

Free People of Color in Madison County, Alabama

By Nancy Rohr

APPENDIX III

“Free from All Authority Except the Laws of the Land And the Laws of God”

This appendix consists of additional material found in the records of the Alabama State Assembly (Legislature) and in Madison County court records. Many of these names are also in the Federal Censuses; many are not. There will only be a very few marriage records and death dates and fewer birth records. Of those required by their manumission to leave the area, there will be little more to be learned here. This section is a combination of Madison County, Alabama newspapers; court records of land ownership; personal property assessments; poll tax assessments; deed books; Probate Court; Circuit Court; Chancery Court; Orphans' Court records; Minutes of the Commissioners Court; County Minute Book, Superior Court of Law and Equity, Mississippi Territory, Madison County; 1850 and 1860 Alabama Mortality Schedule; 1850 and 1860 Federal Agricultural and Manufacturing Censuses; Huntsville Aldermen's Minutes; Freedmen's Census of Huntsville, 1865; and Southern Claims Commission, Approved and Rejected. The Freedmen's Bank incorporated by Congress in March 1865 maintained an office here with records that included information about the members and their families. (Some very few uncertain identities as Jones and Johnson were omitted.)

The sources are listed after the individual entry in brackets [] to avoid copious citations. These free people of color, who during their lives carefully maintained a balance between black and white, at least now most had surnames. Even so, unfortunately some of the legal records only reveal the surname of the master and not the emancipated slave. Some have no surnames.

Most of the following is taken from the actual records. The spelling and wording for the period is retained; mistakes and omissions are the author's. The pictures used were appropriate to the times and are not intended to be disrespectful.

Armisted, Mahala. Described in her free papers as “about 23, well and handsomely made, compactly and symmetrically built, now weighing about 125 pounds, small black eyes, long and straight coal black hair, very bright yellow complexion (approaching to white), pretty and expressive countenance...having a small scar in the shape of a new moon, on the left cheek, nearly opposite the corner of the mouth.” By occupation she was a seamstress and shoemaker. [Madison County, Alabama Deed Book CC, 606 – hereafter cited as Deed Book]

Baker, Roda. Born in Alabama, age 16, according to the 1860 census lived in the household of Edmund Martin at Madison Station.

Bernee. [Beirne?] A “free boy” **Wesley** age 25, 5’7”, blk, sound of health, weighing 135 pounds was listed with the slaves sent in January 1862 to work on the fortifications at Fort Henry. [Deed Book DD, 408]

Best, Levina. Also known as Levina **Bert** or **Bowers.** Before leaving North Carolina in 1834, Levina Best obtained a copy of her free paper, signed by three justices of the peace there and presented her papers to be recorded with the clerk in Madison County in 1835. She was a woman of light-yellow colour (aged about 20 years, 5”3 ½ inches, large wheel or lump on the back part of right shoulder, has a very dim scar on the right cheake [sic] near the nostril) born and raised in Hertford, North Carolina of free parents and has always been in enjoyment of her freedom, May 1834. Her will written in January 1852 noted her children **Solon**, 12; **Susan**, 10; **Washington**, no age given; **Decromy**, 5; **Augustine** and **James**, no ages given. Their trustee, John Robinson, was asked to provide good homes for them until they became of lawful age. [Deed Book P, 297; Will Book 1, 35]

Blake, William freed a Negro man slave, named **Jacob**and that said Negro slave, Jacob, shall remove out of this State to reside within the same at no time, thereafter. ... if said Negro returns to reside in this State, it shall be the duty of the sheriff of any county to which he may so return, to expose to sale the said Negro; and the proceeds thereof shall be appropriated to county purposes. [Acts of Alabama, 1820-1824, 78, approved, Dec. 31, 1823 – hereafter cited as Acts]

Brewton, Daniel emancipated his man slave **Davie** in November of 1829. A deed of manumission by David Brewton, 1830 in accordance with Legislative Act of 1829, Brewton freed “a certain Negro man named Davie, about five feet nine or ten inches in highth of dark complexion, about forty-five years of age, his left eye out, slow in speaking when spoken to, an obedient, humble man and very mile [mild] and amiable in his disposition.” Brewton posted bond for \$500 that Davie would never become a public charge. [Acts, 1829, p. 36-38, approved Jan. 20, 1830; Deed Book M, 696, 297]

Brewton, Fanny. The will of James Brewton, 1816, bequested to his wife the slave woman Fanny, with the understanding that Fanny was to have her freedom if Mrs. Brewton moved away from the home place or when Mrs. Brewton died. (Nothing was said about Mrs. Brewton remarrying.) [Madison County Will Book 1, 21 - Hereafter cited as Will Book]

Brewton, Sam. James Brewton also bequested to his son Samuel Brewton the Negro man Sam with the understanding that the Negro Sam is to be freed at the son Samuel's death. (Sam must have been a favorite because Jesse, a slave, was given to John Yont, while the slave Dick and a saddle went to David Brewton, a second son. Neither of those two slaves was freed.) [Mills, "Free African Americans," June, 133; Will Book 1, 219; Acts 1829]

Butcher, Amy. A free woman of color, Amy went to court in Huntsville for herself and her grandchildren through their maternal line. They were directly descended through this line in Virginia from an Indian woman named Bess. Previously Amy had brought suit for her freedom against a certain Boothe Warren[?] and his wife who though fraud and artifice deprived them of their liberty and held them in servitude. She, Amy, and others filed complaint in Chancery at Richmond in 1815, and the suits were decided in their favor. Thus she and her daughter, **Caty**, according to testimony were free and living in northern Virginia when James Dowell [or Sowell] kidnapped them and brought the two to Huntsville. He then sold the women to Thomas Miller for a mere trifle and Miller later sold Caty to Samuel Davis. (Thomas Miller was already known in the community for retailing spirituous liquors without license in 1814.) As time passed and the case was not decided readily, Amy's descendents also now included **Lessey** and **Laurancey** who claimed their freedom. The two women, in 1818 with Caty's children, brought suit in court for their freedom. If they were unable to establish their freedom, the plaintiffs were sure Miller and Davis would run them off to the lower country where Negroes command higher prices and sell them amongst strangers, where it would be difficult, impossible to establish their identity. Many respectable citizens in this country, who had been long acquainted with them, could attest to their freedom.

Amy, Caty, daughter of Amy, and Caty's children, **Lessey**, **Laurancey**, and now also **Hannah**, and **Charles**, appeared before Obadiah Jones, Judge of the Superior Court, Madison County, Mississippi Territory 1818. The case continued. [Circuit Court: Butcher & others Vs. Miller and Davis, 1818, Case #1714]

Bonds were set for Thomas Miller and now one Robert Walton at \$4400 (not insignificant sums) each as the plaintiffs were apparently in the possession of Miller where they were being held by force and duress by false imprisonment, wrongfully detained in bondage and damages were asked of Davis and Walton of \$3000 each. By force of arms in and upon their bodies, they had been beaten, wounded and illy treated, imprisoned and detained against their will and consent. Bondage and servitude continued through court delays. During these years of delay, unfortunately by late 1820 Laurancey had departed this life. However, by February 1824 a jury of good and lawful men found for the plaintiffs that they indeed were free persons and not slaves. Damages were assessed for each of the plaintiffs at six cents each. [Superior Court Minute Book B, 122, 101; Circuit Court, Feb. 1824, Case #38, 281-183]

Bynum [Bindum], Frances paid \$1 assessment in 1859, as did her husband, **Sandy**, who paid \$2 the same year. Sandy, who does not appear in the 1850 census, had in 1855 by license married **Frances Ann**, a daughter of the livery stable owner, **John Robinson**. By 1860 they were living with Robinson's household and Sandy, 33, was listed as a stage driver. Although they had a baby, John, age 1, enumerated, the Bynums lost a baby, Anna, age 2 in 1860. Their family grew and by the next census, 1870, they were living in their own household and young John was now listed as 15; Mary, 8; another John, 5; and George, 2. There would be more children yet later. [Assessment Free People of Color in Madison County, Alabama

1859; Marriage Book 4B, 128; 1860 Census; Barefield, 78; 1870 Census] (See entry for her father, John Robinson.)

Cash, Hiram. Unfortunately for Hiram, Dr. David Moore's slave, Bob, stole or traded Hiram's free papers while fleeing Madison County in 1829. Bob might have had more self-assurance than the usual runaway as he had been a leader and preacher among the slaves for some years. [Dupree, 209]

Chavers, Wesley, Kizzy, Mariah. Each paid \$1 for the 1857 assessment for personal property at McElhaney (Madison Station). [Assessment Book, 1857]

Clifton, Keziah. A petition was made by Thomas and Theodick Clay in 1861 to have the various children of Keziah, a free woman of color, bound out as apprentices until they reach the age of twenty-one. She was a sickly and delicate woman and wholly unable, owing to the state of her health, to provide a support for these children. For instance, six year old **William** was dependent on his old and feeble grandmother. Because of his tender age he would be unable to maintain himself. William's brother, **Wiley**, alias Bud, were also bound out, as were Caledonia, age 9; Burrell, 7; Mary, 5; and, James, 2 years old. [Probate #2457, A-D; 2558-A-B] In 1865 **Keziah, Mariah, Caledonia, Edy and Maria** Clifton, all born free, were living on Washington Street. [Madison County, Alabama Probate Book 9, 121, 384-5 – hereafter cited as Probate; Probate #2458- A, B, C; 1865 Freedmen's Census of Huntsville – hereafter 1865 Census]

Clemm or Clemmons, Isaac. Free papers. Clemm was known to three local men since infancy, and now was about 26 or 27, black or dark complexion, 5" 7 or 8", all the fingers of his left hand are off, except the forefinger and it is of but little service, the thumb is perfect, also a scar on right side of his face, in front of the ear, also a scar just over the left eye, one on the left cheek and also one on the left side of the chin or jaw, his left also has been broken. Clemm is a son of a free woman of color, now deceased whose name was **Lavisa Finley**, generally called "free Lavisa," and Isaac was born in the vicinity of Huntsville where his mother lived for many years, June 15, 1852, signed C.D. Kavanaugh, William Robinson, Joseph Ward, Alexander Erskine, F.H. Newman, John W. Jones and William Acklin. In 1856 he paid \$2 assessment. [Deed Book Y, 537; Assessment 1856] (See below **Finley, Jane or Jenny** for likely connections with other free people.)

Coe, Lafayette. Paid \$2 assessment in 1856.

Commons, Joe. Self-purchase and free pass in 1835. Harry J. Thornton, Supreme Court Judge of Alabama attests: "The bearer of this [paper] is named Joe Commons (Comans), a black man about 34 years of age. Having had 'for many years an opportunity of observing the honesty, humility, and other praiseworthy traits in the character of a slave, which this boy possessed, I was induced to aid, as far as I could, in effectuating the kind intentions of his owner to sell him his freedom. He paid to his master all the price demanded for him except one hundred dollars, for which sum I executed my note and took a bill of sale to myself. Joe has since paid me this hundred dollars, and is fully entitled to his freedom. By the laws of Alabama, as they now stand, the only mode of securing him in his just right is by act of the legislature which will endeavor to procure Free People of Color in Madison County, Alabama

passage of. In the meantime, he has my fullest permission to go where he may please and I do hereby request all persons not to molest him but to give him such treatment and countenance as a continuance of his past good behavior will entitle him to from all humane and generous people.” [Deed book Q, 581-582]

The 1860 census reflected that Commons had done well financially. In 1865 Joe, **Alex, James, and Lucy** were living on Clinton Street.

Commons, along with Richmond Terrell and two other men, later served on the Resolutions Committee for a meeting of black leaders urging new voters to watch carefully the political situation, but to also be good citizens and they would be allowed to vote. [Huntsville, *Advocate*, April 12, 1867] He also had influence with his neighbors because later in 1867 he and Richmond Terrell were part of a small group of black citizens noted in the newspaper as trying to ease the fears of menace among all citizens.” [Mills, “Free African Americans,” June, 135-136; Deed Book Q, 581-2; 1865 Census; Huntsville *Advocate*, Dec. 24, 1867]

Eliza Jane, daughter of Joseph **Common** opened an account in the Freedmen’s Bank in 1870. The records show she was 23, light brown, a seamstress and housemaid. Her mother was **Julia**, and she had two brothers **James** and **Joie**. Her children included: **Joseph** deceased, **Edgar Lee**, and **Chester**. [Fred Charles Rathbun compiler “Names from Huntsville, AL II, 1870 as Recorded in Registers of Signatures of Depositors in the Huntsville Branch Freedmen’s Savings and Trust Co., Accounts 386-791” from National Archives Microfilm, M816, Roll 1 hereafter cited as Register I or Register II]

Joseph Commons died in 1899. His widow was **Lucy**; children **Joseph Jr.**, **Jim**, and **Chick**. His sisters were **Dotty C. Meyers** and **Chessie Allison**. [Probate, #4640]

Corsey [Cosa, Coursay], Joseph. In 1856 **Richard** and **Madison** Corsey paid \$2 each for assessment tax in Owens Cross Roads. In 1860 he owned 60 acres of improved land, 100 of unimproved land, value \$500, \$15 in tools and \$175 in livestock. [Assessment 1856; Agricultural and Manufacturing Censuses for Madison County 1860, prepared and transcribed by Linda Green, Jan. 2000, 26 – hereafter cited as Green]

Coursey, Richard. Of Owens Cross Roads paid assessment in 1857 of \$2.

Coursey, Madison. Also of Owens Cross Roads paid in 1857 \$1.

Cruse, Nancy. The 1860 census taker must have a decision to make regarding color when he listed **Cruse, Nancy** as Indian living with her six children who were all noted as black. Being enumerated, it is assumed she and her children were free.

Curtis, Charles. According to the 1860 Alabama Mortality Schedule, lived in the northeast part of the county, was married, a farmer and died age 50. He shot himself in September 1860 and died instantly. [1860 Mortality Schedule Series, comp. Marilyn Davis Barefield (Easley, SC: Southern Historical Press, 1987), 77 – hereafter Barefield]

Davis, Belzy. [Betsy?] It was ordered that the overseer of the poor appointed for the district of William L. Jones’ company of militia be required to inquire into the infant children of Belzy Davis a free woman of colour and if she is not capable of supporting them and bring them up in honest ways to report them to this court. Her children were removed. [Dunaway, Wilma A. *Slavery in the American Mountain South* (NY: Cambridge Press, 1932), 53; July 1817, Orphans’ Court Book, 96]

Davis, George, age 40, born in Tennessee, lived and worked as a servant at the household of James Curtis in Madison Station according to the 1860 census.

Davis, George Washington. Davis petitioned on July 18, 1861, to relinquish his freedom. He was described as living here many years, free, of dark copper complexion and age about 30 and now “to become slave of Thomas Studdard. [Probate #2442]

Dickson, Emeline or Eveline. Paid 1856 and 1857 poll tax assessment of \$1. She also paid the 1859 tax as did **James Dickson**. According to the 1865 Census, Emeline or Eveline born free, lived in town and took in washing and ironing. [Assessment 1857 and 1859; 1865 Census]

In 1870 **James Dickson**, age 29, black, opened an account in the Freedmen’s Bank. His father was given as **Alfred**, his mother **Eveline**, and spouse **Lucy**. He was born in Fayetteville, Tennessee, and was a plasterer. [Register II, 29, 30]

A trust was established in 1870 for **Lewis Dickson**, age 18 or 19, medium brown. His father **Alfred** was deceased; mother **Eveline** was living, “but very low.” His brothers were **James** and **William Dickson**. [Register II, 21]

Eveline Dickson passed away that year and named her executer to be Lafayette Robinson. Her heirs were **Jim; Lewis** living in Texas; **William**, and **Emma** and **William Tate** children of **Nancy Dickson Tate**, deceased. **Minerva Moore** was a sister. Eveline gave her sons the house and lot and at their death to her grandchildren. Her sister was to live with Jim at the homestead to help with the grandchildren. Her estate besides the lot with two dwellings and a kitchen was valued at \$20, but she had cash amounting to \$257.35. After house calls by Doctors Dement and Pynchon, at \$2.50 a visit, (totaling \$118.50) there was less cash. [Probate #3042]

Dupree, Wm. E. freed **Billy** and gave bond that Billy shall remove out of this State within twelve months of being a freeman. [Acts, 1820-1824, 79, Nov., 1823, approved Dec. 31, 1823]

Erskine, Alfred. Self-purchase and free pass, 1838. Dr. Alexander Erskine attests: “ I formerly owned the bearer, boy Alfred, who is 39 years of age at this time, five feet four and a half inches, of a light copper colour, generally termed a mulatto, hair bushy and straight, knock-need, quick of speech and brisk in his actions, has a scar on the under corner of his right eye, running up on the side of his nose, a scar in the palm of the right hand and one on the right elbow, both produced by burns; on the left arm near the elbow joint and a slight contract of said joint and also the mark of a burn on the inner side of the left leg near the knee. By his great industry & savings said Boy Alfred years since, during which time he has been living in Alabama & Mississippi with out having been emancipated by the laws of the state. The great difficulty in procuring an act of emancipation in Alabama is the reason assigned by him for emigrating to a non slave holding state. A paper of his description is deemed necessary to prevent him being arrested as a runaway on his journey to Indiana, or any other free state. [Deed Q, 617; Mills, “Free African Americans,” March, 137]

Evans, John. Evans, a free man of color living in Madison Station, mortgaged his slave, **Archy**, to pay a debt of \$248 to James Clemens. He would be allowed to redeem the slave in one year, by January 1, 1848. He died in 1853 and had a will probated [Deed Book W, 523-24; Probate #1732]

Evans, Mariah. Was a free woman of color who set her husband **Richard Evans** free by legislative action. She recorded this transaction in Madison County in 1823 and declared “him entirely free from all claims of any person or persons and free from all authority of every kind or description except the Laws of the Land and the Laws of God.” [Boucher, Morris Raymond Boucher, “The Free Negro in Alabama Prior to 1860” Ph.D. dissertation, (University of Iowa, 1950), 48, 163-4; Deed Book L, 237]

Finley, Jane or Jenny. Sarah Foster of Franklin County, Tennessee gave evidence of freedom for **Jane Finley** with whom she was well acquainted in Tennessee and earlier in Virginia. This girl is a black woman, about 40, born of a free mother, with wen or risins [sic] grown on her neck, large, ordinary mild countenance. I knew her mother **Rachael Finley** who was a yellow woman, part Indian; Rachael was free having recovered her freedom in a suit against John Draper in Virginia.

Rachael “A. Pauper” had a suit against John Draper, Sr. in 1813 Powhatan County, Virginia. This was preceded by court action in Wythe County to the effect that Rachael “who is detained in slavery by John Draper, was allowed by the court to sue for her freedom as a pauper she was assigned counsel.” In the meanwhile John Draper was “not to beat or misuse her,” with a bond set to him for \$400. Her endorsement said his was “an action of trespass, assault and battery and false imprisonment as Draper on Jan. 20, 1813 with force and arms did make an assault on Rachael, she was ill treated and detained for a long time.” She, Rachael, had always claimed to be free.

Rachael and her children previously had a suit against Thomas Clay in 1770 that Clay “with force of arms, with staves, and swords made an assault and beat and wounded and evilly intreated them.... Their lives were greatly impaired.” The ruling in 1771 was that she was free and not a slave, 12 men witnessed to such in 1787. Rachael in 1774 was about 20 and her daughter **Judy** about seven. Mentioned also by testimony Rachael and **Sam Finley** were brother and sister. Apparently Sam got his freedom from Thomas Clay. Rachael had been taken, illegally she contended, to New River by Mitchel Clay.

Rachael’s mother was called **Nann**, her mother was named **Chance** and she, Chance, was brought from the Indian Nation by Thomas Clay’s grandfather, Henry Clay. (Chance, Nann, Rachael, Jenny and her daughter, Judy, include five generations.) Chance’s sister, **Judy**, had grandchildren who were free in Virginia. Also noted are Sam, Rachael’s brother, and an older Judy the sister of Chance [Deed Book P, 371-376] (There have long been considered possible connections in the Triana and Toney, Alabama communities with the Sapony/Powhatan Black Indian Tribe who migrated quite early from Virginia to Alabama. This connection could have included Nancy Cruse, Rachael Finley, and Jane or Jenny Finley also.)

Finley, Vacey. In 1839 the county treasurer paid Vacey Finley, a free woman of color, \$36 “for her trouble and expense in taking care of Benjamin Mason, a free man of color. [Commissioners Court, 1831-1844, 295] (She may well be connected to the Finley above.)

Frazier, Dolly. Now still an infant, under the age of 21, Dolly was born free in Sullivan County, Tennessee. There she was bound out, then sold illegally, and brought to this county. An officer of the Tennessee court was sent to return her, but he did not deliver her back. She brought suit here against Samuel Craft for damages for \$2000.

After a jury trial she was awarded \$500 damages, and one hope found her way back to home. [Circuit Court #12, 1820, 66,67]

Gamaliel. A negro boy slave, the property of William McBroom (sheriff of Madison County from 1822-1825) is hereby emancipated and set free from slavery: Provided that the said McBroom, or Peter **Fagan**, the father of the boy Gamaliel, shall enter into bond in the penal sum of one thousand dollars conditioned that the said boy shall never become a charge to any county or town within the state. [Acts, 1820-1824, 124, Nov. 1824, approved Dec. 24, 1824]

Gaston, William. The first legal paper for one William Gaston attested that in 1829 he saw Ann Robinson's owner, George Lynes, sign John Robinson's bill of sale for Ann. [Deed Book M, 524] This is probably not the same man as follows, William H. Gaston. However it would suggest that if this man was allowed to "attest" he well could have been free.

With the above notation it well may be that William H. Gaston, whose grandmother was a free woman of color, was also free. Free or in bondage, the following man is worth studying. This Gaston who became an important leader after the War, **William H. Gaston** served military duty in the 12th Regiment, USCT and discharged as a Sgt. Major. [Register I, 15, 16] However at the end of the War, Gaston did not immediately return to Huntsville although the Census of 1865 did show other Gastons in town, likely relations – **Matilda, Neal, Rhoda**, and **Sam** all born in Georgia. [1865 Census]

When William Gaston came back to Huntsville, he taught grade school, high school, and adults at night. (Apparently he was unable some days to teach because of a War injury.) Committed to serving his community, Gaston mortgaged his home to pay for an addition onto the back of the church for classes. He was an elegant speaker in his church, of quiet and humble spirit, yet he entered politics. He also served as Claims Agent for the federal government and on the City Council from 1883-1889 [Deed Books YY, 105-106; XX, 4; 1865 Census; Huntsville *Gazette*, 1886; Charles O. Boothe, *Cyclopedia of the Colored Baptist of Alabama: Their Leaders and Their Work*. (Birmingham: Alabama Publ. Co., 1895), 24, 25 electronic publication by Library of Congress; Report by Marguerite Lacey in the Roberts Collection Frances Cabiness Roberts Collection, Dept. of Archives/Special Collections, M. Louis Salmon Library, Univ. of Ala. in Huntsville, Series 4, Subseries A, Box 9, f 11]

His involvement as shareholder and officer of the board of the Huntsville *Gazette* allowed him to reach an audience of larger proportions with his religious feelings, political messages and educational platforms.

Gaston inherited property in 1866 located on Whitesburg Pike near Madison Street at the death of his grandmother **Mourning Vining**. [Probate #2786] Gaston opened an account in 1867 at the Freedmen's Bank and was described as being 32 and brown. His father was **Abram Rathborn** who died in Little Cove in 1862. His mother was **Rodal Gaston** who now lived with him. His spouse was **Jane**, and their children were **Cornelius** age 6; **Matilda**, age 4; and **Annah**, 12 months. His occupation was given as a school teacher. His brother, **Samuel**, went to Virginia at the commencement of the War, and they had heard nothing from him since. His sisters included **Patience Branch** in Nashville and **Ann Kimball** in Stevenson [Register I, 15, 16]

In 1868 William Gaston opened another account at the Freedmen's Bank, this time for his wife **Jane**; she was described simply as being dark. Her father, **Benjamin Moore**, had died in Huntsville; her mother **Matilda** was living. Her children were Cornelius, Matilda and Anna Gaston, and her occupation was given as general housework. Her brothers included **Andrew, Cornelius** and **Sam**, now deceased. Her sisters were **Maua, Carolyn, Juliar, Betty** and **Nancy Moore**. [Register I, 22, 23] Another account was opened for Mrs. Jane Gaston in 1870 with no information given. [Register II, 48] An account for **Cornelius**, age 8, dark brown, was also opened in 1870. His father was William and his mother Jane. The boy was born at the Cove near Huntsville. He had three sisters **Matilda, Anna**, and an unnamed baby. An account was opened for the daughter, Anna, later. [Register II, 17]

The iconic photograph of a Negro baptism in the basin at Big Spring in May of 1893 shows the Rev. William H. Gaston and crowd:



Harris, Billy. In April 1854 the county authorities issued a permit for Billy Harris, "a free man of color, to sell his succulent and savory pies at the courthouse." One wonders if he is the same man, William Harris, later the prominent Baptist minister. [Record, Vol. 1, 106]

Harris, Lewis. Paid \$2 assessment in 1856 in Huntsville.

Harris, Thomas. Free papers recorded on March 7, 1860. Tom about age 69, slim and stooping, 110 pounds, small black eyes, short curly, woolly hair, dark complexion, 5' 3½" tall, small scar from a burn just above the roots of the 4th and 5th fingers of the hand, having a halting or limping walk the consequence of Rheumatism. By occupation a gardener or agricultural labourer, born of a free woman in Sussex County, Virginia entitled to all privileges and rights of a free person of color and record by made hereof. [Deed Book CC, 496, 7]

Harris, William. According to local information, in 1820 Harris founded what would become St. Bartley's African Baptist Church on Gallatin Street. This group entered into the Flint River Primitive Baptist Association in 1821 with 76 members, and by 1840 had 265 members. Harris in 1860 was listed as aged 78 with \$500 in personal property and \$100 in real estate. [Sellers, 300; 1860 Census]

Hawkins, John. Paid 1857 and 1859 assessment of \$2 in Huntsville.

Hogan, Martin. She, Locky Russell, was authorized to emancipate and set at liberty a certain Negro man slave named Martin Hogan. [Acts, 1820-1824, Nov. 1824, 27-8, approved Dec. 21, 1824]

Hunter, Nancy. [Hunt, Hunster, Thurmond] According to court records of 1828, Nancy Hunter and her children have been set free by Dr. Anderson Watkins of Augusta, Georgia in 1819. The doctor in his deposition added that **Lewis Hunter**, the husband of Nancy, was a free man from birth, having descended from free parentage on both sides. Dr. Watkins said that Lewis and Nancy had "maintained a reputation unimpeachable of orderly deportment." In the 1830 census, Nancy was head of family of seven free persons of color and owner of one slave. [Orphans' Court Book 6; 200-1; Deed Book M, 122]

In January 1833 Nancy **Hunter** married **John Thurmond**, and he in 1840 was listed as head of household, engaged in manufacturing and trade, with only three free males there. [Madison County Marriage Records Vol. 4, 82; 1840 Census]

Nancy had died in 1835 leaving a will and an estate for probate. Her heirs, **William, Alex, Eliza, Thomas, and Edmund**, would sell her house and lot to pay off her accounts in town. Debts included two years of care from Drs. Fearn and Erskine at \$2 each visit. The total remaining, with interest, was \$35.62. Clearly Nancy Hunter-Thurmond was a person of substance. She had extensive accounts with merchant Preston Yeatman who extended her credit for large quantities of yard goods, sugar and coffee, and she had purchased such luxury goods as an umbrella and silk gloves. She had a similar account with the Andrews Brothers that included among other things fabric and a silver thimble. Her account with John W. Jones for just a part of 1834 remarkably, when considering it was illegal to sell whiskey to blacks, free or enslaved, included ten quarts of whiskey at 18¾ cents per quart. One hundred dollars was paid out for expenses for **William** Huntster, infant (under 21), for travel to Cincinnati and boarding for school there. The fares for young William first to Decatur, to Tuscumbia, passage on board the S. B. Dover from Tuscumbia to Louisville and then the L. B. Norfolk from Louisville to Cincinnati came to \$20.25. Four yards of crape were purchased for her funeral, and her Jaconet muslin dress cost \$6 for the burial. Mr. P. Merkle charged \$40 for making her coffin.

In March 1835 it was ordered the sheriff, who was also her administrator, to expose to public sale the perishable property of her estate except her slave. Even after Corporation taxes and legal fees of \$31.87½ were paid, there was still remained a balance of \$123.92 for the heirs to divide. Dr. Watkins had known an admirable worker when he freed her in Georgia. [Probate #281; Orphans # 6, 200-1]

Hunt, Lewis in 1830, according to the Federal Census, was the head of a separate household of four free people of color and one slave.

Hunt, Lafayette. In 1857 "...is a free man, having been born of free parents in Huntsville," suggested that the witnesses were well aware of his long-standing status as free because they knew he had free parents. [Deed Book P, 297 and Deed Book BB, 141]

Hunt, Rachael. The Madison County Commissioners' Court in 1833 paid John H. Bingham \$5 to build a coffin for **Colbert** Hunt, the infant child of Rachael Hunt, free woman of color. **Daniel Patterson**, a free Negro (see below) for digging the grave and burying the baby received \$3. [Minutes of Commissioners Court, 1831-1844, 74]

Husk, Nancy. Paid \$1 assessment in 1857.

Jacobs, Fanny. Whatever induced the Jacobs family, to come to Madison County from South Carolina, is lost to local history. However, it suggests that this extended family had enough finances available to pay for horses, wagons and supplies for the long trip, and still be able to purchase land when they arrived here about 1822. This matriarch of the family, most likely widowed, was born in South Carolina about 1778. Her children were also born there. Once here her adult families generally settled close to the then-thriving river-front village of Triana. Those of her children that can be most likely identified included **Thomas** born about 1801; **Isaac** in 1803 who located at New Hope; **Rebecca**, 1807, **Oliver**, 1808; **Burwell** probably 1810; **Unity** 1817; and perhaps another son or relative, **David**, 1807. Two more with the same surname include **Mary** and **John**.

According the **1850** census, one **Rebecca Jacobs** with her children including a young **Isaac Jacobs** lived near the other families. She perhaps was the wife of **David**, but she was now head of the household. Atypical perhaps, it appears that the well-to-do white woman, Mary Austin, widow of Pleasant Austin, originally from South Carolina also, and her four children, lived in the same household. In the same census one David Jacobs, born about 1807 was listed in the household of **George W. Jacobs**, age 25, probably his son.

Isaac Jacobs was born in January 1847 and his wife, **Betty**, was born in June of **1859**. (Their son Elle was born in 1882.

Like many extended families, first names were often used again and again. Another Isaac Jacobs, born about August **1845** settled in the New Hope area.

Unity Jacobs, born in 1818 in North Carolina married **James McMunn** here in 1836. **Burwell** Jacobs, Sr. married **Elizabeth** (Betsy) Jacobs, born in 1818 in North Carolina, in Madison County on Dec. 20, 1846. **Burrell, Jr.** married **Kitty Jordan** Feb. 1, 1879. He was born in 1855, she in June of 1860. Burrell Jacobs, Jr. died in 1945 and is buried at Glenwood Cemetery. Their son Elle, was born about 1882. [This information is from local records and work by John P. Rankin as various Summary Reports to Redstone Arsenal and "Vintage Vignettes in * and Beverly Curry, Redstone Staff Archaeologist, "The People Who Lived on the Land that is Now Redstone Arsenal," 2006.] [Ben Hoksberger, RSA Archaeologist, email conversation Aug. 25, 2013. Among the many burying grounds on the RSA property, the Joiner-Jacobs Cemetery contains 121 Free People of Color in Madison County, Alabama

noted possible burial depression with room for twice as many possible burials within the cemetery grounds.]¹

Jacobs, Rebecca, Sarah A., Joseph, Jack, Amos and David at Whitesburg District paid their tax of \$1 and \$2 accordingly in 1856. [Assessment 1856]

In 1857 **John W. Jacobs** paid his assessment of \$2.

Jacobs, Amos, Joseph, Jackson, Eliz, and **Sarah** in Triana in 1857 paid their \$2 and \$1 assessments.

Jacobs, Mary Ann and William in Vienna 1857 paid the assessment of \$1.

Jacobs, Elizabeth, Sarah each paid \$1 assessment in \$1 each 1859 as did **Jacobs, David, Jacks Jacobs** and **Dennis Jackson** \$2 in 1859. In 1859 in Triana were **Jacobs, Amos** \$2 and **Unity** \$1.

Jacobs, William Riley. “We do hereby certify that [we] are well acquainted with William Riley Jacobs, since he was a child, he is a man of colour, born of a white woman...a man of good moral character and [we] do recommend him to the protection of every honest, respectable, and civil citizen...Any information respecting him, his Father and the family can be obtained by writing and directing to any of the permanent residents in the Southeastern part of aforesaid county.” This is his “free paper” and the justice of the peace took the testimony of three white men, “reliable and of high standing” who drafted the paper. He was described as 5’ 8 ¾ inches, 137 pounds, 20 years old in September last, no remarkable scars at this time. “He is a man of good moral character and as such, I recommend him to the protection of every honest and respectable civil citizen and especially to all constables, sheriff and justices of the peace, etc. He was brought up near Whitesburg and part in New Hope or Vienna.” Statements were by John Wylie, John Kimebrugh, and W. R. Stone, Jan. 14, 1843. [Deed Book W, 80]

In 1850 William R. Jacobs owned 40 acres of improved land, no land not improved, with a cash value of \$200; \$8 worth of tools; and \$110 valued in livestock. [A & M Census 1850, 25]

Jacobs, Burrell. In the **1850** Agricultural Census, Burrell owned 50 acres of improved land, 40 acres unimproved, with cash value of \$20; \$60 worth of tools and implements; and the value of his livestock was \$250. Ten years later, his farm value had increased. He now owned 100 acres improved land; 60 acres unimproved; cash value of \$500; \$15 worth of tools; and his livestock were valued at \$400. [Green, 1850, p. 70; 1860, 23]

He paid taxes on property in Triana, that included a 170 acre farm at 40¢; another of 140 acres at 5¢; and in the town of Triana land valued at \$80 paid 1¢ in tax. [Assessment 1857] At Burwell Jacobs death in 1873, his administrator, Thomas Jamar was required to give \$1200 bond. Burwell’s estate included 160 acres of land and personal property worth \$437.50 that included farm animals and equipment. [Probate #3189]

Jacobs, George Washington. In 1850 owned 15 acres of improved land; 145 acres unimproved; valued at \$280; \$10 worth of tools; and \$150 in livestock. [Green, 1850, 70]

Jacobs, Jefferson. Delivered to the judge in 1855 a certificate showing him to be a free man, it was therefore filed and recorded. He was described as a mulatto, abt. 60, 170 lb., 5" 1½ inches, gray eyes, always in 45 years considered to be free. [Probate #1914]

Jackson, Dennis. Lived at Whitesburg, 1857 and paid an assessment of personal property for \$2.

Johnson, Abraham. On June 18, 1813, in a certificate of freedom from Washington County, Isaac Davis made oath that a free black lad was bound to Isaac Davis's son, Jesse R. Davis, on about May 8, 1810 and that Johnson was free from his apprenticeship. [Deed Book A and B, 58]

Johnson, Martin. Thomas Johnson is hereby authorized and "empowered, to monumit [sic] and set free from slavery a certain boy of color named Martin, so soon as the said Martin arrives at the age of 21 years: provided, that the said Thomas Johnson shall on or before that time, enter into bond to the chairman or chief justice of Madison County, in the sum of five hundred dollars" conditioned, that the said Martin, so liberated, shall not become chargeable to the public. [Acts. 1819-122, 144-5, approved Dec. 4, 1819]

Johnson, Salley age 60, born in Tennessee was listed in the 1860 census living and working as a servant in the household of James Curtis in Madison Station.

Jones, no first name. In February 1818, he brought his freedom and was allowed the tools of his trade as a blacksmith from his Georgia owner for \$1400. [Robb, 7]

Jones, John N. S. and Alexander P. Jones. A mulatto woman, named **Elizabeth** age forty years; a mulatto girl, named **Ann**, aged 6; a mulatto girl named **Evelina**, 13; **Ann**, 6; and a mulatto child, named **Shandy**, 3 years old to be emancipated as soon as bond is made. Shandy Wesley Jones was born in Huntsville Dec. 20, 1816, the son of a white man and a mixed race, free mother. The family later moved to Tuscaloosa where he became a barber and a leading activist in the American Colonization Society. After the War and during the many attempts to wrest control of local politics, Jones was a candidate for registration clerk of his district. It was said of Jones he was "a freedman of good character and endowed with no ordinary mind, reliable, and intelligent, every way acceptable to ourselves and the community." The opposition suggested, however, he "plays sorter on both sides of the fence & his would-be friends thinks very much of him." Jones went on to serve in the Alabama House of Representatives from 1868-1870. However the times of the Reconstruction Congress could not contain the threats and violence by the Ku Klux Klan. Jones and his family fled to Moundville and eventually Mobile. There he was appointed by President Grant to the Customs Inspection Bureau. [Acts, Nov. 1820, 62, approved Dec. 11, 1820; Richard Bailey, *Neither Carpetbaggers Nor Scalawags*, 1995, (Montgomery, R. Bailey Publishers), 39, 105, 125, 348]

Jones, Madison. Aged 30, born in Alabama, a mulatto laborer, died in March 1860 of unknown causes after being ill 6 months. [Barefield, 77]

Jones, Martha. Lived at Whitesburg and in 1857 paid \$1 assessment.

Jones, Phillip. Also at Whitesburg in 1859 and paid \$2 assessment.

Jones. At his death in 1821, one Thomas Jones' will provided that **Isabel, Daniel, Nancy, Peter, George, Zebedee, Noah,** together with their increase, were to be free for their "long and meritorious service, industry and obedience" after future service to his widow, Rachael Jones. [Probate #2, 215] However, Rachael married William Stamps in 1822. At her death in 1827 and William's in 1828, the complainants went to Stamp's brothers, Elijah and Joshua Stamps, who assumed ownership. One brother hired six of them out to David Monroe and tried to sell Daniel. Thus, unless the court should interpose, all "will be run off or so disposed of that their right to freedom will be greatly embarrassed." Not only should they be free as their master wanted, they should receive payment for services performed since his death.

With no action taken, by 1828 papers were filed for the case to be taken before the Alabama Supreme Court in Tuscaloosa. Complainants now also included **Minerva, Sally, Cornelius** who were also paupers and had been in bondage to Thomas Jones. Although papers were prepared, the state Supreme Court has no record of the case filed. Apparently after several years they gave up the legal battle and remained in bondage. [Probate Record 2, 215; Madison County Superior Court, 1811-1825, 281-283]

Jones, Uriah. Received the proof of freedom Sept. 3, 1812 promised at the age of 21 from his family of Kentucky Quakers who had raised him, in Mississippi Territory. Ephraim Fraser of Mason County, Kentucky knew the certain yellow man, Uriah Jones and has known him four or five years; there Jones always passed for and generally was known as a free man. [Robb, 7; Deed A&B, 89]

Jumper, Charles. His free papers recorded in Henry County, Virginia described him as "a free man of color, five feet eight inches and one fourth of an inch high, light complexion with two scars on the right side of an inch in length, and a round scar about the size of a quarter of a dollar on the right side of the belly, thick bushy head and a broad face, 23 years old and formerly bound to Wm. Norman." Jumper transferred his records here and they were recorded at the court house in 1833. He worked as a blacksmith and was here at least in 1850. [Deed Book U, 317]

Kennedy, Caesar. Kennedy was authorized to manumit certain of his slaves therein named. That he a free man of color, of the town of Huntsville, and is hereby authorized to manumit and set free his wife **Hannah,** and her seven children, **Maria, John, Mary-Ann, William, Cesar, Jr., Rossell,** and **Thomas,** so soon as the said Kennedy shall have executed to the court justice, a bond with sufficient security and with condition that the said slaves.... shall never become chargeable to the State of Alabama, or any county or town therein. He manumitted all those over 21 and promised to free the minors when they reached 21. Hannah is now liberated and also Mariah and John, above the age of 21 years; Mary Ann was born November 26, 1804; William was born 1808; Caesar was born June 1818; Russell was born July 15, 1812; Thomas was born July 18, Free People of Color in Madison County, Alabama

1815. [Acts, 145, 1819-1822, approved Dec. 13, 1819; Deed Book F, 271; Deed Book G, 142-43; Mills, "Slave Manumissions," Sept., 200.]

Lee, Molly. In 1828 **Molly Lee**, a free woman of color, paid LeRoy Pope \$50 for a half acre of land south of Huntsville. Molly Lee purchased in 1830 from the estate of George Ragland of Franklin for \$400 "one negro man slave named **Taylor [Ragland]**, about 30 years of age, the title to which boy is vested in by a deed of release and quit claim from the widow and heirs of Edward Ragland, deceased" with the avowed intention of setting him free.

In 1835 Molly Lee purchased from **Susannah Young**, a free woman of color, for \$300, a lot in Huntsville of approximately 1750 square feet. And, in 1839 Molly Lee sold land to Robert Graham. [Deed Book, L, 402-03]

In 1835 Molly Lee petitioned a Free Pass for her husband. "I Molly Lee a free woman of color purchased of Ursula Ragland... a Negro man slave, named Taylor commonly called **Taylor Ragland** at the succeeding session of the Legislature; but from some cause or other it was delayed those to whom it was confined," and that he should leave the state in 12 months. By Feb. 8, 1836 she applied for a Free Pass because "hitherto neither the boy nor the undersigned have felt willing to leave the state and the passage of the Bill of Emancipation has not been pressed." Ragland was anxious to look ahead for a permanent place of residence for them perhaps in Nashville or another place of business. In 1839 she sold property to Robert Graham. [Deed Books O, 520 -21; P, 455; R, 222; M, 579; Q, 520-21; I, 181; P, 530; Mills, "Slave Manumissions," Sept., 204; Deed Book R, 222]

Liggins, Betsey and Sarah Ann Margaret. Deed made by Rufus C. Rathbone, 1835, "To who it may concern, Know that I, Rufus C. Rathbone, of Madison County have in my possession as my right and property two female slaves, mother and daughter, the elder a yellow woman about 32 years of age whose name is Betsey and known by of Betsey Liggins and her daughter about 7 years of age (almost white) whose name is Sarah Ann Margaret...in consideration of good conduct and services rendered...hereby set them free and at liberty to do and act for themselves or in other words, the mother to raise and protect her child until Maturitage [sic] so that she is able to act for herself....Betsey, the bearer of this paper, I with pleasure recommend as a first rate house woman, strictly honest and is a good seamstress, and to speak generally of her qualifications, she is not surpassed by any servant within my knowledge." [Deed Book P, 371; Mills, "Slave Manumissions," Sept., 201]

Martin, Edmond. In Madison Station in 1859 paid \$2 assessment. In May of 1860 Edmund "Ned" Martin purchased from James Clemens a Lot #24 on what would become Front Street in Madison, Alabama. According to the 1860 census he was a carpenter, 30 and his wife **Sarah** was 45. Their daughter, **Lucinda**, age 9; all were born in Alabama. Other apparently free black people with no last names lived at this household that included **Maria**, 40 born in NC; **Rissia**, 26; **Caldonia**, 10; **Burrel**, 8; **William**, 6; **Mary**, 5; **Bud**, 1; **Infant**, 1; and **Roda** Baker, 16. All these were born in Alabama. Next door was Edy, 70, a washer, born in NC. Because they were listed by name, one assumes they were free. [Assessment 1859; Deed Book CC, 521-3; 1860 Federal Census]

Martin, Martha. Paid her 1857 Poll Assessment of \$1 and owned property valued at \$400. In 1870 she was listed as age 36; with **Sarah**, 60; **Jane**, 18; **Eliza**, 15; and **William**, 7 with a Timmons family at Green Grove on the south end of current RSA property across the river from Talucah in Morgan County. [Assessment 1857, 1870 Census]

Mason, Benjamin. In 1839 at his death, Vacey Finley (See above) was paid \$36 for care and then his funeral expenses. [Commissioners Court, 1831-1844, 295]

Matthews, James. May 28, 1839 [Deed Book R, 222.]

Mayo, Nancy and children. Free papers. Appeared before me Clement C. Clay, Abram Bransford who makes oath that Nancy Mayo, a free woman of color, aged about 45 now, in Cumberland County, Virginia in 1811 was bound to said Warner Bangher [?] and John J. Reynolds, overseers of the poor in said county in 1810, when she attained age of 18, living there from age 12. She had been brought here by Miller Woodson with him in 1817 and she lived in his neighborhood and had **Isham Mayo**, about 27 a bright mulatto; **George**, 22, a bright mulatto; **Sarah Ann**, 20 a bright mulatto; **Elizabeth**, 18, a bright mulatto; **Frances**, 16, bright mulatto; **Margaret**, 9, a dark copper color; **Alex**, 6, dark copper color; **Joel**, 3, dark copper color. These were the issue of Nancy Mayo who was the daughter of **Diner Mayo**, both of Cumberland County, and rightfully and legally entitled to their freedom. As some of them desire to leave the state, and as the affiant is an old man of feeble health and wants to furnish the said Negroes some proof of their freedom, Oct. 1846. [Deed Book W, 102, 103; Probate #1514]

Bransford may have been an old man of feeble health but when he died at age 77, he had outlived Nancy Mayo by five years. She died in 1852, and he was appointed Administrator of her estate which included Lot #131 to be sold for debts in the town of Triana. [Probate #1820, #1540]

McBroom, Martha. Listed in the 1856 and 1859 Assessment. She was in the Census of 1865.

McBroom, Milley. Paid assessment of \$1 in 1856 and was in the 1865 Census.

McBroom, Minnie. In 1861, age 7, in the suburbs of the city, wholly destitute of the means of living and by reason of her tender years, she daughter of **Martha McBroom**, a free woman of color, who is a drunken, dissolute and of abandoned habits and without the means even if she had the inclination of providing for and supporting her said child. Melissa E. Aday filed to protect the future welfare of said child who absolutely requires that she be separated from a mother so profligate and brought up to some useful employment. [Probate #2432]

McBroom, Samuel. Born in Tennessee, black, he died at age 56 in May 1850 of unknown causes after being ill one day. [Marilyn Davis Hahn, *Ala. Mortality Schedule, 1850* (Easley, SC: Southern Historical Press, 1983), 136]

Merrill [?] Pressley. In Vienna 1857 paid assessment of \$2.
Free People of Color in Madison County, Alabama

Milbry. In May 1829 Milbry a free woman of color and Richard Bass entered into an indenture. Her children **Mary**, 8; **Evelina**, 6; **Henry**, 4; and **Mahala Ann**, about 2 are in indigent circumstances and being desirous of raising her children in honest ways, Milbry agrees to bind said children to Richard Bass as apprentices until each reaches the age of 21. He will instruct them in the art and mystery of farming or some employment. He will furnish each necessary meat, drink, lodging, wearing apparel etc. and furnish each one a full suit of clothes at 21. [Deed Book M, 315, 316; Orphans, 96a]

Moore, James. Agreement of J. J. Pitman, V. M. Robertson and James Robinson, drawn Dec. 31, 1847. "Whereas we have this day received from a yellow man called James Moore, the property of James M. Miller, the sum of one thousand & fifty dollars for the purpose of buying him and giving him his freedom it is agreed between us that we are not to take any benefit whatever from said purchase. We further agree that upon the death of either of us, whatsoever, right or title we may have shall go to the survivor, that the last survivor shall by will or otherwise vest the title in some discreet honest person as trustee for the benefit of him, said James Moore. [Deed Book W, 501; Mills, "Slave Manumissions," Sept., 202]

Moore, Lillen. Paid \$1 assessment fee in 1856.

Osborne, Sandy. In October 1849 free papers were issued for a yellow man born of a free woman in Burlington, Kentucky in 1822. Sandy was bound to E. R. Osborne at the age of 10 years to learn manufacturing of bailing and rope, to be freed by the age of 21. He is working for himself now. [Deed Book M, 359.]

Ostena, Emanuel. Listed as a mulatto in the 1860 census, age 27 born in Mexico, in his own household, was a barber and lived next to Richmond Terrell. The 1850 census listed his name as Amanuel Austine and he lived with the William Terrell household. One wonders about his life stories; he is not listed in the 1870 census here.

Paston, James. In January 1824 Mary Ann Grason [Grayson?] bound her Negro James Paston for the sum of \$1800. She sold to James his own time for life for \$900 current money or bank notes in three installments. He will be emancipated at the first payment. The legal petition continued. Mary Grayson, Fuller Grayson, Benj. Grayson, Ambrose Grayson, Eliz. Grayson, Abraham Grayson and Sarah Grayson of Madison authorized to manumit a man slave named James Paston (In these early years, nothing was said about "removing" to another state.) [Deed Book M, 84; Acts, 1820-24, 124, Nov. 1824, approved Dec. 4, 1824]

Patterson, Daniel. nd, "a boy of color eight yr old, orphaned, bound out to Albert Russel to be taught and instructed as apprentice the arts and mysteries of the farming business. [Probate 9, 121]

Patterson, Daniel. Was hired to dig a grave and bury the infant of Rachael Hunt in May 1833. (See above, Hunt.)

Patterson, Emeline. Assessment personal property paid, 1857, \$1.

Patterson, Julia. Owned property valued at \$300. [Land Assessment Book 1859]

Patterson, Margaret. Paid \$1 assessment in 1857 in Huntsville.

Patterson, William. Free Papers. A man of yellow complexion and small in stature is a son and child of the woman **Jenney** whose name appears in the foregoing papers and has been reputed for many years, always to be free. William, the son was bound to me when young by his mother Jenney, remained with me a few years and since the death of his mother and ever since he became 21 has been known and reputed to be free. Oath taken August, 13, 1851, Joseph Carothers. In 1857 Patterson paid the assessment of \$2 in Huntsville. [Deed Book Y, 535-36]

Patton, John. His name was included, as a “Free boy,” with the list of 87 names of slaves furnished by the citizens of Madison County for service at Fort Henry on the Tennessee River and received on January 6, 1862 to work for Confederate fortifications. His age was 18, 5’10”, yellow, sound of health and weighting 180 pounds. Because he was free, no value was given in dollars. [Deed Book, DD, 408-10]

Phagan, Sally. A woman of color was purchased by contributions of sundry citizens of the county of Madison for the purpose of emancipation and she is hereby forever freed from bondage and slavery. These same sundry citizens offered up a bond of \$100. Perhaps the community felt she was well able to care for herself and not become a burden on the citizens. [Acts, 1829, 36-38, approved Jan. 20, 1830, 281]

Pin, German. From Giles County, Tennessee, his manumission papers describe him with a “rather light complexion, about 20, 5’7” high bushy hair, scar on right hand between his thumb and forefinger, gave proof that he was free born. [Deed Book L, 402-3]

Pope, Amy and Mary. Affidavit of John Robinson, Esq., “Whereas some two or three weeks ago, I sold to Jonathon Mayhew a negro girl named Amy, aged about 7 years, daughter of Mary Pope, a free woman of color, for \$350, and gave my receipt for the money. The purchase was made by said Mayhew for Mary Pope with this understanding that I was to make a bill of sale for said girl as would enable said girl to be taken out of this state. Said Mayhew, in these words &c: [to] J. Robinson, Esq. Dear Sir: The Bearer of this is Mary Pope, whose daughter is desirous of returning very soon, you will have to goodness to make the Bill of Sale to her as the purchaser, 9 April 1849. Yours respectfully, J. Mayhew. [Therefore] I [John Robinson], convey the said Mary Pope all my right and title to said girl Amy.” [Deed Book X, 214; Deed Book W, 501; Deed Book M, 204.]

Ragland, Taylor. (Also see **Lee, Molly**)

Molly Lee purchased in **1830** from the estate of George Ragland of Franklin for \$400 “one negro man slave named **Taylor**, about 30 years of age, the title to which boy is vested in by a deed of release and quit claim from the widow and heirs of Edward Ragland, deceased” with the avowed intention of setting him free. [Deed Book M, 579; Deed Book P, 455]

According to 1865 census, there were 27 Raglands in Huntsville, among them was Taylor living on Greene St, a wagoner. [1865 Census]

In 1870, **Joseph Ragland** (likely not free in 1860), brother of **Taylor Ragland**, opened an account at the Freedmen's Bank. Joseph was listed as 45, black, born at Triana. His father was **David**, mother **Lerisa**, spouse **Mary**, children **Tillman**, **Jesse** and an unnamed baby. His brother was **Taylor Ragland** and sisters were **Lidsy**, **Mary**, **Manda**, **Harrette**, **Sarah** and **Betty**. He, Joseph served during the War with the 15th Regiment, Co. D. [Register I, 61]

Richardson, Richmond. He a slave of Lemuel Mead, who was hereby authorized and empowered to emancipate a certain Negro man slave. [Acts, Nov. 1820, 62, approved Dec. 4th 1820]

Roberson, Mary Jane. Paid \$1 assessment in 1857 at Owens Cross Roads.

Robinson, John. If ever hard work paid its own rewards, this free man of color and his family not only survived, they achieved financial success and an esteemed place in the community. John P. Neale, acting for William A. Powell, emancipated John Robinson by act of the state assembly in Tuscaloosa on Nov. 3, 1827 with a bond of \$400 to assure that Robinson would not become a public ward. It was approved the following January. Robinson was "to have and take possession and enjoy ingress and regress to any point or place in the world to which inclination may lead him to act and do all things for himself that any other free person of color might, could, or should wish to do, meanwhile amiable to the laws of the state. [Acts, 1827, 106, Approved Jan. 9, 1828; Deed Book L, 506-508]

Born in Virginia, Robinson did not travel any farther in the world to which he now had "ingress and regress"; his future and that of his family was here. At that time Robinson was described as "about 28 years of age, bushy head and low stature, quick in replying to questions when propounded and very polite." [Deed Book N, 306]

By **1828** Robinson was the only known man of color regularly doing business with the individual political wards in the township, probably road work. On one occasion his petition was presented to the City Aldermen stating that he had hired a slave whose terms of service would not fulfill the newly enacted requirements of the city. He was granted an exemption as he "the applicant may be deemed worthy." In 1834 his "boy" Levi was among the slaves hired by the town for work on the streets at \$125 for the year. [Minutes, 8, April 18, 1828; 138, Oct. 17, 1831, 296, Jan. 21, 1834]

The 1830 census showed a family total of seven and four slaves. Although the slaves were members of his family, he was able to emancipate them soon after that. In 1832, by legislative act, Robinson was authorized to free his wife Ann and her two children, Lelia Ann and Lafayette. Robinson gave \$500 bond for security. "Ann is tall, tolerably slim woman of chocolate [sic] between 25 and 30 years of age, of a remarkably mild amiable disposition and she has a large fine face, rather flat than otherwise, with fine rolling eyes, a tolerably ____ head of hair for a full blooded African." Lelia Ann is about three with "a full round and well _____ of rather brighter complexion than her mother, Ann. Lafayette is about nine, with "a face of orange complexion, very fine large

black eyes, and a very fine countenance.” [Acts, 1829, 36-38, Approved Jan. 20, 1830; Deed Book L, 306, 307]

The words “very polite” and “remarkably mild amiable disposition” used to describe John and Ann Robinson may have been keys to their success among the white neighbors in town. At the same time, Robinson had already become a leader among the small group of free people of color. The visiting agent of the American Colonization Society, Josiah F. Polk, listened to Robinson to discuss the possibility for emigration and the need to raise money for that purpose. At the same time the former slaves appeared to be aware of the reported dangers of settlement in Liberia. [Robert E. Perry, “The American Colonization Society in Alabama, 1825-1833,” *Huntsville Historical Review*, IV (1974), 21, 22]

Robinson next freed his two sons, William and John. Unlike their father’s emancipation, these brothers would be required by law to leave as soon as they became twenty-one. There is little else known about these two brothers. [Acts 1830-33,127, approved Jan. 12, **1833**] That year Robinson added to the property he already owned and paid \$175 for an area 43 by 129 feet to expand his livery stable. [Deed P, 705] Still expanding the business, in 1836 Robinson and London Urquhart paid \$500 for a corner lot, 147 by 54 feet near Holmes and Gallatin Streets. [Deed Books Q, 50 and P, 680]

His wife Ann died and in **1844** John Robinson married Perlina Robinson. [Marriage Book Vol. 4A, 053] As the outlook in the South became more contentious, John Robinson “to provide a permanent means by which my children can at all times be identified and their names ascertained had this information legally entered at the Court House, “William, 26; Caledonia, 18; Lelia Ann (now wife of William Terrell), 21; Frances, 13; and Adora, 9 are my own children born free and in lawful wedlock,” recorded July 1848. [Deed Book W, 632]

In the meanwhile, his worth continued to rise as shown by county records. In 1857 the assessment of personal property for his lot in town, valued at \$1000, was \$2 in taxes; personal assessment that year was 50¢ for his wife Jane, and 50¢ for John and Lafayette \$2.

There were more land purchases. In 1858 Robinson paid Hugh Moore \$500 “in hand” for a lot, 91x 140 feet, beginning on African Street. [Deed BB, 536] By **1859** his assessment of \$2 and 50¢ more for horses valued at \$100 and one slave at \$3.10, and he paid 40¢ for two slaves into the Execution Fund. In 1860 the Federal Census showed that now 65 years old, his real estate was valued at \$4000 and personal estate as \$8000. That year he purchased a lot on Holmes St., adjoining his other property for \$17.

As the troops of General Mitchel invaded Huntsville in the spring of 1862, John Robinson was arrested and held in jail for 48 hours. Lafayette offered to take his father’s place, but once John’s loyalty was determined there was no further need. Robinson’s livery stable became a source of supplies for the Federal troops as his claims after the War would show. During these anxious years, fearful of what might happen and fearful that it might not happen, John Robinson appeared to hold his family and workplace together.

After the War, John Robinson with his son, Lafayette, applied as Southern Loyalists to the Southern Claims Commission for damages. He was not reimbursed for all his losses, however, according to the records filed with his son, he was allowed \$2674. reimbursement for the nine horses (all first class animals according to testimony), six saddles and bridles, 2400 lb. bacon, 250 bushels of corn, and 4700 pounds of fodder. He was not allowed the total amount he asked for the pork nor the use of the stable (54 x 44 feet) for nine months by the body guard of General Sherman for their mounts. (At that time the value of the horses was given at \$150 each, pork 7½¢ per pound, 50¢ per barrel of corn, fodder 1¢ per pound.) This is a considerable amount of provisions and equipment owned by John Robinson, a former slave. Yet, the investigator for the application hinted that Robinson was “quite wealthy and possessed even more property than he claimed to have.” [Southern Claims Commission, John Robinson and Son, 1871-1880, Roll 25, Madison County, #557, accepted #2754 – hereafter cited as Claims]

In December of 1865 John Robinson opened one of the first accounts at the new Freedmen’s Bank where his son Lafayette was cashier. John was described then as 5’4”, yellow, no age given and his last master’s name was Allison. His wife at the time, Perlina, also opened an account. She was listed as 4’10” and the step-mother of Lafayette. [Register I, 8, 9]

Apparently John’s second wife, Perlina, died soon afterwards and in December of 1870 John Robinson opened an account for his new wife, Jane, age 30, mid-brown. Her father and mother were William and Hannah, and she had been born in Montgomery County, Maryland. [Register I, 8, 9]

In 1867 and 1868 John Robinson was able to buy more property near Triana Road. He also then deeded lots on Holmes and Gallatin to his son Lafayette and his daughter, Frances Bynum. He leased space for a schoolroom to the Freedman’s Bureau for \$19 a month. In 1869 he purchased for \$250 a lot on Holmes Street. [Deed GG, 264; Deed HH, 264]

John Robinson died on August 8, 1881. He, born into slavery, had most likely arrived in Alabama in shackles. By his own endeavors he freed himself, his wife and their children. Among other activities he served as a deacon in the African American Baptist Church and was on the board of the Freedman’s Savings Bank. The Huntsville *Gazette*, gave his age as about 85, one of the oldest citizens, who had come from Virginia about 1829, prominent in the Baptist Church where his funeral was conducted by Bartley Harris. [Huntsville *Gazette*, Aug. 13, 1881]

The children of John Robinson were notable for their activities within the home and in the community.

Lelia Ann Robinson married in 1843, a neighbor, **William Terrell** who with Richmond Terrell, operated the two barber shops on the Square. According to the census in **1850**, William Terrell, age 32, born in Tennessee, a barber, was with his wife **Cornelia**, (Lelia Ann) 21; children **William**, 5; **Anne**, 3; and **Mary Ann**, 1. With this household also was the Mexican **Amanuel Austine**, also a barber. Their neighbors in the census records included the Robinsons, Eveline Dickson, Sandy Bynum and other free black families. The **1860** census reported William Terrell, age 40, to be worth \$2000 in Free People of Color in Madison County, Alabama

real estate and \$500 personal property with his wife, Lelia Ann, 34; children **William**, 14; **Ann**, 12; **John**, 8; **Alonzo**, 5; **Robert**, 2; and baby **Dora**, 3/12. In 1870 the last name was spelled Terrill, the family was intact and included a house servant. Lelia was noted as having \$2000 in real estate and \$150 personal property. By 1880 Lelia (Robinson) Terrell, a widow whose father was born in Virginia and her mother in Georgia, was listed. Of the seven children at home with her, three of the boys were barbers and one a hostler. Their livelihoods had stayed close to home. [Marriage Book 4A, 8]

By the beginning of the 1860s, Robinson's son, **Lafayette**, also known as **Larkin**, was doing well for himself. As the omnibus driver, he met those arriving at the new railroad depot and took them to the hotels on the square or to individual homes. His assessment in 1857 was \$2; by 1859 he was also assessed 40¢ for two slaves and 25¢ for one gold watch.

In 1862 Civil War action advanced to Huntsville, but the invading Yankees left Madison County for a brief time. When the Confederate army returned, blacks were threatened and impressed into manual labor. Lafayette was sent to work at the Jackson County saltpeter mines for the "Cause." In view of the fact that it was not his cause, he fled to Tennessee to stay with his sister **Adora Lowery**. [Southern Claims Commission Approved Claims, Robinson, John and Lafayette #557, approved #2754]

If his father appeared reticent early on about his position in the community, Lafayette was able to take advantage of the many possibilities he saw during the Federal Occupation and Reconstruction periods after the War. When it opened in December 1865, he became the cashier at \$50 a month for the Freedman's Bank in Huntsville. By 1869 the deposits in the Huntsville branch amounted to over \$17,500. He described himself in his account registration as 37 years of age and brown of color. (His deceased siblings by that time included **John**, **William**, and **Caledonia**. His mother, **Ann**, having died 15-16 years earlier, his step-mother **Pernia** had recently died.) Lafayette and his wife, **Fanny**, had no children. She opened an account also and was described as 4'5", born in Maysville, Kentucky. [Richard Bailey, *Neither Carpetbagger Nor Scalawag: Black Officeholders during the Reconstruction of Alabama*. (Montgomery, Ala. Richard Bailey Publishers, 1995), 153] Obviously he urged other family members to open accounts and he established several for nephews, nieces and neighbors.

The activities of Lafayette continued when he represented the people of the northern part of the state at the Alabama Constitutional Convention in late fall of **1867**. He served as treasurer of the local Union Republican Club and he along with his in-laws, **Sandy Bynum** and **Richmond Terrell**, were delegates at the **1868** state Constitutional Convention where he was a member of the Republican Executive Committee. In **1869**, he and his wife purchased for \$250 a lot on Holmes Street and sold it to Isom Davis; he sold another lot on Church Street for \$225. And there were more transactions. [Deed Book JJ, 538; GG, 264]

Lafayette Robinson established accounts in trust at the Freedman's Bank for **Emma** and **William Tate** in 1870. Their father, **William** was deceased as was their mother, **Nancy**. Emma had been born in Canada and William in Ohio. Apparently the deceased parents had associated with the family of his sister, **Adora Lowery**, earlier while they were all up north. Robinson also established an account for **Lewis** and Free People of Color in Madison County, Alabama

William Dickson whose father, **Alfred**, was deceased and whose mother **Eveline** Dickson a long-time neighbor was living, “but very low.” [Bailey, 154]

Following the Depression of 1873 and despite having 72,000 accounts nationally worth perhaps \$57 million, the Freedman’s Bank failed in **1874**. Frederick Douglass said of the bank it was “the black man’s cow but the white man’s milk.” [cited in Bailey, 151]

Although that investors’ source was gone, not everyone lost all their assets. Lafayette Robinson was able, with a partner, to purchase two lots on Whitesburg Pike near Madison Street. [Deed YY, 105-106] One lot had belonged to William **Gaston** who inherited the property from his grandmother Mouring **Vining**. Robinson also purchased property from Henry C. Bradford. [Deed Book XX, 4]

Lafayette Robinson died at his residence on Holmes Street early in 1878 after a brief illness. His Probate file, under the name of Larkin Robinson, included the usual doctors’ bills, but \$126.30 cash remained and his property. (His widow, Fannie, later married Edward Pope, also a political activist, in January 1881.) [Probate #3501; Marriage Vol. 11, p. 379]

The newspaper reported that he, like his father John, had “left a legacy of service and community standing.” The Colored Masonic band led a procession that was “very large testifying to the great esteem in which he was held.... He always acquitted himself with credit. He was an honest upright man in all his dealings.” [*Advocate* Feb. 6, 1878]

Even if he was unable to shape his own signature or to read with ease the newspaper obituary of his son, John Robinson, so acutely aware of their position as former slaves, father and son, must have indeed been proud and hopeful for the next generations.

Another daughter of John Robinson, **Frances**, married **Sandy Bynum** in 1855. As their family grew within the close-knit confines of their neighborhood, the ties remained secure as the houses of John Robinson, Lafayette Robinson, Bynum, and William Terrell were all next to one another.

Sandy Bynum, had been born and raised in Lawrence County, but gravitated to Madison County when in the 1860 census he was listed as a stage driver and of course was already closely affiliated with the Robinson family when he married Frances. During the War he was arrested and sentence to be shot, but was released from jail.

After the War, like others, he took advantage of his new status to become active in politics. Bynum and **Richmond Terrell** were delegates to the **1867** Republican Convention held in Montgomery. He became the Register for voters at Moulton, Lawrence County District, a highly sought-after position. This political office served one of 45 districts in Alabama established by the Federal government to allow new voters (black) and disenfranchised voters (white) to register to vote. Apparently he campaigned and won against a “full” black candidate, even though some locals felt the black man was more worthy of their vote than Sandy, only a mulatto. (Bailey, 38, 39)

The Bynums opened an account at the Freedmen's Bank for their daughter, **Silsa**, age 5 in March 1868. Two years later an account was opened for **John Bynum**; the child was described as yellow, and proudly a schoolboy. His Bynum siblings included **Mary Frances, Sandy, George** and **Spence**. [Register I, 22; Register II, 12]

Bynum presided over a meeting in Huntsville at the Court House and although the gathering, as reported by the Huntsville *Independent*, was disorganized, Sandy Bynum stressed the need for colored school improvements. In **1879** he, along with William Councill and others represented Huntsville at the National Colored Conference in Nashville. His brother-in-law **Sam Lowery** also was among the delegates as was E. D. Pope, the future husband of the Frances Robinson after she became the widow of Lafayette Robinson. [Huntsville *Independent*, Feb. 27, 1879; May 1, 1879; May 8, 1879; Huntsville *Advocate*, June 25, 1879; *Gazette* Dec. 27, 1879; Feb. 7, 1880; Bailey, 348]

By 1880 their household was still living in Huntsville along side the in-laws and in his household were **Frances**, 45; **John**, 21; **Mary**, 18; **Sandy**, 16; **George E.**, 12; and **Charles**, 10. Additional information gave his parents' birthplace as North Carolina. Earlier he was noted as not being able to read or write while listed as a clerk in the livery stable. Although he must have realized that feelings ran high, Sandy Bynum continued his political activities. Bynum was shot and killed by a white ex-deputy in 1882 at a Republican Rally – in broad daylight in front of hundreds of witnesses. His assassin was found not guilty by the all-white jury. [Assessment Book, 1859; Bailey, 38, 39]

Another Robinson daughter, **Adora**, married **Samuel R. Lowery** of Tennessee. As one might expect because of her gender, there is little information about Adora Robinson, but her husband, Samuel R. Lowery, offers an energized life full of bold missions and near misses. Lowery was born near Nashville on December 9, 1832. Peter Lowery, his father, had been born a slave but was purchased by his wife, Ruth Mitchell, who then freed him. Samuel's mother as a free Cherokee assured that Samuel was born free. Lowery, from his early years, became involved in the ministry with the Church of the Disciples, an affiliation he continued all his life.

In May of 1857 he and John Robinson's daughter, Adora, married in Huntsville. Adora would begin a moving life-style from many perspectives. Living in Tennessee their first sons, Peter and Martin, were born there. The unsettled times of race riots in Nashville led them to Canada where, Lowery remained active in his Church leadership, and their son, **John**, was born. For a time, in 1862 during the War, they settled in Fayette County, Ohio where daughters **Annie** and **Carrie** were born. Returning to Tennessee he served as chaplain of the 40th U. S. Colored Troops and the 9th U. S. Heavy Artillery. After the War, he promoted a Manual Labor University for colored men but more importantly to what lay ahead, Samuel began to study law. Son **Thomas** was born, followed by another girl, **Jane**. In **1875** the family moved to Huntsville and baby **Ruth** was born here. Samuel Lowery continued to study and practice law. [Rev. William J. Simmons, *Men of Mark; Eminent, Progressive and Rising*. Electronic Edition Cleveland: George M. Rewell Co., 1887, 144-148]

About the same time he became interested in the wide range of possibilities for silk worm culture and growth of mulberry trees, a natural food for the worms. An 1878 interview in *The New York Times* described his samples of mulberry leaves, cocoons and spun silk – all produced at his site in Huntsville, Alabama where he maintained a small Free People of Color in Madison County, Alabama

farm. Lowery, it was written, thought 200 pounds of silk could be produced per acre and ready for a market in New York. Moreover as president of Lowery's Industrial Academy in Huntsville, he hoped to train colored youth for this industry. This article and a later one described an endowment fund proposed by Senator Blanche K. Bruce of Mississippi, who at that time presided over the U. S. Senate. His bill would produce an endowment fund from the proceeds of sale of public lands, in this case, the land of former Governor Chapman, know locally as the "The Barracks." Unfortunately for his plan, Bill #1046 did not become law. Two versions in due course were submitted in the 47th Congress, one in 1881 introduced by Rep. John Wait of Connecticut and another in 1883 submitted by Sen. Henry Blair of New Hampshire. Neither bill went any farther than being removed to committee. [*Scientific American*, June 22, 1878; *New York Times*, May 21, 1878; U. S. Senate Bill #1046, April 5, 1878; James Martin. Senior Legal Information Analyst, Law Library of Congress, Nov. 15, 2013.]

Scientific American in 1878 published an article about the promotion by Samuel Lowery principal of an independent school for colored people for the cultivation of silkworms. In Huntsville his concern had hatched 500 worms which produced 20 spools of silk thread. He proposed to plant 20 acres more with cuttings and which he felt in a year would furnish food for two or three million worms. This was a promising new industry for the small farmer of the South. French silk in the previous year had amounted to \$6,000,000 worth of imports. [June 22, 1878]



Lowery Industrial School, courtesy of William Hampton and *Huntsville Revisited*

SILK CULTURE IN THE SOUTH.

A SUCCESSFUL EXPERIMENT BY MR. SAMUEL LOWERY, OF HUNTSVILLE—AN EFFORT TO ESTABLISH A MARKET FOR THE SILK IN THE NORTH.

Mr. Samuel Lowery, a colored lawyer, of Huntsville, Ala., has arrived in this City with letters of introduction to prominent professional and business men, bringing with him samples of cocoons, stock and spun silk—the latter done by hand upon an old-fashioned spinning-wheel—as illustrations of the prospect of silk culture in the South-western States. Mr. Lowery is the Secretary and Treasurer of Lowery's Industrial Academy at Huntsville, an institution for the educational and industrial training of colored youth, and one aiming to combine educational with industrial development as respects the colored people of the South. In the course of an interview yesterday he gave a very interesting account of his experiment in silk culture at Huntsville. Three years ago he procured from an English gentleman in Nashville, Tenn., a few eggs, and the corporation of Huntsville granted him a large, white mulberry in the midst of the city, upon the leaves of which his first worms were fed. This tree is perennial in Southern Alabama, but drops its leaves from four to six weeks in the latitude of Huntsville. It is not troubled with parasites, and the worms fed upon it have proved unusually healthy. Mr. Lowery has now about a quarter of an acre planted to mulberry trees, and is the owner of more than 100,000 worms, each female of which will produce from 100 to 150 eggs. The preponderance of males in the silk-worm he states to be from 2 to 3 per cent.—a rare fact in natural history, when it is recollected that the preponderance of females in the insect kingdom is usually very marked and decided. He estimates that he will have for sale this Spring from 4,000,000 to 5,000,000 of eggs, worth about \$6 50 an ounce, or \$1 per 100. He thinks that the cost per acre of silk culture would be about the same as that of cotton, and estimates the product as from 150 to 200 pounds of silk per acre, worth from \$4 to \$8 per pound in the New-York market. Mr. Lowery's experiment is one of such industrial importance to the South that he has come North to establish the necessary market, and also to procure the requisites for carrying on the work, namely, all the improved labor-saving appliances now employed in the preparation of silk for the market.

It is not generally known, perhaps, that Lowery's Industrial School has become one of the institutions of Alabama, the 25 acres, with buildings, upon which the United States barracks at Huntsville were situated having been given to the school by a wealthy citizen of Huntsville, who takes an interest in the enterprise, provided an endowment fund of \$100,000 can be raised. The buildings and land are now held by lease, and are valued at \$100,000. United States Senate bill No. 1,046, introduced by Senator Bruce, of Mississippi, April 5, 1878, provides for this endowment fund from the proceeds of the sale of public lands, and will probably pass.

The New York Times

Published: May 21, 1878
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The second *Times* article, four years later in 1880, noted that Lowery was the fifth black man admitted to practice before the United States Supreme Court. [New York *Times*, Feb. 3, 1880] Belva A. Lockwood, who nominated him, was herself the first woman to be Free People of Color in Madison County, Alabama

allowed to practice before that court. (She also was the first female to be formally nominated as a candidate for the U. S. presidency in 1884 and 1888.) Samuel Lowery certainly found connections with people in relatively remarkable positions. If he wasn't a "player" those he associated with certainly were.

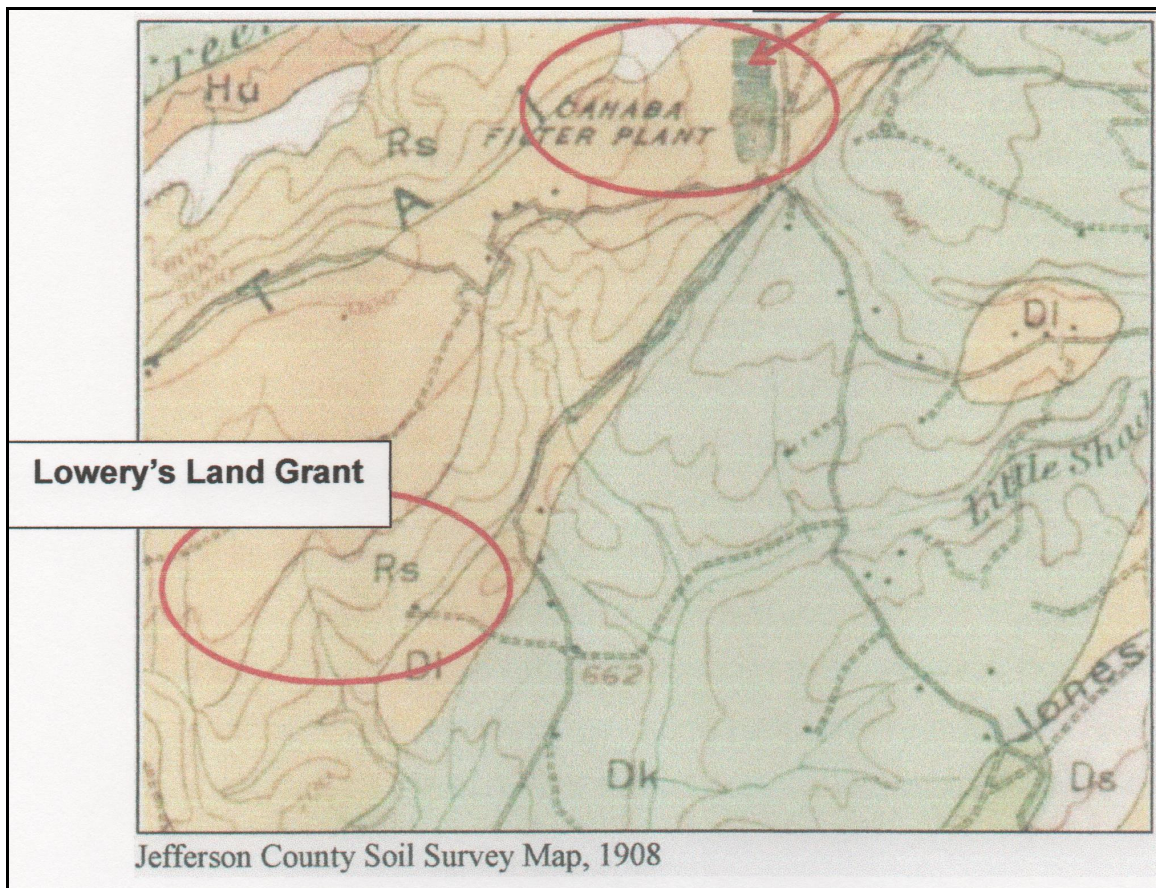
A COLORED LAWYER'S MISSION.

**SAMUEL R. LOWERY ADMITTED TO PRACTICE
IN THE UNITED STATES SUPREME COURT—
HIS PLAN FOR EDUCATING HIS PEOPLE.**

WASHINGTON, Feb. 2.—Samuel R. Lowery, colored, President of an industrial academy in Huntsville, Ala., was admitted to practice before the United States Supreme Court to-day, on motion of Mrs. Belva A. Lockwood, attorney, of this city. Mr. Lowery was admitted to practice in the County Court of Davidson County, Tenn., in 1870; in the Court of Common Pleas, in the same place, a few days later, and two months afterward in the Court of Appeals of Tennessee, at Nashville. In April, 1876, he was admitted to practice in the United States Circuit Court of the Northern District of Alabama. He was formerly a student at Howard University. Mr. Lowery is the fifth colored lawyer admitted to practice in the United States Supreme Court. The first was J. S. Rock, of Boston; another is J. H. Cook, of this city, and another, John M. Langston, formerly Professor in Howard University, and now Minister to Hayti. Ex-Gov. Reuben Chapman, of Alabama, has bought the United States barracks in Huntsville, which cost the Government \$100,000, and he offers to give them, with 25 acres of land, to the Industrial School for Colored People, in which Mr. Lowery is interested, if the school can secure an endowment of equal value. Mr. Lowery hopes to gain this endowment from Congress. It is proposed to give colored persons of both sexes a good English education in this school, and to instruct them in the production and manufacture of silk, culture of tea, the mechanic arts, and the practical application of chemistry to agriculture and horticulture. Mr. Lowery believes that new and valuable industries will spring up in the South under the inspiration of free labor if care is taken to stimulate the intelligence and inventive powers of the working classes.

The New York Times

Published: February 3, 1880
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At the New Orleans World Exposition of 1884 Lowery's exhibit of mulberry leaves, clearly larger than any of the French competitors, won first prize. As food for the silk worms this was clearly significant to the future industry which he founded as S. R. & R. M. Industrial Academy, Silk Culture Industry & Mfg. on May 23, 1887. A patent was given in 1894 for Loweryvale, 80 acres for a cooperative community for the manufacture of silk in Jefferson County. There he also edited the *Southern Freeman*. Although Lowery traveled to New Jersey and Connecticut to meet with nurserymen, nothing more is known of his endeavors. [Alabama Secretary of State's Business Entity data base; Alabama Secretary of State's Tract Book, 1894]

In 1900 the couple and son **James**, age 14, were living in Precinct 25 of Jefferson County. Of their 13 children, seven were living at that time. Neither James, Samuel, nor Adora Robinson Lowery appeared on the 1910 census.

Unfortunately the worm production failed as did the silk industry, and there are no copies of the newspaper available. Lowery said to a friend, "I still hope for competency yet ahead. Hope is a large faculty in my organization." Lowery could have been a dreamer or a schemer or some combination of the two; there is little evidence today. [Simmons, 184.]

Roundtree, Lewis and Jane. Paid assessments in 1859.

Sampson, Charles. In those days to some the sanctity and legality of formal marriage was important. Perhaps it was symbolic of goals to enter the larger white world on a more even footing. After traveling to Huntsville from Madison Station to obtain a license, Charles Sampson, a blacksmith at Madison Station, married **Irerer Smith** in 1822. The 1830 census listed one Charles Sampson as white, with five free persons of color at the household – perhaps his former master assuming Sampson was one of those enumerated. By 1840 at one separate household, ten free persons of color were listed and with no whites. By 1850 more information included that Charles, 52, born in Virginia, a mulatto, was a blacksmith whose real estate was valued at \$1000. The household included **Irena** 45, born in North Carolina; **William**, 24; **Sarah**, 22; **Matilda**, 20; **Charles**, 18; **John**, 16; **Catherine**, 14; and, **Ellen**, was 12 years old.

In 1857, assessments were paid by Lucy, Charles, William, and Charles – for her \$1 and the men \$2 each. Charles also paid 2¢ into the Execution Fund for one slave that year.

A year later Charles Sampson of Triana district again paid his assessment for one slave. **Wm. F. and Charles. J. Sampson** of Triana in 1857 paid assessment on personal property.

In 1859 **John Sampson** paid \$2 assessment. **Sampson, Wm. F.** owned a slave and paid 2¢ to the Execution fund and \$2 tax for himself in 1859. **Sampson, Lucy** paid \$1 in 1859. Perhaps reflecting increased worth and success, **Charles Sampson** paid the 1859 assessment but also tax for a clock at 35¢.

By **1860, Charles, Sr.**, now age 61, had only \$500 in real estate value. Ierena his wife was 52, and the children at home included Matilda, 27; Charles, 25; John, 22; Catherine, 17; and, Ellen, 12. In 1855 Matilda had married Nelson **Earls** [Marriage Book 4B, 129] and Catherine in 1869 married Calvin **Sandifer**. [Marriage Book 5, 827]

Sampson, Jr. Charles. In **1862** during the Civil War, Charles, Jr. hand-delivered letters from Huntsville to northern Virginia for the men of the 4th Alabama including Henry Figures who mentioned him by name. One can only guess if young Sampson went into dangerous territory as a lark, for money, or some passion for his homeland. [Henry Figures to William D. Figures, Feb. 9, 1862 in Figures Collection, Huntsville Public Library Archives.]

In 1863, Probate records show that Alice, Edward, and Jane Sampson were put under a guardianship. [Probate, #2599, A-C] And unfortunately the Sampson family appeared to have few remaining members in Madison County by 1870. The 1870 census listed Calvin Sandifer, 26, farmer who was unable to read or write. His wife Catherine, 23 was able. Alice Sampson was living with them, working as a seamstress, and Edward Sampson who with his sister could read and write also.

Seaward, Antony. Purchased land on April 2, 1828 from Andrew **Winn**, also a free man of color, who bought the land from Henry and Sally Bibb which he later sold for \$112 to Seaward. This property was lying in the village of Pin Hook near the town of Huntsville, Sec. 35, T3, R1W. [Deed Books L, 402; Q, 82- 84]

Shavers, Wesley. According to the 1860 agriculture census, his land was unvalued and he had only \$5 worth of tools. [Green, 24]

Smothers, [Smithers in 1859] Prudence. In Vienna paid 1857 assessment of \$1 and again in 1859. (One might suggest a relationship here to Richmond Terrell whose wife was a free woman of color named Smithers.)

Snoddy, Sally. Bond of Nathaniel D. Snoddy as administrator of the estate of John Snoddy, deceased. He secured a legislative act, which passed, authorizing him to emancipate a female slave named Sally. He now posts \$500 to guarantee that she will not become a public charge. Affidavit of Joseph C. Wayland, white, for Sally Snoddy, 1832: "Sally a black woman aged about 36 years, of rather a yellow cast, about 5'6" high, of slender form with a small scar on her forehead & about the center of it with a full mouth of large teeth shewing plainly in conversation & laughter, speaks readily & converses with much ease for a person in her condition, who in general has the appearance of a genteel servant, is the same woman formerly belonging to John Snoddy, dec." She was liberated in Jan. 1830. [Deed Book O, 25; Mills, "Slave Manumissions," Sept., 208; Acts 1829, 36-38, approved Jan. 20, 1830; Deed Book U, 317; Deed Book O, 159; Deed Book P, 134; Probate #1039]

Spence, Judy. Her name first appeared when **Jacob Wilson**, a free man of color, petitioned the city aldermen to be allowed to hire Judy Spence in 1834.

In 1837 Judy (no surname), a free woman of color, had her children **Timothy**, 15; **Sam**, 8; **Nancy**, 5; and **Lind**, 20 months taken from her and bound out to James W. McClung. From what may be garnered from later information, this well could be the same as Judy Spence. There was a bit of chit-chat about Judy Spence in the 1840s. In these Lewis letters, the sisters thought fondly of "Aunt" Spence, but described her current predicament. From a letter written in 1843 by Eliza Lewis, then 13:

"Madame Judy Spence was married to a coloured gentleman belonging to Mr. B. Robinson, as usual no darkies were invited, but the house was thronged with white ladies and gentlemen, the youthful bride was arrayed in a delicate blue figured silk with a handsome nosegay in one hand, and the bridegroom was arrayed also in a blue vest to correspond with that of his bride. The supper was elegant, and was arranged by Mrs. Cavanaugh. We were not invited, but Uncle Wallace and Aunt Ann who are near neighbors to them attended, and I believe they were much delighted, but in the mean time, let me tell you the couple made their appearance at church, the following Sunday, from which they say she is to be turned out, for [her new] Lord and master it seems has another wife from whom he has never been divorced."

In late 1845, Frank Mastin emancipated his Negro woman slave named Judy Spence and pledged his bond \$500. One year later it was necessary for her to make her Last Will and Testament: "I give and bequeath to my friend James W. McClung all my property of every description and I do appoint him as my Executor", signed July 17, 1846, witnessed Sam.l Breck, E. R. Wallace and Virginia A. Wallace.

Her will was soon recorded as that of a coloured woman late of this county. The remarkable inventory of her goods and chattels, rights & credits included cash on hand \$40 and two notes amounting to \$72 due her, one Negro man named Lewis, two beds, one cow and calf, saddle and bridle, 10 chairs, dining table, kitchen table, 2 small tables, looking glasses, and numerous other household items. (Unfortunately her friend, Mr. McClung, died May 31, 1848. As a result, the disposition of the estate of Judy Spence, coloured, became lost to history.)

[Minutes June 17, 1834, 337; Commissioners Court, 1831-1844, 164; Rohr, Nancy, ed. *An Alabama School Girl in Paris*, (Huntsville, AL, SilverThreads Publ., 2001), 114, 119, 150, 164; Acts, 1842-46, Dec. 1845, approved Feb. 2, 1846; Sellers, 213; Orphans, Mar. 8, 1847; Probate #13, 153, Will, dated July 17, 1846, Case #1412; Probate #13, 178, 179, Inventory of property, Case #1412]

Steele, Elizabeth. Well aware the laws were becoming more strict, in 1855 George Steele, the preeminent architect in Huntsville, wrote carefully and specifically about select slaves in his will. Item seven freed a family of Negroes: **Bess** or **Elizabeth**, a Mulatto woman aged about 23; a mulatto boy **Ellis** about nine; also a mulatto boy named **John Brahan** about seven; a bright [light-skinned] mulatto boy named **Charley** about two; and a bright mulatto girl **Emma** about one – all children of Bess. To be within the constraints of the law, they were to be removed to a Free State, Ohio, Illinois or Michigan, in order to be emancipated there and to remain. Furthermore their new home was to be stocked and supplied as necessary for them. Mr. Steele also left to Bess and her children fifteen hundred dollars from his estate for this purpose. The expense of removing Bess and her children was to be taken from his estate and with a year's provisions for them. In the meanwhile they were to remain at the Fagan property where they were then, and to be well treated. Almost three years later, a notation in the accounts by his son and executor, Matthew, noted that he paid \$4 for copies of her legal papers and handed Bess \$265 in gold as she left for Cincinnati. [Last will and testament of George Steele, 1855, Will Book 1, 69-72; selected accounts of George Steele estate, paid by Matthew Steele, Executor, Chancery Court AA, 606, January 19, 1858]

Strain, Robert. Alabama vs. Henry Beal who with force and arms upon Robert Strain, free man of color, assaulted, beat, wounded and ill- treated Strain. [Circuit Court Book 1833-35, 40]

Swan, Isaac. Paid assessment of \$2 in 1856.

Sykes, Henry. 1857 assessment paid \$2; in Meridianville 1859, \$2. (There appear to be two Henry Sykes, perhaps father and son.)

Sykes, Henry. A pauper, in 1859, free boy of color, age six was bound out to George Douglas until the boy became 21; another boy **Edmond**, age unknown and **Susan Jane Sykes**, age 8, a free girl of color whose mother, a free woman of color, is unable to support and maintain her, being destitute. [Probate #2233 A, B, C]

Sze, Nancy (Sykes). In 1857 paid assessment of \$1.

Taylor, John. Bond of Jacob Johnston, 1825. Johnston has received from John Taylor, a man of color, \$500 “in part payment to me of his full value which is the sum of \$750.” As soon as Taylor pays the rest, Johnson will petition the Legislature to free him legally. Johnston binds himself and heirs in the penal sum of \$1500 that he will fulfill this promise. Taylor, to avoid leaving the state, moved to nearby Limestone County. In 1840 he was the head of a family, wife and three children and the owner of three slaves. [Acts, 1826, approved Dec. 12, 182; Deed Book H, 367; Mills, “Slave Manumissions,” Sept., 209; 1840 Census]

Terrill, Delia. 1857 paid \$1 assessment.

Terrell, Richmond. According to the 1850 census, Richmond Terrell, age 49; his mother Lucy, age 70; his sons James, 4; and Richmond, Jr., age 9 were living in Huntsville.

The local newspaper reported the terrible damage caused by a fire in the center of town on May 2, 1850. Among other businesses the flames destroyed Terrell’s Bath and Barbershop on Jefferson Street. [Record, Vol. 1, 101]

In 1852 he in order to “procure some lasting memorial to his [two] children’s rights to freedom,” Richmond Terrell, also known as **Richmond Valentine**, a mulatto, was born free in South Carolina of a free mother, **Lucy Valentine**. He had moved here about **1834** where he was always known as a free man. He lawfully married **Fanny Smithers (Smothers)** in 1841, and she died Dec. 15, 1847 leaving two children, **Richmond, Jr.** 10 and **James** 7 years old. Fanny had been born about 1820, the daughter of **Louisa Smithers**, a free woman of color in Rockingham County, North Carolina. “Growing old, the only others who knew these facts were also past the meridian of life,” Terrell would like to establish the right of his children to freedom. Testimony was taken of Theophilus and Thomas H. Lacy. The Lacy men had known his wife Fanny before moving here. [Madison County Chancery Court Records, 1851-1854, Nov. 1852, Book R, 245-248]

He purchased, with wife, Fanny, a lot on Jefferson Street on the Square across from the Bell Tavern. In **1857** along with his assessments William Terrell paid 50¢ tax for his gold watch. According to the 1860 City Directory, Richmond Terrell owned a barber shop and a bath house located in the Madison House, at the north corner of the Square. [Deed T, 555; *Huntsville Directory, City Guide and Business Mirror, 1859-1860*] The 1860 census show Richmond, age 40, born in Tennessee, with \$2000 real estate and \$500 personal estate.

William Terrell. One does not know the exact kinship of the two men, William and Richmond, but certainly they were related. William with one slave, in 1857 paid an assessment of personal property and a property assessment for his lot in town worth \$600, paid a tax of \$1.20. Although listed in the city directory of 1860, as a barber in basement of Court House he does not appear in any later census records of Madison County. According to his testimony on behalf of the Robinsons in 1871, William Terrell’s age was given then as about sixty. (See above Lelia Robinson.) [Claims, #557]

Like their neighbors, the Robinsons, many of the Terrells remained in Huntsville during the War. They included **Cella, Eliza, George, John, Judy, Lanier, Mary,**

Martha, Mrs. Terrell, Robert, and William. Most were born free except for the four who had been slaves of George Ragland. [1865 Census]

In 1869 **James Terrell**, age 42 described as a yellow man, opened an account with the Freedmen's Bank. His father was listed as Richmond also, no spouse or children, brother Richmond, occupation barber. That month **Mrs. Lealiar Ann (Robinson) Terrell** also opened an account. She was 42, light brown. Her spouse was **William**, and their children were **John, Ann, Adda, Alonzo, Robert, Mary, Marthy, Manue**, and a baby. Her brothers were **Lafayette Robinson** and **William** and **John Robinson**, the latter two deceased. Her sisters were **Caledonia, Francis** and **Adora**. [Register I, 58]

One year later **Robert Terrell**, yellow, and proud to be recorded as a schoolboy had an account opened for him. His father was **William**; mother **Lealea; (Robinson)**; brothers **Johnny, Alonzo** and **William**; sisters twins **Mary** and **Martha, Lealea** and **Ada**. [Register II, 29] An account was also opened for **Amer Terrell** but no other information was given. Also enrolled was **William Terrell, Jr.**, yellow, a school boy. His parents were William and Lealea; his siblings included **John, Alonzo, Bob, Ann, Mary, Marthy**, and **Lealen**. [Register II, 59].

Lelia (Robinson) Terrell, daughter of John Robinson and wife of William Terrell, died in 1866. At that time, her children included **Lelia, Addie Bohannan, Alonzo** and **William**. She appointed as her Executor her grandson, William, who had always stayed at home with his mother and his grandmother, Lelia. [Probate #7505]

Thompson, Robert. Executors emancipated **John** and also his wife, **Delilah**, the property of Thompson, deceased. [Acts, Nov. 1829, p 36-38, approved Jan. 20, 1830]

Edmund **Townsend** in his will expressed the desire to emancipate his two mulatto daughters, **Elizabeth** and **Virginia**. However, he did not make specific provisions to have them first removed from the state for this purpose. (At that time, it would have been illegal for them to remain in the state and emancipated.) As a result the two women and an estate valued at \$500,000 went to his white heirs. Unfortunately the two sisters remained in slavery until they were purchased and later freed by Samuel Townsend, brother of Edmund. Elizabeth and Virginia were sent to Xenia, Ohio in 1860 and emancipated there.

By the time of his death in 1856, Samuel **Townsend** had planned more carefully for his estate and to avoid the legal difficulties for his nine mulatto children. And, he wished to secure the freedom of thirty-one other slaves. Of course this will was also contested by other Townsend heirs, but his attentiveness to wording allowed this will to be valid. The Negroes were taken out of state and freed. [The definitive work on this topic was written for her M. A. degree by Frances Roberts is "An Experiment in Emancipation of Slaves by an Alabama Planter," University of Alabama, 1940. Much of the following material is from this thesis.]

Townsend, Amos, Armstrong, Austin, Bolling, Caroline, Celia, Dick,
[Mills, "Slave Manumissions," Sept., 211.]

Townsend, Armstead and Woodson. At his death in 1853, Edmund Townsend attempted to free a select group of his slaves. After leaving tidy sums to his brother and nephews, he bequeath \$10,000 to his executors “for benefit of two yellow boys, Armstead and Woodson. He asked that the executors then petition the Legislature for their freedom. Furthermore the slave **Ned** was to remain with his family and be as a free man to continue the work he had done for Townsend for many years, with \$100 per year as payment. [Will Book 1, 9]

Townsend, Eliza M. and Virginia. At the same time Edmund Townsend bequeath to these two sisters his land, Negroes, stock, plantation, tools, household and kitchen furniture, and all moneys in his possession. He intended all the plantations kept together and as free persons they would enjoy the benefit of his property, “as I have every reason to believe that they are my own children.”

Unfortunately for them, none of his requests were allowed. He had not removed these people from the state before manumission by will – the law at the time. His estate, therefore, went to his brother, Samuel, who would take actions of his own.

Townsend, Amos, Armstrong, Austin, Bolling, Caroline, Celia, Dick, Elizabeth, Elvira, Emile, Freeman, Hannah, Henry, Jane, Jane (of Hannah), Jane, wife of Wesley, Joseph, Joseph (of Lucy), Lucy, Lucy of Celia), Malinda, Martha, Martin, Mary, Milcha, Milly, Osborn, Parthena, Peggy, Rachel, Rainey, Susan, Sylvanus, Thomas, Virginia, Warren, Wesley, William, Willis and Woodson. Samuel Townsend learned a lesson from the events following the attempted distribution of his brother’s estate. Edmund’s omitted legal point had been the necessity to remove the slaves first from the state of Alabama to a free state and then emancipate them there. In his will, Samuel Townsend, sent **Elizabeth** and **Virginia** (the daughters of Edmund) to Xenia, Ohio, in 1860. In his will of 1856 these slaves and their “increase” were to be freed: **Wesley** 25, (child of **Rainey**), **Caroline** 20 (child of **Rainey**), **Elvira** 20 (child of **Hannah**), **Thomas** 15 (child of **Hannah**), **Joseph** 9 (child of **Celia**), **Susan** 4, (child of **Celia**), **Milcha** 8, (child of **Lucy**), **Willis** 17 (child of deceased **Winney**), **Osborn** 13 (child of deceased **Winney**), **Parthena** 11 (child of deceased **Winney**), **Elizabeth** 17 (property of his deceased brother), and **Virginia** 14, (also property of his deceased brother.)” All were noted as being “of light complexions” and they of this group were to be moved north first.

Also to be freed were **Woodson** (light complexion, former property of Edmund); **Rachel** and her three daughters (**Peggy**, with son **Bolling, Jane** and **Mary**); **Rainey** and children (**Milly, Freeman**); **Hannah** and her husband **Dick** and her children (**Jane, Malinda, Armstrong**); **Celia** (and her infant child **Lucy**); **Lucy** and children (**Warren, Joseph**); **Martha** and son **William**; **Jane** (wife of **Wesley** and her unnamed child); deceased **Emile**’s children and brothers (**Martin, Henry, Sylvanus, Amos**; and, the deceased **Winney**’s child **Austin**, 19. This second group was also to be sent north and freed if there were enough funds. Furthermore \$200 was to be set aside for each slave according to the will of Samuel Townsend.

Under the direction of Townsend’s lawyer, Septimus D. Cabaniss, Rev. William D. Chadick escorted the slaves from Huntsville to Ohio, where he helped them with legal

issues and to become established with housing, jobs, and provisions made for their education.

As the will was written, item #22 included more local instructions. Servant **Woodson**, husband of **Caroline**, if capable was authorized to receive his own account up to \$5000 out of the share of Caroline.

According to Samuel Townsend's will, 20 other slaves were to remain on his plantation that was given to Samuel, his nephew. These included "**Malinda**, the wife of deceased slave, **Ned**, and all their children except **Jane** the wife of **Wesley**. One hundred dollars were to be distributed annually among Ned and his family and children and also to **Edmond** and his wife and their children. [Madison County Will Book #1, 9, 167; Mills, "Slave Manumissions," Sept., 211.]

Among these emancipated slaves and their children who were able to relocate, the instability of their new life in uncertain times, led to attempts to succeed within the bounds of their newfound freedom. Their struggles were met with varying degrees of success and failure. Many of the group moved to Leavenworth, Kansas. Most were able to receive some schooling that would have been denied to them in Madison County. Perhaps they were no more or no less successful than any black person of these years. During trying circumstances, most had some schooling, married, worked at menial jobs as domestics or farmed for others. Willis found work on river boats and a reasonable living. Osborne Townsend had joined the Union army and later moved to Denver with the Henry Townsend family.

Wesley Townsend, who began with such possibilities and a good education, took unfair advantage of his relatives, used their funds, and returned to ask for more assistance from the executors of the estate. Some had more serious adjustments to make and failed. For instance Woodson Townsend, a son of Edmund, also settled in Leavenworth where he had several arrests and later was accused by a white woman in 1864 of attempted rape. Woodson was sentenced to six years at hard labor. [*Kansas History*, 31, (Winter 2008-2009), 265]

On the other hand among the second group going to Leavenworth, Kansas were Martha (or Margaret) Richardson and her son William Bolden Townsend. Bolden, who claimed Samuel Townsend as his grandfather, attend preparatory school and taught school before getting his law degree from Kansas University. As a lawyer, journalist, and politician he used his influence in what became considered, by whites and often to more moderate blacks, to more extremist and militant confrontations. His influence lessened and dissatisfied, he moved to Colorado where he later served as clerk for the Judiciary Committee in the Colorado House of Representatives.

[<http://www.blackpast.org/aaw/townsend-william-bolden-1854-1917> (on Feb. 19, 2014); "W. B. Townsend and the Struggle against Racist Violence in Leavenworth," *Kansas History*, 31 (Winter 2008-2009), 260-273]

Thomas Townsend attended Wilberforce School, taught in Kansas and returned in 1868 to Huntsville to teach. He also purchased land in Hazel Green and began to farm. Managing well, he was able to purchase a home on Adams Avenue and other lots nearby. When the Federal Government began to issue pensions to colored men for service during Free People of Color in Madison County, Alabama

the War, he became a claims lawyer. Townsend was greatly admired and his influence helped many less educated neighbors use their money wisely. He contributed to the *Huntsville Gazette* and was welcomed, in the newspaper at least, by whites as an alderman on the city board. [Roberts, 53-103]

Two recent papers by R. Isabela Morales investigate the life of Susanna Townsend and a reconstruction of the lives of a few of the freed Townsend women, “The Townsends: Reconstructing the Lives of Seven Enslaved Women, 1830-1856 and “Letters from a Planter’s Daughter: Understanding Freedom and Independence in the Life of Susanna Townsend (1853-1869)” Of course the standard work on the Townsends remains the Master’s Thesis by Dr. Frances Roberts, “An Experiment in Emancipation of Slaves by an Alabama Planter.”

Townsend. One Henry Townsend, most likely related to the brothers Edmund and Samuel above, had settled on 160 acres near New Market in 1817. He died in 1838 and freed three of his slaves by his will. This included **Winney**, 60, “a very old woman;” her son **Lige (Elijah)**, age 40; and a second son **Jo**, 32, an idiot. Townsend also stipulated Winney would have a four-year-old mare, one cow and calf, six geese, 1 flax wheale, one cotton wheale and cards, the bed and furniture and earthen ware that belongs to her house. His will was declared null and void by the Alabama Supreme Court in 1838. [Townsend, Henry, 1838, Probate #526]

Thurmond, John [See Nancy Huntster]

Urquhart, London. Urquhart while in Lauderdale County in 1831 had testimony from William Gee who stated he knew Urquhart to be free. His papers from Southampton County, Virginia included a statement of Martha P. Urquhart of his emancipation in 1825. Gee, as Justice of the Peace in that County described the former slave who would make his way to Madison county as “a man of rather a light complexion of the height of five feet six inches about thirty nine years of age and inclined to be bold...and who has sustained an extrodenary [sic] Good Character.”

Thomas Fearn and Alexander Erskine for \$400 in hand sold to Urquhart, free man of color, in 1836, part of lot #90 in Huntsville beginning on the south side of Williams, east to the line which divides the lot of William Veitch and to Madison Street. **Urquhart** and **John Robinson** on June 10, 1839 purchased for \$500 from John Otey and his wife property at the corner of the street running to Pin Hook Bridge and one running to the spring by Kelly’s Blacksmith Shop, 147 by 54 feet. [Emily Burwell, “Search for Susan B. Turner Gee: A Miniature Portrait from Antebellum Huntsville” in *Huntsville Historical Review* Vol. 35, #1 (Winter-Spring 2010), 62, 63; Deed Book Q, 50]

The will of **Urquhart** in 1837 attempted to protect his wife, **Judy**, and he bequeathed her to James T. Gee. Judy would be, “upon this trust and confidence, that he shall permit her, during her life, to enjoy her freedom and the use and benefit of said lot and its appurtenances...the lot and appurtenances to be his absolutely after death. I will and devise the balance of my estate, real and personal, absolutely and in fee simple to William H. Gee.” [Deed Book P, 680, 681; Probate 8:153; Probate 137]

Vining, Creasy. Paid 1857 assessment of \$1.
Free People of Color in Madison County, Alabama

Vining, Mourning. A female slave, property of John Vining who promised a bond of \$500, was to be freed forever from slavery and bondage. She did well for herself because she owned property and later paid 80¢ in taxes for her land in town valued at \$400. The 1850 census gave her age as 71, but she was not enumerated in 1860. By 1865 there were eight people named Vining in the 1865 town census, none named Mourning and none born free. [1865 Census] However her will of 1866 made **William Gaston**, her grandson, the Executor. [Acts. 1828, 94, approved Dec. 20, 1828; Deed Book M, 321 -2; Deed Book YY, 105-106; XX, 4] Her heirs included **Rhoda** Gaston of full age and in the county; **Ann Vining**; **Sampson Vining**, of age, living in Florida; **Kizzie Horton**, wife of **Washington Horton**; **Mary Vining**, of age living in Texas; **Rodah Irwin**, wife of **Lewis Irvin**; **James Vining**; **Annie Vining**; and **John Vining** were minors living in Huntsville. Her house and lot on the east side of Madison Street were to be sold by public auction or “public outcry.” William Gaston had the highest bid and won the property for \$401. [Probate #2786]

Related in some manner, Mrs. **Anner Vining**, age 67, opened an account at the Bank in 1866. Her mother was listed as **Morning Harris**, her father **Anthony**, her spouse **Sam**, and children **Ben, Antony, Sealy, Solomon, Lionon, Adeline, Maria, Kizer, Samuel, Priscilla**, and **Shadrack Vining**. There had been 5 deceased children. She was born in Georgia, and she was at the John Laughinghouse plantation, no occupation was listed as she was “too old to work.” **Shadrack Vining** made the deposit. [Bank I, 32]

Vining, Shadrack. Paid 1857 assessment of \$2.

Ward, Moses. Paid \$2 assessment in Triana district for 1857.

Walker, Tom. Emancipated by Catherine Butcher in July 1842 her man slave, Tom Walker, for “long faithful and meritorious services” who then would leave the state. She had followed the regulations and published in the newspaper for 60 days prior to her court petition. [Orphans, 1840-42, 480]

Walten, Mary. [Walton, Waltin] Paid in 1859 assessment of \$1. According to the 1860 census she was a laborer with two children but was the head of the household.

Wake, John. He came from Washington County, Virginia to Alabama as a free man in 1827. Recorded in Madison County by the clerk, his certificate described him as a “black man about 25 years of age, about five feet five and one-half inches high, scar on his right hand and a scar on his left hand, thigh and foot, by occupation a blacksmith.” [Deed Book L, 237]

Watkins. Ike. A “free boy,” age 30, 5’6”, sound of body, weighing 179 pounds was among the slaves sent to work on the fortifications at Fort Henry in 1862. [Deed DD, 408-410]

Williams, John. Paid 1857 assessment of \$2 as a free black man. Age about 21, he petitioned the Probate Court on June 4, 1860 to declare him a “slave for life” of Thomas Douglass of Madison. “Having become satisfied that rights, liberties, and privileges exercised by free persons of color is [sic] mostly theoretical. Therefore... is a Free People of Color in Madison County, Alabama

free person of color and wedded to the South and being desirous to dwell and make the South his permanent place of residence...Thomas Douglass as his owner and master.” Approved by Legislature of Alabama Feb. 25, 1860. [Probate, # 2442]

Williams, Josephine. Bound herself out on Jan 18, 1854. [Probate #1782]

William, Malinda. Paid assessment of \$1 in 1856.

Wilson, Jacob. A free man of color petitioned the City Board for him to be able to hire **Judy Spence.** [Minutes 1828, June 7, 1834, 337] (For more about her, see above, Spence, Judy.)

Winn, Andrew. On April 2, 1828 Andrew Winn, free man of color, bought land from Henry and Sally Bibb which he later sold for \$112 to **Antony Seaward**, also a free man of color. This property was lying in the village of Pin Hook near the town of Huntsville, Sec. 35, T3, R1W, approximately ½ and 1/10th of an acre. [Deed Book L, 402; Q, 82- 84]

Winn, Hanna. Will of Gallanius Winn who died in 1839, “For the kind attendance of my old Negro Hanna, her freedom.” and “my little yellow girl **Narcissa.**” However his other two slaves, Elizabeth and Bob, were sold to the highest bidder at the courthouse door and the proceeds went to his daughter Elizabeth Todd in Lawrence County. [Probate #A, 30; Probate #194]

Young, Susannah. Susannah, a free woman of color, purchased property in 1826 which she sold for \$300 in hand, on May 28, 1835, to **Molly Lee**, free woman of color, a lot in Huntsville, part of Lot 4, bounded by Holmes and Washington Streets, approximately 24½ by 70 feet. This property was useful to Molly because her house stood in the southeast corner of the lot. [Deed Book P, 530; Deed Book R, 222]

_____, **Milley and Julia.** both free women of color were provided coffins and burial for \$12 in 1852. [Commissioners Court, 1849-1854, 174.]

_____, **Emeline.** at her death in 1852 required an inquest by the coroner who was reimbursed. [Commissioners Court, 1849-1854, 187]

_____, **Dublin.** He and his property were removed to the poor house for a cost to the county of \$2 in 1855.

_____, **Sophia.** Paid \$1 assessment in 1857.

Works Cited

¹ There has long been considered possible connections in the Triana and Toney, Alabama communities with the Saponi/Powhatan Black Indian Tribe who migrated from Virginia to Alabama quite early. This connection could have included Nancy Cruse, Rachael Finley, and Jane or Jenny Finley also.