## LANDMAN CEMETERY II, 34-2

## **Summary Report**



Landman Cemetery II (34-2), Redstone Arsenal, Madison County, Alabama, July 2002.

This cemetery has no tombstones. It is located in the NW/4 of S21-T4-R1W, within about a quarter mile to the northeast of Landman Cemetery I, 34-1. It is believed to be a cemetery that was used for the slaves of William Landman, who died in 1829, after leaving a will to regarding his estate.



Landman Cemetery II (34-2), Redstone Arsenal, Madison County, Alabama, July 2002.

The cemetery is well maintained by the Army's groundskeeping contractor. It has a peaceful quietness, with very little traffic on the nearby streets.



Landman Cemetery II (34-2), Redstone Arsenal, Madison County, Alabama, July 2002.



Landman Cemetery II (34-2), Redstone Arsenal, Madison County, Alabama, July 2002.

William Landman was the initial purchaser of the land of the NW/4 of Section 21, Township 4, Range 1 West, in 1813. When it died in 1829, the land passed to his heirs, including his widow Frances. Both William and Francis are buried in the nearby Landman Cemetery I, 34-1.

The last Will and Sestament of William Landman Madion County State of Alabama January the 24th One Thousand eight hundred & twenty nene on I William Land man of the County of Madien and State of Alaba ma being in perfect mind and momory, do make ordains and publish this my last Will and Sestament, in the manner and form following , vez, I loans to my wife Frances Gandman the whole of my Detate both real and per - lonal including Land Negroes Stock of every description household & titten furniture & during her natural life out of the proceeds of which including my present Crop it is my wish that the threeld pay all my lawful dely graine & School my children; with The following exception Noz. gene be queath the following special legains, to my three daughter horin after named I give my Daughter Grances one Negro Girl named Manie, tomy Daughter Lina one Negro girl named Agoy & tomy Daughter Mery Ann One Negro boy named Alecte, which latter named Negro ( Aleck) give to my Baughter Mary ann and to the heir of her body, and in the event that Marry And should die without any such heir, it is my will that day

Madison County, Alabama, Last Will & Testament of William Landman, January 24, 1829. [Probate Record Book 4, Page 407]

hes return to my setate to be disposed of as the west of my property -It is furthermore my will that at the death of my wife Frances Landman the whole of my Estate both real and personal, be equally divided among all my living children Corthe living heir of their body ) - The three above named Daughters Frances Lina and Mary Ann to receive an equal propertion in common with the rest of my children notwith standing the above mentioned special Legacies - Provided however that the portion falling to my Daughter Mary Ann be Subject to the same require ments that are made in reference to the boy ( Aluk) given to her above is Le Seatemony whereof Shave hereants Suburbed my name on the day and date above William & Landman mentioned Yest, Wen Samier Ruh & Ellet , Jas M. allen The State of Alabama County Court of Madisers County this 18 day of Selmary 1829 The last will and Sestament of William Landman was this day produced in open Court for probate and it appearing to the Satisfaction of the Court that the widow & need of this has had reason able notice of this application and makes no objection, whereupon said will is admited to proof and the excu - lien thereof being only prover by the oaths of William Lance and Richard Elliott lus of the Autrenting witnesses thereto Saidwill isondered to be files for further proof and now subsequently, it being a day of the Form of Said Court Sound, the 23rd day of Gebruary 1829 The last Well and Vestament of Abilliam Landonan decend which was here to fore produced in open Court for probate and only prover by the value of of William Lancer and Richard Elliott, two of the Librenbing witnesses thirts and ordered to be filed for further proof was again this day produced in open Court and the execution there of being duly prover by the rath of Same 10 Allen the other subscribing withing therete - Wasorderists be Recorded and is duly done this 2222 day of Lune 1829 - Extracted from the Minutes of my office see No & Pages 29 2 and 293. "Vest Thos Brandow Blk.

Madison County, Alabama, Last Will & Testament of William Landman, January 24, 1829. [Probate Record Book 4, Page 408]

William Landman's purchase of the land in 1813 is shown in Margaret Cowart's book of OLD LAND RECORDS for the county:

WNSHIP 4 Sout	h	C LA CONTRACT	0			Number of		
DESCRIPTION OF THE TRACT		AREA UNITED STATES TITLE		Date of Sale			Certificate	Date
ART OF SECTION	Section	Acres 10	ths TO WHOM SOLD OR GRANTED	1 22/10			or Warrant	A
	200 22	CALL IN						
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orth East 2		161.00	Spancer Ball &					-
orth West z		101.00	Janac Wallingsford	21	Nov	1814	101	3
with Page 4		161 00	William Weedon	15	Sep	1830	286	3
buth West 1		161.00	James Manning, Asse	25	Jun	1831	86	5
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the of NEt	u	40.00	Hugh Graham	22	May	1833	621	9
s of NEŁ		80.00	John G. Jordan	27	Jun	1835	832	5
I frac		80.00	William Allison	2	ADE	1832	483	3
St of SEt		40.00	Thomas Allen Scott	5	Oct	1832	547	8
NT OI SET		40.00	James J. Donegan	18	Apr	1855	2416	0
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outh East L		160.00	William Landmoird	10	Dec	1813	78	2
outh West 1		160.00	W. C. Dunn	29	Aug	1809	(no ce	rt.
age 44	22	642.00	John McCutchen	24	Apr	1811	50	3
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orth West 2		160.70	Richard Ellicte	29	Aug	1809	63	5
outh East k		160.70	John Couch	29	Aug	1809	17	3
outh west 2		160.70	John Baker Asso	29	Aug	1809	95	8
orth East L	23	642.80	sance, nose	19	may	1910	alor a	
orth West L	The second	160.70	Joseph Acklin	29	Aug	1809	69	5
		160.70	W. Pope, Jr., Asse	29	Aug	1809	686	5
					0	320		
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2.0	FUN	D STATE	TITLE WHEN CONVEYED NETWORK	of sta	CC 05 A	MEMORAL	(DUM)	
the second second	a land	TO WHOM	ONVEYED Transfer of State WHI	OL I	PAGE	MEMORAN		
		A Statement	V North Contraction of the second sec	C.C.S. 10	Contraction of the	- FIL COLL		

The Executor of William's will, charged with carrying out a fair division of his estate, was his son James Landman:

PETITION TO SELL LAND AND SLAVES (of William Landman, deceased -1829) STATE OF ALABAMA MADISON COUNTY PROBATE COURT OF SAID COURT. The Petition of James Landman, Executor of William Landman dec'd respectfully represents unto Your Honor that all the claims against the estate of the said decedent have been paid. Your petitioner further represents that the heirs of said decedent are his seven children, to-wit: Your petitioner, James Landman, who is a resident of D said County and State. 2) William Landman who was a resident of said County and State, now deceased. Samuel Landman who resides in the County of Lauderdale 3) in said State. 4) Betsy Landman, who has intermarried with George Simmons and who resides in Lauderdale County in said State. 5) Francis Landman who has intermarried with Abram H.Sibley, and who resided in said County and State now deceased. 6) Perlina Landman who has intermarried with Joshua H.Beadle, and who resides in said County and State. 7) George Landman who was a resident of said County and State now deceased. Your petitioner further states, that the lands of said decedent, consists of the following described parcels, viz: The  $NW_4^1$  of Sec 21 T 4 R 1 W, and the  $N_2^1$  of the NE4 of Sec 21 T 4 R 1 West, containing in all two hundred and forty acres more or less. Your petitioner further states that the slaves belonging to said decedent, consist of the following nine in number viz: Jordan, Lucy, Caledonia and her two children Mary and Little Sally Herriett, Egbert, Little Jordan and Wesley. Your petitioner further states, that the said decedent divided said landsand slaves jointly to his said devisees, but did not ascertain in his will, the respective shares of his said devisees in any such manner as that the same can now be designated, Page 2 Petition to sell land and slaves

or be set apart and allotted to them, and that while it is not in conflict with the provisions of said will to sell said lands, or any of them for the purpose of distribution, yet said will gives and slaves no power for any sale thereof for such purpose.

Your petitioner therefore states that the interest of all persons concerned in said lands and slaves will be best promoted by a sale thereof and a distribution of the proceeds among said heirs according to their several rights.

Wherefore your Petitioner prays your Honor to authorize him to sell said lands and slaves for the purpose of making a division of said estate, among said heirs, according to the statute in such cases made and that such proceedings orders and decrees may be had and made in the premises as may be sufficient to effectuate such sale, for said purpose according to law.

(This paper is the only paper found in the envelope in the files here in Madison County, Alabama. The other records were taken from the Or**phin**s Court Record and Probate Court Record Books)

The petition of James Landman to sell the slaves in order to achieve an equitable and fair distribution must have been favored by the court, because the sale did occur in 1844, as shown below:

	IN THE MATTER OF THE	TN THE OPPHAN						
	DOMARD OF	IN THE ORTHAN	AB COORT					
	ESTATE OF	OF		20 <sup>10</sup>				
(	WILLIAM LANDMAN, DECEASED	MADISON COUNT	TY, ALABAM	Α ,				
		File No. 91	18					
	A.	e e l'unà la la	(Paulino	.)				
	Will: Wife Frances Daughters, Frances, Ma	ary Ann and Lina	Land	EADLE				
	Bond by Frances Landman, the with Bondsmen , Wm Bak Ellion Feb 23, 1829	widow for \$10,000 ter, James Landmar tt and Jason L Jor	).00 1, Richard rdan					
	(Ornhans Court Becord & page	293)						
	(orphane court hotoris + page	-151						
	Commissioners appointed to divide the slaves; March 6, 1844 S S Ewing, <u>Isham J Fennell</u> , Jas W Allen, Archibald McDonnell and Wm Matkins							
	(orphane cours necord ) was	2417						
	Slaves sold by Commissioners	March 0, 1045						
	To Francis Sibley - Lucy & c	hild Mariah and A	manda	\$825.00				
	To Geo Landman Heirs - Tom an	d Caroline Value	ř	905500				
	To Samuel Landman - Jemima,	Ages and Jack V	alue	1100.00				
	To Jamas Landman - Joshua 8	· Peter V	alue	857.00				
(Paulina)	To Pelina G. Beadle - Dick &	Winney V	alue	1050.00				
	To Wm Landman - Ben & Jim	V	alue	1025.00				
	To Mary Ann P. Snodgrass - He	enry, Jim & Fanny	Value	1200.00				
	To Elizabeth Simmons - Jacob	& Ann	Value	No amount				
	(Probate Record 12 page 34)							

It can be seen that the original list of William Landman's nine slaves does not closely match to the 1844 list of those sold. Only the slave named Lucy 1.4

was on both lists, and in the later list she had two children that were not named in the previous listing. The statement of "No Amount" for the 1844 sale of Jacob and Ann to Elizabeth Simmons may indicate that they were elderly and that Elizabeth was simply taking them to provide a home to the end of their days.

The 1830 slave census for James Landman shows that he had 9 slaves, and these were probably the 9 slaves listed as having belonged to James' father William in 1829. However, the "petition to sell" listed the slaves by name, indicating that there were 4 males and 5 females. The 1830 census (showing the slaves under the ownership of James Landman, as Executor of the will of William Landman) shows 5 females and 4 males:



1830 Madison County AL census Slaves of Lan(d)man, Fennell, Moore

The differences between the slave name lists not only indicates that more slaves were born into the estate, but apparently some more were added by other means. Some of those not named in the 1844 list may have died and been buried in the Landman Cemetery II, 34-2. When the heirs sold the land out of Landman hands, the only cemetery that they reserved from sale was the Landman Cemetery I, 34-1, as shown in the deed below:

udge of Irobale " Chat W Strong Et al, This Indenture made and entered into To Deed "His the H" day of November 1871, by and Thomas & Barelay Between Chas W Strong and matterson 30 16 Strong of the County of madison and State of Alabama of the first part and Thomas & Bar clay of the bounty of Marshall' State of Habana of the secon bart, Witnepette, That the Said Char I Strong and Matter O H Strong of the first part, for and in consideration The Lune of Swe Thousand Hour hundred & Fifty Date to them in hand paid by the Said Thomas 6 Barday of Is Second part the receipt of which is hereby acknowledged by Jaid parties of the first part, have the day given grant

Madison County AL Deed Book RR, page 471: Charles W. Strong & Mattison O. H. Strong to Thomas C. Barclay, S21-T4-R1W, 1871.

472bargained. Sold, conveyed and confirmed, and by these press do grant, give bargain, Sell, Convey, and Confirm meto the Said Thomas & Warday of the Second part, all that certain brack or parael of land lying and being in the county of madison and State of Alabama and known and desan as follows to wit She North wet quarter of Section livery one Some Ship four, Range one west, and the north half of the north bast quarter of Section Swenty one, Vourschip four dange one and except one acre to include the grave yard ice the South Corner of the NW In Sec. 21. S. H. R. I. M.) Containing Devo hundred & Sorty acres more orles, it Have and to hold the above described bracks or parcels of land, with the lements heredilaments and apporteneauces therete belonging or in any west appertaining meto The Jaid Chornes & Barclay his heirs brecutors admine istrators and assigns lower, And the Said blad W Strong and Mallison O 76 Strong will warrant and forever defind the tille to the hereby granted premises to the party of the second part his heirs and assigns forever, and from and against Themselves their heirs executors administrators and assigns. from and against the langed claims and litle of all and every person whomever, In Jestimony where the said party of the first part have here not set their hands and seals, this the day and date above withen (Stanped 25) Charles I Strong Geal Alattison C. 26 Strong Lead The State of Alabama 3 Personally appeared before me Robert madison boundy 3W digy, a Justice of the Peace int for said boundy, Charles I Strong and matison O'Hellron whose names are signed to the foregoing reed of Convey and who are known to me, acknowledged before this day that being neformed of the Contents of the Convy ance, They executed the same orlinitarily on the day The Same bears date, Giorne under my hand day of November 1811, Given under my hand this t hope W dig day of November A D. 171 Instice of the Pe The going & eed was delivered into the office of Protate Court of Madison boundy alaborna for Registration The A" day of Norember 1811, and was duly Record Lewis M. Douglass May of November 1871, ster 1 Judge of Fridate

Madison County AL Deed Book RR, page 472: Charles W. Strong & Mattison O. H. Strong to Thomas C. Barclay, S21-T4-R1W, 1871.

[Exception specifies location of the Landman I Cemetery / 34 - 1]

Through time, the heirs of William Landman sold his land holdings, as well as his slaves, until after they were emancipated. The INDEX TO LANDS prepared by G. W. Jones & Sons, Inc., shows the transitions of land ownership for S21-T4-R1W through the 1800s.

	INDEX TO LANDS Section Township & South of Range 1 with Madison County, Alabama.										
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The Landman surname is somewhat "lost" in the INDEX due to the fact that so many of William's heirs were daughters, who married and took their husbands' surnames. A key to the surnames and geographical dispersion of the female heirs after marriages is also seen in the later records, from the 1917 deed below:

-1-

Thos W Jones, judge of probate.

15

the City of Hunteville, county and state aforenaid and described as follows, towit:

Beginning at the intersection of Eustim and Lincoln streets. thence northwardly along the east margin of Lincoln street 70 fest 4 inches to a stake, thence at right angles eastwardly 155 feet to a stake, thence at right angles southwardly 70 fest 4 inches to Hustim street, thence at right angles wetwardly slong the north margin of Eustim street 155 feet to the

point of beginnings. TO Have and to hold the slot or parcel of ground above described, together with all and singular the rights, privileges tensments appurtenances and improvements unto the said H D Westmoreland and unto his heirs and assigns forever. And the said parties of the first part do hereby covenant with and represent to the said H D Westmoreland his beins the first part do hereby covenant with and represent to the said 1 D Bestspreised and the and assigns that they are lawfully saized in fee of the "roperty above described, that the same are free of encumbrance, that they have a good ands Aawful right to sell and convey the same as aforesaid and that they will warrant and defend the title to the same unto the said H D Westmoreland and unto his beirs and assigns forever against the lawful claims and demands of all persons whomsoever.



50

Jas. H Landman seal Jean T Landman neaL H P Landman neal Harry C Landsan ses1 Frank Landman seal Chas Landman neal Clare M O'Neal R L O'Neal jr. neal sea1 J Henry Miller neal MAry Miller neal Gordon E Greenfield seal Kate B Greenfield seal Carris G Hibeck seal. WIlliam P Sibeck zeal Minnie O Wittenberg seal George H Wittenberg seal Willie Maud Landman seal

State of Alabama

Noffermon abouty . I. Mary Manford a notary public in and for said county and state hereby dertify thatsignedsid Landsansandruhtsiwifendeanut Dandman, kwhomeinames are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that being informed of the contents of the conveyance. They executed the same voluntarily on the day the same bears date; And I further certify that on the 16th day of April, 1917, came before me the within named Jean 7 Landman known to me to be the wifeof the within named James H Landman, who, being examined separate and spart from the husband touching her signature to the within conveyance acknowledged that she signed the same of her own free will and accord and without fear con-straints or threats on the part of thehusband. Given under my hand this the 16th day of April, 1917.

( notarial meal) State of Alabama.

MAry Manford, notary public

Madison county. I. M.B. Spragins a notary public in and for said county and state hereby cer-tify that Boward Landmany Marry C Landman, Frank Landman and Charles Landman, all unmarried Clars O'Neal and her husband R L O'Neal, Jr., whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this doy that being informed of the ands and who are shown to be the wifee of the within mamed E L O'neal Jr., who, being examined separate and apart from the husband touching her signature to the within conveyance. acknowledged that she signed the same of her own free will and accord and without fear, con-straints or threats on the part of the husband. Given under my hand this the With day of MArch 1917.

M B Spraging notary public.

State of Alabama, Walker county. Τ.

a notary public in and for said county and state hereby certify that J Henry Miller and Mary Miller, his wife shore names are signed to the foregoing con-

veyance and who are known to me, soknowledged before me on this day that being informed of yeyance and Mno are known to be, they excouted the same voluntarily on the day the samebears the contents of the convergence, they exceed the man outentarily on the day the samebears date; and I further cortify that on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 1917, came before me the within named Wary Miller known to me to be the wife of the within named J Henry Miller, who being examined exparate and spart from the husband, touching her signature to the within conveyance, acknowlesparate and spart from the same of her own free will and accord and without fear constraints edged that she signed the same of her own free will and accord and without fear constraints or threats on the part of thehushand. Given under my hand this the \_\_day of \_\_1917.

E A Crelly notery public.

State of Arkansas. Pulaski county. Pulsski county. I. T G Mmbres a notary public in and for said county and state hereby certify that Gordon E Green field and his wife KAte B Greenfield, Carris G Sibeck and her humband, that Gordon E Green field and his wife KAte B dreenfield, Carris G Sibeck and her humband, william F Sibeck, Minning G Mittenberg and her humband George H Wittenberg whose names are Other than conjecture based upon the named slaves in the 1829 - 1844 estate papers of William Landman, it cannot be proven which slaves were buried in the Landman Cemetery II, 34-2. Even those whose names were dropped from the 1844 list may not be buried here. They may have been moved away with the heirs to other counties and states, to be buried in new locations. So far as is known, this little cemetery was not used for burials after the Civil War and slave emancipation, but even that is conjecture.

Prepared by John P. Rankin, August 28, 2005