes. The Board was more often concerned with the repair of Academy buildings than it seems it should have been.

No concern was ever hinted in the minutes over the procession of principals and teachers of their choice. The Board experimented, apparently successfully, with the use of joint-principals, and in the closing months of the school's life, the principals became joint-treasurers.[42]

Inasmuch as tuition was the only source of teacher's salaries, and enrollment hovered around fifty students, patronage was a matter of real concern for teachers. The Principal, on at least one occasion, assured patrons that the instructors were much interested in the mental and moral needs of the students. At no time, however, did a spokesman for the Academy boast of a teacher's training, long service in the school, or generally recognized success. A special instructor was employed for boys under the age of ten. Friends of the school thought highly of its "large and well-selected library that was open at all times to students."[43]

The Trustees vented optimism when the Academy opened on August 28, 1953. Dr. Charles G. Smith was principal; J. T. Dunklin assisted as an instructor, probably in the higher branches, elementary and intermediate students were provided for; the academic buildings had been repaired recently. Even though the Board was made up of prominent men of the town, the Trustees were still impelled to levy the fine for unexcused absences to promote good attendance.

The later fifties, like the early years of the decade, witnessed a succession of principals and teachers in the Academy. Undaunted the Board enriched the curriculum by adding higher branches of mathematics and civil engineering. John R. Gwaltney, Master of Arts from the University of Virginia, was principal in September, 1856; he was promised an annual salary of $1,000, the same that his predecessors had received thirty years earlier. From that meager sum that he was allowed to spend more than $300 to repair the buildings and improve the grounds. On May

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[42] Minutes of the Trustees. August 10, 26, 1850; January 27, April 26, May 3, 1851; January 1, 1852; April 10, 1853; July 28, 1853; December 23, 1853; January 28, February 5, August 2, 1854; July 14, 1855; January 30, February 2, February 13, 1856.

[43] Southern Advocate. October 22, 1850, January 29, 1851; Minutes of the Trustees. August 9, 1856; July 28, 1853; July 14, 1855; The Democrat. February 12, 26; March 12, April 2, 1862.

5, 1858, the Board chose a committee to settle accounts with Gwaltney, "late Principal of Green Academy." In the same meeting Charles O. Shepard was chosen principal. In July of the following year Shepard and A. E. Russell were "unanimously" elected joint-principals as well as joint-treasurers for the scholastic year beginning September 4, 1859, and ending June 15, 1860.

Early in 1862, g. W. Turner was chosen to assist Principal A. E. Russell. In addition he was allowed to offer military training at no extra cost. This innovation may have encouraged federal troops to destroy the Academy during the occupation of the town in 1864.

The Board seems to have been especially interested in fostering excellence among the students. It offered a prize to the student who stood highest in general deportment, to the one who stood first in proficiency, and a third prize to the student who ranked second in general deportment and in proficiency. The winners were determined by reports of teachers and observations by Trustees. The Board agreed in November, 1859, to select four books to be awarded for excellence in declamation.

The Board decided on February 13, 1860, that public examinations should be held at the close of each session. The student was required to submit to this exhibition, or have his connection with the Academy severed. The teacher was required to keep a record of the performance of each of his students, and make that record open for public inspection. There were also "exhibitions" for original compositions and declamations. The Trustees proposed to award a suitably inscribed gold medal to the winner in declamation.

Green Academy the first state charted school in northern Alabama, and for a time the only one to receive financial support from the state stood alone for many years in offering advanced education in its region. Its alumni included most of the prominent men of the area. It had no peer in its field until the State University was established in Tuscaloosa.[44]

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[44] The Democrat February 12, 1862; Minutes of the Board of Trustees. May 23, August 10, 1850; September 7, 1856; May 5, 1858; July 18, November 4, 1859; February 1, 2, 1860. Edward Chambers Betts, Early History of Huntsville, Alabama. 1804-1870 (Montgomery, The Brown Printing Company, 1916), 40. W. P. Mills, "Sketch of Huntsville" in William Hunt's Directory and Business Mirror. Vol 1, 1859-1860.

In Search of a Man Named Ditto

By William Stubno

Most people, visiting Ditto's Landing have heard that it was named for one of the area's earliest settlers, Old Man Ditto. Yet little today is known about this early pioneer who came to the region when it was a vast wilderness.

It has been said that John Ditto (the first name, James, appears in all the records) came to the Big Spring in the fall of 1802 and constructed a lean-to pole shelter against a bluff. Soon realizing that he was close to a suitable location to carry on business with the Indians in the vicinity, he moved to the nearby Tennessee River and established a trading post.[45] Thereafter, Ditto established a ferry and a boat yard near the trading post and then faded into oblivion.[46]

This account of the story of Old Man Ditto has been handed down for generation. Yet how accurate is the historical information on this individual who is, perhaps, the earliest settler of Madison County? The answer can be found in contemporary records, whereby a preliminary investigation into them has already substantiated some of the folklore, and has added new information as well, on the life and times of James Ditto.

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[45] "Ditto's Landing Once Very Important as Trading Post," The Huntsville Daily Times, 3 March 1931.

[46] George Wartz, statement made to Kathleen Paul Jones by George Swartz, 26 April 1930, copy located in the files of the author.

Records investigated so far reveal that Ditto was born before 1755.[47] His place of birth was probably somewhere in Pennsylvania or Maryland, where various members of the Ditto family first settled in America.[48] As a young boy he apparently migrated with his family from the Pennsylvania or Maryland countryside by way of the "Great Wagon Road" through Virginia, to one of the five counties created by the North Carolina legislature—"Johnson and Granville in 1746, Anson in 1750, Orange in 1752, and Rowan in 1753.[49] These counties were created specifically for the Irish Protestants and Germans who migrated southward in great numbers from Pennsylvania and Maryland.[50]

One of the earliest records found thus far in North Carolina concerning a Ditto family member was a Granville County deed stating that a Henry Ivy on December 19, 1758, sold 130 acres on the west "side of Mill Swamp in Ross' line" to William Ditto for 18 pounds.[51] Ditto sold the property the following day for 13 pounds and 5 shillings.[52] A William Ditto was again found in 1774 in a Chatham County, North Carolina record, specifically the Court of Pleas and Quarter Sessions stating that he was appointed overseer of Harmons' Road "from Loves Creek to [the] Guilford County Line."[53] Chatham County, incidentally, was formed in 1770 from Orange County which had been formed in 1752 from Bladen, Granville, and

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[47] William C. Stewart, ed., 1800 Census of Pendleton District, South Carolina (Washington, D.C.: National Genealogical Society, 1963), p. 37.

[48] Early American court and census records revealed that individuals with the surname, Ditto, lived in southeastern Pennsylvania and adjacent Maryland.

[49] Hugh Talmage Lefler and Albert Ray Newsome, The History of a Southern State: North Carolina 3rd edition (Chapel Hill, North Carolina: The University of North Carolina Press, 1973), p. 84.

[50] Ibid., pp. 81 and 84.

[51] Zae Hargett Gwynn, ed., Abstracts of the Early Deeds of Granville County, North Carolina, 1746-1765 (Rocky Mount, North Carolina: Joseph W. Watson, 1974), p. 108.

[52] Ibid.

[53] Marilyn Poe Laird and Vivian Poe Jackson, eds., Chatham County, North Carolina Court Minutes, 1774-1779 Vol I (Dolton, Illinois: Poe Publishers, n.d.), p. 3.

Johnston Counties.[54]

By the middle of the 18th century, the Ditto family in North Carolina was concentrated mostly in Chatham County.[55] In fact, a James Ditto was mentioned in 1782 in Deed Book C as being the neighbor of Henry Bray who had taken a William Ditto to court in 1778 over a land dispute in that county.[56] Perhaps this William Ditto, who may have been the same individual who purchased land in Granville County from Henry Ivy in 1759, was related to James Ditto.[57]

The name James Ditto again appeared in the court records in 1782. The minutes stated that he was petitioning the Governor of North Carolina "for a pardon for his lenient and benevolent treatment to prisoners when in his power," suggesting that the individual in question was loyal to the British during the Revolutionary War which had ended the previous year.[58]

In 1788, a James Ditto was found purchasing land in northwestern South Carolina near Pacolat River, an area easily accessible by the migration roads from Chatham County, North Carolina.[59] In 1790, the first U. S. Census listed a James Ditto with a large family living in Pendleton County, South Carolina. This James Ditto in South Carolina has been identified as

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[54] Charles Christopher Chrittenden and Dan Lacy, eds., The Historical Records of North Carolina, Vol. I (Raleigh, North Carolina: The North Carolina Historical Commission, 1948), p. 319; Charles Christopher Chrittenden and Dan Lacy, eds., The Historical Records of North Carolina, Vol. III (Raleigh, North Carolina: The North Carolina Historical Commission, 1939), p. 82.

[55] North Carolina records place the Ditto family mostly in Chatham County, North Carolina, in the latter 18th century. Author's note.

[56] Laird and Jackson, eds., Chatham County Court Minutes. P. 69.

[57] Gwynn, ed., Abstracts of Granville County Deeds. P. 108.

[58] Marilyn Poe Laird and Vivian Poe Jackson, eds., Chatham County, North Carolina Court Minutes, 1781-1785 Vol II (Dolton, Illinois: Poe Publishers, n.d.), p. 14.

[59] Records of the Commissioner of Mesne Conveyence, Book D, p. 48, Greenville County Courthouse, Greenville, South Carolina.

Old Man Ditto.[60] He was again listed for a second and final time in South Carolina in the 1800 Census.[61]

Between 1800 and 1807, James Ditto of South Carolina migrated to the "Bend of the Tennessee" and eventually established a ferry in 1807 at a place which would be called Ditto's Landing, located along the northern banks of the Tennessee River in fractional section 30, township 5 south, range 1 east of the Huntsville Meridian Line.[62] At the time that the landing was established, the tract upon which it stood was owned by the Federal Government. In 1812, LeRoy Pope entered the land and later assigned it to John Brahan who made the final installment payment prior to his receiving the patent or title to the land in 1817.[63] Brahan later sold it to Colonel James White, a wealthy merchant from Virginia.[64]

Although Ditto never held title to Ditto's Landing, he did live on 160 acres of land with his family in the southwest quarter of section 28, township 5 south, range 1 east of the Huntsville Meridian Line. For a short time, he made payments on the property, but transferred it to his son,

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[60] Genealogical information compiled by Margaret Lowe, a descendant of James Ditto, revealed that James Ditto of Pendleton County/District, South Carolina was the same individual who established Ditto's Landing. Author's note: Department of Commerce and Labor, U. S. Bureau of the Census, Heads of Families at the First Census of the United States Taken in the Year 1790: South Carolina (Washington, D. C.: Government Printing Office, 1908; reprint ed., Spartanburg, South Carolina: The Reprint Company, 1964), p. 81.

[61] Stewart, 1800 Census of South Carolina, p. 37.

[62] Letter from James Ditto to Andrew Jackson, November 1813, Andrew Jackson Papers, Library of Congress, Washington, D.C.

[63] Credit Prior Final Receipts and Credit Prior Final Certificate, File 667, Huntsville, Alabama, John Brahan, assignee of LeRoy Pope, Records of the Bureau of Land Management, Record Group 49, National Archives, Washington, D. C.: Land Patent, U.S. to John Brahan, File 667, Vol. 108, p. 861, U. S. Department of the Interior, Bureau of Land Management, Eastern States Office, Alexandria, Virginia.

[64] Deed Book K, pp. 182-183, Probate Office, Madison County Courthouse, Huntsville, Alabama.

Michael, who eventually received title to the acreage.[65]

The role played by Ditto as an Indian trader has yet to be examined. It is assumed, however, that when Contemporary sources are analyzed, information on that facet of Ditto's life will come to light.

According to the records, Ditto's final years, before his death in 1828, centered around mercantile pursuits.[66] Nevertheless, he was undoubtedly an unassuming man, evidenced by the few earthly possessions he owned when he died: one bed, two books, two trunks, one oven, and one tin canister all of which were appraised for $5.75.[67] Yet he was rich in other respects, for he was instrumental in helping to establish an area which became vitally important to the westward expansion of the nation.

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[65] Credit Prior Final Receipts and Credit Prior Final Certificate, File 249, Huntsville, Alabama, Michael Ditto, assignee of Alexander Hunter, John C. Hamilton, Thomas Roland, and James Ditto, Records of the Bureau of Land Management, Record Group 49, National Archives, Washington, D. C.; Circuit Court in Chancery, Book F, pp. 267-269, Department of Old Records, Madison County Law Library Building, Huntsville, Alabama; Tax rolls, Madison County, Mississippi Territory, Records of the Territorial Auditor, Record Group 3, Mississippi Department of Archives and History, Jackson, Mississippi.

[66] The records of Madison County, Alabama, contain numerous cases concerning Ditto's financial dealings up to the year of his death in 1828.

[67] Probate Record Book 2 and 5, p. 136, Probate Office, Madison County Courthouse, Huntsville, Alabama.

The Public Square in Madison County History

By Frances C. Roberts

The County Madison was created by proclamation of Governor Robert Williams of the Mississippi Territory on December 13, 1808, but it was not until nearly three years later that the Public Square in Huntsville became the actual seat of justice for Madison County. During this intervening period the courts were created, officers appointed, fee simple land titles established through the public sale of federal lands, and the necessary legislation passed to establish a permanent county seat.

At the time Madison County was created there were approximately 2,500 settlers living within its bounds. On December 19, 1808, five days after its creation, Stephen Neal, a resident of Washington City, Mississippi, was appointed sheriff of the county as well as a justice of the peace. Thomas Freeman, chief government surveyor of Madison County lands, and two settlers, Hugh McVay and Benjamin Williams, also received commissions as justices of the peace.

Further steps of organization were taken on February 27, 1809, when the territorial legislature extended the laws of the United States and those of the Mississippi Territory over Madison County. On March 3, 1809, three additional officers were appointed. Louis Winston, a lawyer serving as private secretary to Governor Williams was made attorney general, Peter Perkins of Nashville, clerk of the circuit court, and William Winston of Madison County, clerk of the county court.

The resignation of Governor Williams on March 3, followed by an interim of four months, before David Holmes succeeded to this office, probably slowed down the completion of appointments requisite to a full organization of the county's government. Shortly after assuming his duties as Mississippi Territorial governor on July 1, 1809, Holmes asked the aid

of Attorney General Winston of Madison County and William Dickson of Nashville in completing the roster of Madison County officials.

Acting on recommendations submitted by these men, William Dickson, Edward Ward, and Peter Perkins of Nashville, and LeRoy Pope and Thomas Bibb of Petersburg, Georgia, were named justices of the quorum on November 7, 1809. Dickson was named chief justice and William Winston, who had received his appointment in March, was to act as clerk for the initial term of the Orphan's Court to be held on the first Monday in January, 1810. This court had jurisdiction in matters concerning the settlement of estates, care of the poor, transfer of lands, laying out of roads, licensing of ministers, and enrolling of lawyers. It also served to supplement the work of the justices of the peace until a formal criminal court could be set up.

Before a superior court with criminal jurisdiction for Madison County could be established, special congressional action was necessary to create an additional federal judgeship for the Mississippi Territory. A law for this purpose, as well as to extend the right of suffrage to Madison's citizens, was approved on March 2, 1810. The guiding influence of the Georgia group who settled in Madison County was manifested in the appointment of the first superior court judge. Obadiah Jones of Georgia, recommended to the President by the Georgia delegation in Congress, was chosen in preference to Marmaduke Williams of Madison County, recommended by his brother, Robert Williams, former governor of the Mississippi Territory.

The first term of the superior court of law and equity convened on October 1, 1810, with Judge Jones presiding, Peter Perkins serving as clerk, and Louis Winston as Attorney General. The minutes of the court do not record the place where this session was held, but it does record that John C. Hamilton, George Coulter, Gabriel Moore, James Roberts, Louis Winston, Marmaduke Williams, and John W. Walker produced their commissions and were authorized to practice law.

Sheriff Stephen Neal, executive officer of the county, served the court by summoning jurors, executing warrants and writs, presenting offenders to the court, and performing other duties assigned to him by the judge. He was assisted in his work by John Hunt, pioneer settler for whom Huntsville was named, who was appointed coroner on May 16, 1810.

To insure law and order in the various settlements throughout the county, John Grayson, John Kirksley, William Lanier, Abraham Perkins, John Martin, and George Dilworth were appointed justices of the peace and David Cobb was named constable. Other officials added to the county's roster in 1810 and 1811 were Gabriel Moore, tax assessor,

collector, and census taker; Hugh McVay, county surveyor; and Bennett Wood, treasurer.

To provide for defense, the Seventh Regiment was created as Madison County's unit of the Mississippi territorial militia and Colonel Peter Perkins was appointed commander of the group on January 4, 1810. During the following summer all the able-bodied men between the ages of sixteen and fifty organized into eight companies and on October 29, 1810, the first county-wide muster was held. Governor David Homes attended at the request of Louis Winston who felt that Governor's presence would have a tendency to quiet some of the discontent among the settlers with the territorial administration. Militia companies were important units in the county's early development, not only from the standpoint of providing defense, but also in furnishing organized groups through which public affairs could be administered. At local muster grounds, located at various settlements in the county, taxes were assessed and collected, notices of elections read, politics discussed, and terms of court announced.

By territorial statute of December 23, 1809, a commission composed of William Dickson, Edward Ward, Peter Perkins, Alexander Gilbreath and Louis Winston, was appointed and vested with the authority to choose a permanent county seat for Madison County. The act further provided that a majority of this group could procure by purchase or otherwise not less than thirty nor more than one hundred acres of land to be laid off in half-acre lots with the exception of a three-acre plot which was to be reserved for the location of the public buildings. All lots were to be sold at public auction on twelve month's credit and the proceeds arising therefrom after the land had been purchased were to be applied by the commissioners towards defraying the expenses of erecting public buildings for Madison County.

The second section of the act stated that the town to be laid out would be called and known by the name of *Twickenham*. According to tradition, this name was suggested by LeRoy Pope, who had purchased the lands around Hunt's Spring with the idea of making it the county seat if possible. He was reported to have selected this unusual name because of his great admiration for the classical poet Alexander Pope whose English home was called Twickenham.

Shortly after the passage of this statute, LeRoy Pope, James Jackson, and William P. Anderson, who had invested rather heavily in the lands surrounding and including Hunt's Spring, began to make plans for platting a town called Twickenham on this tract. Though no copies of the articles

of agreement of these proprietors have been preserved, it is evident, from the correspondence of these men and the land office records that Jackson and Anderson agreed to use their influence with the commissioners to locate the county seat at the "Big Spring" and to have the town platted. Pope apparently furnished a considerable amount of the money invested, for the two quarter sections involved in this transaction were entered in his name in the receiver's ledger at the land office.

John Coffee, a deputy surveyor for William P. Anderson, was chosen by Anderson and Jackson to represent them in platting the town and bargaining with the commissioners for its acceptance. In his instructions to Coffee, Anderson urged that the town plat be made as dashing as possible and the ground on which it shall stand as eligible as may be.

John W. Walker, LeRoy Pope's son-in-law, represented him in bargaining with the commissioners for acceptable terms, on which they would agree to locate the county seat at the Huntsville settlement. By this time, Hunt's Spring was generally spoken of as Huntsville, and the county court had convened its first session in this community. Walker's job, besides securing the support of the Madison County commissioners, included the superintendence of the sale of lots in the town plat reserved for the proprietors.

In late June, Coffee surveyed the original plat of "Twickenham" in order that it would be ready for the commissioners' meeting scheduled for the first week in July, 1810. The streets of the town were laid out with reference to the spring bluff and ran at the peculiar angle of thirty-four degrees north of west. By this arrangement, Jefferson Street became the basis for the survey and made it possible for the spring area to be enclosed in one of the three-acre squares included in the plat. Three streets to the east and one to the west were surveyed parallel to Jefferson and six perpendicular to it. The rectangle thus formed contained twenty squares of three acres each, or sixty acres, exclusive of the land included in the streets that were sixty feet wide. Every block, with the exception of the Public Square and the Big Spring Square, was subdivided into four lots and numbered from left to right beginning with the northwest boundary. Names given to the streets were selected from the heroes of the American Revolution, the center of the Public Square was an elevated rocky knoll, a fitting place indeed for a "Temple of Justice." Thus did Coffee fulfill the expectation of his employer as well as the specifications laid down by the territorial legislature.

Persuading the commissioners to agree to accept this well-planned town proved to be much more difficult for Walker and Coffee than putting the

finishing touches to a natural setting. Edward Ward, one of the commissioners who had large land holdings in the county, led a forceful fight to prevent the acceptance of Coffee's plan. Not only did Ward use his eloquent oratory in the closed sessions of the commission, but he also spoke publicly to the populace. Finally on July 5, 1810, a majority of the commissioners voted to make Huntsville, henceforth to be called Twickenham, the county seat.

According to the terms of the agreement, the proprietors agreed to sell thirty acres in the southern part of town to the commissioners for $23.50 an acre, the exact amount paid by them for the tract. There was obviously a swap-out in the transaction by which the proprietors retained the southern part of the square containing the Big Spring and the commissioners received the northern part of the Public Square. The town was guaranteed the use of the spring waters, but no dams or machinery could be erected that might endanger the purity of the water. Special provision was also made whereby the proprietors were to receive lots in the southern part of the town to compensate them for the acreage contained in the streets, not included in the thirty-acre purchase. At first two lots were reserved for this purpose, but when the final deed was drawn, four lots were transferred because it was found that the streets in the commissioners' part of town contained a little more than three acres.

When the first contract was drawn, only one-fourth of the purchase price of the land had been paid. Consequently, it was not until the final payment was made on February 3, 1815, that a patent was issued to Pope for the southwest quarter of section thirty-six, township three, range one west on which Huntsville was situated. In the meantime he had been successful in purchasing the interests of the other proprietors, and when the deed to the town was drawn up on September 1, 1815, Pope and his wife were the only grantors who signed the transfer.

On the evening of July 5, 1810, both the proprietors and the commissioners opened their lots for sale. Coffee and Walker disposed of only four while the commissioner sold twenty-four. The total sale netted around $8,000, with lots selling from $100 to $750 each. In reporting this transaction to James Jackson and W. P. Anderson, Coffee stated that he and Walker had decided to postpone the sale of the rest of their lots to a future date when they would sell at higher prices and thus insure greater returns from their Huntsville "speculation."

Louis Winston, in a letter to Governor Holmes from Twickenham, September 23, 1810, reported that Colonels Pope and Bibb, and their friends from Georgia had all arrived in the county. In describing the

populace, he wrote, *We have a fine society; Virginians are flocking to this delightful country.*

Twickenham was never a popular name with the people living in the county seat, for they had grown accustomed to the use of Huntsville. This question became a political issue and resulted in a special territorial act on November 25, 1811, which changed the official name of the town to Huntsville. Two weeks later, on December 9, an act of incorporation was passed, thus giving the town a charter and a government.

At the time of its incorporation, Huntsville had all the signs of becoming a thriving commercial center in the heart of a rich agricultural area. The squatter population in 1809 had numbered some three hundred, and to this group had been added a number of merchants, millers, clerks, distillers, mechanics, lawyers, doctors, and planters. Many of these people had been leaders in the states from whence they migrated; others, young men trained in law or medicine, had migrated to the frontier where advancement would perhaps be more rapid.

According to the territorial act which empowered the commissioners to create a county seat and erect public buildings, the courts were directed to occupy the courthouse as soon as it was fit for the reception of the courts of said county. By November 1811, the first courthouse had been completed to the point that its courtroom could be used for the fall term of Superior Court.

The two-story brick structure on the highest part of the Public Square

First Madison County Courthouse 1811-1837

faced south. At first only the lower story was completed to house the county officials and the courts. The basement portion which opened on the north was apparently used for a public market place. On the northeast corner of the Public Square a small wooden jail with pillory was constructed to care for public offenders. During this early period the courthouse served as a meeting place for both civic and religious groups, and the Public Square became the hub of commercial activity as stores were constructed on all sides of it.

Not until after the depressing years of the War of 1812 did county officials take the necessary steps to provide for the completion of the second story of the courthouse. By a special territorial act of December 16, 1816, the justices of county court were empowered to act as commissioners to contract for and superintend its completion. The measure also provided for the purchase of a suitable lot upon which to construct an adequate jail and pillory.

On June 10, 1817, William M. Watkins and John H. Hickman entered into a contract with LeRoy Pope, Abner Tatum, and David More, Justices of the Quorum, to undertake agreement included placement of encased window sashes in the upper story, repairing the crown molding of the cornice, covering the roof of the courthouse and its cupola with new poplar shingles, remodeling the cupola, and topping it with a new and neat turned block, dressed off with gilt and crown the whole with a neat gilt Eagle not less than three feet across.

When it was determined that the undesignated funds in the county treasury were not sufficient to cover the cost of completing the courthouse and constructing a jail, a special tax not to exceed one-half of the territorial levy was authorized by the legislature on February 13, 1818, to provide the necessary finances. Although no permanent record was made of construction and total cost of the first public buildings, Judge Thomas Jones Taylor stated in his *Early History of Madison County* that the second jail was constructed on lot number fourteen located at the corner of Greene and Clinton Streets.

By 1818, the Public Square had become the hub of extensive activity. Ann Royal in her travel account, *Letters from Alabama*, reported on January 1, 1818, that Huntsville contained 260 houses made principally of bricks, a bank, a courthouse, a market place, and many stores. Commenting on the Square, she wrote: *There is a large square in the center of the town, like the town in Ohio, facing this are the stores, twelve in number. The buildings form a solid wall, though divided into apartments. The workmanship is the best I have seen in all the State; and*

several of the houses are three stories high and very large. There is no church. The people assemble at the Court House to worship. Huntsville is settled by people mostly from Georgia and the Carolinas—though there are a few from almost every part of the world—and the town displays much activity. The citizens are gay, polite, and hospitable, and live in great splendor. Nothing like it in our country.

In August of 1819, another writer described the county seat thus: *Huntsville is the principal and oldest town in the Valley of (The) Tennessee (River), and is the capital of Madison County. The United States have here a land office which, since its establishment (1811), has done more business than any two others, it has a bank with a capital of 500,000 dollars (Planters and Merchants Bank); two printing offices, and 2,500 inhabitants. It is a most flourishing town, in the midst of one of the finest counties on earth. Here met the Convention in July, 1819, to frame the Constitution for the government of the State.*

The convention mentioned in this description convened in Huntsville's Assembly hall located on the corner of Franklin and Gates Streets on July 5, 1819, and by August 2 it had written and adopted Alabama's first state constitution. Since many of the political leaders of the newly created Alabama Territory lived in Madison County, it was through their influence that Huntsville was chosen as the temporary capital of the state from June through December of 1819.

After the Constitution was completed, elections were held throughout Alabama on the third Monday and Tuesday of September 1819, to choose state officials and members of the legislature. On October 25, the legislature convened in temporary quarters to being its work. On November 7, the House of Representatives began holding its meetings in the courtroom on the ground floor of the courthouse, and on November 9, William Wyatt Bibb was inaugurated governor in this room in the presence of a joint session of the House and Senate. Normally, the Senate held its deliberations in a room located in the house of James Dunn which was rented for this purpose. The work of this first legislative session was monumental in that it set in motion patterns of state and local government that served the needs of the people for many years.

Within the next few years the legislature provided a uniform system of government for all counties in the state. Since Madison County had been one of the seven units of local government created prior to the formation of the Alabama Territory, certain changes were made in its court system. The superior court was replaced by a state circuit court system, and Madison was made a part of the fifth judicial circuit in 1819 with Clement

Comer Clay of Huntsville designated by the state legislature as presiding judge. Initially only the title of the county governing body was changed from Justices of the Quorum to Inferior Court in 1819, but two years later, sweeping changes were made which involved its jurisdiction and the selection of its members. A legislative act of 1821 abolished the five-man county court and made provision for one judge to be selected by the legislature and to hold office *during good behavior*. After 1831, his office was limited to a term of six years. Besides the civil judicial powers vested in this office, the county judge was also made the presiding officer of the commissioner's court created by the same act. Samuel Chapman became the first judge of this court, and James Manning, Gross Scruggs, Charles Betts, and Samuel Walker were elected to serve as members of the commissioner's court for a one-year term. In 1827, the commissioners' term of office was changed to three years.

The powers of the commissioner's court predecessor of the present board of commissioners, included the levying of such general and special taxes as were necessary to maintain county government, controlling the property and finances of the county, constructing and maintaining roads, and appointing certain officials as directed by law.

By 1830, the roster of county offices included commissioners of roads and revenue, county and orphans' court, circuit court, justice of the peace, notary public, circuit solicitor, sheriff, coroner, constable, tax assessor and collector, treasurer, county auctioneer, road apportioner and overseer, overseer of the poor, and county surveyor. This increase in the number of local officials is but one indication of the rapid growth of the county during its formative period.

The federal census figures for Madison County in 1820 showed a population of 17,481 almost evenly divided between whites and slaves, but by 1830 this figure had risen to 27,990 with the slave population making up fifty-three percent of the total. A further analysis of the Alabama census shows that Madison County continued to hold first place in population and wealth in the state.

Amid the prosperous years of the early 1830's, the commissioner's court made plans to build an imposing new courthouse to accommodate the needs of an expanding government and to grace the center of what was

Second Madison County Courthouse, 1840-1913

considered to be one of the most beautiful towns in the South. A special legislative act, passed on January 10, 1835, empowered the Madison commissioners to levy a tax for the purpose of defraying the expense involved in building a new courthouse in the town of Huntsville.

Meanwhile George Steele and Thomas and William Brandon, local architects and builders, were asked to submit proposed plans for the design and cost of the structure. On August 29, 1835, the commissioner's court adopted the plans drawn up by George Steele, and a committee was appointed to seek proposals from contractors who would undertake its construction. Advertisements for bids were placed in the Huntsville and Nashville papers, but none was forthcoming that was acceptable to the commissioner's court. Because immediate funds were needed in order to let the contract prior to the time that tax funds were made available, the county officials asked the state legislature to empower them to borrow $12,000 from the Branch Bank of Alabama located in Huntsville.

The next attempt to secure bids for construction of the new courthouse bore fruit. Dr. Thomas Fearn and James I. Donegan, prominent businessmen of Huntsville, were selected by the commissioners to receive proposals on or before December 1, 1836, and to let a contract for a building to be constructed in accordance with George Steele's plan. They also were directed *to superintend the same in every manner and respect*. Early in 1837, the firm of Mitchell and Wilson was employed to construct a two-story stone and brick building with a dome on top and a full basement beneath at an approximate cost of $31,000.

The building of Stephen S. Ewing located on the Public Square was rented to serve as a courtroom and county clerk's office while the new courthouse was under construction. According to the commissioner's court records, this building served as the temporary courthouse from August of 1837 to January of 1840. Apparently the new courthouse was occupied before its final completion during the early part of 1842.

On April 2, 1838, George Steele was appointed superintendent over the contractors to insure proper execution of the plans which he had drawn for the new courthouse. For his services, which were to extend to January 1, 1840, he was allowed $1,500. The agreement further stipulated that in the event the building was not completed by 1840, then he was to receive further compensation for his work after that date. Because the project did extend well into 1840, he was further compensated $500, thus bringing his total fee as architect and superintendent to $2,000.

As the work got under way, the old courthouse was sold at auction for $494.00 and removed. The ten-foot elevation on which it stood was then graded down and the rock used in macadamizing the area around the square. Originally the contract called for a tin roof for the structure, but in 1839 the commissioner's court voted to spend the extra money necessary to obtain a copper covering for the roof and dome. The expense involved in this change added $3,966.02 to the original cost anticipated and involved considerable time in securing the copper from a firm in Baltimore, Maryland.

On July 22, 1839, a contract was drawn between the commissioner's court and Thomas R. Rayon for the construction of a stone wall with oval corners around the courthouse to reach within fourteen feet of the streets on the Public Square. At this time, a contract with C. T. and R. Parker was also signed which provided for an iron railing to be placed on the stone wall. The total cost of the enclosure included $4,761.25 for stone work and $4,000 for the iron rail and gates.

Records of payments made to Mitchell and Wilson over a period from

December 27, 1837, to February 7, 1842, show that they received $33,893.37 for construction of the courthouse and grading the ground around it. The total expense involving this contract, the superintendent's fee, the copper roof, and other incidentals came to $40,175. To this figure was added the cost of enclosing the courthouse square which amounted to $8,761.

Incoming revenues to defray the expenses of improving the Public buildings and other costs of local government were defined thus by the commission's court on May 4, 1840: *Ordered the following be the rates of taxation for the year 1841 being by the authority of Acts of the Legislature to raise a revenue for building a new courthouse and other purposes to wit: On every $100 worth of land, ten cents; on every $100 worth of town property, ten cents; on every $100 worth of merchandize sold from the first day of May 1839 to first day of May, 1840, twenty cents; on each slave not exceeding ten years old, sixteen cents; on each slave over ten and under sixty years of age, fifty-six cents; on each free male negro or mulatto, over the age of twenty-one years, one dollar; on each $100 worth of pleasure carriage and harness, fifty cents; on each race, saddle or carriage horse fifty cents; on each public race tract, ten dollars; ... on each gold watch, one dollar, on each silver or other watch, forty cents; on each metal clock, one dollar, on each clock not metal, twenty-five cents; on every $100 loaned at interest, twenty-five cents; on each pack of playing cards sold, given away, loaned or otherwise disposed of, twenty-five cents; on all goods sold at auction, other than exempted by law, two percentum; on each share of bank stock of $100 value in said state, one dollar; on each billiard table kept for play, $150 including state tax; on all white males over twenty-one and nor more than forty-five years, twenty-five cents; and on such things as are not herein enumerated and were heretofore objects of state taxation, the amount of the state and said county tax for the year 1835, and it is further ordered that thirty percentum be added to the foregoing taxation for the purpose of defraying in part the building of a bridge across Flint River at the three forks thereof.*

As soon as the new courthouse had been completed, plans were set in motion to construct a larger jail, and a legislative act of 1843 made provision for Madison County to levy a special tax to cover the cost of it. Since the records of the commissioner's court are missing for the years 184-1849, no figures are available to ascertain the cost of its construction. In 1862, however, it was partially destroyed by federal occupying forces and replaced at a cost of $2,500. One further addition was made to the courthouse in 1849 when the town and county governments cooperated in

installing a large four-faced clock on top of its dome. This timepiece continued to serve the town of Huntsville until it was dismantled in 1964 to make way for the present courthouse, but as of January, 1967, its bell one again rang out the time on each half hour.

Between 1830 and 1860 no radical changes were made in Madison County's government, but a number of offices were created. In 1833, the duties of assessing and collecting taxes were turned over to a tax assessor and a collector. In 1839, a district chancery court was created and a chancellor appointed to handle its affairs. At the county level, a register in chancery was appointed the same year. In 1850, the probate court was established by a general legislative act which substituted such a court in every Alabama county for the early county court that had previously exercised probate jurisdiction, and John W. Otey became its first judge. At this time the county court's jurisdiction in civil suits was transferred to the circuit court. In 1856, the office of county superintendent of education was created to administer free public schools which had been created by general legislative action for the whole state of Alabama in 1854.

On the eve of the Civil War, Madison County was still considered one of the wealthier areas of the state and its political influence in state affairs remained strong. Huntsville also continued to be a key economic and cultural center in the Tennessee Valley. Because of its strategic position on the Memphis and Charleston Railroad, it was occupied by federal troops as early as April 11, 1862, and continued to suffer the privations imposed by occupation until the war ended in 1865. When it became evident that the courthouse would be taken over by federal military officials, most of the public records were removed to Blount County for safekeeping. Through the courthouse itself weathered the ravages of the war period, it, like many other structures in the town, received some permanent scars.

The reconstruction years in Madison County, in many respects, were more trying than the war years had been. This period was marked by inefficiency in government at all levels as well as economic depression. With the adoption of the Alabama constitution in 1875, local and state government resumed a more normal pattern of existence, and economy and honest in government were emphasized to the detriment of needed educational and health services. In 1879, a board of education was created for Madison County, but adequate financial aid to public education as not forthcoming until the first decade of the twentieth century. The post of county health officer was created as early as 1881, but it was not until after a series of typhoid epidemics in Huntsville that a movement was begun

which resulted in the establishment of a Madison County Health Department in 1918.

Between 1880 and 1900, business leaders of Madison County worked to improve agriculture and bring in a variety of industries which would revitalize the economy. Nurseries were established, cotton textile mills built, and an assortment of small factories opened to produce wood products, small tools and implements. Monte Sano was developed as a summer resort in 1887 to attract tourists from all parts of the nation—a venture which prospered until 1900. Diversification in agriculture brought increased prosperity to Madison County's rural population, and this prosperity in turn aided the expansion of commercial interests in the town of Huntsville.

The federal census of 1910 listed the population of Huntsville as 7,611 and that of Madison County as 47,040, thus showing an increase of almost one hundred percent within a fifty-year period. Although the county remained economically prosperous, its political influence was considerably diminished in terms of state affairs. Tennessee Valley political leaders were no longer serious contenders for the governorship or other state offices.

After the adoption of the Alabama constitution of 1901, Madison County government became less autonomous. While continuing to retain its traditional functions regarding strictly local affairs, the county became

more and more an administrative district of the state. As federal and state government began to assume more responsibility for rendering services to people, Alabama tightened its control over tax assessment and collection, law enforcement, election administration, education, health, and public welfare at the county level. As the number of county officials increased, the second courthouse was no longer adequate to furnish office space for them. Once again, as in the 1830's, the commissioner's court began to consider the feasibility of constructing a new courthouse. The commissioners as well as the people were divided on the question. At a mass meeting held to discuss the matter on February 15, 1913, those who wished to preserve the imposing Parthenon-like structure insisted that it could be enlarged and improved to accommodate the needs of county government. Others who wanted a new and modern structure reasoned that the building should reflect the intelligence and progress of the people, and that visitors to the county would be more impressed with a new courthouse than the old dilapidated one which stood on the Public Square. Some pointed out that they did not believe that the old courthouse could stand

Third Madison County Courthouse, 1914-1964

remodeling or reconstruction since the walls were badly cracked. One prominent citizen favored a new courthouse to be placed somewhere else so that the old building could be used as a place for exhibitions of products and as a home for county people when they spent the day in the city. The Chamber of Commerce presented a series of resolutions urging the construction of a new courthouse on the basis of such needs as adequate space for the daily transactions of government, adequate protection for valuable county records, and needed restrooms for the convenience of county people.

After considering the question for two months, the commissioner's court voted on March 26, 1913, to remodel and improve the old courthouse at a cost not to exceed $75,000. On April 21, the plans of architect C. K. Colley of Nashville were accepted with the stipulation that bids for construction would not exceed $65,000. According to his plan, only the columns and sidewalls of the old building would be retained, and two wings with a third entrance facing west were to be added to the structure. To finance this project, warrants were to be issued by the commissioner's court bearing interest at a rate not to exceed six percent per annum and payable by means later to be determined by the court. On November 3, 1914, a special election was held to empower the commissioner's court to issue $85,000

worth of interest bearing bonds in order to buy up these original warrants, and to pay for the total cost of the courthouse and its furnishings.

The bid submitted by Little-Cleckler Construction Company for $59,000 was accepted on June 16, 1913, and plans were put in motion to remove the county officials' offices to the Elks Building the second week in July. As work progressed during the summer months, it became evident that the walls and columns of the old building were in a crumbling condition, thus making it necessary to reconsider the construction of an entirely new building. The commissioner's court agreed on October 6, 1913, to build a new structure of the best quality of light or gray-colored brick with four entrances. Columns to be used on all four porticos were to be of hewn solid stone and fluted like the ones in the old courthouse. A sum of $10,000 was appropriated to cover the increased cost involved in these changes. At this term of court and commissioners also voted to accept the offer of the custodian of the United States Court Building to allow the various county courts use of this facility while the courthouse was being constructed.

Work progressed on schedule, and by April 22, 1914, a contract was let with the Art metal Construction Company to supply the furnishings for the courthouse at a cost of $12,522.18. By mid-August Little-Cleckler Construction Company had finished their work and plans were made to dedicate the building on September 10, 1914.

On September 9, the Huntsville Mercury Banner announced the forthcoming event and took occasion to comment on the courthouse which had recently been torn down... The old building was designed after the Greek Parthenon. It had a great history, and could its old walls have spoken they could have told of the oratory and eloquence of great lawyers, distinguished Congressmen, famous Senators in Congress and Presidents of the Republic. But, like all things of earth, having served its purpose and lived out its years of usefulness it passed away to make room for the new, larger, and better suited structure for the present day demands. May it (the new one) do so long and well as the old. The cornerstone will be laid at 11:00 o'clock on September 10, 1914 by the Masonic Lodge of Alabama. Everyone in Madison County is invited. Refreshments will be served and several speeches will be made.

The crowd that came to view the new courthouse found it generally acceptable. The town clock encased in its new home, the old iron fence, and the massive Doric columns supporting all four entrances helped to placate the feelings of those who had been the most severe critics of change. The Confederate Soldier, a memorial to the confederate dead, placed on the west lawn by the U.D.C. in 1905 and the D.A. R. plaque

containing a roll of Revolutionary solders buried in Madison County placed at the north entrance also remained to lend further evidence that all was not changed amid the rush of economic progress.

Late in 1914, the herd of pet deer which had lived on the courthouse lawn was transferred to the McCormick estate on Meridian Street, but the iron fence continued to serve as hitching posts around the Public Square for some years. After a heated argument concerning its removal, it was finally taken down in 1921 and a heavy iron chain put in its place. When it was discovered that the Big Spring, the town's main water supply, was being polluted by manure seepage from the hitching are around the Public Square, the commissioner's court had to take action in spite of the protests of those who hated to see the old landmark go.

Amid the economic expansion engendered by World War I and the boom period of the 1920's, the county government increased its activities as an administrative agent of the state. In 1911 the office of farm agent was created and in 1915 the position of home demonstration agent was added to farm extension service in Madison County. A license inspector was appointed in 1919 and in 1923, the Board of Review, later called the Board of Equalization, was established on a permanent basis. In 1923, the board of county commissioners replaced the boar of revenue which had replaced the old commissioner's court in 1919. A county court which combined the offices of a number of justices of the peace was initiated in 1911, and a circuit court for the individual county of Madison was created as the twenty-third judicial circuit of the state of Alabama in 1931. With the coming of the depression in 1929, the need for the expansion of welfare led to the permanent establishment of a Department of Welfare in 1935 which later became known as the Department of Pensions and Securities.

By 1937, the courthouse had again become inadequate to house the daily activities of county government and the Elks Building on Eustis Street was acquired to relieve the situation. Extensive renovation of the courthouse in 1940 brought some relief but not enough to take care of the needs of an expanding population.

With the advent of the Tennessee Valley Authority, created by act of Congress in 1933, the potential for great economic expansion in Madison County, as well as the whole Valley, soon became apparent. The varied TVA programs resulting in more adequate flood control, improved water transportation, better land utilization, and the production of abundant hydroelectric power, did must to aid the valley's recovery from the depression years of the 1930's.

Between 1940 and 1966 Madison County experienced the largest population growth in its history. In 1941, just before the outbreak of World War II, the federal government made plans to place two large installations just south of the city of Huntsville. The Chemical Warfare Service built a chemical manufacturing plan on a site which became the Huntsville Arsenal, and the Ordnance Department constructed a shell loading plant close by at Redstone Arsenal. As the end of the war approached, the work force at these two installations had grown to 20,000. Shortly after V-J Day on September 2, 1945, all production facilities were placed on standby. Not until June 1, 1949, when Redstone Arsenal was reactivated to fulfill a new mission for the Ordnance Department, did the military contribute substantially to the growth of the county's economy. With the transfer of a small group of German missile experts to Huntsville in 1950, there began a new era. The areas included in both arsenals were combined to form the Redstone Arsenal complex which, by 1966, included extensive activity related to research, development, and training for missile and space vehicle programs. Total employment of the George C. Marshall Space Flight Center and the various United States Army missile facilities had reached approximately 40,000 with an annual payroll of more than $200 million. The total yearly industrial payroll for Madison County had reached a figure of more than $460 million and the annual agricultural income stood at a figure in excess of $23 million.

Census reports also reflected the extent of Madison County's growth. In 1950, its official population stood at 72,903; in 1960 at 117,348; and in September 1964 at 713,284. The dramatic jump in Huntsville's population from 16,437 in 1950 to 72,360 in 1960 can be explained in part by the extension of the city limits in 1956 to include many of the suburban areas that had grown up around it for a period of fifty years. However, the fact that Huntsville's population doubled between 1960 and 1966 to reach an estimated 144,000 by January 1, 1967, can best be attributed to its increased role in the missile and space effort of the United States. Amid the rapid transformation taking place in all segments of life in Madison County, planning became a key factor in the activities of both city and county governing bodies. Working together, these governments set in motion extensive expansion and planning programs to allow orderly growth and to provide adequate services to its people. Such planning included a new municipal building, courthouse, library, auditorium, arts center, and community park areas.

Planning for a new courthouse began as early as April 13, 1961, when the board of commissioners voted to secure the services of Space

Utilization Associates to survey the space needs of the county. On December 4, 1961, the chairman of the board of county commissions was authorized to employ two architectural firms, recommended by this group, to draw up preliminary plans for a new building. Three months later on March 2, 1962, the Madison County Public Building Authority was created to implement the financing of the new courthouse. James R. Cleary became attorney for this group to help work out the details of financing which included a plan whereby $4,501,500 could be secured by the sale of bonds and funded over a period of thirty years. On August 20, 1962, the commissioners voted to retain the Public Square as the location of a new building and raze the existing courthouse.

Fourth Madison County Courthouse, 1966

Public hearings were set for October to let citizens express their views concerning this decision. Once again those who loved the old familiar atmosphere of the Public Square tried to keep it intact, but the forces of

change were too strong to allow the "nineteenth century look" to remain. When the Huntsville Historical Society, one of the chief defenders of historic preservation, realized its cause was futile, its members sought to compromise with those who wanted a "modern look" on the Public Square by urging that the architecture of the new courthouse be of a "timeless type." They also urged that the southeastern residential section of "Old Huntsville" be protected by the creation of an historical zone to be known as the Twickenham District.

After considering the advice of architects, engineers, and geologists concerning the suitability of the Public Square for a multi-story structure, the commissioners decided on December 3, 1962, to move ahead with plans to build on the original courthouse site. At this time, architects Loyd Kranert and Thomas Jones were authorized to submit preliminary plans for the building and on December 20, 1963, these drawings were approved. The annex on Gallatin Street which had housed the educational programs of the First Baptist Church before it moved to Governors Drive as rented for use as a temporary courthouse, and county officials moved their offices to this location on August 20, 1964. The United States Courtroom located in the downtown post office on Holmes Avenue as used by the courts from September 1964 until December 1966.

On October 1, 1964, Bama Wrecking Company was awarded a $37,050 contract to demolish the old courthouse. The contents of the 1914 cornerstone were removed for safekeeping, and the twenty massive stone columns were retrieved to be used elsewhere as a reminder of Huntsville's architectural past. In 1966, the Chamber of Commerce Transportation Committee proposed a plan for their use in constructing a Parthenon-type structure on the Burritt Museum property on Round Top Mountain, but this use was not accepted by the Burritt Committee. Three of them now grace the entrance to the Huntsville Botanical Garden and the others are to be used elsewhere in the garden.

The architect's final plans for the new courthouse were accepted by the commissioners on November 16, 1964, and the Public Housing Authority awarded a contract to Pearce, Demoss, and King of Decatur, Alabama, on March 16, 1965, for $4,501,500 to construct an eleven-story building with basement. Since the jail was to be placed on the ninth and tenth stories of the new courthouse the commissioners voted on October 8, 1965, to sell the old jail. They also agreed at this time to sell the courthouse annex on Eustis Avenue. As work on the new structure progressed, it was determined that an additional courtroom was needed to provide space for the four circuit judges now serving Madison County. For this purpose the

commissioners voted to spend a maximum of $75,000. To the original contract price, the county contributed $800,000 in cash for construction costs and interior furnishings and equipment, thus bringing the total cost of the courthouse project to approximately $5,301,500. During the summer months contracts were awarded to various business firms for equipment and furnishings at a cost of approximately $300,000. Business Equipment Company, dealers for Art Metal Construction Company, and Roberts and Sons of Birmingham were the two principal contractors selected to supply most of the items required. Though the original September 26, 1966, deadline for completion was not met, the new courthouse was occupied within three months of the target date. County officials began moving into their new offices on December 16, and county court was held in its new quarters on January 5, 1967.

For the first time since 1818, the Public Square provided space for the jail which was located in streamlined quarters on the ninth and tenth floors of the new courthouse. When the third jail on lot number fourteen had become too small, a site on Jefferson Street had been secured and a three-story brick building completed in 1929 at a cost of $83,000. Prisoners were transferred from this location to their new quarters on January 28, 1967.

The one part of the original courthouse complex no longer associated with Public Square was the market house. When the first courthouse was torn down, the public market was moved to the holding block east of the Square. In 1850, it was transferred to a site near the corner of Clinton and Washington Streets where it remained until 1914. Between this date and 1935, farmers once again marketed their produce in the parking area on all four sides of the Square; but in 1935, the county furnished farmers a covered market house near the Big Spring branch directly across from the present City Utilities Building. In 1963 this facility was moved to Cook Avenue, N. W. to make way for the relocation of a portion of Gallatin Street in the Heart of Huntsville Plan.

Although the courthouse lawn was newly landscaped in 1966, the historic markers and monuments were returned to their places to remind people of their heritage. Temporarily missing from his pedestal was the old confederate soldier who was undergoing repair after losing a battle with a demolition squad employed by the Huntsville Housing Authority. As the last brick wall on Cotton Row came thundering down, the crew accidently let it crush the soldier as he stood on the lawn of the First National Bank awaiting his transfer back to his station on the Public Square.

Dedication of the fourth courthouse was held on March 5, 1967. At this

time the cornerstone, containing items selected by the Huntsville Historical Society, was laid, speeches made, and refreshments served just as in September of 1914. Following the ceremonies, citizens of Madison County inspected their newest "Temple of Justice" located on the same Public Square that still served as the seat of county government for which it and the town of Twickenham, now Huntsville, had been created on July 5, 1810.

1993 Update on the Public Square

The new courthouse continued to house many of the functions of county government, but the other activities which had been carried on around the public square began to change, and in the next twenty-five years all of the retail stores with the exception of Harrison Hardware, owned by the Historic Huntsville Foundation, had gone out of business or been removed from the square to the many shopping centers scattered throughout the city.

Like many other cities, Huntsville became involved in urban renewal programs after World War II which allowed local governments to receive large amounts of federal money to aid them in rehabilitating most of the territory which lay within the city limits of Huntsville in 1950. The Housing Authority of the City of Huntsville undertook the responsibility for carrying out seven major projects which conserved, rehabilitated, and developed almost two square miles of land. (See accompanying map showing projects.) These projects replaced blighted, substandard, and crime-ridden areas of the central city with a redesigned and rebuilt metropolitan area capable of serving the needs of a rapidly expanding urban area. From the beginning of these projects in 1956 to 1981 when the seventh and final project (ALA R 46) was completed, a striking transformation in the physical face of the whole of downtown Huntsville had been achieved. Through these seven projects, large tracts of land within a bordering the original forty acre, nine square blocks, which included the Public Square, were cleared of obsolete and decaying structures, reshaped through street and road redevelopment into new tracts, and sold for development of both new public and private facilities.

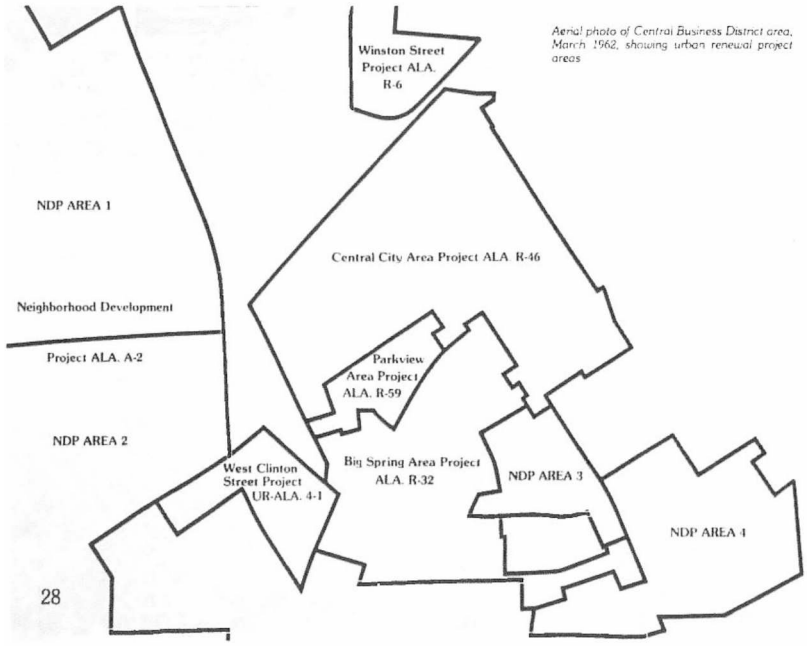
All utilities in the expanded downtown area were replaced or reworked to provide the central city with electric, water, and gas delivery systems that would last for the next half century. By placing all wires underground, installing distinctive new street lighting, and removing many oversized signs, the semi-mall around the Madison County Courthouse became a successful beautification project. But it also helped to reduce traffic congestion in the area and provided incentive for rehabilitation of existing buildings and construction of two new facilities on the east side of the Public Square.

As a phase of Project Ala. R 46, the streets and pedestrian travelways immediately surrounding the square, one block east on Eustis and

Randolph Avenues, two blocks on Washington and Jefferson Streets, were all redesigned and rebuilt. Sidewalks were removed and replaced with pedestrian walks constructed of old bricks and made must wider than the previous walks. Trees, planters, lawn areas, and covered rest stops were installed to create a parklike environment.

Today the Public Square remains at the heart of downtown Huntsville, and serves as a legal and professional center. It is protected from physical decline because of its location. To the west the International Big Spring Park serves to connect the square with all municipal buildings and the Von Braun Center Complex. To the south lies Alabama's Constitution Village and the Medical District. To the east it is protected by two historic districts, Twickenham and Old Town, both of which exist to preserve the city's historic architecture. To the north, new structures such as AmSouth Bank are gradually filling in the tracts of land that were cleared of dilapidated structures. Since I-565 has been completed, existing structures as well as new ones have been added to the area around the Depot Museum.

Although much has been done to revitalize the central area of the city,



Aerial photo of Central Business District area, March 1962, showing urban renewal project areas

there remains much to be accomplished. The courthouse as well as the grounds around it need to be refurbished. In order for the Public Square to retain its beauty and usefulness, its walkways need repair, its trees and shrubs need to be trimmed, its inappropriate signs need to be replaced with those in keeping with its physical structure, and its vacant buildings need to be put to use.

Thus far in Huntsville's history its citizens have been able to blend the past with the present and look to the future in such a way that the Public Square continues to be an important focal point in the city.

References: Space does not permit the listing of detailed end notes. The materials contained in this article were obtained from the following sources: Mississippi Territorial Records, Alabama Records, Madison County Records, City of Huntsville Records, published documents, and selected published works on state and local history. The first part of this article was written for the Dedication of the Fourth Courthouse on March 5, 1967.

The News from Huntsville

By Nancy Rohr

Huntsville, August 16th 1820[68]

Dear Fred,

I have for some [time] been expecting to hear from you, but your Brother says he has not rec'd any letters from [you] yet. I must give you a small detail of the times. The rule has got[ten to] be rock down and stab. Logwood got stabt by Reubin Turner and expired the next day. He is not in Jail. The next morning Old Delin the grocer got stabt but is about to recover.

Dr. Bradford has forged Major Watkins, Thom. Eldridge, and Eli Hammond and Sugars Turner's names in Bank for six thousand dollars to get his note discounted, ran away, Sherriffs followed him in Tennessee, fetched him back, put him in jail in their yet. Old Cockrane of this place was found dead in his Bed. Jurors Verdick natural death. Examined his papers found out his name to be

[68] Samuel Hutton to Fred A. Harris, August 16, 1820, Harris Family Papers (Rare Book, Manuscript, and Special Collection Library, William R. Perkins Library, Duke University). Commas have been added for the sake of clarity; and sentences have been grouped in clusters to make reading somewhat easier.

Cushing, runaway from Mersales [Marseilles] France. Had a pardner there by the name of Munideen. McKinley & Brandon administer on the estate.

Mr. Pen[n] looses $900 by Bradford. I loose $130. Hutchings not broke yet. Put Anion in jail last knight for stealing horse. Jail nearly full. Egbert Harris said to be in a bad way. Owes me $150. Loose it. Old N. B. Rose broke, owes me $700. Hard times these little losses, with one other big one will or has broke me. Therefore you must not depend on my doing anything on the business we were in conversation about.

Please rite me and let me know the state of your mind. Fred, I am doubtful I was born'd to have [a] fortune, but old man I say. If I make nothing one consultation [consolation] I had nothing to begin.

Sir, Eldrid Rawlins married to Miss Nancy Lanier, Dr. Erskin to Miss Catherine Russel, John Russel to a Miss Old of Franklin, Tennessee. Charley has gone over the river, will return shortly.

Your brothers family and self are all well. People tolerable healthy—I had forgot to mention about Alfred Davis stealing Willis Pope['s] horse Cyclops and returned, gave up the horse and gone again.

My friend, times are harder here than ever you knew them. I suppose I shall get 7 or $800 dollars about Jany. Next. Will be all I have to start on. You must excuse bad speling and rewriting for I am in a Damnable hurry. Nothing more but remain your friend and well wisher.

Fred A. Harris
Yours with Respect
Sam I. Hutton

As letter writers often do, Samuel Hutton began this letter to his friend, Fred Harris, with the mild complaint of waiting to receive a letter from him first. But haste was obviously necessary and Hutton began sharing the news from Huntsville, Alabama, immediately. After all, there was so much to tell. Hutton wrote quickly at a table from the Bell Tavern, perhaps the Huntsville Inn, or Cooper's Hotel as the stagecoach was loading the mail or a friendly rider was preparing his saddlebags for the long ride to

Virginia.

The frontier village of Huntsville was newly settled. The two curves of the Tennessee River, as it traveled westward, formed the southern boundary of Madison County; and the state of Tennessee, the northern boundary. The area presented an attractive and unique environment to a variety of prospective pioneers. In the east, yeoman homesteaders were drawn to the rugged mountains to settle on small farms, and in the opposite direction prosperous planters vied for the vast acres of fertile red clay. Huntsville, the county seat, was located on the bluff overlooking the Big Spring where John Hunt had settled. Alabama fever had recently affected scores of pioneers who saw the prospect of a better life in the new lands. They came by the drowse with friends and extended family groups travelling by wagon or afoot. Merchants soon followed to stock supplies and manufactured goods and to welcome guests at inns and taverns. The way was not easy for any of them.

The Chickasaws and Cherokees formally vacated the lands as recently as 1805 and 1806. Yet the Creek Indian Nation remained nearby just across the Tennessee River. Other dangers menaced the newcomers. The unknown dense forests, the wild animals, the rough landscape, the sometimes sweltering climate, and the ever-present daily struggle for survival were constant battles. There was also the element of the outsider, passing through, seemingly unattached except for quick opportunities, or failure, before leaving for his next exploit. Because law enforcement was also unsure, oftentimes one had to be on guard. But most settlers came with a spirit of optimism and determination to provide for their families as responsible citizens. Most people aspired to better themselves the only way they knew how, by hard work and perseverance. After all, improvement was the foremost intent, whether vagabond, prosperous planter, struggling farmer, or tradesman. The promise of success in the wonderfully rich countryside of the newly formed state was worth the risk.

For whatever reasons they came, whether to flee jail, escape poverty, begin a more comfortable life, or make their fortune—land was the attraction. Many of the settlers were exceptional people. The persons mentioned in the letter were exceptional by their very presence here. “Those who explore and settle new countries are generally bold, hardy and adventuresome men, whose minds, as well as their bodies, are fitted to encounter danger and fatigue; their object is the acquisition of property

and they generally succeed."[69] Surely, their wives and children were no less hardy.

The very first pioneers settled illegally because the land south of Tennessee had not been surveyed or put up for sale. When Madison County became a county in the Mississippi Territory in 1808, there were already 300 squatters living in the area. In 1809, Thomas Freeman, the federal agent and surveyor, counted a total population of 2223 whites and 322 slaves.[70] The Land Office, formerly in Nashville, moved to Huntsville in 1811, and there was amazing activity and growth. Within just ten years, including the transition to statehood, the population grew to 10,242 whites, 9,323 slaves, and 54 free blacks.[71] Transportation for the growing number of people and goods was exceedingly difficult. Roads were poor and often unusable in the wet season, and riverboat transportation was unusable in the dry season. But Huntsville was never totally isolated from the new of the nation's affairs and politics. Pioneers continued to settle, and visitors arrived. Anne Royall, that intrepid traveler, spoke highly of Huntsville. On her first trip in 1817 she wrote, "The cotton fields [were] astonishing large…you cannot see the end of the fields." She spoke of a flourishing town.

> "The land around Huntsville, and the whole of Madison County…is rich and beautiful as you can imagine, and the appearance of wealth would baffle belief… It contains 260 houses, principally built of brick… The workmanship is the best I have seen in all the states… The citizens are gay, polite, and hospitable and live in great splendor."[72]

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[69] John Marshall cited in Parke Rouse, Jr., *The Great Wagon Road* (Richmond, 1995), 101-102.

[70] Clarence Edwin Carter, *The Territorial Papers of the United States*, Vol. 5, Territory of Mississippi, (28 vols., Washington, 1937), 692.

[71] "Alabama Census Returns, 1820," *Alabama Historic Quarterly*, no author (Fall 1944), 337.

[72] Ann Newport Royall, *Letters from Alabama 1817-1822*, ed. Lucille Griffith (University, Alabama, 1969) 114-115, 118-119.

President Monroe paid a surprise visit in the early summer of 1819, and citizens were delighted to entertain him and his small circle of friends. The state constitutional convention was held in Huntsville that year, and the town as temporarily the capital when William Wyatt Bibb was inaugurated as the first governor of the new state in November. Mrs. Royall visited again in 1822 and was still quite impressed. She predicted it "will always be a place of wealth and business… Few places combine more blessings than Huntsville."[73]

By the 1820s, at the time Samuel Hutton's letter was written, Huntsville was shaping into a worthy community from many perspectives. Leaders initiated the Bible Society, and the Presbyterians began work on their meetinghouse. Schools were established. Muster Day brought out the militia for practice, followed by all the hoopla and social good cheer that might have spilled over into the taverns afterwards. Because everyone knew where the Militia Grounds were, it was also convenient to collect state and county taxes there. The public library was formed and used a room in the courthouse. A Masonic lodge, the first in the state, invited fellowship and service. Traveling players offered drama, musical farce, and comedy at the theater. A dancing academy and French lessons were available. Dr. Fearn had just returned from advanced study in England to begin his medical practice. For sporting gentlemen there was card playing and the famous racetrack at the Green Bottom Inn.

Advertisements in the local newspaper, the *Alabama Republican*, offered a variety of goods and services to fit every budget. The men might purchase superior English cattle or thrifty boots. Ladies shopped for new and cheap merchandise of seasonable spring or fall goods like Liverpool or Queensware. And to complete any ensemble, Leghorn Bonnets just arrived. Huntsvillians could share with the family, back in Virginia or Georgia, tidings with notes written on gilt-edged letter paper purchased in town.[74]

However, the outward signs of civilization did not always cancel the ever-present chance of danger. Unpredictability and lawlessness often waited nearby. The constant migration brought settlers who were perhaps only passing through and had little sense of real responsibility to the community, and citizens' worst fears were realized in August of 1820. The

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[73] Ibid., 235.

[74] Huntsville, *Alabama Republican*, misc. notices 1820-1821. Hereafter cited as *Republican*.

news was not good. The very first item reported in Hutton's letter was the murder of Thomas Logwood by Reuben Turner. Turner never denied the deed. The *Alabama Republican* carried a shocked and angry report:

> AFFRAY AND MURDER. It is painful to our feelings to record so depraved a transaction as the following. As Mr. Thomas Logwood and Reuben Turner were leaving town on Monday evening an altercation took place, which caused some blows to pass while both parties were on horseback, and which ended on the ground, by Turner's stabbing Logwood mortally with a knife... It is generally understood that the dispute originated concerning a security debt which Turner owed Logwood. Many of our readers may recollect that this Mr. Turner came from Virginia about two years since and wormed himself in the favor of some few men of property, among whom was this Mr. Logwood, by whose assistance he was enabled to purchase the establishment of the Bell Tavern, which he kept for three or four months. Everybody who knows the man is well acquainted with the scandalous and disgraceful manner in which he left town, and his dishonesty to all his creditors. It is well known that he almost ruined Mr. Logwood, who was compelled to raise a very large sum on short notice, to pay a debt incurred by becoming a security for Turner... After a lapse of about 18 months this hardened wretch made his reappearance in a town where his name is consigned to infamy, and as a requital to his best friend and benefactor, stabs him to the heart. Turner died of his wounds on the night of Tuesday 8th... The verdict of the inquest was "Willful murder by the hand of Reuben Turner."[75]

From the evidence, basically those were the facts. In June of 1818, Reuben Turner, a newcomer to town, purchased the Bell Tavern with a

[75] *Republican*, August 11, 1820.

mortgage of $12,000.[76] Several prominent men co-signed the note, including Thomas Logwood. Turner left town surreptitiously and returned surprisingly in a few months. Although both men had almost faced financial ruin because of Turner, on the evening of the crime Logwood and Turner were friendly enough to be drinking together. They left the Bell Tavern together and were headed away from town when Turner decided to return. Logwood apparently grabbed the bridle of Turner's horse to stop him. The only witness, Mr. Seay, saw Logwood strike Turner two or three blows with a horsewhip or cane while on horseback. Turner was known to be carrying a dirk, and six or seven stab wounds were on Logwood's body. In the early morning light, the weapon was found at the scene of the crime.[77]

Obviously the sentiments of the newspaper, and mostly likely the reading public, at that time, were clearly against Turner. Although Logwood was prominent in the community, he had arrived from eastern Virginia with something of a blemished record himself. In 1797, while still in Powhatan County, Virginia, Thomas Logwood deeded a gift of 13 slaves to Mary Patterson, his future bride. Unfortunately in 1804, now Mrs. Logwood, she had to sue her husband for full title to the slaves in the Chancery Court in Richmond, Virginia. She stated that because her husband was in jail she was unable to protect her rights to the now 23 living and 4 dead slaves. Her allegations were admitted to be true, and with the deed accepted, "they set out for Alabama" in 1819 to join Logwood in Madison County.[78]

At any rate, Thomas Logwood did not die instantly from the attack by Turner. Attempts were made to save his life, and both Dr. Fearn and Dr. Watkins were in attendance. The affairs of Logwood were in such disarray that neither doctor received their fees for consultation ($25 and $30 plus $17.40 interest respectively) in what Dr. Watkins called Logwood's "last

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[76] Madison County, Alabama, Deed Book E, 86; E, 62.

[77] *Republican*, Extra Edition, July 19, 1823; Gov. Israel Pickens Papers, Evidence for State and Defense, Reuben Turner, Petitions for Pardon, SG 4162, f.7, Alabama Archives, Montgomery, Alabama

[78] Dorothy Scott Johnson, comp., *Madison County Alabama Deed Book A, B, C, D & E 1810-1819* (Huntsville, 1976), 74. One is not entirely sure from reading this if Mrs. Logwood was already here and the slaves joined her or if she and the slaves traveled together with Mr. Logwood to Alabama.

sickness" until much later.[79]

Fortunately, Logwood's will was written earlier that year in July. After his death the inventory of his holdings included slaves, almost one hundred books, a backgammon table, and items to give value to the estate of $9,646. This might appear to be a significant amount, but unfortunately obligations and debts surrounded Mrs. Logwood and his five surviving children. The advertisement for the sale read, "Will be exposed to public sale for cash, at the door of the courthouse...that VALUABLE PLANTATION formerly owned by Samuel Chapman and now occupied by Mrs. Thomas Logwood.[80]

Again, the widow Logwood tried her best at resolving the estate. In February of 1821 a notice in the newspaper announced the sale, "at public auction the residence of Thomas Logwood, near the Prairie, all his crop of Corn & Fodder, Plantation utensils, stock of horses, Mules, Cattle, Sheep, and Hogs, Waggons, Carts, A Sulky, and a 1st rate London Copper STILL, with a pewter worm. At the same time will be hired 12 likely Negroes."[81] There remained for Mrs. Logwood some furniture and her few personal items.

During all this time Reuben Turner languished in the local jail as the legal process continued slowly. Finnaly he was tried and convicted in the November term of Madison County Circuit Court, 1822. Turner was sentenced to be hanged on February 23, 1823. However, by the time the death sentence was pronounced, feelings in the community toward Turner had lightened considerably. The murder did not appear to be premeditated in any manner. Another, particularly southern, standard might also be considered. Daniel Dupre in considering this sequence of events suggested, "Southern men were particularly sensitive to the symbolism of a caning or a horsewhipping. They were used to punish slaves, or attack inferiors who were not honorable enough to challenge to a duel." At the least this attack was about Turner's "standing in society and his honor," and most men in the community probably felt this was indeed a point of

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[79] Madison County, Alabama, Probate Records, File #923, Thomas Logwood

[80] Madison County, Alabama, Probate Record Book #2 (Alabama Archives, microfilm), Inventory of Thomas Logwood, January 29, 1821. [Some owner, not necessarily Logwood, possessed a flair for the theater, three of the slaves were named Yorrick, Cato, and Iago.]; *Republican*, August 25, 1820.

[81] *Republican*, February 23, 1821.

honor.[82] Various citizens wrote letters of petition to Governor Pickens at the state capital then in Cahaba. Each letter offered a different viewpoint, but the intent of a pardon was the same.

Of course his aged mother, and other family members, attested to Turner's character in a letter written by the governor of Virginia. Solicitor to the Governor of Alabama, Joseph Eastland, said that it was extremely doubtful that Turner was truly guilty of murder. After all, no express malice was proven, and therefore Turner was a "fit and proper person for executive clemency." This crime was committed in the "heat of passion, not legal malice...owing perhaps to a natural warmth of temper of intoxication." There should be reasonable doubt. Henry Minor, delegate at the recent state constitutional convention, noted that both men were "groggy" and "humane sympathies" would not be served by a death sentence that gives an "appearance of vigor and cruelty, than a necessary act of public justice."[83]

From Madison County the Counsel for the prosecution, J. M. Taylor, wrote for exoneration. Presiding Judge Clay acknowledged that perhaps he had not distinguished between murder and manslaughter in his directions to the jury. Twenty-six lawyers petitioned and 18 other citizens, including four of the jurors wrote for clemency. In his letter, the Jailer, Daniel Rather, reported that during a jailbreak with others, Turner returned and awoke the jailer to tell him of the escape. Turner voluntarily remained in jail. Although intemperance was not unknown on the frontier, Dr. Weeden, a prominent citizen said Logwood was known to be "turbulent when drinking." However, liquor remained a problem for Reuben Turner. In one respite, Governor Pickens suggested "the sheriff will use great care that the prisoner be not furnished with the means of intoxication, such a habit is extremely unsuited to preparation and reflection." Apparently the Governor did not intend a Pardon yet.[84]

In all, governor Pickens issued three respites before giving the Pardon, at large. The Alabama Republican printed an Extra Edition, July 19, 1823, reporting the steps leading to and all the letters pleading for pardon. There

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[82] Daniel Stuart Dupre, "Liberty and Order on the Cotton Frontier: Madison County, Alabama, 1800-1840," (Ph.D. dissertation. Brandeis University, 1991), 289.

[83] Governor Israel Pickens Papers, Alabama Archives, Montgomery, Alabama.

[84] Ibid.

was no hint of editorial disapproval or community dissatisfaction in the newspaper report. And there was no further news of Reuben Turner in the Huntsville community or Madison County, Alabama.

The second act of violence noted in Hutton's letter was in a way just as shocking. Seemingly, it was an act of robbery and mayhem by a man probably not ordinarily noticed in the community. Citizens might understand violence as a result of a night of hard drinking, but in this case, the very next victim could be any hardworking merchant or honest citizen whose life would be ruined. As reported by the newspaper, the casualty this time was the grocer, "old Delin," of the firm of Phelan and Dillon. He "was dreadfully stabbed by a man of the name of Williams, a journeyman carpenter. His case was said to be a very doubtful one." Thomas Dillon and Joh Phelan were partners making soap and candles and offering other timely goods in their shop. Their advertisement offered, "Candles, Whiskey and Porter. The subscribers inform their friends and the public that they are at present enabled to supply them with New Candles, Old Whiskey, and Draught Porter which is neither old or new, but just in its Prime." Dillon recovered from his wounds, but he may have been in weakened health. Either because of the results of his injuries or the financial difficulties of the times, the partnership was officially dissolved in October. And perhaps because of his earlier wounds, "old" Thomas Dillon died September 11, 1825, at the age of thirty-five.[85]

If there wasn't enough excitement already, townspeople really were abuzz with the news of the death of the man they knew as James Cochran. All of a sudden the village was cast into stories of conspiracy and embezzlement from places that most folks had never heard about. Many were vaguely aware of the French city, Marseilles, but these new rumors spoke of places in the interior of India, South America, and Cuba. The tale was only beginning to unfold with gossip concerning large sums of money spent about town and then the newspaper's unusual announcement of death:

> MYSTERY
>
> Sometime in November last there came to this place a man who called himself James Cochran.

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[85] *Republican*, August 11, 1820; September 15, 1820; march 9, 1821; Diane Robey, Dorothy Scott Johnson, John Rison Jones, Jr. and Frances C. Roberts, *Maple Hill Cemetery, Phase One* (Huntsville, 1995), 1.

> In the course of the winter and spring following he purchased in this town real estate to the amount of $18,650 for which he paid the money took conveyances in the name of James Cochran. On the morning of the 12th inst. He was found in his bed. From the composure of his features and position of his body, it is supposed he died of nightmares or sudden stagnation of blood... It appears probably his true name is Isaac Cushing and that he had been one of the firm of Cushing & Meinedeir, of Marseilles, in France, and that he has a brother residing at Boston named Thomas Cushing....
>
> Adm. J. McKinley Thos. Brandon[86]

Indeed, a gentleman named James Cochran arrived in Huntsville at the end of 1819 and purchased valuable lots of real estate in town along the square. In these difficult times, with ready cash in hand, he was clearly welcome. He obviously lived well, and no one asked questions. His estate included such items of refinement as a gold snuffbox, a gold watch, a brace of pistols, a bugotill table, and a backgammon table. However, Cochran/Cushing kept one piece of furniture too well endowed. Inside the chest of drawers in his bedroom was a legal trail of papers, written in his own hand, that proved connivance and trickery, 39 documents in all. To summarize the Chancery Court records that took over 20 years to tidy up, the following are events as they were reported, some with the unique phrasing of their day.[87]

A mercantile partnership was formed in Marseilles, France, in 1814 between Pascal Etienne Meinadier and Isaac Cushing (James Cochran). Initially there was indebtedness for merchandise of 400,000 francs. With

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[86] *Republican*, August 18, 1820.

[87] Madison County, Alabama Probate Record Book #2,P. (Alabama Archives, microfilm); Madison County Chancery Court Record Book C, 142-154, 171-172, F, 195-258. His brother-in-law Reverend Estabrook, even wrote and gave letters of introduction to Cushing, leaving some blank so Cushing might insert many one of his assumed names. At least five currencies, Spanish pesos, French francs, English pounds sterling, Portuguese arobes, and American dollars, were involved in the transactions.

this money the partnership bought sailing vessel, the *Le Bragne*, tackle and cargo. In May of 1817 the ship set sail for Chandermagore, India, about 20 miles north of Calcutta, with Cushing aboard as overseer. Of course the profits would be shared from this venture. The ship sailed for the firm and to lessen the remainder of the debt. In the meanwhile, Meinadier reduced his share of the debt almost in half by hard work and felt confident of the concern's success, waiting for his share of the venture. But the ship never arrived in India. Cushing directed the *Le Bragne* to Rio de Janeiro where he apparently sold the ship, the tackle, and the cargo, pocketing $10,000 for himself.

The illicit adventures continued. Cushing only nominally sold the ship, because by secret agreement with Captain Kennedy, the vessel then sailed to Bueno-as-Ayres [*sic*], where the two really sold the ship and split the cargo, dividing $65,000. Now in Buenos Aires, Cushing purchased a load of jerked beef, on the partnership account with Meinadier, and sailed to Havana with the new cargo on the ship *Enterprise.* The profit of that shipment was $30,175.35 for Cushing and $22,425.35 for David Sawyer.

When no funds were forthcoming from overseas, and the treachery became known, the French merchant, Meinadier, was cast from opulence into destitution and threatened with jail in France. In silence he saw the home of his inheritance taken from him, down to the last pillow, and swept into the same vortex leading to utter poverty. If this seems very French and overly dramatic, debtors' prison was a start reality of 19th century life. To his relief, 23 creditors supplied Meinadier with funds to pay for his passage to America to locate Cushing and recover what assets could be salvaged.

In the meanwhile Isaac Cushing joined his family in Boston in April of 1818, and immediately shifted funds to his brothers, Thomas, Nathaniel, Charles, Benjamin, and his brother-in-law, the Rev. Joseph Estabrook. However, Isaac did not have long to enjoy the fruits of his intrigues. The now destitute merchant, Meinadier, fast on the trail, arrived in Massachusetts in March of 1819.

Cushing fled Boston, in disguise, and by devious flight passed through the Great Lakes and Canady [*sic*]. According to Meinadier, Cushing by the precipitation, disguise and circuitry of his course eluded the incipient vigilance and exertion of his pursuer to settle in Huntsville, Alabama. It was no accident that Isaac Cushing chose Huntsville to relocate, or hide, depending on one's viewpoint. During the formative years, the old southwest had constantly endured the threats of renegade Indians, lawless Spaniards, and undisciplined whites, who annoyed, robbed and murdered settlers. For the protection of the citizenry, American troops were stationed

throughout the vast area. Among the soldiers from the years 1802-1811, and rising to the title of Commander of the Military District for the Mississippi Territory, was an outstanding officer from Boston, one Col. Thomas Cushing.[88]

Isaac Cushing, now James Cochran, arrived in Huntsville by the start of the New Year in 1820, to begin a new life—at least for a while. Cochran, with ready cash in hand, saw the possibilities for profit and first acquired two buildings on the north side of the square. In March, he recognized the desperate straits of Gen. John Brahan, was able to take advantage, and purchased buildings on the east side of the square from the general at a low price.[89] In May that same year he purchased more buildings to make a total of eight, all along the bustling square, the heart of the community. But time was running out for Isaac Cushing/James Cochran. He died, from whatever medical causes, August 12, 1820, leaving behind a vast trail of conspiracy. The appointed local administrations, who must have found more than they wanted when going through his personal effects, ordered a sale of perishable property on January 30, 1821. At some time later Meinadier, the French merchant, came to town and began legal proceedings to recover his losses. The first chancery court records for these cases started in 1826. By December 1, 1829, the Court ordered the administrators to pay $127,894.65 out of all the monies, goods, and chattels of James Cochran.[90] These funds, of course, were insufficient, and the Court ordered sale of all the real estate that Cochran had bought while in Madison County.

Legal matters never sort themselves quickly and the merchant Meinadier may have stayed a while in Huntsville. Perhaps there was little of monetary

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[88] Carter, *Papers V*, 102, 224, 679. According to the court testimony, brother Thomas Cushing nefariously made the arrangements with Captain Sawyer with whom he had already sailed in England.

[89] General Brahan, Madison County's most distinguished military leader of the Revolutionary War had been appointed receiver of public money for the land sales in Huntsville. He bid for land himself and apparently made the down payment with government funds. He was called on for the $80,000 and was unable to come up with the amount due. Whether he was careless, or criminal, community friends and leaders helped return the shortage. Due to his age and standing, the matter was not generally discussed as the years passed.

[90] Madison County Deed Book F, 88; 233; F, 31, F 312, *Republican*, December 22, 1820; Madison County Deed Book N, 263. Using BLS guide as to the worth of an 1820 dollar today, the value would be at least 1-1/2 million dollars in 1997. Thank you, bob Nathan.

value left for him in France until he straightened out affairs here. He, or an agent, sold property in Huntsville in 1841. However, there are no notations of him in the local census or local cemeteries. Perhaps he was, after all, able to return to the home of his inheritance.

Although Hutton's letter appears to be about people and events, the real news is about the effects of the Panic and Depression of 1819-1820. After the War of 1812 the Creek lands had safely opened for purchase, and acreage sold at inflated prices in Alabama. Farmland could be bought on credit with only one quarter of the price as down payment and with four years to pay the remainder. Generally the years leading up to the boom of 1818 had been good throughout the countryside, and people were optimistic as they continued to buy on credit. There had been high foreign demand for American farm goods during the preceding Napoleonic Wars. This resulted in over-production of cotton on the international market, and the prices fell sharply everywhere. Prices for other farm crops also fell, and the cycle soon affected everyone.

Cotton prices previously set a high of 32 cents a pound, but by June of 1819 a farmer was lucky to receive 12 to 14 cents a pound for his crop. Panic followed, as those who had purchased land on credit were unable to make payment because of the lower cotton prices. Private Banks that issued their own paper money refused to exchange for coin, and paper money lost value rapidly. As a result, banks failed; merchants stopped extending credit and called in overdue bills. This domino effect continued on down as everyone demanded payment of personal debts from friends, neighbors, and relatives. Money, always scarce on the frontier, seemed to disappear from everyone's pockets and purses. Depression quickly followed the panic.

Locally, as elsewhere, foreclosure and debts led to forced sales. The newspaper for October 20, 1820, included 19 notices of Sheriff's Sale, and by January 12, 1821, a new column was begun under the heading of "Lands for Sale." Large and small landowners alike were affected. Most of these settlers had come to stay, purchased property, plant crops, build homes, and raise their families. Of those mentioned in the letter by Hutton, nine men purchased land in the county even before statehood in 1819. They had seen the promise of good future; but with the additional hardship of impoverished times, some settlers finally gave up the struggle to remain. For instance, the effects of the depression and panic can be followed in Madison County with the Harris brothers of the letter.

Although Samuel Hutton is writing to Fred Harris, it is clear that he is also a friend to the brother Capt. Williams B. Harris. The Harris brothers,

originally from near Lynchburg, Virginia, entered into that early eager spirit of optimism and growth when they chose to settle in Madison County in 1819. William Harris initially stayed in Alabama, while Fred A. Harris, most likely because of uncertain finances, returned to Virginia and the family there. William and Elizabeth (called Betsy) has at least one child, a boy, Edward. Also in town was Aunt Pamelia Mosely, wife of Capt. John Mosely, from whom Harris was estranged. But in his letters back home, William writes far more about his financial life than his family life. Unfortunately, in Madison County, cotton production and profits already were lower in 1818. From Virginia, a letter from their brother, Hannibal Harris, mentioned William's "cotton has been all but down by killing frost." The next year, Hannibal reported, "Times have become so very hard that the people all look as if they have just lost some friend." Not surprisingly, cotton and other crops brought less profit than expected. "...you say, cotton has much fallen and I suppose all other productions of your country will fall... All things have fallen here. It is impossible for a man to raise money."[91] And then concerns became worse.

The "for sale" notice in the Huntsville newspaper was nicely presented.

> **AN ELEGANT ESTATE FOR SALE**
>
> Being disposed to move further to the south, I have concluded to sell the section of land on which I now live, and formerly owned by Dr. Manning. The conveniences of that building, the fertility of the soil, the great abundance of water and never failing springs, sites for water works, bordering immediately on the meridian road and within 7 miles of Huntsville, render this estate an object to an industrious capitalist. A bargain will be given, and immediate possession. For terms apply to the subscriber, on the land.
>
> William B. Harris[92]

By 1820, when Fred had returned to Virginia, William apologized to his

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[91] William B. Harris to Fred Harris, April 25, 1821; Hannibal Harris to Frederick Harris, June 10, 1818; Hannibal Harris to Frederick Harris, April 27, 1819; Hannibal Harris to Frederick Harris. June 30, 1819, Harris Family Papers (Duke University).

[92] *Republican*, December 1, 1820.

brother because he was unable to repay a debt to him, except by the possible sale of property, which at that time no one was buying. William thought of starting again in Arkansas, Florida, or even Cuba. Harris's "elegant estate" finally sold in 1821 to Mr. Horton at a dreadful price. William disposed of property for only $10,800 that he had purchased for $26,000 in the boom times, a loss of $15,200. And, Harris still had other debts to pay. But the real cost was measured in a painfully different value. "The embarrassment...I have suffered causes reflections which almost unmans me, those feelings I hope you never may experience... Show this to no person but the family." William Harris finally gave up and sold the remainder of his property to Major McKinley and resettled in Tennessee in 1824. Captain William B. Harris died in Winchester, Tennessee, November 10, 1834.[93]

If hard-working farmers and honest merchants were tested during these trying times, most did the best they could. However, some few men did not handle their struggles well and in desperation responded badly. The news was not good, and Hutton reported the actions of one such man in his letter. Like any gambling loss, perhaps he thought he could recoup in time and pay off his debts. As it developed, Henry C. Bradford risked all and lost all—his possessions and his position in the community.

Bradford had mercantile partnerships with William Carroll, S.D. Hutchings, and Bartley M. Lowe. These three relationships had all been dissolved in 1818 and 1819. The "new brick house" [today known as the Weeden House Museum] of Henry C. and Martha P. Bradford was sold in May of 1819. One can only guess when Bradford became so desperate to forge the notes, but in May of 1820, the sheriff put up for sale 198 acres of Bradford's in the county. By August, two parcels of land and lot near town were to be auctioned at the courthouse steps to satisfy debts. Next the house and lot, formerly owned by S. Hutchings & Co. and a lot in Huntsville formerly owned and occupied by Bradford were to be sold. On August 18 the newspaper announced the dissolution of partnership between Hutchings and Bradford. Those with bills to pay were to pay Hutchings only. And now, by October all the wheeling and dealing and guessing was over. Notice was given in the newspaper to the public that "a certain Henry C. Bradford, formerly a merchant of this place paid off a

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[93] William b. Harris to Frederick Harris, March 15, 1820; William b. Harris to Frederick Harris, April 25, 1821 (Duke University); Pauline Jones Gandrud, *Marriage, Death and Legal Notices from Early Alabama Newspapers* (Easley, South Carolina), 304.

number of promissory notes and bills of exchange, with his name signed thereto as a principal, or endorser, which the subjects…name was never executed there onto, or by his knowledge or consent, and firmly believes that the said Bradford forged his name there to. There may be more claims." Now there was no doubt. Now everyone who might have shaken their heads and suspected that Bradford had overextended himself, knew for sure and to what depths he had sunk.[94]

Repercussions from the recession, bad debts, and criminal activities continued to spiral about town. The notice by Irby Jones in the newspaper called out, "Look at This" Either the Huntsville Inn or the Bell Tavern could be purchased. Terms would be made accomadating [sic]. But the sheriff's sale in December ordered the sale of both the Tavern and the Inn owned by Irby Jones, Edwin Jones, Frederick Jones, Walter Otey and William Lewis. (Jones had been so desperate earlier to raise funds that he offered the Tavern up as a lottery prize, unsuccessfully. In the same September issue of the newspaper, J. Newnan offered land in nearby Lincoln County, Tennessee, for sale for which he declared, "There is no dispute about the title—except some sham claims of swindling land speculators, which would have been long since hissed out of court, but for the arts and tricks of lawyers interested in the frauds of Tennessee." But pity the poor widow of Charles Kennedy whose forced sale included household furniture, perhaps all she owned.[95] Times were hard for the strong and the weak, but one suspects there were more poor people affected than the records indicate. They were too destitute to have possessions to be recorded or auctioned. They just moved on to try again somewhere else.

Although the period was certainly difficult, many of those mentioned by name in the letter remained in the community and struggled successfully to better times. Major Watkins, whose name was among those forged by Bradford, was most likely from one of two prominent Watkins families. One group had migrated from Virginia, the patriarch being Dr. John Watkins who was a delegate to the constitutional convention in 1819. The second family group of Watkins, formerly of Petersburg, Georgia, helped LeRoy Pope form the "Royal Family" in Huntsville along with the Bibb,

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[94] Sarah Huff Fisk, *Civilization Comes to the Big Spring* (Huntsville, 1997), 133; Johnson, *Deeds Books*, 688, 643; *Republican*, May 6, August 4, August 18, and October 20, 1820. There was no further new of Henry C. Bradford.

[95] *Republican*, September 15, December 8, and December 1, 1820.

Thompson, and Walker clans. It is impossible to identify exactly to which group the Major belonged without additional information. Most of the members of these extended families were men who successfully migrated and strengthened their positions still further with successful marriages.[96]

Little is known about Col. Thomas E. Eldridge. His military service at least included the War of 1812 when he raised a company of men from Huntsville and Meridianville. He continued to be a fighting man and was brought before the Territorial Court for fighting with Frederick Weed, "to the terror of peaceable citizens." However, he did not think that would diminish his chances for political office. Eldridge announced his candidacy for the House of Representatives in 1819. Unfortunately he died not long after in September of 1822, age 44.[97]

Another of the men mentioned in Hutton's letter, Eli Hammond led an exciting life, serving the pioneer states of Tennessee and Alabama. In 1793 he was one of a small group of volunteers to form a retaliating group against the Indians in Tennessee. Led by a man the natives called the Fool Warrior, Abraham Castleman, the six men dressed like Indians and crossed into prohibited territory near Will's Town. They attacked the surprised Indians, killing several, and making good their own escape, untouched. In 1799 while Hammond was still in Tennessee, John Sevier, at Andrew Jackson's suggestion, recommended positions that might become vacant. In 1800 Hammond married Mary Owen, and they later settled in Madison County. During the War of 1812, Jackson wrote Gov. Willie Blunt that "Mr. Hammond is a man in whom the utmost confidence can be placed." Jackson himself soon would appreciate that because Eli Hammond was one of the close company of friends during the murderous attack, or duel, by the Benton brothers on Jackson in Nashville. Captain Hammond served in the War of 1812 and formed his own company of Mounted Rangers from Huntsville. They joined Andrew Jackson as the General's army passed through town on the way to the battle of Horseshoe Bend. He became Lt. Colonel Hammond by the time of the assault on

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[96] Merton E. Coulter, *Old Petersburg and the Broad River Valley of Georgia, Their Rise and Decline* (Athens, 1965), 38.

[97] Judge Thomas Jones Taylor, *A History of Madison County and Incidentally of North Alabama, 1732-1840*. Ed. W. Stanley Hoole and Addie S. Hoole (University, Alabama, 1976), 41; K. Loughran, comp. *Minutes Book, Superior Court of Law and Equity Madison County, Mississippi Territory, 1811-1819*. State Department of Archives and History, Montgomery, n.d.; Gandrud, *Notices*, 429, 433.

Pensacola in 1814. He died in Madison County in 1842, at the age of 77.[98]

Sugars Turner was also a member of a large extended family who settled in Madison County. His brothers, Thomas and Simon Turner, were land wealthy cotton farmers; John Turner was a cousin. If they were related to the ignoble Reuben Turner, it is not known. Sugars and Rebecca Deloney Turner bought several large parcels of land in 1818. He died in August 1836 leaving eight children who remained in the area and were well-to-do and well regarded.[99]

James Penn, who also lost money to Bradford, was typical of many of these eager pioneers with varied interests. Penn was a cashier at the Branch Bank of Alabama in Huntsville. He played an active role in the founding of the Church of the Nativity. Additionally, he was a representative in the legislature for many years and a founder of the Huntsville Masonic fraternity. Penn suggested the need for an improvement that would find favor with most of his neighbors in the community. Transportation from Nashville, particularly, was such an important aspect of receiving supplies and sending produce to market for everyone. Recently one citizen had complained about the "wretched state of public roads leading to [the] North and South from Huntsville... [I] was apprehensive of breaking my horse's legs, or losing my own life, as I approach[ed] the principal town of Alabama, where the roads are infinitely worse than any other part of the state." Penn offered to "petition the next Legislature for leave to make a Turnpike road from Huntsville over beaver-dam fork of the Flint [River] on the Meridian road to receive a toll that shall be a fair compensation for

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[98] J.G.M. Ramsey, *Annals of Tennessee to the End of the 18th Century; Comprising Its Settlement, as the Watuqa Association from 1769-1777; a part of North Carolina, from 1777 to 1784*; *the state of Franklin from 1784-1788*; *a part of North Carolina 1788-1790; Territory of the U. States, South of the Ohio, the State of Tennessee* (Charleston, SC, 1853) reprint, East Tennessee Historical Society, Knoxville, 1967), 605; John Spencer Bassett, *Correspondence of Andrew Jackson* (Kraus Reprint, New York, 1969) Vol. I, 228; Dorothy Scott Johnson, *Cemeteries of Madison County, Vol I* (Huntsville, AL, 1971), 145; Bassett, Letters, I, 318; Edward Chambers Betts, *Early History of Huntsville, Alabama, 1804-1870* (Montgomery, 1916), 30; Bassett, *Correspondence*, II, 94, 128; Robey et al., Maple Hill, 104; Pauling Myra Jones and Kathleen Paul Jones, *Genealogy of the Harris and Allied Families* (Huntsville, 1929), 107.

[99] Johnson, *Deeds*, 304, 390, 491, 672, 748, 752; Oral interview with Norman Shapiro, December 18, 1997 and June 19, 1998.

my expense and labor."[100]

S.D. Hutchings seldom was noted by his entire name in the legal documents of the county, and his last name was often spelled Hutchens. He did not use his middle name, but everyone hereabouts knew his relations. Stockly Donelson Hutchings was a Tennessean fortunate enough to be related by marriage to and partnership with Gen. Andrew Jackson. Jackson reported in a letter to his wife, Rachel, that Stockly was doing very well, and attained the rank of quartermaster sergeant in 1813. By 1816, Hutchings settled in Madison County where he married Elizabeth Atwood. Perhaps because of his connections he was appointed postmaster in Huntsville during 1818 and 1819. Hutchings at one time was in partnership with General Brahan and Neal B. Rose. Together they had purchased at a "bargain" price almost the entire east side of the square from LeRoy Pope. But the partnership with such great possibilities did not succeed in those desperate times and was dissolved. Whatever the issues, unsettled accounts were to be paid only to N. B. Rose of Rose, Brahan and Hutchings. In October of 1819 Hutchings resigned his postmaster commission perhaps to distance himself from the bad debts of his former partner, General John Brahan. Apparently feisty by nature, Hutchings reported proudly to his relatives in Nashville, "Dear Uncle. I am...confined in the Common Jaoll...for assault on John McKinley in which I displayed the patriotism which should be engrafted in the bosom of every free born American." Stockly D. Hutchings died in 1822 in Huntsville. His widow married Phares T. Posey in 1828.[101]

In fighting with John McKinley, S.D. Hutchings had chosen a strong adversary who would go on to become even more powerful in standing. McKinley, the son of Dr. Andrew and Mary Logan McKinley, was born in Culpepper County, Virginia, in 1780. The family moved to Kentucky where he studied law and was admitted to the bar. But like others, he saw the chance of a better future elsewhere and settled in Huntsville. McKinley

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[100] Penn Family Files, Huntsville Public Library; Taylor, *History*, 100; Frances C. Roberts, *Sesquicentennial History of Church of the Nativity, Episcopal* (Huntsville, 1992), 12, 13, 21; *Republican*, June 9, August 25, 1820. [There are those who would say nothing has changed about the roads.]

[101] Bassett, *Correspondence*, I, 289, 248; Elizabeth DeYoung, *Madison County Alabama Marriage Book I, 1809-1817* (Huntsville, 1951), #17; Fisk, *Big Spring*, 113, 90, 102, 11, 98; Jones, *Notices*, 430, 293; S.D. Hutchings to Andrew Jackson, February 27, 1821, cited in Bassett, Correspondence, I, 303; *Republican*, March 15, 1822.

was selected as a member of the Bank Commission in the autumn of 1820, an important appointment. He also dabbled as a merchant and land speculator. Even in these hard times, McKinley maintained some cash; as noted above, he was able to purchase property that William Harris still had for sale. At one time or another he owned various buildings along the square and a block of buildings on Eustis Street known as McKinley's Row. McKinley entered the political field and was defeated on his first outing. But not long afterwards, he was elected to the Alabama legislature from Madison County.[102]

McKinley's difficulties with S.D. Hutchings stemmed from the fact that McKinley chose to align himself politically with Andrew Jackson's opponent at that time, Henry Clay. Politics were often more vocal then and certainly often more intense as Hutchings boasted to his uncle. But McKinley reported to his friend Clay, although most Alabamians were going to vote for Jackson, it seemed, the "most intelligent are strongly" for you. It is a shame Hutchings did not live long enough to see McKinley change his position because McKinley was elected to the U.S. Senate in 1826 as a Jackson supporter. McKinley and his family moved to Florence, Alabama, where he next represented Lauderdale County in the Alabama legislature.[103]

John McKinley was described as "a large framed man, stalwart and raw-boned... He was moody and rather irritable, but very generally esteemed." However, Anne Royall, always glad to be a guest anywhere, had high praise for the family when she visited in July 1821. She described McKinley as "a stout, fine looking man; of easy manners, and his dwelling contains more taste and splendor, by one half, than I ever saw in my whole life put together... Mrs. McKinley, the elegance of her manners, and the sweetness of her conversation...completely disconcerted me... [The children] were the handsomest children I ever beheld." The elegant Julia McKinley, died in Florence the year after Royall's trip. Widower, John McKinley, married Miss Elizabeth Armistead in February of 1824 in Huntsville. By 1837, now aligned with President Van Buren, McKinley

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[102] Frank Otto Gatell, "John McKinley" *Justices of the United States Supreme Court 1789-1969*. Leon Friedman and Fred L. Israel ed., (New York, 1969), 769; *Republican*, September 29, 1820; Fisk, *Big Spring*, 91, 94, 110-113, 116, 119.

[103] Jimmie Hicks, "Associate Justice John McKinley: A Sketch," *Alabama Review* (Summer, 1965), 227, 228-229; DeYoung, *Marriage Book I*, #55; *Republican*, September 15, 1820.

was offered an appointment on the Supreme Court of the United States, a job that entailed traveling at least 10,000 miles each year to complete his circuits. Having moved to Louisville, he remained on the Court until his death in 1852 in Kentucky.[104]

Thomas Brandon, the co-administrator of Cushing's estate, was one of the hard working and multi-talented Brandon descendants. Josiah and Rachel Brandon had 15 children, and like some other migrating families, they tried several locales before settling down. Their branch started in North Carolina, tried Georgia for a while, returned to North Carolina, and then settled in Lincoln County, Tennessee, sometime after 1810. There, Thomas, the oldest of the brothers, and William, the brother next to him in age, married sisters, Eliza and Mary Sample. Apparently most of the Brandon's, and some of the in-laws, decided to migrate once again, this time to Madison County.[105]

Although the brothers arrived in Alabama with "no property except trowels," they certainly did not lack ambition or energy. William and Thomas Brandon began their work together as brick masons and later owned their own brickyards. Early visitors to Huntsville often commented on the extraordinary number of brick houses already built. Many of these buildings have now been attributed to the work of the Brandon's, who really arrived before the more acclaimed George Steele. The brothers and their siblings were considered valued members of the community. For instance, their younger brother, Col. Byrd Brandon, studied law under Clement Comer Clay and later was appointed Attorney General by President Andrew Jackson. William's wife, Mary, died in 1847 and Col. William Brandon, 60, died in 1848. The newspaper account of his death suggested he had "amassed a large amount of the world's good... He left a large circle of friends and children."[106]

Thomas Brandon, in 1823, was a successful candidate for the job of Clerk of the County Court, which he maintained for several years. In 1827 his wife Eliza died, age 35, leaving a "disconsolate widow and six little girls." The next year he married Mrs. Mary Owen, the widow of William

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[104] Willis Brewer, *Alabama: Her History, War Record and Public Men.* Reprint Co. Publishers (Spartanburg, SC, 1975), 298; Royall, *Letters*, 229-230; Jones, *Notices*, 434-281; Hicks, "Sketch," 232, 233.

[105] Oral interview with Dr. John Rison Jones, Jr., a descendant of the Brandon family, June 17, 1998.

[106] Ibid; Taylor, *History*, 40, 104; Jones, *Notices*, 353, 356.

Purnell Owen. They had two surviving daughters and a son Thomas, who died at the age of seven in 1844. Thomas Brandon's opinion was respected, and he was asked to sit on the committee for rules of the Vigilance with other leaders of the town. Unfortunately the long-standing partnership of William and Thomas apparently dissolved in 1842 with harsh words. Thomas Brandon and his family moved to Monroe County, Mississippi, where he died in 1859.[107]

Egbert Harris has remained a curious, but hapless, figure among those in the letter. He married Sally G. Wall in Madison County in September of 1815, and they purchased and sold property worth considerable sums of money. There may be a hint of difficulties to come with a study of the Appearance Docket for the Superior Court of Madison County, 1810-1816. Among all the names mentioned in the letter by Samuel Hutton, only Egbert Harris was actively involved in so many court cases, and he was the plaintiff or the defendant in four acts of litigation during that time. Certainly Hutton's letter said Harris was "in a bad way." "According to the 1819 Deed Books, Harris was indebted to Willis Pope for $31,000, and these were days with no cash to pay debts, great or small. The next news about Harris was in March of 1822 when Andrew Jackson hired Egbert Harris to oversee his hands and the farm at Jackson's plantation near Florence, Alabama. Harris said "he had nothing to support on now, but labour and he was determined to persue [*sic*] any employment that would yield him support." He was said to be a "good farmer and industrious." Harris wrote later that year to General Jackson about the difficulties of building the new gin house and mentioned his own family in closing. Egbert Harris revealed, "Mrs. Harris says she is not disposed to live the [me] as man and wife, and I am determined to use no coersive [*sic*] measures." He mentioned he would like to bring his "darling Babes" to the farm. A later note mentions difficulties with the hands, crops, building, and Harris was "abed with a high fever. [*six*]" But Jackson, in a letter in December to Gen. John Coffee, his neighbor in Florence, mentioned there was an enormous disparity in accounts. "Harris must have deceived

[107] Jones, *Notices*, 435, 459, 463, 480, 308; Oral interview with Dr. John Rison Jones, Jr. June 17, 1998. Two houses built by the brothers include the Wharton home on Adams and the Sanford house on Madison Street.

me."[108] There are no further references to Egbert, Sally Wall Harris, or the "darling babes."

Neil B. Rose, like many other of the early settlers, tried his hand at several things. Rose served under Jackson as Brigade Quartermaster for the Cavalry in preparation for the war against the Creek Indians. On a trip through Huntsville to get supplies, Rose wrote indignantly to Jackson, "I railed amongst them, without discrimination, they are awake now... Rest assured everything is in motion hear [sic]" Rose must have seen something favorable because he settled in Huntsville and was a community favorite for many years. He built one of the first stores on the east side of the square with Pope and Hickman. Like others, Rose suffered financial reverses from overextension and the depression of 1819.

However, his recognized place in the community was as owner of the Planters' Hotel, where as a genial host he delighted ready listeners—travelers and townspeople alike. "Rose spoke with a Scottish burr and he had the ability to hold an audience spellbound with the story telling and sense of humor." In 1818 Anne Royall said of Rose, "You have not to look very deep for the qualities of his mind. It is plainly depicted in his fine open countenance, and soft blue eye." She wrote Major Rose to be, "the merriest soul in the world. He is nothing but frolic and fun" as she described their somewhat risqué evening fun around the backgammon table with friends.[109] His wife, Mary, died in 1829, age 45. And although his tombstone apparently gives a death date for N.B. Rose as 1835, county marriage records indicate Major Neal B. Rose married Martha F. Moody in 1836.[110]

Optimistic plans continued for the future as Hutton reported the news to Fred Harris. Eldred Rawlins, who had purchased land in the county in 1818, married Nancy Lanier [Ann], August 11, 1821. Little is known about their short time together; she died of consumption less than two years later

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[108] DeYoung, *Marriage Book I*, #213; Dorothy Scott Johnson, trans. *Appearance Docket, Superior Court of Madison County Alabama, 1810-1816* (Huntsville, n.d.) #36, 37, 54, and 57; Johnson, *Deeds*, 123, 304, 672, 748; Bassett, *Correspondence*, III. 155, 173, 176, 182.

[109] Bassett, *Letters*, I, 248, 354; Taylor, *History*, 38; Robey et al, *Maple Hill*, 4; Royall, *Letters*, 121.

[110] Robey et al, *Maple Hill*, 4; DeYoung, *Marriage Book*, IV, 298. If the tombstone is in error of the actual death date, it will not be the first or last time this has happened.

on January 16, 1823. He stayed in Madison County and was active in politics as he announced his candidacy for state treasurer in 1840.[111]

The second marriage noted in the letter was that of Dr. Alexander Erskine and Susan Catherine Russel, both originally from Virginia. Erskine graduated from the University of Pennsylvania and began his career in medicine in Huntsville in 1817 with Edmund Irby. When Dr. Thomas Fearn returned from advanced study in England in the summer of 1820, he and Erskine began a partnership and a friendship that lasted their lifetimes. Erskine's bride, Susan, had moved to Huntsville in 1816 at the age of eleven with her parents, Ann Frances Hooe Russel and Col. Albert Russel, who served in the Revolutionary War. Dr. Erskine and his wife reared a family of nine children, three of whom became doctors. He died in 1857 at the age of 66. His widow, Susan Russel Erskine lived almost 35 years longer and died at the age of 88 on April 17, 1892.[112]

Samuel Hutton mentioned that John Russel married Miss Old of Franklin, Tennessee. John Hooe Russel was a brother to Susan Catherine Russel, and thus he was the brother-in-law of Dr. Alexander Erskine. A few years after the marriage to Mary Old, their family, now with five children, moved to Memphis where he died in 1829, about the age of 27.[113]

Of those mentioned in the letter, some men were almost impossible to follow later. Charley, the mutual friend of both Harris and Hutton, will never be identified with certainty. Obviously he was well enough known to both men not to need a surname. Considering the information given about the activities of others, Hutton's reference to Charley is almost purposefully vague. Perhaps his direction was not entirely within the law. At the least, Charley would have needed a passport or some kind of official permit to enter the Indian Nation Territory. Nothing is known about Reuben Turner before coming to Huntsville or his later life. His escape from the death penalty perhaps urged him, after the initial celebration of his release, to put miles between himself and the town.

Alfred Davis left no further trail in the Huntsville community. After all,

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[111] DeYoung, *Marriage Book*, III, 125; Jones, *Notices*, 434, 337.

[112] Jewell S. Goldsmith and Helen D. Fulton, *Medicine Bags and Bumpy Roads*, (Huntsville, 1985), 133; *Republican*, September 15, 1820; Mary Irby Mastin, comp., *Hooe Russel Genealogy*, n.d., no page numbers; Robey et al *Maple Hill*, 14; Gandrud, *Notices*, 417. The Erskine Home constructed about 1819 is located at 515 Franklin Street, Huntsville. Dr. Fearn's home is next door at 517 Franklin.

[113] Mastin, *Genealogy*. No page number.

a known horse thief is not particularly welcome anywhere. His crime was all the more noticeable because the owner of the horse was the son of the town's founder, LeRoy Pope, and because the horse was such an outstanding racer. Cyclops, the horse belonging to Willis Pope, was apparently no ordinary mount. Horseracing was an important aspect of sporting life in early Huntsville and attracted other race lovers. Andrew Jackson often came for the vents and entered his own racers. John Connally had organized a Jockey Club at his Green Bottom Turf just north of town. There was a subscription for a purse for the races, and he advertised the celebrated horse, Telemachus, at stand there. As mentioned in the letter, Davis stole Cyclops. According to the newspaper, Willis Pope offered a fine reward for his "nicked tail sorrel horse, 13 hands high, paces and walks remarkably fast, a snip in the forelock, short thick neck, very deep through shoulders, long back and one of his fore and hind feet are white, not recollected which. $25 for delivery of the horse to Horse and Thief $50." The owner's reward for the horse appears to be out of proportion. In the same issue of the paper David Moore offered a reward for his runaway slave, 15 year old Lima, of only $2 for the Negro or $20 for the boy and horse.[114]

Alfred Davis continued his misdeeds with the horse, as Hutton reported, became the next notice in the newspaper described Cyclops, missing again, with additional information "...about 5 feet high, paces at rate of 12 miles per hour and walks remarkable fast... He is a horse that would attract very little attention unless when moving, then looks remarkably fine... Seen on Georgia road 8 days ago." The new owner, Alexander Erskine offered a reward of $100.[115]

As the previous Jockey Club term expired, efforts at the racetrack continued but there were obstacles. In the advertisement to organize a new Jockey Club, Connally called for "gentlemen only." He hoped no "others will presume to intrude themselves upon the new club. Rules and regulations will exclude all person in the habitual practice of foul racing." A purse would be available for subscribers.[116]

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[114] *Republican*, April 8, May 6, 1820.

[115] *Republican*, May 19, 1820. Announcements of horse thefts were not uncommon in the newspaper. If not for the value of the animal, perhaps the adventure amounted to joy-riding of the day.

[116] *Republican*, June 16, 1820.

According to Hutton's letter "Anion" was also moved to separate a horse from its owner. George Anyan purchased land in Madison County in 1814 while it was still part of the Mississippi Territory. Family members, whether spelled Auyan, Anyan, or Anion, continued to buy land in the more rugged parts of the county for many years. George Anyan was listed as head of household in the 1830 Census with a family of six; he died in 1833. The surname is still recognized in the Big Cove area east of Monte Sano.[117]

And so that's the news from Huntsville, Alabama, in mid-summer, 1820. Samuel Hutton's letter tells so much, but one can wonder about all the news still unsaid. For just a moment in time, the events of the village are reported to someone who had shared the daily scene. Probably life here was not unlike other small towns over the countryside; just the names were different. Although many of the families scattered, descendants of some mentioned still live in Huntsville today. As a result of the study of the letter, stories unfolded about them that had been forgotten with the passing of time.

Of Samuel Hutton, nothing is known. Even the spelling of his last name could be questioned. He left no signature on any county or personal documents, other than this one modest letter. Samuel Hutton, like many others, moved on. As one might wish Hutton had written more, or even more often, it wasn't so. The local newspaper, so often a source for research, contained a roster of letters uncollected from the Huntsville Post Office. "Remaining in the post office at Huntsville, Alabama, on the first day of October 1820, which if not taken out before the first day of January next, these letters will be sent to the General Post Office as dead letters."[118] Among the alphabetical listing of letters to be picked up was printed the name, Samuel Hutton. One hopes Samuel Hutton called for and collected his letter and that it was a reply from his dear friend, Frederick Harris, about the news from Huntsville.

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[117] Marilyn Davis Barefield, comp., *Old Huntsville Land Office Records and Military Warrants, 1810-1854*, #6, 320. For some additional local insight, see Nancy M. Rohr, "Blevins Gap: A Road Less Traveled" *The Historic Huntsville Quarterly* (Summer 1988), 11.

[118] *Republican*, October 20, 1820.

Victorious Return to Huntsville: One Fine Day

By Nancy Rohr

On October 7th 1813 panic filled the county, and folks fled to Tennessee for safety leaving food on the tables and animals not fed. It appeared that a large body of Indians was within a day's march of Huntsville, coming toward town. The citizens of Huntsville, and the whole of Madison County, were instantly panic-struck, and immediately fled towards Nashville. Some left their calves fastened up in pens; some their horses in the plow; most of them taking their fight on foot. Others mounted their horses without saddles or bridles. Four young ladies rode on one horse, riding like gentlemen without saddle or bridle and making good speed by applying their heels to the horse's sides!!! One man took another man's child, and left his own. Women on foot, running with their nightcaps on, and no bonnet…husbands riding, and wives walking…The whole was a false alarm. About a thousand people were on the road to Nashville.[119]

[119] Anne Newport Royall, *Letters from Alabama 1817-1822*, ed. Lucille Griffith (1830; rpt. Ed., University, Alabama Press, 1969), 243-244. Anne Royall may have been convicted in the District of Columbia as a "common scold," but she was an uncommon reporter. During her travels about the country she was a fearless correspondent with a good ear, keen eyes, a sharp tongue, and a grand sense of the ridiculous. Her two observant trips to northern Alabama make on wish she had stayed longer and written even more.

But the horror had been real. The accounts, just two months before, of the bloodiest massacre in America's frontier history at Ft. Mims, screamed to the people of Madison County of immediate danger. Two hundred fifty settlers had been killed within the confines of the Fort just north of Mobile. Huntsville did not even have that possible shelter. Word spread that the Indians, always a threat, were on the way to this very village. Mrs. Royall's account, written just a few years later, probably does not exaggerate how frantically the citizens responded as the rumors grew. And now on this very fine day in May of 1814, General Andrew Jackson and the Militia were returning through Huntsville from the Battle of Horseshoe Bend, where in late March, they defeated the Creek Indians and put an end to the uprisings. There had been so much at stake.

The route back to Huntsville had not been easy. The original Militia, composed of 2000 men, was a volunteer army. When their enlistment time, the pay, and the supplies ran out, many men felt it was time to return home. Jackson actually quelled two mutinies when his men threatened to desert. After order was restored among his troops, the decisive battle near present-day Alexander City wiped out the entire Creek Indian force. Except for a few men left to guard the outposts, the army now made its way toward Tennessee and home.

Citizens along the way eagerly cheered Jackson and the army as they progressed northward. At Huntsville, with last October's panic still in mind, the townspeople planned a heartfelt and exciting daylong welcome for the heroes. Town leaders, and most particularly LeRoy Pope, hosted the festivities. There had been so much at stake in the community, and Pope was the man with perhaps the most to lose. His vision and energy planned and built where only a spring and a few squatter cabins had been earlier. LeRoy Pope was clearly the most powerful leader in the town and county in those early years.

For a man who was so influential, little is really known about his personal life, but he certainly was in all the right places at the right times to take advantage of hard work and good fortune. LeRoy Pope (1764-1844) was born in Westmoreland County, Virginia, son of John Pope and Elizabeth Mitchel Pope. At the age of 15 he served in the Revolutionary army, and according to one account he was a courier for General Washington during the siege and battle of Yorktown. In 1790, with a group of friends, he moved to Petersburg, Georgia, in the area of the Broad River. Pope's influence became so impressive that in the community his extended

family was often referred to as the "Royal Family."[120]

Enormously successful with his ventures in Georgia, LeRoy Pope continued to look westward and seek still better investments. In 1805 Pope took a tour by horseback to view acreage soon to become available for sale. He must have liked what he saw because in August 18009 when the Madison County lands were finally made available by the federal government, he and his friends were ready. "Alabama Fever" struck these wealthy planters from Petersburg, all college educated and cultured, and they joined Pop in this exodus in 1810. Together they settled in the "Great Bend" of the Tennessee River in the northeast corner of what was still the Mississippi Territory but would become the state of Alabama in 1819.[121]

LeRoy Pope quickly acquired the Big Spring tract that the first white settler, John Hunt, could not afford to buy at the land sales. Laying out the town to his design, Pope generously donated the land for the Public Square and the ground on which the earliest jail was built. He continued to play a variety of roles as a leading citizen. Pope, as his activities suggest, was both a risk-taker and a public-spirited citizen. Besides his widespread holdings in town and in the county as the years advanced, he established the Planters and Merchants Bank. He promoted the Indian Creek Navigation Company, was one of the founders of the Episcopal Church, and was the chief justice of the first County Court. Pope showed enough control in his new domain to name the village Twickenham in honor of the country estate of his literary ancestor Alexander Pope. However, with persuasion from the Tennessee settlers and other pioneers, the Territorial Legislature restored the name Huntsville to the community in 1811.

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[120] Elise Hopkins Stephens, *Historic Huntsville: A City of New Beginnings* (Woodland Hills, California: Windsor Publications, 1984), 22; Pope Family Files, Misc. Papers, Huntsville-Madison County Public Library; Hugh C. Bailey, *John Williams Walker* (Tuscaloosa, Alabama: University of Alabama Press, 1964), 31; Thomas McAdory Owen, *History of Alabama and Dictionary of Alabama Biography*, 4 vols. (S.J. Clarke, Chicago, 1921, Reprint Company: Spartanburg, South Carolina 1978), 4:1375.

[121] Bailey, Walker, 68-69.

Nonetheless, his total realm of influence was immense; LeRoy Pope was the "father of Huntsville."

There is sometimes a residue of resentment surrounding those who are wealthy and powerful. Many of the townsfolk felt Pope's purchase of the land had been illegal, or at least immoral. If he was admired by some, Pope was not always liked. As a public figure he was also an easy target for those who might have expected more from him on every occasion. Anne Royall reported attending her first missionary preaching while in Huntsville. The evangelist had collected several hundred dollars to convert the heathen. "The next day, after the event, the women spoke of Col. Pope because he put only 25 cents in the hat. 'Such a man – of his wealth – to give a quarter – Did you ever see the like! They would have given all they had!' It was beyond doubt, the worst laid out quarter he ever spent" suggested Mrs. Royall.[122]

LeRoy Pope Home

LeRoy Pope Home
(HABS 1934)

Pope's immediate family included his wife, Judith Sale Pope (1770-1827), and at least five children, born in Georgia. Judith Pope died at the age of 58 and was buried at Maple Hill Cemetery. Born in Virginia, she had moved to Georgia with her family and then again to Alabama. Mrs. Royall described Judith Pope as "one of your plain, undisguised, housekeeping looking females; no ways elated by their vast possession… Report says, she is benevolent and charitable, and her looks confirm it." The *Southern Advocate* at the time of Mrs. Pope's death reported, "She was the first and oldest female inhabitant of the town." Their children included

[122] Royall, *Letters*, 286.

Matilda, Maria, John, William (Willis) and LeRoy, Jr.[123]

LeRoy Pope progressed, as did his friends, from being "just" log cabin aristocrats. Pope soon enjoyed the comforts of what is often considered Alabama's most photogenic mansion. He built his new brick home on the highest hill, overlooking the entire town – his town. Flatboats carried the bricks, made in Tennessee, down the river, and then they were carted to town by wagonloads. Anne Royall noted the house during her visit in 1818. "If I admired the exterior, I was amazed at the taste and elegance displayed in every part of the interior; massy plate [heavy sterling silver], cut glass, china ware, vases, sofas and mahogany furniture of the newest fashion decorated the inside." The house was newly completed in 1814, just in time for the victorious army's return through Huntsville. Pope called his fine new home "Poplar Grove"[124]

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Economics and marriage related many of Pope's fellow transplanted Georgians as they settled the new territory. Together these families owned between them perhaps one-half of the entire Madison County acreage purchased in the early land sales.[125] United by their common ties and politically powerful, they became known as the "Royalist Party." Certainly all of these friends would have attended the festivities on the lawn at Pope's new mansion to honor the returning heroes.

Among the Broad River bunch were many other enterprising newcomers. Dr. James Manning, Anne Royall reported, was the second greatest planter in the state. She admired Manning because he showed not only great wealth but also modesty. Manning's only daughter married Bartley M. Lowe, later General of the Militia of the state. The wedding announcement in the newspaper tastefully noted Lowe was a merchant,

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[123] Anne Royall, *Sketches of History, Life and Manners in the United States* (New Haven, Priv. Prnt. 1826; repr. New York: Johnson 1970(, 14; Pauline Jones Gandrud, *Marriage, Death and Legal Notices from Early Alabama Newspapers, 1810-1893* (Easley, South Carolina: Southern Historical press, 1981), 458. (Perhaps this implies Mrs. Pope was the most worthy female in town. Or, simply she really was the first female settler to take up residence.) LeRoy Pope died June 17, 1845, and was buried beside his wife at Maple Hill Cemetery. Diane Robey, Dorothy Scott Johnson, John Rison Jones, Jr., Frances C. Roberts Maple *Hill Cemetery, Phase One* (Huntsville: Huntsville-Madison County Historical Society, 1995), 116-117.

[124] Royall, *Sketches*, 14; Royall, *Letters*, 246.

[125] Bailey, *Walker*, 69.

but this marriage really combined immense acreage and commercial wealth in Madison County.[126]

The Bibb brothers also settled in the area. William Wyatt Bibb, another of the former Petersburg citizens, was a physician and Senator from Georgia before he moved to Madison County. He became the first governor of Alabama, appointed so by President Monroe. When he died in a riding accident, his brother, Thomas Bibb, a man of "great intellectual force and indomitable energy, and of marked distinction of bearing," became governor.[127]

The Petersburg Watkins family "were prominent in business life, but they were also successful in marriages." Attention to business, well-considered marriages, and prosperity seemed to go hand in hand for these Georgia families. Captain Robert Thompson came along with the pioneers. He was a very successful merchant and was nicknamed "Old Blue" in the community because he carried considerable sums of money with him in a blue denim bag. Reflecting the violence that always was nearby on the frontier, Thompson's portrait shows him elegantly seated but holding a cane with a concealed sword. One of his daughters married Dr. James Manning, and another married Thomas Bibb.[128]

Peyton Cox also arrived with the Georgia aristocrats and became the cashier of the newly formed Planters and Merchants Bank. Anne Royall wrote, not kindly, that he was "a crusty old man and a bachelor." Perhaps someone in the community had tried matchmaking. Anne, always one to speak from her mind clearly said, "the dogs may take him for me."[129]

Probably closest to LeRoy Pope, of those from the Petersburg community, was his son-in-law, John Williams Walker. This young man, with old family ties, graduated from Princeton, and had recently married Pope's older daughter, Matilda. The newlyweds made the move from Georgia with the family just five months later to begin their married life together on the frontier. Walker was highly regarded as a lawyer, and at the time of statehood he served as President of the Constitutional

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[126] Royall, Letters, 245, 286. (There is an unexplored link between these early Alabamians and today's Tennesseans. The name Peyton Manning appeared repeatedly in early land deeds and court actions in Madison County.)

[127] Stephens, *Historic Huntsville*, 21.

[128] Ibid.

[129] Royall, *Letters*, 122.

Convention. Andrew Jackson would recommend him to become the first governor of the new state, but Walker served instead as the first legislator in the Senate of the United States. It was here at his new home place, Oakland, that President Monroe made a call on his way north after a surprise visit to Huntsville that year.

Joining the already powerful band from Georgia were two wealthy and influential men from Mississippi. Thomas Percy, a college chum of Walker's, left his own plantation and settled on 1400 acres in Madison County next to Walker's property. At Oakland, Percy met and then courted successfully Maria Pope, daughter of LeRoy Pope.[130] The second newcomer, Dr. Samuel Brown, had married Percy's sister, Catherine, in Mississippi. Catherine Percy Brown died in childbirth in 1813, and Brown moved from the Natchez area with his three small children to join this close-knit group.[131] However, he accepted a teaching position at Transylvania University in Lexington, while Tom Percy sheltered his nephew and nieces during their motherless years in Alabama. Percy also tended Walker's plantation and his young children while Walker served in the U. S. Senate. In turn, Dr. Brown watched over the schoolboys, Pope and Walker, when they attended boarding school in Lexington.[132]

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Although they formed a strong opposing political party, a powerful band of settlers from Tennessee were likely included as guests at the Pope

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[130] Walker's own brother, Samuel Sanders Walker, a childhood friend courted Maria for many years but waited to long to act. Rejected by Maria, Samuel settled in Tuscaloosa. After Tom Percy's death at their plantation, Belfield, his widow relocated with the children in Greenville, Mississippi. These Percys became a power southern dynasty, noted as politicians and writers in the south.

[131] Bertram Wyatt-Brown, *The House of Percy* (New York: Oxford University Press, 1994), 74.

[132] This was an ambitious family. Samuel Brown received the best possible medical education in Edinburgh and in Philadelphia with Dr. Benjamin Rush. His brothers expressed their energy as politicians in the South. James Brown was a senator in Louisiana, and John Brown served in the United States Senate from Kentucky. Wyatt-Brown, *Percy*, 74.

Percy, Walker, and Brown pledged their undying friendship by naming their children after one another. Thus, one might tangle with names of the next generations: James Percy Brown, LeRoy Pope Walker, Percy Walker, John Walker Percy, Charles Brown Percy, and LeRoy Pope Percy.

mansion that day in May of 1814. Certainly it would be considered rude and politically incorrect to ignore these local leaders. After all it was the Tennessee army that had just saved the countryside from slaughter.

Hugh McVay was a frontier Democrat from Tennessee who served in the Mississippi Territorial Legislature in 1811 and 1818. His education was limited but never his patriotism. He proudly named his second daughter Atlantic Pacific. Life was filled with tribulation in the rough-and-tumble frontier for this widower. In 1828 his second wife left him for another man taking with her two slaves and two horses, leaving him saddled with her many debts. Later McVay was elected president of the Alabama Senate, and still later he became the state's ninth Governor.[133]

Gabriel Moore represented Madison County in the first session of the Alabama Territorial Legislature. At home he served as county tax assessor, a position of enormous power. Apparently Moore was an especially regarded candidate by some. He early became the squatter's favorite lawyer and representative. His opponents claimed that he 'frequented every grog shop in the county and visited every old woman.'"[134] Moore resourcefully supported the popular General Jackson quite early and was elected Governor in 1829.

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There were other leading citizens who were likely to be at Poplar Gove for the celebrations who did not take sides with either the Georgia or the Tennessee factions. Respected in the community, T. B. Bradford published the Madison Gazette, already in business for two years, and he wrote a first-hand account of the events with excitement in almost every word. He obviously was in attendance.

Dr. Thomas Fearn of Virginia studied medicine in Philadelphia with the leading practitioner of the country, Dr. Benjamin Rush. Fearn settled in Huntsville in 1810 or 1811 to begin his practice. But he suspended business as Jackson and the army came through town on their way to Horseshoe Bend. Fearn served as a battalion surgeon, then as a surgeon of the Tennessee regiment. He tended Andrew Jackson and was in charge of

[133] Quoted in Stephens, *Historic Huntsville*, 33, 34.

[134] Quoted in Stephens, *Historic Huntsville*, 34.

the military hospital at Huntsville.[135]

Dr. Henry H. Chambers, also a Virginian, was a surgeon on the staff of General Jackson during the Creek War. Later he became active and popular in politics; he died on the way to Washington, D.C. to take his seat in the Senate.

Certainly other worthy citizens were at the gala events at the Pope mansion. General Brahan, Anne Royall said, "was a prince in whatever light he may be viewed. He is polite and affable of great size, handsome person, of middle age, and a man of great wealth." Brahan was the receiver of public money at Huntsville and helped keep the wealthy Tennessee clique at bay during the recent land bidding mania. He at least earned the respect of the less prosperous future landowners in the county. Anne hinted at what had become public knowledge and thus public embarrassment. Brahan, in effect, had speculated and come up $80,000 short in his accounting with the federal government. Some of the town leaders, notably Walker, Percy, and Pope, who already had their lands, kept the secret, helped bail him out, and saved him from jail.[136]

Major Joh Read was a merchant, a stout gentlemanly man said to be wealthy. He served as the clerk in the Nashville Land Office and knew every chain and link of land in Madison County when he arrived in 1810. As a result he invested in town property. He was both prosperous and popular according to Judge Taylor.[137] Eli Hammond, of Tennessee, was a friend of long standing of Andrew Jackson's. At one time he masqueraded with a small group of men as Indians, attacked and killed a war party of Indians, and had come away untouched. Hammond was one of the close company of friends who fought with Jackson during the murderous attack by the Benton brothers on the streets of Nashville. Hammond served in the War and formed his own company of Mounted Rangers from

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[135] Owen, *Dictionary*, 2:591. Fearn later studied abroad in Paris and London. He became noted in medical circles for his pioneering work in the use of quinine for malaria and typhoid. Among his many interests, he and his brother George purchased the Huntsville Water Works. He was also involved with forming Greene Academy and the Indian Creek Canal.

[136] Royall, *Letters*, 122; Wyatt-Brown, *Percy*, 78; Stephens, *Historic Huntsville*, 19-29.

[137] Royall, *Letters*, 122: Judge Thomas Jones Taylor, *History of Madison County and Incidentally of North Alabama, 1732-1840*, eds. W. Stanley Hoole and Addie S. Hoole (University, Alabama: University of Alabama Press, 1976), 77. Read's touching memorial is, "A good name is rather to be chosen than great riches and loving favour rather than silver and gold." Robey, *Maple Hill*, 39.

Huntsville.[138] Jackson was still recovering from those serious wounds of that encounter in Nashville.

S. D. Hutchings, as he was known locally, did not have to call attention to himself. Everyone in the neighborhood knew his relations. Stockly Donelson Hutchings was a Tennessean fortunate enough to be related by lineage and marriage to General Jackson. Hutchings settled in Madison County where he served as postmaster, then a political appointment.[139]

Anne Royall observed William Patton had set out poor, was now one of the richest men in the territory, and all this was acquired by his own industry. Much respected, he was the proprietor of large plantations, stock, etc. Patton was born in Londonderry, Ireland, and immigrated first to western Virginia. He arrived in Huntsville in 1812 to begin "merchandising." By 1815 Patton felt secure enough to return to Virginia to gather up his wife and children, driving the entire distance in wagon from his store. He was a merchant and founder of Bell Factory, perhaps the first cotton mill in the state. Adding to the family connections, Patton's eldest daughter, Jane, married Willis Pope.[140]

Judge Clement C. Clay, Mrs. Royall said, is "a very young man of pleasing manners." He came to Alabama in 1811 with one Negro manservant, two horses, his law books in his saddlebags, and only enough money to last a few days. He built an extensive law practice and served on the Constitutional Convention, in both houses of the Legislature, as Governor, and Judge of the State Supreme Court.[141]

Marmaduke Williams was also an attorney, a brother of Robert Williams who became governor of the Mississippi Territory. Marmaduke Williams had served as a member of the congress in North Carolina before coming

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[138] J.G.M. Ramsey, *Annals of Tennessee to the End of the 18th Century* (Charleston 1853, rpt, East Tennessee Historical Society, Knoxville, 1967), 605. For a look at some of the leading citizens and some of the leading felons of Huntsville in the early days see Nancy M. Rohr, "The News from Huntsville, 1820," *Huntsville Historical Review*, Vol. 26, #1, (Winter-Spring 1999) 3-23.

[139] Rohr, "*News*," 15.

[140] Royall, *Letters*, 122, 271; S.D. Cabaniss Papers, Box 434, William Stanley Hoole Special Collections Library, University of Alabama; Grandrud, *Notices*, 475.

[141] Royall, *Letters*, 212; Ruth K. Nuermberger, *The Clays of Alabama: A Planter-Lawyer-Politician Family* (Lexington: University of Kentucky Press, 1958), 1.

to Madison County. He was a clever and amiable gentleman, it was said.[142]

Dr. David Moore, of an old Virginia family, arrived in 1809 and through judicious investments accumulated property both in the county and in town. Among other enterprises he established the first cotton-ginning house. He was a family physician and a personal friend to Andy Jackson. Moore shared his energy in public services where he showed "financial ability, sagacity and prudence." At the time of his death in 1844, he was the largest landowner in northern Alabama. Judge Taylor suggested that Dr. Moore was the most prominent man of the 1820's.[143]

Describing some of the respectable citizens of the community, Mrs. Royall wrote that Major Rose, another of the heroes of the War, was a Scotch gentleman and a Tennessee soldier. "You have not to look very deep for the qualities of his mind. It is plainly depicted in his fine open countenance, and soft blue eye. He is a middle-aged man of portly size, and acted in the quartermaster's Department. He was in high favor with Jackson; and his labors in procuring supplies for the army were unequalled by anything in history." Rose tried his hand at various undertakings, a merchant and owner of the Planters' Hotel. Perhaps he was best remembered as the operator of the hotel where as a genial host he delighted ready listeners – travelers and townspeople alike. He spoke with a Scottish burr and had the ability to hold an audience spellbound with his story telling and sense of humor.[144]

Edwin Frederick and Irby Jones together owned the Huntsville Inn and the Bell Tavern. In the less formal occasions of the festivities, merchants and townspeople would mingle with Jackson and soldiers – if not at the ball, at least on the Town Square or at the meal served by Mrs. Bunch at the Bell Tavern that night.

The Brandon brothers, William and Thomas, and their families were greatly admired by the townspeople. They arrived in town with no other possessions than their masonry tools. As highly successful bricklayers, most likely they had seen the bricks of the Pope mansion up close. The Brandon's created many of the find brick buildings early visitors admired. Theirs was an extended family that worked hard and was highly respected. Later Andrew Jackson, as President, appointed Byrd Brandon Attorney

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[142] Taylor, *History*, 51.

[143] Taylor, *History*, 39.

[144] Royall, *Letters*, 121; Robey, *Maple Hill*, 4.

General of the United States.

John Connally was probably in town by then. In 1815 he formally opened the Green Bottom Inn. Horseracing was already an established practice in that very site. Connally's property included a noted turf for racers that always drew a crowd. Horse fanciers, and Jackson particularly was fond of racing, could socialize freely. Here also the common laborer and the aristocratic planter could mingle socially on level ground, as it were. Of course gambling always accompanied racing. It was only natural to see whose nag was the best and to put a little money down. With the great wealth available in Huntsville and Madison County, many of the gentlemen were known to have expensive racers. In the days when the price for returning a slave was a mere two to five dollars, Willis Pope offered twenty-five dollars for the return of his racer "Cyclops."[145]

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All these settlers – whether from Georgia, Tennessee, Virginia, or Ireland, living in a modest log home or in a fine brick mansion – hoped for statehood soon. Judge Taylor described with realism his pioneer family's struggle to clear the dense forest, grub the rough soil, and plant the first patch of corn – all with hand tools. Cotton planting would come later because the day was spent in obtaining the "absolute necessities of life." Many early houses did not have iron in the construction, and the floors were dirt or made of puncheons. Writing his memoirs later, Judge Taylor had few regrets, and he did not appear to think he had suffered in his childhood from the hard work.[146] On the other hand, the wealthy planter may have only supervised the building of his home or the planting of his crops, but financially and emotionally he was just as involved. And the village was taking shape. In this short time the town's attractions were evident to early visitors who recognized the lovely vista and the excellent prospects for the future.

Anne Royall wrote, also in 1818, the cotton fields were

> Astonishingly large, from four to five hundred acres in

[145] Rohr, "News," 19.

[146] Thomas Jones Taylor, *The History of Madison County, Alabama* (W.P.A. employees, 1940, Huntsville), 66-70 passim.

> a field.... The land around Huntsville and the whole of Madison County is rich and beautiful as you can imagine; and the appearance of wealth would baffle belief. Town has 260 houses, principally built of brick, bank, court house and market house, large square in the center with 12 stores around it. The workmanship is the best I have seen in all the states; and several of the houses are 3 stories high and very large. The citizens are gay, polite and hospitable and live in great splendor. They are the most generous of the human race...Madison County alone contains more wealth than half of western Virginia.[147]

Little did the frantic citizens know on that fearful October day in 1813 that deliverance was on the way to save them all. When General Jackson heard the Indians might be heading for Huntsville, he rushed from Fayetteville, Tennessee, with the volunteers, marching 32 miles in nine hours to save the town. The next day, the army continued on down to Ditto's Landing and Fort Deposit on their way to decisively defeat the Creek Indians at the Battle of Horseshoe Bend.

While the army caught its breath overnight before starting south, Jackson consulted with LeRoy Pope about the status of the troops and the safety of the town. It is clear from correspondence that Jackson was on friendly terms with members of the Pope family. In a letter of October 1813, Jackson added a postscript to give his compliments to Mrs. Pope. To Miss Maria he hoped soon to be able to send a princesses [sic] necklace.[148]

Obviously LeRoy Pope was the real financial and political power in the village. Jackson sent 74 Indian prisoners in October and November to be confined at Pope's.[149] It may be simply that Pope had enough goods and cash to feed them. (One might be surprised to know that Jackson had Choctaw captives that were not to be considered prisoners sent to Pope on

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[147] Royall, *Letters*, 114, 119.

[148] Andrew Jackson to LeRoy Pope, October 31, 1813 and November 4, 1813 in *The Papers of Andrew Jackson*, eds. Harold D. Moser and Sharon Macpherson, 2 vols. (Knoxville: Univ. of Tennessee Press 1984) 2: 339, 341.

[149] Andrew Jackson to Rachel Jackson, November 4 1813, Moser, *Papers* 2:44.

one occasion. His instructions requested they were to be held until he could locate the family of the Indian woman and her three children to reunite them with their families.) Jackson did not need extra mouths to feed because stores for the troops had been delayed, and this became one of the causes of desertion among his men. Jackson wrote that he would be able to put an end to the Creeks if he just had enough supplies. If he could, Pope could furnish them and draw on Governor Blount of Tennessee for funds.[150]

Jackson's entourage included the second most admired Creek War hero, John Coffee. Anne Royall, who met everybody sooner or later, was clearly impressed with him. She wrote

> General Coffee is upwards of six feet in height and proportionally made. Nor did I ever see so fine a figure. He is 35 or 36 years of age. His face is round and full and features handsome. His complexion is ruddy, though sunburnt. His hair and eyes black, and a soft serenity diffuses his countenance...His countenance has much animation, while speaking, and his eyes sparkle, but the moment he ceases to speak, it resumes its wonted placidness, which is characteristic of the Tennesseans.[151]

Coffee had moved to Tennessee in 1789 and worked as a surveyor. On hearing of the massacre at Fort Mims, he went to Alabama with some Tennessee volunteers and served under Jackson at Horseshoe Bend and later New Orleans. When peace was restored he was appointed surveyor for the Creek boundary and the northern Mississippi Territory lines. After tramping much of the area during the Indian and British Wars and as the official surveyor, Coffee was certainly qualified to take notice of any good buys for his special Nashville friends that included Jackson. The two men became plantation neighbors in north Alabama.[152]

Among the returning local Militia leaders were Captains Gray and

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[150] Jackson to LeRoy Pope, October 31, 1813, Moser, *Papers*, 443; Jackson to Pope, November 4, 1813, *Correspondence of Andrew Jackson*, ed. John Spencer Bassett, 7 vol.s (Washington, D. C., Carnegie Institution 1926, rpt. Kraus Reprint Co, New York 1969), 1:341.

[151] Royall, *Letters*, 120, 121

[152] Ibid., 270

Mosely, who raised two companies in the spring of 1813. Eldridge and Hamilton raised two more local companies soon after that.[153] Local officers, if they were free from duties, would have attended the ceremonies. Col. Thomas E. Eldridge, who rallied settlers to volunteer from Huntsville and Meridianville, continued to be a fighting man after the battles. Later he was brought before the Territorial Court for fighting "to the terror of peaceable citizens." Apparently in the violent setting of the frontier, he did not consider that would lessen his changes for political office when he ran for the House of Representatives in 1819.[154]

Certainly not any less important were the militiamen from the county who served in the ranks during the hostilities, whether or not they were invited to attend the festivities at the mansion. In later years the newspaper death notices of these soldiers always included proudly their service with the army. Charles Hall enlisted with Jackson and lived to be 81. Col. Henry King, it was said, was a warm friend of Jackson's who later avoided politics because he felt the "filthy pool of politics had for him no charms." Aged veteran Joseph Rice died in 1883 at 86. He and his brothers, Levi and George Rice, had been in the New Market area since 1805. At 16 Joseph Rice served with Jackson as a volunteer in the Creek War and was one of those who marched from Fayetteville in double quick time to defend Huntsville, the distance being noted in 1883 as 30 miles and the time raced down to five hours.[155]

Also among the death notices were William Kirby of nearby Triana, who died in 1847 at the age of 52. Kirby entered the army with Jackson at New Orleans and fought bravely. Marcus LaFayette High, who died in 1847, aged 65, had served 12 months under Jackson in the Indian Wars. Undoubtedly there were more veterans from the county who served. Some of course, like Captain John J. Winston, were wounded during the battles. Jackson wrote that five men from Capt. Hammond's men had been wounded, but all behaved bravely. Among the wounded were John Taylor, Bryson Hinds, George Sharp and "old" John Wright as he carried Taylor out of the range of the action. Those not there, dead in the battles, from

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[153] Taylor, *History*, 30, 41, 43.

[154] Taylor, *History*, 41; K. Loughran, comp. Minutes Book, Superior Court of Law and Equity Madison County, Mississippi Territory, 1811-1819. State Department of Archives and History, Montgomery, n.d..

[155] Gandrud, *Notices*, 261, 357, 380.

Madison County were John Bean and William McCartney, surly not forgotten.[156]

Decent citizens, merchants, and their wives – although probably not invited to the festivities at the house – would have crowded around the Square for the ceremony. Andrew Jackson, the people' hero, who visited town often, could have known some of them by sight or name. Among the spectators most likely were men like the well digger, John Baxter; David Beckett the weaver; and Thomas Johnson, the shoemaker.[157] John Ditto, whose ferry Jackson's army used to cross the River, certainly came to town to join the celebration. Everybody must have known the army was on its way home; and everyone must have come to share in the jubilation. Servants and slaves all recognized the returning heroes. Passing Cherokee and Chickasaw Indians, who aligned themselves with the winning side, certainly joined in. In the warm spring air with the dust underfoot, children running and cheering, a dog or two barking alongside, a grateful village welcomed the victors who had saved them from death or worse.

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The *Madison Gazette* reported its account just two days after the festivities.

> The army of General Jackson, except for the troops left to garrison the Forts William and Strother, passed through our little village on the return march home. It was a scene of must interest, animation and feeling. An army of victorious warriors…headed by their hero General, was returning triumphantly and crowned with laurel from the savage country they had subdued, thro' the village they had passed – destined by the Red Sticks after the fall of Fort Mims to be the next victim of their hellish fury.[158]

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[156] Gandrud, *Notices*, 488, 355; Jackson to Rachel Jackson, November 4, 1813 Moser, *Papers*, 2: 444; Taylor, *History*, 43.

[157] Misc. papers, Huntsville-Madison County, Alabama, Business Establishments, 1804-1939, Archives, Huntsville-Madison County Public Library.

[158] *Madison Gazette*, may 10, 1814.

Of course a committee had been appointed by the citizens to make suitable arrangements. "On the approach of the army the General was met by Capt. Winston at the head of his company and almost the whole of the gentlemen of the village on horseback and escorted to the public Square, while the main body of the army continued their march through town." Major Walker then delivered an address at the request of the committee. Walker, Pope's son-in-law, was tellingly sincere as he spoke of the alarm and fears about the countryside the previous autumn, danger seemingly on all sides. He spoke of the difficulties of the army – the winter, hunger, sedition and desertion. However "feeble and inadequate," the citizens of Huntsville offered their attention, respect, and affection for the termination of the Creek campaign.[159]

After the salute the artillery company, headed by the General, his aides and staff, and accompanied by General Coffee, was formed in front of Col. Pope's dwelling house, where they witnessed the presentation of a stand of colors by Miss Maria Pope and the return of an Indian child. She spoke, she said with the liveliest joy to the deliverer of Madison. She handed the flag to the conqueror of the Creeks with best wishes for his health and happiness and length of days. Maria Pope returned the little Indian boy [Lincoya], "the sole remnant of a warlike family," she said. "I have discharged the trust reposed in me" and "I deliver him to you with no happier fortune than the patronage and protection of a brave and generous chieftain who in the midst of victory forgot not the duties of humanity and claimed as his own the friendless, helpless, isolated orphan, tho' of enemy blood and savage race!"[160]

Major Reed, the General's aide, replied for him thanking Miss Pope because their arms could never "know disgrace nor be soiled with dishonor" when presented under the banners of the fair. After the receipt of the colors, a handsome salute was fired by artillery.[161]

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Besides getting the recognition the army deserved, Jackson did have another reason for stopping at Huntsville. He wrote Rachel on November

[159] Ibid.

[160] Ibid.

[161] Ibid.

4th of 1813 that he would be sending a little Indian baby to Huntsville for safety. No one was available to leave the fighting and on the 19th of December Jackson wrote again to tell Rachel that he was indeed sending Lincoya as a playmate or companion for Andrew Jackson, Jr. (Jackson and Rachel had adopted one of the twins born to Severn Donelson and his wife. The mother was unable to care for the two infants and his sister-in-law, Rachel, took one of the twins to the Hermitage, naming him Andrew Jackson, Junior.) Jackson wrote, "The Indian infant is the only branch of the family left, and other [Indian women] when offered to them to take care of would have nothing to do with him, but wanted him killed. Quals [probably James Quarles] my interpreter took him up and carried him on his back and brought him to me. Charity and Christianity [sic] says he ought to be taken care of and I send him to my little Andrew and I hope will adopt him as one of our family."[162] Still later Jackson wrote again thinking the infant had already reached her, "Keep Lincoya in the house. He is a Savage but one that fortune has thrown in my hands when his own female matrons wanted to kill him. I therefore want him well taken care of, he may have been given to me for some Valuable purpose – in fact when I reflect that he as to his relations is so much like myself I feel an unusual sympathy for him."[163]

At the time the army was destitute of provisions and the only food that could be found for the infant was made by mixing "a bit of brown sugar and crumbs of biscuits scraped from the chinks of a barrel. These, mixed in water, composed a diet which he seemed to relish, and with it the General and his faithful servant, Charles, kept him alive until he was sent to Huntsville."[164]

The three-month-old baby, Lincoya, was sent north out of harm's way to be sheltered by Miss Maria Pope and her family in Huntsville. Jackson wrote Rachel on May 8th about his reception in Huntsville the day before. He said that he and his officers had received every mark of attention by a grateful [sic] people. We were met by the respectable citizens, escorted into Town, where a salute was given us, a sumptuous dinner, provided and

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[162] Andrew Jackson to Rachel, November 4, 1813, December 19, 1813, Moser, *Papers*, 2: 400, 401, 495.

[163] Andrew Jackson to Rachel, November 4, 1813, Moser, *Papers*, 2:444; Jackson to Rachel, Dec. 19, 1813, Moser, *Papers*, 2:494; Jackson to Rachel December 29, 1813, Moser, *Papers*, 2:516.

[164] *United States' Telegraph*, July 3, 1828.

an elegant ball in the evening." He wrote he would join her in Nashville on the 13th. Would she bring little Andrew, and he would present him with Lincoya. "Miss Maria Pope, when presenting me with an elegant stand of Coulours [sic], presented little Lincoya with them dressed more like a poppet, than anything else."[165]

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At 3 o'clock the General was conducted to the dinner table, which was laid on the fine green immediately back of Col. Pope's new brick house – no room in town could have contained the company – upwards of one hundred persons partook of the festivities of the day. The General's family and staff, Generals Coffee and Johnston, and many gentlemen of the army" were among the guests. "Col. Pope presided, aided by Col. Perkins and Capt. Brahan.... The dinner was abundant, for the season excellent and well arranged. The utmost harmony, hilarity and joy pervaded the whole assemblage. The full number of toasts were drank – many of them were cheered and encored with burst of feeling - while the artillery, under the orders of Capt. Parish lent forth its deep toned echo.[166]

The"regular" toast, 19 in number were heartfelt. The first of course, was to "Our country – may she never want defenders, nor ever forget to honor and reward them." The second was to "The Union of the States – the sheet anchor of our national safety." Continuing, toasts were to the American Congress, the President, Major General Andrew Jackson, Brig. General John Coffee, the Militia of Tennessee and the Madison Volunteers all gallant heroes, the British Partizins [sic], and continued through to "The Fair – May they greet with the animating light of their smile, and bless with rich reward of their love the gallant defenders of their country's [sic] rights."[167]

After the General retired, the committee cheerily continued raising their arms to toast Jackson, "whose sword had reduced the savage yell of war to humble petition for peace," another to Gen. Coffee and a third toast

[165] Andrew Jackson to Rachel, May 8, 1814 Moser, *Papers*, 3: 70. Poppet is still a term of endearment used for the very young in Britain.

[166] *Madison Gazette*, May 10, 1814.

[167] Ibid.

against Benjamin Hawkins, the object of their "implacable hate."[168] About 6 o'clock the company separated in good order, pleased with each other, and full of enthusiastic admiration of their illustrious guest.

About 7 o'clock the General was escorted to the Ballroom at the Bell Tavern, where was collected a numerous and brilliant assemblage of beauty. Pleasure beamed in every eye; every countenance was lighted up with joy; the accent of gratified satisfaction hung on every tongue; all hearts were filled with the same delighted and delightful emotions. A handsome supper was prepared by Mrs. Bunch, and set out with considerable style. [The] well-pleased party separated at an orderly hour, without the slightest circumstance having transpired to mar the pleasure or interrupt the harmony of the evening.[169]

Everyone slept securely that night, even those respectable citizens who perhaps were unable to recall every event or every toast of the celebration. And, after all, the next day, Sunday was a day of rest.

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The hero of the day retired early; he was not well. Anne Royall described Jackson as, "tall and slender. [Jackson was 6'1" but sometimes weighted as little as 120 lbs] Features not handsome, but strikingly bold and determined. He is very easy and affable in his manners and loves a jest, but there is a dignity about him. His language is pure and fluent, and he was the appearance of having kept the best company." Those who raced at the Green Bottom Inn racetrack would be pleased to hear they were among the "best company." Modestly, Jackson told one of her party that he was only "one of the blue hen's chickens." Although he was not from Delaware, the phrase implied that he thought of himself, as did everyone else, as a formidable fighter.[170]

General Jackson was the hero of the south and soon to be of the entire nation for many reasons. Besides being an awesome fighter and leader, he

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[168] The unfortunate Hawkins was always considered honest and able; there was no doubt. Originally his appointment by President Washington was made when the government maintained an image as the Great White Father to the native Indians. As the agent for the United States government, Hawkins spoke out in defense of treaty rights for the Indians and was, as a result, poorly thought of among the settlers. Fortunately history considers him more kindly today.

[169] *Madison Gazette*, May 10, 1814.

[170] Royall, *Letters*, 152, 196.

was considered to be "good and kind to his soldiers." One of his soldiers informed Anne Royall, the man; Andrew Jackson would "walk through the mud for miles and let his sick men ride his horse. He would distribute his biscuit, tea, and whatever his private stores consisted of, among the sick."[171] At the same time this is the general who did not hesitate to order a soldier shot for desertion, and he aimed his own pistol at soldiers who attempted to desert.

Jackson was not in good physical condition himself. Still recovering from the attack by the Benton brothers when he heard the news of the Mims massacre, Jackson left his sickbed in Nashville and took charge of the army. Bits of bone were still being expelled from his arm, and he was unable to put his left arm in the sleeve of his jacket. During the campaign he suffered from fever, dysentery, pulmonary hemorrhaging, and malaria. To relieve these symptoms, he was given the best current medical prescriptions – massive doses of calomel and sugar of lead, effectively poisoning his entire body.

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By next morning the shouting and the toasts were done. The troops continued on to Tennessee where most of them were eager to return to their families. Even though it was Sunday, servants and townspeople probably cleaned up after the grad celebrations at Poplar Grove, the Bell Tavern, and the Town Square. Surely the festive atmosphere spilled over into other local taverns and outlying homes as well.

The baby, Lincoya, joined Jackson, the faithful Charles and the returning army as they traveled northward. Jackson met Rachel and Andrew Jackson, Jr. just outside of Nashville in a triumphal return. The orphan was raised in a totally white man's environment with Jackson, Jr., the Jackson's ward A. J. Hutchings, and the miscellaneous nephews and nieces at the Hermitage.[172]

Lincoya was sickly in his early years, but at the age of eight he was strong enough to be sent to the same day school in the neighborhood as the other boys. The General hoped to send him to West Point as his education progressed, but the political climate had changed by then, and the appointment was not received. Jackson suggested Lincoya use his

[171] Ibid., 152. Mrs. Royall wrote a good deal more about the common soldiers' affection and admiration for Jackson.

[172] *United States' Telegraph*, July 3, 1828.

mechanical tendencies and learn a trade. The lad chose to become a saddler and was apprenticed in Nashville in 1827.[173]

Unfortunately, during that winter Lincoya caught a cold which settled in his lungs, and he returned home to the Hermitage. His family treated him with the "greatest kindness and care." While he was able, he often rode horseback with Mrs. Jackson on short excursions or traveled in the family carriage. However, he died of consumption "under the roof of the hero who had conquered his nation, but who followed his remains to a decent grave and shed a tear as the earth closed over him forever."[174]

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In January of 1815 Jackson and the army went on to soundly defeat the British at New Orleans, and he became truly a national hero. His military days may have been over, but his battles continued as he entered politics. A grateful state elected him to the U. S. Senate from Tennessee in 1823, and in 1828 a grateful nation elected him the seventh President of the United States. Unfortunately his beloved Rachel died less than a month before he left for the inauguration in Washington, D. C. In 1832 the first national political convention was held. The group nominated Jackson for President as they formed what would become the Democratic Party. The people again elected Jackson to serve as President. After his somewhat stormy second term in Washington, he returned to Tennessee. He died there, near Nashville, in 1845. Jackson was buried beside Rachel in the gardens of the Hermitage.

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Among those present that day in 1814 for the ceremonies on Pope's hill in Huntsville, Andrew Jackson became the most distinguished as a legendary war hero and President of his country. There were others who were no less important within the state. Six counties in Alabama were named for men who probably were in attendance – Bibb, Chambers, Walker, Clay, Coffee, and Jackson. Five men went on to become Governors of the state of Alabama – William Wyatt Bibb, Thomas Bibb, Gabriel Moore, Clement Clay, and Hugh McVay.

In safety now, Huntsville continued to grow; statehood was just around

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[173] Ibid.

[174] Ibid. Although this story would suggest the grave is on the grounds of the Hermitage, Lincoya's actual gravesite is unknown.

the corner in five years. Citizens returned to the rhythms of everyday life on the frontier. Farmers planted their crops, hunted for game, gathered for muster day, and met afterwards to argue politics. The womenfolk worked in the fields too, prepared the homespun thread, cooked, tended the sick, and gathered at the quilting bees to share gossip. Of course the children worked in the fields, and some attended school if they were lucky. Merchants sold, tinkers mended, servants and slaves performed their work. On Sunday most folks tried to attend some kind of church meeting. After services the well to do sat down to a meal eaten with their silverware, the middlin' folk with pewter, and the less fortunate were glad to have spoons of muscle shells. All took up the task again of making a home and a town for their families and loved ones. Probably that day of joy was celebrated in stories long after the events. Recollections are meant to be shared, and who can say if some accounts were exaggerated as time passed. After all, it was one fine day in May when the Militia and General Jackson returned to Huntsville.

Andrew Jackson Did Not Save Huntsville

By David Byers

The War of 1812 should never have happened. A period of uneasy peace followed the end of the Revolutionary War, as Britain continued to affect the Americans in many ways. The primary British insult was impressments of American seamen from sailing ships. This problem was exacerbated by pressure from the fleets of Napoleon on the English navy requiring they fully crew all ships. On occasion, American ships were stopped under the pretext of searching for deserters. Sailors were removed from ships and pressed into service in the British navy. Other squabbles were in the air. Dissatisfaction over the division of western lands after the war resurfaced when the British failed to withdraw from the Canadian border. Then, British/French competition for exclusivity of American shipping and exports resulted in legislation passed by Congress that aggravated the American shipping community. Additionally, British relationships with the Indians, including supply of weapons, ammunition, and food threatened westward movement. No apology bettered the situation.

Congress, meeting in November 1811 clamored for war. Henry Clay, Speaker of the House from Kentucky, John C. Calhoun and others, called "War Hawks," loudly pushed President James Madison toward war. They proposed we save "American Honor" by invading Canada. Land hungry westerners, an incensed shipping community, and Americans still angry after the Revolutionary War were itching for war. The country wasn't quite ready. The small navy, a scattered army with questionable leadership left from the Revolution, and a government still designing its methods of

managing a third-rate county signaled it was not fit to fight a large, wealthy and well-armed power such as Great Britain.

Expansionists in Tennessee, Georgia and the Mississippi Territory had been entertaining designs to annex Florida, a Spanish territory even though Spain was an American ally.

Andrew Jackson had said he would "rejoice at the opportunity of placing the American eagle on the ramparts of Mobile, Pensacola, and Fort St. Augustine." Many were willing to fight the war for many reasons. Woodrow Wilson wrote ninety years after the war, "The grounds of the War of 1812 were 'singularly uncertain'."

Both countries had pronounced weaknesses when the war began with American attacks on Canadian forts. The bulk of the British Navy was involved in the war against Napoleon. The conflict in America was only a distraction to the British. Just eleven ships of the line and thirty-four frigates were available in the western Atlantic. Many inhabitants of Canada were recent immigrants from the United States and did not want to take up arms against their former homeland. On the other hand, disunity of the country was clearly a problem for Americans. In New England, public opinion ranged from an outraged shipping community to mere apathy to actively expressed opposition to the war. Many continued to sell grain and provisions to the English.

In August 1812 battles at the northern Forts Michilimackinac, Detroit and Dearborn were fought. At sea the infant navy did well. Captain Samuel Nicholson and the *Constitution out* fought the British ship *Guerriere* resulting in a political lift for the Americans and a new name for the *Constitution*, "Old Ironsides."

The war was also provoked by Tecumseh, a young Shawnee Indian chief, who was born near Tuscaloosa and raised in the Ohio Valley. His message of rejection of the white culture and protection of the Indian ways was widely spread from Wisconsin to Florida:

> *"Where today are the Pequot? Where are the Narragansett, the Mochican, the Pocanet, and other powerful tribes of our people? They have vanished before the avarice and oppression of the white man....Sleep not longer, O Choctaws and Chickasaws... Will not the bones of our dead be plowed up, and their graves turned into plowed fields?"*

In the Mississippi Territory the Indians, armed and encouraged by the

British, were the center of the war. Especially in what is today Alabama the Indians were the enemy, not the British. A small group young and very aggressive Creek Indians, known as Redsticks, wanted to stop the changes brought by the white settlers. The docile Indian majority chose to peacefully trade, farm, and live beside the squatters who had encroached on their land. This division in the Creek Nation was much like a civil war.

The belligerent Redsticks began attacks on settlers leading to a strong reaction by the militia that was attempting to protect the emigrants. Those pioneers had often broken the treaties and federal promises made to the Indians as they steadily moved southwestward. A major part of every agreement between the Indians and the government was wording in which the Indians ceded or released land to the United States and in return the Federal government would keep the remainder free from venturesome speculators and squatters.

Out-spoken William Weatherford, known as "Red Eagle," a man of mixed parentage, and a strong ally of the British, secretly stirred the small, semi-secret segment, the Redsticks. A tiny contingent of Redsticks, returning from Detroit, murdered two families on the Ohio River. The killers were executed by the old Chiefs and ignited a civil war among the Creeks. Similar indiscriminate slaughters happened in Georgia and Tennessee.

In July 1813 Redsticks traveled to Pensacola, with the British provided money and a letter of introduction. There the Spanish governor gave them weapons and ammunition. Returning north the Indians were stopped in what is today northern Escambia County on July 27th by American forces from Fort Mims, causing the "Battle of Burnt Com." This first Alabama battle of the War of 1812 resulted in twenty Redstick casualties, including eight killed, while the Federal troops lost two soldiers and had fifteen wounded. History has called it a Redstick victory.

On August 30th the Redsticks, led by Weatherford, attacked Fort Mims, 35 miles north of Mobile near the bank of the Tensaw River. Local farmers, homesteaders and some mixed blood

Creeks, terribly frightened by the news and rumors of Indian horrors, had taken refuge in the fort. Three to five hundred (reports varied widely) were cruelly slaughtered and scalped as the small wooden stockade was swarmed. Seventeen escaped to tell the story. The Creek civil war became the War of 1812 and was happening in the Mississippi Territory.

About one year earlier, in November 1812, Major General Andrew Jackson, commander of the Tennessee Militia, had been directed by Governor Blount to move his troops from Nashville to Natchez in an

attempt to thwart an expected attack by the British on New Orleans. In January 1813, the soldiers were moved by boat on the Cumberland River to the Tennessee River and down the Mississippi River to Natchez. Colonel John Coffee's mounted troops came cross-country to join Jackson. On arrival Jackson was given orders from John Armstrong, the Secretary of War, that his military units were no longer needed. Because the British threat did not develop as expected, he was told to dismiss his volunteers to return on their own, unpaid, to Tennessee. The abortive expedition ended after a march north up the Natchez Trace arriving back in Nashville in March with many unhappy volunteers. Jackson paid the men himself and later collected the cost from the Federal government.

News of the Fort Mims massacre traveled like a wildfire. Settlers and peaceful Creeks were panicked. Federal troops were focused on the fighting in the east and north leaving the south to be protected, best as possible, by militia. Governor William Blount of Tennessee was authorized by the legislature to call up 3500 men for a three-month enlistment with $300,000 voted for their support. Then he directed Andrew Jackson to repel the approaching invasion. Jackson appealed to the volunteers who had gone to Natchez. Jackson's words were "Already are large bodies of the hostile Creeks marching to your borders, with their scalping knives unsheathed, to butcher your women and children: time is not to be lost. We must hasten to the frontier, or we shall find it drenched in the blood of our citizens." They were directed to gather in Fayetteville, Tennessee on October 4th.

Jackson was unable to attend on rendezvous day because he had been painfully injured, probably with a broken arm, in a bar fight at the City Hotel between him, John Coffee, and Thomas Hays on one side and Thomas H. Benton and Jesse Benton on the other. The argument was about a duel that was not fought. He did sent a spirited address to be read to the troops.

"The health of your general is restored. He will command in person. The bloodshed calls for vengeance, it must not call in vain." He reached the camp three days later, on October 7th' still feeling the effects of his injuries.

Rumors were rampant. An Indian agent, George Gaines, sent word to Jackson from St. Stephens that help was needed. America's history has been dragged in wild directions because of rumors. In this period and place rumors were common because there was no substantial news. Long distances across poor roads in this wild southwest, with the always present

threat of Indian ambush, led to many mistakes and disasters. As Hooper wrote in his *Adventures of Captain Simon Suggs, "The more remote from the scenes of blood, the greater the noise."*

On September 26th Jackson sent Colonel John Coffee to Huntsville to provide defense of the frontier until the infantry could come and to protect the supplies gathered there. Coffee arrived with his troops and a detachment of Choctaw Indian scouts on October 4th. He was instructed to have the Indians wear white plumes or deer's tails in their hair so they might be identified as friendly. Jackson suggested that Coffee spread the word that he was moving toward Mobile, hoping to confuse the Indians.

Huntsville was a new settlement. John Hunt had arrived only eight years prior and the federal land sales, begun in August 1809, were just getting a good start. Washington, near Natchez, was the capital of the Mississippi Territory and a very long way from Madison County. It is easy to understand the terror created by the Indian threat.

David Crockett, famed frontiersman, personality and legislator, wrote in his autobiography of his involvement. "When I heard of the mischief which was done at the fort, (Mims) I instantly felt like going." His wife begged him not to volunteer but "I reasoned the case with her as well as I could and told her that if every man would wait till his wife got willing for him to go to war, there would be no fighting done. The truth is my dander was up and nothing but war could bring it right again." Crockett enlisted in the Muster Roll Company of the Tennessee Volunteer Mounted Riflemen under Captain Francis Jones and Colonel Coffee.

Crockett stated, "We all met and went ahead till we passed Huntsville and camped at a large spring called Beaty's Spring, (a large spring in central Madison County, now known as Brahan Spring). Here we stayed several days."

On October 8th, Colonel Coffee's letter advised two Indians had just arrived with information that a war party of 800 to 1,000 had been sent to attack the frontiers of Georgia and the remainder was marching to Huntsville or Fort Hampton. A second message came adding to the fear of attack. At 9:00 AM on October 11th Jackson's troops and Jackson, with his arm in a sling and in severe pain, force-marched the thirty-two miles from Fayetteville to Huntsville. On arrival Jackson was told the information was erroneous and he camped his tired soldiers at with Coffee's men at Beaty's Spring. In 1950 the Acme Club of Huntsville erected and dedicated a roadside marker at the corner of Holmes and Greene Streets to remember this march.

Private Crockett, who scouted miles south into the Indian lands, remembered his observations were ignored. He reported to Coffee *"and his information did not stir Coffee to action yet when Major Gipson stated the same facts it put our colonel all in a fidget. When I made my report it wasn't believed because I was just a poor soldier. But when the same was reported by Major Gibson, why there was all as true as preaching and the colonel believed every word. He ordered breastworks to be thrown up and sent an express to Fayetteville requesting them to push on like the very mischief for fear we should all be cooked as a crackling before they could get here."*

The next morning Jackson led a leisurely march that crossed the Tennessee River at Ditto's Landing then moved east and joined Coffee's command at a position on a high bluff opposite a charming island, then called Chickasaw and later Hobbs Island. This encampment became known as Camp Coffee and continued to be an important spot during the Creek War.

Coffee's letters to his wife, Mary, niece of Jackson's wife, Rachel, who lived in Rutherford County, Tennessee, tell the story of the troop's activities in this campaign:

October 9, 1813- From Camp Beaty he wrote, "—things are ready to enter the Indian country tomorrow morning. I shall go to Fort Hampton near the mouth of the Elk River, to Colbert's Ferry and then towards Fort St. Stephens, our first place of destiny. There is no more appearance of Indians doing mischief here than there is on Stones River, and the best informed here have always thought so, the alarm has arisen from the poor cowardly creatures that has run off and left this tale in every direction. We have sent spies seventy miles who say there is no appearance of the Indians coming this way. I have 1300 men and have turned off several hundred others that I could not provide for. When General Jackson comes on with his 2500 men now at Fayetteville, we shall overrun the Creek nation; they will fly before us— like a flock of bullocks." Supplies were a problem throughout the expedition. The lines of delivery and unavailable stocks kept the army on a short leash."

October 13, 1813- A letter, "Camp Coffee, South Side Tennessee," Coffee wrote, "Since writing the last letter we have had 'plausible' intelligence of the enemy coming against Madison County, which halted me. I moved seven hundred of my men over the Tennessee River to build a small fort two miles above 'dittoes' landing on the south of the river. Soon after I encamped, there came other news that the whole Creek nation was moving this way and would reach us the same night we received the

information. We prepared and have continued in expectation two days and nights, when Gen'l Jackson with his army arrived and joined me yesterday. We are now out of any apprehension of being attacked. The Gen'l will rest here a few days and I shall make a small excursion into the adjoining country with about 650 of my Reg't and return and move on with the Gen'l. Things are fine and there can be no doubt of the success of the campaign. Your brother, Jack, is also to accompany us. Your Uncle Jackson has performed the journey out 'asceedingly' well and enjoys good health. I never saw him in finer health and spirits than he now shows." Jackson was apparently overcoming the injuries that had previously slowed him. John Coffee took 600 to 700 men from Camp Coffee."

October 15, 1813- A letter, "Fie had several picked companies of mounted rangers or spies. They would scout ahead of the main army for enemy war parties." (13) They marched three days looking for Black Warrior towns and after 80 miles they found an abandoned village then 20 miles farther came upon another empty village. The first genuinely progressive action was the destruction of these towns. A main town was discovered and about 50 buildings were burned. Three hundred bushels of corn were taken. (14) Supplies were constantly a problem. The forces experienced drastic food shortages.

Oct 24, 1813- A letter, "Headquarters, 24 miles south from Ditto's Landing, My Dearest, I have this moment arrived here from a route into the Indian Country of ten days, have been to the Black Warrior Towns and found them deserted by the Indians, leaving their com and some other plunder behind. I burnt three towns and never saw an Indian. Let me beg of you to be of good cheer. I assure you we are not in any particular danger here. I know you are a philosopher and now is the time to exercise it." These letters demonstrate his handwriting and his spelling and prove Coffee was well educated and a careful and caring writer.

October 25, 1813- A letter, "Camp Brown, 30 miles from Ditto's Landing. The Gen'l has gone on with his army and I will follow him tomorrow and join in the evening. We will keep together until we reach the heart of Creek country. There has not been a gun fired by either an Indian or a white man at each other and I am doubtful but a few will be fired. The Indians give up their country as we approach and I think that will continue to be the case." Colonel Smith and Colonel McKee in the Choctaw country reported the Indians had "fled to the center of their country from where they will move down to Pensacola to their friends and allies, the Spaniards and British." Coffee told Mary she could write to him, addressed to the port of Huntsville, Mississippi Territory because he could

receive letters through a chain of army depots.

November 4, 1813- A letter, "Ten Islands, Coosa River. My love, I have again an opportunity to write you a line. We are progressing in to the Indian Country as far as we can get provisions. A few more days will bring the East Tennessee troops when the whole will move on together. I had a small 'scirmish' with the Indians where we killed two hundred and took eighty prisoners. We shall build a fort at this place for a deposit of provisions and to leave the wounded men in. The only man killed of my party is young Thomas Hudson who was killed with an arrow."

November 12, 1813- A letter, "Headquarters Camp Strother, Ten Islands, Coosa River. Thirty miles south, towards the enemy, we had a battle at Talladega creek. Our party consisted of 2000 men commanded by Gen'l Jackson in person. The enemy were a little upwards of 1000 chosen warriors. We were advised by a friendly party of the approach and position, which enabled us by forced marching night and day to meet them thirty miles in advance of the main army. In the morning early we surrounded them and in a few minutes put the whole to flight having killed 300 of their best warriors and most of the balance were wounded. We have in two battles, one on the 3rd and the other on the 4th instant, killed 500 of the warriors and wounded at least as many other besides upwards of 100 prisoners. I lost five men killed and forty some odd wounded. In the latter battle we lost 15 men killed and eighty-five or six wounded. Upon the whole calculation we shall not lose more than 30 men killed in both battles. Although we regret the loss of our brave fellows, yet the great disproportion is beyond the most sanguine calculations on our part."

December 19, 1813- A letter, "Huntsville, I apprehend Gen'l Jackson will have been compelled to yield to the multitude and all be compelled to return, but this will be his last resort. Gen'l Hall's brigade has already left him thus we are clear of the Scotch-Irish in that quarter." Enlistment periods of sixty and ninety days expired quickly, forcing Jackson to strong measures to keep his army together. Jackson's army continued the Creek War across the country and that finally concluded with a decisive battle at Horseshoe Bend, ending the threat of violence from the Indians.

John Coffee appeared on every front of the new southwest and Mississippi Territory. He was not only the husband of Andrew Jackson's niece, but Jackson's best friend. Jackson said, "John Coffee is a consummate commander. He was born so, but he is so modest that he doesn't know it." Coffee, 41 years old in 1813, was a brave and unassuming frontier giant, six feet tall and about 216 pounds.

In 1809 Thomas Freeman was sent by the governor of the Mississippi

Territory to take a census and begin the land survey of Madison County. John Coffee was a surveyor in that operation. The surveyors always had the best information on land. They often advised speculators on land purchases. Freeman was the largest purchaser of land when the federal sales began and Coffee was not far behind. He had purchased eighteen parcels for a total of 2,659 acres. Coffee represented two Nashville land-owners/speculators in the effort to have the Madison County courthouse placed near the Big Spring. When he was able to arrange that, they wrote to him," You have been the cause of all our profits in the Huntsville scheme." The beautiful and fertile valley of the Tennessee River received much interest from the soldiers of the Creek War. "Of the emigrants who afterward came from middle Tennessee, a large proportion had belonged to Coffee's command."

Coffee was appointed Surveyor General of the Alabama Territory in 1817, putting him in a position to speculate and amass a fortune. He was a key figure in the economic development of the area and became the richest planter in North Alabama. His Cypress Land Company developed the town that became Florence.

Huntsville was an important camp and supply depot during the Creek War. Jackson and his army passed through in October 1813 and several times during the war. There was never an imminent threat of an Indian attack on Madison County. Judge Thomas J. Taylor, an important local historian, wrote in the late nineteenth century "Madison County had always been a land of peace." "The county was a place of perfect security and the negro stood in mortal dread of the Indians and very seldom took refuge among them." "Little was heard about the war in our remote section of the country."

Many soldiers were recruited from the county as the fighting men were organized to hold off the menacing Indians. The Judge reported two companies of militia, captained by Gray and Mosley, were recruited in the county and they accompanied Jackson on the trek to Natchez. After the slaughter at Fort Mims a company was raised by Captain Eldridge in Huntsville and Meridianville and another by Captain Hamilton in the settlements of the mountains on the Flint River. "So the companies from Madison shouldered their muskets and marched away with the other, and were placed with some Tennessee companies in a regiment commanded by Jackson's intimate friend, Col. James Carroll." (20) Captain Mosley's men saw much hard service as scouts, to protect provision shipments and to watch the Indian movements. Taylor reported, "I regret that the names of the killed and wounded in the Madison companies have not been

preserved." Later in the war, "Captains Mosely's and Gray's commands were discharged on expiration of their term of service, but the other two companies before their discharge were at Mobile and at the taking of Pensacola." Like much of history, the rumors and stories of Indian attacks, Jackson's heroic march, and the city's place in the war, have expanded with the telling and the years.

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Fare Thee Well: From the Papers of John Williams Walker

Edited by Jacquelyn Procter Gray

Among the men who stand out in the early formative years of Alabama is John Williams Walker, who accomplished much and earned incredible respect in the short 40 years of his life. In his 1927 book, *The History of Alabama and Her People*, Albert Burton Moore described Walker as "...one of the strongest men, from cultured home and best education possible, exceptional native ability, trained in classics and law, scholarly..."[175]

Walker was orphaned by the time he was nine years old. He went to live with his older brother, Memorable Walker, but John became his brother's keeper when Memorable succumbed to tuberculosis while John was still a very young man. John lovingly took care of his brother during his extended illness, and it is believed that he contracted the illness that would plague him and eventually claim his life as well.[176]

Born in Amelia County, Virginia[177], Walker came to Huntsville via

[175] Albert Burton Moore, *The History of Alabama and Her People*, 1927.

[176] Hugh C. Bailey, *John Williams Walker, A Study in the Political, Social, and Cultured Life of the Old Southwest*, (Alabama: University of Alabama Press, 1964).

[177] Thomas McAdory Owen, *History of Alabama and Dictionary of Alabama Biography, Volume IV*, (Spartanburg, South Carolina: The Reprint Company, 1978).

Petersburg, Georgia at a time when many other prominent planters and neighbors from Petersburg settled here as well. In his book *Early Settlers of Alabama*, Col. James Edmonds Saunders stated that Petersburg "was literally depopulated."[178] These early settlers showed an unusual interest in Alabama politics, and were known by those who disapproved of their ambition as the Georgia Faction or Georgia Clique.

Attorney John Walker was the Speaker of the Alabama Territorial House of Representatives in November 1818 when the Territorial Legislature passed a petition for statehood. John was elected president of the convention that met in Huntsville on July 5, 1819 to write the constitution that enabled Alabama to become the twenty-second state of the union on December 14, 1819.

Although John's name was suggested to become Alabama's first governor, he instead went on to become the first U.S. Senator from Alabama until his resignation in 1822.

The following excerpts are from letters sent to Walker and his wife Matilda, daughter of another Petersburg, Georgia transplant, LeRoy Pope. Most of them are from their daughter Mary Jane, but others indicate the political climate and little-known interesting facts about the Walker family. Mary Jane was sent to an exclusive girls' school when she was 10 years old. These letters allow us to eavesdrop on the most intimate details of one of Huntsville's most interesting families. History becomes three-dimensional with the addition of the emotions felt almost two centuries ago. Grammatical errors and misspelled words are retained as written. The collection of letters these excerpts are taken from, are from a gift to the Huntsville Public Library's Heritage Room. Originals are in possession of the State Department of Archives and History.

The first letter is a rambling, angry plea from Alabama's first governor, William Wyatt Bibb, himself a member of the Georgia Faction, to Senator Walker in Washington City:

"Coosada 21 Feby, 1820

Dear Sir:

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[178] Col. James Edmonds Saunders *Early Settlers of Alabama*, originally published by L. Graham & Son, Ltd., 1899. (Republished in Tuscaloosa, Alabama: Willo Publishing Company, 1961).

I have received one letter from you which is the only communication of any kind that reached me from either of our members. My health is very bad. For three weeks I have not left my room and seldom my bed. I now write in bed, and but for a little matter of interest, should be silent. The object of this letter is to communicate to you the fact that the U-S are indebted to me, in the hope that you may obtain the amount for me. I have never received on cent for office rent, Stationary & c, although the Act of Congress appropriates $350 a year for those objects. I think I commenced my official duties in November 1817 and they were continued to the signing of the Constitution on the 2d of August 1819, during the whole of which time my private pocket has supplied the Territory with an office, furniture and stationary. That the amounts has exceeded that appropriation I have no doubt, but supposing the appropriation as much mine as the salary, I did not think it necessary to keep an account of the expenditures, nor was I apprized of the requirements by the Comptroller until about a year had elapsed. Not only have I furnished the necessaries for my office, but also for the Secretaries, and were I disposed to present accounts, I should be justly entitled to the salary of the Territorial Secretary during the time I had to perform his duties (there being no secretary) which was at least six months, and when too, more business was done, that would have claimed my attention for ears afterwards. I was under the necessity of employing Major Noble to assist me, without ever having a cent from the Government.

Last fall Richard Smith being my Attorney I requested him while drawing for my salary to ask for the appropriation also. He informed me that the Comptroller required a detailed account. I then wrote to him, nearly what I have said to you, and added that unless a draft was sent on that statement, I should never again mention the subject either to him or the Comptroller, and that is the last I have heard of it. I felt indignant as I still do, but I see no reason why I should support the country from my private funds, and I do think I have been abominably treated. The truth is, that other Territorial Governors have

been allowed a certain compensation as Superintendent of Indian Affairs, but I have never applied for it, although the "Secretary of War" informed me of the allowance. And I will venture to add, that this government has been more cheaply administered (so far as the US are concerned) and as ? (so far as my private pocket is concerned) than any other.

All I wish you to do, is, to apply to the Comptroller and you may state what I have said. If he refuses still what is due me, let the subject drop, and he and the Government may go to the devil for aught I care. If payment is to be made, please direct Richard Smith to send me a draft on the St. Stephens Bank for the amount, addressed to me at Fort Jackson. I am so unwell that I cannot write more. Yours sincerely, Wm W Bibb"

He further writes: "...I doubt whether you can make sense of what I have written, but I am not disposed to obtain every cent that has been allowed to other Governors, since sheer justice is denied me. Wm W B"

Although the date of the following event was not disclosed, it illustrates the danger of the time. Governor Bibb narrowly escaped death when he and his personal servant, Peter, stopped to eat and rest at Fort Dale. Just an hour later, hostile Creek Indians attacked Fort Dale and killed the family that had just hosted the governor. Governor Bib sent troops to protect the fort from the Creeks who were exacting revenge for the treaty that ended the Creek War of 1813-1814.[179]

Walker's brother, James Sanders Walker, wrote to him the next day, revealing some hostility between them:

Coosada 22 Feby 1820

It would seem my dear brother that we were both studious to preserve silence toward one another. Having held out so far I can contain no longer and perceiving by a paragraph in your letter to the Governor that you

[179] Marie Bankhead Owen *The Story of Alabama, Volume I*, (New York: Lewis Historical Publishing Company, Inc., 1949).

promised him answers to many letters he may write I take it for granted. I may expect some return to the same kind. Although I do not claim it as a right, Perhaps if you wish to write oftener to his excellency and occasionally to Mr. Hall both of whose correspondence I have access to I might excuse you for neglect of me. But I fear you do not write enough to keep up your popularity which I should be sorry to see decline when it may stand you in most stead. The Governor's health is very bad and says he would resign now if any other man was President of the Senate than his brother. He therefore proposes to hold on until the next session of the legislature when the General Assembly may direct how his place will be filled. You are doubtless apprised that I came down with him. If I could have effected sales and otherwise arranged business I should have returned about this time to your house. But I fear I shall not get back before you do and perhaps not until summer, when it may suit you to come down with me in the fall and see the improved appearance hereabouts.

I went to Cahaba the latter part of the sales last month with the view of purchasing a couple of fractions in 18.18 lying between my land and the Talapoosa River over against the fork but the Governor reserved them on the morning of the last day of the sale – and I was obliged to be content with two small fractions adjoining the town site of Fort Jackson opposite Peter's Bluff on my Fraction 3….Adieu my dear Brother, J.S. Walker"

James Sanders Walker stayed in Georgia for some time after John came to Alabama, but eventually moved to Alabama as well. He had hoped to marry John's sister-in-law, Maria Pope, but she instead married John's friend from school, Thomas Percy.

On April 13, 1820, Governor Bibb wrote once again to John Walker from Coosada:

"Dear Sir:

Still confined I can barely say that I have received letter

of the 18th Ult. I regret that I ever again mentioned the subject of my expenditures for Stationary, office rent & c; and certainly should not have done it but for an accidental conversation with some friends on my sufferings (which at the moment were as great as I could bear) fretted by pain and reflection, I wrote the letter and am sorry for it. It is now ten weeks since I have been out of my bed room; and I have suffered as much pain during that time as ever fell to the lot of any man. Within a few days, I have discharged large quantities of blood in passing urine, which appears to come from near the neck of the bladder, where in September last I was considerably bruised. The pain which I had so long suffered in despite of all remedies, is much lessened, and my physicians say I will not recover. What the result will be, I consider uncertain but I have sufficient fortitude to meet any event.

I am desirous to resign, but my brother Thomas who has been with me several weeks and is still here, together with my friends generally have prevailed on me thus far to continue in office, at least until the meeting of the Legislature, if I should live so long. My family are well, as is your brother.

Yours truly, Wm W Bibb"

Governor Bibb apparently recovered enough to be out riding on his horse in the summer of 1820. A thunderstorm erupted and frightened the Governor's horse, throwing him to the ground. Alabama's first governor was mortally injured. On July 10, 1820, he succumbed at the age of 40. Thomas Bibb served his brother's unexpired term and became the second Governor of Alabama.[180]

On November 15, 1820, Thomas Percy, who watched over Matilda Walker and the children while John was in Washington City, wrote:

"My dear Walker,

[180] Ibid.

I mean to make this letter very short – of this I give you warning – for why it is late at night and I have some business writing to do; besides I have spoiled 3 quills in the vain effort to make a pen with which I could write…So before I go any farther I will tell you the only thing I have to tell you in this letter. It is that Charles Henry has been scaring us all with a cursed croup. But thank God we have vanquished it and got the little fellow on his legs again. I was at Oakland this evening and left him merry as a grif. Mrs. W[alker] keeps up her spirits admirably as yet. Not the least symptom of depression…My dear Jack if I had something worth telling you I really could not do it with this damned pen. So fare thee well. Tho. G. Percy…a man named Turner cut his throat in Huntsville a few days ago for love of a damsel named Turner likewise and thereupon found himself much relieved."

On May 17, 1821 Maria Percy wrote to her sister Matilda Walker. She was apparently traveling with Matilda's daughter Mary Jane Walker, to accompany her to a girls' school in Pennsylvania.

"My Dear Sister,

We arrived at Kins about an hour ago, 8 miles beyond Knoxville all very well in very tolerable spirits….Mary Jane and Charley have proved to be fine travelers they both have fine appetites. Charles has fattened perceptibly and has been the best fellow you ever saw…I have but one drawback on my enjoyment and that is the absence of my dear little Walker. O what would I not give to see him I have wished a thousand times we had brought him with us. I know he is much better off but still, I have some very painful thoughts about him. Do write very often and let me know how the dear little fellow bears our absence. Mary Jane and myself have made an arrangement to write from every town, we take it alternate, so that it falls to her lot to write from the next town which will be Abbington. Mary Jane and myself have become very expert riders and

walkers; we walked part of the way up the mountains, and rode the remainder, I carried Charley on my lap and rode a man saddle. So you see what a heroine I am getting to be. The accommodations have been very miserable. This is the second house that has nay thing like comfort about it…Your Maria"

On May 29, 1821, Maria Percy wrote to her sister Matilda from Staunton, VA:

"…The country is by far the most beautiful I have ever seen, affording scenery of the most pleasing kind, mountains and green fields…covered with cows that are literally dripping with milk as they walk along. The most delicious butter and milk I ever tasted, fine spring houses at almost every fifty yards.

My letter has had a considerable interruption from a hailstorm, the most remarkable that has ever been seen here, some of the pieces measured six inches in circumference. It will have one good effect which I am not sorry for, cooling the atmosphere. Mary Jane has improved in her appearance more than you can imagine; her face has plumped out and looks quite round. Her cheeks rosy as two apples. Charles has stood the journey better than any of us, he eats bacon, and drinks buttermilk manfully. Poor little Walker, how much I do regret leaving him. I think sometimes I would be perfectly willing to give up my trip to see him. Travelling would have been a great service to him in many respects. Its all folly now to repine; I know he is happy where he is, and I shall love the dear little the better when I get home…I have not seen a strawberry since I left home, it is one of the good things I have wished for every often."

On June 20, 1821, ten-year-old Mary Jane Walker wrote to her mother from Philadelphia. Note that in many of Mary Jane's letters, she left the periods off of most sentences.

"…Oh how glad I would be to see little Charles Henry. I suppose he can almost talk by this time. Oh how I should

like to hear him say cow again I suppose he rides his stick horse like he used to. I was very much please [to see] the museum and the Academy of fine arts. I saw a great many fine paintings at the Academy. I saw the Mammoth at the museum and the mouse under him as father told me I would. Philadelphia is very hansom city indeed. I have not seen one ugly street. Chestnut street is a very hansom [street]. Uncle Percy had not yet placed me at school he intends to place me with Madam Sigoigne she has gone to Frankfort to stay all the summer…

Miss Sigoigne is very pretty indeed to tell the truth she is the prettiest lady I ever saw I forget Aunt Louisa when I said this but except her she is the prettiest lady I ever saw….From your affectionate Daughter Mary Jane Walker"

Maria Percy wrote to her sister Matilda Walker on July 2, 1821 from Philadelphia:

"…Now of Mary Jane, she is in fine health and spirits, delighted with every thing. The fruit, the fancy stores, and toy shops are perfectly irresistible to her. We placed her last Monday with Madame Sigoigne…I made some little additions to her wardrobe such as frocks, frills, & c…in the academy [of fine arts] we saw some most beautiful paintings, one very large, by Alston, the dead man in the tomb of prophet, a splendid thing. Also Mr. Wests celebrated piece of Christ healing the sick a very imposing picture. The other day we went on board the 74. We were very politely received by the officer's and conducted through every part of the vessel. It is fitted up in a very superb manner, elegant damask sofas, brussels carpets, sideboards, and bookcases, all arranged in the neatest order. May father [LeRoy Pope] was with us, and filled with admiration of the great vessel.

Philadelphia I think not so gay a city as Baltimore the ladies are much more dressy, and fashionable, and society (it is said) more accessible to strangers….This is not the season for parties, so I have not seen much display in that line all the fine plate and glass ware seems to be shut up,

with their drawing room's for winter....New York seems to be the centre of attraction for all southern people, they give it the decided preference...This little village [Bristol] is just opposite to Burlington the residence of Governor Bloomfield. Mrs. Brown talks of making it her head quarters this summer. The said lady is very talkative, very showy, and all that – a little too fond of talking of the Diplomatists, people that I don't know or care anything about. Mr. Percy went over early this morning to present his letter to Governor Bloomfield but found them absent on a visit to New York.

I must tell you something of the fashions, though they are so various that it is impossible to say what is most fashionable. Long waist with broad belts are altogether worn. Worked trimmings are still very much used. The latest fashion are tucks, with strips of spotted muslin between reaching nearly to the waist. The tucks are made about three quarter so f an inch wide and the strips of muslin the same width that sleeves trimmed in the same manner nearly tight to the arm. The body's are made narrow on the shoulders, a large point in front, sometimes two, one above and below. The backs nearly plain, some cut surplice fashion to correspond with the front, but they are generally worn plain. Plaid ribbons are all the rage the belts with ribbon and large beaus in the back. Handkerchiefs made of the spotted muslin, worn inside the dress with the quilled ruff. The long india worked scarf very much used. I have purchased a very handsome one and a very neat leghorn hat. I find all the trimmings, and small articles nearly, or quite as high as they are in Huntsville....I was very much shocked to hear of poor aunt Nancy's death, and regretted it most deeply. She had been so long a victim of disease that death was robbed of half its terrors. I hope my mother did not suffer seriously from the fatigue and distress she must have felt...For heaven sake don't exhibit these miserable sketches, they have been made in great haste, just to give you some idea of the fashion. Recollect that the muslin is attached to the skirt first, and the tucks made and sewed on... Maria Percy"

On July 30, 1821, homesick Mary Jane writes to her mother:

"Dear Walker:

If they say we were killed or had a bone broken or a limb dislocated by oversetting the state as we came from Albany to this place I say they lie damnably. We were only bruised and skinned in a few places and are now all getting well. Percy sustained the worst injury having his left arm severely bruised by attempting to make a Pillow of it to save his brains from being dashed out against a large stone. But he did save his Brains and will not loose his arm nor a joint of it although to save these I though it proper to take 50 or 60 ounces of Blood from him at five Bleedings – this happened on Saturday and now which is Wednesday we are all well enough to read novel and gossip through the taverns except Percy who reads and receives talkers in his room because his arm is still too big for his dandy coat which he hopes to put on the day after tomorrow. Charley was the only person who escaped – we are all as gay as larks. Colo Pope, Mr. Saul and Daughter and servant made our party, nine which lays us in debt to Heaven for that many thanksgivings which I hope you will assist us to offer up…Love to you all – S Brown"

Brown's reference to Percy may have been a number of gentlemen including his brother-in-law Thomas Percy, nephew Percy Walker, or any of the many Percys of the next generation. The Charley referred to in his letter may have been Charles Brown Percy, his nephew. Because they named their children for each other, as well as having other names in common, it is sometimes difficult to ascertain who they refer to.

On August 7, 1821, Mary Jane wrote about her brother. Records cannot confirm which child this was, perhaps John T. Walker.

"Dear Papa,

I was very much delighted to receive a letter from you last night saying that I had a new little Brother. You cannot think how much surprised and delighted I was I

think from our description of him he must be Beautiful. You describe as being as plump as a Partridge with deep blue eyes and a fine complection and black hair oh how I should like to see the dear little fellow and love him with kisses.... Your affectionate Daughter, Mary Jane Walker"

In September 1821, Mary Jane wrote:

"My dear Mama, ...I have not received any letters from you or papa for a long time; Uncle received one from papa a few days ago in which he said you were all very well I am sure you cannot complain of my not writing for I write every Saturday...."

Maria (Pope) Percy wrote to her brother-in-law John Walker from Baltimore on September 4, 1821:

"My dear Brother

I have put off writing until the eleventh hour...At all events, I have no notion of being laughed at by you when I get home. I have always been of the opinion that a lady has a right to expect the first letter. Now if you had been so civil as to have written to me, I can't tell how many kind things you might have had from me. Letter writing you know, I never have been famous for, and I fear it is an incurable fault. I have not thought the less frequently of you, nor is it possible for me to express the anxiety I feel to see you all. Crazy, I certainly shall be, if I am not at home soon....

On our return trip to Philadelphia I found Mary Jane in good health, but her spirits a little depressed, she was full of the intention of going home with us, her Uncle talked her out of it; and cheered with the prospect of seeing you in the winter, she parted from us in very tolerable spirits....Nancy took it suddenly into her head to leave me, which obliged us to look about for another nurse. I succeeded in getting one, not altogether to my satisfaction. My northern trip has convinced me of one thing, that we in a slave country, are better off than they

are here, with all their freedom. Upon the whole, Alabama has gained in my estimation very much, by comparison….But I am tired to death with travelling, and long to enjoy the pleasures of home again. My father we left in New York, very impatient to get home. I met with Archy Stokes there he looks younger than he did fifteen years ago. I made a great many enquiries about our old friends in Georgia. He said he would like to see Matilda very much. I remarked that she was somewhat changed since he saw her, being now the mother of six children. Poor fellow, it was more than he could boast of.

You may tell sister to have executed her commission with regard to the scarf Mr. H and myself were two days engaged looking for one of the first quality, we purchased it first, having the concurrence of Mrs. Blight's good taste. Perhaps she will not be quite satisfied with the price (being only 29 Dols) not having cost as must as you intended it should. She must console herself with the fact, that they rarely exceed 30 dols. Mr. Percy is not very much engaged making arrangements to leave the city tomorrow….The yellow fever is prevailing in some parts of the city, and though there is no alarm in this part of it, still I should like to be clear of the city as soon as possible. Charles health has been exceedingly delicate all the summer, travelling I hope will be of service to to him…God bless you my dear brother. Maria Percy"

Mary Jane Walker wrote to her father from Frankford on September 15, 1821:

"…I will endeavor, my dear father, to apply myself to all my studies and to make myself beloved by everybody, for I know it will contribute to your happiness. I am glad to hear that the children amuse themselves, kiss them all for me…"

Mary Jane sent a letter to her brother at the family plantation known as Oakland (Meridianville, Alabama) on September 29, 1821:

"My dear Brother,

I was very glad to hear by Pap's letter which I received last Monday that you intended to rite to me, being the eldest I will give you the example I hope you will soon follow it. You cannot think, my dear Brother, how much pleasure it will give me, to have a letter from you. Tell me all about Oakland and how you past your time and if the Children ever talk about Mary Jane as for me I often talk of them and think of them still oftener it will give me a great deal of pleasure to hear about their little amusement. Tell Pope [LeRoy Pope Walker] he must work my garden as I left it under his care. You must all kiss little William for me. Tell Father I am very much obliged to him for his kind letter which I will answer next Saturday....I remain you most affectionate Sister"

On November 20, 1821, Silas Dinsmore wrote to John Walker in Washington City, presenting himself for the new job opportunity caused by the death of surveyor Thomas Freeman. Freeman was buried in the family plot of his good friend, Sheriff Stephen Neal. His grave was unmarked for 178 years, ironically near the Huntsville Meridian in Maple Hill Cemetery.

"...The Huntsville paper by yesterday's mail announced to us the death of our mutual friend Major Freeman, Surveyor of the US lands South of the State of Tennessee. I have for two years past been engaged, under him, as Principal deputy in the land districts east of the Island of New Orleans, I have familiarized myself to the discharge of the duties of the office, the business suits my age, habits and inclination, and as the public service requires that a surveyor should be immediately appointed to take charge of the office at Washington, I beg leave through you, and others whom I presume to call friends, to offer to the President of the United States my services; your good offices to promote my views, are respectfully solicited and will be gratefully remembered....

Take care of your delicate health in that cold and variable climate. Your services will be wanted nearer home, two years hence...."

J.S. Walker wrote to his brother from Montgomery on November 23, 1821:

> "...I recd at Tuskaloosa your letter written on the 24th of Oct just before which I wrote you...some account of the duel that it was expected had taken place between George McDuffey and Richard H. Wilder. I now learn that Col. William Cumming was the author of Baldwin and I perceive that nothing was done about a month ago when Baldwin thinks it high time that Mr. McD should come forward – or else submit it to be considered a ? fellow. I am also informed that the allusion by Baldwin was to Simkins and not McDufffey – but that a young man by the name of Mr. Walker Carnes, a son of Judge Carnes, has avowed himself to be the author of the 'voice of Georgia' or 'spirit of Georgia.'...
>
> ...The Steam Ship Robt Fulton is expected at Mobile shortly from the North. I suppose though she will have to stop at the Point. It is said that Tuskaloosa and Coosawda are the only places spoke of at Cahawba for the permanent seat of Government. Very much will depend upon where they establish the University which I should think ought to be a Wilsons Hill or in the lower end of Jones' Valley. Appropos, my Wig, as soon as possible, 'Poor Tom, a Cold.' Adieu my dear Brother, health attend you and yours. J.S. Walker"

An unidentified friend wrote to John Walker on December 20, 1821. We could surmise from the first statement that it was written by Dr. Samuel Brown, who kept a watchful eye over Pope and Walker while they were at a boarding school in Lexington. We could also guess that he may be expressing sympathy over the death of John and Matilda Walker's son, Charles Henry. Although Charles is not listed among John's children in "The History of Alabama and Her People" by Albert Burton Moore, there is a marker at Maple Hill Cemetery showing that two-year-old Charles Henry, son of John and Matilda Walker died October 1822. There is a discrepancy over the date of the child's death. Either the date on the marker at Maple Hill is wrong, or there was a typographical error when the

handwritten letters were much later typewritten.

> "My dear friend,
>
> I feel that it is more necessary than ever that I should inform you frequently of the welfare of those dear boys whom you have still left with me and for the first time in my life the thought of writing to you is a source of distress. Anxiety on your account is the constant everyday feeling of my life but when I am to write to you my heart bleeds afresh. What can I say to you that will give you ease or diminish your grief. Alas nothing. The blow you have felt is too dreadful for me to essay anything like consolation. Under such calamities, we can only bow our heads to the Providence which crushes us and hope for mercy....
>
> ...Of Matilda I cannot think without the keenest anguish. I often think of writing to her, but when I attempt it the pen drops from my hand. I know not what to say. Could I bare my heart and show her the deep seated anguish which wrings it for her sake I would do it – but words cannot do this – they are vain and feeble and almost I would say impertinent..."

Two-year-old Charles Henry was in the care of Maria and Thomas Percy while Matilda was in Washington City with her husband John. Charles Henry came down with a cold and was prescribed an emetic from Dr. Fearn. His coughing grew worse and he had difficulty breathing, so he was given calomel and castor oil. Two days later, the Percys called Dr. Erskine who applied blisters to the child's chest, ankles, neck, and head. After an illness of six days, he died. Fearing that Matilda would have a breakdown upon learning the news, the letter informing them of their son's death was withheld for two months by a family friend in Washington.[181]

From Philadelphia, Mary Jane wrote to her mother on December 22, 1821:

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[181] Hugh C. Bailey, *John Williams Walker, A Study in the Political, Social, and Cultured Life of the Old Southwest* (Alabama: University of Alabama Press, 1964).

"…I have not yet had the pleasure of receiving a letter from you and I assure you that I am very anxious to hear from you, and Papa, and hope soon to have that happiness as Christmas is approaching. Madam Sigoigne gives us a weeks Holiday and a Party for our New Years gift and we expect to enjoy ourselves a great deal, but I am sure I would have a great deal more pleasure if you were here today. Mrs. Stocker who lives next door intends giving a party to her niggle Niece and Susan and Myself are invited we are all going to spend the evening at Mrs. Meades next Tuesday….Kiss William a great many times for me as a Christmas Gift give my love to Papa and tell him I hope to get a letter from him and believe me for ever my dear Mother your Affectionate Daughter."

Mary Jane wrote to her father on January 5, 1822:

"…I received your kind letter Monday with ten dollars. It was more than I expected and I thank you very much, it gave me a great deal of pleasure, as I was able with that to make little Presents to my Friends and to the Servants. I spent New Years Day very happily and dined with Mrs. Blight. She sends her compliments to you and Mama. Madam Sigoigne gave us a very pleasant Party Saturday we danced until twelve o'clock. I received Mama's letter in which she says she was very near returning to this Place. I want to see little William very much indeed…."

On January 14, 1822, Alexander Pope (probably Matilda and Maria's brother) wrote from Cahaba:

"Dear Jack, I labored like a galley slave from 20 Aug to 30 Sept in the heat and sweat of crowds of men frightened almost to death with the idea of taking the yellow fever – with their pockets full of onions garlic and other strong scented things much to the prejudice of my olfactory organs while taking in their Declarations and I have been diligently employed ever since and have but just now gotten the first copy of my Abstract of Relinquishments

made out which will employ me fully a week or ten days to add up the numerous columns of – I have had two clerks all the while at the abstract for further credits and they are not more than 2/3 done. As you have been such a Champion for the Debtor's for Pub Lands I have full faith in your best exertions to compensate those who have so much labor to perform for the accommodation of those very debtors. And I shall rely soly on you as I have no acquaintance with Mr. Moore besides having no wish to have any – We understand that Matilda was to have gone on with you and we see by the papers that you are at your post we are thus assured you are both well or at least we hope so. Yrs Truly Alexr Pope"

On January 18, 1822, Mary Jane wrote from Philadelphia to her father:

"...It is three weeks since I have had the pleasure of having a letter from you although I have written every Saturday as you requested. Your Silence makes me very uneasy as I am afraid Mama is sick...I suppose little William is very much grown do give him a kiss for me I long for the month of April that I may embrace him myself....Adieu dear Papa"

On January 25, 1822, she wrote again to her father:

"...Mama wishes to know if I have commenced music tell her that I have not, that Mrs. Sigoigne not knowing if I shall remain with her next summer thinks that it is not worthwhile for me to begin if I go with you in the Spring, for before I could get another teacher, I would forget all I know, and it would only be throwing away money. We have had a most dreadful fire, the Orphans Asylum was burnt last Wednesday there are 23 children missing, poor little things, I suppose they had died with the cold...your Affectionate Daughter Mary Jane"

On February 16, 1822, Mary Jane wrote to her mother:

"...I received yesterday evening papa's letter in which

he mentions that he will take me away in the Spring. Although I shall feel very happy to be with my Family still I shall be very sorry to leave Mrs. Sigoigne and the Family. I went to Mrs. Banekers last Saturday where I danced and amused myself a great deal. With what joy will I tell you my dear Mamma that I have just gained the prize. I am so delighted that I hardly know what I am writing. Anne Eyre also gained one but mine was the first. We have had a great deal of snow so that every moment we hear slays. Tell father that I will not begin music because Mrs. Sigoigne does not think it worth while…."

She wrote to her father on February 22, 1822:

"…Today being Washington's birthday we all have holiday and I cannot employ it better than writing to you before I go out….My writing Master gave me a premium the other day and I am trying to get another for good behavior. I went a slaying the other day with Miss Adele and I can assure you I like it very much I went to little Miss Brugiere's Ball last Monday where I danced the whole evening and amused myself a great deal….Mr. Ware arrived last Sunday he told me you were all very well and he did not think you would be here before May, he says William has grown very much and is a very fine little boy…."

Addin Lewis, the mayor of City of Mobile, wrote to John Walker in Washington City on March 7, 1822:

"Sir,

…On the Night of the 5th inst. This city was set on fire by incindiaries in three different places, fortunately, however, but one took effect, the other fires kindled went out without doing damage. The property consumed was chiefly Insured, and the loss to our citizens is not very considerable. By the position in which the fires were kindled it is evident that the intention of the villains was to destroy the greatest part of the City. We have three

Persons in Prison on suspicion of having been concerned in the hellish Deed…."

On March 23, 1822, Mary Jane wrote to her father from Philadelphia:

"…I would be very glad if you would write to me in French as that would encourage me a great deal more. You asked me in your letter what was the French for William, it is Guillaurne, but they generally say William as it is much the prettiest and I thought as he is so pretty and so good I would call him by the prettiest name…Mrs. Blight set out the day before yesterday for Washington. I did not write to her as I have suffered a great deal with a toothache. I went to the dentist and had two teeth taken out and two Pluged and I can assure you that I did not scream at all and the Dentist says that I have a great deal of courage…"

On March 30, she again wrote:

"…I received a letter last week from Percy, which pleased me very much, he tells me he has been very sick and was bled five times, but that he has now quite recovered…General LeFebore called to see Mrs. Sigoigne last evening. He asked for me and kissed me twice for you and told me to thank you for your kind attention to him while he was in Washington….I forgot to tell you that I went to see an Elephant the other day although I had seen one before. This one being much larger I was a little frightened at first I saw him uncork a Bottle of Wine and drink the Liquor without any Dificulty and eat cakes out of the children's hands."

Mrs. O. Blight wrote this interesting letter to Matilda Walker from Grove Hill, Bolecourt County, Virginia on April 19, 1822:

"…In passing thro, this ancient Dominion of our rising Empire, I could not with-stand the temptation to peep at some of my old friends….I called to see Mr. J.W. Eppes (Mr. Jefferson's son in law) who I met a most cordial

reception from…he lives in Buckingham about 30 miles from Carterville, where I crossed the James river….the refined hospitality of Virginians make up for every deficiency in their roads – for I never met with such fascinating manners – and such charming reception before – its magical to the warm heart of a traveler – and no wonder that Europeans call these gentry the nobility of America….I hope you are plased at Mrs. Benson's – with her young Gentlemen & c Mary Jane is quite at home there, dear little warm hearted sprite she is – how I should like to see her flying about like a Bird…."

Matlida Walker wrote to her husband John from Philadelphia on May 5, 1822:

"…I am sure I never walked half as much in my life and I find it has been very beneficial to me, it has increased my appetite and I am much stronger than usual, and the exercise I take during the day makes me glad enough to go to bed early where I sleep soundly without intermission. My nerves are not near as irritable as they were when in Washington, which I attribute entirely to the exercise I have taken here….I visited the museum a few evenings ago with Mr. Ware; I very soon grew tired. I can't say it is a very interesting place to me. I have also seen West's celebrated painting and was sorry I was not amateur enough to admire it very much. I have postponed visiting the remainder of curiosities of this city until your arrival…I hope nothing will retard your movements immediately after the rise of Congress…Little William improves hourly, he is more gay than ever…I bid you adieu my dearest husband, I hope a few days will bring you to my arms...."

William is mentioned in many of the family letters. According to "The Dictionary of Alabama Biography" by Thomas McAdory Owen, he was named William Memorable Walker. He fought in the war with mexico as first lieutenant of 3rd US Dragoons and during the Civil War, as Captain of 1st Regiment Artillery at Ft. Morgan at Mobile Bay. He died in 1864, whether as a result of the war is not known.

Sam Brown wrote to John Walker from Frankford July 25, 1822:

> "...We have all been terribly vexed by your silence, for since you left Baltimore we have been in perfect ignorance of your movements and of your health & that of your family of which so many of us are interested. We did indeed think that a Buletin of health would have been sent back, at least once a week that we might be enabled officially to satisfy your numerous friends both male & female who find no subject which seems to them to likely to please me as Mr & Mrs. Walker. Mary Jane has once or twice looked somewhat dejected at your silence but I have removed her fears by exciting her feelings by some? Which I employed to characterize your indolence & antipathy to writing. She now seems convinced that you are not one of those who write from every Post town & blacken a sheet as often as you wash your face. No I have all the honor of this charming punctuality & it is to maintain this high standing? Literary men that I now write to you; for truly I have spent six weeks here in great solitude....We have made no arrangements for our return to the west. As Milton says I am 'made of sphere metal' & look for a movement to the west as regularly as the seasons return – And as long as you are in Congress you will be governed by the combined influence of the centrifugal & centripetal forces...."

A distressed Mary Jane wrote on August 10, 1822 to her mother:

> "...Another week has passed, and no letters from you. What is the reason of your silence? To what must I attribute it? I am very much afraid that some of the family is sick. If nothing has happened to you on the road, you must certainly be at Alabama, and as it is now two months since your departure, you must think how anxious I am to hear from you and my dear little Brothers...."

She wrote to her brothers on August 24, 1822:

> "...As I have written to Percy it is now my turn to write

to my dear little Pope and John James to tell you how much I love you and how much I think of you…I shall expect to find my garden very flourishing by the time I get home. The bell has just rung for prayers and I must bid you goodnight…."

The Pope that she refers to here is LeRoy Pope Walker, first Secretary of War for the Confederate States of America. In this role, he ordered the first shot fired at Ft. Sumter which started the war. He was 5 years old at the time Mary Jane wrote this letter. LeRoy Pope Walker died at the age of 67 and is buried at Maple Hill Cemetery in Huntsville.

She wrote from Philadelphia to her mother on September 25, 1822:

"…Tell Percy that I am very glad to hear that he is going to learn Latin and that I hope he will make great progress in it…You can see from the date of this letter that we are now in Town….We have had a Fortnight's holiday….I have spent the vacation very pleasantly I went to the Circus the other night with Dr. Brown where I was very much amused after the horsemanship was over they represented a pantomime called La Perouse or the desolate Island. I had my teeth cleaned the other day and I intend to try to keep them so…."

On October 20, 1822, she wrote again to her mother:

"…I went to see a Lioness her Whelps and a Sea Serpent, that was 32 feet long when it was taken, but it is now only 26 on account of its having shrunk so much, it was taken in the Delaware, not far from New York, and it has neither heart, Bones or Brains, but a very large liver, and I assure you that it is quite a curiosity…."

H. Hitchcock wrote to John Walker from Cahaba on December 1, 1822:

"…Your brother James S., left this [place] for Coosada, on thursday last, we had the pleasure of his company for the 10 days preceding – He expected you would write him at this place & on his departure authorized me to receive & open your letter – This I have done & by one recd. last

evening I learn that you have resigned you seat in the senate of the U.S. I regret extremely that your ill health has driven you to this measure, The loss of your public services will be severely felt, I regret it much on this account, But I regret your resignation more from the cause which has produced it, you have done right in resigning, and I hope & trust, my dear Sir, that the cause will be soon, if not entirely, yet greatly removed, - Your friends here feel the greatest anxiety for your recovery and among the number I hope [you] will not consider me as luke warm or indifferent....The Legislature has as yet done nothing of a general nature – Messrs McKinley, Bibb, Clay Fram & Moore are spoken of as your successor. One of the 2 first named will probably succeed; - Mr. Crawford I think will succeed Col. King. these are my predictions only, for it is impossible to calculate with certainty...."

William Kelly filled John Walker's unexpired term. On February 8, 1823, Mary Jane wrote to her father:

"...I am glad to hear that you are pleased with my writing without lines, I shall continue to do so....I shall also follow your advice concerning the structure of my T's and I's and try to avoid making them so very similar and the dating of my letters also. I shall in future put the day before the month, the month before the year, the number of the house before the Street the Street before the City and the City before the State. I am very sorry to hear that you think you will not come on in the Spring, but I hope you will think more favorably by and by and that your health will permit you to come and embrace me who longs to see you...."

On February 21, she again wrote to her father:

"...As almost all the southern mails have failed within these two or three weeks on account of the badness of the roads, I habe veen deprived of the pleasure of receiving your letters for which I am very sorry. I am not uneasy as scarcely any of the young ladies have had letters for near

two weeks and I know that it is owing to the roads and waters....Madame Sigoigne wishes to know what you think of Joyce's Diologues on Pneumatics Hydrobates, the Pressure of Fluids, Mechanical Machines &c, &c as she is not acquainted with the book, but she thinks that is rather too difficult for us to understand, now, and that it is a book calculated more for boys than girls and that they will not be of much use to us; she therefore wishes to know your opinion concerning them...."

L. Newby, a childhood friend of John Williams Walker, lived in Fayetteville, North Carolina. In sorrow, he wrote to Matilda Walker on April 29, 1823 after learning of Walker's death:

"...Through the newspapers yesterday, I recd. the distressing intelligence of the death of my friend, your dear and lamented husband, and though personally unknown to you, [I] take the liberty of offering you my most sincere condolence on this mournful occasion. Surrounded as you are, by your numerous relatives and friends, you have no need of the sympathies of a distant stranger – but, however numerous may the friends who mingle their tears with yours, believe me Madam, there are none who more sincerely lament this severe visitation of the Almighty – none who more sincerely sympathize with you and your dear little ones, in the dispensation of His will, than him who addresses you. Your dear and lamented Walker, was the companion of my boyish days....Possessing talents of the first order, he rose to a level with the first men of our Country, at an age when most statesmen have scarce pass'd the threshold of public life. His rapid and brilliant course may be fitly compar'd to the Meteor – its brevity renders the resemblance but too great!...I have just been reading one of his letters dated 'Twickenham 25 Dec. 1811'....In this letter, he acquaints me with the consummation of his happiness, near two years before, in his union with you, and of the birth of a daughter, Mary Jane, whom he describes with all the freedom of a friend, and all the fondness of a father, as 'the most interesting child' he had ever seen –

'fascinating, intelligent and beautiful' – and then adds – 'perhaps you will smile after this, to be told that she is like me'....I beg to be remember'd to your dear little ones, most affectionately – tell them that he who writes this, loved their dear father, and cannot but love them – and I pray that He, 'who tempers the wind to the shorn lamb,' may not let you 'sorrow as those who have no hope' – but that He grant you a patient resignation to this most severe stroke of His Providence...."

John Williams Walker's health was never robust after his brother's death from tuberculosis. In fact, he had had several hemorrhages and had already resigned his position due to his illness. His headstone at Maple Hill Cemetery records that he died on March 23, 1823 at the age of 40. On December 26, 1823, Walker County was named in his honor.

Evidently, Mary Jane came home as a result of her father's death. Her next letter is dated January 30, 1824, ten months after Walker's death. The remaining letters were written exclusively to her mother from Philadelphia:

"...I intend to read as many of the Waverly Novels as I can procure. I must acknowledge however that I think it will be quite a difficult matter to get any; as I cant bear to ask my northern acquaintances to lend me a novel, as they think it almost a crime to give a young girl a novel to read! But what astonishes me is that at the same time they will give their Children, any book which goes under the simple name of a Tale though it be filled with love and romance..."

On February 8, 1824, Mary Jane, who began calling herself Maria, wrote:

"...Mrs. Sigoigne says that I am a perfect French girl, so you must not be surprised to find me very volatile when I come to the backwoods I say this by way of warning, as I expect all the people will stare. I am glad to hear you are in Huntsville....In short I wish to see the greater part of your letters dated Huntsville, this my dear Madam you must do, or you will incur my short bitter displeasure...It

is the greatest torment for me to sit up all day on a chair without talking, without laughing, and as straight as an arrow. I pit those poor Quakers from the bottom of my heart. What a sisible figure they cut with their broad brim hat and long skirted coats! I think if we could establish a half dozen of them in our Corn Fields in the Backwoods, they would be excellent scare Crowes. But I must not be satirical and especially on such grave and harmless people. I can say one thing however in their behalf, that is, they are the neatest people I have seen…."

On March 13, she wrote again:

"…Now I must tell you what I dreamt the other night, though there is nothing more foolish than telling dreams. I thought the Servant came running up stairs to tell me that Uncle and aunt Pope were come. I was so overjoyed, I could scarcely go down to the Parlour. They both thought me very much grown, and after the usual questions, they gave me a letter together with a pacquet from you. After having read your most interesting letter, I proceeded to open the wonderful bundle, but just as I was examining its contents the bell rang for us to get up, I woke thinking I held the bundle but lo! when I looked I found it had fled…."

On March 20, 1824, she wrote to her mother:

"…I was very much surprised to hear of the marriage of Mr. McHenley. He seemed so devoted to his first wife, that I scarcely thought he would replace her so soon, and by a woman much inferior in character, to tell the truth men are curious animals, as changeable as the wind. We women though so much abused, are according to my way of thinking (and to every body else that has common sense) far superior in every thing: their powers of invention are certainly much greater. The men would be mere barbarians if they had not the fair sex to soften their manners and excite their sensibility…."

On March 27, 1824, she sounded rather angry at her mother as she wrote:

> "...To tell the truth I did not expect to hear from you this week, as I hear you are pretty lazy about writing affairs and a letter once every other week is as much as you choose (not can) to afford....Master Alexander Pope, shall not excape my vengeance, yes vengeance, as he must know that I am most implacable in my resentments. It has been now three months since I condescended to write to him....I have no news to tell you even the new papers are as dull as they can be the fact is they only talk of the election of the President. I never take up a Gazette without seeing the name of Andrew Jackson in full. You must know that I amuse myself with inventing fables about my geneology....the other night one of the girls was talking about one of her uncles in England and from that circumstance I took it...into my head to tell them that I had an Uncle living in Dorsetshire, and that he had a large family of Children their names are Horatio Clement, Charles, Henry, Margaret, Eloise Caroline and Emily. I told them that my Uncle had been brought up in France and had married a French lady of the name of Eloise De Souvit Louis; that after his marriage he had travelled all over Europe and being rather of an eccentric disposition he had named each of his children after the persons he had met in the different countries. Thus Clement was named after a Mr. Harris a gentleman who took great care of my Uncle when an accident happened to him in visiting the mines in Sweden. I gave the name of the green Mansion to my Uncle's place, and to make them believe in the veracity of my recital I told them that I would ask you to be so good as to send me the manuscript of the Green Mansion that we have at home...."

On April 10, 1824, just over a year after her father's death, Mary Jane/Maria wrote:

> "...I am my dear Mamma...without exception the gayest and wildest girl in school....I suppose will be no excellent recommendation for me in the backwoods,

however I hope that after I have resided there a short time I will reconcile you savages to my french character. My ? is filled with nonsense to day, to tell the truth I can not tell the time when Maria or Mary Jane Walker is not in high spirits or not up for some fun. Some of the still silent northern girls look with astonishment on my southern buoyancy of spirits and my wildness while I stand laughing at their astonishment....Miss Adele intends to make me quit mourning in a week or two as black is so excessively warm in Summer....Tell Lucy, I am very much pleased to hear she is so good a seamstress and that I hope she will be an excellent waiting maid by the time I come home. Remembrance to the servants...."

On September 11, 1824, she wrote to her mother again:

"...I am enchanted with the prospect of a jaunt to Nashville....My pleasure however is very much damped at the idea of leaving dear Mrs. Sigoigne and Miss Adele who have taken Maternal care of me. I have been treated during more than three years as one of the family, and shall always entertain the most lively gratitude towards them....If you do not find me improved it will not be owing to them, as they have done every thing in their power to correct my faults and render me as I ought to be. After this you would not be astonished if I am a partisan of the French, and I shall always defend them against malice....I think the English degrade themselves very much by their envy of that nation, nay it certainly is and nothing else I much prefer the openness and urbanity of the French character to the haughty reserve of the English, a reserve which excites my contempt more than my respect....There is nothing I detest more than a would be great man or woman I am always tempted to show my contempt...and certainly would do so if I were not restrained by good breeding. I am very often obliged to fight out the cause of the French....You must not think by this that I prefer the French to the Americans; I am not quite so mean as that....I love my own Countrymen too truly to abandon them for foreigners....LaFayette will be

here on monday week, preparations are making to receive him very handsomely, the City is to be illuminated from 6 or seven Oclock in the evening until eleven at night, of which I am very glad. Everything is LaFayette.....A ball is to be given to him in the Theatre. A very splendid one it is to be I suppose. I wonder if he will honour us with a visit to the South...."

On October 16, 1824, she wrote:

"...Two weeks have elapsed since I have heard from you My dear Mamma, which circumstance does not put me in the best humor in the World. I begin to think now that Southern People (myself an exception) are pretty lazy about writing, at least all my Relations. Uncle Percy has never yet acknowledged the receipt of my last letter which I think is rather ungallant on his part; I suppose his present excuse is that I am coming home very soon and therefore it is not necessary....Percy no doubt is much taller than I am, as they say. I am a dwarf for my age, which does not sound very harmoniously to my ear I do not despair however as all the family are very tall....the girls were talking about the Southern people and one of the little Girls spoke rather ungrammatically, and as that always puts me in the Fidgetts I put the pen in my mouth and by that means made such a pretty Salmagundi of my paper. Every day one of the little Girls receives a sermon from me for speaking ungrammatically...."

On October 22, 1824, she wrote to her mother:

"...I expect to set out in a week ? the ? Road and shall be with you (if nothing happens) the later part of November I shall pass my birth day with you my fourteenth birth day. Tell Grand Mamma she must give me a party on that day This is in jesting, it must therefore be taken as such...."

Apparently, she did not leave as soon as she expected. She wrote again on December 17, 1824 from Philadelphia:

"…I am glad that you are pleased with my letters, and I shall try to improve more and more, as there is nothing more flattering to the heart than the praise of a parent; especially from one so affectionate as mine….So Masters Percy, and John James are going, or rather are gone to the Academy in Huntsville. I suppose it is a good school and I hope the boys will make much progress. I wrote to John James and Pope last Week, but sermonized them so much that I doubt much whether they had patience to finish it….I expect they think that I don't follow all the good advice I gave them; which to be sure is not far from the truth. I really think Master Johnty [John T.] is quite a Gentleman to read Ivanhoe, Walter Scott's finest Novel….You can't image how much I want to see Richard; it seems to me I should devour him with kisses. Who does he look like?"

Richard Wilde Walker was born February 16, 1823, just over a month before his father, John Williams Walker died. Richard Walker died in 1874. Mary Jane's brother Percy Walker was born two years after Mary Jane and represented Mobile County in the State legislature. He died in 1880. Brothers William Memorable Walker, LeRoy Pope Walker, and baby Charles Henry Walker were mentioned earlier in this story. No information has been found on brother John T. Walker.

This is the last letter Mary Jane wrote to her mother from Philadelphia, dated December 20, 1824:

"My dear Mamma,

I have only time to tell you that I depart on Monday, at 6 Oclock contrary to my expectations. I was only apprized of it yesterday, and had not therefore made any preparations. Mr. Jackson had promised to let me know ten days before hand, but he seems to have forgotten. I shall not be able to procure as many things as I wished. I do not know yet whether I can bring the Children anything so they must not expect much. I shall be dressed. Adieu Adieu Love to all"

John Williams Walker's estate was not settled until 1831. Although he appeared to have much wealth, what was left did not cover the debts. Richard Holding bought the estate after a judge ordered it sold and Thomas Percy paid off the debt that was not coved by the sale.[182]

Mary Jane Walker, only daughter of John and Matilda, married Richard Lee Fearn, a physician from Mobile. The "Dictionary of Alabama Biography" names their son, who was also an accomplished politician, John Williams Walker Fearn. Mary Jane made a lasting loving tribute to the father she adored.

[182] Ibid.

King Cotton in Madison County

By Jacquelyn Proctor Gray

It would be impossible to write about watercress and the importance of local nurseries without at least mentioning the significance of cotton in Madison County. After all, it made many men rich in the early days of our history. No one knows exactly how long cotton has been grown in the world, but it is believed to be at least 7,000 years old, based on examples of cotton found in caves in Mexico. Columbus found cotton growing in the Bahamas when he came to America in 1492. The early Mexican Indians wore brightly colored clothing that intrigued the Spanish explorers. Egyptians were growing cotton early as well, but separating the lint from the seed was labor intensive, and not economically sound. In 1783, 77% of clothing worn in Europe and the United States was made of wool, 18% was made from flax, and cotton only provided 5% of clothing. Slave labor in the South made cotton growing more profitable after the Industrial Revolution in England made it easier to spin and weave the cloth. When Eli Whitney invented the gin, short for "engine," cotton production skyrocketed.

When the early settlers from Petersburg, Georgia came to buy up the rich land of the Tennessee Valley, it was to grow cotton. Many of them had been tobacco farmers, but the soil had been depleted of minerals and so by the end of the 19th century, Petersburg was a ghost town.

In 1809, the slave population of Madison County was about 300. In only seven years, there were 4,200 slaves, a strong indication of the labor force brought in to cultivate and pick cotton. By 1820, that number was up to 9,255 or 47% of the total population.

Huntsville is situated about ten miles from the

Tennessee River, immediately round one of the finest springs in the world, issuing from a fine perpendicular cliff fifty feet high, in a sheet of water one hundred feet wide in a semi-circle forming instantly a fine bold creek, which it is now confidently believed can at a trivial expense be rendered navigable for bateaux to the Tennessee... In the suburbs are five cotton gins....The soil is for the most part excellent and admirably adapted to the culture of cotton, corn, wheat and tobacco. Cotton is the staple, of which the average product is one thousand pounds per acre. Upwards of five thousand bales were shipped down the river last season besides considerable quantity sent to Kentucky and elsewhere by wagons....The county possesses some twenty cotton gins besides those in Huntsville, and many more will be erected in the fall....The crop of cotton for the present year will be not less than eight thousand bales.

John Williams Walker, early Huntsville settler and first U.S. Senator from the new state of Alabama wrote those words sometime prior to 1819. In those early days, cotton brought planters and their slaves from all over in what became known as Alabama Fever.

Anne Royall, an early visitor to this area wrote extensively of her experiences as she traveled. She wrote that the cotton fields "are astonishingly large; from four to five hundred acres in a field! – It is without a parallel! Although the land is level, you cannot see the end of the fields either way. To a stranger, coming suddenly amongst these fields, it has the appearance of magic."

While the conditions in Madison County were just right for growing the crop that would make many rich, the problem of getting the bales to ships bound for the cotton mills of England was a huge problem. Once the cotton bales were taken by wagonloads to the Tennessee River, a difficult process in itself, at times the barges would be delayed until spring rains brought enough water to safely pass over the shoals. The cotton was shipped from the Tennessee River to the Ohio River and then down the Mississippi River to New Orleans. Finally the long trip to England could begin.

While transportation was a real problem, it was multiplied when the Financial Panic of 1819 hit hard. While cotton had been selling for 34 cents per pound in 1818, land speculators bought huge tracts of land and the slaves to work the fields. By 1820 it was down to 18 cents per pound.

Planters, who had bought farm land in 160 acre increments for one-fourth down and the rest on credit, lost everything. Within a few years, 80 acre increments were offered for sale and credit sales abolished.

For many landowners, it was a case of too little, too late. People who had done business on credit were calling in their loans. It was not uncommon to owe several people money for one transaction or another, and yet have other people owe money to you. It was also not uncommon to trade these promissory notes on to other people to settle your own debts. This system became very complicated during the financial panic while people were scrambling to call in debts to satisfy their own. On a regular basis, the newspaper contained many notices of foreclosures, auctions, and threats of legal action if debts were not paid immediately.

It was a temporary crisis, and those who could survive financially found themselves in "high cotton" again within a few years. Nearly two hundred years later, cotton still plays an important role in Madison County. Although many of the old fields are now covered with subdivisions and asphalt, there are still fields, white as snow, much like those described by Anne Royall, with "the appearance of magic."

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1819 – Alabama Becomes a State

By Shirley Tucker Mohler

The summer of 1819 was probably much like all the summers before – hot, humid, mosquito-laden, with ever-present horse flies buzzing around. However, one thing out of the ordinary was happening in Huntsville. A committee of 44 men, the best and brightest from throughout the Alabama territory met to frame a constitution. They had been elected by their peers to frame the document which would lead to statehood for the Alabama Territory. As part of the Mississippi Territory, Alabama had already passed the first stage necessary to become a state when the Congress of the United States appointed a governor, a secretary and three judges to manage the affairs of government for the area. Only a year before, a census had been taken that placed the population at 67,594 (45,871 whites, 339 free Negroes, and 21,384 slaves) – well above the needed 60,000 required for statehood.

Settlers had flocked to the territory when, in 1811, the horse path from Ocmulgee to Fort Stoddart was broadened to include a road. Senator Charles Tait, a prominent Georgian and close friend of Huntsville resident John Williams Walker, presented a petition to Congress to enable the territory to complete requirements for statehood. This same petition brought Mississippi into the Union as the 20th state. What was left of the Mississippi Territory now became the Alabama Territory and opened the door for statehood.

Three requirements had to be met for statehood: at least 60,000 residents, land, and a constitution. With the first two requirements having been met, it was time to tackle the writing of a constitution.

Huntsville, originally known as Hunt's Spring, was the first successful

settlement in the Tennessee Valley. John Hunt and a few other hearty pioneers immigrated to the area because of the rich soil, the agreeable climate, and the peaceful Indians. It was the heaviest populated area in the Alabama Territory with 2,223 white people and 322 black people. In 1809, the town, re-named Twickenham for a brief period and later named Huntsville, served as the county seat.

On July 5, the Constitutional Convention convened in Huntsville. The men, representing Madison County, were Clement C. Clay, John Leigh Townes, Henry Chambers, Lemuel Mead, Henry Minor, Gabriel Moore, and John M. Taylor. They were well educated and most had experience in the political realm of other States. Their role as Alabama's founding fathers is studied by every school child in the state.

Their leader was the well-liked and amiable John Williams Walker. Although his father-in-law, LeRoy Pope, was the leader of the "Georgia Faction," Walker had made it clear long before he entered the family that he would never bow down to his powerful father-in-law. In fact, Walker once said, "I drink buttermilk for the health of my body, wine for the exhilaration of my spirit and whiskey to prove and strengthen my republicanism. I sleep till 8 o'clock because I am lazy and smoke at all hours of the day and night because it is my good pleasure".

The end result, a new constitution, was considered quite progressive for the time. It had been pattered on other state constitutions obviously, but tweaked in ways that surprised the wise men of other states. It was something to be proud of, for sure. In fact, only three amendments were added between the years 1819 and 1861. But what became of these men, and the others who forged our Constitution, after that hot summer of 1819? Unfortunately, for some of these men, the only information available is simply a reference that they were attendees. Others went on to noble endeavors.

An Excerpt of the Enabling Act Published in the Alabama Republican on March 27, 1819

The following statement was, for the Alabama Territory, official permission to write our constitution, which would pave the way for us to become the 22nd state. These words were welcomed with enthusiasm and the realization that the task at hand was not to be taken lightly.

> "An Act to enable the people of the Alabama Territory to form a Constitution and State Government, and for the admission of such State into the Union, on an equal footing with the original States.
>
> Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, that the inhabitants of the territory of Alabama be, and they are hereby, authorized to form for themselves a Constitution and State Government, and to assume such name was they may deem proper, and the said territory, when formed into a state, shall be admitted into the Union, upon the same footing with the original states, in all respects whatever.
>
> Sec. 2. And be it further enacted that the state shall consist of all the territory included within the following boundaries, to wit: beginning at the point where the thirty-first degree of north latitude intersects the Perdido River thence, east, to the western boundary line of the State of Georgia thence, along said line, to the southern boundary line to the state of Tennessee thence, west,

along the said boundary line, of the Tennessee River; - thence, up the same, to the mouth of Bear Creek; thence, by a direct line, to the northwest corner of Washington County; thence, due south, to the Gulf of Mexico; thence eastwardly, including the islands within six leagues of the shore to the Perdido River, and thence, up the same to the beginning.

Sec. 3. And be it further enacted, that it shall be the duty of the surveyor of the lands of the United States, south of the State of Tennessee, and the surveyor of the public lands in the Alabama Territory, to run and cut out the line of demarcation, between the State of Mississippi and the state to be formed of the Alabama Territory; and if it should appear to said surveyors, that so much of said line designated in the preceding section, running due south, from the northwest corner of Washington County, to the Gulf of Mexico, will encroach on the counties of Wayme, Green or Jackson, in said state of Mississippi, then the same shall be so altered as to run in a direct line from the northwest corner of Washington County to a point on the Gulf of Mexico, ten miles east of the mouth of the river Pascagola.

Sec. 4. And be it further enacted, that all white male citizens of the United States, who shall have arrived at the age of twenty-one years, and have resided in said territory three months previous to the day of election, and all persons having, in other respects, the legal qualifications to vote for representatives in the General Assembly of the said Territory, be and they are, hereby authorized to choose representatives to form a constitution who shall be apportioned among the several counties as follows:

Madison, eight representatives
Monroe, four representatives
Blount, three representatives
Limestone, three representatives
Shelby, two representatives
Montgomery, two representatives
Tuscaloosa, two representatives

Lawrence, two representatives
Franklin, two representatives
Cotaco, two representatives
Clark, two representatives
Baldwin, one representative
Cahawba, one representative
Conecah, one representative
Dallas, one representative
Marengo, one representative
Marion, one representative
Mobile, one representative
Lauderdale, one representative
St. Clair, one representative
Autaga, one representative

And the election of the representatives aforesaid shall be holden on the first Monday and Tuesday in May next, throughout the several counties in the said territory, and be conducted in the same manner, and under the same regulations, as prescribed by the laws of the said territory, regulating elections therein for the member of the house of representatives.

And be it further enacted that the members of the convention, thus duly elected, be, and they are hereby, authorized to meet at the town of Huntsville, on the first Monday in July next which convention, when met, shall first determine, by a majority of the whole number elected, whether it be, or be not expedient, at that time to form a constitution and state government provided that the same, when formed, shall be republican, and not repugnant to the principles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven, between the people and states of the territory northwest of the river Ohio, so far as the same has been extended to the said territory by the articles of agreement between the U.S. and the State of Georgia, or the constitution of the U. States…."

This act was signed by Henry Clay, Speaker of the House of Representatives, James Barbour, President of the Senate pro tempore, and approved by President

James Monroe on March 12, 1819.

The Delegates

Autauga: James Jackson
Baldwin: Harry Toulmin
Blount: Isaac Brown, John Brown, Gabriel Hanby
Cahawba (now Bibb): Littlepage Sims
Clarke: Reuben Saffold, James Magoffin
Conecuh: Samuel Cook
Cotaco: (now Morgan): Melkijah Vaughn, Thomas D. Crabb
Dallas: William Rufus King
Franklin: Richard Ellis, William Metcalf
Lauderdale: Hugh McVay
Lawrence: Arthur Francis Hopkins, Daniel Wright
Limestone: Thomas Bibb, Beverly Hughes, Nicholas Davis
Madison: Clement C. Clay, John Leigh Townes, Henry Chambers, Lemuel Mead, Henry Minor, Gabriel Moore, John Williams Walker, John M. Taylor
Marengo: Washington Thompson
Marion: John D. Terrell
Mobile: Samuel H. Garrow
Monroe: John Murphy, John Watkins, James Pickens, Thomas Wiggins
Montgomery: John Dandridge Bibb, James W. Armstrong
St. Clair: David Conner
Shelby: George Phillips, Thomas A. Rodgers
Tuscaloosa: Marmaduke Williams, John L. Tindal
Washington: Israel Pickens, Henry Hitchcock

An article in the *Alabama Republican*, dated Monday, July 5, announced the opening of the convention:

> "The Convention met today, in its opening session. Eight representatives from Madison appeared and took their seats as did three from Monroe, Blount, and Limestone Counties; two from Shelby, Montgomery,

Washington, Tuscaloosa, Lawrence, Franklin, Cotaco, and Clarke Counties; one from Cahaba, Conecuh, Dallas, Marengo, Marion, Lauderdale, St. Clair, and Autauga Counties. From the counties of Baldwin and Mobile, no member appeared.

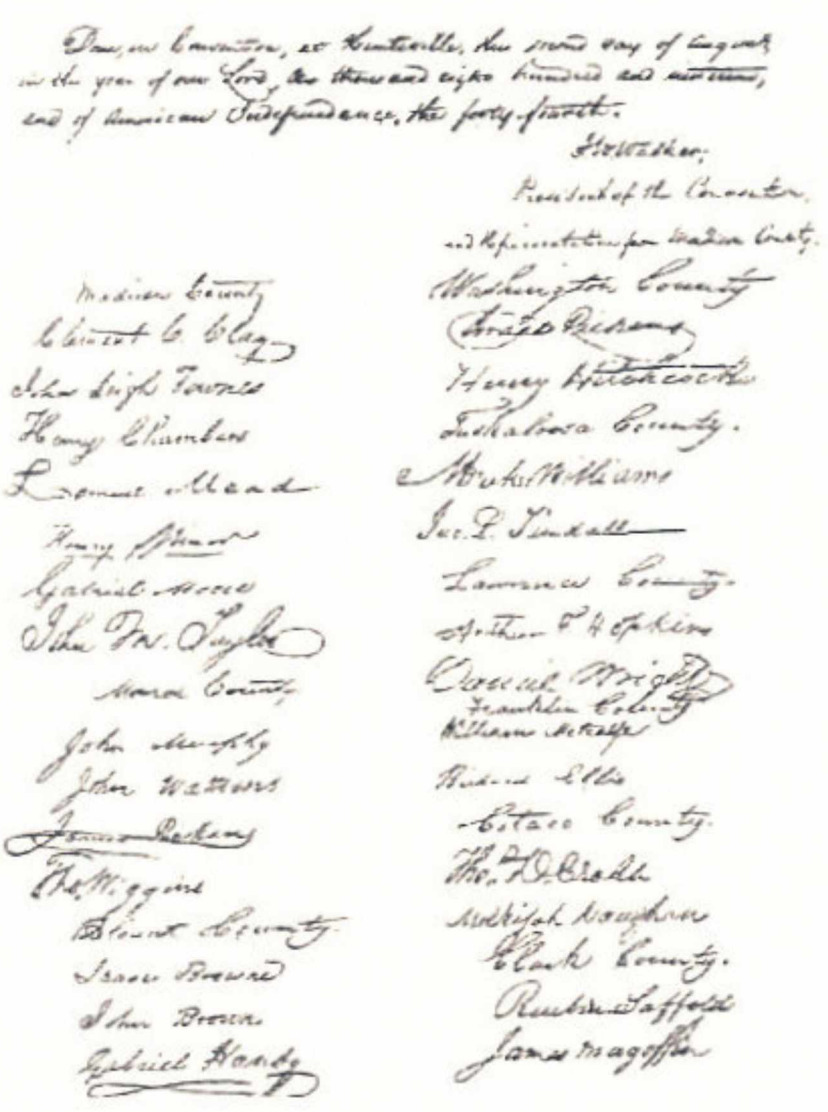
Col. Pickens from Washington County was called to the chair, and the convention proceeded to the choice of a President, when upon canvassing the ballots, it appeared that the Hon. John W. Walker, one of the Judges of the Superior court, and a member from Madison County, was unanimously elected. Upon being conducted to the chair, Judge Walker returned his acknowledgements to the members in a short address, which was delivered in a feeling and dignified manner, calculated to inspire the members and the audience, with a due sense of the solemnity and importance of the occasion."

Proceedings were reported throughout the convention, and finally on the last day, August 2, 1819, the *Alabama Republican* printed this article:

"The convention met today. The enrolled Constitution was reported by the committee to be correct, and received the signature of the President and members of the Convention. Mr. Pickens of Washington moved, the following resolution of thanks to the President. Resolved, that the thanks of this convention be presented to John W. Walker, President, thereof, for the dignity, ability, and impartiality with which he has discharged, the arduous duties of the chair. Mr. Walker made a speech in response to the resolution, after which the convention adjourned....Mr. Hitchcock resolved that all sign the document after which it was signed and attested. On motion of Mr. King, Resolved, that the secretary of the convention be instructed to deposit the enrolled Constitution in the office of the Secretary of State...."

Dr. Malcolm McMillan wrote *Constitutional Development in Alabama 1798-1901* and described the background of the 44 men selected:

"Forty-four delegates were elected to the convention which assembled in Huntsville on July 5, 1819. Of this number there were at least eighteen lawyers, four physicians, two ministers, one surveyor, one merchant, and four planters or farmers…Nine of the forty-four had had prior legislative or judicial experience in the states from which they had come. Harry Toulmin of Baldwin County had been president of Transylvania University, Secretary of State for Kentucky, and an Alabama territorial judge since 1804. William Rufus King of Dallas County had served in Congress from North Carolina from 1810 to 1816 and after that was Secretary of the American Legation to St. Petersburg, Russia…Israel Pickens from Washington County had been a member of the North Carolina Senate and had represented that state in Congress from 1811-1817. Marmaduke Williams of Tuscaloosa County had been a member of the North Carolina Senate and had served that state in Congress from 1803 until 1817. John Leigh Townes had served in the Virginia legislature in 1815 and 1816. John Murphy of Monroe had been clerk of the South Carolina Senate for ten years and a trustee of South Carolina College, 1809-1818. Clement Comer Clay, Henry Hitchcock, Hugh McVay, James McGoffin, Gabriel Moore, Reuben Saffold, and John W. Walker had all be members of the Alabama territorial legislature and Samuel Garrow, Mayor of Mobile. At least eight of the men had had some college training. The potential ability of the delegates is best indicated by the fact that from them the state obtained six governors, six judges of the supreme court, and six United States senators".



Convention signatures

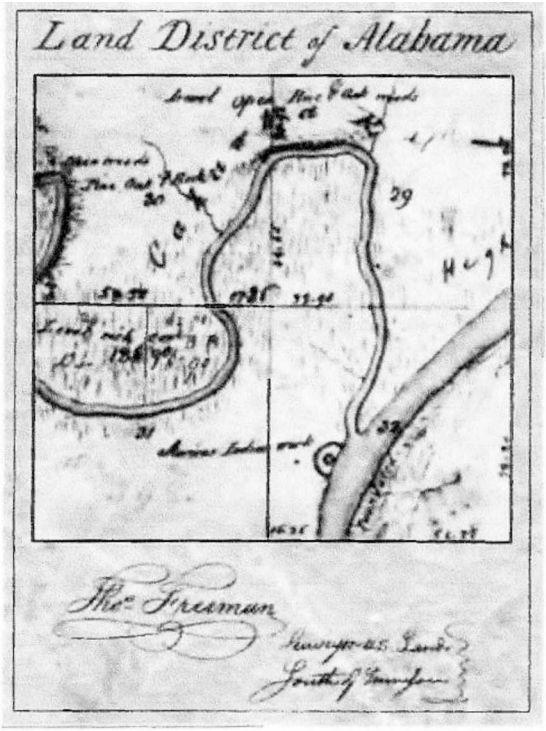
Cahaba: Alabama's First Permanent Capital

By Frank G. Westmoreland

The Cahaba River begins as most rivers do as a simple stream. It begins on top of the 1,500-foot Cahaba Mountain and grows to a 190-mile long river as it drains 1,870 square miles of the heart of Alabama. It remains the longest free flowing river in the state of Alabama and it has become a recreational, biological and geological treasure. Near Selma, Alabama it joins the Alabama River, and the fork of these two rivers is a place where important events occurred in the history of the state.

In 1818, a law was passed which established a committee to determine the most eligible site for establishment of the Seat of Government for the Alabama Territory. Competition was intense between the several backers of various sites that suited their political and economic purposes. The commission was prepared to recommend Tuscaloosa as the permanent site, but they were unaware that Governor William Wyatt Bibb had acted on his own authority and obtained a federal land grant at the site where the Cahaba and Alabama Rivers converged. The Governor stated his reasoning as follows: "The necessary advantages, approaching certainly nearer to the center of the Territory, and probably of its future permanent population than any other place equally eligible". Furthermore, the site itself was "beautiful" with "springs of good water and the prospect of good health".

In Huntsville, on October 26, 1819, the Governor announced the receipt of land grants that increased the size of the proposed site to 1,620 acres. He further advised that he anticipated at least $300,000 from the sale of lots that he considered "amply sufficient to provide permanent building and accommodations for several departments of government". Profiteers



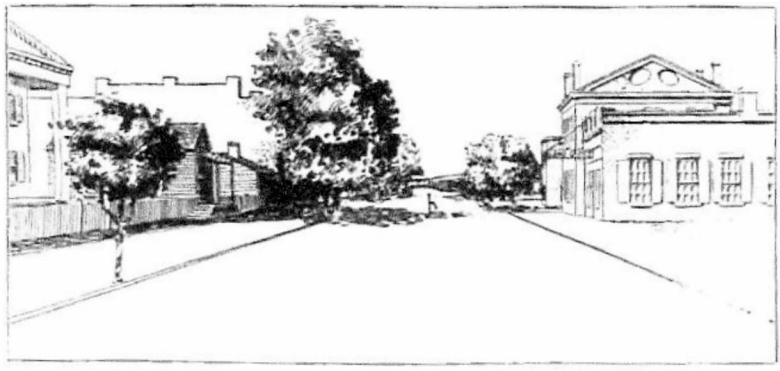
Surveyor General Thomas Freeman visited this site in 1817 and noted signs of early Indian inhabitants. He is buried in Huntsville's Maple Hill Cemetery.

and politicians began to flock to Cahaba making it one of the wealthiest and most populated towns in the state. Bibb carefully planned the town after colonial Philadelphia with wide tree-lined streets and avenues. As he had predicted the new capital city prospered and doctors, lawyers and merchants set up offices in two and three-story buildings on Vine Street. Almost immediately, two fine hotels appeared and by 1820 there were two newspapers.

Political factions in Tuscaloosa, Montgomery, and north Alabama remained unhappy with the Governor's choice of Cahaba as the capital city and they began to undermine the choice by exaggerated reports of flooding in Cahaba. After a big rainstorm in the spring of 1822, the Montgomery paper reported that legislators were forced to enter the capital building by rowing up to the second story window. The complaining continued until 1826 when the capital was moved to Tuscaloosa where it remained until 1846 when Montgomery became the permanent location.

Cahaba survived as a town although times were hard until the 1830s when several cotton warehouses were built and the situation improved. When the railroad came in the 1850s, the town went through another boom. As the Civil War approached, approximately 2,000 people lived in the town although most of them were slaves who worked for the

prosperous plantation owners and merchants. Some have estimated that the population grew to nearly 6,000 during the Civil War as refugees sought safety in the Alabama heartland from other areas of the state.



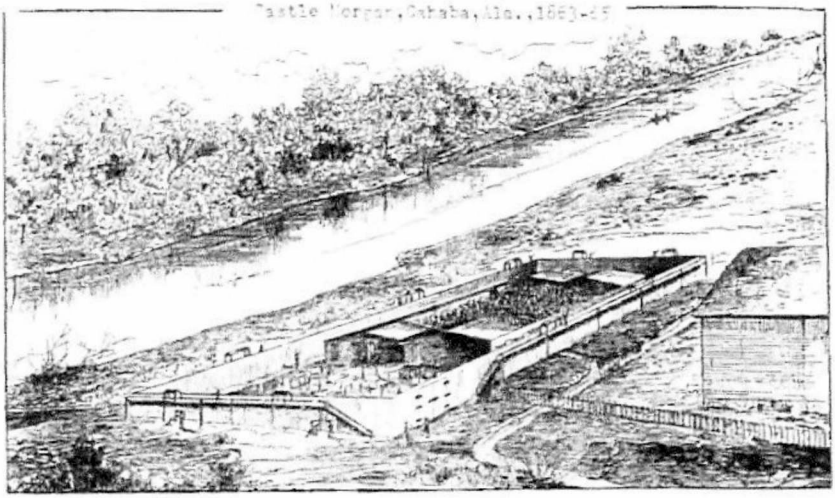
Vine Street, located between Capitol Avenue and First South Street – Old Cahawba

The Old Capitol at Cahawba

The Old Capitol at Cahawba

The State House at Cahawba

As the war progressed, the cotton warehouses at Cahaba were taken by the Confederate Army and used as a prisoner of war camp. The Confederates crowded as many as 3,000 prisoners into the 16,000-foot prison compound, which was surrounded by a tall brick wall. As it was in both Federal and Confederate prison camps, conditions at Cahaba, or Castle Morgan as it was called, were extremely poor. Prisoners slept on bare floors with only one fireplace in the building to keep them warm. The water supply was an artesian well, which had become extremely polluted by the sewer runoff from the town and the



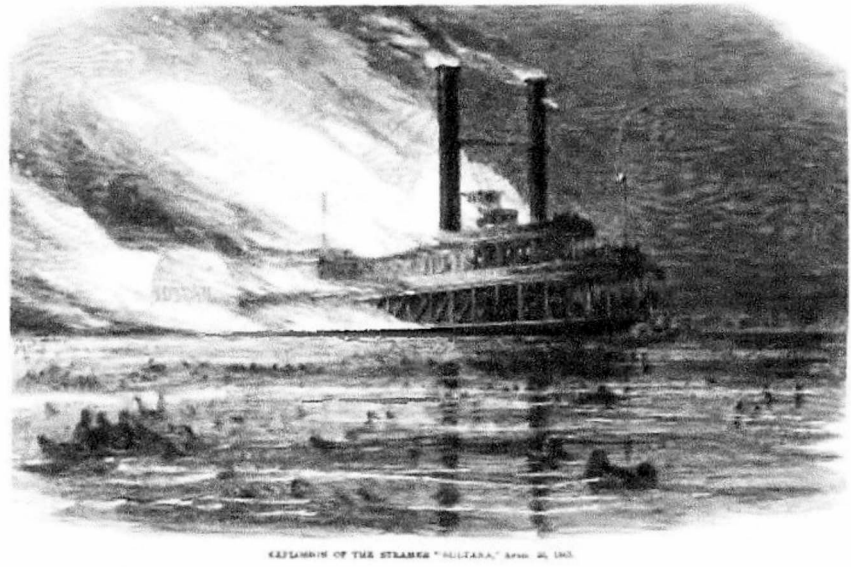
prison itself. The daily meal consisted of 10 to 12 ounces of corn meal and 5 to 7 ounces of bacon. In February of 1865, a devastating flood swamped the town and the prison camp. The floodwaters were so deep in the prison stockade that prisoners were forced to stand in water up to their waist for four days and nights until arrangements were made to move 700 of them to Selma. Others were allowed to leave the compound in sears of driftwood that could be used as flotation devices.

Among the Union prisoners were many that were captured by Forrest during his September 1864 raid into north Alabama and at the battles at Athens' Fort Henderson and Sulphur Trestle north of Athens. Once the Union prisoners were free, they became desperate to return to their northern homes. As quickly as possible, they made their way to Vicksburg where they hoped to find riverboat transportation up the Mississippi. A riverboat known as the *Sultana* was waiting at the Vicksburg wharf. The crew and passengers of the *Sultana* numbered about 200. An additional 1,800 to 2,000 Union soldiers were allowed to board and the capacity of the *Sultana* was greatly exceeded. Very unsafe conditions resulted.

For 48 hours after casting off at Vicksburg, the *Sultana* made its way upstream without trouble, making a few scheduled stops and finally docking at Memphis on the evening of April 26, 1865. While taking on coal for fuel at Memphis, a leaky boiler was discovered. A crew was called in to repair the boiler and on April 27, the *Sultana* disembarked on her way to Cairo where most of the soldiers expected to disembark. As she swung around a bend about six miles north of Memphis, the leaky boiler exploded. Those men who were not killed in the explosion were thrown

into the ice-cold water. Many could not swim and there was little wreckage to cling to. It is estimated that 1,500 to 1,900 lost their lives in the tragedy. Some of the dead may have been those who had served the Union at Fort Henderson in Athens and Sulphur Trestle north of Athens. The wreck of the *Sultana* is considered to be one of the most devastating boat disasters in history.

As the Civil War came to an end so did the slave-based economy of Cahaba. As the prisoners were set free, they left Cahaba on their journey home. Most of



Explosion of the Steamer "Sultana" April 26, 1865

the white citizens of Cahaba fled to the emerging industrial town of Selma. Later, many dismantled their homes and took them to Selma. The free black people chose to remain in the town, and they converted the town lots into fields and formed a rural community of their own. By the turn of the century, there were practically no traces of the glory days of Cahaba left. Only 70 houses were left standing empty, but they eventually collapsed. Today, Cahaba is a ghost town although the original streets are still very visible. Archaeologists are working on uncovering the past of Cahaba Prison and town. It has become an important archaeological site as well as a place to visit and see the ruins. There is a visitor's center where one can find knowledgeable people to provide maps and other tourist information.

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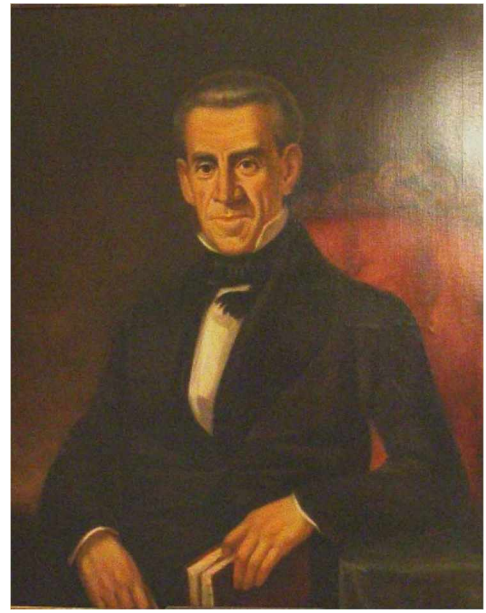
Sultana (steamboat) Wikipedia, the free encyclopedia: http:www.en.wikipedia.org/wiki/Sultana_(steamboat)

Madison County – Clement Comer Clay

By Jacquelyn Procter Reeves



Clement Comer Clay

Clement Clay was born in Halifax County, Virginia and moved to Tennessee as a child. He graduated from East Tennessee College in 1807 and was admitted to the bar in 1809. In 1811, he came to Huntsville, then part of the Mississippi Territory, with one slave and enough money to last three days. He served as an adjutant in the 1813 Creek Indian War with future notables Andrew Jackson, John Coffey, and Davy Crockett.

Alabama had been part of the Mississippi Territory, but with Mississippi's 1817 admission into the Union, Alabama remained a territory. Clay served in the 1817-1819 Territorial legislature and again in the 1819 Constitutional Convention held in Huntsville. At that convention, Clay served as chairman of the 15 men assigned to draft the constitution that, upon approval of the U.S. Government on December 14 1819, would make Alabama the 22nd state of the Union. As a side-note,

Clay was encouraged to run for office of Alabama's first governor, but the constitution stated the governor must be 30 years of age. Clay was 29. In that same year, he was elected as a circuit judge.

Clement Clay served on the state Supreme Court from 1820-1823. In 1827, he was elected to the Alabama state legislature where he served as Speaker of the House. In 1829 he was elected to the U.S. Congress and in that position, helped arrange the 1833 negotiations with Governor Gayle and Francis Scott Key to discuss the removal of Creek Indians.

In 1835, Clay was elected as the eighth governor of Alabama, and during this difficult term of office, the removal of Creek Indians resulted in the now-famous Trail of Tears. Many Alabamians served in the militia to fight against the Seminoles and in 1836, many Alabamians were massacred at Goliad, Texas.

In 1836, Clay helped establish Spring Hill College in Mobile, the third oldest Jesuit College in the United States. In 1837, he was appointed to the U.S. Senate and resigned as governor. He remained in that position until 1841 when he resigned to prepare a digest of state laws under the direction of the Alabama General Assembly. Clay's Digest, finished in 1843, is still referenced today. In 1843, Clay was appointed to the State Supreme Court, and in 1846, he served on a committee to resolve problems with the Bank of the State of Alabama. Other noteworthy appointments: he served as chairman of the Committee on Engrossed Bills and the Committee on Militia.

Clay encouraged his son Clement Claiborne Clay to enter politics and follow in his footsteps. But times were different and his son entered at a time when talk of a civil war was on everyone's lips. Young Clay announced Alabama's secession from the United States and took his place in the Confederate Congress. At the end of the Civil War, he learned that he was wanted by the Federal government and turned himself in, not knowing that he was charged with being part of the plot to assassinate President Abraham Lincoln. He was imprisoned at Fortress Monroe for one year in solitary confinement until his release. His mother died while he was in prison, and he made his way back to Madison County to spend the last remaining months of his father's life with him.

Clement Clay's second son, John Withers Clay, became editor of the Huntsville Democrat, and found himself in trouble with the occupying Union Army for publishing his opinions. Clay's third son, Hugh Lawson Clay, also an attorney, served in the Mexican War as a captain and later as a Colonel in the Confederate Army.

During the Union occupation in the Civil War, Clement Clay was arrested as a prominent Huntsville resident. Guerilla forces along the Memphis and Charleston Railroad route were wreaking havoc with the Union forces and he was one of 12 Huntsville leaders held in retaliation. His fortune, earned by tenacity and hard work, was decimated as a result of the War. Clement Comer Clay died in 1866 and was buried in Huntsville's Maple Hill Cemetery. In 1931, a bridge was built over the Tennessee River and named in honor of Governor Clement Clay. It was torn down in 2006.

Clement Clay's early law office has been restored as part of the Alabama Constitution Village in Huntsville. At that time, he rented the upstairs to land surveyors and the other half of his office served as the first Huntsville post office.

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Alabama Governor Clement Comer Clay: www.archives.state.al.us/govs_list/g_claycc

Madison County – Gabriel Moore

By Shirley Tucker Mohler & Jacquelyn Procter Reeves

***Gabriel Moore** (c. 1785 – June 9, 1845) 5th Governor (1829–1831).*

Gabriel Moore was born in Stokes County, North Carolina and graduated from the present-day University of North Carolina at Chapel Hill in 1810. That same year, he came to Huntsville and began his law practice and served as tax assessor and collector. He also supervised the census which was necessary to determine the number of representatives from each county.

Moore served in the Mississippi Territorial Legislature from 1811 – 1817 and then in the Alabama Territorial Legislature where he was the speaker of the first Constitutional Convention held in Huntsville in 1819.

Mr. Moore's popularity was with the small farmers and the non-elite constituents with whom he identified. He was a man of the people and opposed the "Georgia Faction" who attempted to gain a stronghold in all of Alabama's politics. He preferred the company of the common people

and spent much time with them.

Moore presided over the State Senate in 1820 and served as chairman of the House Committee of Revolutionary Claims. He was elected to Congress in 1821 and again in 1827.

In 1829, Gabriel Moore was elected 5th Governor of Alabama and under his direction, the first railroad in Alabama was chartered. He promoted the opening of the University of Alabama, began the Tennessee River Canal near Muscle Shoals, and advocated the revision of the state penal codes. During his term in office, the first penitentiary in Alabama was established.

Moore was elected to the U.S. Senate in 1831 and resigned his position as Governor. During his term in office, the Choctaw Indians ceded 11 million acres of land in Mississippi for 15 million acres of land in Oklahoma.

Unfortunately, though he had been a Jacksonian until that time, he was not afraid to oppose some popular ideas and Moore found himself out of favor. He did not support the appointment of Martin van Buren as minister to Great Britain in 1832 and this angered not only Andrew Jackson, but many of the constituents of Alabama as well. He was defeated when he ran in 1837 and moved to Texas in 1843. He died in Caddo, Texas in 1845 and is buried in an unmarked grave.

Governor Gabriel Moore was an outspoken advocate of his beliefs, but held himself back politically because he had married in 1818 for a brief time. His wife, according to her family tradition, was in love with another man and divorced him. At that time, the legislature had to approve all divorces and Moore worried that it would harm him politically. He then fought a duel with her brother though neither was seriously injured. These incidents were secret to all but a few and were not made public until the time of his death. He never married again.

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Madison County – Henry Chambers

By Shirley Tucker Mohler and Susan Carr

Dr. Henry Chambers was born near Kenbridge, Lunenburg County, Virginia on October 1, 1790. He graduated from William and Mary College in 1808 and received his medical degree from the University of Pennsylvania in 1811. He came to Alabama shortly afterward, and as a surgeon, served in the Creek Indian Wars alongside other notable Huntsville residents who fought under Andrew Jackson.

Dr. Chambers was described as being think with a sallow complexion and dark eyes. He was over 6 feet tall and was a member of a prosperous family. He married a young woman named Smith from Tennessee.

Dr. Chambers was a candidate for the office of governor, but was defeated twice by Israel Pickens in the years 1821 and 1823. In 1824, Chambers defeated William R. King for a seat in the Senate. But unfortunately, during his trip to Washington on horseback in 1826, Henry Chambers died en route at age 40. Somewhat ironically, he was near his original home at the time of his death and was buried in the family cemetery near Kenbridge, Virginia. He was known as a man of high morals and character, and for that reason, an Alabama county, Chambers County, was named in his honor.

Dr. Chambers was elected presidential elector in 1824. It was his job to vote, on behalf of the people of Alabama, for Andrew Jackson as United States President. It was considered a re-aligning election year. The previous presidential elections had seen a one-party government with no real opposition. In this election, the prevailing Democratic - Republican party divided as four separate candidates sought the office of president:

Andrew Jackson of Tennessee, John Quincy Adams of Massachusetts, William Crawford of Georgia, and Henry Clay of Kentucky.

Later, the faction led by Andrew Jackson would become the Democratic Party and the faction led by John Quincy Adams and Henry Clay would evolve into the National Republican Party, and then even later, the Whig Party.

It has been said that this election is the first in which the president did not win the popular vote, however this is hard to determine since 20% of the states did not hold a popular vote, but chose their electors to vote on behalf of the state.

The election was handed off to the U.S. House of Representatives to determine who would become president. In accordance with the 12th Amendment, only the top three candidates in the electoral vote would be considered: Andrew Jackson, John Quincy Adams, and William Harris Crawford.

Henry Clay, who finished 4th, is reported to have said, "I cannot believe that killing 2,500 Englishmen at New Orleans qualifies for the various, difficult, and complicated duties of the Chief Magistracy". He then supported John Quincy Adams, who won the election. Jackson was later elected in 1828.

As an interesting side-note, his daughter Mary was 10 at the time of his death. She married William D. Bibb in 1835, the son of Alabama's second governor, Thomas Bibb. According to legend, she had been given oxalic acid or boric acid for her complexion by a family slave who mistook the bottle for Epsom salts. Although Mary was terminally ill as a result, she married William Bibb, but died three months later. Her mausoleum at Maple Hill Cemetery is a popular place for local schoolchildren to visit.

Another of Chambers' children, a son named Hal was living in Mississippi and represented the Confederate Congress. He got into an argument with William A. Lake and the two men decided to fight a duel in Memphis. Chambers was not quite adept with shooting a rifle, but after three days, became quite accomplished. When the shots were fired, Chambers had missed Lake's head and Lake's bullet had passed through Chambers' goatee. They decided to shoot a second time although others present tried to talk them out of it. Two hours later, the duel was re-fought and on this occasion, Chambers' bullet met its mark. Lake was dead with a bullet to his brain.

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Monroe County – John Murphy

By Jacquelyn Procter Reeves

John Murphy was born in North Carolina in about 1785. Among his classmates, at the school he attended in South Carolina, was another future Alabama governor, John Gayle. After Murphy's 1808 graduation, he was elected clerk of the South Carolina Senate. He also served as a trustee to the University of South Carolina from 1808 to 1818, at which time he moved to Monroe County, Alabama to become a planter. He was soon into politics and became a delegate to the 1819 Constitutional Convention in Huntsville, one of the four delegates from his county.

John Murphy

Murphy was elected to the Alabama House in 1820 and in 1822 to the Alabama Senate. As a member of the "North Carolina Faction", he ran unopposed for governor in 1824 and received 12,511 votes, succeeding Alabama's third governor, Israel Pickens, another member of the North Carolina Faction.

But Governor Murphy had inherited one of the contentious topics left over from the 1819 convention in Huntsville. At that time, the issue of where the state capital would be located was very much debated and discussed. It was finally decided that it would be located in central Alabama, ironically, but perhaps not accidentally, near the plantation

home of Alabama's first governor, William Wyatt Bibb. Cahaba/Cahawba was prone to flooding and the residents were at the mercy of insect-borne diseases. For that reason, it was decided in 1826 to move the capital to Tuscaloosa. Cahaba was virtually abandoned, but revived briefly after the railroad came through in 1859. However, during the Civil War, the Confederate government took up many of the rails to use nearby on another line that had more military importance. The death knell of Cahaba sounded in 1865 when a flood covered the town, and the Dallas County seat was moved to Selma. Today Cahaba is maintained as a state historic site by the Alabama Historical Commission.

Governor Murphy had to deal with other matters, not as easily solved. The removal of the Creek Indians, which would eventually be known as the Trail of Tears, was a continuous and hotly-debated topic. Problems with the Bank of the State, the branch of the Bank of the U.S., financial disputes between the states of Mississippi and Alabama, and boundary lines between Georgia and Alabama were among the issues.

John Murphy was elected for a second term. After his term expired in 1829, he ran for U.S. Congress, but was defeated by Dixon Hall Lewis. He was elected however, in 1833 after defeating his classmate from his days in South Carolina, James Dellet. But Dellet did not go away quietly, and in 1839, the two men squared off again. This time, Dellet defeated Murphy. John Murphy retired from politics and died in 1841 at age 56.

Sources:

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Monroe County – John Watkins

By Jacquelyn Procter Reeves

Dr. John Watkins was the first physician in the area and served as the first state senator from Monroe County. His home was in the Burnt Corn community and his home, a 2 ½ story frame structure built about 1812, is still standing. On his way to fight at the Battle of New Orleans, General Andrew Jackson passed through this community and is believed to have stayed with Dr. Watkins in this home.

Dr. Watkins had come to the Tombigbee settlement in 1813, moved to Claiborne in 1817 to Burnt Corn in 1825. He was buried in the graveyard of Bethany Baptist Church and re-interred in 1874 when the church was rebuilt nearby.

In *Pickett's History of Alabama*, an Indian massacre was described, having taken place in March 1818 on the Federal Road near Pinchoma. Red Stick Indians approached a cabin at night and massacred three adults and seven children. On child survived, thanks to the medical attention of Dr. John Watkins.

Sources:

Pickett, Albert, *Pickett's History of Alabama and Incidentally of Georgia and Mississippi from the Earliest Period*, (Montgomery, AL: River City Publishing, 2003) p. 620, 635.

History of Burnt Corn: www.burntcorn.com/htmlfiles

Washington County – Henry Hitchcock

By Lora McGowan

Henry Hitchcock's maternal grandfather was Ethan Allen, known as one of the Green Mountain Boys and hero of Ticonderoga during the American Revolution. Hitchcock was born in Burlington, Vermont on September 11, 1792 to Judge Samuel Hitchcock and Lucy Caroline Allen. His father was an outstanding attorney and helped write Vermont's first constitution. Little did he know that his son would provide the same service to the fledgling State of Alabama in 1819.

Henry graduated from the University of Vermont in 1811 and was admitted to the bar in 1815. He made his way to Mobile, Alabama, but moved to St. Stephens, Alabama's territorial capital, in 1817. He described the area as "a rude place – 200 miles from civilization, surrounded by Indians. Isolated from the world, it was the logical refuge of rogues fleeing from justice". The local citizens were "rough and disagreeable" and he claimed that there was no organized system of educating young people.

But Henry stayed and tried to make the best of it. His law partner was William Crawford, receiver of public monies for the St. Stephens Land Office. Henry Hitchcock was making a name for himself as well. He received an appointment as secretary of the Alabama Territory in 1818, and was chosen as one of two delegates to the Constitutional Convention in Huntsville in 1819. Israel Pickens, who would go on to become governor, was the other delegate from Washington County.

Hitchcock and Pickens were among the 15 delegates chosen to write the constitution under the leadership of Clement C. Clay of Madison County.

During the Legislative session held in Huntsville later that year, Henry Hitchcock was named Alabama's first Attorney General, like his father before him who served as Vermont's first Attorney General. He moved to Cahaba, the new capital established as Alabama's first permanent capital, but after the capital was moved to Tuscaloosa, Hitchcock returned to Mobile. He was held in such high esteem that he was asked to give the eulogy at the funeral of Governor William W. Bibb after his July 1820 death.

In 1822, Henry Hitchcock wrote a moving letter to John Williams Walker upon learning of his resignation from the Senate. "I regret extremely that your ill health has driven you to this measure. The loss of your public services will be severely felt. I regret it much on this account, but I regret your resignation more from the cause which has produced it… Your friends here feel the greatest anxiety for your recovery…." Within a few short months, Walker died of tuberculosis.

In later years, Hitchcock and Israel Pickens had a bitter falling-out. Hitchcock continued to thrive financially through investments in a hotel and several buildings he financed. He was visited in 1825 by General LaFayette, who wished to pay his respects to the grandson of General Ethan Allen during LaFayette's famous Alabama visit. Hitchcock once traveled to Nashville to present himself to General Andrew Jackson, and so impressed the general that he was invited to Jackson's home, Hermitage, for a two-day visit.

In 1835, Hitchcock served as Justice of the Alabama Supreme Court, becoming chief justice the next year. He left this position however to return to the practice of law and try to reverse his financial misfortunes caused by the Panic of 1837.

In 1839, Henry Hitchcock was elected as representative to Mobile County, but died on August 11, 1839 during a horrendous yellow fever epidemic. He was 47 years old. He had already lost several children to death in infancy.

After Henry's death, his widow and remaining children moved to Nashville. Their son, Henry, Jr., moved to St. Louis and became a well-known attorney, and as such, helped establish the law school of Washington University. In 1889, young Hitchcock was elected as president of the American Bar Association, and wrote numerous books on law. Another son, Ethan Allen Hitchcock was influential in the Republican Party and closely tied to William McKinley. He was appointed minister to Russia in 1897 and Secretary of the Interior in 1898.

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Walker family letters held in the State Department of Archives and History.

Fife, Drum, and Ready Musket: The Early Militia and Muster Day in Madison County, Alabama

By Nancy Rohr

> "I hear the sound of fife and drum the other side of the village, and am reminded that it is the May Training. Some thirty young men are marching in two straight sections, with each… a bright red stripe down the legs of his pantaloons, and at their head march two [men] with white stripes down their pants, one beating a drum, the other blowing a fife."

The history of a civilian militia is long one and created by necessity. In England, musters became a periodic assessment of the availability of local men to provide defense when needed, thus to *pass muster* or to be sufficient. This concept became critical in early America with the seemingly never-ending confrontations against enemies – Native Americans, the French, Spanish, British, and occasional roaming gangs of outlaws. When called upon during the few calm periods, the early American militiamen viewed militia camp as a temporary duty, in opposition to the English who regarded the colonial militiamen only as substitute manual laborers to build and maintain roads and bridges, cut firewood, and other distasteful assignments, traditionally done by Europe by peasants.[183]

In the United States, local militiamen had already proved vital to success in the French and Indian Wars. During the Revolutionary War, as they felt

[183] Whisker, James Biser, *American Colonial Militia* (Lewiston, England: Edwin Mellen Press, 1997), Vol. 1: 72-73.

assured of victory, the British planned to disarm the Americans. Then, by repealing the Militia Laws, all arms would be taken away from the Colonials and no foundry or manufactory of arms would be allowed; there would be no gunpowder or war-like stores, nor lead or arms imported without license.[184]

Among other engagements, however, the southern militia aided to suppress loyalist activities and supported the regular army. They participated in the Battle of Green Springs against Cornwallis and the siege of Yorktown. Moreover, the patriot militia of the Over-the-Mountain men provided a particularly pivotal moment in the southern campaign. They soundly defeated the loyalists' militia at the battle at Kings Mountain, which certainly turned the tide of the War.

The Revolutionary War clearly reinforced the need for the militia on all fronts, and the Second Continental Congress codified regulations for it. The full-time regular army was created, but because it was always short on manpower, the militia provided short-term support to the regulars in the field. Of course Loyalist sympathizers were excluded even if they had formerly held positions in their militias.

The men and boys, continued to prepare to meet any threat. The Militia Act of 1792 provided, in part:

> "That each and every free able-bodied white male citizen of the respective States, resident therein, who is or shall be of age of eighteen years, and under the age of forty-five years (except as is herein after excepted) shall severally and respectively be enrolled in the militia."

Furthermore, when called upon, the citizen soldier should be at the ready to appear with his own equipment: a good musket or rifle, two spare flints, a bayonet, and a knapsack. There were the usual exceptions: high government officials, ministers, ferrymen, mail handlers and justices of the peace were exempt. This militia formed into brigades, regiments, battalions, and companies. Fines were assessed according to rank, for those who appeared without proper uniforms and equipment. A colonel led the Regiment, each Battalion had one major, and each company had a captain, lieutenants and corporals. Most legislatures allowed the volunteer company to elect its own officers, write by-laws, select its own name, and

[184] Whisker, 1: 7.

design its uniform. On the frontier most uniforms were likely to be hastily donned, and were perhaps even ill-fitting, linsey-woolsey and not particularly clean.[185]

The area between the Atlantic coast and the eastern side of the Appalachian Mountains seemingly settled quietly after those early conflicts. However in the vast spaces farther inland, beyond the once forbidden mountains among the sparse settlements, the need for readiness remained essential. Presenting a showy display was never an aim of the militia on frontier lands as they became available. The men folk and their families who immigrated to the frontier understood the need for protection. These men at the beginning of the nineteenth century had fought, or seen their fathers and heard their grandfathers' tales about the life and death struggle with the Native Americans. Indian raids continued to lead to loss of possessions and land, burning, scalping, and death. As a result most settlers knew how to shoot firearms, and even though their horses might not be the fastest, the men all showed good horsemanship. Settlers remained vigilant at their farmhouses or at outposts as they waited to enter the newly opened territories of the old southwest.

By 1805, John Hunt had begun his log cabin near the Big Spring and other pioneers followed – all illegal intruders, of course. Countless (at least as many as six or seven hundred enumerated settlers) decided not to wait, and entered unlawfully into the Indian territories of what would become Madison County, Mississippi Territory. Here they planted crops, shelters, and themselves. What did not always grow quickly, however, was law and order. Occasionally, the anonymous Captain Slick and his men took the law into their own hands as a speedy solution. Slick's committee might first issue a warning to the miscreant simply to leave town, perhaps adding a thrashing with a hickory rod to add emphasis. If forced by the committee to leave, the miscreant was lucky only to be "fed a supper of Blue plums" from a double barrel shotgun. Apparently Captain Slick's law "purified the moral atmosphere."[186]

Nevertheless, the need for real order became pressing. In 1808 President

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[185] Owen, Thomas McAdory. *History of Alabama and Dictionary of Alabama Biography* (Spartanburg, SC, 1978, Reprint Co.), 2, 987-9. The Alabama Constitution written in 1819, among other liberal clauses allowed those who conscientiously objected to bearing arms to pay a fee in lieu of serving.

[186] Taylor, Judge Thomas Jones. *History of Madison County and Incidentally of North Alabama, 1732-1840.* Eds. W. Stanley and Addie S. Hoole. (University, AL: Confederate Publish. Co., 1976), 28.

Jefferson appealed to the governor of the Territory, Robert Williams, to select civil officers to provide law and order. Madison became a county on December 13, 1809, and later that month, Stephen Neal was appointed Sheriff and Justice of the Peace. Thomas Freeman was also appointed to serve as a Justice of the Peace and to take a census of the squatters. He became the official surveyor, and subsequently served as registrar at the sales held in Nashville – all in preparation for the coming land boom. Perhaps to no one's surprise, Thomas Freeman became the largest purchaser – 22 sections, over 14,000 acres of Madison County land.

As the squatters continued to arrive, the federal government built Fort Hampton on the Elk River to secure the Indian property in 1809-1810. This was one of the few acts by the government to protect Indian lands. The crops and houses of the ninety-three "intruder" families were burned, and the displaced settlers crowded into Madison County. And yet they still came.

The way west and south had been long and arduous; no one wanted to make the return trip to their former homes. Those who arrived most likely came down the "Great South" Indian trail from near Winchester, Tennessee, before continuing south to settle along the way. The wagons, carts, riders and walkers found, to no surprise, roadways that weren't roads, wagon tracks that disappeared into swamps, and raging creeks and rivers with no bridges. Of course it was always necessary to watch for possible hostile Indians. The new countryside and Big Spring were a welcome sight.

Old Man Ditto's Landing was also a welcome site for those who descended the Tennessee River from Ross's Landing, later Chattanooga. Traders had long used the river as the Indians had, but now the river opened the way to the new lands for settlement. As the pioneers successfully maneuvered their rafts or keelboats through thirty miles of the "The Suck," where the river narrowed to half its width, they still intently watched the Cumberland Mountain bluffs above them. From there hostile Indians could fire down freely at passing boats. Now all that the settlers faced farther downstream were boat wrecks, accidental drowning, soggy food, wet powder, sand bars, shallow dips, and snag-infested rocky shoals.

With this continued influx of people who required law and order in the eastern lands of the territory, Governor Williams made the initial militia assignments. (The Governor was of course, Commander-in-Chief.) He appointed Nicholas Perkins to head the newly formed Mississippi 7th Regiment, and William H. Winston, Adjutant. Stephen Neal was

appointed 1st major; Alexander Gilbreath became 2nd Major. The first Madison County-wide muster was held on October 29, 1810. To add his formal approval, the new Governor, David Holmes, attended the grad ceremonies on the muster field, most likely on the flats below the Big Spring.[187]

These military appointees were extraordinary men. Well educated, they seemed driven to take advantage of what lay before them – land, progress, and, perhaps with luck, wealth. Commandant and Lt. Colonel Nicholas Perkins, trained as a lawyer, had already served his country well. He was a member of the Mississippi Territory House of Representatives for Washington County in 1802 and Speaker of the House in 1803. In February 1807, while serving as land registrar in Washington County, Perkins thought he recognized two mysterious men traveling after dark with their faces concealed. He rode for the sheriff who quickly enlisted more help from the nearby fort. These fugitives from justice, Major Robert Ashley and former Vice President Aaron Burr, were arrested by troops from Fort Stoddert and escorted north for federal trial in Richmond. Soon after, Perkins was appointed Attorney General of the Mississippi Territory, eastern district, for 1807-09. Perkins did not purchase land in Madison County sales, however, and moved to Tennessee. During the War of 1812, he served as a Colonel of the 1st Regiment of Western Tennessee, and he saw action in the campaigns of 1814 under General Jackson. He led sixty-day volunteers who enlisted to fill the depleted ranks of Jackson's rapidly dwindling army, experiencing some of the fiercest action in 1814. Nicholas Perkins died in Franklin, Tennessee, "one of our most distinguished citizens" in 1848.[188]

First Major Stephen Neal was considered "an active and intelligent man," and he certainly demonstrated his talents on many occasions. Among other dealings, Neal bought for $500 a town lot facing the Square on Commercial Row and sold it to C. C. Clay and six others for $8,000. By the time Neal married Frances Green in 1818, he was well able to support her and their family. While he continued to serve as sheriff until 1822, during these years he took advantage of his knowledge to purchase

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[187] Record, James. *A Dream Come True* (Huntsville, AL.: Hicklin Printing, 1970), 1: 33-36.

[188] *Valley Leaves Special Edition* (Huntsville, AL: Tennessee Valley Genealogical Society, 1969), 21; Abstracted by Jonathan Kennon Thompson Smith. *Death Notices from Western Weekly Review.* (Franklin, TN. 2004), 289.

and sell over 2, 256 acres of land in the county. Sheriff Neal died in 1839, age sixty-six. Mrs. Neal, thought to be the oldest living resident in Huntsville at the time, died at the age of ninety-six in 1883).[189]

Second Major Alexander Gilbreath, one of the enumerated squatters waiting to enter the county legally, along with five other men were selected to serve as Commissioners, establishing locations for public buildings in Huntsville. These men were given authority to purchase land to be laid out in half-acre lots, three of which were to be reserved for public buildings. The remaining lots would be sold to defray the expense of erecting public buildings – courthouse, jail, and market. Gilbreath maintained a store near the spring and may have been the first merchant in town. He was later in partnership with James White, for whom Whitesburg was named.[190]

Perhaps it was already becoming too crowded in Madison County. Gilbreath purchased only thirty-nine acres in the local land sales before he moved to the Red Hill area of what would become Marshall County. There he married Polly Brown, half-sister of Catherine Brown. Catherine, a Cherokee educated at Brainerd, Tennessee, became a legendary teacher. (The sisters later taught Cherokee girls at Creek Path School.) In Marshall County, Gilbreath purchased over 360 acres and by 1840 owned thirteen slaves. Gilbreath died in 1860 at the age of eighty and was interred in the family cemetery. His wife, Polly, was not buried there with him, however. At the time of the Cherokee Indian Removal, Polly made the trek to Oklahoma with many others. Alexander, according to family stories, was unable to join them because of his great size, too large for a horse or the carriage, and he remained in Marshall County.[191]

Adjutant William H. Winston migrated from Buckingham County, Virginia. Here, Winston was also appointed Clerk of the County Court of

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[189] Taylor, 44; Pauline Jones Grandrud. *Marriage, Death and Legal Notices from Early Alabama Newspapers, 1819-1893* (Easley, SC: Southern Historical Press, 1981), 280. The sheriff is not always the most popular person in town. In an election for delegates to the Convention of 1819, Stephen Neal came in last place. Neal garnered 63 votes; among others running James Titus had 416 votes and the winner, C.C. Clay, won with 1,683 votes. (*Alabama Republican*, May 8, 1819.)

[190] Taylor, 37; *Eden of the South*. Ed. Ranee' G. Pruitt (Huntsville, Huntsville-Madison County Public Library, 2005), 3.

[191] Cowart, Margaret Matthews. *Old Land Records of Marshall County, Alabama* (Huntsville: AL M.M. Cowart, 1988), 81, 84, 85, 345; Conversation with Larry Smith, Feb. 6, 2012, regarding family stories of descendants Sonny and Margie Lewis as told to Smith.

Madison County in 1809. Citizens then elected Winston to the Mississippi Territory House of Representatives in 1810 and again for 1815-17. During these years Winston bought and sold over 2,248 acres in Madison County before he and his wife Mary (Cooper) Winston moved on to Tuscumbia.[192] This house was begun in 1824 and the couple completed it nine years later. (The city of Tuscumbia has since purchased and restored their home.) The son, John Anthony Winston, born in Madison County became the fifteenth governor, the first born within the state. HABS, Colvert Co. southernspiritguide.blogspot.com] *picture

The eight militia companies, established in 1810, were led by Captains John Grayson, Joseph Acklen, James Titus, Allen C. Thompson, William Wyatt, William Howson, James Neely, and Henry Cox. (Martin Beatty declined a captaincy.) These officers led the militia to provide defense and also a setting to administer public affairs. Throughout the county, under the leadership of the captains, court days and election notices were posted, taxes were assessed and collected, and of course politics were discussed, or argued, as the case might be.

John Clan Grayson, a surveyor himself, joined Thomas Freeman, to make the assessment that was so necessary for legal land sales. Grayson's interest was personal because he was also one of the squatters waiting to gain lawful entry. To begin their task Freeman and Grayson went to John Hunt's cabin to discuss the task ahead. The men and their team then began measuring from Chickasaw (Hobbs) Island north to establish the base lines. Certainly Grayson had a fine opportunity to see and judge the land of Madison County. In early spring of 1806, Grayson's family arrived in a train of covered wagons to settle east of the mountains. There were seven children (six more would follow), a governess, two slaves and other workers. Mrs. Grayson and the children stayed in the covered wagons while the men constructed a four-room house with a dog trot. Grayson eventually bought 640 acres. Adding to his militia duties, John Grayson was later appointed Justice of the Peace. He died in 1826 at the age of fifty-six; his wife died in 1838.[193]

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[192] *History of Early Settlement: Madison County before Statehood, 1808-1819* (Huntsville, AL: Huntsville-Madison County Historical Society, 2008), 9, 43.

[193] Taylor, 72; William Sibley. *Welcome to Big Cove: The History of Big Cove, 1807-2000* (Brownsboro, AL., W. Sibley, 2003), 57, 10; *Heritage of Madison County, Alabama.* (Clanton, AL., Heritage Publishing, 1998), 215, 216.

Joseph Acklen was also part of the 1809 "squatter" census with his household of four. In 1810 Acklen was appointed to be an Estate Appraiser, a significant post and an essential role in times of debt or death. His experience and leadership led to an assignment later as Captain of the 7th Regiment during the War of 1812. Although he paid poll taxes from 1810 through 1815 on 160 acres purchased in what would be southwest Huntsville, by 1814 he had moved into the Elk River area of Tennessee, where he married in 1819. Joseph Acklen died in Winchester, Franklin County, Tennessee in 1841.[194]

Henry Cox purchased 480 acres in the Huntsville area and in 1816 married a local woman, Jane McClain. There is little information about his stay here except that he held 960 acres near Indian Creek and had 22 slaves. The number of slaves and the amount of acreage varied, but he paid taxes from 1810 through 1815. Cox also served as the paymaster for the 7th Regiment from 1808-1817.[195]

Although William Howson purchased 400 acres southwest of Huntsville, he, his family of six, and two slaves, probably lived in town where he served as county jailor (at least in the years 1831 and 1832). Although there were other settlers with that surname paying taxes during the years 1811-1819, those names were not on census and county records later. Others named Howson, paying taxes between 1811 and 1819, were Sally, Thomas and John.[196]

Among other settlers in the area was the extended Drake family. In 1807 James Drake, a brother, and brother-in-law, James Neely, came down the Tennessee River on a flat-bottomed boat to Ditto's Landing. They settled, as squatters, near John Grayson. Members of the drake family led by Capt. John Drake, a Revolutionary War veteran, and five of his sons and their families followed in 1810 and 1811 to purchase land. (Reflecting the close-knit ties of migrations, of the 10 Drake children, six of them had married Neelys in Virginia.) Captain James Neely bought 159 acres in the southeast but settled and built a home on Holmes Street in town. He was a pump maker, and, for six years, supervised the Huntsville water works. In

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[194] *Franklin County, Tennessee Land Records, comp. Jeanna Gallagher*; genealogytrails.com on 3/31/12; *Tennessee Wills, 193-194.*

[195] *Valley Leaves*, Vol. 4, #4, 2-9.

[196] 1830 Federal Census: Acts of General Assembly of the Legislature of Alabama, 11.

addition to his duties with the militia, he was appointed as one of the road overseers in 1810.[197]

James Titus came down from Fort Nashborough, Tennessee where his family had relocated in the 1780s. After his first wife died, Titus married Nancy Holmes in 1808 and they prepared to move south. His land holdings, over 500 acres, were in the Oakwood area. Holding credentials as captain in the new militia in 1810, he also became a member of the Mississippi Territory legislature from Madison County and served from 1812-1817.

Governor Holmes convened the Legislature, and members served from their home areas on the Mississippi Territory Assembly in 1814. Three men were appointed to the Council, similar to the upper house or Senate. Robert Beatty of Madison County resigned; Joseph Carson from Washington County died; and James Titus of Madison County remained to serve. Not singularly deterred, Titus rose to the occasion and elected himself president of the Council. He appointed doorkeepers, conducted the proceedings with appropriate formality, called the Council to order, answered the roll call, voted on bills, moved for adjournment, voted on his motion, declared the Council adjourned, and no one disagreed.

Duty called again, and James Titus and his son, Andrew Jackson Titus, participated in the removal of the Choctaws in 1831. During this time they lingered in the red River area of Texas and decided to resettle there. Titus and his son were active in acquiring statehood for Texas, and Titus County is named for the younger man. James Titus was buried in a family cemetery in Savannah, Texas. In the same cemetery, buried only a few feet away, is another former Huntsvillian, Robert Beatty, who earlier had declined to serve in the Territorial Council with Titus.[198]

Captain Allen C. Thompson did not purchase land in the early sales of Madison County. However, he and his family appeared in the 1820 census of Franklin County, Alabama. His wife Charlotte, died near Florence, at age sixty-four, in 1835. In 1837 Thompson married Elizabeth M. Fox, widow of John Fox, of Limestone County. Captain Thompson died not long afterwards and his widow became the head of the household of five,

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[197] Sibley, 78; Taylor 113; 296.

[198] Taylor, 12; William H. Brantley. *Three Capitals* (University, AL.: Univ. of Alabama Press, 1947), 24, 225; Taylor 109.

living next door to her son Allen Thompson.[199]

As the small communities within the county were becoming organized, news of the disaster on August 30, 1813, at Fort Mims in southern Alabama raced northward. At least 250 settlers had been killed at the fort and 100 more were captured by the Creek Indians. This was the worst massacre in the history of America, and it flamed further momentum to eliminate the Indians. Fears quickly followed that a large body of warriors was on its way north. In panic, alarmed citizens of Madison County fled toward Nashville's fort over 100 miles away. Just a few years later, Anne Royall, that intrepid traveler, reported in her letters about the disarray as told to her. Apparently about a thousand people were on the road to Nashville that day, and only two families remained behind. "These barricaded the door of the Court house which served them for a fort; and old Captain Wyatt...assumed the command. He had but two guns, but being well charged with whiskey and courage, he kept up a constant fire...." It was a false alarm, thank goodness. Perhaps exhausted by his efforts, the brave "old' defender, Capt. William Wyatt died just two years later in 1815, aged fifty-six years. His steadfast partner, Susannah E. (Jones) Wyatt lived until 1836. Unfortunately the other couple defending the town that day is unknown to history.[200]

Few of these settlers came alone. A link that seems to run through the early years gives one pause to consider the possible connections between other local men sharing those first militia leaders' surnames – Louis, Joel, and john Winston; Peter and Constantine Perkins; Henry Gilbreath; John Neal; John, Sam, Alexander, and William Acklen; John, Ben, George, William, and Peyton Cox; Jerome, Ambrose, Benjamin, and other named Grayson; John Howson; John, Andrew and Eli Neely; George and Ebenezer Titus; John and Peyton Wyatt. Their stories remain for others to uncover.

As these officers and militia offered protection, the rougher days of early

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[199] Rev. Silas Emmett Lucas, Jr. ed. *Obituaries from Early Tennessee Newspapers*, 1794-185 (Easley, SC: Southern Historical Press, 1978), 366; Gandrud, 324; 1840 Federal Census.

[200] Anne Newport Royal. Ed. And annotated by Lucille Griffith, *Letters from Alabama 1817-1822* (University, AL: University of Alabama Press, 1969), 244; *Valley Leaves*, Vol. 17, #2 (June 1983), 187.

frontier life appeared to have passed. A newer class of settlers arrived with money in their pocketbooks ready to spend; wealthy entrepreneurs arrived with their families. Settlers like the developers LeRoy Pope and Gen. John Brahan came; doctors Thomas Fearn and David Moore; merchants James White and the Andrews brothers; lawyers C. C. Clay and John Williams Walker; newspapermen Phillip Woodson and John Boardman. These names remain a part of Huntsville lore.

Less remembered, perhaps, were the likes of Allen Cooper and John Bunch who offered hospitality at their taverns. Ebenezer Darby was a shoe and boot maker; Thomas Collins opened a bakery; the brothers Cain were watch-makers and gold and silversmiths; Richard Champion worked as a hatter. As the settlement continued to grow in size and safety, working-class settlers found jobs to fill the needs of blacksmith, tanner, brick-maker, and mason. More settlers with empty pockets continued to arrive with dreams and aspirations.

Countless and mostly nameless slaves arrived – men, women and children, many in chains – to work for and serve masters. Scores were separated from and left behind their own families. The same militia which protected the frontier also patrolled for runaway slaves, or any who might be out after hours without a pass.

The militia arrangement also allowed a system of convenient political units, or beats. Generally, one Justice of the Peace and one Constable were elected from each military beat, later to be called precincts. The Justice of the Peace, or Magistrate, held great power with jurisdiction over minor criminal offenses, performed marriage ceremonies, took legal depositions and arbitrated minor disputes; among other things. The constable held less power than the County Sheriff because his jurisdiction was confined to the military district or precinct from which he was elected. So the muster grounds became the meeting place where justices, constables, overseers of the poor, and militia officers were appointed or elected from the community.[201]

Law required an announcement of a muster in the newspapers, four times a year under a notice written ATTENTION. Fines were assessed if muster was missed. Locations were chosen conveniently at sites like the town square, old Blue Spring Camp Ground, John Connolly's Green Bottom Inn, over the mountains at Henry Brazelton's in Big Cove or any likely field big enough to hold the crowd.

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[201] Sibley, 27, 28; *Valley Leaves*, Special Edition, 59, 60.

Muster day and militia practice, like later political barbecues, elections, and religious camp meetings, offered a relief from the monotonous life of isolation so common at the time. All citizens looked forward to patriotic celebrations, holiday commemorations as the 4th of July, or Washington' s birthday, but muster day came four times a year! Everyone gathered, and of course poor whites, free blacks and slaves could be onlookers to the excitement, too. There would be much to behold.

At the meeting grounds and after inspection, absences were noted for later court martial or fines. The disciplined drills and maneuvers followed a standard manual of the day and ended with the formal review by the highest ranking officer. After the drill, the men were ordered to be at ease. Now came the time to relax, socialize and perhaps for manly challenges or even settling old scores. A later City Directory acknowledged those earlier days:

> Court days and muster day were the occasions upon which the people usually congregated *en masse*. Then it was that first-fights and free fights were usually indulged in to the usual end of bruised faces and bodies, and a too ready access to stones often rendered these encounters more serious than the feelings of animosity really felt, would have otherwise dictated... A resort to the pistol or bowie-knife at that time was of rare occurrence, for that early day, when upon a man's physical prowess depended mainly his coveted position in the social circle or as a citizen, a test of his manhood.

Men settled the "ills they had suffered by a resort to natural defenses, than by the use of pistol or knife...." The reader almost felt with regret those proud days long gone.[202]

No matter about the casual violence of the day. Of course a crowd always gathered of family, friends and onlookers, black, and white, young and old. Spectators also included vendors, fiddlers, and perhaps a few gamblers. The women had prepared food, and there was enough for everyone to enjoy and linger about the entire day. Many women, with the tradition handed down by their mothers, prepared and sold gingerbread

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[202] *Williams Huntsville City Directory, City Guide and Business Mirror*, vol. 1, 1859 (Huntsville, AL: Coltart, 1859), rep. Strode, 1972, 10, 11.

and other confections. Likewise, their men enjoyed the company of the others and shared an evening of drinking. Some few of the men, perhaps with muddled brains and unsteady feet, dragged themselves home at the end of the day. The prudent wife led the way, perchance with the jingle of a few new coins in hand, at the least with a head full of news from family and friends. Tired children slept in the back of the wagon if they were lucky, and there would be little back sass from that quarter. Thus another Muster Day would pass into the history of the county – with the eager anticipation of the next one to come.

All was not peaceful: the massacre at Fort Mims in the south on August 30, 1813, threatened every settlement. It was past the time for a strong defense but became a time for forceful action. General Andrew Jackson issued an order on September 24th to his "Brave Tennesseans" to rendezvous at Fayetteville for immediate duty against the Creeks…We must hasten to the frontier "or we will find it drenched in the blood of our fellow-citizens."[203]

If there was any doubt of the threat, the militia continued to be called to action. "Brave Tennesseans! …Your frontier is threatened with invasion by the savage foe! Already do they advance towards your frontier, with their scalping knives unsheathed, to butcher your wives and children, and your helpless babes."[204]

Fearing an imminent attack on Huntsville, on October 11th General Jackson's volunteers and militia men, 4,000 strong, marched the thirty-two miles from Fayetteville, Tennessee to Huntsville in five hours. (Among the more notable men were Colonel John Coffee, David Crocket and Sam Houston.) Huntsville was not attacked but remained a staging area for supplies leading to the Battle at Horseshoe Bend. The Tennessee militia men clustered around Beaty's Spring (now Brahan's Spring) to be joined by the brave volunteers of Madison County. Armed and trained, the militia men of Madison County, Mississippi Territory would meet the call.

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[203] Remini, Robert V. *Andrew Jackson and His Indian Wars* (NY: Penguin, 2001), 61.

[204] Cited in Hudson, Angela Pulley, *Creek Paths and Federal Roads* (Chapel Hill, NC: Univ. North Carolina, 2010), 113 from "General Orders," *Louisiana Gazette for the Country*, Oct. 13, 1813.

The Broad River Group of Georgia: Transforming the Pioneer Frontier of Huntsville, Alabama

By Chase Tate

"It is not merely a rude frontier, thinly peopled with hunters and herdsmen, the mere precursors of the tillers of the earth, but it is the tillers of the earth themselves, who bring with them the pleasures of social life, the arts of industry, the abundant means of easy comfortable subsistence."

This triumphant rhetoric was a portion of a July 4th, 1811, speech delivered by the up and coming lawyer John Williams Walker, one of the most successful and influential men in the first few decades of settlement in Huntsville, Alabama. Walker belonged to a group of families that shifted west to North Alabama from the Broad River area of Georgia to reap the benefits of the fertile Tennessee Valley. There was no single group to have so great an impact on Huntsville than this "Georgia Faction."[205]

The Broad River group was the primary catalyst in the transformation of the pioneering frontier in Huntsville, resulting in its development into the major economic and political center that it became within the first three decades of the nineteenth century. Through close inspection of a series of chronologically consecutive events, the influence and effect of the Broad River group on Huntsville and the state will be made clear. This entity essentially affected the establishment of the city of Huntsville, among others, produced the financial means and atmosphere by which the

[205] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 25.; Shearer, Benjamin. *The United States: Alabama to Kentucky.* Greenwood Publishing Group, 2004. 39.

economy saw a major boom and subsequent bust, and effectively forced the creation a two-party political system in the state through controversy over their personal and banking practices.

The Broad River group had a history of influence and affluence in their home state of Georgia that they brought with them to Huntsville in 1809. The group consisted of a number of wealthy families that all lived in and essentially dominated Petersburg, Georgia. They were the elite of the town, and they were all closely associated with each other by way of business transactions, intermarriage, and political unity. The key members of the group were LeRoy Pope, Thomas and William Bibb, John Williams Walker, Charles Tait, Robert Thompson, William Watkins, James Manning, and Peyton Cox. Many of the bonds connecting the group ran through LeRoy Pope in some fashion or another. Likewise, it was Pope who was said to be the patriarch of the group, referred to by some in Petersburg as the "Royal Family." This name was so pervasive that group member John Williams Walker even referred to it as such in a letter to his friend, Larkin Newby.[206]

The fact that this collection of families either voluntarily or involuntarily co-opted that name (the Royal Family) portrays exactly how much power they either possessed in the town or at least were perceived to have possessed. And in many ways, they operated as if royalty, making alliances through marriage and trade to strengthen ties and increase economic and political success. One of the key members of the group, the aforementioned John Williams Walker, married Matilda Pope, the daughter of LeRoy Pope, the group's leader and patriarch. However, it seems that his desire to marry Pope's daughter may not have been as much about her as the bond that was forged between he and his new father-in-law. While this is said with slight reservation, Walker himself did say in a letter to a friend that, "I shall get me a wife from the concern of Pope & Watkins." So either girl seems to have been sufficient so long as he made a familial bond with men of such clout as Pope and his partner Watkins. A similar alliance was forged when Thomas Pearcy, a former schoolmate

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[206] Rogers, William, and Robert Ward, Leah Atkins, and Wayne Flynt. *Alabama: the History of a Deep South State.* Tuscaloosa: University of Alabama Press, 2010. 61; Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 30.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 30.

of Walker's at Princeton, moved to Huntsville and married another of Pope's daughters, forging a strong alliance with Pope, Walker, and the Broad River group. He later used that alliance to his advantage in his acquirement of a seat on the board of directors for the Planter's and Merchant's Bank.[207] This is the weight which a relationship with this group carried.

In any case, Pope and his Broad River group's reputation as heavy handed pushers and movers in Georgia preceded them, and they brought all of their political, social, and economic clout to Huntsville with the land sales of recently ceded Native American territories in the first and second decades of the nineteenth century. Word had spread of the fertile land in the Great Bend of the Tennessee River, and this caught the attention of Pope and his neighbors after he and Thomas Bibb journeyed though the territory in route to New Orleans. Between the possibilities of high cotton profits in the Tennessee Valley, the near exhaustion of their own soil with of the growth of tobacco in Petersburg, and the appearance of a strong new trade competitor in Augusta, Pope and his neighbors made the decision to shift their economic pursuits and focus to Alabama. It is worth noting that the Broad River group's absence in Petersburg was felt so deeply upon their Exodus that it resulted in a power vacuum and economic slump that the town never recovered from, ultimately losing all economic vitality in a matter of decades. This again speaks to the political power and economic worth that Pope and his neighbors' possessed, which was then transferred to Huntsville where it would be wielded just as effectively.[208]

The Broad River group had a hand in every aspect of Huntsville politics and economics after the land sale. Immediately, their presence was felt as just ten men purchased nearly half of the Huntsville area land sold at public auction in 1809, with half of those men being from the Broad River region of Georgia. Pope and his group bought some of the best lands available, speculating on the high prices of cotton and land in the region. They were certainly capable as some of the wealthiest families to move to the Tennessee Valley, with Pope being the absolute wealthiest resident. Pope himself bought a large amount of spring acreage around Hunt's Spring, as

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[207] John Williams Walker to Larkin Newby, April 1, 1804, in Larkin Newby Papers, DU.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama 1800-1840*. Baton Rouge: Louisiana State University Press, 1997. 54.

[208] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840*. Baton Rouge: Louisiana State University Press, 1997. 28-29.

it was then called for the squatter, John Hunt, who originally settled there and came to be known as the grandfather of the town. Pope joined forces with two other men, William Anderson and James Jackson of the Nashville group of speculators, and they purchased the land surrounding the spring at the unbelievably high rate of $23 an acre, speculating of course that they could resale for a profit. In addition to his joint purchase, LeRoy Pope acquired 1,120 acres around and beyond the spring.[209]

Pope's intention with his purchases was to lay out a town to be the county seat and commercial center of the region. And he did just that through his newfound connections. The territorial legislature appointed five men on a commission to determine the county seat. Among those five men were William Dickson and Edward Ward, both of whom were part of the Nashville group of speculators. Through his alliance with the Nashville group, Pope was able to influence the choice of location for the seat along with his new partners, Anderson and Jackson. In addition, he had the new town named Twickenham in the territorial legislature in 1809 after the name of the home of the English poet Alexander Pope, who some say LeRoy Pope claimed as a relative. Hunt's Spring, which they had all invested heavily in, would be the location of the county seat and the center of the new town. And of course, Pope also owned many of the new town plots due to his additional purchases. He and his new partners sold the commissioners the northern section of town plots for no profit, on which the town's public buildings would be constructed. The rest of the town plots they kept to sell for a handsome profit, making good on their speculative efforts. This political, speculative, and financial maneuvering of LeRoy Pope to lay out Huntsville and cause it to be made the county seat earned him the reputation early on as the father of the town.[210]

In a variety of ways, the different aspects of the land sales of 1809 reveal

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[209] Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 31.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 29.; *Alabama: The Sesquicentennial of Statehood. Washington D.C.*: Library of Congress, 1996. 19.

[210] Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 31-34.; Record, James. *A Dream Come True.* Huntsville: John Hicklin Printing Company, 1970. 30-36.; Betts, Brigadier General E.C. *Early History of Huntsville, Alabama.* Huntsville: Minuteman Press, 1998. 18-30.

the beginnings of an economic and political evolution in Huntsville at the hands of Pope and his Broad River Group. Economically, the region was flooded with wealthy planters and merchants including several of the men in the Broad River Group, bringing with them commercial and agrarian production and potential. Pope and his partners' establishment of Twickenham (later Huntsville) as the county seat of Madison was of equal importance for the economic success of the region. This provided a politically stable and organized economic center for local market trade and commerce and also offered area planters and merchants a central waterway by which they could ship their cotton and merchandise down the Tennessee to larger markets, all of which made the land and city that much more successful. That new economic and political base was also essential for the work of the area's newest professional men such as the Broad River group's doctors and lawyers, one of which was LeRoy Pope's future son-in-law, John Williams Walker, who only followed him to Alabama because of his close ties to Pope and his daughter. Pope's alliances and ties to Georgian and national legislators also assisted in the economic success of the region but for reasons which will be discussed in a later section of this study. For now, let it simply be stated that LeRoy Pope and his "Royal Family" provided for the county the means and direction for political and economic stability and subsequent growth in the structuring and political leadership of the new town. Colonel E.C. Betts best described the new town leader and his effect on the community in his book about Huntsville's early history when stating that "the moving spirit and the dominant influence of nearly all positive in the life of the settlement was LeRoy Pope."[211]

The Broad River Group's entry into Madison County through the land sales of 1809 also marked the beginning of a societal evolution in its creation of social stress and disagreement within the community. The initiation of that social strain came upon the massive land purchases of speculators and planters like Pope and his Georgia neighbors. Prior to Pope, the region was home to a multitude of squatters, most of whom were by no means wealthy. They were simple subsistence farmers (most of

[211] John Williams Walker to Larkin Newby, April 1, 1804, in Larkin Newby Papers, DU.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 29-30.; Betts, Brigadier General E.C. *Early History of Huntsville, Alabama.* Huntsville: Minuteman Press, 1998. 29.

them) that came in search of new frontier possibilities and the opportunity to control their own destiny and forge their own success out of the wilderness. With one of the two largest slaveowners, Littleberry Adams, holding no more than about twenty slaves prior to the land sales, massive cotton production was not a reality. Rather, a simple trade and bartering economy existed, made up of settlers still struggling to clear the land under their own power with the occasional assistance of a slave or two.[212]

This pioneering struggle was quite different from the efforts exhibited by Pope and company upon their entry into the area. They relied much more heavily on slave labor and monetary wealth to build their success in Madison County, and in as much, they established the foundations of a plantation society that was at odds with the yeomen class of farmers. It must be noted here that while the focus of this work and others like it is clearly entered on the white men of power, the exclusion of the perspective of women and slaves is not by choice. Just as the slaves were robbed of their freedom, so are we subsequently robbed of their voices. Despite this, many of their deeds are well known and often recorded, if only we take the time to read between the lines of history and historical studies such as this. Upon closer inspection into the lives of the great political, economic, and social pushers and moves like LeRoy Pope and the Broad River group, the lives of the slaves can be seen. They made up the workforce that cleared the land, planted the seed, and collected the harvest. The success of Huntsville's elite was, more often than not, literally on the backs of slaves. Furthermore, many of the great estates and commercial structures of Huntsville and the surrounding area were constructed with the labor of slaves and made with bricks formed by the hands of the slaves. Behind the economic success pushed by agriculture and trade was often the toil of the slave, clearing the trees across the once untamed wilderness and reaping the harvest for the benefit of his or her owner. And while the slave population of Madison County was sparse in the squatter days of John Hunt, it quickly doubled time and again with the augment of such wealthy planters and traders as LeRoy Pope and company.

The influx of new settlers, planters, and elite merchants like Pope with his large slave holding posed a threat to that life and the squatter's future in the area by blocking them out of the sale of the very land that they had settled and cleared for the possibility of creating a prosperous life for

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[212] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840*. Baton Rouge: Louisiana State University Press, 1997. 21.

themselves and their families. Many of the squatters, whose families were already well established on the land, had to give up their fields and homes because they could not compete at auction with the much wealthier planters, merchants, and speculators. That was, of course, if they could even get to the auction as it was held in Nashville. This location was notably convenient for the many speculative groups that participated and effectively pushed the squatters and many small farming settlers out. Thomas Freeman had something to do with this, as he, in his directorship of the land office, suggested to Albert Gallatin that it be located in Nashville so as to be far enough away from Hunt's Spring to ensure an orderly auction free of squatter's bids to keep the prices low. For some squatters, the distance to the land office prevented their ambition of owning their land. For others, it was the high prices driven by wealthy, speculators, planters, and the like. The latter occurred when LeRoy Pope and his partners pushed John Hunt out of the area of the spring on which his cabin sat. While Pope and others brought economic and political advancement and opportunity, they simultaneously created class conflict as they were essentially a threat to the squatter and his financially limited subsistence lifestyle. Only 34 percent of the original squatters managed to win the bid and begin payment to own land in Madison County by the end of 1809. The wealthy newcomers and speculators became the enemy of many when they dashed the work and dreams of many squatters upon driving up the prices of land to levels which the squatters couldn't afford.[213]

That early class conflict along with newly developed social stratification laid the first steps to the creation of a two party system political system in Huntsville. The presence of Pope and his "Royal Family," along with a flood of other newly arrived settlers, planter, merchants, lawyers, and doctors, effectively stratified the population in Madison County. Where there was little social stratification prior to the land sales, the emerging differences in social status of the county's citizenry became painfully obvious. The situation was adequately described as early as 1811 by John Williams Walker in the opening quote of the paper. In his July 4th speech,

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[213] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 12-13, 29.; Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 39.; Roberts, Francis. "Background and Formative Period in the Great Bend and Madison County". Dissertation. 234-235.

Walker made mention of the progress that had occurred with the entrance of the opulent and cultured citizens such as himself and his Broad River associates. This assumes that previous settlers, or the squatters, were of a less cultured and basically less civilized and mannered social status living on a "rude frontier." That arrogance was the subject of many in the years to follow, being a key topic for the criticism of LeRoy Pope and his allies. The group's own rhetoric and lifestyle created an "us versus them" mentality among many of the citizens of lesser means in the county. This perceived arrogance would become fodder for future political debates and division. According to sources, LeRoy and his close friend and fellow Georgian Thomas Bibb were said to have wheeled around town in four-wheeled carriages, leaving out of their finely built brick mansions. Pope had a fine estate built on the highest hill overlooking the town which still stands today, commanding a geographical location above the downtown area just as he commanded social superiority over his fellow citizens. There, he entertained such guests as General Andrew Jackson and company. As stated by scholar Daniel Dupre, Huntsville was rapidly developing into a plantation society of planter and merchant elite, with an ever-widening cultural rift between the top of the social order and the yeoman farmer.[214]

The debate over the new town name displays some of the tension that was building as a result of the new social stratification. As previously stated, LeRoy Pope managed to have the town named Twickenham by the appointed commissioners for the territorial legislature. However, the original squatters and settlers to the area wanted to serve justice for the sake of the downtrodden John Hunt, who was unable to purchase either his original homestead, which Pope bought at a premium, or another parcel of land in the county. Adding insult to injury, Hunt had even begun paying payments on two sections of land at the spring, but it was recorded that Pope swooped in and took over those payments and the land. As a result, Hunt had to move on with the burden of finding a means to provide for his family of eight in addition to his five slaves. To honor Hunt for his original

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[214] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 11-12, 35-37.; Roberts, Francis. "Background and Formative Period in the Great Bend and Madison County". Dissertation. 234-235.; Anne Royall. *Letters from Alabama.* Washington, 1830. 244-245. Record, James. *A Dream Come True.* Huntsville: John Hicklin Printing Company, 1970. 48.

settlement in what was then called Hunt's Spring and take a shot at the all-too-powerful moneyed aristocracy that was so quickly established on former squatters' lands, many of the townspeople urged a name change from Twickenham to Huntsville. And on November 25, 1811, the Mississippi Territorial Legislature granted that change. The division of the county had begun with a social conflict, but it would progress rather quickly into the political realm and create a rift between the interests of the planter and merchant elite and smaller subsistence farmers along with others of lesser social status. The settler had different social values than the speculator. The speculator pushed the growth of the market economy for the sake of increased economic opportunity for profit, while in stark contrast, the settler often just sought a piece of land by which he could support he and his family. These divisions were the early foundations laid by the coming of Huntsville's social elite let by LeRoy Pope and his associates that would culminate in the development of a two-party political system in Huntsville and Alabama.[215]

The next major event with associated with the Broad River group was one that transformed Huntsville, Madison County, and the state. This one event had wide reaching implications that later brought Huntsville to its highest point of economic success only to give falter and nearly lead the town to the brink of devastation. It was the chartering of the Planter's and Merchant's Bank in Huntsville. It would be the first chartered bank in the state. And not surprisingly, this next step in the economic progression of Huntsville came with the efforts of LeRoy Pope. Pope, through his connection to the United States Secretary of the Treasury, William Crawford, had the bank granted a charter by the Mississippi Territorial Legislature on December 11th, 1816. This opportunity came on the heels of renewed economic growth and activity in Huntsville and the whole cotton frontier following the conclusion of the War of 1812 and other European hostilities. This growth realized a steep climb of cotton prices and land prices to match. And with the anticipation of another federal land sale in 1818, Crawford permitted the opening of the Planter's and Merchant's Bank. Certainly, the intent was for the bank to facilitate buyers for land sales. Simultaneously, the bank would inject its own notes of

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[215] Betts, Brigadier General E.C. *Early History of Huntsville, Alabama*. Huntsville: Minuteman Press, 1998. 32.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840*. Baton Rouge: Louisiana State University Press, 1997. 37. Record, James. *A Dream Come True*. Huntsville: John Hicklin Printing Company, 1970. 37.

currency to facilitate other trade and commerce in regular town and regional activity.[216]

At the helm of the Planters and Merchants Bank were the Broad River group and its allies. LeRoy Pope was the president from the moment of bank initiated operation on October 17th, 1817. And many of the bank's directors were his fellow natives of Petersburg, Georgia, while the rest of the list was a who's who of power and wealth in North Alabama. The board of director's consisted of Pope, his sons-in-law John Williams Walker and Thomas Pearcy, Broad River neighbors Thomas Bibb and James Manning, doctors David Moore, Thomas Fearn and Henry Chambers, new business partners of Pope, John Hickman and Jesse Searcy, and receiver and register of the Huntsville Federal Land Office John Brahan and John Read.[217]

Pope utilized his Broad River group connections in his opening of the bank, as Crawford was yet another Georgia neighbor of the now prominent Huntsville citizen. Crawford was a key national connection to the group that empowered the bank to operate with as much vigor as it did with its lending practices in the Tennessee Valley. And its lending practices are the key to its great impact on Huntsville and North Alabama.[218]

The greatest benefit of Pope's relationship to Crawford was Crawford's subsequent choice of the Planters and Merchants Bank as a depository of federal funds the year of its opening. The reasoning for the choice of the North Alabama bank was two-fold. As stated, Huntsville's market economy and land sales were soaring. By 1815, the end of the War of 1812, many international cotton markets and trade routes out of the U.S. were reopened, allowing for booming cotton prices here and throughout

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[216] Brewer, Willis. *Alabama. Her History, Resources, War Record and Public Men.* Spartanburg: The Reprint Company, Publishers, 1988. 347.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 40.

[217] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 76, 81.; Betts, Brigadier General E.C. *Early History of Huntsville, Alabama.* Huntsville: Minuteman Press, 1998. 40.

[218] Betts, Brigadier General E.C. *Early History of Huntsville, Alabama.* Huntsville: Minuteman Press, 1998. 35.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 84.; Rogers, William, and Robert Ward, Leah Atkins, and Wayne Flynt. *Alabama: the History of a Deep South State.* Tuscaloosa: University of Alabama Press, 2010. 61.

the various American markets full of cotton. And the renewed hike in cotton value sent interest in land speculation and planting sky high. That upward tick continued until early in 1819, when the economy collapsed. But in 1816, Crawford granted the charter for Pope's bank and later placed millions in it for the use of area planters, speculators, and the like to borrow from the bank. That money was borrowed only to turn around and pay the federal government for land purchased in the federal land office, then located in Huntsville. Crawford saw it as an opportunity for the federal government to make good on land sales while Pope saw it as an opportunity for he and his bank directors to make good on profits though their banking practices. And they certainly did make good on those practices in the bank's second year of operation.[219]

1818 was a monumental year in the life of Huntsville, and like the year 1809, the city saw exponential expansion due to federal land sales. The price of cotton was at an all-time high along with land value that naturally followed the cotton curve. From 1809 to 1817, the average price of land was around two dollars an acre. But in 1818, that shot up to an average of seven dollars and fifty cents an acre. This alone reflects the increased interest in land purchases in Huntsville and the surrounding Tennessee Valley. The cotton value steered the price of land was sitting somewhere around twenty three cents a pound by 1818. But cotton value wasn't the only attraction for purchasers of large land tracts. While cotton was the backbone of the land value spike, many land speculators bought up massive tracts for the sole purpose of profit on resale to planters and merchants, just as Pop and the many land speculation companies had done in 1809. Many sought to replicate Pope's success in the sale of town plots at other newly established towns. Pope himself joined some Broad River partners and others in that land speculation for the River partners and other sin that land speculation for the settling of a town when the Cypress Land Company was formed before the land sale of 1818. The group bought 5,515 acres in Muscle Shoals for $85,235, which group member John Coffee then surveyed in his official capacity as land surveyor for the

[219] Betts, Brigadier General E.C. *Early History of Huntsville, Alabama.* Huntsville: Minuteman Press, 1998. 38-39,42.; Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 39.

federal land office.[220]

The Broad River group and the rest of the upper echelon of Huntsville had created a network of associations with each other based on individual wealth and power that they could then utilize corporately for the realization of greater wealth and control in the Huntsville and North Alabama. Even with Andrew Jackson's advice to John Coffee to stay independent of these groups and sell his knowledge of the land, Coffee was sucked in by the powerful men and possibility of serious profits. This is a fine example of the phrase, "money talks." After they purchased that land in Muscle Shoals and had it surveyed, they plotted out the town of Florence and opened up sale of the town lots on July 22nd, 1818. The value of land in the Tennessee Valley was so valuable at the time, these town lots attracted such national figures as former President James Madison, future President Andrew Jackson and many other. Between mercantile firms who sought centrally located shop and office sites, planters who sought downtown space for town homes, and prominent men such as the aforementioned presidents who sought profit through speculation, 400 town lots sold for $280,891.[221]

The Cypress Land Company, made up of men such as Pope and Coffee, more than tripled their money immediately. Of course, the heavy volume of buyers of such prominence was also due in part to their connections nationally and regionally through which they pushed their agenda, which was the sale of the land. It is beyond doubt that figures such as Coffee bent the ears of Jackson and the like to express the profitable possibilities of the land for sale in the new town of Florence.

In addition to owning, organizing, and selling half of the town of Huntsville through wealth and political/business alliances, LeRoy Pope and his Broad River group also tested the waters of the shipping industry, assisting in the transport of much of the town's economic goods. Pope, along with Broad River ally, Dr. Thomas Fearn, joined with a few others

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[220] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 43-45.; Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 45.

[221] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 43-45.

in chartering the Indian Creek Navigation Company in 1812.[222] Through their efforts, the commercial shipping of goods to markets outside of Huntsville was made easier and more efficient. They created a canal out of the Indian Creek which began at Hunt's Spring and eventually found its way out to Triana, where the creek met with the Tennessee River. The end result was a much more navigable waterway by which Madison County farmers and merchants could ship and receive goods directly from the local market in downtown Huntsville. This gave Huntsville a major advantage of the towns surrounding in the rest of the county. Not only did it make shipping of cotton and other crops easier and, more importantly, cheaper for the farmers and merchants due to the close proximity of a water route, but it also attracted new investors and businessmen to Huntsville for the promising new local market that was quickly development downtown. In essence, LeRoy Pope had assisted in the development of a strong local market where one had not previously been. It was yet another push and boost for Huntsville's economy initiated by LeRoy Pope and his Broad River allies.

The judicial and political realms were not immune to the influences of the Broad River group either, as they were quite involved with such matters in the city and state. Many important judicial matters were being heard and acted upon by LeRoy Pope and company. The Broad River group provided at least two justices of the peace and quorum, LeRoy Pope and Thomas Bibb. But Pope's Nashville associates William Dickson, Edward Ward, and David Moore served as well in that capacity. This position allotted Pope and his allies much more authority than the lesser justices of the peace. While most of the local justices of the peace were middling farmers who settled small personal disputes, the justices of the peace and quorum were the wealthier elite who settled more substantial and impactful matters. Author Daniel Dupre reports that of the forty-nine justices of the peace that appear on the 1815 tax list, twelve owned no slaves while the other thirty-seven owned less than twenty, with only one exception. While they were not poor, they were clearly not in the same class as Pope. Indeed there was a slave population of about 4,200 by 1816, and these justices of the peace owned only a small portion of that group. In contrast, LeRoy Pope and the other justices of the peace and quorum

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[222] Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 60.

were the elite of Huntsville and Madison County, each owning vast tracts of land and large numbers of slaves. Pope himself owned more than one hundred slaves. Chosen to serve from January of 1810 until 1820, Pope and his fellow justices of the peace and quorum settled land disputes, answered questions of mill and dam placement, determined slave ownership, and decided on mercantile contracts.[223]

This position, for obvious reasons, was one of great responsibility and gave Pope and his allies' great control over the city of Huntsville and surrounding Madison County. Mill placement and merchant contracts were vastly important for the success of the city and even more so its planter/merchant classes. And the dichotomy of the different justice positions reflects very well the dichotomy that was rapidly developing socially and economically in the town. The yeomen farmer class that had dominated the region prior to Pope and company's entry were still a major force within the population, and they still operated on a local level as they had done before. However, LeRoy Pope, his Broad River Group, and others of the elite planter class had arrived and developed an overarching social, political, and economic system in Huntsville and Madison County that went beyond the scope and control of the former isolated settlement of John hunt and the early settlers. Pope and his elite associates linked the new town to the greater territory and the country economically, politically, and socially. It was the definition of progress and the transformation of a rude frontier into a capitalist market economy.

Beyond the service of Pope and Moore as justices of the peace and quorum, the Broad River group was well represented in the area of law and justice. This was due to the number of lawyers that were either a part of the group or aligned with the group politically, financially, and socially. The most prominent of this bunch was undoubtedly the young John Williams Walker, who made the most of the thriving new city. He studied law at Princeton and then began practicing in Petersburg, Georgia. But soon after, LeRoy Pope and his Broad River partners, including Walker, moved to Huntsville where Walker bought a town lot and opened a law office. Like Pope, he took part in the speculative efforts of the Broad River group, buying land in and around Huntsville in addition to town lots in

[223] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840*. Baton Rouge: Louisiana State University Press, 1997. 35-36.

newly established Florence.[224]

Also like his father-in-law, John Williams Walker became very involved and influential in local and state political matters. As early as 1810, Walker was nominated by the Broad River group for a position in the Mississippi Territorial Legislature along with Louis Winston and Peter Perkins, the latter a member of the Nashville group who by this time had aligned himself with the Georgia faction. But unlike future endeavors of the Broad River group, two of their nominees did not make the cut, including Walker. Their loss was not representative of the next decade, however, which granted Walker and his associates' great political success. But the loss did foreshadow the political division that was slowly brewing in Huntsville.[225]

Just as the dichotomy of justices represented the social rift that was developing, so did this election reveal the same two divided groups. Opposing the Broad River group and using Pope's choice of Twickenham as the town name against him were Hugh McVay and Gabriel Moore. Moore was a new arrival, not aligned with either the powerful Nashville or Broad River groups while McVay was one of the original settlers in Huntsville who, like John Hunt, had squatted on the federal lands with hopes of one day owning it. These two men were both elected with Perkins to represent the county. McVay and Moore used the Broad river group's power grab in the area and LeRoy Pop's name change of the town to vault them to election by the majority of yeomen farmer population who certainly held resentment for the new wealthy elite that barged into the area, taking their land and now the name of their settlement. And McVay and Moore pushed for retribution as the county's delegation, seeing the issue of the name brought forth and the city renamed Huntsville after John Hunt. This was an attempt to restore the original balance of power that was lost when the wealthy planters, merchants, and speculators, led by LeRoy Pope, moved into Madison County. However, it was no more than a jab at the side of the powerful Broad River group and their elite alliances in the city. Pope and his associates would run the town for the next decade while

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[224] Brewer, Willis. *Alabama. Her History, Resources, War Record and Public Men.* Spartanburg: The Reprint Company, Publishers, 1988. 353.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 45.

[225] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 37.

the social stratification continued and the subsequent tension built.[226]

Walker went on to lead the regional efforts to push Alabama to statehood by 1819. He did his part in initiating this process in the year prior when he sent correspondence to his close friend and Broad River ally, Charles Tait, a Georgia senator. In this correspondence, Walker urged Tait to request that the Alabama territory be reviewed for entry into the Union as a state. And with those pleas, Walker sent information collected by way of a census to accompany the effort, revealing to Congress the population and economic vitality of the territory. This bid for statehood was a successful one, as thirty delegates from twenty counties were meeting in the summer of 1819 to draft a state constitution.[227]

The Broad river group reigned supreme in their representation at this event which shaped the state and displayed Huntsville's place therein. Huntsville and Madison County provided the most delegates with eight present. Huntsville also provided the location for deliberation in what is now knows as Constitution Village. As for the Broad River group, Henry Chambers, John Williams Walker, John Taylor, and Thomas Bibb were all present from the faction. In addition, Clement C. Clay, a fellow lawyer friend of Walker's and associate of the group was also in attendance, representing Madison County. At the same time, Hugh McVay and Gabriel Moore were also representatives in attendance, still the driving forces for the interests of the small farmer. And what better display of the social and political situation at hand in Huntsville and the state, than to see John Williams Walker, son-in-law of LeRoy Pope and key member of the Broad River group, sitting atop the delegation of representatives as the convention president. This justly represents the power which the Broad River group had in constructing our state and its constitution, and it even more clearly illustrates the significance which Huntsville demanded under

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[226] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 37-38.; Betts, Brigadier General E.C. *Early History of Huntsville, Alabama.* Huntsville: Minuteman Press, 1998. 32.; *Alabama: The Sesquicentennial of Statehood.* Washington D.C.: Library of Congress, 1996. 19.

[227] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 37-38.

their guidance and leadership.[228]

Walker remained at the helm of politics for the city and the state throughout his life. Prior to Alabama's acceptance into statehood, future president and General Andrew Jackson of Tennessee recommended John Williams Walker as the governor of the new territory, as he possessed the necessary "honesty & talents". However, Walker declined the position. He turned down a similar nomination by President James Monroe to make him the United States Attorney in the Alabama Territory following Mississippi's adoption as a state in 1817. Walker instead later rand and was elected as the new state's senator to serve Alabama in 1819 in Washington D.C. He was able to take the interests of Huntsville, Alabama, and his Broad River group to the nation's capital. In the new Alabama state capital, the newly elected governor was William Wyatt Bibb. Of course, Bibb was also a former resident of the Broad River region like his brother and future governor, Thomas Bibb, a close associate of LeRoy Pope in his capacity as a fellow director of the Planters and Merchants Bank in Huntsville. So the Broad River group had spread their tentacles like an octopus into every level of political organization, pushing the interests of Huntsville and themselves within the state and the country.[229]

As of 1818, Pope and the Broad River group had essentially organized and developed multiple towns within North Alabama, planted themselves firmly in the center of Huntsville's economy, politics, social life, and justice system, and created a bank in Huntsville that would give legs to the local economy that would have it propped up far above all others in Alabama. Huntsville had risen to the forefront in Alabama with speed unmatched by any before it. And at the heart of that rise, or possibly pushing from the back, was the Broad River Group. These former Georgia neighbors had simultaneously affected the adoption of the state of

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[228] Rogers, William, and Robert Ward, Leah Atkins, and Wayne Flynt. *Alabama: the History of a Deep South State.* Tuscaloosa: University of Alabama Press, 2010. 61.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 47-48.

[229] Record, James. *A Dream Come True.* Huntsville: John Hicklin Printing Company, 1970. 54-64.; *Alabama: The Sesquicentennial of Statehood.* Washington D.C.: Library of Congress, 1996. 32.; Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 71.; Brewer, Willis. *Alabama. Her History, Resources, War Record and Public Men.* Spartanburg: The Reprint Company, Publishers, 1988. 353.

Alabama through their connections on the national level, and they then only upped their efforts in their leadership of the body of constitutional convention delegates. In almost every way, they placed Huntsville on the map for its economic and political success. But that success was soon to be tested. And the legs on which the bank had propped up Huntsville were soon to break and crumble, leaving the people of Huntsville looking away from LeRoy Pope and the Broad River Group for their leadership and economic stability.

The positivity, prosperity, and opportunity of the eighteen tens were soon erased with the coming of the Panic of 1819, and much of the blame for the economic collapse that followed was due to the banking practices of the Broad River Group in Huntsville. The Panic of 1819 brought economic collapse and financial instability to nearly all of the United States much like the stock market crash of 1929 brought the Great Depression. At the heart of the financial disaster was the drop in the price of cotton. Cotton in Madison County saw a drip in value from 20-25 cents per pound to an all-time low of 13 cents per pound on average. This drop in price came after the U.S. Treasury began limiting the number of bank notes in circulation and building up specie to stop the growing depreciation of bank notes. The formerly inflated values of cotton, land and other goods dropped drastically with the sudden withdraw of available bank notes.[230]

The devastation of that price drop was two-fold. Besides the initial drop in cotton value, a massive decrease in land value followed as a result. Logically, if land value was drawn from its ability to sustain valuable cotton growth, a drop in cotton prices would result in a weakening land value. As a result of this drop in land and cotton value, all of those speculators, planters, and yeomen farmers who had purchased property in the land sales of the previous decade or privately from other landholding individuals or groups found themselves at a loss, unable to make good on their debts. Massive amounts of money were still owed to the government as many land purchases were made in payments over a series of a few years, and many had only begun to pay those debts off. In addition, hopeful speculators who had sought large profits from land purchases along with middling and yeomen farms who had sought to push themselves into the wealthier elite status through land purchases and cotton growth found themselves seriously indebted to banks such as the Planter's and

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[230] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840*. Baton Rouge: Louisiana State University Press, 1997. 50.

Merchant's Bank. This is because many had come to the bank for loans on the eve of such events as the federal land sale of 1818 with stars in their eyes at the thought of turning around the heavy interest loans quickly, fueled by the sky-rocketing price of cotton.[231]

While the bank was not responsible for the collapse of cotton and land value in 1819, they were certainly culpable for their hand in the massive prices of land sold, in addition to their unscrupulous lending practices. Many, if not most of the lenders were involved in the speculative land companies that drove up the prices of land around the time of the land sales in 1818 and previous years. The bank itself encouraged such practices. They each participated in competitive bidding wars that, in addition to driving out original settlers whose subsistence practices didn't provide enough money for them to purchase land and stay, also drove the prices through the roof for those who decided to take the risk and acquire a loan just to purchase land. Good land sold at the federal land sale for as much as $50-100 per acre while average land brought a price of $20-30 per acre. If you will recall, LeRoy Pope paid what was then an outrageous amount of money at $23 per acre for his downtown lots in the federal land sale of 1809. The set minimum for this new acreage to sell was a mere $2 per acre, but speculative fever dashed those smaller prices and with them the hope of hundreds of yeomen and subsistence farmers looking for more.[232]

But to find the key to the Planter's and Merchant's Bank and the Broad River group's involvement in the mess, a closer eye must be paid to the work of the legal efforts of John Williams Walker in 1818. That year, John Williams Walker and his fellow lawyer and bank director, Clement C. Clay, spearheaded an effort to repeal the 1805 Mississippi Usury Act. The law prohibited outrageous interest rates on private loans setting the cap at 8% interest. Walker and Clay pushed a motion through to repeal the bill in the Alabama Territorial legislature. This repeal had disastrous effects. It allowed creditors within private loans to place any interest rate on the borrowed amount that they so chose. Walker and Clay both stood to profit

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[231] Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 27.

[232] Abernethy, Thomas Perkins. *The Formative Period in Alabama. 1815-1828.* Tuscaloosa: The University of Alabama Press, 1990. 68.; Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 32-33.

greatly along with the other members of the Planter's and Merchant's Bank. With land and cotton prices at an all-time high, citizens of the county were not intimidated by the massive interest rates then applied, but rather, they made full use of the available money in the federal land sale of 1818. John Williams Walker even commented in a letter to his friend, Georgia senator Charles Tait, that "30 to 40% could be got" for loaned money. In just one of countless examples of this terrible policy, a man acquired a loan of only $4.200 but owed $24,570 after four years due to interest. At that point, loans became yet another speculative tool which anyone could use to turn a serious profit so long as the market remained healthy.[233]

The problem, of course, is that the market did not remain healthy and this legislation eventually became the arrow that pierced the side of the debtor, leaving him in deep debt to the creditor for an outrageous amount of interest on top of an already large principal balance. And with the value of cotton and land dropping to less than half of what it had been, paying off that amount of money was impossible for most. While other western states were hit hard with the Panic of 1819, Madison County was the worst off of any region in the Union, defaulting on a considerably larger percentage of land purchased from the federal government than anywhere else. And this was due in large part to the added debt and pressure applied by high interest loans following the repeal of the Usury Act. As late as 1820, seven western states owed over 21 million to the federal government, with half of that debt being in Alabama and 6 million on Huntsville citizens alone. There are countless cases of people losing their land and money to boot. But the damage was not isolated to planters and small farmers. Indeed, merchants were hit first as they were holding mass amounts of cotton fresh from Huntsville's market en route to be sold at other national markets. Two well established merchant houses fell almost immediately under the pressures of the economic collapse, one being LeRoy Pope's own son, Willis Pope. Taylor and Foote was another Huntsville mercantile firm that had just overextended themselves before the value of cotton collapsed, and they were stuck with the loss. The amount of cotton they had just purchased was the largest on their books to that point, a risk taken for the chance of similarly large profits from the

[233] John Williams Walker. Letter to Charles Tait. September 22, 1818. Tait Family Papers, ADAH; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840*. Baton Rouge: Louisiana State University Press, 1997. 87.

soaring cotton prices. But eating the loss was more than the firm could manage, and they had to sell off everything, including a personal town house.[234]

Over seven million dollars of land were sold in the federal land sale of 1818. But of that, only about one and a half million were paid initially. And not much more of that seven million was ever seen by the federal government. In addition, most of the initial payments were made in Mississippi scrip. This was equally bad news for the success of the contracts as the scrip and banknotes used from Mississippi, Tennessee, Georgia, and eventually Huntsville all depreciated with the events that unfolded in the Panic of 1819 due to the run on banks for specie payments. Consequently, nearly all banks, including the Planter's and Merchant's Bank, eventually suspended specie payments.[235]

The initial result of the economic collapse of the Panic in Huntsville and Madison County was the loss of the previous decade's air of positivity, prosperity, and progress. Historians theorize that the citizenry lost their sense of control and mastery over their own lives and destiny. While the years prior promised the opportunity for each man to carve out his own piece of the pie, the Panic rendered the people impotent and powerless for their inability to make good on debts and build wealth for the future. The situation was so grim for one Huntsville citizen, Llewellyn Jones, that he hung himself on the rafters of his newly built home. As seen in the pages of the Alabama Republican, many called on informal debts and obligations to be resolved for the sake of making good on others. A majority of the citizenry were anxious of their entire holdings being auctioned off at sheriff sales for the repayment of debt which they could not manage to settle.[236]

This time of strife and fear following the Panic of 1819 is the key to understanding the most lasting effect which the Broad River group had on Huntsville and the state, and it similarly had major effects on the future success of the group. While the Panic of 1819 was by no means entirely

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[234] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 51-53, 101.

[235] *Ibid.*, 43-44.

[236] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 6-7, 57, 62.; *Alabama Republican*, 1819.

the fault of the Broad River group or their Planter's and Merchant's Bank, they certainly deepened the disastrous effects of the event in Huntsville and Madison County by way of their lending practices and push of speculative efforts. Regardless of fault, when people are hurting and wounded, they tend to see out an offender to be made the enemy. In this case, the Planters and Merchants Bank and the Broad River group along with their fellow bank directors of different origins became the offender and subsequently the enemy. This was a rather logical conclusion, whether justified or not. The fact was that much of the outrageous and inflated debt was due to either the Planters and Merchants Bank or its board members, therein including key members of the Broad River group.

Aiding this new war against the bank, its directors, and the Georgia faction was the work of William Long, editor of the Huntsville newspaper entitled the *Democrat*. Long took to the pages of his paper in 1823 with hopes of squashing this group, whom he referred to as the Royal Party. This should draw back memories of the aforementioned name of Pope's group of associates from Georgia, satirically referred to as the Royal Family. Long waged a war of words against the Royal Party and their newspaper defender, the *Alabama Republican*. His enflamed and emotional rhetoric was no doubt influential among the lower classes of Huntsville as the language was superbly strong and poignant. It is reminiscent of political radio talk show hosts of today. Indeed, the rhetoric is similar to many of their arguments. From the very beginning, Long makes his intentions known by stating that he intended to destroy the bank and expose the Royal Party, protecting Huntsville's common man from the "nobility". He claimed himself a champion for the common man, fighting the monied aristocracy whom he claimed, "hesitate not to sacrifice upon the altars of their unhallowed ambition, everything that stands in the way of their exaltation".[237]

In reply, John Boardman, editor of the *Alabama Republican*, provided an avenue by which readers could write in to defend the bank and its practices as he did. In reference to efforts such as those by Boardman, Long wrote, "With a yielding sycophantic, accommodating spirit, he could

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[237] Abernethy, Thomas Perkins. *The Formative Period in Alabama. 1815-1828.* Tuscaloosa: The University of Alabama Press, 1990. 116-117, 135.; *The Democrat*. October, 1823.; Rogers, William, and Robert Ward, Leah Atkins, and Wayne Flynt. *Alabama: the History of a Deep South State.* Tuscaloosa: University of Alabama Press, 2010. 79.

bow to, and lick the feet of the monied *aristocracy* of the country, and for a few pieces of sliver, betray, and sell to them, the honest, unsuspecting multitude".[238] As is more than obvious here, the social and political dichotomy previously mentioned is becoming more and more clear and distinguished here in the early 1820s.

A social and political rift had developed and grown from the arrival of Pope and the Broad River group up to the post Panic years. This rift, or dichotomy, was composed of two opposing social classes, each with their own individual pursuits and perspectives on issues. On the one hand was the Broad River group and the social elite of Huntsville who made up what would become known as the Whig Party. And on the other hand was the class of the yeomen farmer and the populists that would make up the Democratic Party. The arrival of LeRoy Pope and company into North Alabama initiated much of the social division with their political and economic power grab upon entry and settlement in Huntsville. They furthered that process of division in the development of a planter society in Huntsville that created an ever growing gulf between the common yeomen or middling farmer and the elite planter and merchant elite with their town homes and vast plantations. The process was only spurred by the Panic of 1819 when the Broad River group and the bank became the enemy for the extreme financial pressure they placed on many in the town. Simultaneously, Long and the Democrat rallied the voices and efforts of the downtrodden and debt ridden masses in opposition to the elitist Royal Party and their bank. Boardman's passive defenses of the group in his *Alabama Republican* were ineffective in quelling the outrage, and did little to nothing to stop Long and company with his emotionally charged rhetoric from blowing the gulf wide open between the two, now every distinct, social classes and assisting in the creation of class conflict. Following the end of the *Alabama Republican*, a new Huntsville paper picked up where Boardman left off upon resignation in 1825. This paper, known as the *Southern Advocate* provided the radical rhetorical opposition to Long that the Alabama Republican had failed to do for so long. To give you an exemplary sample of the inflammatory writing style, the *Advocate* reports in 1825 that the Kelly-Long faction are a "violent gentry" who "render republican service with their lips, while their hearts are inflamed

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[238] *The Democrat*. October 21, 1823.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840*. Baton Rouge: Louisiana State University Press, 1997. 79.

with the fires of anarchy". Here, the *Alabama Republican* claims that Long with his associate William Kelly, a Huntsville lawyer unaligned with the Broad River group, speak out against the elite of Huntsville to incite a popular revolt. This only further accentuated the division and delineated the desires of the two opposing Huntsville parties that had arisen out of the verbal gunfire.[239]

The social division of the previous decade took a very political turn in the 1820s thanks to the actions of the Broad River group and the Planter's and Merchant's Bank during and after the Panic of 1819 along with the advent of the politically charged newspapers. The issues of the bank and land relief became the talking points of two different political efforts following the Panic. Initially, the members of the Broad River group were focused on several key points. They wanted to see internal improvements such as a canal in Muscle Shoals to make shipping of cotton and other goods to market cheaper. In addition, they were against a valuation law that would serve as a relief for many landowners' issues of debt. Despite the pleas for such relief by his friends John M. Taylor and Larkin Newby, John Williams Walker opposed any such relief because he believed it risked an onslaught on the economy that would weaken the social order. He sought to preserve the rights of the creditor. The last concern of the group was the preservation of the bank through its ability to remain in private control and suspend specie payments as long as necessary. In stark contrast, the rapidly developing populist party in Huntsville (the Democrats) was focused on the reverse side of those issues. Their first sticking point was the need for land and debt relief, and the second was the sure destruction of the bank (likely in part due to the enflaming words of Long). From the Panic of 1819 onward, the Broad River group and the Planter's and Merchant's Bank was fighting a losing battle due to the strength and size of the planter and farmer population in Huntsville. Despite concerns about the sanctity of legal binding contracts voiced by readers such as "Old School" of the *Alabama Republican* in the debt and land relief debate, both were eventually granted in different forms. The federal government gave way on pleas for land relief, allowing indebted farmers to buy back land at cheaper rates and relinquish some land as payment for other. They also dismissed cases of extreme debt acquired

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[239] Southern Advocate. May 27, 1825.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 6-7.

through creditor's interest rates after the cases were seen in the Alabama Supreme Court from 1825-1827. William Kelly, lawyer and friend of William Long, represented the debtors in those cases against the creditors, who were represented by none other than bank director and Broad River ally Clement C. Clay. [240]

At the same time, Royal Party patriarch and Planter's and Merchant's Bank President LeRoy Pope lost his good name with his former Broad River neighbors, U.S. Secretary of the Treasury William Crawford and Alabama state governors William and Thomas Bibb in 1819 and 1820, respectively. This loss of alliances was because of his refusal to resume specie payments at the bank and his hand in the devastation the North Alabama economy with the Usury Law. While John Williams Walker, David Moore, and Clement C. Clay all later ran and acquired public office, they each in some way distanced themselves from the issues that arose with the bank and the Royal Party. David Moore went so far as to vote against fellow bank director Henry Chambers in favor of the opposition's leading candidate, William Kelly, for the U. S. Senate seat. C.C. Clay, along with others, later attempted to fashion himself a man of the people much like Andrew Jackson, and it was met with some success as he was politically active in the decade that followed. Regardless, the accusations against the group that were made visible in Long's writings became the rallying cry against any politician with any association with the Broad River group or the Planter's and Merchant's Bank. In the end, the self-proclaimed leader of a populist majority in the state, Israel Pickens won the election for the governor's office in his defeat of bank director and Broad River ally Henry Chambers, signaling the end of the Planter's and Merchant's Bank and moreover, the dominance of the Broad River group and its allies. Pickens took issue as Crawford did with the Huntsville bank not resuming specie payments and gave an ultimatum in the form of a legislative act in 1823 for Pope to lift the suspension of those payments or face forfeiture of the bank's charter. After two years of noncompliance,

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[240] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 89-90, 107-108.; John M. Taylor, Letter to John Williams Walker. December 8, 1819, January 26, 1820. Walker Papers.; John Williams Walker. Letter to Larkin Newby. April 1, 1804. Larkin Newby Papers, DU.; *Alabama Republican.* July 28, 1820.

the bank's charter was forfeited on February 15, 1825.[241]

While the Broad River group lost its political, economic, and social grip on Huntsville and the state with the effects of the Panic of 1819, they had provided an antithesis and an enemy to the populist Democratic party that emerged politically in the 1820s. And that emergence was due greatly to the group's actions in that decade and the one previous. So over the course of nearly twenty years, the Broad River group and its allies slowly effected the creation and evolution of a two party political system in Huntsville and Alabama through social and economic conflict and division. Out of the events of the 1810s and 1820s, led and impacted by the Broad River group, the Democratic and Whig parties emerged. The Whig party was that of the Broad River group and its elite ally planters and merchants, with its defender in the *Alabama Republican*. And the Democratic Party was the champion of the common man, led in Huntsville by William Long, William Kelly, and the *Democrat*, posed against the Whig elites.[242]

The Broad River group fundamentally changed the fabric of Huntsville and the state as a whole. They transformed Huntsville from a pioneering frontier of yeomen subsistence squatters into the economic, social and political epicenter of Alabama in the first ten years upon their arrival. With the leadership of LeRoy Pope, the group initiated the development of a town that would lead the territory to statehood and national representation. That same leadership and group of allies guided Huntsville on its crash course to economic collapse out of which the group came to its inevitable demise as a powerful entity. But through that success and subsequent failure, LeRoy Pope and his allies drove a state through the political and social unity of the city, region, and state. And in that capacity, Pope and his Broad River group were the ultimate catalyst for the creation of a two party political system in Huntsville and Alabama in the 1820s.

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[241] Rogers, William, and Robert Ward, Leah Atkins, and Wayne Flynt. *Alabama: the History of a Deep South State.* Tuscaloosa: University of Alabama Press, 2010. 80.; Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 94.; Taylor, Judge Thomas Jones. *A History of Madison County and Incidentally of North Alabama, 1732-1840.* University: Confederate Publishing Company, 1976. 50.

[242] Dupre, Daniel. *Transforming the Cotton Frontier: Madison County, Alabama, 1800-1840.* Baton Rouge: Louisiana State University Press, 1997. 6-7.

The Rise and Fall of "King Cotton"

By Arley McCormick

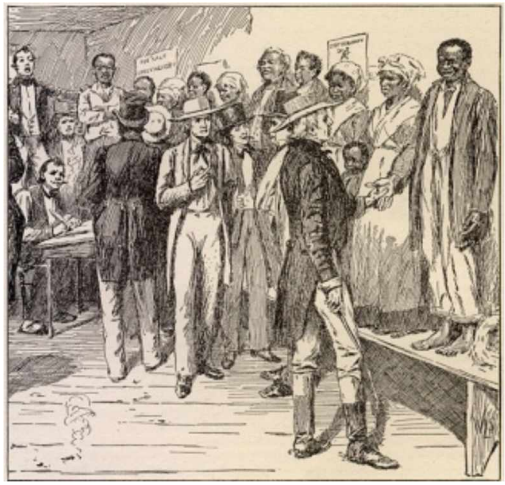
In 1269 Marco Polo began his adventurous travel to the Orient and returned 24 years later with the riches of China and India on his caravan. He was not the first European to venture to the mysterious land where there was an abundance of cotton and silk but he was the only one that wrote about it. His writing inspired maritime exploration leading to the America's in 1492 and a sea route to Asia that fed an economic revolution of global magnitude.

Marco Polo (National Geographic)

The foundation of a global economy is competitive advantage. If one country can produce the raw material, manufacture, or transport the products more cheaply than another country can acquire the same products internally or from another source, a completive advantage exists to feed a growing market. When a market is born the merchants and governments join forces to preserve that advantage even if it means war.

The United Kingdom was successful in leading the first global economy based upon cotton. Through the British government supported

East India Company, a near monopoly was created connecting the raw material in the Orient, through transport to England, then manufacturing into cloth, and satisfying and unquenchable demand for finished goods. The cotton business was lucrative and countries fought to preserve or participate on a global scale.



Slave market (thelawkeepers.org)

The United Kingdom led but there were many players attempting to wrench away their competitive advantage. The French, Dutch, and Portuguese were influencing cotton growth in Africa, Italy, the colonies in the Caribbean Islands and Brazil and labor proved to be the decisive ingredient for successful production.

Africans were initially sold as indentured servants in the North American colonies but by the late 1600's that practice changed to unqualified slavery. African slaves were relatively few in number in the colonies and their toil was oriented toward domestic production and consumption. The principle crops in the colonies produced by slaves during the 1700's were sugar cane, indigo, and tobacco. Only indigo and tobacco was considered a cash crop. Cotton was a domestic product grown and used locally.

It all changed for the Africans after 1780. An obscure entrepreneur in a village in England had studied cotton for many years and finally organized the first manufacturing center for textiles in the Western World. It was the unanticipated beginning of the Industrial Revolution. Suddenly, the combination of labor, capitol, material, transportation, and time could harness the production of textiles so

Cotton Pod

quickly that the best grade of cloth was available to the entire population of Europe, not just the rich. The result was a massive explosion in demand driving the cost of raw cotton higher and higher. There just wasn't enough of those little cotton pods available to satisfy the demand.

At the beginning of the 19th Century the American colonies were primarily on the coast and the vast lands between the Atlantic and the Mississippi were sparsely populated by Europeans and Native Americans. The soil, climate, and the availability of vast amounts of African labor seemed inexhaustible. The merchants and planters in the Atlantic states, watching the price of cotton soar steadily, worked with the federal government to expand westward and acquire land in the early southwest (Alabama and Mississippi) and it came within their grasp as well as land west of the Mississippi (Louisiana Purchase in 1803).

Madison County was recognized as possessing an abundance of fertile land waiting for cotton. Many early settlers were of the Yeoman Farmer class but the son's and son's in law of the planters on the east coast created the antebellum cotton economy and social environment. Settlers, squatters, adventurers, and those trying to escape the past also composed the social fabric of the growing population.

Treaties with Native Americans provided encouragement to the new residents and optimistic settlers but also proved unsatisfactory and they were eventually subdued, removed from their homeland, and sent west. The imported African slaves rapidly cleared land to establish sprawling plantations throughout the black belt of Alabama, facilitating the growth of the Plantation Industrial Complex.

Littleberry Adams, with 17 slaves, was one of the two largest slaveholders in Madison County in 1809 and by 1810 he was placing cotton on keelboats making their way down the Tennessee to the Ohio and on to New Orleans. The industry matured quickly and the cotton economic engine dominated domestic politics and international markets. By 1849 Alabama provided 20% of the cotton produced in the south.

Cotton influenced the methods of financing, changes in transportation, advances in technology, and launched agricultural research. The world, in less than thirty years was at the mercy of the owners of Southern Plantations.

Originally, the Plantation Industrial Complex was remote from population centers and by necessity became a self-contained enterprise that produced almost everything needed to grow cotton. And, almost every inhabitant in the vicinity of a plantation benefited from its financial success. Slave labor was organized into field hands, servants, and artisans

(those trained to repair the equipment used in the process including blacksmiths, wheelwrights, and animal husbandry for maintaining herds of cattle, horses, mules, and pork) and there was a hierarchy of responsibility to supervise the labor. The slave was central to the systems success and motivated by being provided food, clothing, housing and the whip.

Local laws were adopted to protect the property of the plantation. Slaves could not be whipped without cause, mothers could not be sold away from their siblings, the marriage was to be honored by the master and families remain whole. The law was on the books but not always followed to the letter.

Plantation finances depended upon loans secured mostly through Northern banks and the collateral was the number of productive slaves on the plantation, and the anticipated quality and quantity of the crops. The banking and insurance industry flourished and angry confrontations in the congress of the nation's capital and in the media were constant as the "Age of Reason" caused learned men to challenge the morality of slavery as others defended the economic advantage.

There were other cotton growers around the world but they could not compete with the south's plantation industry and reverted to satisfying their domestic demand rather than attempt to compete in the world market. But, they did not lie dormant forever. After the Civil War, there was no free labor example anywhere in the world that produced the efficiency equal to the Southern Plantation Complex and cotton never reached the productive levels experienced prior to 1860 again.

When the Founding Fathers drafted the Constitution, the Industrial Revolution was an unknown infant and the cotton gin was not invented. But, the sectional rivalry had all ready manifested itself through the economic policy emanating from Northern representatives and the advantages plantation owners sustained over many southern highland farmers protests. No one could have anticipated how the $3/5^{th's}$ rule regarding counting a slave for a state's representation in the nation's congress was going go play out over the next 60 years.

The United States Constitution compromised on the slavery issue to unite a country. The first Alabama Constitution of 1819 clearly perpetuated slavery because it supported a competitive economic advantage and the advantage was sustained in the Constitution of the Confederacy. The international competitive advantage gained by southern planters over 60 years, longer than most of the men representing their state in the Confederate Congress had been alive, was a birth right, all they

knew and their only experience. Secure in their knowledge of the power of "white gold" and grasping for the key that would secure international recognition for the Confederacy, they ransomed "King Cotton" by reducing and refusing to export cotton to Europe. The political decision became one that helped seal the fate of the fledgling democracy.

Sources:

Sven Beckert, *Empire of Cotton: A Global History*, Alfred A. Knopf Publisher, New York, 2014

Thomas Perkins Abernathy, *The South in the New Nation: 1789 – 1819*, Louisiana State University Press, 1961

The Big Spring of Huntsville

By Sara Etheline Bounds

The Big Spring of Huntsville was a focal point for almost every phase of development in early Madison County. It was a major factor in determining such aspects of Huntsville as the location of the city itself, the direction of its streets, and the installation of one of the first public waterworks in the United States.

In addition to the Big Spring, other large springs in Madison County include Braham, Bird, and Woolley Springs. The area surrounding Huntsville is, in fact, known for its numerous springs of pure limestone water. Such springs are scattered over Madison County, but most are located in the southwestern quarter of the country. These springs flow from hills or bluffs, and come out as deep well-like holes or springs which cover an area to form a pond. In whatever they occur, they run off as large creeks. The Big Spring of Huntsville is typical of these springs in its form, though it does have certain unusual features.

Two of these distinctions are the composition of the bluff and the temperature of the water. The bluff above the spring is about fifty feet high, and is composed mainly of cherty limestone, with the large portion of chert or quartz lying in irregular seams. The water, which flows from under the bluff, has a temperature in June of 60.8 degrees, while the air has a temperature of 80.6 degrees F.[243] According to a boastful Huntsville

[243] Henry McCalley, Geological Survey of Alabama: Report on the Valley Regions of Alabama (Paleozoic Strata), Vol. I: The Tennessee Valley Regions, (Montgomery: Jas. P. Armstrong, 1896), 139-139.

newspaper of 1884, tests proved the water to be several degrees colder than any other spring in the United States.[244]

[244] Huntsville Independent, April 3, 1884

Though the Huntsville Big Spring resembles the large springs in the Tennessee Valley, it does not furnish as much water as some. The big spring in Tuscumbia, probably the largest in North Alabama, runs off over one thousand cubic feet of water per minute.[245] The Big Spring of Huntsville flows at eight hundred cubic feet per minute, or about twenty-four million gallons a day. [246] The Huntsville Big Spring was adequate, however, to completely supply the water required for Huntsville until 1957. It even furnished its own power for pumping, and enough water for a canal to float cotton boats to the Tennessee River.

The Big Spring was known by this same name to the Cherokee and Chickasaw Indians of the region. The spring not only furnished life-sustaining water for the Indians, but also watered the teeming wild life area toward the Tennessee River. The two Indian tribes thus declared the tract a joint hunting ground for deer, bear, ducks, wild turkeys, and fish.

In searching for a big spring, John Hunt, one of the founders of Huntsville, came to North Alabama from Tennessee. In the fall of 1804, Hunt and a companion, David Bean, came to the Great Bend area of the Tennessee River to locate a large spring for a settlement nearby. While on their journey, they spent a night at the Joseph Criner cabin on the Flint River. Their host probably gave them directions to the Huntsville Big Spring. After finding the Big Spring and constructing a cabin near its banks for John Hunt, the two men returned to their homes. In the spring of 1805, John Hunt brought his family from East Tennessee to their new home. Those who soon followed hunt also settled around the spring and formed the squatter community of Hunt's Spring and later Huntsville.

The Hunt family and others residing near the Big Spring quickly encountered a difficult problem with rattlesnakes. A large number of snakes lived in the crevices of the spring bluff. The dangerous situation was partly solved by hollowing out canes, filling them with gunpowder, thrusting them into the rocks, and then igniting the powder. The repeated blasts caused the retreat of the snakes to other cave-like crevices.

Before the United States government land sales for the North Alabama region in 1809, John Hunt made an application as squatter to purchase two hundred acres in the immediate area of Huntsville. He failed, however, to pay the necessary cash required to hold the land, which included the Big

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[245] McCalley, Survey, 153.

[246] Robert Somers, The Southern States Since the War, (London: Macmillan and Company, 1871), 112.

Spring. At the government land sales, Hunt signed papers for a section of land containing another spring. Due to poor financial management, he was again unable to make the payments, and the land reverted to the United States Government.[247]

The first person to actually purchase the Big Spring was Martin Beaty of Lee County, Virginia. On July 11, 1808, Beaty paid one thousand dollars for a square of a thousand acres. He bought the land from Zachariah Cox, a grantor of the Tennessee Land Company of 1795, a private land company with doubtful jurisdiction to sell the land.[248] Years later and after much confusion over land titles, Beaty reached a compromise United States Government and relinquished his claim to the land and the Big Spring.

Several hundred people lived near the Big Spring by 1809. Many were concentrated on the land extending eastward from the spring to a knoll, later named Pope's Hill and then Echols Hill. Settlements were also made southward from the spring along a trail, now Whitesburg Drive, to Ditto's Landing on the Tennessee River. The Madison County population in 1809 included 2,223 persons and 322 slaves, with 353 heads of families.[249] Numerous people had evidently scattered into the Indian lands, despite orders to wait until the official land sales.

The Government Land Office in Nashville, Tennessee, was the scene of sharp competition for the southwest quarter of section thirty-six, township three, range one west, or the section containing the Big Spring.[250] On August 25, 1809, LeRoy Pope got the prize by paying $23.52 per acre.[251] The price was four times the amount paid for any other land in the county.

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[247] Thomas Jones Taylor, "A Diary of the History of Madison County", 7-9 A typewritten copy is on file in the Huntsville Public Library, Huntsville, Alabama.

[248] Deed Book EE, 1-2. Office of the Probate Judge of Madison County, Madison County Courthouse, Huntsville, Alabama

[249] William Darby, View of the United States, Historical, Geographical, and Statistical; Exhibiting, in a Convenient Form, the Natural and Artificial Features of the Several States, and Embracing those Leading Branches of History and Statistics Best Adopted to Develop the Present Condition of the North American Union, (Philadelphia: H. S. Tanner, 1828), 487

[250] Plat book of Madison County. Office of the Probate Judge of Madison County, Madison County Courthouse, Huntsville, Alabama.

[251] Government Tract Book of Madison County, 36, Office of the Probate Judge of Madison County, Madison County Courthouse, Huntsville, Alabama.

The sections adjoining the Big Spring only brought from two to four dollars per acre. Pope bought four quarter sections in all, the other sections lying north, east, and west of the spring section.

LeRoy Pope purchased this particular land hoping to have the county seat established on a portion of it. The Territorial Legislature appointed a five-man commission in December of 1809 to choose the seat. Even though the geographical center of the county was nearer Meridianville, the commissioners selected a location near Big Spring. The decision was certainly influenced by the commissioners living near the Big Spring, and by a pledge from LeRoy Pope to deed thirty acres for the town site.[252]

As promised, Pope and his wife deeded the acreage to the city commissioners for $750. He still controlled the Big Spring because he retained that portion of the land for himself. Pope did, however, promise the citizens of Huntsville free use of the water, in return Pope requiring access to the spring be maintained. He also stipulated no dams or machinery could be built at the spring that might harm the quality of the water and endanger the health of the population.[253]

While the town site was being surveyed, the streets were plotted to run in a rather peculiar direction. Instead of following a true north, south, east, and west direction, they were set thirty-four degrees north of west from the true meridian. This unusual arrangement was chosen so the spring and bluff would be left in a square without crowding the adjoining building lots. Jefferson Street was the first street to run parallel to the line of the bluff, with all the others conforming to it.[254]

Water transportation improvements for Huntsville centered around the Big Spring. From an early date, the abundance of water in the semicircle pond at the headwaters of the spring and the stream or branch from the spring encouraged dreams of a canal to the Tennessee River. The realization of the dream began when the Indian Creek Navigation Company was chartered in 1820, under the direction of LeRoy Pope,

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[252] Thomas Jones Taylor, "Early History of Madison County and Incidentally of North Alabama", Alabama Historical Quarterly, I, (Summer, 1930), 164.

[253] Deed Book F, 307.

[254] Taylor, "Early History", 165.

Thomas Fearn, Stephen S. Ewing, Henry Cook, and Samuel Hazard.[255]

The drive for canal construction, led by Doctor Thomas Fearn, President of the company, generally met with an enthusiastic response from the Huntsville citizens. Knowledge that the proposed canal could furnish an easy method for shipping cotton by keelboats prompted the immediate start of construction. Furthermore, completion of the canal would also provide an all-water route from Huntsville to New Orleans, leading cotton port of the South.

The Indian Creek Navigation Company built a series of locks and dams to regulate the water flowing from the Big Spring Creek into the Indian Creek and then into the Tennessee River at the river port of Triana. The lower part of the canal nearest the river was operational by 1822.[256] In five years, cotton was shipped by water from Sivley's Mill, three miles below Huntsville to Triana. The first keelboats did not arrive at the Big Spring, however, until April 5, 1831. Naturally, the long-waited event sparked a great celebration to welcome the boats to Huntsville.[257]

The boom period for the city of Triana and the use of the canal was shortlived. Except in high-water seasons, the canal lacked sufficient water to float keelboats. The building of a turnpike and later a railroad from Huntsville to the Tennessee river introduced greater speed and the use of modern science to local transportation. Many of the canal stockholders were nearly reduced to bankruptcy before abandoning the canal enterprise.[258] The goal of a canal from the Big Spring, however, was achieved; and for a few years, the Indian Creek or Fearn Canal, the first in Alabama, was a success.

While the main interests of the Huntsville citizens was in the canal, a more significant and longer-lasting project was undertaken in 1823. In that year, the Trustees of Huntsville contracted with Hunter Peel for the construction of a city waterworks, the first public water system in Alabama. For the token price of one dollar, LeRoy and Judith Pope granted

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[255] Harry J. Toulmin, Digest of Laws of the State of Alabama: Containing the Statutes and Resolutions in Force at the End of the General Assembly in January, 1823, (New York: Ginn and Curtis, 1823), 710.

[256] Alabama Republican, (Huntsville), August 31, 1821.

[257] Edward Chambers Betts, Early History of Huntsville, Alabama, 1804-1870, (Montgomery, 1916), 66-68.

[258] Huntsville Independent, February 7, 1884.

Peel the right to build a dam on their Big Spring property. The dam was to create a waterfall which would turn a hydraulic engine or wheel. The power from this engine was to raise the water above the spring bluff, and then to send it to various outlets in Huntsville and the surrounding area. Hunter Peel was also given the privilege of building a small house to cover and protect this machinery, and the title to control and to collect the proceeds from the waterworks. The contract with Peel, however, would be void if water was not pumped in sufficient quantity to supply the house and stables of LeRoy Pope, located on the west side of the Hill, now known as Echols Hill. Within one year from the signing date, Peel was to have the necessary water supply in the hydrant nearest the Pope house. This hydrant was in a most unfortunate location, about a hundred feet above the spring and about a half mile away. The contract could also be canceled if the reservoir, named in the agreement, was not filled for a period of three months.

Soon after Hunter Peel received the contract in April of 1823, he formed a ten-year partnership with James Barclay, a practical machinist. Together, they designed the water system, including the reservoir and the pipes.[259] A plank reservoir, with a capacity of one thousand cubic feet, was built on the courthouse square for fires and other emergencies. Actually connected to the end of the courthouse, this structure was often described as an extremely unattractive building.[260] Hunter Peel supervised the making and the laying of the pipes. The pipes were hollowed-out cedar logs, shaped to a point on one end so that the point would be driven into the opening of the next log. According to specifications, the pipes were buried deep enough to keep them from freezing and to prevent any interference in the building and the opening of streets.[261]

The basic plan of the Huntsville waterworks was to pipe through the major streets, and then allow every family the privilege of laying a waterpipe from the pipe to a hydrant in their yards. The system proved

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[259] Taylor "Diary", 31; Contract Between LeRoy and Judith Pope and Hunter Peel on April 14, 1823. A copy is on file in the Huntsville Public Library, Huntsville, Alabama. The original is in the possession of Mr. Spragins, President of the First National Bank of Huntsville, Alabama.

[260] Southern Advocate, (Huntsville), May 18, 1827.

[261] Taylor, "Diary", 31.

inefficient and the water supply inadequate.[262] General dissatisfaction with the operation grew quickly with the major grievances being the use of yard hydrants by neighbors and the habit of running the hydrants continuously. Since the hydrants were available to all and there were no meters, regulation seemed futile and waste apparently uncontrollable. Discontent increased in direct relation with the decrease in the amount of water. The local newspapers frequently printed complaints, along with appeals for water conservation.[263]

Popular interest and agitation led to an attack on the water system. The editor of the Southern Advocate wrote bitter editorials showing that not only had the waterworks not been finished, but the citizens of Huntsville had paid far too much for the completed work. By this time, Hunter Peel had already been removed from his contract because he had not fulfilled the provision concerning the supply of water to the home of LeRoy Pope. For a brief time, Joshua Cox administrated the operations and tried to complete the system. Finally, in 1827, new management assumed control and made arrangements to rebuild and improve the waterworks.

Under the supervision of Sam D. Morgan, the installation of a new dam, a nine-inch pump, an engine house and machinery made the water system larger and more effective. The old reservoir connected to the courthouse square. The expense of the reservoir construction was place on the citizens of Huntsville, with some assistance from Morgan.[264] The pipes for the new system were again red cedar logs, about eight feet in length and fashioned in the same way as the first ones. Unlike the earlier system, the joints or connections were held in place by iron hoops or bands.[265]

Sam Morgan operated the system until 1836, when Dr. Thomas Fearn and George Fearn gained control of the water works and made it a private subscription operation. In their contract with the city, the brothers agreed to lay iron pipes and build a new reservoir.

Within a year, the main pipes to the corners of the courthouse square

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[262] Williams, Huntsville Directory—City Guide and Business Mirror, (Huntsville, 1859), 12.

[263] Southern Advocate and Huntsville Advertiser, August 12, 1825 and December 9, 1825.

[264] Southern Advocate, (Huntsville), May 13, 1827.

[265] Betts, History, 74.

were replaced with five-inch iron pipes. Other pipes under the courthouse square and the major streets were replaced in five years. If they were in good condition, the remaining wooden pipes continued in use until repairs were needed. Except along sidewalks and sidetrenches, no more wooden pipes were to be laid.[266]

The Fearn contract specified that the reservoir should be elevated forty feet above the surface of the courthouse square. The site selected for the reservoir was Echols or Pope's Hill, near the junction of Echols and McClung Streets. Since the construction of the base of the reservoir required drilling through a bet of solid limestone rock, the cost of construction was immense and was shared by the citizens and the Fearn brothers. The structure was seventy feet in diameter and ten feet deep, with a capacity of 287,532 gallons of water.[267]

The Fearns paid for repairs on the reservoir and added an iron pump to the spring. Further improvements included the erection of more fire hydrants and more wells on the courthouse square and along the streets for use in extinguishing hydrants, they were in limited number and were only around the courthouse square. The later additions greatly increased the effectiveness of the Huntsville Fire Engine Company, which had been incorporated by the state legislature in 1822.[268]

City ordinances were enacted against wasting water, damaging the waterworks, and abusing the privilege of using the water. The fines from the violations were payable to the Fern brothers. But of course, their principal source of money was from the sale of water.[269]

For over a decade the water supply for the city of Huntsville came from the Big Spring and its waterworks without the city holding title to either the Big Spring property or the waterworks. During this span of years, the spring and the vacant land attached to it became the property of William W. Pope, a son of LeRoy Pope.[270] On October 14, 1843, he and his wife deeded the Big Spring and all the land immediately around the spring to the city of Huntsville for one dollar.

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[266] Deed Book Q, 596-598.

[267] Williams, Directory, 19.

[268] Deed Book Q, 598; Betts, History, 74; Toulmin, Digest, 847-848.

[269] Deed Book Q, 598.

[270] Deed Book P, 1.

The generous offer of William Pope had certain conditions! The city was to make some proposed improvements, as constructing a wall around the large pool at the spring, beautifying the spring branch and therewise benefitting the health of the citizens. All orderly, peaceful people were to have free access to the area for walks and pleasure at all times. The land occupied by the dam, the machinery, and forty-five-foot square between the dam and the pumping house went to Dr. Thomas Fearn for one dollar, with the stipulation that the land only be used to supply the city with water.[271]

Although the city now owned the Big Spring, Dr. Fearn continued to operate the waterworks. In 1854, the City Council named a committee consisting of Irvin Windham, John Patton, and Oliver D. Sledge to inquire into the possibility of purchasing the waterworks from Dr. Fearn. At the next meeting of the council the committee asked for and received more time to investigate the purchase. But it was not until November 23, 1858, that the City Council passed a motion made by the committee to buy the waterworks from Dr. Fearn. The city acquired the deed to the waterworks in 1858 for ten thousand dollars, with payments in ten equal annual installments. The order for the first payment of $1,080 was on December 6, 1859.[272]

The waterworks committee reported on the condition of the pipes, branch pipes, fire hydrants, and the building and the machinery at the spring on March 1, 1859. The estimated value of the entire system was $17,020.53. On gaining control of the water system, the city fixed new water rates. A tax for the use of water became effective July 1, 1859. Since no meters were installed, the assessment of homes and places of business was according to the value of the house or the type of business. A partial list of these yearly water rates is as follows:

Dwelling House of $1500 $5
Dwelling House of $1500-$4000
$10
Dwelling House of $4000-$8000
$12.50
Dwelling House of over $8000

[271] Deed Book U, 155-156.

[272] Minutes of the City of Huntsville, Alabama Council Meetings, Minute Book C, 34-35, 260, and 318.

$15

Private bath house or bath	$3
Shower bath	$2
Public bath house (per tub)	$5
Water closet in hotel or public building	$3
Water closet in private house	$2
Hotel or tavern	$50[273]

There were no major improvements on the waterworks during the Civil War and Reconstruction Period. The waterworks were in such poor condition in 1886 that the City Council asked the state legislature for authority to issue fifteen thousand dollars in bonds to finance repairs. Another bond issue of ten thousand dollars was begun in late 1894. Although used in various ways, the money from the bonds was applied chiefly to laying more iron pipes and to increasing the size of the main pipe lines.[274]

A new reservoir on Echols Hill was built between 1887 and 1890. It was sixty feet high, held 60,000 gallons of water, and cost seven thousand dollars. The land for the reservoir was given to the city by O. B. Pattins, in return for free water forever for himself and his heirs at his residence and stable.[275]

In the late 1880's and 1890's, the city experienced some difficulty collecting the water tax and controlling excessive wastefulness. To eliminate the first problem, the water tax was made payable quarterly and in advance. Termination of the water supply followed without delay for the nonpayment of the tax after notice. To solve the other problem, the police had the authority to inspect any hydrant or pipe and to issue a five dollar fine for any unnecessary waste. Later, the mayor appointed an inspector for the waterworks who had police power to handle any violation that might occur.[276]

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[273] City Council Minute Book C, 283 and 296.

[274] City Council Minute Book I, 270 and 288; City Council Minute Book II, 137.

[275] City Council Minute Book I, 238.

[276] City Council Minute Book I, 200, and 441; City Council Minute Book II, 112.

Despite these problems, the system continued to improve and expand. According to the report of the water inspector, John G. Baker, on February 10, 1889, there were 591 hydrants, 162 water closets, 63 baths, 89 sprinklers, and seven soda fountains.[277]

Visitors and travelers to Huntsville in the 1800's generally thought the Big Spring was a great natural curiosity and the outstanding feature of the town. Those who wrote journals or letters appear to have heard much about the spring even before their arrival. They seem to have been even more impressed after seeing it. All had the highest praise for the Big Spring, believing that Huntsville had the best natural water possible. The editor of the Detroit Press in 1884 thought the spring was one of the finest in the entire country.[278]

Some travelers declared health conditions in the South, as compared with the East and the North, were rather lacking. When they reached Huntsville they definitely found an exception to their belief. The Big Spring water was a great health aid to the city, and several health resorts were established at nearby springs.[279]

One writer thought a prominent part of the Huntsville landscape was the county courthouse square, with its hundreds of saddled horses. Another believed a distinguished aspect of the city was its friendly, intelligent and sophisticated people. Yet all the writers considered the Big Spring to be the main feature of the city.[280]

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[277] City Council Minute Book I, 445.

[278] Huntsville Independent, April 3, 1884.

[279] A Citizen from Maryland, The Rambler or, A Tour Through Virginia, Tennessee, Alabama, Mississippi, and Louisiana; Describing the Climate, the Manners, Customs and Religion of the Inhabitants, (Annapolis: J. Green)

[280] Charles Lanman, Adventures in the Wilds of the United States and British American Provinces, (Philadelphia: W. Moore, 1856), 153; Anne Royall, Letters from Alabama on Various Subjects to Which is Added an Appendix, Containing Remarks on Sundry Members of the 20th and 21st Congress and Other High Characters, etc. at the Seat of Government, (Washington: 1830), 44.

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