<u>UNKNOWN</u> <u>CEMETERY</u>, 52-1

Summary Report



Unknown Cemetery, 52-1, Redstone Arsenal, Madison Co. AL, April 26, 2003
View along north side from northeast corner at gate.

Large size of trees indicates advanced age of cemetery, which could possibly be the slave cemetery of the William Lanier family. The Lanier family Cemetery, 51-1, is just across Patton Road to the east of this cemetery. No inscribed tombstones were found here on the date visited.

Actually, the above caption is not correct. William Lanier never owned the land where this cemetery is located. He did own an adjacent quarter section for a time.



Unknown Cemetery, 52-1, Redstone Arsenal, Madison Co. AL, April 26, 2003 View to southwest from northeast corner at gate.

This cemetery is located in the Southeast Quarter of Section 28, Township 4, Range 1 West. It is less than half a mile southwest of the Jordan – Lanier Cemetery (51-1). As historical land record research reveals, it is located between the old sites of a school (Chapman School?) and a "Negro Cumberland Presbyterian Church", thought to have been the Poplar Hill Colored Cumberland Presbyterian Church, dating from 1874.

The cemetery as it appeared in 2003 is shown in the photographs below. No tombstones were found, indicating a likely black cemetery, but the remains of internal fencing indicated burials in the 1900s.



Unknown Cemetery, 52-1, Redstone Arsenal, Madison Co. AL, April 26, 2003 View along east side of cemetery from northeast corner at gate.



Unknown Cemetery, 52-1, Redstone Arsenal, Madison Co. AL, April 26, 2003 View to south central portion of cemetery from northeast corner at gate.



Unknown Cemetery, 52-1, Redstone Arsenal, Madison Co. AL, April 26, 2003 View of gate at northeast corner from within cemetery.

The jogging trail north of the Sparkman Center runs through the trees at the right in this photo, to the east of the cemetery by about 50 yards.



Unknown Cemetery, 52-1, Redstone Arsenal, Madison Co. AL, April 26, 2003 View to northeast from southwest corner



Unknown Cemetery, 52-1, Redstone Arsenal, Madison Co. AL, April 26, 2003 Fieldstone along north central edge of cemetery

There was an obvious grave depression near this fieldstone, but there were otherwise very few grave depressions found in the cemetery at the time visited. If visited during February or early March, more depressions may be visible, as the overgrowing vegetation would be killed and matted by cold weather at such a time.



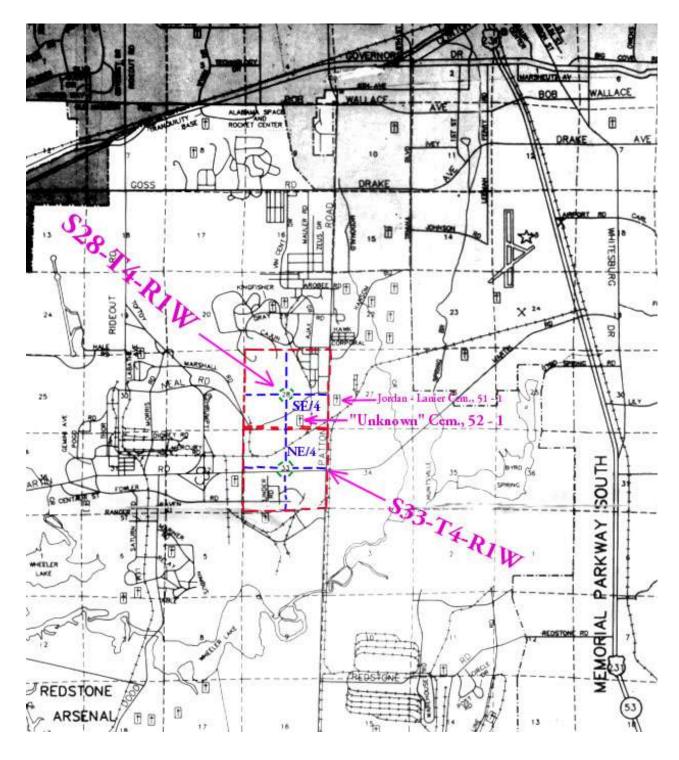
Unknown Cemetery, 52-1, Redstone Arsenal, Madison Co. AL, April 26, 2003 View to northeast from southwest corner

These coils of fencing are recent. It is not known why they were here.

The map shown below was produced by unknown parties in the year 2001. This map labels a cemetery in the area as the Chapman Cemetery. The basis of that name is not known, but it may be related to the former nearby presence of an old school, probably called the Chapman School, but that is simply conjecture at this point. The point indicated on the map for the Chapman Cemetery is actually in the NW/4 of Section 34, rather than the SE/4 of Section 28, but it may be a positioning error, as the map maker probably intended to show the Unknown 52-1 Cemetery. There is no known cemetery in the location plotted for the Chapman Cemetery.



The 1998 Southern Engineering map excerpt below shows the more precise location of the Unknown Cemetery, 52-1. The map excerpt has been outlined to show Sections 28 and 33 of Township 4, Range 1 West, for subsequent land record study.



(1998 Southern Engineering Map excerpt, Madison County, AL)

The "Old Land Records" page below shows that Thomas Freeman, the first official surveyor of government land here, bought the cemetery land in 1809.

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According to the **INDEX TO LANDS** below, Thomas Freeman sold his interest in this land in 1816 to Francis Anderson, who had in 1818 bought the other 13 acres of land in Section 28 that was west of the old Indian Boundary Line.

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The record above shows that ownership of the land of Section 28 continued to transition from Francis Anderson to Eldred Rawlins (who married a Lanier relative of Rev. William Lanier of the nearby Jordan – Lanier Cemetery) and Jones Wood. From them it transitioned to William and Thomas Brandon, and thence to George Lane by about 1850. In 1853 George Lane sold portions of the land to William Matkin, and other parcels to Zebulon P. Davis and William Brown. William and Margaret Matkins

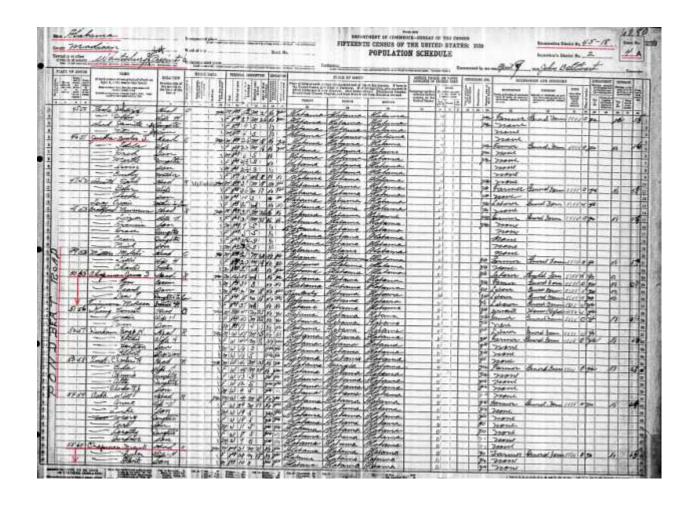
had a daughter named Emma who married William M. High. They sold the land to her and vice-versa, until Margaret Matkins was the sole owner. However, she mortgaged it to Isham J. Fennell, and it was foreclosed, then redeemed and returned to the Matkin family, according to old land title abstracts. Archibald McDonnell was involved in various transactions with the Matkin land as trustee of the estate.

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During Matkin ownership of the land, a half acre of it was sold to trustees of the "Colored Cumberland Presbyterian Church" in 1874 in the Southwest Corner of the Southeast Quarter of Section 33. Another acre was sold for the purpose of a school (Chapman School?) in 1902. The quarter of Section 28 for school location was not specified in the **INDEX TO LANDS**, but it was found to be in the NE/4 in other documents. That places the cemetery about halfway between the school in the NE/4 of Section 28 and the church in the SE/4 of Section 33 (examine the 1998 map excerpt). Such a location suggests that the cemetery may well have been the burying ground for the Negro church, as well as the community around the school.

The census records were examined to see if some Chapman families lived near the cemetery in order for it to be named the Chapman Cemetery at some time. The only Chapman families on arsenal lands were found in the 1930 census: James S. and Frank Chapman as heads of households. However, they were enumerated along the Pond Beat Road, near the Green Grove Road. That location is much further south, in the Pond Beat and Green Grove communities. If they had lived in the area of the Unknown Cemetery 52-1, the census record would have indicated that they were along the Triana Pike or in the Mullins Flats community.



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Selected pages of the old Madison County Land Title Abstracts are reproduced herein for reference to see the ownership transitions and the many exclusions from deeds of the land for the school and for the church. The cemetery itself was never mentioned in the exclusions, and it was not a part of the church deed or the school deed, as the cemetery size exceeds the size of those properties. Therefore, it was not simply a church cemetery, but it had to have also been a community cemetery. It was perhaps always treated informally, with permission to bury the dead just understood by residents of the community around the school and the church, without ever pursuing formal documentation of ownership. If it ever had a name during its use, the cemetery was probably called the **Poplar Hill Cemetery** or the **Poplar Hill Church Cemetery**, even though it served a community broader than the church.

J. T. Betes	SEA ex l s in NE cor of NRA of SEA	159	88	4	1 W
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Pr. 1951					

Selections from Madison County AL Title Abstracts

We hereby certify that the foregoing is a complete abstract of title of lands described in the caption of this abstract, from 1866 to date, being a full, complete and accurate exhibit of every instrument of record covenying or affecting the title to said land, as shown by the records on file in said county, during the time covered by this abstract. We further certify that this abstract includes all court proceedings, notices, lis pendens, judgments, decrees, and transcripts of every character whatsoever affecting the title to said land, as shown by said records, and that the State and county taxes have been paid for the year 1939 and for five years prior to 1939. Dated at Huntsville, Alabama, this 6th day of March, 1940. G. W. JONES & SONS

Selections from Madison County AL Title Abstracts

Quitcleim deed FANNIE A. LAWLER, widow, No Aug. 30, 1923 Aug. 30, 1923 Randall W. Lynsky, N.P. Single Aug. 31, 1923 Deed 128 541 STATE OF ALABAMA Yes Yes 1.00 Yes . . . do hereby remise, release, quitclaim and convey to the said State of Alabama all my right, title, interest, claim and demand in and to the following described real estate in school District No 47 Madison County and State of Alabama, towit: All that part of the southeast quarter of section 28, township 4, range 1 west described as beginning at a stake 19.02 chains west and 4.03 chains south from the northeast corner of said quarter section (which point is the northwest corner of the old school lot); thence north 40 degrees west 1.05 chains; thence south 50 degrees

To have and to hold the tract or parcel of land above described, together with all and singular the rights, privileges, tenements, appurtenances and improvements unto the said State of Alabama and unto its successors and assigns forever but without in any way warranting or intending to warrant the title to the same.

west 4.74 chains; thence south 40 degrees east 4.21 chains to the west margin of the Triana Pike; thence with same north 50 degrees east 1.58 chains to the southeast corner of the school lot; thence north 40 degrees west 3.16 chains to the beginning and containing

Selections from Madison County AL Title Abstracts

marranty deed J. T. BATES & WIFE No Aug. 23, 1923 MATTIE E. BATES Aug. 23, 1923 J. A. Walker, NP and Rx Off JP Married Yes J. A. Walker, NP & Ex Off JP Aug. 31, 1923 Deed THE STATE OF ALABAMA 128 541 Yes Yes Yes 100.00 Yes . . . and in further consideration of the contributions made by the other persons for the purpose of securing the extension of sid by the State of Alabama in the erection, repair or equipment of a rural school on the lands hereinefter described have granted, bargained and sold and by these presents do hereby grant, bargain, sell and convey unto the State of Alabama the following described real estate situated in

School District No 47, Madison County and State of Alabama, towit:

All that part of the southeast quarter of section twenty eight (28) township 4, range 1 west described as beginning at a stake 19.02 chains west and 4.03 chains south from the northeast corner of said quarter section (which point is the northwest corner of the old school lot), thence north 40 degrees west 1.05 chains; thence south 50 degrees west 4.74 chains; thence south 40 degrees east 4.21 chains to the west margin of the Trians Pike; thence with same north 50 degrees east 1.58 chains to the southeast corner of the school lot; thence north 40 degrees west 3.16 chains to the beginning and containing one acre more or less. Plot property described above Section 28, Township 4, Range 1 West.

To have and to hold the aforegranted premises to the said State of Alabama forever in fee simple. And we do hereby covenant and agree with the State of Alabama that we are seized in fee of said premises; . . .

(This conveyence shown for reference only)

J. T. BATES & WIFE

MATTIE E. BATES

FANNIE A. LAWLER

Mortgage

Jan. 2, 1920

Jan. 2, 1920

W. B. Davis, N.P.

Jan. 2, 1920

Mtg

172

144

30,000.00

Jan 1, 1921

. . . and for the purpose of so doing and for and in consideration of the said sum of Thirty Thousand Dollars to me cash in hand paid this day by the said Fannie A. Lawler, the receipt of which is acknowledged, we the said J. T. Bates and Mattie E. Bates, his wife, do hereby grant, bargain, sell and convey to the said Fannie A. Lawler, all those certain tracts or parcels of land situate in Madison County, Alabama, and described as

The southeast 1/4 of Section 28; twenty acres in the south-east corner of the south-west 1/4 of section 28, and the north-east 1/4 of section 33, all in Township 4, Range 1 West, less one acre heretofore conveyed by Elizabeth G. Matkins to A. McDonnell, Trustee, (and land not included in this abstract).

To have and to hold the tracts or parcels of land above described together with all and singular, the rights, privileges, tenements, appurtenances and improvements unto the said Fannie A. Lawler and unto her heirs and assigns forever. And I, the said J. T. Bates, do hereby covenant with and represent to the said Fannie A. Lawler her heirs and assigns, that I am lawfully seized in fee of the property.

Warranty deed JAMES H. COWLEY & WIFE Jan. 2, 1920 Jan. 2, 1920 VIRGINIA S. COWLEY W. P. Esslinger, N.P. Married Yes W. P. Esslinger, N.P. Jan. 10, 1920 119 Deed 299 J. T. BATES Yes Yes Yes 35,000.00 Yes . . . do hereby give, grant, bargain, sell, and convey unto the said J. T. Bates, the following described real estate, situated lying and being in Madison County, Alabama, to wit: The Southeast quarter (SE1) of Section Twenty Eight (28); Twenty (20) acres in the Southeast corner of the Southwest quarter (SW1) of Section twenty eight (28) and the Northeast quarter (NE1) of Section Thirty three (33) of Township Four (4) Range one (1) West, subject to a conveyance of one (1) acre conveyed by Elizabeth Madkins to A. McDonald, Trustee, containing three hundred and forty (340) acres more or less and being the same property conveyed to the said James H. Cowley by deed of John A. Anderson., bearing date January 2nd, 1919 of record in the office of the Judge of Probate of said County in Deed Book 116, page 487.

TO HAVE AND TO HOLD, the above described real estate with the rights tenements, and appurtenances thereunto belonging or in anywise appertaining unto the said J. T. Bates, his heirs, and assigns, forever.

Selections from Madison County AL Title Abstracts

JAS. H. COWLEY & WIFE

VIRGINIA S. COWLEY

Mortgage

Jan. 2, 1919

Jan. 2, 1919

Alice Lanier, N.P.

Jan. 30, 1919

JOHN A. ANDERSON

Mtg

161

29

22,000.00 10 notes 1 on Jan. 1, 1921, 22, 23, 24, 25, 26, 27, 28 '29, 1930 esch.

. . . and for the purpose of so doing, and for and in consideration of the sum of One Dollar (\$\psi 1.00\$) to me cash in hand paid, receipt of which is hereby acknowledged, we, the said James H. Cowley, and Virginia S. Cowley, his wife, do hereby grant, bargain, sell and convey unto the said John A. Anderson, all of those tracts or percels of land, situate, lying and being in the County of Madison and State of Alabama, and more particularly described as follows, to-wit:

The Southeast quarter (SEA) of Section Twenty-eight (28); Twenty scres (20) in the Southeast corner of the Southeast quarter (SWA) of Section Twenty eight and the northeast quarter (NEA) of Section Thirty Three (33) of Township (4) four, Range one (1) west, subject to a conveyance of one (1) acre conveyed by Elizabeth Madkins to A. McDonald, Trustee, - containing Three Hundred and forty (340) acres, more or less.

"This debt is secured by this mortgage is paid. Jan 2, 1920
"John A. Anderson"

JOHN A. ANDERSON, unmerried, Jan. 2, 1919 Jan. 2, 1919 Alice Lenier, N.P. Single Jan. 3, 1919 Deed 116 487 JAMES H. COWLEY Yes Yes 27,000.00 Yes \$5,000.00 cash, bal by mtg. . . . and by these presents does, give, grant, bargain, sell and convey unto the said James H. Cowley, party of the second part, the following described tracts or parcels of land, situate, lying, and being in the County of Medison, State of Alabama, and more particularly designated and described as follows, to wit:

The Southeast quarter (S.E. 1) of Section Twenty Eight (28); Twenty (20) acres in the southeast corner of the South West quarter (SW1) of section twenty eight (28) and the Northeast quarter (N.E. 1) of Section Thirty Three (33) of township Four (4), range one (1) west, subject to a conveyance of one (1) acre, conveyed by Elizabeth Madkins to A. McDonald, Trustee, containing Three Hundred and Forty acres (340) more or less.

TO HAVE AND TO HOLD the tracts or percels of land above described.

Grantor to pay taxes due October, 1918 and grantee assumes taxes there-

Jan. 1, 1919
Jan. 1, 1919
Jan. 1, 1919
Thos. W. Jones, Judge Pro.

Jan. 1, 1919

Jan.

Know all men by these presents, That Whereas, in accordance with a decree of sale rendered at the July Temm, 1918, of said County, in the cause of John A. Anderson, Complement, against Jimmie Anderson, Cond, et als. Defendents.

I, F. S. Cabaniss, as Register of said Court sold the following described real estate, viz:

The South East Quarter of section 28, Twenty acres in the South east corner of the South West quarter of Section 28, the Northeast quarter of Section 33, in Township 4, Range One West, subject to a conveyance of one acre conveyed by Elizabeth Madkins to A. McDonnell, Trustee, (and lands not included in this abstract)

Which rest estate was sold at public sale between the hours of 11 o'clock AM and 4 o'clock PM on the 20th day of November A.D. 1918, at the Court House Door of Madison County, Alabems, to John A. Anderson, for the sum of Thirty-five Thousend, line hundred Eighty (\$35980.00) Dollars, after first having given notice of the day, place and terms of said sale, and a description of the real estate for three successive weeks in the Huntsville Merucry, a newspaper published in said County, and also by posting up for thirty days at the Court House door of said County a notice of said sale.

And whereas, the sum of Thirty-five Thousand Nine Hundred Eighty

And John A. Anderson became the highest, best and last bidder for that part of said land described as follows: the

Southeast quarter of Section 28, 20 acres in the Southeast corner of the Southwest quarter of Section 28, the Northeast quarter of Section 33, the Southwest quarter of Section 33, all in Township 4, Range 1 West, except one half acre in the Southwest corner of the Southwest quarter of Section 33, conveyed by Margaret A. Madkins to the Trustees of the Methodist Episcopal Church, colored, and subject to a conveyance of one acre conveyed by Elizabeth Madkins to A. McDonnell, Trustee, containing in the aggregate 500 acres more or less. (And other lands)

at and for the sum of Thirty-five Thousand Nine Hundred Eighty (\$35980.00)

Which said sums aggregating Thirty six Thousand and Eighty (\$36080.00) Dollars, was not greatly disproportionate to the value of said land. And the said Complainant, the said John A. Anderson and the said Defendants through their Guardian the said Jimmie Anderson, having requested that the purchaser or purchasers be permitted to pay fifteen per cent of the purchase price in cash at the time of the sale and the balance on January lst., 1919, and secure a conveyance and possession on January 1st, 1919; and said terms having been amounced at said sale;

NOW THEREFORE the Register begs leave to report that the said lands were sold as hereinabove set out to the respective highest bidders as aforesaid, and the said R. L. Lytle has paid to the Register the sum of Pifteen (\$15.00) Dollars.

RLIZABETH G. MATKIN & HUSBAND

W. B. MATKIN

JOHN A. ANDERSON

CLINTON D. ANDERSON

Warranty deed Yes Aug. 31, 1910

Aug. 31, 1910

Ola Taylor, N.P.

Married Yes

Ola Taylor, N.P.

Aug. 31, 1910

Deed

230

Yes

Ye

102

Yes

12,000.00

Yes

Witnesseth, That for and in consideration of the sum of Twelve Thousand (*12,000.00) dollars - One thousand (*1,000.00) dollars of which is paid in cash, the receipt whereof is hereby acknowledged, and the execution of a note by the said parties of the second part, payable to the said Elizabeth G. Matkin in the sum of Eleven thousand (*11,000.-00) dollars, on or before the first day of January, 1911, the delivery of which note is hereby acknowledged, to secure the payment of which said Eleven thousand (*11,000.00) dollars note, the vendors lien upon the land hereinafter conveyed, a hereby expressly reserved and retained, the said Elizabeth G. Matkin and W. B. Matkin her husband, have this day given, granted, bargained, sold and conveyed, and by these presents do give, grant, bargain, sell and convey unto the said John A. Anderson and Clinton D. Anderson the following described tracts or parcels of land lying in Madison County, Alabama, namely:-

The south east quarter of section 28, twenty acres in the south east corner of the southwest quarter of section 28, the north east quarter of section 33, all in township 4, Range 1 West, subject to a conveyance of one acre conveyed by Elizabeth G Matkin to A. McDonnell, trustee, (and lands not included in this abstract)

To have and to hold, the above described tracts or parcels of land, with all and singular the tenements and appurtenances thereunto belonging or in anywise appertaining unto the said John A. Anderson and Clin-

E. G. MATKIN & HUSBAND Mortgege W. B. MATKIN March 19, 1910 Merch 19, 1910 Henrietta R. Schiffman, N.P. I. SCHIFFMAN & CO. Mar. 22, 1910 Mtg 106 279 648.00 Aug 1, 1910 ... do hereby give, grant, bargain, sell and convey unto the said I. Schiffman & Co. the following described lands, situated in the County of Medison, State of Alabama, viz: SEt and twenty acres in the SE corner of the SW quarter of section 28 and the NET of section 33, in township 4, Range 1 West, except one acre in said section 28, conveyed by W B Martkin to A McDonald et als, Trustees of date July 12th, 1902 and recorded in deed book 90 page 255 (and land not included in this abstract) To have and to hold said real estate, with the rights, tenements, and appurtenances thereunto belonging, or in anywise appertaining unto the said I. Schiffman & Co., heirs andsssigns, forever;

Selections from Madison County AL Title Abstracts

"Satisfied & Paid in full, this 31st day of Aug, 1910.
"I. Schiffman & Co."

RLIZABETH G. MATKIN & HUS.

W. B. MATKIN

I. SCHIFFMAN & CO

Mortgage

March 31, 1909

March 31, 1909

Henrietta R. Schiffman, N.P.

Mch. 31, 1909

Ktg

96

566

1,000.00

1 yr after date

. . . and by these presents do give, grant, bargain, sell and convey unto the said I. Schiffman & Co. the following described tracts or parcels of land lying and being in the County of Madison, State of Alabama, to-wit:

S.E. and twenty acres in the SE corner of the S.W. quarter of section 28, and the N.E. of section 33 and the S.W. quarter of section 33 all in township 4, range I west, except the following described tracts of land heretofore conveyed by Margaret A Matkin to the trustees of the M.E. Church colored, containing one half acre in the S.W. corner of the of the S.W. of said section 33 and more particularly described in the deed of Margaret A. Matkin of date December 17th, 1877, and recorded in deed book UUU page 308, also one acre in said section 28, conveyed by W. B. Matkin to A. McDonnell. et als trustees of date July 12th, 1902 and recorded in deed book 90 page 255.

"Satisfied & paid in full this 31st day of Dec. 1910.

BLIZABETH G. MATKINS & HUS

W. B. MATKINS

ISAAC SCEIFFMAN

Mortgage

Oct. 29, 1904

Oct. 29, 1904

J. Robert Jones, N.P.

Oct. 29, 1904

Mtg

84

628

3600.00

1 yr after date

. . . and by these presents do give, grant, bargain, sell and convey unto the said Isasc Schiffman, the following described tracts or percels of land lying and being in the County of Madison, State of Alabama, to-wit:

SEt and twenty scres in the SE corner of the SW quarter of Section 28, and the NEt of sec 33, and the SW quarter of section 33, all in Township 4, Range 1 West, except the following described tracts of land heretofore convey by Margaret A Matkins to the Trustees of the M.E. church colored containing one-half acre in the SW corner of the SWt of said section 33, and more particularly described in the deed of said Margaret A. Matkins of Date December 17, 1877, and recorded in deed Book UUU, page 308. Also one acre in said Section 28, conveyed by W B Matkins to A McDonald et als Trustees of date July 12, 1902 and recorded in deed Book 90, page 255.

To have and to hold the above described tracts or parcels of land with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining to said Isaac Schiffman his heirs and a saigns forever.

Provided, nevertheless

"Satisfied & paid in full, this 31st day of Dec. 1910.
"Beetie Schiffman, Executrix
per R. L. Schiffman"

Warranty deed ELIZABETH G. MATKINS & HUSBAND No July 12, 1902 July 12, 1902 W. B. MATKIN J. R. Boyd, N.P. Married J. R. Boyd, N.P. July 12, 1902 Deed 90 255 ARCHIE MCDONNELL, SAM A. IA THAM Yes Yes end A. P. PARCIAY, SCHOOL Yes 10.00 Yes

TRUSTERS of T. 4, R 1 WEST

. . . and by these presents do give, grant bargain, sell and convey unto the said parties of the second part as such Trustees the following described tract or parcel of land, lying and being in Madison County, Alabama, viz:

Commencing at a point in the center of the Triana Pike where it leaves the section line between sections twenty-seven and twenty-eight, Township Four, Range one west; thence with the center of said pike Southwesterly four hundred and twenty eight (428) yards to the lot hereby conveyed, thence North West in a line perpendicular to said pike seventy (70) yards, thence South West in a line parallel with said pike seventy (70) yards thence South East parallel with first line seventy (70) yards to the center of said pike. thence North East with the center of said pike seventy (70) yards to the place of beginning, containing one acre, being in Section Twenty eight, township four, Range one West.

On the margin of the above described record appears the following:

"The scre of land described in the within deed is hereby released & discharged from the provisions of certain mortgages executed by said W B & E G Matkin to J H McAnelly & Bro on the 14th day of March 1901 & July 18th, 1899 recorded in Book 64, p 506 & in book 71, page 532, & from all mortgages by said w B & E G Matkin to said J H McAnelly & Bro. this release to be void if school is not kept up on said lot, but should be allowed to lapse for the space of two years. This August 4th, 1902.

"J. H. McAnelly & Bro."

Selections from Madison County AL Title Abstracts

Quitclaim deed ADA S. JONES & HUSBAND No July 14, 1899 July 14, 1899 J. A. R. JONES Thomas O. Gill, N.P. Ex Off JP Married No July 17, 1899 Deed 85 301 BLIZABETH G. MADKINS Yes Yes 800.00 Yes W. M. Gormen R. Y. Gill G. Madkins, all of our right, title, interest and claim in or to the following described real estate to-wit: Lying and being in the County of Madison, gtate of Alabama, that is to say, The South East quarter and twenty acres on the South East corner of the South West quarter of Section twenty eight, the North East quarter of Section thirty three, and the South west quarter of Section thirty three, all in township four, Range one West, containing five hundred acres more or less, and being the same land conveyed by Margarett A. Matkins to Isham J. Fennell by mortgage of record in the probate Court of said county, in mortgage book 28 page 317. TO HAVE AND TO HOLD to the said Elizabeth G. Matkins her heirs and

Selections from Madison County AL Title Abstracts

Deed HENRY MCDONNELL, ADMR. No Oct. 24, 1894 ISHAM J. FENNELL See below HENRY McDONNELL & WIFE 11 11 ADA F. McDONNELL M. L. FENNELL Nov. 10, 1894 Deed 75 206 RLISABETH G. MATKINS Yes Yes 2250.00 Yes . . in consideration of the sum of Twenty Two Hundred and fifty (\$2250) dollars being the balance due on the debt secured by the mortgage of Margaret A. Matkins to Isham J. Fennell which mortgage was foreclosed on April 24, 1893, to us in hand paid by Elisabeth G Matkin, the receipt whereof is hereby acknowledged, we, Henry McDonnell Individually and as administrator of the estate of Isham J. Fennell, deceased, Ada F. Mc-Donnell wife of said Henry and Mattie L. Fennell (Ada F. McDonnell and Mattie L. Pennell being the only heirs at law of said Isham J. Fennell decessed) do remise, release, grant and convey to the said Elisabeth G. Matkin all our right, title, interest and claim in or to the following described real estate lying in the county of Madison, State of Alabama, towit:

The South East quarter and twenty acres in the southeast corner of of the southwest quarter of Section 28 and the northeast quarter of Section 33 and the southwest quarter of Sedtion 33 all in township four Range one West, containing Five Hundred acres more or less.

ACKNOWLEDGED:

By Henry McDonnel, individually and as said admr. and by Ads F.
McDonnell, Oct. 24, 1894 before J R Wynn, J.P., Madison Co., Als.

By Mattie L. Fennell, Nov. 6, 1894 before N. D. Lunning, J.P. (Seal)

Buncombie County, North Carolina.

Deed

A. MCDONNELL & WIFE

HENRY McDONNELL, ADMINISTRATOR

OF ESTATE OF ISHAM J. FENNELL

LILLIAN MCDONNELL

April 24, 1893

April 24, 1893

No

J. R. Wynn, J.P.

Married

Yes

J. R. Wynn, J.P.

April 24, 1893

Deed

YYY

402

Yes

Yes

No

2,828.50

Yes

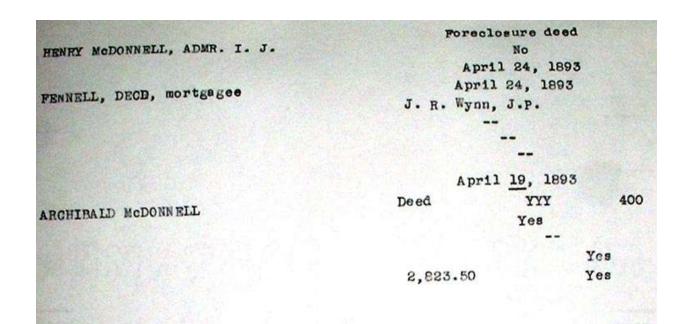
DECRASED.

Know all men by these presents that for and in consideration of the sum of two thousand eight hundred and twenty eight & 50/100 dollars to me in hand paid by Henry McDonnell, Admr of the estate of Isham J. Fennell deed the receipt whereof is hereby acknowledged we have this day given, granted, bargained and sold and by these presents do give, grant sell convey and confirm unto the said Henry McDonnel as such administrator the following described tracts or parcels of land situate lying and being in said state and county to wit:

The South East quarter and 20 acres in South East corner of South west quarter of Section twenty eight, also the North East quarter of Section thirty three and the South West quarter of Section thirty three, all in Township four Range one west, containing five hundred acres more or less.

To Have and To hold the above described tract or percel of land with the rights, tenements, hereditaments and appurtenences thereunto belonging unto him the said Henry McDonnell as such administrators his successors or assigns forever but without warranty of title from me.

In witness whereof we hereunto set our hands and affix our seals



Whereas, Margaret A. Matkin and Archibald McDonnell trustee of said County & State executed to Isham J Fennell deceased on the 29th day of February, 1888, a certain mortgage recorded in the office of the Judge of Probate for said County and State in book 34, page 445 for the purpose of securing a debt of the said Margaret A. Matkin therein particularly set out conveying to the said Isham J Fennell dece a certain tract or parcel of land hereinsfter particularly described, and whereas by said mortgage, power and authority were vested in said mortgage to sell said realty therein described in default of the payment of said debt at maturity, and whereas default was made in the payment of said debt at maturity and whereas under and by virtue of said power of sale by said mortgage so vested in said Isham J Fennell deceased, I as administrator of the said Isham J Fennell deceased did sell the realty hereinsfter described at public outcry for cash in front of the Court house door of said county within legal hours on the 24th day of April, 1893, having given thirty days notice of the time, place and terms of sale by publication in the Weekly Argus a newspaper published in the city of Huntsville in said State & County in accordance with the requirements of the said mortgage, and

Whereas at said sale Archie McDonnell of said state and County became the purchaser of the property so conveyed in said mortgage at & for the sum of two thousand eight hundred and twenty three & 50/100 dollars, that being the last, best and highest bid therefor and whereas

Selections from Madison County AL Title Abstracts

the said Archie McDonnel has complied with the terms of sale,

Now therefore know all men by these presents that I, Henry McDonnell as said administrator of Isham J. Fennell, deceased, for and in consideration of the premises and for the further consideration of ten dollars to me in hand paid by the said Archie McDonnell the receipt whereof is hereby acknowledged under and by virtue of the power and authority in me vested by said mortgage have this day given, granted, bargained and sold and by these presents do give, grant, bargain and sell and convey and confirm unto the said Archie McDonnell the following described tracts or parcels of land situate lying & being in said state and County to wit:

The South Bast quarter and twenty acres on the South East corner of the Southwest quarter of section twenty eight, also the North East quarter of section thirty three and the South west quarter of Section thirty three, all in Township four, Range one West, containing five hundred acres more or less.

To Have and To Hold the above described realty together with all and singular the rights, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining unto him the said Archie McDonnell his heirs and assigns forever as fully and completely as I as administrator of said deceased mortgagee can or ought to convey the title to the same.

Warranty deed MARGARET A. MATKINS See below Sept. 5, 1890 Sept. 5, 1890 Thomas O. Gill, NP Ex Off JP Not shown April 20, 1893 Deed YYY 399 ADA S. JONES Yes Yes Yes See below . . . for and in consideration of the love and affection I have for my daughter party of the 2d part, one thousand dollars she is to pay on a mortgage held by Isham Fennell and one hundred and twenty dollars she is to pay me annually during my life time for my support, I have this day bargained, sold and conveyed and by presents do bargain, sell and convey to my daughter party of the 2d part, a certain tract or parcel of land with all the tenements and appurtenances thereunto belonging or in any wise thereto appertaining and lying in the aforesaid County and particularly described as follows, viz:

The SEt of Sec 28 and 20 acres off the SE corner of the SW quarter of same section and seventy acres off the N end of the NEt Sec 33 all in Township 4 Range 1 West containing in all 250 acres more or

To Have and to Hold the same & I hereby bind myself my heirs and assigns to warrant and defend the title of same to said 2nd party, her heirs & assigns forever

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Warranty deed MARGARET A. MATKINS March 9, 1890 Aug. 9, 1890; Aug 11, 1890 A. MCDONNELL, TRUSTEE Alfred Moore, N.P. Not shown Aug. 11, 1890 Deed 343 WILLIAM B. MATKINS Yes No See below . . that for and in consideration of the natural love and affection which I bear to my son, William B. Matkins and for the further considerstion that my said son agrees & binds himself by the acceptance of this deed to pay the sum of fifteen hundred dollars, with interest from the date hereof in liquidation of a mortgage given by me to Isham J Fennell on the realty hereinsfter described, which said mortgage is recorded in the office of the Judge of Probate of said state and county in Deed Book M.B. No. 28 & also in Book TTT page 445 & for the further consideration of ten dollars to me in hand paid by my said son, the receipt whereof is hereby scknowledged, I Margaret A. Matkins of said state and County, have this day given, granted, bargained and sold, and by these presents do give, grant, bargain, sell, convey and confirm unto the said William B. Matkins the following described real estate situate, lying & being in seid State & county towit: The South west quarter of Section thirty three, Township four Range one West, except one helf acre in the South West corner of same heretofore conveyed by me to certain negroes for church purposes; also s right of way along and upon a certain strip of land 20 feet wide slicong the west side of NE S 33 and SE S 28 T 4, R 1 W and running north along half section line to the Trians Road together with free ingress, egfess and regress for the said William B. Matkins his heirs and assigns, his and their tenants and under tenants at all times and forever heresfter. To Have and to Hold the above described premises

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his names does not appear in the body of instrument.

NOTE: - A. McDonnell signed and acknowledged this conveyance but

MARGARET A. MATKINS

A. MCDONNELL, TRUSTER

ISHAM J. PERNELL

Mortgage

Feb. 29, 1888

See below

11 11

Aug. 8, 1890

Mtg

34

445

2500.00

12 mths from date

... in consideration of the premises and of the further sum of five dollars cash in hand paid the receipt whereof is hereby acknowledged have this day granted, bargained, sold, aliened, revised, released, conveyed and confirming and by these presents do grant, bargain, sell, alien, remise, release, convey and confirm unto the said Isham J Fennell the following described lands lying and being in the County of Madison and State of Alabama, that is to say:

The South East quarter and twenty acres on the South mast corner of the South west quarter of Section twenty eight, the North East quarter of Section thirty three and the South west quarter of Section thirty three, all in township four, Range one west, containing five Hundred scree, more or less.

To have & to hold the said land unto the said Isham J. Fennell and his heirs forever, together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

The shove conveyance is however upon this following condition. If the said Margaret A Matkins shall well and try pay the said note and

Deed No WM. M. HIGH & WIFE Dec. 31, 1866 Dec. 31, 1866 RMMA C. HIGH James H. Scruggs, Judge P C married No Dec. 31, 1866 Deed प्रम 391 MARGARET A. MATKINS Yes Yes Yes See below Yes Know all men by these presents, that we, William M. High and wife, Boms C. High for and in consideration of love and affection for Margaret A. Metkins, mother of the said Emma C. High, and for the further consideration of the sum of ten dollars to us in hand paid, the receipt

whereof is hereby acknowledged, do hereby give, grant, bargain, sell, slien and confey unto the said Margaret A. Matkins the following described lands viz:

The South East quarter and twenty acres on the South east corner of the South West quarter of Section Twenty Eight, and the North

Rost quarter of Section thirty three all in Township four, Range

To have end to Hold the same to her and her heirs forever.

In Witness Whereof

one West, in said County .

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Deed WM. MATKINS & WIFE No Dec. 31, 1866 Dec. 31, 1866 MARGARETT MATKINS James H Scruggs, Judge P C Married No Dec. 31, 1866 Deed 390 FP EMMA C. HIGH Yes No Yes 5,000.00 This Indenture made and entered into his 31st day of December, 1866, by and between William Matkins of the first part, Emma C. High of the second part & William M High of the third part, Witnesseth: That whereas, the party of the first part has bargained and sold to the perty of the second part, with the consent and approval of the party of the third part, certain lands hereinafter described and conveyed for the sum of Five thousand dollars: "ow therefore for and in consideration of the said sum of Five Thousand dollars to him in hand paid, the receipt whereof, is hereby acknowledged, the maid William Matkins gives, grants, bargains, and sells, aliens and conveys to the said Emma C. High, The South east quarter and twenty acres on the south east corner of the South West quarter of Section twenty eight and the North east quarter of Section thirty three, all in Township four Range one West in said county. To Have and to Hold the said to her and her heirs forever.

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Margarett Matkins' name does not appear in body of conveyance but

Prepared by John P. Rankin, September 6, 2005

In Witness Whereof

scknowledgment states she is wife of William Matkins.