

# *The Huntsville Historical Review*

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*And More*

*Yesterday is history. We study yesterday to influence a better tomorrow!*

**President's Letter**  
***Huntsville Historical REVIEW***  
**Fall 2016**

Since he took over as editor, the *Historical Review's* Arley McCormack has been evangelizing for articles on significant, local history, and it is finally paying off. In addition to a back-log of articles, he now has a pile of compelling historical notes that cry out for writers to transform them into *Review* articles; guidelines for doing that appear elsewhere in this journal. Please consider immortalizing yourself by becoming a *Review* author. All *Reviews* are digitized by HMCHS member Dr. Deane Dayton and are accessible by researchers from anywhere in the world from [www.HuntsvilleHistoryCollection.org](http://www.HuntsvilleHistoryCollection.org)

Your Historical Society Board has been very busy since the last *Review*.

- On June 9<sup>th</sup> we held a meeting at the EarlyWorks Children's Museum for approximately fifty historians or historical entities in the Huntsville-Madison County area. The purpose was three-fold: 1) to connect the historians, 2) to give them an update by Exec. Dir. Bart Williams on refurbishment plans for Constitution Village, and 3) to brief them on the upcoming Bicentennial – Alabama's 200<sup>th</sup> birthday.
  
- We held a follow-up meeting on August 18<sup>th</sup> for historians from 21 cities and towns in a five-county area around Huntsville. Dubbed the *Confederation of Historians*, they

heard local attorney and Madison County Bicentennial Chairman Julian Butler tell of plans for the local celebration in 2019. The historians also brainstormed in groups, devising ways they can generate Bicentennial initiatives in their own communities and organizations.

- In an effort to raise the Society's visibility with local educators, we have launched the History Outreach Program for Educators (HOPE). The program includes a website that is being shared with local public schools, private schools, and homeschools in the current term. This website brings together useful digital resources on local history from the collections of the Historical Society and the Huntsville History Collection – supplemented with high quality Alabama history resources from across the internet. The HOPE website also includes 16 books provided by a variety of local authors and associations; Dex Nilsson has authorized HMCHS to return his book to print: *Why Is It Named That?* The very capable Kelly Hamlin has been designated as the HOPE coordinator.
- At the general membership meeting on Sept. 11, we announced the inauguration of the annual *Ranee Pruitt Award for Excellence in Historic Preservation for Huntsville and Madison County*. A nominating committee consisting of David Byers, Ron Bledsoe, Jacque Reeves, and Suzanna Leberman has already made a selection and has been approved by the Board. The award will be presented at a banquet-like luncheon on March 22, 2017, in Huntsville at a location to be determined. A note-worthy speaker will be sought for the occasion. Ranee Pruitt, now

deceased, was the go-to person on local history in her office at the HMCP Library's Heritage Room on the third floor. Everybody came to her. She was the portal for Huntsville history, so we are pleased to name this award for her.

- The Historical Marker Committee is continuing with restoration of several existing markers in preparation for the Bicentennial. Three of them are: 1) St. Mary's Church of the Visitation, 2) Buckhorn Tavern, and 3) Town of Gurley; five more will be refurbished over the coming year. Marker committee chairman Alex Luttrell says they are also working with other organizations to fund the restoration of some markers. And the committee is looking at new marker possibilities, including the 50<sup>th</sup> anniversary of the Apollo moon landing. The Committee is collecting ideas for other new markers to be erected during the 2017-2019 time-period. Please let us know if you have an idea for a new marker.

John Allen, president

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# **A Technical Perspective of Greater Huntsville's First 150 Years**

*by*  
**Raymond C. Watson, Jr.**

A book, *Huntsville's Technological Evolution* (Trafford 2015) by the author of this article, provides a technical history of Greater Huntsville from 1800 to the present. While the primary intent in preparing the book was to document detailed coupling of technical activities throughout the years, the first two chapters are more of a general history nature. This article is based on the information in these chapters, perhaps making it of interest to a broader readership.

The article is in two Parts covering 1800-1899 and 1900-1950; Part I also has information on the native Indian land.

## **PART I – ORIGINS and MATURING**

### **Indian Land**

Before the arrival of Spanish, French, and British explorers, the southeastern woodland areas of the present United States were primarily occupied by tribes of Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Indians. A tradition in the tribes was that they had come to this area from northwest Mexico; moving as a body in a 15-year migration across the continent, they sought a new homeland after Spanish conquistador Hernán Cortés conquered the Aztecs in 1520.

A large region in the area was called *Ah-la-bama* by the Muscogee Indians. French maps of the region from the late 17th century show a large traversing river looping south and then north

around the area – later called the “Great Bend” – indicating early French explorations. A 1755 British map showed this as the “River of the Cherakees” [sic]. The name Tennessee is believed to have come from *Tanasi*, a Cherokee Indian town.

The broad area in the present North Alabama adjacent to the Tennessee River is commonly called the Tennessee Valley, herein simply “the Valley.” The Cherokee Indians were the first well-identified inhabitants spread across the Valley, but in the mid-1600s, they primarily withdrew their villages to the mountains to the northeast, reserving the flat portions of the Valley as a large hunting ground.

In about 1765, some of the Chickasaws from the western portion of the Valley moved into an area near the Tennessee River in what is now the southern part of Huntsville. This was challenged by the Cherokees, and in 1769, there was a major battle at the settlement; the Chickasaws won, but



**Early Cherokee House**

soon moved back westward to their earlier lands. Thereafter, the area of the abandoned settlement was known as the Chickasaw Old Fields; this became a benchmark for future divisions of the land.

In the late 1700s, President George Washington termed the Cherokees, Chickasaws, Choctaws, Muscogees (Creeks), and Seminoles the Five Civilized Tribes, recognizing their adoption (albeit it limited) of the colonists’ Anglo-European culture. The bulk of the people lived in villages and towns, some of which had populations in the thousands.

As the overall territory was developed by the White settlers, the Chickasaw nation became in debt to the traders and merchants, and also needed funds for local improvements. In the Chickasaw



Treaty of 1805, the land between the east boundary and a straight line running at about 45 degrees northwest from the Old Fields to the ridge near the main source of the Buffalo River, was ceded to the United States. For this, the Chickasaw nation was paid \$20,000, the debt of \$2,000 was settled, and the Chickasaw king, Chinubbee Mingo, was to be paid an annual annuity of \$100.

Similarly, in the Cherokee treaty of 1806, all their territory north of the Tennessee River and west of a line drawn from the upper part of the Chickasaw Old Fields northerly to the Elk River, was ceded to the United States. For this, the Cherokee nation was paid \$10,000 and the Cherokee chief at that time, Black Hawk, was to be paid an annual annuity of \$100. In addition, a grist mill would be built in Cherokee country, and a machine for cleaning cotton (a hand-powered cotton gin) would be provided, indicating advancement in their farming.

The tract of land acquired by these two treaties became the original Madison County of 1808. For the next two decades, the Cherokees and Chickasaws lived peacefully in the land adjacent to Madison County. Overall, the Cherokees advanced greatly; they had a written language (a syllabary) developed by George Guess/Gist (Chief Sequoyah) between 1809 and 1824.

Further south in the territory, there were conflicts with the Red Sticks tribe of the Muscogees. This led to the so-called Creek War and the Battle of Horseshoe Bend in 1814 (described later). In the following years, over 40 treaties were signed with various Indian nations throughout the South; continuing conflicts, however, led Congress to pass the Indian Removal Act in 1830, calling for the Five Civilized Tribes to move to the Indian Territory (Oklahoma). The Cherokee people, the largest and last tribe moved, called this journey the "Trail of Tears."

## Pioneers

Before 1800, there was confusion as to governmental ownership of the land in the region containing the Great Bend of the Tennessee River. In 1783, the Georgia Legislature declared the northern region extending westward to the Mississippi River to be in their territory. In 1795, Georgia sold 40 million acres of these western lands to four land companies for \$500,000, or 1.25 cents an acre; included was the land that eventually became Madison County. Under what was later called the Yazoo Land Fraud, much of this was in turn sold to buyers throughout the nation who never saw, much less occupied, their new land. Georgia eventually surrendered its claim in 1802, transferring to the United States Government a large area that later became Alabama and Mississippi. It took years to settle the claims of absentee land owners.

In the south nearer the Gulf, Spain claimed the land. Mobile, started in 1702, had been a colony of France, then Britain, and finally Spain. By the Treaty of Madrid in 1795, Spain ceded to the United States the lands east of the Mississippi River and above the 31° N Latitude. In 1798, Congress organized this district as the Mississippi Territory, with the Territorial Governor's office at St. Stephens, a few miles north of Mobile. The surrounding Washington County – the first in the Territory – was formed 4 June 1800.

There are records of White groups passing through the area that is now Madison County before 1800 – such as a band of about 160 persons on the Tennessee River in flat-bottom boats making their way to settle Nashborough (later named Nashville) in 1784 – but it is generally accepted that James (also called John) Ditto (1743-1828) was the first settler in this area.

According to family history, James Ditto, accompanied by one or more of his sons (his wife had recently died), arrived at a point on the Tennessee River near the Chickasaw Old Fields. Based on



***Flat-Bottom Boat***

dates associated with his son Josiah, this arrival would have been in 1802. It is likely that Ditto had used a small flat-boat to drift down the river, also carrying goods for trading with the Indians; records show that he was operating a trading post at a place called Ditto's Landing by 1805. To improve local travel, he started a ferry across the river in 1807 – the first recorded technological advancement in the area, allowing improved transportation over a fraction of a mile.

When Tennessee became a state in 1796, the southern border was set exactly at the 35° N Latitude. The first settlers in the future Madison County area just below this border scouted in 1803, then returned with their families in 1804; these were Isaac Criner (1783-1876), his uncle Joseph Criner (1767-1843), and Thomas McBroom (1784-1843). They had followed a trail from East Tennessee, a distance of at least 175 miles. The Criners built homes in what is now New Market; McBroom travelled farther south and built near what later became Gurley.

These pioneers certainly carried a flint-lock musket and likely had a pocket compass – a very common and relatively inexpensive device – and used this to maintain direction and identify the return path. The musket and compass then might be considered the first new hardware technologies introduced to this area.

In the spring of 1805, John Hunt (1750-1822) and Andrew Bean, exploring from their homes near Tazewell in East Tennessee, crossed into the new territory and found the Criners – this would

have been a total trek of about 270 miles. There they were told about a large spring with an abundance of game further south that had been reported by an earlier explorer, Samuel Davis; Indians called this *Waiki Lako* – “Big Spring.”

After a brief stay with Joseph Criner, Hunt and Bean continued on a southwest path of about 15 miles and soon found this spring. The spring was semi-circular, some 100 feet in diameter, and flowed from beneath a high bluff. Nearby was the start of a crude cabin (possibly made by Samuel Davis); Hunt and Bean built a cabin on this site.

Bean decided to return and live in Tennessee, but Hunt, who was then 55 years old and had earlier been a sheriff and a militia captain, went back to Tazewell, settled his affairs, and returned to his cabin with his wife and three of his sons in the late summer of 1805. While in Tennessee, Hunt had given glowing descriptions of the land that he had found, and was soon followed by other families; this was the beginning of a small community that they called Hunt’s Station.

The pioneering period for this area was relatively brief, basically between 1805 and 1810. In this time, many families seeking new land and fresh opportunities trekked into the territory. In addition to Hunt’s Station (later Twickenham and then Huntsville), early towns included New Market, Hazel Green, Meridianville, Maysville, and Scotts Mill (now Brownsboro). The first settlers in these communities were true pioneers, living under the dangers, trials, and tribulations of pioneer life; however, unlike in many other pioneering areas, there were no problems with the Indians. The settlers were known as “squatters,” building on government-owned land with the hope of buying their homestead when the land was sold.

## Surveying and Mapping

The basic art and science of surveying is ancient; it was known to the early Greeks and Romans, as shown by their roads and aqueducts; foundations of trigonometry – basic in surveying – were used in ancient Egypt. Because of the value of land, surveying was one of the first occupations in most states to require official recognition.

In 1784, then-Congressman Thomas Jefferson proposed an ordinance for dividing the land gained by the United States from the Revolutionary War; this used a modified version of the Imperial land-measurement system used for centuries in Great Britain. The next year, the details of the Public Land Survey System (PLSS) were formed and started to be used. This divided all of the land (public and private) into townships, primarily squares six miles on the side and referenced to due north. Townships, in turn, are divided into 36 square sections, each being one mile on the side and containing 640 acres. Sections, in turn, are usually divided into quarter-sections of 160 acres, these into quarter-quarter sections of 40 acres, and finally into lots of various size and shape.

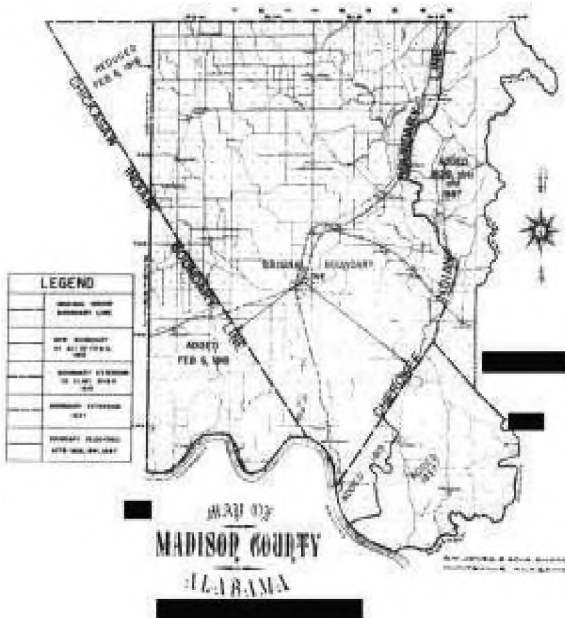
The selection of 640-acre townships as a standard in the PLSS was to allow up to seven divisions by halving but still retain a whole number of acres. (A half of a quarter-quarter-quarter section is five acres.) To identify the location of townships, sections, and their subsections, rectangular grids are used. For these grids, horizontal baselines and vertical meridians were established, with the designated Center Point being the crossing of the Principal Meridian and a Base Line.

After the Mississippi Territory expanded, the Federal Government used the PLSS to map the southern half of this region in 1805, and then followed with the northern half in 1807. For the

northern half, the Base Line was the Tennessee border at N. Latitude 35°, and the Principal Meridian – later called the Huntsville Meridian – was along Longitude 86°-34'-16". (With improved techniques and instruments, the Tennessee border was later changed to Latitude 34°-59'-27", about a mile south of the intended line.) All land in the present Madison County is mapped into townships, sections, and quarter-sections measured from this 1807 Center Point. Settlers mainly came into the area along a southward path that was about the same as the Principal Meridian.

The established practice of surveyors at that time involved observing the pole star (Polaris) to find true north at the Center Point, then use of a vernier compass (a magnetic compass with two vertical sights) mounted on a tripod and a Gunter's chain (a flexible measuring tool 66-feet long, then 80 chains equals one mile).

Through this practice, a surveyor could find the desired path and set



**Growth of Madison County - G.W. Jones & Son, 1934**

up markers at corners of townships and sections.

Madison County, in the Mississippi Territory, was officially created by the Territorial Governor on 13 December 1808. It was

named for James Madison, then Secretary of State and President-elect of the United States. A geographical survey of Madison County was made for the Federal Land Office and conducted by the official territorial surveyor, Thomas Freeman; this was completed in May 1809. (Freeman was a nationally known surveyor and friend of George Washington; he died when visiting at Huntsville in 1821, and is buried there.)

The initial area – with an arrow-head shape defined by the previously noted Chickasaw (1805) and Cherokee (1806) Treaties –encompassed roughly 540 square miles (near 345,000 acres). Land areas were added several times, and then redefined through 1887; this finally gave Madison County a total of 806 square miles (515,840 acres) and its present shape.

While making the land survey, Freeman also took a census of squatters in Madison County; released in January 1809, it showed 353 heads of White families and a total population of 2,545 persons distributed 1,150 White males, 1,073 White females, and 322 Black slaves. Many people had come into the new land, although orders were to wait for the public land sale.

After Madison County was created as part of the Mississippi Territory and the land surveyed, a Public Land Office was opened at Nashville. On 25 August 1809, the sale of public land began. Persons from Madison County had to make the trip to Nashville – averaging some 100 miles and over 20 hours on horseback – and wait until their section came up for bid. Settlers to this area had no means of exchanging messages with the outside world other than hand-written letters that were carried from post to post. [Note 2]

Most of the bidding at the public sale was for farm land, which sold for about \$1.75 per acre; occupied land, however, sold for much more. Buyers paid five percent down, then had four years at six percent interest to make full payment. Eventually, less than

half of the squatters were able to buy their land. Overall, the sale was so successful – over 53,000 acres in Madison County had been sold by late 1810 – that the Land Office was transferred to Huntsville in 1811.

At the initial land sale in Nashville, John Hunt found that he had not registered as an existing squatter – giving him special bidding rights – and had to bid against all other interested persons. LeRoy Pope, a wealthy tobacco planter and lawyer from Petersburg, Georgia, successfully bid for the 160 acre quarter section (in Section 36, Township 3 South, Range 1 West) that contained Big Spring and Hunt's home; Pope paid \$23.52 per acre, the highest price of the auction.

Unable to match Pope's bid, Hunt successfully bid – paying 5% down – on land located about two miles south of Big Spring. For a few years, Hunt farmed and also served as the county's first coroner. With failing health, Hunt eventually sold his property and lived with his married daughter and her husband. The pioneer settler of Huntsville died in 1822, and it is believed that he was buried in an unmarked grave at the Acklin (later Sively) graveyard; this site is long lost, but, tragically, thought by some to be where the Huntsville trash dump is now located.

In the land auction, LeRoy Pope also bought the quarter section containing Ditto's Landing. Ditto was allowed to continue operating a trading post and the ferry, but he eventually bought land east of the landing. John Ditto died there in 1828, but his burial place is unknown.

Since LeRoy Pope was the primary owner of the most of the land being developed around the Big Spring, he influenced the Territorial Legislature to have the village named Twickenham – a name taken from a place in England that he admired. This name shows on documents for several years; however, to credit Hunt for



its start, the Territorial Legislature changed the name to Huntsville. On 9 December 1811, Huntsville became the territory's first incorporated town.

In 1821, James White brought a flatboat loaded with salt, iron, sulfur, and other items down the Tennessee River to Ditto's Landing. Four years later, having established a salt monopoly, White started the town of Whitesburg with a port taking the place of Ditto's Landing. He later had many stores along the river and is often called Huntsville's first entrepreneur.

### **Defending the Territory**

In 1813, there was an uprising by the Red Sticks faction of the Creek Indians at Fort Mims about 40 miles north of Mobile; some 250 refugees and defending militia were slaughtered – the worst massacre by Indians in American history. The Red Sticks uprising soon spread over the lower part of the Mississippi Territory. The Government in Washington made a plea to Tennessee for Colonel Andrew Jackson to help in putting down the rebellion. Jackson asked the various militias of the region to form a defending army. Scouts were sent across the Tennessee River into the Creek territory, and returned with the false rumor that an attack on Huntsville was imminent. The assembling of defenders began on 11 October 1813, starting with a 32-mile forced march from Fayetteville, Tennessee, to Huntsville in five hours.

Companies of frontiersmen from across the region joined Jackson's Tennessee Riflemen in Huntsville at Camp Beatty, a large staging area with a good water supply located near the present-day Brahan Spring Park. The troops also included mounted cavalymen from Tennessee, four companies from Huntsville, and one from Hazel Green. David Crockett and Sam Houston were among the Tennessee sharpshooters. Armed with

flintlock-action long-rifles, these sharpshooters could hit a moving target at a range of 200 yards.

In early November, Jackson's rugged army crossed the Tennessee River by Ditto's ferry, moved south to destroy the Red Sticks strongholds at Tallushatchee, and followed this at Talladega. Jackson was promoted to Brigadier General, and his army was joined by a regiment of U.S. Army infantrymen plus several hundred Cherokee and Choctaw allies. Although lame, Chief Sequoyah was a horse-mounted combatant in the Cherokee troops. Jackson's force of about 3,300 men continued south to decisively defeat 4,000 Red Sticks at Horseshoe Bend – a section of the Tallapoosa River in the center of the Territory – on 27 March 1814. The Red Sticks lost an estimated 850 men, and Jackson lost 47, two being from Madison County; 23 Indian allies also died. In May, Jackson returned through Huntsville for a major celebration at LeRoy Pope's recently completed mansion.

## **King Cotton**

Farmers along the coast of Georgia and South Carolina began growing relatively small crops of cotton in the late 1700s. The freeing of the fibers from the picked cotton required several hours to produce a pound of cotton fiber, so other crops – such as corn and tobacco – were more profitable. However, this was changed by the invention of the cotton gin (“gin,” a short for engine) by Eli Whitney in 1793. Simple hand-cranked gins that operated in the field were used in Madison County essentially as soon as cotton farming started; these could produce about a pound of lint per hour. Early mule-drawn gins could produce up to 50 pounds of cotton lint daily; the first mule-drawn gin in the State was opened at the Barren Fork of the Flint River by Charles Cabaniss in 1810.

The ginning process usually gave about one-third of the input weight in lint and two-thirds in cotton seed. The lint was pressed into bales, typically about 350 pounds – the modern-day standard bale is 480 pounds. The bales were not highly compressed, but were actually large, oblong bags. Initially, ginned bales were mainly taken by wagon to Nashville, where they were loaded onto Cumberland River boats, ultimately reaching New Orleans. The wagons returned from Nashville carrying dry goods, groceries, and other staples.

Cotton farming in Madison County flourished and gained both regional and national recognition. The rich soil allowed the growing of up to 1,000 pounds of picked, but unginmed, cotton per acre. The 14 January 1811 edition of the *National Intelligencer* – the then-dominant newspaper in Washington, DC – reported that Madison County was the largest cotton producer of any county of its size in America.

After the federal land office moved from Nashville to Huntsville, a second land auction was held in 1818. For several years before the sale, word of the benefits of cotton farming in this area swept across the South; consequently, there were over 400 buyers at the auction. In one of the greatest speculative booms in frontier history, almost one million acres of land north and south of the Tennessee River sold for about \$5.5 million – buyers paying one quarter of the price at the time of sale and the rest in three annual installments. Thousands moved into the region; it was said that the profits from one year of cotton sale more than covered the cost of the land.

Cotton farms in Madison County varied widely in size and the number of slaves. Although about 60 percent of the farms were worked by the owners without any slaves, these were mainly only a few acres in size and constituted a small fraction of the total

farming acreage. On the other extreme, there were only a small number of large plantations with 50 or more slaves. In between, there were farms with less than 5 slaves, and many mid-sized plantations with 10 to 20 slaves. Just before the Civil War, 5 percent of the farmers owned over 35 percent of the agricultural wealth. The largest farm in Madison County was owned by brothers Samuel and Edmund Townsend in the Hazel Green area; this covered some 4,800 acres (7.5 square miles) in three separate plantations, with over 300 slaves.

From the time of first planting, the land in Madison County was, for the most part, used year after year for the same crop – cotton. Artificial fertilizer had not yet been developed; although it was known that cow manure was beneficial, it was not available in sufficient quantities to be of much help. As a consequence, by mid-century much of the land had decreased significantly in productivity. To counter this, more land was put into cotton farming, and the production of lint continued to increase.

The U.S. Census of 1840 shows 10,358,897 pounds of cotton gathered in Madison County. Since the cotton is indicated as “gathered,” it is assumed that this is the non-ginned amount; the lint amount would be about one-third of this figure. Unlike the earlier bags, bales by then were well-compressed bundles, averaging in weight about 375 pounds.

Cotton became the dominant sector of the Southern economy, and the number of slaves increased proportionally – from about 700,000 in 1790 to 3,200,000 in 1850. By the mid-1800s, the Southern states were producing about two-thirds of the world’s cotton supply, with most of it going to England. The cotton gin led the South to become the world’s first agricultural powerhouse; “King Cotton” was a slogan used to indicate the importance to the South.

## Water Transportation

Alabama is blessed with more miles of navigable waterways than any other state. There is little indication, however, that the original Indians made use of the rivers and streams for other than local transportation. With the first pioneers, the Tennessee River – forming the southern border of Madison County – was looked upon with great potential for long-distance transportation, but it would be many years before this potential was fully attained.

**Tennessee River** – The Tennessee River is formed at the confluence of the Holston and French Broad Rivers just east of present-day Knoxville, Tennessee, and flows along the top of Alabama, then back into Tennessee, and finally joins the Ohio River near Paducah, Kentucky – a total path of about 650 miles. The Ohio River flows into the Mississippi River near Cairo, Illinois; then the river flows freely past Memphis and on to New Orleans, both important ports for cotton milling and exporting.

In Alabama, starting a few miles downstream from Decatur, the Tennessee River has a 38-mile stretch of shoals and shallow rocks ending near Tuscumbia. The shoals cause the river at points to expand to as wide as three miles, but with little depth; this stretch divided the river into upper (up-stream) and lower (down-stream) segments. In the early years, this had limited navigation between the two segments to canoes, rafts, and flatboats.

The most important characteristic of flatboats was having a small draw (depth in the water), allowing passage over shoals and shallow rocks. The load-carrying potential of any boat is given by Archimedes principle: it is buoyed up by a force equal to the weight of displaced water. For a flatboat 10- by 20-feet in size and a draw of 12 inches, this would be over 12,000 pounds; for a large, long-distance boat 20-by 80-feet (sometimes called a New Orleans boat), this would be about 100,000 pounds. Early bales of ginned

and compressed cotton usually weighed around 350 pounds; thus, allowing for the weight of the boat itself, a small flatboat might carry up to 30 bales, and a large New Orleans boat could transport 300 or more bales.

In about 1815, flatboats started to be used to carry bailed cotton from Ditto's Landing and, somewhat later Triana – the second town incorporated in Madison County – downstream to New Orleans. Once there and the cotton delivered, the flatboat would be sold for salvage and the pilot and boat hands would make the long walk, or horseback ride, through Choctaw and Chickasaw country back to Huntsville. As flatboat traffic increased, licensed pilots who knew safe paths through the shoals would be hired for the stretch between landings at Decatur and Eastport, where the river returns into the State of Tennessee.

To reach the Tennessee River from Huntsville, an early toll road had been built to Ditto's Landing. It was expensive, however, to transport cotton this way – about one-third of the cost for river shipping all the way to New Orleans. Although canals had been used for waterways in Holland and England for many years, they only came of interest in America during the late 1790s. With the opening of canals in New York, consideration was given to having a canal serving Huntsville.



**Thomas Fearn**

**Alabama's First Canal** - In December 1820, the Indian Creek Navigation Company was chartered by the Alabama Legislature to build and operate the first canal in Alabama. Primarily using the Indian Creek, the canal ran from Big Spring to the Tennessee River near Triana. Many prominent men invested in the stock, including

Thomas Fearn and LeRoy Pope. Fearn – a well-known local physician nationally credited with discovering the nature of quinine – was the firm’s president and also led in much of the canal’s design.

Many problems were encountered, but it eventually began operations in 1831, with down-stream flatboats carrying up to 100 bales of cotton and 50 passengers. Loads on returning pole-powered boats included columns and copper roofing for the masterpieces being built in the area. It was found, however, that maintenance on the canal was an expensive, continuing process, and it finally closed operations in 1841.

### **Early Streets and Roads**

In late 1808, the Governor of the Mississippi Territory began appointments for officials in Madison County. Two of the first were Hugh McVay as County Surveyor, and John Martin as Road Apportioner – the official to determine road needs and authority to exercise eminent domain. John Leake was already performing as a surveyor, so McVay only served until Leake could be appointed. The initial town is believed to have been laid out by Leake in 1810; it covered about 60 acres in a grid of 20 square blocks. The original plan was not recorded and is nonexistent; the plat often called the original was actually drawn by Hunter Peel in 1821.

Hunter Peel (1786-1831) was born at Lancashire, England, and came to Huntsville in 1816. Having earlier served as an engineer in the British Army, he was soon appointed as the Madison County engineer and was responsible for much of the subsequent surveying in this area.

Peel’s 1821 map of Huntsville shows the then-existing boundary streets named Holmes, Lincoln, Williams, and Henry (east side of Big Spring) and Gallatin (west side). The streets were not due

north-south or east-west as is customary, but aligned with the bluff above the Big Spring at about 34 degrees north of west – roughly parallel with the edge of the bluff. In later surveys, the original 20 blocks were retained, but most new straight streets were oriented north-south or east-west.

An 1825 map of the Huntsville area prepared by Peel shows the following highways connecting with the town: Athens Road, Ditto's Landing Road, New Market Road, Meridian Road, and Pulaski Road (these were sometimes called Pikes).

The Postmaster General designated certain mail routes. Postings in the *Alabama Republican* newspaper of 22 September 1820 included the following between the Madison County Seat (Huntsville) and five other county seats: No. 304 to Russellville (Franklin County); No. 305 to Columbus, Mississippi; No. 308 to Winchester, Tennessee; No 309 to Scottsboro (Jackson County); and No. 310 to Centerville (the present Birmingham).

## **Utilities**

Whether private or public, the utilities of a city or area provide a strong indication of the community's evolution. From its beginnings, Huntsville has been a utilities leader in Alabama and the Nation.

**Water System** - In 1823, Hunter Peel was given a contract to develop a basic waterworks for Huntsville – the first water system in Alabama and one of the first 30 in the Nation. The water flow from Big Spring was so large that a small amount could be diverted for the town's waterworks and hardly affect the availability downstream. (Big Spring has an average flow of about 12.6 million gallons per day, the third largest of Alabama's 440 springs.) LeRoy Pope, then owner of Big Spring, gave permission for a small dam to be placed on the out-flowing stream, creating a



holding pond and giving head (water energy) for a water wheel. Pope's permission had the condition that his home would be supplied with running water.

James Barclay, a local practical machinist (an early name for mechanical engineers), built the pumping equipment totally from wood. The waterworks consisted of a breast-shot water wheel driving a reciprocating pump to force water from the pond through hollowed-out cedar logs to a 7,500-gallon, 9-foot deep reservoir on the 60-foot bluff over the spring. From the reservoir, underground log pipes ran to hydrants along the street and in the yards of customers. It was soon realized that Pope's hill-top home was 96 feet higher than the surface of the pond, much more than the 69-foot head available from the system.

The initial waterworks was completed without Pope's segment. It was somewhat upgraded over the next years but was not totally sufficient until Thomas Fearn and others acquired it in 1836, installing adequate pumps, metal pipes, a large reservoir, and fireplugs along the square.

The waterworks were acquired by the City in 1858, and major improvements were made in 1887. This included a 600,000-gallon reservoir installed on Echols Hill (formerly Pope's Hill). The reservoir top was 120 feet above the square, allowing service throughout the city. An 1889 report showed that connected to the system were 591 hydrants, 162 water closets (toilets), 24 urinals, 63 baths, 89 sprinklers, and 7 soda fountains. There was no metering at the consumer – the water was sold at a flat rate. When the Monte Sano Hotel was being built atop the mountain in 1887, a special force-pump was installed at Big Spring to raise water up 1,000 feet for supplying the hotel. In 1898, a new facility at Big Spring was built; this had a steam-driven pump handling up to 3-million gallons of water daily (about a fifth of the total flow)

**Gas Works** - A product called manufactured gas had been used for lighting in Great Britain since the early 1800s, and manufacturing plants at large cities of the United States began in the 1820s. Francis H. Newman, a Huntsville physician and part-owner of a drug and chemical supply store, experimented with various materials for producing this gas, and was successful with rosin (a substance made by distilling sap from pine trees). In 1856, Newman formed the Huntsville Gas Light Company to build and operate a gasworks plant. A similar plant using wood as the fuel had been built in Atlanta in 1855, possibly inspiring the effort in Huntsville.

The development of the gasworks was the first activity in Huntsville that, in the future, might be called chemical engineering. The gasworks was divided into sections for the production, purification, and storage of manufactured gas. At the plant, rosin was superheated in a low-oxygen retort, boiling off lighter constituents. The separated gasses then passed on to a condenser – a bank of air-cooled gas pipes – where heavier components were removed. It then bubbled through a sealed tank containing water, removing undesirable lighter compounds. The basic equipment for these processes was obtained from a firm in New York. A pump increased the pressure of the remaining gas and forced it into a storage tank; this tank had a moving top that would rise and fall to maintain even pressure in the distribution pipes.

The plant was located near Big Spring, and pipes from the storage tank were initially run up the bluff to eight gas lamps around the city square. In a short time, the lines were extended throughout much of the residential area. There was no metering of the gas supplied. The city paid the Gas Light Company for each street light installed, and Aaron Franks was hired as a “lamp

lighter,” turning the gas lamps on and off each day. Similarly, private customers simply paid a flat fee for the gas connection. For several years, the company operated the gasworks with only minor changes, mainly for increasing the output.

In 1872, the gas plant was moved from the Big Spring area to a three-acre plot on the corner of Dallas and Holmes Streets; with the move, it was completely rebuilt, converting to coal as the fuel and greatly increasing the gas production. In the late 1880s, as electric power became available for lighting, the company then promoted its manufactured gas for cooking and water heating.

**Electrical Power** - From the time that electric generators became available, researchers in many countries pursued devices for using electrical power to provide lighting. These devices were primarily carbon arc lamps and incandescent lamps, both eventually demonstrated in the 1870s. The arc lamp contained a carbon rod with a gap; voltage applied across the gap caused an arc, producing a brilliant blue-white light. The incandescent lamp used a filament in a vacuum bulb that produced light when heated by an electric current; the best known and eventually the most used of these was an incandescent lamp patented by Thomas Edison in 1878.

Electrical power sources were either direct current (DC) or alternating current (AC). One major difference was that AC systems could have a large central generator and use transformers to compensate for voltage lost along the power lines, but DC systems could not incorporate transformers and needed power generators at intervals in the transmission lines. During the last decades of the 19th century, there was great debate concerning DC versus AC power systems.

Over the years, dissatisfaction grew with the old gas street-lighting in Huntsville, and a group was appointed by the mayor to examine existing electric lighting systems. In early 1887, the

Jenny Electric Company invited the group to visit Indianapolis and see the DC-powered carbon-arc system that they had installed in that city. Pleased with what they found, the Huntsville Electric Company was incorporated as a private enterprise in April 1887; Charles H. Halsey was president and Robert E. Spragins the secretary and treasurer.

A contract was awarded to Jenny Electric for “32 street arc-lamps and 300 incandescent lights with sufficient power to double the capacity when needed.” There was no further specification for the power, but since Jenny Electric built dynamos, the generator must have produced direct current (DC) with the output likely 100 volts (an early standard). For driving their dynamos, Jenny Electric used steam engines rated at about 10 horsepower. The equipment was set in place on Miller Street by Jenny Electric workmen. In July 1887, the arc-lights between towers around the square were turned on; other street lights slowly followed.

In 1892, a franchise was awarded to William S. Wells for provide lighting in Huntsville homes; his rate was \$1.00 per month per 16-candlepower incandescent lamp. Incandescent lamps from Jenney were rated from 16 to 150 candlepower, and they advertised that their generators could provide an average of 200 candlepower per generator horsepower. Huntsville’s first incandescent lighting was installed at the home of Samuel B. Moore, just in time for a great party celebrating his World champion cow, Lily Flagg. In 1898, lines were run to atop the Monte Sano Mountain, providing power to the hotel being built there. As the 1890s passed, Cyrus F. Sugg gradually acquired Huntsville Electric stock and became the sole owner.

### **Alabama Statehood**

The Mississippi Territory was divided in March 1817. The western portion became the State of Mississippi, and the eastern portion

became the Alabama Territory, with St. Stephens, a few miles north of Mobile on the Tombigbee River, as the temporary seat of government. In January, the first session of the Alabama Territorial Assembly met at St. Stephens and created 14 new counties to accommodate the increasing numbers of settlers. U.S. President James Monroe signed the enabling act for statehood in March 1819.

With Madison County having the largest population in the Alabama Territory, Huntsville claimed the title of provisional capital and invited delegates of the other 21 then-existing counties to meet in Huntsville and write the State's first constitution. On 5 July 1819, forty-four delegates met in a building on the corner of Gates and Franklin Streets, and by 2 August the draft constitution was completed. On 14 December 1819, the U.S. Congress converted the Alabama Territory into the State of Alabama – the nation's 22nd state.

A temporary Alabama State Capital was set up in Huntsville, and William Wyatt Bibb, who had previously served as the Governor of the Territory, was elected as the first State Governor. It was realized that the Capital should be more centrally located, and in 1820, it was relocated to Cahawba in Dallas County. The State Capital was moved to Tuscaloosa in 1826, and finally to Montgomery in 1840.

## **Slavery**

There is no question that the early success of cotton farming in Madison County was largely through the use of slaves. Many of the settlers brought slaves with them, and, at the time of the first land sale in 1809, the total squatter population was 2,545 persons, including 322 slaves. In 1820, the county population was 19,565, including 9,323 slaves, and the 1860 Census for Madison County

showed a total population of 26,450, made up of 11,685 Whites, 14,573 Black slaves, and 192 free Blacks. This census also showed 114 slaveholders with an average of 51 slaves each; and 1,003 slaveholders with an average of 8.7 slaves each. The Patton, Donegan & Company (operators of the Bell Factory) at one time had 147 slaves working in the facility.

In the North, many church ministers and other leaders became activists in the abolition of slavery. To a degree, this was also taken up in the South. Some newspapers, including one in Huntsville, ran articles condemning slavery. Thomas Fearn, the prominent Huntsville physician and businessman, at one time owned as many as 80 slaves but later called slavery “that foulest blot in our national character; that damning curse entailed on us by our forefathers.”

## **The Civil War**

For a number of years, there had been harsh debates in the U.S. Congress concerning States Rights. A constitutional convention was held in Montgomery, and on 11 January 1861, the majority of the delegates voted to declare Alabama's immediate independence from the United States. North Alabama voted with the minority who did not want to secede, and three of the five non-secessionists leaders were delegates from Huntsville. One month later, delegates from other seceded states met in Montgomery to create the new government of the Confederate States of America (the CSA). Eventually, the CSA was composed of 11 states: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

The first hostilities occurred on 12 April 1861, when CSA artillery fired upon Fort Sumpter in South Carolina; this was ordered by Leroy Pope Walker of Huntsville, the CSA Secretary of

War. In 1862, the Union Army of Ohio assembled at Nashville, preparing for a thrust into Alabama. About 8,000 troops were ordered to Huntsville to sever the Memphis and Charlestown Railroad, as well as control the local telegraph operation. In the early morning of 11 April, they entered the city outskirts without being detected, and by dawn they were at the railroad depot.

There was no warning to Huntsville of their approach (the telegraph operators were employees from the North). The troops captured 18 locomotives, many passenger and freight cars, and the railroad shops. They also chased and captured a recently departed train carrying mainly wounded Confederate soldiers, impounding the men in the upper floor of the depot.

Except for a 10-month period during 1862-1863 when the troops were sent elsewhere, Huntsville was occupied until the end of the war; during this, there was little property destruction or harsh control of the population. In Madison County, there was no major military action but there were skirmishes and bush-whacking; consequently, some of the plantations and villages, including Whitesburg and Vienna, and essentially all of the school buildings were put to the torch by the occupying Union Army.

The Civil War ended when General Robert E. Lee surrendered to General Ulysses S. Grant at Appomattox, Virginia, on 9 April 1865. With some 365,000 total military dead and 275,000 wounded, this war was the bloodiest conflict in America's history. Madison County suffered 147 men killed in battle, and 214 others died from diseases and weather exposure – often while prisoners of war.

## **Reconstruction**

Following the Civil War, Huntsville and Madison County had their share of scalawags and carpetbaggers – both were derisive

labels applied by the native Whites to persons who they believed to be profiting from the South's misfortunes. Scalawags were White southerners who, for various reasons, saw an advantage in backing the policies of Reconstruction. Carpetbaggers were opportunists from the North looking to exploit and profit from the region's depressed condition. Many carpetbaggers acquired land through payment of unpaid taxes and outright purchases at bankrupt prices.

Congress established the Freeman's Bureau, intended to assist former slaves in finding employment, providing medical services, and opening schools. A Freeman's Bureau center was set up in Huntsville but there is little evidence that this Bureau was very helpful. In the last decades of the 19th century, a large part of Huntsville's Black population was crowded into ghettos called Georgia and Jonesville, where they received little assistance and hope for improvement was low.

A number of leaders did emerge in the Black population; several will be noted. Born a slave, Burgess E. Scruggs received his basic education in Huntsville, attended medical school in Nashville, and then returned to practice in Huntsville where he was respected by both races. Charles Hendley, Jr., was a teacher, editor of the *Huntsville Gazette* newspaper, and outstanding chess player. William H. Council, although largely self-educated, was a lawyer and Methodist minister; he was the founder and first principal of the Colored Normal School at Huntsville, forerunner of Alabama A&M. Samuel R. Lowery was a prize-winning silkworm culturist and the first Black attorney to practice before the Supreme Court.

Not all Northerners who came to Huntsville following the war were carpetbaggers; a number were wealthy businessmen and industrialists who recognized further opportunities in the recovered South. The O'Shaughnessy brothers, Michael J. and James F., from Cincinnati used their father's wealth to start in Nashville one



of the South's first cottonseed oil factories. In 1881, they came to Huntsville to open another of these factories. The O'Shaughnessys led in forming the North Alabama Improvement Company, a corporation to develop the real estate, mineral, and transportation resources of the region.

One of the North Alabama Improvement Company's notable achievements was developing the Monte Sano Hotel on a bluff overlooking the city. Opened in June 1887, it attracted wealthy investors and vacationers from across the nation. The hotel had the most modern of service facilities; included was its own manufactured-gas plant, and it also had service from the local power company with lines up the mountain. To transport guests between the downtown Huntsville and the Monte Sano Hotel, a special railroad was built; this was 7 miles in length and had an elevation change of near 1000 feet. The hotel's overall operating cost, however, was huge; it closed operations in 1900.

There was a good railroad system throughout the southern states prior to the Civil War, but major sections of the tracks and bridges were destroyed by both armies. Being one of the most important lines in the South, the Memphis and Charleston Railroad (M&CR) that had served Huntsville since 1855, was an early restoration. William Echols, a native of Huntsville and a graduate of West Point, made major contributions to this restoration. The M&CR was a forerunner of the Southern Railway.

In 1887, the Nashville, Chattanooga and St. Louis (NC&StL) Railway opened a line between Nashville and Huntsville, with a spur extending to Whitesburg on the Tennessee River. Starting in 1893, freight cars could be rolled onto a barge and pushed by the steamboat *Guntersville* between White's Landing and Gunter's Landing some 25 miles upstream. This opened another rail route between Huntsville and cities further southeast in the State. The

NC&StL later became the Louisville and Nashville (L&N) Railway.

## **Cotton Farming**

With the surrender of the CSA in 1865, cotton farming in the South essentially started anew. The economy was broken, the labor force scattered, and there was a dearth of horses and other farm animals. Most of the plantation owners were forced to break up their lands into smaller farms; these were worked by families, share-croppers, and tenant farmers, mainly growing crops that required minimal labor. The opening of the Suez Canal in Egypt allowed less expensive shipping from India, reducing the demand in England for cotton from the south.

There were also beneficial changes in this period. Many of the former slaves – finding that work was not available elsewhere – returned to employment as hired hands and supervisors on farms. The cotton gin was greatly improved in design; new machines that were faster and required less operator labor came on the market. These gins were mainly manufactured in Southern states, and were thus quickly accepted in the cotton-growing region.

By the 1880s, cotton farming in Alabama had largely recovered; gins were no longer privately operated on plantations but were centrally placed for common use by the many smaller farms. In 1889, there were about 2.761 million acres producing about 426.6 million pounds of lint, an average productivity of 155 pounds per acre.

In Madison County, however, there was not a comparable recovery. In 1889, with near 75,200 acres in cotton producing about 6.273 million pounds of lint, the average was only 83 pounds per acre. This productivity was barely half the State average of 155 pounds, and only about a quarter of the estimated 330 pounds

per acre when cotton was first grown in the county. As previously noted, the productivity had been steadily decreasing as cotton was continuously planted, depleting the soil.

Fertilizing the soil to improve the productivity of food plants had been known and practiced for centuries, and it was finally tried in cotton farming. Manure from farm animals was some help, but the importing of guano (bat manure) from Chile – although requiring scarce money – provided the greatest relief. Nitrogen-based artificial fertilizer later became available. In Madison County, the 1899 figures were 70,000 acres in cotton and 10.421 million pounds of lint, giving 149 pounds per acre; this was a significant improvement over the 83 pounds per acre of 10 years earlier, perhaps largely due to artificial fertilizer, but still only some 45 percent of that from the original virgin soil. Alabama-wide, the 1899 productivity was 171 pounds per acre.

## **Electrical Communications**

**Telegraph** - Credit for the first practical electrical telegraph apparatus in America is usually given to Samuel Morse for a development in 1836. The initial apparatus only functioned over short distances; his assistant, Alfred Vail, improved the receiver, making distant communications possible. Vail also developed the Morse Code for converting between electric pulses and alphanumeric characters. The first major demonstration by Morse was from Washington to Baltimore on 24 May 1844; over this, the first message began, “What hath God wrought.” Initial lines were strung along railroad right-of-ways, and railroads began using the telegraph for dispatching trains in 1851.

In 1858, the North Alabama Telegraph Company of New York began services in Huntsville; the operator was at the Huntsville depot, and a line ran along existing railroad tracks from Huntsville

to Stevenson, Alabama, where there were lines to Memphis and Montgomery. Initially, messages sent to stations not directly connected required that they be physically relayed (copied and resent).

Western Union started telegraph exchanges in 1861, allowing switching between different systems and bringing widespread communications. Multiple local circuits using separate power sources could be relayed from a single long line. Western Union soon dominated the telegraph business by acquiring small local firms, including the one in Huntsville.

A machine for printing telegraphic information on paper tape was invented in 1856. This was used in devices, called stock tickers, to provide stock and commodity prices (“quotes”) by telegraphic means. The most successful of these, the Universal Stock Ticker, was developed by Thomas Edison in 1869. Western Union acquired the rights to the Universal Stock Ticker, and by the mid-1880s, thousands of these were installed, allowing very rapid trading; this had a major influence on the financial market. Western Union provided telegraph services for Huntsville, and brokers in the city were early users when the stock ticker became available.

In 1874, Thomas Edison made the most revolutionary invention in telegraphy – the quadruplex telegraph. With this, four messages could be sent simultaneously over a single line. Acquired by Western Union, it enabled the company to greatly increase its messaging capacity at a minimum of cost; by 1878, there were 13,000 miles of quadruplex lines. The quadruplex telegraph continued to be used well into the twentieth century.

**Time Signal** - The U.S. Naval Observatory, the keeper of standard time in America, started sending out a time signal on a dedicated wire in 1865; this was a telegraph “click” each second

that started a minute before the hour, paused for a few seconds, and then gave a final click marking the new hour. Western Union picked up this service, renting to subscribers large clocks that were set every hour by using the hour pulse to slap the second and minute hands together. Besides the train depot, banks and other firms wishing to impress their clients with the precisely correct time were early subscribers in Huntsville.

**Telephone** - Credit for the invention of the telephone in America is usually given to Alexander Graham Bell. Like Edison, Bell was working on a telegraph apparatus for simultaneous communications when what became the telephone instrument originated. On 10 March 1876, his assistant in a separate room heard, over the apparatus, Bell saying, "Mr. Watson, come here! I want to see you!"

The Bell Telephone Company was organized in 1877, initially producing instruments for single point-to-point operations. The usefulness of the telephone was greatly expanded by the introduction of the telephone switchboard. Bell Telephone quickly incorporated this technology and began a wide expansion by organizing local and regional operating firms. One of these was the Southern Bell Telephone & Telegraph Company, started in 1879. Western Electric had been a strong competitor of Bell, and, in 1881, this firm was acquired by Bell as their manufacturing subsidiary.

In 1883, the Southern Bell Telephone & Telegraph Company brought the telephone to Huntsville; R. A. Moore was the local manager. Initially, there were only 32 individual and business subscribers. This was one of the first locations for incorporating a new telephone manufactured by Western Electric; called a magneto wall-set; this had internal batteries for power and a crank on the side used to "ring" the operator. Long distance service

became available in 1886, and by the end of the century, there were over 250 subscribers in Huntsville.

## **Industry Emergence**

Starting in the second half of the 1800s, there was some modest emergence of industrial and other technical firms in Huntsville and Madison County. Several of these will be described.

**Iron Foundry** - Opened in the 1850s, the Madison Iron Foundry was the first Huntsville firm that might be called an industry. At different times, this used other names, such as Madison Iron & Brass Foundry and Madison Foundry & Machine Works. Their foundry capability included a blast furnace, one of the first in the South.

Just before the Civil War started, Madison Iron Foundry received a contract to build howitzers for the CSA. The war began before manufacturing got underway, and the foundry was sent to a safer city. After the war, the equipment was eventually returned to Huntsville, and foundry and machine shop work continued into the 20th century.

**Cotton-Seed Oil Mill** - Roughly 60 percent of the weight of harvested cotton is in the seed. Originally, cotton seed was considered essentially worthless except for planting new crops. By the 1870s, a means for extracting oil from the seed was perfected, and it was found to be suitable for cooking. Since it came from a by-product, it cost much less than olive oil or oil from other plants such as sunflowers; thus, it quickly became popular in the U.S. and Europe.

Michael and James O'Shaughnessy started in Nashville one of the South's first cottonseed oil factories, and in 1881, they came to North Alabama to open another large factory, the Huntsville

Cotton Oil Mill. This was the county's first major post-war industry and soon had 80 employees. Within a few years, it evolved into a cottonseed oil empire with nine plants throughout Alabama.

**Horse-Drawn Vehicle Works** - In this time period, there were three firms in Huntsville building coaches, buggies, wagons, and similar horse-drawn vehicles. These were the J. W. Skinner Carriage Works, the Columbus Buggy Works, and the Alabama Wagon Works. Skinner Carriage had a two-story factory near the railroad depot employing a number of wheelwrights and blacksmiths and displayed their products on the square in downtown; a number of patents were issued on their products. Another local manufacturer, the Coyle Saddlery and Harness Works, supplied these vehicle firms with auxiliary items.

**Farm Machinery Factory** - Burwell J. Curry, owner and operator of a large farm in Madison County, recognized that mechanical agricultural equipment would be vital for economical farming. A graduate from the University of Virginia and a practical mechanic (mechanical engineer), Curry used his personal wealth to start a firm in Huntsville to develop and manufacture such equipment. Located near the Huntsville Depot, the plant had a range of iron works and machine shops.

The first of Curry's inventions, the Cotton Cultivator and Chopper (Patent US238028), was shown in 1881. Drawn by a horse or mule team, it was advertised as doing the work of 10 or more men in performing cultivating tasks. In 1885, Curry released his Cotton Compress (Patent US327435). Powered by a coal-burning steam engine, this could take up to 500 pounds of ginned cotton and compress it to a density of 28 pounds to a cubic foot, giving a bale volume of about 17.9 cubic feet – measures that are

still considered standard. Curry also opened plants in Florence, Alabama, and Holly Springs, Mississippi. Sales were good, and rights were eventually sold to newly evolving national firms.

**Civil Engineering Firm** - In 1886, George Walter Jones started the firm G.W. Jones, the first civil-engineering company in Huntsville / Madison County. Jones had not attended college but learned from an uncle who did private surveying work. As his sons graduated from college, they joined their father and the firm was renamed GW Jones & Sons Engineers, Inc. The firm, continuing into the present century, concentrated on land surveying and engineering projects such as bridges, paving, and water and wastewater systems.

## **Spanish-American War**

The Spanish-American War lasted only 109 days – from 25 April to 10 December 1898. When it began, Joseph Wheeler, former CSA Major General and hero in the Civil War, was serving in Congress representing the 8th District of Alabama; this included Madison County. He applied for a commission and entered the U.S. Army as a Major General (the only person to ever hold this rank in both the CSA and U.S. Armies). Sent to Cuba, he led the cavalry troops, including those of Theodore Roosevelt in the battle of San Juan Hill. In one battle, Wheeler is said to have shouted, "Charge on, men; we have these damn Yankees on a run!"

As the war closed, the U.S. Army decided to keep the troops at readiness training sites in the U.S. where they could be quickly returned to Cuba. Since the Civil War, the Army had, off and on, maintained camps with various names at Huntsville (in 1888, it was called Camp Monte Sano). A new training camp, initially called Camp Joseph Wheeler, was opened at Huntsville in August 1898; some 14,000 troops camped at locations across the city.



When General Wheeler returned to the States in late 1898, he was appointed camp commander and immediately renamed it Camp Albert G. Forse, honoring a cavalry Major killed in action at San Juan Hill in Cuba.

Camp Forse was closed in 1899. Overall, the Spanish-American War had little lasting effect on Greater Huntsville.

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**About the Author:** *Raymond Coke Watson, Jr., Ph.D., P.E., was born at Anniston, Alabama, in 1926, and raised on a small farm during the Great Depression. After completing a special non-degree program preparing “instant engineers” to meet wartime needs, he began his career in 1942, including two years in the U.S. Navy. Through the years, part-time studies at several institutions led to degrees in engineering, physics, mathematics, and business administration, with undergraduate minors in history and literature.*

*In 1960, Watson came to Huntsville and established the Research Laboratories of Brown Engineering Company (later Teledyne Brown Engineering) – the first high-technology firm in the city. His overall career has combined a broad variety of industrial and academic positions. He has some 450 reports, papers, and presentations, including 5 books and about 50 Wikipedia and magazine articles. To date, Watson is still fully engaged as a consultant and writer. His latest book is Huntsville’s Technological Evolution (Trafford, 2015).*

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**Huntsville, Alabama**  
**1963**  
**“The Year of the Dog”**

*By*  
*Arley McCormick*

Nineteen-Sixty-three was the year but it was not the beginning. With the adoption of King, a not so typical backyard pet given up by its owners, the Huntsville Police Department K-9 Unit became a fixture in the department’s arsenal against crime.



**King, the first  
Police Dog in  
Huntsville.**

Dogs have a long history of contributing to the protection of property and supporting law enforcement. As early as 270 BC, recorded history described integrating dogs into service by the ancient Greeks and then the Romans, but their use throughout history has been intermittent because training techniques did not always guarantee the 750

foot pounds per square inch bit would not break bones and rip the flesh like a wild predator. Leaders with a sympathetic ear to an angry population often suspended the use of dogs.

In 1895 Ghent, Belgium became the first to advertise a program for police working dog training. The population of the city had grown rapidly during the latter portion of the century and the crowding population of 175,000 challenged the law-abiding citizens and by 1902, the city responded by having 50 to 60 dogs on patrol. It was possible because sophisticated dog training techniques were being employed and recognized by other countries

such as Germany, Austria, Italy, and England. By 1910, each country had integrated dogs into both military and police work.

The evolution of training techniques steadily improved until the world conflict in 1939, and by that time almost all modern military organizations employed dogs in some fashion.

In the United States, military working dogs were common and used on and off the battlefields of the 20<sup>th</sup> Century. The New York City Police department integrated pet dogs onto their patrols in 1910 but the practice was abandoned in 1951 because of funding, inconsistent standards, and intermittent training that resulted in a public affairs nightmare. Unfortunately, following WWII and the Korean War, the urbanization of America resulted in a bi-product – increased crime. In 1957, Baltimore, Maryland organized a K-9 Unit that became a blueprint for other cities to emulate, and soon, cities such as St. Louis, Chicago, Philadelphia, and Miami employed a K-9 Unit.

Huntsville was beginning to suffer the pains of urbanization as well. In 1940, the population of Huntsville was 13,150, but the introduction of munitions manufacturing during the war years and rocketry during the 1950s influenced a growth to 72,000 by 1960. Unfortunately, not all those citizens could find success in the space and other government supported industry. Some turned to crime.

Electronics had not become a significant commercial by-product of space engineering and surveillance cameras were expensive to install, maintain, and use. Off duty police officers rarely found employment as security guards for businesses or corporate facilities. Wayne Hickland, a member of the police department, had an idea. Business break-ins were more frequent and sending a police officer into a potentially life threatening situation was a greater risk. He solicited the support of the Police Chief who endorsed the concept and proposed it to the mayor. With their

approval, Officer Hickland and King went to Baltimore for training. When they returned several weeks later, the Huntsville Police Department possessed a state-of-the-art K-9 Team.

Huntsville's K-9 Team was hardly a unit. But, as patrol officers began to accept the reality of placing King at risk rather than themselves, King became the pride of the force and the demand for his support grew. But there were not enough Kings to satisfy the demand. Other dogs, handlers, a structure, and all the ancillary equipment necessary to house, train, and control new recruits were needed.

Initially, all potential police dogs were donated by residents who had a pet too wild or aggressive to control but pets seldom worked out for their intended use by the police. Yet the unique anatomical characteristics of dogs' sense of hearing, movement detection, smell, and speed are all the skills needed for the ultimate "super cop." Their ears, being more sensitive to high pitched sounds, can hear the heartbeat of an evasive suspect. Where humans have five million olfactory cells in their nose, a dog has 220 million. They detect movement better than humans, particularly with their superior night vision and dogs can run, on average, nine miles an hour faster than a human. But their anatomical edge over humans in itself does not guarantee that just any dog is suitable for police work.

The most common species that have proven capable of police work are German Shepherds, Labrador Retrievers, Belgian Malinos, and Dutch Shepherd Giant Schnauzers. And yet, not all dogs of these breeds are born with the most suitable qualities. What distinguishes the best from the others is their olfactory capability, their adaptability to training, and temperament.

During the Civil Rights era of the 1960s, many police departments finally abandoned the use of police dogs. They



attacked rioters, leaving many with bites and public complaints were too numerous. Protests are seldom limited to shouting or editorials. When the legal system is engaged, it becomes outrageously expensive.

Over the years, every K-9 Unit around the country has tracked the result of all court cases to date. The most significant are United States v Ramirez, United States v Jackson, Illinois v Caballes, and United States v. Sanchez. These cases resulted in support for the use of dogs to search and justify the probable cause doctrine.

During all the national bad publicity, the Huntsville Police Department persevered and the demands upon the department grew as the war on narcotics and explosives grew as well. The justification for using police dogs was overwhelming.

Effective education of handlers and training of police dogs is improving continuously. During the 1970s, once again, police departments were again looking at using police dogs. By 1980, cities on the East Coast were seeing a large volume of drugs appear on the streets, particularly in Miami. When Huntsville's new police chief, Salvatore Vizzini was hired, he took a special interest in the K-9 Unit. The new police chief was determined to instill a professional standard in the unit.

The initial dependence upon using donated dogs for the K-9 Unit was not totally abandoned, but it was reduced. Donated dogs proved costly in terms of time and energy if they didn't work out satisfactorily. The Baltimore police department was a leader in employing training techniques illustrated in various books written by professional dog handlers and other civilian professionals. In Huntsville, there was limited interest or emphasis on testing and certification on an annual basis. Once trained, the K-9 team qualifications were accepted for years and negative reinforcement was the key to training. In 1971, the two largest associations

dedicated to improving police K-9 Units merged the marketing for routine professional certification, and proper training gained momentum.

Florida had a respected K-9 association and was one of the two that consolidated into what is referred to now as the United States Canine Association, Inc. The Huntsville K-9 Unit joined the Association in 1980 and totally adopted their standard for K-9 training and certification. While negative reinforcement remains a method other training techniques have evolved implementing positive reinforcement for some tasks. Electronic collars were recently integrated into training. A handler can initiate a silent mild shock to improve and sustain the dog's response to their handler demands.

The certification tests include obedience, agility, searching, criminal apprehension and recall. To judge certification trials requires years of experience in the K-9 police environment and continuing education. All of these tasks translate into dogs actively patrolling for bombs, drugs, cadaver and suspect detection, pursuit, and holding with competence.

Adopting higher standards focused attention on the acquisition of trainable dogs. The K-9 Unit's policy of almost exclusive dependence on donated dogs changed and today the place to go for a trainable dog is Europe. Europeans have a long history of integrating dogs into police work and an entire industry supports breeding and training dogs for the police. The K-9 Unit's acquisition of dogs from Europe includes a guarantee that a dog referred to as "green trained" is suitable to the task of training for any purpose related to police work or the dog and investment is returned. And, since a "green trained" dog can cost as much as \$7 to \$10,000, a guarantee is essential.

Matching a handler to a particular dog may be a challenge too. An acceptable handler is nearly as rare a commodity as an acceptable dog. At one time an opening for a handler in the Huntsville K-9 Unit attracted 25 applicants and while there are various methods of selecting a handler, three very key prerequisites stand out; a handler cannot be afraid of getting bit; a handler must demonstrate they are in charge of the dog and not vice versa. After passing those two tests, a potential dog handler has to be strong enough to wear a 65 pound safety suit and recover from a 90 pound dog hitting them in the chest at full speed during training exercises. The handler must then be able to pass a series of field tests, the scrutiny of fellow handlers, and satisfy the sergeant in charge. The ultimate decision rests with the unit supervisor, who is an experienced dog handler. Whatever the method, being a dog handler is not for sissies.

Once the K-9 Unit has a match between handler and dog the union becomes as solid a bond as marriage. The handler and dog are within a few steps of each other 24/7. The team is either on patrol or training. They are constantly training on the multiple missions a dog can be called into action to support. Obedience under all circumstance is priority and rehearsed as much as 40 hours a week if not on patrol. And, when not training or on patrol they may be at the officer's home playing fetch. If a handler is prone to talking in his sleep, he better hope the only name he shouts is either his wife's or his dog's or there could be real trouble in the house.

With all the sophisticated improvement to training, equipment, and handler and dog selection, there is still room in the K-9 Unit for that special pet. In 1997 a local resident wanted to give up their Labrador, Brandy, to the K-9 Unit. Sergeant Billy Moore gave the dog a short series of backyard tests and invited the couple to bring

Brandy to the facility. After more extensive testing, Brandy joined the K-9 Unit and the dog handler assigned was Mark McMurray. The team twice became National Champions. Brandy had an exceptional nose for detecting explosives as small as a firecracker.



Every organization has challenges and the K-9 unit in Huntsville is no exception. The 1989 tornado that ravaged a portion of Huntsville destroyed the K-9 unit training and kennel area. With a combination of city financing and the dog handler's construction skills, the K-9 base was quickly restored. But other trouble was on the horizon. As patrol officers began to depend upon support from the K-9 Unit, its respect grew and to a casual observer, it appeared to be easy to lead and manage the complexity inherent to integrating dogs with handlers for the good of the community. The police leadership quickly learned that the K-9 Unit needed a leader that wanted to be in the unit and that all potential handlers are not cut out to handle a police dog. Hand-me-down equipment, homemade training aids, facility limitations, and turnover in leadership and dog handlers, eventually led to an erosion of the standards and affected the confidence of patrol officers. Those shortfalls were all resolved.

The K-9 Unit's effectiveness in providing the evidence that secures the conviction of drug dealers results in the confiscation of their property and that property is subsequently sold at auction with the proceeds turned over to the department to acquire new dogs when it is necessary.

Today, after 53 years, what began with a donated dog and an enthusiastic handler has matured into one of the most respected and effective K-9 Units in the Southeast and the third longest

consistently active K-9 Unit in the United States. Federal, State, and Regional agencies call upon the Huntsville K-9 Unit for support, either in the field or for training. And, it is consistently a contender at national competitions. Huntsville Police Chief Mark McMurray came up through the ranks and at one time was a dog handler in the K-9 Unit. His remarks from February 2, 2016, sum up the importance of the K-9 Unit:



**Huntsville Police Chief Mark McMurray**

*“The K-9 Unit is a very effective team of professionals that add a dimension to law enforcement that is indispensable in the modern age of providing a safe environment for our city and they pay their own way.”*

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***About the Author:** Arley McCormick is originally from North Missouri. He has a Master’s Degree from George Washington University, Washington D.C. in Public Administration and he is a former soldier and consultant and a community supporter*

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# Alabama's Six Constitutions

*By*  
*Julian D. Butler*

In the drafting and adoption of Alabama's six Constitutions, no woman participated and only 18 blacks (1868).

## Part I

### The Constitutions of 1819, 1861, 1865, 1868

#### Constitution of 1819

- Enabling act passed by Congress on February 19, 1819, and signed by President Monroe on March 2, 1819. The act specified that residents of the Alabama Territory were to write a constitution and present it to Congress for approval. The act contained the provision "said Territory when formed into a State, shall be admitted into the Union upon the same footing as the original states".
- Elections for constitutional convention held the first Monday and Tuesday in May 1819.
- 44 delegates from 22 counties assembled in Huntsville on July 5, 1819. The convention included 18 lawyers, 4 physicians, 2 ministers, 1 surveyor, 1 merchant, and 4 planters, the balance likely being small farmers or tradesmen.
- 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 until 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 Safford, 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 indicted by the fact that from them the state obtained six governors, six judges of the Supreme Court, and six United States senators.

- Known birthplaces; Virginia (15), North Carolina (5), South Carolina (2), Georgia (2), and one each from England, Vermont, Delaware, and Pennsylvania.
- Committee of Fifteen charged with drafting a document reported out on July 15. The Convention was in session for less than a month.
- Suffrage; Every white male 21 years of age and a citizen of the U.S., who had been in the state one year and the district



three months was eligible to vote. No property, tax-paying, or militia qualifications were applied--- a departure from requirements of surrounding states. At the time of Alabama's admission, Kentucky was the only other southern state with universal white manhood suffrage.

- Appointment; the convention rejected the committee's recommendation that the federal ratio (five slaves equaling three white men) be used to set an area's legislative representations, as it was in Georgia. But accepted the draft requirement for censuses and reapportionment in 1820, 1823, 1826, and every six years thereafter, owing to rapid increases in population.
- Capital; First Legislature to meet in Huntsville, and all subsequent sessions in Cahaba until 1825, when the legislature was to revisit the location.
- Legislative power; Provided for annual elections and annual sessions of the legislature, which was to appoint the secretary of state, state treasurer, comptroller, supreme court judges, circuit judges, inferior judges, and other officials.
- Governor; Elected by the people for a term of two years, with a two-term limit. The relatively weak executive would have only minor appointive powers, and vetoes could be overturned by a simple majority of the legislature.
- No provision for a Lieutenant Governor; the line of succession included the president of the Senate and the speaker of the House.
- Education; provided a sixteenth section of land in every township for schools.
- Slavery; Protected as an institution, but provisions called for humane treatment of the enslaved and established criminality of killing a slave.

- Ratification by the people not required. (No state constitution was ratified by the state's voters until Minnesota's in 1857.)
- Adoption and admission: All 44 delegates signed the constitution on August 2 and transmitted a copy to Congress. Congress passed a resolution of admission on December 6. Alabama became a state on December 14, upon President Monroe's signing the resolution.
- Format; The constitution is written on twenty-six sheets of parchment, each attached to the sheet below it by blue grosgrain silk ribbon and red sealing wax. The document extends to approximately thirty-one feet in length and nearly ten inches wide. It is approximately 3.75 inches in diameter and 19 inches in length, when rolled.

## **Constitution of 1861**

- In February 1860, the legislature instructed the governor to call a convention in the event of Republican victory in the fall. On December 6, Governor A.B. Moore ordered elections on December 24 for delegates to a "convention of the State to consider, determine and to do whatever in the opinion of said convention, the rights, interests and honor of the State of Alabama require to be done for their protection."
- Of 100 delegates; 54 declared themselves secessionists and 46 were cooperationist, generally divided between the southern and northern areas of the state, respectively.
- Convention assembled on January 7, 1861 in Montgomery. On January 10, a Committee of Thirteen chaired by William Lowndes Yancey reported a recommendation to

secede. An Ordinance of Secession passed by a vote of 61 to 39, with some cooperationists supporting it in a show of unity.

- The Ordinance of Secession was made an amendment to the 1819 constitution, and for the next two months Alabama functioned as an independent republic. The state convention acted in a legislative capacity to break all ties with the United States government that were provided by the 1819 constitution, including the preamble, which now read, “We the people of the State of Alabama, having separated ourselves from the government known as the United States of America, and being now by our representatives in convention assembled, and acting in our sovereign and independent character.”
- On January 16, Yancey’s committee recommended forming a provisional confederate government of the southern states. Invitation made to seceding states to gather in Montgomery on February 4.
- Members of the secession convention elected delegates to the Confederate convention.
- Confederate constitution adopted on March 11 and sent to the states for ratification. The Alabama convention voted 87 to 5 to ratify. The ratification was made an amendment to the Alabama constitution, effectively ending the period of the Alabama Republic. An additional state ordinance transferred the state militia and all federal property seized by the state, including forts, arsenals, arms, and facilities in Mobile, to the new Confederates government.
- Additional amendments restricted the state’s ability to charter banks and to incur debt.

- Format: The constitution is written on eleven pages of parchment, each page glued to the one below it. The document is twenty feet and eight inches in length and nearly twenty four inches wide. When rolled, it is one foot and eleven and three-quarter inches in length and approximately two and three quarters inches in diameter.

## **Constitution of 1865**

- On May 29, 1865, President Johnson granted amnesty to southerners who took an amnesty oath and didn't not fall into one of several excepted classes, including Confederate officers higher than colonels in the army and lieutenants in the Navy, civil and diplomatic officers of the Confederacy, members of the bench who aided the Confederacy, governors of the Confederate states, and others. Voters had to meet the state's suffrage requirements as they existed prior to session.
- Johnson created a provisional Alabama government headed by Lewis Parsons. Governor Parsons set an August 31 election to elect delegates to a constitutional convention to alter and amend the constitution, and "with authority top exercise within the limits of said State all the powers necessary and proper to enable such loyal people of the State of Alabama to restore said State to its constitutional relations to the Federal Government." Fewer than 30,000 votes were cast, compared to 65,529 votes cast for members of the 1861 session convention.
- 100 delegates were elected, and 99 participated in the convention. The body included 29 lawyers, 6 physicians, 41 planters and farmers, 9 merchants, 7 ministers, 2

teachers, 3 probate judges, and 1 newspaper editor. The convention met at the Capitol September 12, and was in session until September 30. A large majority of members had been either opposed to session in 1860 or at least cautious in their attitude toward disunion. Many had been Whigs in the antebellum period. Ill feelings existed along sectional lines, with the north Alabamians feeling that the southern part of the state had brought on the war and its destruction.

- This was a convention of old men, forty-five of them over fifty. Among them were two former governors, one United States senator, one former representative, one minister to Belgium, twenty-nine lawyers, and over four planters and farmers.
- Johnson made clear his intent that the southern constitutional conventions should abolish slavery, recognize the legal rights of blacks, repeal the ordinance of secession, repudiate the state's war debt, and provide for the election of state and federal officials.
- Slavery: On a divided vote, the convention declared that "as the institution of slavery had been destroyed in the state of Alabama, hereafter there shall be neither slavery nor involuntary servitude in the state, otherwise than for the punishment of crime, whereof the party shall be duly convicted." Civil rights for former slaves were not written into the constitution, instead being delegated to legislative action by the new government.
- Ordinance of Session: The convention divided over whether to declare secession null and void as of 1865 or as of 1861, with the former prevailing.

- State debt; The convention divided bitterly over whether to repudiate more than \$20 million in wartime debt, which carried \$1.6 million in annual interest costs. Most creditors were in Mobile, so the issue again divided the convention between north and south. Repudiation was adopted in a final vote of 69 to 19.
- Election provisions were made for county, municipal, state, and federal offices.
- In an effort to preempt black participation in the political process, the declaration of rights was revised to delete the statement that “all freemen, when they form a social compact, are equal in rights.”
- Other provisions of the 1861 convention were readopted, including biennial elections legislative sessions limited to thirty days, limitations on state debt, and the elimination of the legislature’s role in granting divorces.
- The apportionment of the legislature became another point of division, with north Alabama favoring a white-only basis, and the Black Belt favoring the inclusion of the total population. The former prevailed.
- The 1819 provisions for the executive department were readopted, continuing the relatively weak position of the governor.
- By a vote of 61 to 25, with most of the minority being north Alabamian, the convention decided against submitting the new constitution to the people for a vote. As a concession, a provision established that no future constitutional convention could be called without a popular vote being taken.
- Format: The constitution is written on thirty-four sheets of paper, bound together at the top of each page with string.

The manuscript is fifteen inches in length and nine and one-fourth inches in width.

## **Constitution of 1868**

- The Reconstruction Act of March 2, 1867, invalidated Johnson's plan for restoration of the seceded states. Alabama became part of the Third Military District, administered by General John Pope. Pope issued orders for new boards of registrars to register eligible voters in the summer of 1867. To be eligible, registrants had to take a test oath with finer restrictions than Johnson's loyalty oath. 104,518 blacks and 61,295 whites registered.
- The vote on a new constitutional convention and for delegates took place on October 1-5. The results were 90,283 for and 5,583 against.
- At the convention assembled on November 5, the 100 delegates included 96 Republicans (including 18 blacks) and 4 Democrats. Nearly one-third of the white Republicans were carpet baggers who arrived in Alabama after the war.
- The body contained 46 planters or farmers, 12 lawyers, 10 or more preachers, 5 teachers, 4 newspaper men, at least 2 doctors, at least 10 Freedmen's Bureau officials, and other merchants and laborers.
- The declaration of rights stated that "all men are created equal" and that all citizens have "equal civil and political rights and public privileges."
- Carpetbaggers abandoned a push for the desegregation of transportation and public places because the Scalawag faction responded in vehement disfavor.

- Apportionment of the legislature was to be for the total population, not just whites.
- In addition to governor and sheriff, public offices to be elected by the people included secretary of state, treasurer, auditor, attorney general, and the newly created office of lieutenant governor.
- The governor's power remained limited.
- After extended debate and maneuvering, judicial offices were to be elected rather than appointed.
- The section on education followed closely and provisions of Iowa's 1857 constitution; public school and all institutions of higher learning were placed under an elected stated board of education that had legislative power to enact laws regarding education. Twenty percent of the state's annual revenue was earmarked for education, plus a poll tax and a tax on corporations. Attempts to provide for integrated schools ore equally funded segregated schools were defeated.
- Provisions for the militia, corporations, and property were heavily shaped by recent constitutions of states in the Midwest.
- Women's property rights had been gradually increased by status since the late 1840's and were here set in the constitution. Married women retained title to their property, which was not subject to liabilities of the husband.
- The newly created Commissioner of Industrial Resources was to facilitate economic growth through surveys of resources and general promotion of the state.
- Ratification by the people was required by the Reconstruction Act of 1867. The convention adjourned on December 6 of that year, and General Pope ordered that the



election be scheduled to last two days beginning February 4, 1868.

- Under a requirement of the Second Reconstruction Act, ratification had to be in an election in which more than half of registered voters participated, or at least 85,000. In February 1868, 70,812 Alabamians voted for the new constitution, and 1,005 against it, so the vote was insufficient for the state to reenter the Union.
- The state's status was in limbo until June 1868, when a bill sponsored by Thaddeus Stevens and encouraged by northern industrialists allowed the acceptance of the ratification vote.
- Format: The document is approximately thirty-three feet and six inches in length and eighteen inches in width. It consists of twenty-one sheets of parchment, each glued to the one below it.

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\*My sincere appreciation to Steve Murray, Director, Alabama Department of Archives and History, and my legal assistant, Margaret Nivens, for their invaluable assistance in the preparation of this document.

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*Senators and Congressman and a District Judge as a law clerk. His law practice began in Huntsville in 1966 serving as County Attorney for Madison County for 35 years and as a partner in the state-wide law firm of Sirote & Permutt. He has served as President of the National Association of County Civil Attorneys and as a Special Assistant Attorney General for the State of Alabama, and council to Alabama's Democratic Party. His list of accolades is lengthy and includes recognition by law associations and multiple community service Associations. He has been a lawyer for 53 years.*

**And a Good Time Was Had by All:  
Celebration and Barbecues in the Early Days of  
Madison County, Alabama**

*By  
Nancy Rohr*



Entertainment in the first days of Alabama statehood had both distinct unsettled roughness and a deep respect for past shared experiences. Rural pioneers were entrenched in isolation until they could find a common purpose to share with others. Young men and boys everywhere gathered to show off and compete with one

another; men were required to turn out for muster at militia practice. Quilting bees, cabin or barn raising, corn husking, weddings, funerals (most often performed quickly in the humid South), church, brush arbor, and revival meetings encouraged the entire family to attend neighborhood gatherings. In town, ceremonial gatherings united the people as a community. Dinners honored visiting celebrities such as hoped-for future president, Andrew Jackson, or current President (James Monroe). Barbecues everywhere allowed as many people who could fit into the space to enjoy food and drink, the news of the day, a bit of gossip and neighborliness.

### **Three Cheers and Hurrahs: Celebrate loud huzzas**

Across the nation, wherever one might go, one singular celebration united everyone in the summer each year, as it does today: the Fourth of July. A co-mingling of civilians and the militia encouraged a display of common values and a show of strength that aroused praise for past patriotism and present readiness.

The grand Fourth of July events worked their way south as the pioneers migrated. For instance, the 1808 celebration at Occoney Station, South Carolina began with a militia parade, followed by an address by a minister, and then everyone “marched to an agreeable and natural arbor, where, in the company with a number of others, they partook of an elegant barbecue.” (Moss 25) The spirit moved into the “Old Southwest”, or the Old South.

Naturalist John James Audubon apparently enjoyed his Fourth of July barbecue in one Kentucky settlement, where donations to the festive meal included “ox, ham, venison, turkeys, and other fowls.” But before eating, “A great wooden cannon, bound with iron hoops, was now crammed with home-made powder; fire was

conveyed to it... and as the explosion burst forth, thousands of hearty huzzas mingled with its echoes.” After the cannon salute and patriotic speeches, all joined at the tables; toasts and dancing followed. Audubon continued glowingly, “The fair led the van, and were first placed around the tables, which groaned under the profusion....Many a national toast was offered and accepted....The ladies then retired to booths that had been erected at a little distance.” The men who returned to the table, “...recommenced a series of hearty rounds. How-ever as Kentuckians are neither slow nor long at their meals, all were in a few minutes replenished, and after a few more draughts from the bowl, they rejoined the ladies....” (cited in Moss 25-29)

At the same time, in Madison County, Alabama, the festivities for the Fourth of July in 1824, lasting from dawn until almost certainly well after dusk, were recounted in the newspaper. The celebration “was ushered in by firing from the Volunteer Company commanded by Captain Dunn. After the usual evolutions, a procession was formed by the military and citizens, who marched to the Presbyterian Church where after an appropriate prayer by Rev. Mr. Allan, the Declaration of Independence was read, succeeded by pertinent remarks by Mr. Acklen, who was followed by an impressive and eloquent oration by Mr. Woodward. Two sumptuous entertainments were provided – one at Capt. Jones’ Hotel, [The Huntsville Inn] the other in the Grove. At the former, the Hon. H[enry] Minor, assisted by Col. Osborne, presided; and at the latter, Maj. Roberts, assisted by Col. Aiken.” They would recount vivid memories of the cost of their struggles, sacrifices, and the loss of loved ones from the final victory of 50 years earlier. (*Demo*, July 13, 1824)

As the meal finished, the arranged 13 “regular” toasts were offered, ending always with one for the “ladies fair.” Depending on

the events and news of the times, this was followed by any number of “volunteer” toasts usually given by prominent leaders, merchants, doctors, and lawyers, honoring the heroes of the past and with admiration of contemporary champions as General Mad Anthony Wayne and Simon Bolivar. The description of a celebration for the Fourth of July in 1825 in the Huntsville *Democrat* implied a great deal of cheer:

The Anniversary of the American Independence was celebrated in this place on the 4<sup>th</sup> instant with the usual demonstrations of joy & hilarity. A splendid barbecue was prepared for the occasion in the Grove by Messrs. Cross and Clark. Thomas Humes Esq. was appointed President, Robt. W. Roberts and James J. Pleasants, Esq.’s Vice Presidents and Logan D. Brandon, Esq. Secretary. The following toasts were drank (sic) and the day was closed in harmony.

him to the shores of his native land. *The day* – Consecrated by the voice of Patriots – may its blessings depend unimpaired to the latest posterity.

*The union of the States* – May it stand firm like Mount Atlas, and glory, happiness and independence must be the result.

*The people of the United States* – Great in resources, courage and patriotism.

*The memory of Washington.*

*Thomas Jefferson* – The illustrious author of the Declaration of American Independence.

*The Ex-Presidents of the United States* – Their virtues are engraved on the hearts of a free people.

*The State Governments* – Their own rights and the general welfare promoted without party animosities.

*The Army of the United States* – A Lamb in peace, in war a Lion: its past achievements serving as the best commentary.

*The Navy of the United States* – The motto “don’t give up the ship, don’t strike the flag.”

*General Andrew Jackson* – The hero, the patriot, the friend of mankind – Long may he live to enjoy the esteem and affections of a free people.

*The memory of the Patriots and Heroes of the Revolution.*

*The State of Alabama.*

*The fair daughters of America* – Their smiles for the friends of their country, their frowns for its foes.

VOLUNTEERS

*By the President* – The Nation’s Guest may propitious gales waft

*By Vice President Roberts* – May we never lack a Kremer as a watchman on the walls of our Republic.

*By Vice President Pleasants* – The Judiciary of Alabama – Free and untrammled, the safe depository of the people’s rights.

*By the Secretary* – The Hon. Wm. Kelly – our friend though absent still present.

*By Samuel Peete, Esq.* – John Quincy Adams constitutionally elected President – Though we do not approve, it is our duty to acquiesce.

*By Col. J. I. Thornton* – The memory of Byron – the fame of Emperor’s and Kings may be effaced; their deeds may fade; but his will remains as long as bright as the sun.

*By Vice President Roberts* – General Andrew Jackson – The conqueror of the invincibles; the inflexible statesman – may a grateful Republic, yet place him in the Presidential chair.

*By Wm. Acklen, Esq.* – The American Fair – A brilliant type of seraphic purity – no fairer boon to mortals known – no richer blessing by Heaven given.

*By John Phelan* – America as she is – Europe ought to be.

*By George Fearn* – The memory of Benjamin Franklin.

*By Wm. McNeil* – The memory of Wm. W. Bibb our late Governor.

*By Matthias Munn* – *The memory of John W. Walker, Esquire.*

*By Anderson Hutchinson* – Unholy Alliance whether to pervert the minds, enslave the persons, or pick the pockets of the people – Let truth expose, indignation crush and infamy cover them.

*By Byrd Brandon* – Israel Pickens, Governor of Alabama – May his successor shed as much luster of the state as he has.

*By Roger Stevens* – Murphy our next Governor – May he be the DeWitt Clinton of Alabama.

*By R. C. Rathbone* – Freedom and Independence to all the nations of the earth – ours by the pole star.

*By John Murphy* – The Next President if not Jackson, let him have the principles of a Jackson

*By James Long* – Our next Legislature – May it be composed of Wisdom, Integrity and independence.



*By Alex. Wasson* – When we forget General Anthony Wayne, may we be forgotten.

*By Maj. Fleming* – General Andrew Jackson, the Hero of New Orleans.

*By a Spectator* – The coulter on the land and the keel of the sea – May all who hold the handle and helm find honor and reward.

*By another Spectator* – The Mechanics of Huntsville, the most respectable part of the community.

*By Maj. Fleming* – The whole World a Republic – No King but the King of Heaven.

*By the whole Assembly* – Simon Bolivar – May he persevere so that this inscription shall be made upon every temple of liberty “Washington and Bolivar.” (*Demo*, July 5, 1825)

General LaFayette, the Nation’s Guest, had completed his triumphal tour of the United States and recently passed through south Alabama, at a cost of \$17,000 to the taxpayers of the state, and was soon to sail from New Orleans. Others names recalled heartily in 1825 are perhaps not as quickly called to mind today but should be:

John Williams Walker, son-in-law of LeRoy Pope, served as president of the Alabama Constitutional Convention and was appointed to become the new state’s first Senator. He had been in poor health and had died just some two months earlier at the age of 46.

The 6<sup>th</sup> governor of New York, DeWitt Clinton, was greatly admired for his efforts to build the Erie Canal. Of Locally, the

Muscle Shoals Canal, Fearn’s Indian River Canal, and Flint River Navigation Companies were current topics of progress.

Even in seemingly backwoods Alabama, Lord Bryon was famous among the literate ladies and gentlemen for his poetry, and possibly even more so for joining the Greek War of Independence, where he met his death. The attendees also praised fearless Bolivar and Washington.

The event described in the newspaper, “in the Grove,” suggests an outdoor event for this grand celebration of leaders and hopeful leaders of the future city. As reported by the *Democrat*, this was a more sophisticated version of the traditional celebration. The article did not report on the food served, how long the evening of spirits continued, or who carried the men home. Certainly many of these men had accomplishments to celebrate and many more to look forward to.



**Grove Mansion**

The attendees of these occasions were well known in the community and appeared to be significant leaders. **Andrew Cross**, according to the census of 1830, maintained a household with one male under the age of five, two males between five to nine; two males from 10-14; one male over 30; one female under five; and, one female 20-29 for a total of eight people. They are not noted in any other census. An early settler, he died on June 7, 1836. To have made arrangements for the celebration to be at The Grove suggests he was a man with useful connections. (Gandrud 314)

**Clark** was probably **Dr. Elisha B. Clark** who with his partner, Dr. Jonathon F. Wych, maintained an office early in 1818 at the market house. Fees were reasonable: \$1 for a town visit or depending on the miles and the circumstances 50¢ to \$1 a mile in the countryside. All visits at night were double in price. Later, Clark had an office in a backroom of the Bank Hotel which was located across Fountain Row from the newly built Planters' and Merchants' Bank. (Fisk 21, 55, 122, 123)

**Thomas Humes, Esq.**, came south from Knoxville to practice law in 1815 and applied for a land grant in 1819. He served as mayor of Huntsville from 1826-1828. The 1830 census showed no slaves or children living in the household. Shortly afterwards in 1831, his widow, Elizabeth, called upon her son-in-law, Joseph Caruthers, to administer his estate. Among the estate inventory items was a map of the United States valued at \$1.50. (Oh, to locate that map today!) Their grown children included Eliza Lewis, Martha Speck, William, and Miss Mary who died in Huntsville at the age of 82 in 1887. (1830 Federal Census; Madison County Probate #420; Family Files, Huntsville Public Library)

Similar to others in this group, **Maj. Robert W. Roberts**, followed opportunities. Originally from Delaware, he practiced

law in Tennessee, moved to Limestone County in 1822, and eventually Scott County, Mississippi where he served as a judge and member of the U.S. House of Representatives. For four years he served in the 28<sup>th</sup> and 29<sup>th</sup> U. S. Congresses.

A Virginian, (Hanover County) by birth, now a merchant and a lawyer with offices on the Square, **James Jay Pleasants, Esq.** (1797-1849) successfully involved himself in local and state politics. That he married Emily Bibb, a daughter of the second governor of Alabama and a niece of the first, did not appear to be a disadvantage as he mixed readily with state leaders. He served as Secretary of State for Alabama from 1821-1824. His was a prominent family with connections to the firm of Pleasants Bros. of New York, Cotton Factors & Commission Merchants, handy for dealing with his acres of southern cotton. Probate records show extensive holdings in Sunflower County, Mississippi and 1000 acres in Crittenden County, Arkansas. (Hobbs 144; Probate #1612)

**Logan D. Brandon, Esq.** (1803-1855) was the twelfth of Rachel and Josiah Brandon's 15 children. The Brandons migrated from North Carolina, with stops in Georgia and Tennessee before settling in north Alabama around 1810. (Logan's middle name, Davidson, was in memory of the neighbors massacred by the Indians while Brandons were in Tennessee.) Two of the brothers, Thomas and William, noted contractors and brick masons, built many of the early brick homes of Madison County.

Just a few years after this 1825 barbeque dinner, Logan Brandon was acquitted of murder. It seems that in 1830, Brandon testified against Col. Gideon Northcut at that man's court-martial, possibly in retaliation for an altercation of some sort. Northcut spoke to his company about the events. Rumors had flown for some time on both sides, and worse still was the talk in the community. At the muster field Logan shot and killed the colonel when he believed

Northcut to be reaching for his gun. However Brandon was able to use as his justification the defense of the reputation of his sister, Mrs. Smith. The jury acquitted Brandon because this was clearly a case of self defense and honor. Northcut had been very popular and the community remained divided in their feelings. That served little good to Mrs. Northcut when her possessions were sold at the steps of the Court House as required by law. A new widow, she now had three sons and seven daughters to raise. (*Demo.* Dec. 16, 1830)

In 1843 Logan Brandon married Sarah Haughton and they moved to Monroe County, Mississippi where so many others had migrated and where he died in 1855. (Madison County Marriage Record Book 4A, 1; Gandrud 519, 552)

The Honorable **William Kelly, Esq.** (1786-1834) born in South Carolina, came from Tennessee in 1817, where he had served as a judge in the circuit court. He was elected to Congress in 1821, and was called to fill the vacancy left when John Williams Walker retired from the State Assembly in December 1822. (Kelly surprisingly won by one vote over the favored John McKinley, who would go on to bigger things.) After losing the next election for that seat, Kelly returned to the state House of Representatives.

For a time Kelly, a strong Jacksonian Democrat, and William Long, the publisher of the Huntsville *Democrat*, were both influential and popular among the more middling settlers. They may have been the first to use the title “Royal Party” against LeRoy Pope and his Broad River cohorts. Kelly then entered into a battle that challenged the Royal Party and may have been a blessing to many of the more deprived settlers.

With his partner at that time, Anderson Hutchinson, Kelly sought a repeal of the statute of limitations for a group of clients in order to recoup excessive interest they had already paid out from the

usury law of 1818 of Mississippi Territory times. When it became known that Kelly would receive 50 percent of the amount refunded if the cases were successful, his constituents abandoned him. Further, the Alabama Supreme Court ruled in 1827 that the usury law had been legal, and no interest would be refunded. Kelly's downhill slide continued into 1828 when he instigated a bizarre "Trial of Judges" to depose three Supreme Court judges, but unfortunately for Kelly, they were vindicated. This was his final defeat. Ruined to obscurity, he moved to New Orleans where his burial site is unknown. (Encyclopedia of Alabama, Dec. 7, 2014)

**Colonel Samuel Peete, Esq.** (1794-1877) raised near Petersburg, Sussex County, Virginia was a veteran of the War of 1812, graduated from William and Mary, and settled in Huntsville around 1820. His sister Eliza Jane Lane and brother Benjamin Peete, also very accomplished, settled nearby in Limestone County. He practiced law and served as mayor of Huntsville twice in the 1830s. In 1833 he married Susan Pope and they had two daughters before she died in 1838. Peete owned the house at 600 Franklin Street until it was purchased by Dr. John Y. Bassett. The two girls were raised by their maternal grandmother, Eliza (Mrs. Benjamin Pope) in a household of "refined and intellectual atmosphere" at 621 Franklin Street. Mrs. Pope apparently did a good job with the girls; they married well, if that is any indication. Julia, after attending Mrs. Lamb's select school in Philadelphia married William B. Bate, later major general, Governor of Tennessee, and later U. S. Senator. The second Peete daughter, Mary Irby, also attended a northern school, but once home her father continued her education with Latin and college studies, music, and even chess. After the Civil War she went to Europe to continue her French studies before returning. In 1868 she married Dr. Cornelius Dupre of North Carolina. Samuel Peete died in

Nashville, in 1877 at nearly 83 years of age. (Family Files; Robey et al 9; Gilchrist 7-11, 123-125)

The toast offered up by Col. **James Innes Thornton, Esq.** may just well as been given by his brother, Harry I. Thornton. Lawyers both, they arrived in Madison County from northern Virginia with impeccable credentials. Their family connections by marriage and blood relationships included George Washington, James Madison, and Zachery Taylor. Their family enterprises included mills, shipping and of course, plantations and politics.

The younger of the two brothers, **James Innes Thornton** (1800-1877), graduated from Washington and Lee University in 1820 and joined his brother's law practice in Huntsville. He moved on to Cahaba, the state capitol, to practice law. In 1824, James became Secretary of State of Alabama a position he held for ten years through five governors, a delicate task in politics anywhere. Reflecting his reputation, he was appointed to be the official state escort for General LaFayette on his tour through the United States. James Thornton's house, Thornhill, near Forkland is considered to be one of the most significant antebellum houses in Alabama.



*Thornhill House (HABS)*

**Colonel Harry I. Thornton**, his brother, was the U. S. Attorney for the Northern District of Alabama (1826-1829) and became a prominent leader of the Alabama Whig party. Active on many scenes he was one of the two founding members of the local temperance society and a trustee of the Huntsville Female Academy. He relocated to Tuscaloosa, then to Eutaw, Alabama for two years. President Pierce appointed him to be the first Federal Land Commissioner for California, a noteworthy and profitable position, and he and his family moved to San Francisco. (Dupree 170; ADAH)

**William Acklen, Esq.** (1802-1872) was born in Tazewell, Tennessee and came with his family to Huntsville by 1808. His was a second generation family, grandchildren of founder John Hunt. William's parents were Samuel B. Acklen and Elizabeth



(Hunt) Acklen. William read law in Huntsville and began to practice in 1823. In 1826 he represented Madison County in the House, and was four times returned. Beginning in 1823 he was elected state solicitor, a position he filled for twelve years. In 1853 he defeated the Hon. William Fleming for State senator, and served for four years. Politics can take a high toll; Acklen became weary of his early accomplishments. By 1858 the R. G. Dun Insurance Co. report noted him solvent, and with “no equal as a criminal prosecutor,” “but inefficient from indolence and political operations. Acklen had married Louisa King of Montevallo in 1832 and both are buried at Maple Hill Cemetery. (1: 153-158 (Lawyers), R. G. Dun & Co. Collection, Baker Library, Harvard Business School; Gandrud, 475; *Maple Hill*, 51; (<http://alabamapioneers.com/biography-william-acklen-born-1802/#sthash.lqTJG1oA.dpuf/> 9/14/14; Dupree 227)

Among William’s eight siblings were several high achievers, typical of the early successful Madison County settlers. **John R. H. Acklen** was sheriff for a time in Madison County; **Sarah McGee** relocated to Texas with her husband; Palmyra Coleman and Cristopher also went to Texas. Most notable among the family was their brother, **Joseph Alexander Smith Acklen** (1816-1863) who served as a federal district attorney for Alabama for a period of time and in the militia during the War of 1812. Later Capt. Joseph Acklen, after signing prenuptial agreements, married who was by most accounts the wealthiest woman in Tennessee, the widow Adelia Franklin. At that time she owned seven plantations and 659 slaves in Louisiana and various Tennessee properties. They lived together at Belmont Plantation near Nashville where he continued to enlarge their holdings. (Family Files)



*Belmont Mansion (HABS)*

“America as she is...” so toasted **John Phelan**. If any one family characterized opportunity in America, Phelan’s did. It was written that his father, Jonathan, was “An Irishman, of good reading and intelligence,” a Queen’s county man of Marysborough. He fought in the Irish Army as a captain at the Battle of “Vinegar Hill” in which the Irish were defeated in 1798. Finding it an appropriate time to move on, he married Mary Sluigan and came to New York (around 1800) when he was 24. He married his second wife, Priscilla Oakes (Ford) Morris from Boston, in 1807. After working in New York, he moved to New Brunswick, New Jersey where he was a cashier in a bank and unfortunately fell into “pecuniary difficulties” because of speculation in real estate. He moved to Baltimore, then to Richmond, and found a business partner in a

Mr. Dillon. Together they began a soap and candle manufactory which did not succeed; accordingly they set out together about 1817 with their candle-moulds for the Alabama Territory, then “one of the remotest settlements of the West.” As grocers and chandlers they appeared successful for a time, and Mrs. Phelan brought the children to join her husband in 1818. The Boston lady must have given pause to this adventure so far from all she knew.

Once in Alabama, their children helped in the family business, which, according to their newspaper ad, offered “New Candles, Old Whiskey, and Draught Porter which is neither old nor new, but just in its Prime.” It could not have helped their situation that in 1820 the good Captain was “dreadfully stabbed” by a journeyman carpenter and his case at the time was a “doubtful one,” although he survived. Nevertheless, “Old Capt. Phelan,” as he was called, apparently was “too convivial in his nature,” and this time “the end was pecuniary ruin.” The sheriff, to pay off his debts, seized and

sold all their goods. Priscilla and a daughter worked to support the family “by the needle” and the oldest son was taken on by Cox & Lewis as a “store boy” circa 1824. The genial father, John, had served his southern home as a City Alderman in the 1830s and in the militia as adjutant. The 1830 census showed a household of five and no slaves. Captain John Phelan died in Tuscaloosa in 1850. (*Distinguished American Lawyers*, 50-5 in



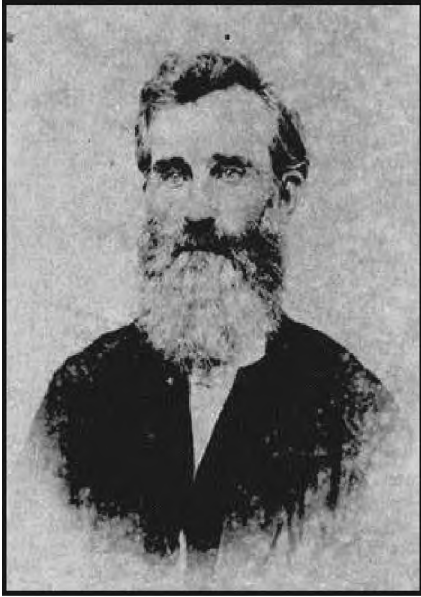
Montgomery Confederate Monument (ADAH)

Family Files; Rohr, “The News,” 8; Gandrud, 502)

Among John Phelan’s children, two sons did particularly well. **John Dennis Phelan** (1809-1879) born in

New Jersey, rose from the family poverty with financial help first from a friend, Dr. Miles Watkins, and graduated from the University of Tennessee. Phelan became a lawyer but returned to Huntsville in weakened health, still poor. For a time, he tutored and divided that meager income with his family. Opportunities in Memphis and New Orleans faded, and he considered becoming a vagabond in France. In order to return home from New Orleans, he had to borrow money from an acquaintance. Once back in Madison County, Phelan wrote editorials for the *Democrat* and, as a result, found public notice. Friends urged him to enter politics, and his first gathering was at Cloudbottom (New Hope) where, to get attention, he staged a contest to dance a “jig.” (Politics seemed simple, perhaps even simple-minded, then.) His stunt attracted the crowd’s attention, and thus began a political career in Alabama. In 1835, he married Mary Ann Harris and relocated to Tuscaloosa, where he became a prominent jurist and legislator. He was an Alabama Supreme Court Justice, Attorney General and performed many other prominent legal duties. In 1852 John Phelan was remembered as being usually grave but with “a strong relish for wit and humor,” who still enjoyed the dance and took pleasure in a good song. (*Distinguished American Lawyers in Family Files* 50-54)

Phelan’s wife, Mary Ann, volunteered with other women and helped establish The Ladies Memorial Association in Alabama after the War. She helped found Alabama’s first Memorial Day celebration in Montgomery and gathered supporters to restore cemeteries of the War dead, which were already in disrepair and in some cases, ruin. John D. Phelan later served as a professor of law at Sewanee. He died in 1879 in Marion, Alabama. (ADAH)



**James Phelan**

A second son, **James Phelan** (1821-1873), was born to John Phelan in Huntsville and served as an apprentice printer for the Huntsville *Democrat*. In Tuscaloosa, he edited the *Flag of the Union* and became the state printer in 1843. With his wife, Eliza Jane Morris, he moved to Mississippi in 1849 where he practiced law in Aberdeen and developed a large practice. He served in the state senate in 1860 and as a Senator from that state in the First Confederate Congress

of

1862. His bill to confiscate all the cotton in the South in order

to obtain foreign loans created such a furor among planters that he was burned in effigy and defeated in the next election. James Phelan later settled in Memphis and practiced law there until his death. (ADAH; *Distinguished American Lawyers*, 50-5 in Family Files; Rohr, "The News," 8; Gandrud 502)

The Fearn surname in Huntsville speaks of early settlers and success in many fields. Although they practiced medicine and law, the Fearn brothers were involved in plantations, politics and progress, as they proposed it, on a vast scale. Among other developments, **George Fearn, Esq.** (1798-1864) and his brother Dr. Thomas owned the Huntsville Public Waterworks, the first within the state. George also stayed actively involved in the Indian Creek Navigation Co. through its completion in 1827. Perhaps less

prominent than his brothers Richard, Col. Robert, and Dr. Thomas Fearn, George and his wife Elizabeth (Burress) Fearn continued from Madison County to Mississippi. He relocated in Hinds County, and by 1850, was worth \$8000. By 1860, the census set his value as a merchant with assets of \$39,000 in real estate and \$43,000 in personal estate. Leaving his brothers behind served him well. (Gandrud 135, 278; 1850; 1860 Federal Census)

As early as statehood in 1819 **Robert** and **William McNeil** were merchants on the Square. It is possible business was poor or they looked for opportunities further west, for there are no available records of the McNeils in Madison County for that time period. (Fisk 30, 40)

Among the early settlers who moved on was **Matthias Munn** born in 1797 in New Jersey. Like other young men, he saw the possibilities in the South and decided to relocate here. At one time, he leased the Bass Mills to grind wheat and corn at Three Forks of the Flint River. While in Madison County, he married Rosannah Feeny, a good Irish name, in 1821, and they had at least two children, Joseph and Mary, before moving on to Tuscumbia, Lauderdale County. There, according to the 1860 census he was noted as age 63, a machinist, with no slaves. His income was modest with \$300 in real estate and \$690 in personal estate. (Record 67; Marriage Record book 3: 125; 1860 Census)

Little is known for certain about **James Long**, except that at the death of his father, Daniel in 1833, James inherited property west of Meridianville, and in 1837 he married Ann Monsell. One might consider a possible relationship between this Long and William B. Long, the lawyer who founded the Huntsville *Democrat* in 1823. It could be that James Long was disheartened or simply decided to find his future elsewhere. (Deed Book U, 46; Gandrud 137)

**Anderson Hutchinson, Esq.** (1798-1853), born in Greenbrier County, Virginia, studied law at his father's county clerk office. He went on to Knoxville and then to Huntsville. In Huntsville he was for a time partnered in a law practice with William Kelly, noted above. They represented debtors before the Supreme Court of Alabama, appealing for their clients' compensation for debts extracted by usurious interest rates. Obviously he was popular at the statewide Masonic meeting held in 1824 Hutchinson was elected Grand Knight. (Dupree 90, 91; Record 68)



*Masonic Lodge, Huntsville*

In a possible attempt to disassociate himself from the erratic behavior of his one-time partner Kelly, Hutchinson moved on to Raymond, Mississippi, then settled in Texas in 1840. In Austin he

was appointed judge of the Fourth (Western) District and therefore a member of the Supreme Court.

He arrived just in time to become involved in the Texas “Pig War”, which threatened diplomatic relations between France and the new Republic of Texas in 1841. Picture, if you will, an innkeeper’s marauding pigs invading the stables and then the rooms of the French charge’ d’affaires – even his very bedroom, to devour linens and chew papers. When the Frenchman ordered his servant to kill the pigs, the innkeeper thrashed the servant and moreover threatened to thrash the French diplomat! Dubois de Saligny promptly claimed diplomatic immunity and demanded punishment for the innkeeper, Richard Bullock. Hutchinson presided as judge at the trial when the French government found a way to keep peace and offered a compromise as did the Texans, ending “the war.” Peace was not so easily found for all issues on the frontier. (<<http://tarlton.law.utexas.edu/justices/profile/view>> 12/11/14.)

While holding court in San Antonio one year later, Hutchinson was captured and taken with others to Perote Prison in Vera Cruz, Mexico. Freed six months later, he boarded the U.S.S. Vincennes and landed at Pensacola. He died in 1854 and his widow received 640 acres bounty land due him as a Perote prisoner. Hutchinson County, Texas was named for him. (<<http://tshaonline.org/handbook/online/articles/mgp01>> 12/11/14)

**Byrd Brandon** (1800-1838), an attorney, was the ninth Brandon offspring. He practiced on the Square with various partners, all distinguished in the community. In 1830 his household of seven whites had four slaves tending to their needs. Well regarded, Governor Pickens commissioned him as a Lt. Colonel in the Militia. Although he was already in poor health, President Van



Buren appointed him Consul to Campeachy where he died in 1838. Brandon's will clearly showed his apprehension. "This pail (sic) and afflicted body of mine must soon sink beneath the cold clod of the valley...." His was not a shabby household as it included among other items for the use of his wife of 13 years, Mary Jane (Caldwell), their 12 hair-bottom mahogany chairs, the table, one Brussels carpet, their portraits, and his gold watch and chain. He owned ten slaves and a carriage for which, like the watch, he paid extra taxes. The widow might choose to live in town or at the farm on their 200 acres in Lincoln County, Tennessee (near his father's land). If she sold the property, she was to reserve the best cabins for the old Negro man, Billy, and the Negro woman, Nancy and see to it that they had 10 or 15 acres of the best grass land to cultivate for the estate. His two sons were to have the best education anywhere in the United States which was to include English and classical education. They might choose their own professions. The girls' education was to include all the usual uplifting classes in French, Spanish and Italian, the piano and guitar. Byrd Brandon bequeathed to his brother, Samuel, his white Russian rabbit hat. (That must have been a sight to behold in downtown Huntsville, Alabama in 1838.) (Taylor 104; 1830 federal census; Gandrud 287; Probate #201)

**Robert Stevens** was likely the partner in Selby & Stevens, Watch Makers, Jewelers & Silversmiths, on the Square in 1821. Besides selling watches and clocks, the partnership repaired and cleaned musical snuff boxes. One might wonder how many musical snuff boxes there were in Madison County at the time, but with eight other silversmith and watch shops in Huntsville, competition was apparently strong and profitable. (Fisk 75, 77)

Mr. **Rufus C. Rathbone** (1775-1842) presents an interesting jumble of information, most of it recorded accurately in the legal

records. The rest of the story remains out of sight, and his descendents may have cause to wonder. What is known of his life in Madison County, Alabama is as follows: according to the 1810 Census, Rufus Cogswell Rathbone and his wife lived in Kershaw, North Carolina, with a household of 17 that included nine slaves. By January 1819, they had moved south, and there were letters waiting under his name at the Post Office in Huntsville. The census of 1830 showed that he and his wife were well established, now in their 50s and 60s. There were 14 slaves on his property and no other families with that surname nearby. His wife, Martha, died in Madison County in June of 1832, and in March of 1835 Rathbone married again, to Elizabeth L. Mason, 31 years younger than he. She was likely a member of the William Mason family, established here since 1809. They had connections to other family members nearby and the Flournoy cousins had been here long enough for their name to be established as a gathering place at Flournoy Crossroads. (Marriage Records 4: 238; Gandrud 476; Family Files)

One month earlier, Rathbone had emancipated his slave Betsey Liggins and her daughter Sarah Ann Margaret for good conduct and services rendered. Furthermore, he recommended Betsey, he said, “with pleasure, as a first rate house woman, a good seamstress, honest and not surpassed by any servant within his knowledge.” Betsey was described as “yellow, about 32” and Sarah, “age seven,” and “almost white.” (Madison County Deed Book P, 371)

By July 1839, (four years and three babies later), apparently all was not well at the Rathbone home place. Marital discord existed, according to the statements made, “interrupting the harmony which should characterize such a union,” and the couple legally agreed to live separately. Rathbone would provide support and maintenance of \$750 for four years to Mrs. Rathbone. She would keep and

maintain the youngest child until the age of five and then “it” would be surrendered to Mr. Rathbone. In the meanwhile, Rathbone would have control, custody and management of the two other children immediately. According to the settlement, the youngest babe was not to be taken more than 20 miles from Huntsville. Furthermore Mrs. Rathbone also relinquished all rights to dower and other distributions at the time of her husband’s death. (Deed Book R, 275, 276)

Whatever their differences, the couple had subsequent children. Sarah was born in 1840, but died within two years. A fourth son was born as noted in Rathbone’s will. When Rufus Rathbone died in January 1842, Elizabeth and his sons Rufus C., Jr., Daniel M., George W., and Andrew Jackson were the beneficiaries of his estate that included 17 slaves, perishable property, and land valued at more than \$28,000. Messers. Patton and Donegan were to serve as guardians of the children and establish a fund for the education of his sons. The two boys should be sent to a good manual-labor school, a current educational trend of the times, but one selected with a view to economy and health of the situation. Adding to the losses young Andrew Jackson Rathbone, born Oct. 21, 1841 died on June 3, 1842 and was buried beside his father in the family cemetery at “Slabtown” near Jordan Lane. (Probate #498; Johnson 176)

A suitable year later, in early May of 1843, the widow Rathbone married Eli Littleton Dean and they, along with the three remaining children, moved to Monroe County, Mississippi. A new guardian was appointed for the children. Regrettably, Rufus, Jr. died there even before his guardianship was established in 1846. (Of this family federal census records were not useful and only G. W. Rathbone of Monroe County was enumerated in 1860 as a “gentleman” worth \$8000. ) Elizabeth (Mason) Rathbone Dean

died in Del Rio, Texas in 1896, age 90. This was certainly a woman with stories to tell. (Marriage 4: 689; Probate #498; Family Files)

**John Murphy** (1786-1841) newly elected Governor of Alabama would serve two terms. Although he was born in North Carolina he quickly found his place in 1818 in Alabama where he was elected to the House of Representatives, then the Senate and as Governor for two terms. He went to the U. S. House of Representatives from 1833-35. While in Washington City, South Carolina Representative James Blair read a letter from his wife to Murphy apparently displaying too much affection toward Murphy. In despair, Blair shot and killed himself in their lodging rooms. One can only speculate at the actual events or words exchanged that evening. Murphy, of course, never wrote of it. (ADAH)

The grandfather of **Maj. William Fleming (-1867)**, Col. William F. Fleming (1729-1795), was a Scotsman who emigrated and settled in then-western Virginia and practiced medicine. Due to injuries during the Battle of Point Pleasant in Dunsmore's War, he was unable to serve later in the Revolutionary army. For a brief eight days in June 1781, during the confusion of that war, he served as Governor of Virginia. Later he became a commissioner to settle claims on unpatented land in Kentucky. Not surprisingly, his family came to own extensive land in that state.

Madison County's William Fleming, the colonel's son, arrived early and left his own mark on the people and politics of the county. Reflecting the ready violence of the times, Fleming appeared in the wrong place at the wrong time at the 1820 land sale. The crowded site was not well organized and "an affray" developed between Elisha Rice, local wealthy merchant, and Matthew Clay of Lawrence County. Fleming attempted to separate the two men, and was wounded himself. According to reports, the

cause was trifling and no arrests were made. However, in his efforts to stop further mayhem, Fleming knocked Rice's gun hand and was shot in the chin. Undeterred, Rice continued to attack Clay with his dirk, stabbing him several times before Clay could pull his pistol and fire "a heavy load of buck-shot against Rice's side." Clay was severely wounded, Rice only bruised, but Fleming was "horribly disfigured" with a broken jaw." (Fisk 111; Dupree 143)

Fleming recovered well enough to be elected to State senate in 1821. Judge Taylor, in his history of Madison County, spoke admiringly of Fleming. The major was, "chivalric by nature and generous and sincere to his friends and courteous and forbearing to his enemies." His "harsh and discordant voice," probably a result of this earlier "affray," left him with imperfect enunciation, "yet the fun of humor characterizing his oratory and anecdotes pervading his public speeches gave them a keen relish, while his rigid honesty and sound common sense made him an exceedingly formidable competitor before the people." For over a quarter of a century, according to the Judge, Fleming was the most popular and influential man in that region. Later noted as a Colonel, he ran for the House of Representatives in 1834 and the State Senate in 1839. (Taylor 58, 97)

Fleming's home site called "Tall Timbers," located on the Flint River in the southeast part of the county, required a workforce of 37 slaves according to the 1830 census. (Among the men at this dinner, he probably owned the most acreage.) Eventually he would have over 700 acres in the county. Among gentlemanly activities, Fleming enjoyed a position as officer in the North Alabama Jockey Club. William Frye painted portraits of William and his wife, Sally. Fleming died in 1867. (1830 Federal Census; Gandrud 317, 328; Probate #2651)

**Alexander Wasson** apparently came to Huntsville with ready cash in his pockets. In 1816, he purchased an empty lot for \$60 which he sold two years later for \$700. Although this was a fine profit for anytime, the new owner, Jesse Searcy, sold the property within eight months for \$1400. It was the site of the future Weeden House. Wasson may have expected a better profit in 1824 when he advertised ten building-lots of ½ acre each adjoining Huntsville on the west, lying in the village of Mechanicsville, on the left side of the street leading to Athens and Browns Ferry.” Little else was recorded about this early entrepreneur. (Dupree 44; Record 65)



*William and Sarah Fleming*

One might notice that these are not the first tier names of Madison County such as Pope, Walker and their friend Tom Percy. Nor is

Clement Clay mentioned in a time when social structure was so layered. LeRoy and his wife, Judith, may have ridden down from their mansion to observe the procession from their carriage. Senator Clay and Susannah might not feel the need to mingle with the crowds. (Surely they did not peer, gaping from the windows of

Clay Castle, but did they allow their servants to watch the parade?) Those men had played major roles in earlier years, but now, in 1825, were quite secure in their positions. There would be no need to make an appearance.

Only one man in the group, William Fleming, could truly be called a “planter” with extensive acreage in the county. Among the men who spoke at that impressive celebration there were at least fifteen lawyers – J. J. Pleasants, Logan and Byrd Brandon, Samuel Peete, William Acklen, Anderson Hutchinson, the Phelan brothers, one of the two Thornton men, Thomas Humes, Robert W. Roberts, William Kelly, George Fearn, John Murphy, and William Fleming. One might give pause to the number of lawyers noted here at the dinner. (Even if there were no others in town, and some were just visiting for the event, this amounts to roughly one lawyer per 93 persons inside the less than one square mile town limit, which had a population of 1512 people. [Album, 5] How many other lawyers, not particularly in favor at that moment, were in town?) In these rough and still unformed years, land fraud was prevalent, and violence, as we have seen, was often just around the corner. Land had to be registered at the county court house and protected from the poacher, the runaway slave caught, the slave-stealer punished, and always the innocent protected. The role of the military and local militia added distinction and a title for Captain Jones; Majors Fleming, Roberts, Thornton, and Colonels Acklen, Osborne and Peete. Doctors Clark and Wythe were there. The others were

businessmen. One connection not to be overlooked is that of politics – winners and losers. They were all in the running: Humes, Roberts, Pleasants, the two Brandon brothers, Kelly, Peete, Thornton, Acklen, two Phelans, Fearn, and Hutchinson. Who else within the group (speakers and others at the tables) aspired to hold public office, but never managed to acquire enough votes in this highly competitive setting? More men may have had aspirations, but only the winners are recorded.

A woman's recollection of these celebrations might have been even more enlightening. Lest there be any doubt, women were in attendance at this commemoration. Lest there be any doubt, women were in attendance at this commemoration. According to an account in the *Democrat* of September 9<sup>th</sup>, certain Eastern papers dared question the *etiquette* of their presence! This published "unmanly" scold was aimed at "some of the most amiable and accomplished ladies of this place." Would the easterners "exclude them entirely from the benefits of civil liberty..." because, it was printed, "they never had borne arms in defense of their country, consequently, they should not celebrate its liberty." The *Democrat* reminded its readers that ladies were "not entirely useless in time of war" and introduced several examples of their zeal and love for country. Ah, those "cold blooded Yankees."

## **Fireworks of All Kinds**

Formality required status and money, leaving many young men to their own activities. As always they found ways to entertain themselves. Young bucks often played at pastimes recalled by their fathers from their youth, and alcoholic drinks made events more noteworthy until surpassed by the next encounter. At the same



time, official Huntsville city fathers constantly enacted regulations to maintain order and safety. The ordinances of 1832 reflect a busy year for local lawmakers.

Private billiard tables, a taxable revenue source, were not outlawed, but gaming and betting were illegal. Gaming tables were against the regulations, as were lotteries, thimbles, dice, Faro Banks, A.B.C. Tables, Black and Red Tables, E. O. Tables, Chuck-a-Luck, a three ticket lottery, rouge and noir, Rowley Powley or any other table game with the exception of chess. Cards or dice at any tavern or inn or public place were illegal, including side bets. Did that cover all occasions of public gambling? Never. How better to top off an evening of fun for young men lured to excitement than with throwing turpentine balls, playing at long bullets, rockets, raising a balloon or any other thing calculated to endanger the property or persons of said town to the peril of inhabitants? All were made illegal; drat it. (April 9, 1832, H City Min., II)

In an outdoor crowd, other entertainments might include cock-fighting, bear-baiting or gander-pulling. Horses were swapped and raced with bets among the owners and viewers alike. Challenges of physical superiority were popular. Young men enjoyed knife throwing, foot races, shooting matches. Wrestling and fisticuffs allowed nose pinching, eye gouging and ear biting – no holds were barred. These activities lent themselves to the once a year celebration of the grand and glorious Fourth of July. Fireworks sparked, in every sense of the word.

## **Barbecue Served Up in High Style**

Formal dinners also limited the number of attendees by the dimension of the rooms and the availability of acceptable guests.

The barbecue, however, as it developed in the countryside, became an occasion for “the more and the merrier. What is there not to know and love about the southern barbecue? Although there are definite ties to the word Caribarbecueean, of slave origins, surely it is almost as old as fire. Colonial America adopted the Jamaican practice, and it is no surprise that rum became an early addition.

The Rev. Charles Woodson, traveling his circuit of western South Carolina in the late 1760s, shared in his journal the intense sensory appeal of barbecue, “I had last Week the Experience of the Velocity and force of the Air – By smelling a Barbicu dressing in the Woods upwards of six miles.” Continuing south, it was understood that, “Get ten people together, and where the Irish would start a fight, Georgians will start a barbecue.” No fighting, just shared good eats. (Moss 20; Dabney 197, 198)

Not all barbecue gatherings were of mixed company. Gentlemen who enjoyed the companionship of one another found select clubs a setting for relaxation and pleasure. An 1804 poem described the loss of one local venue: “On the Fall of the Barbacue-House, Beaufort, S.C. During the Late Tremendous Storm” where the “sacred temple ... in mirthful glee, the jovial sons of *Pleasure oft convene*.” (Moss 18,19)

Grog’s mellow radiance set their souls on fire,  
Till Kindling into generous rage, the group  
Caught inspiration from each other’s eye;  
Then, bright witticisms flash – the merry- tale-  
Satirical description – *jeu de wel-*  
Song – and conundrum – in their turn succeed

Clearly “Sons” was the operative word for this all-male stronghold. A toast was matched, one for another, as the men were

hard-drinking, hard-swearing, card-playing, and inclined to practical jokes. Their clubhouse was not rebuilt, but one may reasonably suppose that another stronghold was found for this mainstay of manliness.

As the back country became more stable and the over-the-hill settlers filtered, then poured, into the “Old Southwest” of Kentucky, Tennessee, Alabama and Georgia, social connections were increasingly important. Although pioneers brought with them ties of kinship, marriage, religion, politics, and foodways, distance reinforced loneliness which might be eased by community activities. Men, women, children, white or black, in bondage or free, often attended and reaffirmed shared civic values and friendships on some level.

Settlers brought many established traditions to Madison County. Lively events and an animated atmosphere often accompanied patriotic days, campaigning, and elections. Treating and offering free liquor and food was expensive, but upper class gentlemen candidates could usually afford the costs. For instance, in the 1758 election for The House of Burgesses, in a district of only 391 voters, a good time was had by all. George Washington spent £39.6s for “28 gallons of rum, 50 gallons and one hogshead (at least 60 gallons) of rum punch, 34 gallons of wine, 46 gallons of ‘strong beer,’ and 2 gallons of cider royal.” (Not that this was an attempt to buy votes, because that was against the law.) Nay, this was merely a show of the “candidates’ generosity and hospitality... defining traits of a gentleman.” Note, however, that at this time, the only voter was a male land-holder who pronounced his vote aloud inside the courthouse before the nominees, who then thanked voters for an affirmative vote. (Moss 16, 17)

Generosity seemed boundless. Anyone could attend these barbecues, and voting credentials were not investigated. At the

time of the first Federal election of 1789 in one Virginia county, “ther Could not a ben less than 2 or 3 Thousand persons men women Children and negrows” who crowded around for a taste of the roasted oxen.” (Morgan, 197)

It should come as no surprise that many pioneers, by the very nature of being in transit and unsettled, displayed a hearty nature and little regard for rules. A new political structure would soon be established, and the 1819 Alabama constitution had allowed all white men over 21, not just landholders, to vote. The aristocratic traditions of Virginia, no matter how prideful, were left behind. The Fourth of July may be ceremonial, but electioneering on the frontier was taking a different turn.

On the stump in the early 1820s, a novice campaigner was among the first presenters that day: David Crockett. In the backwoods of Tennessee, he ended his speech: I was “as dry as a powder horn, and that I thought it was time for us to wet our whistles a little; so I put off to the liquor stand, and I was followed by the greater part of the crowd.” Few voters stayed behind to hear the opposition speakers; and needless to say, Crockett won the election. (Moss, 37-38.)

In the summer of 1825, advertisements in the Huntsville newspaper noted that barbecues were given at E. Johnston’s at Flourney Cross Roads; Geron’s Spring at Miles H. Powers four miles south of Hazel Green; John Bellew’s at Ditto’s Landing; James Scarborough’s blacksmith shop two and a half miles from Ditto’s Landing. Festivities and good eating could be found at George P. Harrell’s Spring eight miles northwest of Huntsville; Levi Hind’s Spring near Major John Griffins; the French Tavern at Hazel Green; A. S. Wright’s house, six miles northeast of Huntsville near John Seay’s Tan yard; Francis Bell’s Spring two miles from Ditto’s Landing; Section school house two miles from

Samuel Moulhrum's, Triana; and Big Prairie in Madison. Other sections of the county where good company might be found were at Mullins Flat, eight miles southwest of Huntsville and approximately the same distance from Triana; Woodruff's Spring near Blevins Gap in the Little Cove; and William Derrick's Muster Ground, seven miles northeast of Huntsville. If one wasn't quite sure of the host's home place, directions were given in the advertisement. Regrettably most of these notable locations have dimmed from our view and disappeared. As we have also seen, city folks in the village of Huntsville enjoyed the feast sponsored

by Andrew Cross at one of Huntsville's two most prominent locations. The Huntsville Inn was in the center of town and the Grove, as the name suggested, offered a lovely accessible and sheltered location for townspeople. (Record, 70)



*Map of Madison County, 1893*

Madison County was canvassed for potential barbeque locations. A local spring, a crossroads, and tan yard were prominent features. The militia grounds, already a mainstay of male territory where all eligible men were required to turn out, also served as a site for the tax collector, the voting place for the militia, and the polling place for elections. It was a site with fewer restrictions imposed by polite

society or town officialdom. Most of the advertised barbecues were held in rural areas, out of the sight of the city, county seat, pillory, stocks, and the authority of the sheriff's office. Blatant visual reminders for propriety such as church steeples and spires were also significantly out of sight.

Once the campaign season had started and there was a break in farm work, people might have time to respond to an invitation where the feast would be "as good as some, and inferior to none." Moreover, people could "expect from the various office hunters a complete history of the past, present and future laws and politics of the State of Alabama."

A further look at some of the barbecue events from the newspapers of 1825 offers a study of hospitality and their sponsors.

This event took place at the neighborhood militia grounds where citizens

A Barbecue.  
Capt. Robert B. Armistead's  
Company will parade  
On the 11<sup>th</sup> of June, at which  
time a  
Barbecue  
Will be furnished by the  
Subscriber  
for the consideration of the  
company and candidates

were accustomed to go for drills, to elect officers, pay state and county taxes. Often the whole family and the entire neighborhood attended the practice. Muster day, with its militia practice and parade, was required by law for all men between the ages of 18 and 45. This was a necessity for home security, at first from the Indians and then from the fear of slave uprisings. Of course, it reinforced male bonding along with hearty eating and often-times serious drinking. It was the custom for military groups to elect their own officers. Previously candidates entertained voters at their own expense, now the candidate also became a guest to the host – men

who had well-known names in the neighborhood. With everyone gathered already, food and drink were offered and local candidates came to seek votes. What a perfect combination for politicking. (Huntsville *Democrat*, July 19, 1825; Rohr, "Fife, 1-15")

Captain Robert Burbage Armistead settled in the northern part of the county near Winchester Road along the Flint River and married Mary Bass, a daughter of Uriah Bass, himself an active farmer and entrepreneur. The barbecue host, Samuel Vest, was of comfortable means. He, his wife and their eight children farmed 150 acres and had five slaves. Vest died in 1830. (Gandrud 295)

As announced, Francis Bell's barbecue was at his spring two miles from Ditto's Landing and the price was right for all. Originally Bell settled in 1812 on Indian Creek, but moved to join relatives south of Elon off Hobbs Island Road, west of Whitesburg Pike.

At some point, Francis Bell bought over 600 acres of land in south

An Election for Captain and  
A Barbecue  
Will be at David Clutts, on  
Thursday the 16<sup>th</sup> inst.  
The candidates for the different  
offices are expected to attend  
and a large concourse of the  
citizens.  
Graves Bouldin.

BARBECUE GRATIS.  
The neighborhood will give a  
BARBECUE AT  
Francis Bell's Spring

Madison County. It was located just above the Tennessee River, with one plantation of 400 acres along the macadamized roadway. (The roadway would not remain wide enough in the future. Some of the “mountain” to the west of South Memorial Parkway, called Bell Mountain, was removed when the Parkway was developed into four lanes.) In 1830 he owned seven slaves, but maintained 17 slaves by 1840. He wed Nancy Richards in 1841 (his second or third marriage) and, when widowed, married Charlotte Claupa in 1847. She died in her 27<sup>th</sup> year in 1855, leaving her husband with three small children. Francis Bell, who was considered to be an aged and worthy citizen by his peers, died at his residence near Whitesburg in September 1857. His estate was given to his children and their descendents, five of his grown children having predeceased him. Bell had done quite well by the standards of that day or any other. His estate included among other items a gold lady’s watch and chain, \$36,000 in perishable property that included 39 slaves and 42,748 pounds of cotton sold at 9½¢, less his debts still came to over \$11,000. (July 19, 1825 *Democrat*; Family Files; Marriage Book 4: 588, 4A, 173; Gandrud 554, 356, 584; Probate #2128) **William Graves Bouldin** (1792-1857) was a son of Capt. Green Bouldin originally of Henry County, Virginia. He, his wife, Mary Graves, and several children migrated to north Alabama about 1819. Graves Bouldin, as he was called, married a neighbor, Elizabeth Hammonds, in 1821. (Eli Hammonds, her father was noted in the community as a fine soldier and a friend of Andrew Jackson.) Bouldin’s assets grew to ownership of seven slaves in 1830, and by 1840 he had seventeen. Driven by political aspirations, he ran for tax collector in 1834, and in 1840 he was at a Democratic Meeting that included John C. Thompson, Esq., Capt. G. Steele, Col. Robert Hancock, Maj. W. Fleming, C. C. Clay, Jr., and Col. Wm. C McBroom – all political figures in the



county. The Hammond-Bouldin cemetery is just east of Harvest. (Gandrud 301, 342; Marriage Book 3; 116)

The location for the feast was at the place of David Clutts. A young man at the time, his name is one of the few remaining on the landscape of Madison County. The area was close to the Indian Boundary and some settlers, who were not originally allowed to settle there, removed themselves just inside the county line just south of Harvest. For many years Cluttsville, served as a much used crossroads that supported merchants, a post office and a Masonic Lodge. The censuses show that David Clutts and his wife, Margaret, were both born in Tennessee; he held no slaves. In 1840 the household included 12 white people and 12 free people of color. His family had thinned out by 1850, when he was listed as a carpenter, property valued at \$100. Seven children still resided at home, next door to the Thomas Graves family. In 1860 there were three daughters at home; after the War, David, Peggy and 12 others with that surname lived there, according to the 1870 census. Neither David nor Peggy Clutts were shown in the 1880 census in Madison County. (*Democrat*. June 7, 1825)

Barbecue was good eating, but one can only guess as to whether the drink was in a typical brown jug, passed from person to person, as was sometimes known to happen. William Earnest hosted this barbecue at his house which also may have served as a Public House, or inn, located near William Stamps' place on the busy Triana Road. In 1822, Earnest married in 1822 Rachael Jones. He married again in 1827, Agnes, daughter of Reverend John Nelson. A solid farmer at his death in 1827, with no children, his widow inherited five slaves among his other property. William W. Stamps, his neighbor on Triana Road, died in 1828. Having no children or wife, his land, 29 hogs, 15 slaves, and miscellaneous

BARBECUE Free

There will be a BARBECUE served up in  
high style

on Sat. 23<sup>rd</sup> at Captain Woodruff's  
Spring,

items passed  
to his three  
brothers. His  
two sisters  
received \$10  
each.

(Gandrud 302,  
Marriage

Book C, pt 2, 634; Probate #302)

Solomon Geron purchased land at \$2 an acre in 1814 along the Briar Fork, west of Hazel Green. During the battle at Horseshoe Bend, he served as Sergeant in the 7<sup>th</sup> Regiment of Mississippi Militia under Captain Acklen. This announcement was timely because he had recently re-opened his resort, Sulfur Springs, "in a fine healthy neighborhood with neat and comfortable cottages for the use of families." (Aug. 9, 1824)

According to family records, George B. Woodruff left Brunswick

County,  
Virginia in the  
very early  
1820s.

Woodruff  
siblings who  
also settled  
here included  
Robert W. and  
Allen. Other  
families from  
that area settled  
in Madison

BARBECUE.

A BARBECUE will be furnished on

Thursday the 30<sup>th</sup> inst. (June)

at the house of the subscriber, four  
miles East of Hazlegreen,

and near Geron's Springs. Good eating  
and drinking.

A large collection of citizens and  
candidates are expected.

County including Allen, Wilkins, Wyche, Eldridge, Manning, Vann – all to become prominent names in this county. Woodruff himself entered land in Section 26, at the south edge of Green Mountain known locally as “Potato Hill” about 3½ miles from Owen’s Cross Roads, between the Flint and Tennessee Rivers. Many of the family members were buried at the Inman Cemetery near Possum Hollow. In 1836, George married (as his second wife) Jane Inman. Judge Taylor mentioned the Inmans as poor boys living on Flint River, who moved north, and became “merchant princes in New York and Philadelphia, proprietors of the famous Inman line of ocean steamers.... The last of the family who went northward to join his brothers about the year 1838 left Vienna on a sorry pony, and he is now one of the richest merchants in the city of Philadelphia.” [Woodruff Family Files; Taylor 96, 97]

The advertisement below exhibits a host, or hosts, not to be outdone. Who would consider **not** accepting this invitation?

A FREE BARBECUE!!

Many of the good citizens of the Western part of  
this county

have thought proper to join and give a most

SPLENDID BARBECUE

On the 25<sup>th</sup> of this instant at George P. Harrell's  
Spring, eight miles

North West of Huntsville for the special benefit  
of all the candidates and

people in general. As it is presumed there will  
be a greater collection

of people than ever has been seen at a barbecue  
in any of the southern states

there will not be less than ONE THOUSAND weight  
of meat

put upon the pitt, (sic) besides other  
necessaries to give zest

to the entertainment.

All this will be like God's blessing, "without  
money and without price."

With the exception of George Harrell, one may only guess about the other sponsors of this remarkable event. Harrell purchased 320 acres south of today's Hale Road and north of Martin Road. His death notice reported, "George P. Harrell, Esq., age 52, an old and respectable citizen of Madison County" has died. (Gandrud 455) Although their names are not mentioned, this instance was clearly the effort of a group of like-minded men. They formed a nascent political cluster, interested in a candidate with the same goals in mind, or at least the promise of the same goals. Whether it be road improvement, the state bank, or the Muscle Shoals Canal, sponsors intended to influence politicians on the stump with the assurance of a large number of voters.

### **Sobriety Is Exchanged for Intemperance**

For all the communing and excitement they offered, however, this free food and drink appeared more than unseemly to many old-timers. The behavior of the attendees was, in the eyes of many less, than worthy. Wasn't it enough to attempt to sway the voter with merit? They looked down upon these barbeques as blatant attempts to manipulate voters.

Citizens of Madison County were not out of step with much of the South. As one observer wrote of an earlier celebration in New Bern, North Carolina, the barrel of rum was opened after enjoying the barbecue, "leading officials and citizens... promiscuously ate and drank with the meanest and lowest kind of people, holding hands and drinking from the same cup." This was a truly democratic gathering; by nightfall the empty barrels were burned and the party retired. (cited in Moss 33).

Hints of frontier changes made their way back north, as one editor complained that New Yorkers had adopted “the modest custom of their Southern neighbors” when they advertised in the newspaper, and worse, Yankees next might expect “...orations, barbecue and prime bang up knock me down whiskee frolicks.” (cited in Moss, 30)

Attitudes were changing in northern Alabama regarding barbecues, made apparent when this poem was published by the editor in a Huntsville newspaper:

Did you ever see a Barbecue? For fear  
You should not, I'll describe it to you exactly:-  
A gander-pulling mob that's common here,  
of candidates and sovereigns stowed compactly, -  
Of harlequins and clowns, with feats gymnastical  
In hunting-shirts and shirt-sleeves- things fantastical;-  
with fiddling, feast, dancing, drinking, masquing  
And other things which may be had for asking.

The catchy rhyme appeared in the Huntsville *Southern Advocate* on July 13, 1827 as a letter to the editor by an anonymous citizen who signed his name simply as “Barbecuensis.”

In actuality, Madison County's standards were no different than those of other states. As candidates in Virginia made speeches extolling their own virtues along with kegs of drink on Election Day, the day descended to one of debauchery and brawling. In South Carolina one such event turned into a scene of “noise, blab, and confusion....much drinking, swearing, cursing, and threatening....clamor and confusion and disgrace.” (Morgan 184)

Sadly, for the candidate and voter alike, campaigns had become “a paroxysm of condescension and conviviality. A gentleman had

to go about shaking hands and soliciting the approval of people who normally had to solicit his approval.” Would one, lower himself before voters, should one “take off his hat to people whom he would not recognize when the election was over. He had to dine with them, chat with them, and above all get them drunk and get drunk with them.” (Morgan 198) Could that have been the case at one Madison County barbecue, where seemingly innocuous bottles arranged on the table actually had the name of the candidate written on the back of each? (Huntsville *Southern Advocate* 1825, Aug. 5, 1827)

In Huntsville this growing popular sentiment was seconded by the opposition newspaper. Both papers seemed to agree, for a change, on a stand against the negative influence of such barbecues not to mention the demeaning behavior, the commonness, and even coarseness. That was not the worst, as other letter writers noted. The question became, how would these newly elected representatives consider his decisions? Would he “enact wholesome laws and promote and preserve the peace, happiness, and prosperity of the State, but if he will drink raw whiskey, eat rawer shote, dance bare foot on a puncheon floor.... and pull at a gander’s neck.” Would elections now be determined by how much the voter could eat or worse, how much he could drink! Not what he might read or write or even worse yet – think? (*Advocate*, July 13, 1827)

Here was a chance to blend with the wanna-bes, mix with the well-known, and even hobnob with the soon-to-be-famous. Was this newfound, temporary equality enjoyed by the many simply a vehicle to stroke and boost the egos of the wealthy few? “Ordinary men found themselves the center of attention. The frantic solicitation of their votes elevated them to a position of importance they could not dream of at other times....” This often presented a

make-believe impression, momentarily, of course, “pretending that people were equal when everybody knew they were not.” One would like to think this was Southern hospitality at its best, but perhaps voters were “bullied or bought or simply talked into” voting for the candidates; was not this some “form of bribery?” “And to whom are we indebted for these barbecues? ...to the candidates; to the legislators *in expectancy*, who are presently to wield the Democracy of Alabama.” Strong words indeed. America’s new vision of the individual and his role in a democracy obviously altered the order of society and, worse, could lead to social disorder. (Morgan 175, 176, 197; *Demo.* July 13, 1827)

Political campaigns were no longer merely the upper class affairs of landholders as once seen in aristocratic Virginia, but a comingling of frontier communities eager to unite and share, even for one day, their commonality. But how common might it become? How low might citizens sink? The apparent lowering of standards and ideals, once so highly cherished, became the issue.

The recent Panic of 1819 remained painfully clear to all. After so many had recently lost money with the Bank default, now, in February of 1825, who could be trusted, and who should be trusted, with their precious vote? Had the aristocratic “Royal Party” politicians not led the countryside, with offers of whiskey, eats and promises, into the terrible times of a depression? Or, was it the “populist” manner of thinking, with *their* whiskey, eats, and promises? Either way a clear head was needed, one unsullied by bad whiskey, excessive food, and blatantly false promises.

The Temperance Society membership found this an ideal time to appeal to citizens about the ruin of drink, and worse, free drink. After early settlement, the farmer and the city folks alike, had time to make cider, make use of surplus corn for whiskey, and purchase cheap rum. The commission merchant, stationery shop, merchants,



pharmacies, taverns and grog shops provided seemingly endless varieties of spirits. One merchant offered a consignment, newly arrived, of 20 barrels of Ohio rye whiskey, but alas, only five barrels of Tennessee Corn whiskey were available. Mr. Foote offered all this at reduced prices and with the added incentive of 35,000 Spanish Cigars now in stock. Not to be outdone, Warren & Collins recommended their New Orleans goods including fine spices, brown sugars, coffees, Cog's Brandy, Holland & N. York Gin, Jamaica and New England Rum, and assorted cordials from West India. Wines included Madeira, Tenerife, Dry and Sweet Malaga, Port, Muscatel and Claret. Homemade spirits on the frontier were plentifully available "for a cost," of course. (March 30, 1827 *Advocate*) The American Temperance Society, newly founded in 1826, had far to go in the coming days.

Moreover, the Second Great Awakening was upon the land. A renewal of camp meetings flourished at Blue Springs and Jordan's Camp Ground, for example, and pointed people into wholesome directions. These religious meetings, with all their drama, were often led by an untrained preacher. He maintained nonstop preaching in daylong meetings that lasted far into the night, accompanied by singing, prayers, sermons and a fervent religious spirit. Preaching



*1819 Methodist camp meeting*

reaffirmed the straight and narrow way of southern religion; drink, and certainly too much drink, was harmful to a decent life.

Reinforcing the local spirit, evangelical preacher Lorenzo Dow made his second appearance in Madison County early in 1827 with

at least five assembles. (Demo. Jul 17, 1824; Sept 2, 1824; Demo May 11, 1827)

The anti-barbecue message began gathering local strength, becoming a firestorm of popular opinion, as it seemed the whiskey keg was “ever flowing, ever full” as “sobriety is exchanged for intemperance...and liberty chastened to licentiousness.” In 1829, over one thousand citizens signed a petition against electioneering and barbecues. \*source [cited in Moss,

Sensing the turning tide, candidate for clerk of the County Court, Lemuel Mead directed a letter two weeks later to the *Advocate* regarding his candidacy: “...believe that you will approve rather than censure, when you are told, that instead of being found at a barbecue or muster ground, I am in my office endeavoring to do the duties thereof...twice elected by your suffrages, it would be expected that I am at least qualified... I put myself upon the people, trusting, that if, in any thing, I may have erred, I shall find in them a forgiving spirit.” Mr. Mead correctly sensed the spirit of the times, and continued to serve through 1835. (July 31, 1824)

Fortunately for the lovers of barbecue, however the brouhaha was not a final blow in Huntsville, nor the United States. Southern hospitality and barbecue would again thrive at political campaigns throughout the nation. As modern political parties developed, local candidates, even Presidential candidates, (notably Andrew Jackson – Democrat – in 1828 and William Henry – Whig – in 1840, succeeded on the stump-lined campaign trail.

An 1840 promotion for William Henry Harrison and his log cabin campaign alluded to liquor and local militia. As political contests became more polished, barbecue was not forgotten. One high note of classic verse was thrown in as a common chant in the campaign of 1846 proclaimed:

Democrats –They eat rat!  
But Whigs  
Eat Pigs.



*Courtesy of Library of Congress*

## **Van Buren Is Roasted**

After one election, George Steele sponsored what was most likely the ultimate indulgence. Combining winning politics and a barbecue in Madison County, Steele opened his estate, Oak Place, to the public on an evening in March 1845. The Clay sisters, editors of the Huntsville *Democrat*, described the splendid event in their Nov. 24, 1909 issue. One must keep in mind that the ladies were writing about an event more than 60 years earlier when wealth, good breeding, political boasting and fine food met on the very same evening:

During the Presidential campaign of 1840, Captain Steele picked out among a fine stock, a splendid ox that had never worn a yoke, named him Van Buren, and said he intended to celebrate the elections of the next Democrat President with a grand free barbecue and serve Van Buren (the) ox roasted whole. He was

doomed to disappointment – Van Buren was defeated! Nothing daunted, Captain Steele kept the ox on the fattening diet, and in four years celebrated the inauguration of a Democratic President, when James K. Polk was received by a triumphant and happy party in the White House.

The ox had grown in grace and luscious physical proportions, and he was slaughtered for the feast given at Oak Place in March 1845. Four thousand citizens from Madison and adjoining counties and states with pleasure accepted the generous and courteous invitations, scattered broadcast to Whig and Democrat alike... On the center table was a magnificent cake pyramid, four feet high, surmounted by a figure of President-elect, James K. Polk.

All kinds of vehicles, from the lowly ox cart to the elegant carriages drawn by dashing teams were brought into requisition to bring the poor, the rich, the high and low, welcomed alike.

The barbecuing... required 24 hours. With his handsome horns, highly polished, he presented a very luscious spectacle, stuffed with turkeys. There were pigs and lambs, barbecued, hams boiled and their accompaniments in jellies, sauces and bread without stint, ice cream and cake and immense cut-glass bowls of syllabub.

### **Crowds Sat on Cushions, Stumps or Rocks**

Another barbecue described on that very beloved mountain above Oak Place was sponsored by the Huntsville Gun Club in 1891. No politicking here by all accounts. This barbecue accompanied a “special shot” event in August. The Monte Sano Railway ran special trains from the depot and private carriages were filled as hundreds took advantage of the outing. Instead of the usual target clay pigeons, the hunters matched their skill against 500 live pigeons and 1000 swallows. According to the account,

there were those few who hoped an occasional bird might be quicker than the shooter as most watched in awed silence and others cheered. There was more to come:

“Barbecue was served at twelve o’clock. Long trenches of red hot coals glowed beneath whole sheep, pigs and calves that were stretched on gridirons over them. Colored cooks turned and basted them with butter, bacon juice, red pepper, salt and garlic. At other points great flames licked the black sides of iron washpots which were now filled with boiling stew or soup. Five-gallon coffee pots sent out a steam of enticing aroma. Tubs of pickles, Irish potato salad, slaw, and relish tempted the hungry. Watermelons and ice cream freezers, and cakes and candies stood ready to be served.”

After eating, many enjoyed walking to Cold Springs, to O’Shaughnessy’s lily pond or to Lover’s Leap. At the Natural Well some dropped rocks into the pit knowing full well that things plunged into the deep waters would always come out at the Tennessee River. That might be questioned, because others felt sure that such items really came out at the Big Spring, perhaps at Byrd Spring and eventually to the River.

As evening arrived gas lights from Huntsville streets could be seen, the evening star appeared in the western sky, and the exodus of “wagonettes, tallyhos, surreys, and buggies” began. The wildlife could have their mountain once more in stillness. (Elizabeth Humes Chapman, *Changing Huntsville, 189-1899*. (Huntsville, AL: Historic Huntsville Foundation, r. 1989), 122-124.

As one may surmise, these barbeques were so much more than an excuse for free food and booze. They brought people together who would otherwise never have met. They served as social magnets, allowing people from different classes and backgrounds to mix in a common setting.

The quickly changing countryside (from landscape to urban), along with the upstart democratic politics of the day, was reflected through these social events. They revealed the apparent need to modify campaign methods, and, one might argue, instigated a better organized party system. Should one's favorite candidate suffer defeat, there would be next year's barbeque to look forward to.

\*\*\*\*

**About the Author:** *Nancy Rohr is a retired teacher, as well as a contributing writer to the Huntsville Historical Review and Historic Huntsville Quarterly. She has written books on local history and recorded stories for the Huntsville History Collection. Mrs. Rohr is a past board member of the Huntsville Madison County Historical Society and volunteers at the public library.*

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# Milton K. Cummings

*By*  
*Raymond C. Watson, Jr.*

In his lifetime, Milton Kyser Cummings was often called the “Number One Citizen of Huntsville.” As a young man, his business acumen carried him from a disabled helper in a small firm to one of the most successful cotton brokers in North Alabama. Adjusting to the changing economy, he led the first high-technology firm in the city from near bankruptcy to become the largest space and defense industry in the State. Simultaneously, he was recognized as a humanitarian, opportunity leader for minorities and people with disabilities, and advisor to government officials from the local to national levels.

Cummings was born on 12 August 1911, in Gadsden, Alabama, but the family soon moved to Huntsville, where his father was a native. Milton lost a lower leg due to osteomyelitis when he was four years old, but his compensation was so thorough that in his teens he was a champion tennis player. While in high school, he began work at Shelby Fletcher Brokerage firm, learning this activity from the ground up.

When Milton was 16 and graduated from high school, Fletcher – recognizing Milton’s intelligence and determination – offered to pay for his college education; Milton, however, declined the offer, feeling that he must continue working to help support his family. His father died while Milton was still in his teens, making him responsible for his family as the Great Depression began.

Fletcher died in 1936, leaving Cummings \$5,000 in his will. Despite the risks from the ongoing depression, Cummings used this inheritance to open his own cotton brokerage firm. He became well known to the Tennessee Valley farmers, buying

bailed cotton and selling it to the cotton mills in Huntsville. Respected as an ‘honest broker,’ Cummings was soon the most successful cotton merchant in the region.

As World War II got underway, there was a great demand for cotton materials. Although his physical disability prevented him serving in military duty, he provided a vital wartime service in brokering cotton. With severely injured servicemen returning to the U.S., Cummings also visited hospitals and rehabilitation facilities demonstrating to and encouraging amputees.

Near the start of the 1950s, Cummings projected the potential decline in cotton profitability – this was soon verified – and turned his attention to personal investments in the stock market. With his own stock ticker and great attention to the market, he exhibited a genius for buying and selling at just the right time. In this, Cummings was highly successful, soon building a considerable fortune.

As Cummings rose as a successful businessman, he gained political interest, particularly at high levels in the Democratic Party. Two of his closest friends were Congressman Bob Jones of Scottsboro and U.S. Senator John Sparkman. Sparkman was the 1952 Democratic vice-presidential candidate and was also a close neighbor, living less than a city block from Cummings.

When Wernher von Braun and his team came to Huntsville, the city had no high-technology infrastructure to support their missile-development activities. The Chamber of Commerce was asked to recruit to the city an appropriate engineering and manufacturing firm. Marietta Tool and Engineering in Marietta, Georgia, responded, agreeing to form a new engineering company in Huntsville and move their existing precision machine shops from Marietta. On 1 July 1953, this opened as Alabama Engineering and Tool Company, Inc. (AETC); the stock was locally owned.

After two years and only modest success, AETC was merged with a firm owned by Rufus P. Brown and moving from Indianapolis, Indiana. The name was changed to Brown Engineering Company, Inc. (BECO), on 29 June 1956.

For the next two years, the operation languished and approached bankruptcy. There were some technical successes, including support to the Army Ballistic Missile Agency (ABMA) in building and launching Explorer, America's first satellite. In December 1957, the BECO Board made the decision to return the firm to local ownership. New stock was issued, and Rufus Brown was bought out; the company name, however, was retained.

Milton Cummings had been invited to invest in a new BECO stock issue. He had become a personal friend of Wernher von Braun, who at that time was leading the missile development and space program for the Army Ballistic Missile Agency (ABMA) at Redstone Arsenal; thus Cummings recognized its potential of gaining a foothold in the emerging space market. Convinced that the space field was where Huntsville business was headed, Cummings personally underwrote the new stock issue.

As the largest stockholder of BECO, Cummings agreed to serve as the company's President for three months. In his words, "Once I had the opportunity to more closely examine Brown Engineering, I became convinced of its great potential and accepted a permanent position." This began on 6 May 1958, but rather than three months, this lasted eight years. Within a short time, Cummings brought BECO to a strong financial condition. To strengthen his understanding of NASA and Army programs, he hired Joseph C. Moquin – a highly qualified civil service leader – as his Executive Vice President. Effective 1 July 1960, NASA absorbed the largest part of ABMA to become the George C. Marshall Space Flight Center (MSFC); Wernher von Braun was MSFC's initial Director.



**Milton Cummings**

With Cummings's financial and management capabilities being recognized through political and federal relationships, BECO's business flourished. In 1961, Cummings and Moquin initiated the Huntsville Research Park, adjacent to the Redstone Arsenal and the emerging University of Alabama's Huntsville Graduate Center. As the Saturn booster and Apollo moon-landing programs evolved, BECO was by far the largest local contractor, reaching over 3,500 personnel in a few years.

In addition to engineering and manufacturing activities, Cummings expanded the company with its Research Laboratories, providing Huntsville with the first non-government advanced research capabilities. In 1967, BECO was acquired by Teledyne Corporation, with Teledyne Brown Engineering (TBE) becoming the flagship company of the Corporation.

The engineering on the Saturn vehicle and other hardware were under Vice President, William A. Giardini. Throughout the 1960s, BECO/TBE provided over 20 million man-hours in support of NASA's space program. Vice President Raymond C. Watson, Jr. (this article's author) led the Research Laboratories and other advanced technologies developments; included were lunar exploration experiments and the basic test model of the lunar roving vehicle. In 1969, NASA presented Outstanding Public Service Awards to 98 leaders from throughout industry for their

contributions to the Saturn-Apollo effort; included were Milton Cummings, William Giardini, and Raymond Watson.

While space activities dominated company work in the 1960s, there were also significant defense-related activities. Included was the initiation of the company's efforts in ballistic missile defense, as well as intelligence analysis. In association with the latter activity, Milton Cummings – as the President – received the first Top Secret security clearance granted to a non-government individual in Huntsville. At that time, the responsible local governmental intelligence agency was under Carl E. Duckett, who later became the leader of the Central Intelligence Agency's Directorate of Science and Technology. Cummings and Duckett developed a close relationship – both were from modest backgrounds, were highly people motivated, and neither had a college education. This relationship continued throughout Cummings's lifetime. Later, Duckett often invited Cummings to visit the CIA in Langley, Virginia, and give advice on public reactions to disclosed intelligence activities.

Cummings stepped down from the presidency of TBE in 1966, but remained as Chairman of the Board of Directors. At that time, he had significant holdings in Teledyne Corporation stock. Cummings died 7 March 1973.

Milton Cummings married Nanny Vastus Ivy in 1936; they had three daughters, Jean, Carol Ann, and Nancy, and William Brooks Wilkinson, MD, was his stepson. Their primary residence was in a large colonial house built in 1860 at 603 Adams Street; large groups were often entertained there with chamber musicians. In time, he gave up tennis but was an avid golfer. A Christian, Cummings was a Deacon for 23 years and then an Elder in the Presbyterian Church.

Throughout his career, Cummings was a “people” person. While fully at ease with persons of all social strata or educational level, he especially identified himself with the working class. At BECO, he frequently visited the manufacturing facilities, where he knew many of the workers by name. He often expressed the belief, “We are our brother’s keeper,” and so conducted his personal life as well as his business activities.

Under Cummings leadership, BECO increased to about 4,500 employees; this included persons in a number of high-technology activities that he established in other cities. As of 2016, it is estimated that BECO/TBE has about 32,000 “alumni.” A significant portion of these former employees are still in the Huntsville area, many in senior positions with government, industrial, and academic organizations, and a number in firms that they founded. Thus, Cummings had a direct influence over the evolution of Greater Huntsville as one of the Nation’s high-technology centers.

Although he never attended college, Cummings significantly supported educational advancement in Huntsville. He had joined with Army officials in encouraging the University of Alabama to expand their Huntsville Branch into a full Center, particularly in provisions for earning graduate degrees. In June 1961, he accompanied Wernher von Braun in requesting the Alabama Legislature to support a Research Center in Huntsville; the response was a \$3 million (\$14 million in present value) bond issue that was approved by Alabama voters.

Cummings set an example for Southern firms in equal opportunity employment, long before it was federally mandated. In 1963, he was a principal founder and first President of the Association of Huntsville Area Companies (AHAC), an organization devoted to ensuring equal opportunity for minorities

in employment, education, housing, and community affairs. Huntsville led Alabama in all aspects of race relations, including the quiet integration of the University of Alabama's Huntsville Graduate Center.

Cummings was also in the forefront of providing employment opportunities for the handicapped. Well before any Federal requirements, Cummings had BECO provide full accommodations for these "special resources." An article in the company's newsletter described the contributions being made by 25 physically handicapped employees.

Cummings received many recognitions and honors. Auburn University conferred the degree Doctor of Laws, Honoris Causa, on him in August 1962. In April 1964, Cummings was the keynote speaker at Vanderbilt University's symposium on "The Impact of the Space Age on the South." Previously noted was Cummings's 1969 recognition by the National Aeronautics and Space Administration as an industrial leader in the Apollo Program. The United States House of Representatives recognized him through a Memorial Tribute being read into its minutes in 1973. Also in 1973, the Huntsville Research Park was renamed Cummings Research Park, soon becoming the second largest research park in the Nation and the fourth largest in the World.

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**About the Author:** *Raymond Coke Watson, Jr., Ph.D., P.E., was born at Anniston, Alabama, in 1926, and raised during the Great Depression on a small farm in Calhoun County. Upon completing a special non-degree program through the Alabama Polytechnic Institute (now Auburn University) preparing "instant engineers" to meet wartime needs, he began his professional career in 1942. Through the years, part-time*

studies led to degrees in engineering, physics, mathematics, and business administration, with undergraduate minors in history and literature.

After 18 years of engineering, research, and college teaching experience, including two wartime years in the U.S. Navy, Watson was hired by Milton Cummings in 1960, coming to Huntsville to establish the Research Laboratories of Brown Engineering Company (later Teledyne Brown Engineering).

Watson's overall career has combined a broad variety of industrial and academic positions. He has some 450 reports, papers, and presentations, including 5 books (3 on technical history) and about 50 Wikipedia and magazine articles. To date, he is still fully engaged as a consultant and writer. His latest book is *Huntsville's Technological Evolution* (Trafford, 2015).

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## **From the Editor:**

Our Review is indeed intended to reflect the understanding, perceptions, and frequently the opinion of authors that study characters and events affecting our community. Thanks to our contributing authors the Historical Society's Review always captures the soul of the community we call home. Our authors illustrate noteworthy characters that form the foundation of our society and provide insight into the political and social fabric common to our community and state, and occasionally, the nation and the world.

In 2017 we begin a three year celebration commemorating 200 years of Alabama history. The Huntsville-Madison County Historical Society is active and leading the state in actions that will make the celebration memorable to all the citizens of the state. Your Review is indeed a reflection of our 200 year history and there are so many cataclysmic events that occurred with hundreds of books written from many perspectives but not always from the perspective of our community or the people in the community that lead us through tough times and good times. I urge writers and local historians to share with our community your favorite story, person, or event and help us preserve the knowledge for the next generation.

The Editor

## ***The Huntsville Historical Review*** **Editorial Policy**

*The Huntsville Historical Review*, a biyearly journal sponsored by the Huntsville-Madison County Historical Society, is the primary voice of the local history movement in northern Alabama. This journal reflects the richness and diversity of Madison County and North Alabama and this editor will endeavor to maintain the policy established by his predecessor with regard to the primary focus of the Review as well as material to be included in it. A casual examination of every community in the world reveals the character of its citizens and, if you listen and look closely, voices from the past and expectations for the future. Today is based upon our collective experience and the socialization of our ancestor's existence.

Although this publication focuses on local history, we cannot forget that what happens here has roots often connected by state, regional, national, and international events. In an effort to build on past traditions and continue the quality of our *Review*, an editorial policy will be implemented to guide contributors who wish to submit manuscripts, book reviews, or notes of historical significance to our community. The Historical Society wants you to submit articles for publication. Every effort will be made to assist you toward that goal.

You can contribute to our history through the *Huntsville Historical Review*.

### **Manuscript Preparation and Submission**

Please submit an electronic copy of your article or book review to [arleymccormick@comcast.net](mailto:arleymccormick@comcast.net) or send a disk to:

Huntsville-Madison County  
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Box 666  
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### **Review Content and Style**

- In matters of form and style, a good guide is the fourteenth or fifteenth edition of *The Chicago Manual of Style*.
- If you choose to include footnotes the preferred citation method for full articles would be best.
- Manuscripts should be in 12-point font and in Times New Roman. Microsoft Word
- This is a guide and not intended to discourage the creative process nor constrain authors from contributing to the Review.

### **Book Review**

Please limit your book review to topics relevant to local, state, or southern history. A good review should clearly and concisely describe the nature, scope, and thesis of a book that would be relevant to Madison County history. Emphasis on local and regional history will be given in order to help readers expand and contextualize their knowledge. Your review should be helpful to the general reader interested in Madison County or North Alabama and here are some good rules to follow when writing a book review:

- Your first obligation in a book review is to explain the subject of the book and the author's central thesis or main points.
- Your second obligation is to evaluate how successfully the author has made his/her point. Is the author's argument reasonable, logical, and consistent?

- Your third obligation is to set the book into a broader context. If you can, place the book into a wider context by looking at broader issues.
- Your fourth obligation is to render a judgment on the value of the book as a contribution to historical scholarship.

### **News and Notes Submissions**

Please keep your submissions limited to 250 words and please include contact information if you are making an inquiry or asking a question. The editor has the right to change or delete wording or information.

### **Little Reminders . . . Good Writing Rules**

- Write in the active voice.
- Write in the past tense.
- Cast your sentences in the positive
- Topic sentences should be clear and straightforward statements of what the paragraph is about. Every sentence in a paragraph should work to explain the topic sentence.
- Write in the third person.

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