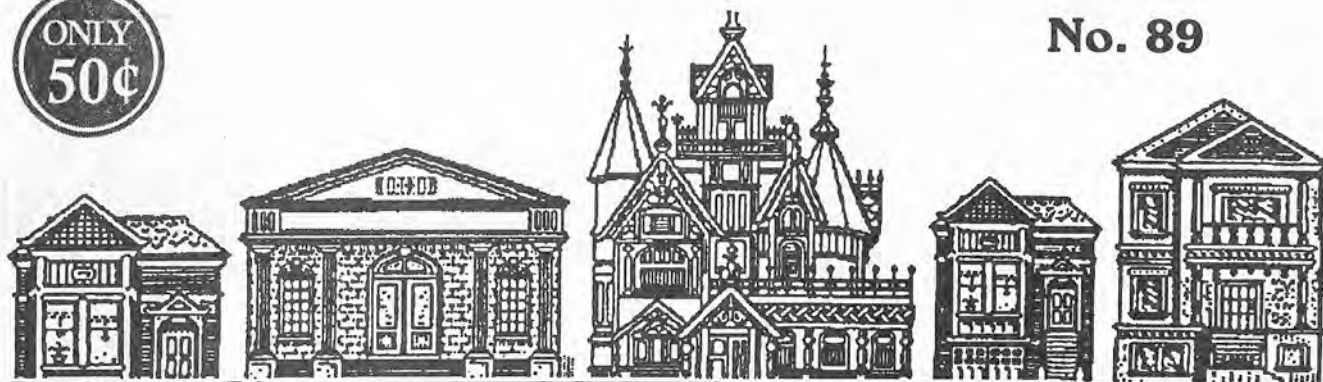


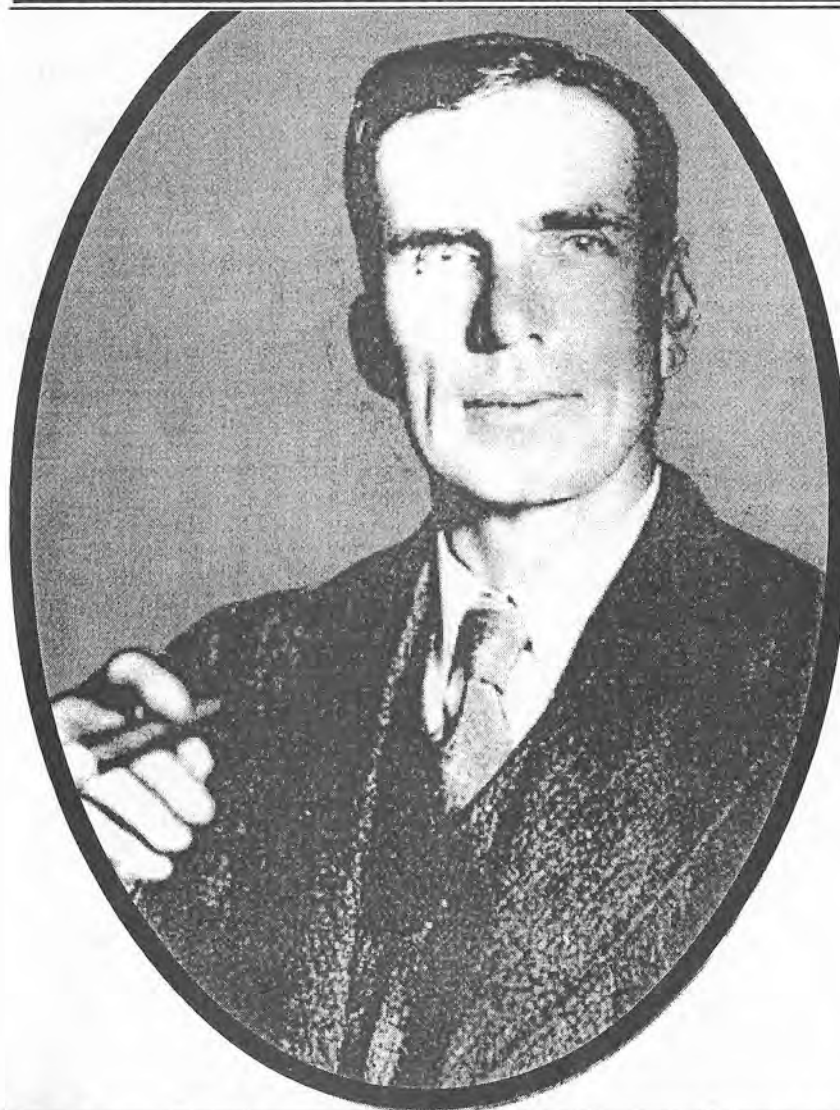
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Old Huntsville

HISTORY AND STORIES OF THE TENNESSEE VALLEY



The Price of Justice

by Jacquelyn Procter Gray

In March 1933, the retrial of the Scottsboro Boys landed squarely in the lap of Judge Edward Horton, Jr.

He had been warned that his interference in "swift justice" would sound the death knell of his political career. Although his actions and conduct in the case would be applauded throughout the world, in his own home town he was an outcast, living under constant threats and intimidation.

For Judge Horton it would become the price of justice.

Also: Kate Lackner *versus* the United States of America

The Price of Justice

The 1930s marked a dark period in the history of Alabama. This is a story about one Alabama man who stood tall in his decision to uphold justice and change the course of history, a decision that cost him his political career.

In March, 1931, Victoria Price and Ruby Bates hopped a freight train in Chattanooga bound for Huntsville, Alabama. In those Depression days, Ruby and Victoria were known to be some-time prostitutes and had the jail records to prove it. Among the other illegal passengers on the train were nine black men aged 13 to 20. When it stopped in Scottsboro, about 15 deputized men met the train to check out the claim of a disturbance reported by several white men who had been thrown off the train near Stevenson. Everyone was told to leave the train, and the two women at first tried to run away. Twenty minutes later, they claimed to the deputies that they had been raped by "the nine black boys."

Judge Alred Hawkins of Scottsboro presided as a grand jury voted to indict the men. The judge appointed all seven of Scottsboro's attorneys to repre-

sent the men, but six reported conflicts, including one attorney who claimed that he represented the Alabama Power Company and they would profit financially if the accused were electrocuted. It quickly became apparent that no one wanted to represent a black man accused of rape in Alabama.

In a frenzy of moral outrage, all of the men were tried, convicted, and sentenced to die by electrocution within a few weeks of the event. However, the U.S. Supreme Court overturned the convictions based on inferior defense counsel, and the judge granted the request for a change of venue. In March 1933, the trial of the Scottsboro Boys landed squarely in the lap of judge James Edward Horton, Jr., circuit court judge in Morgan County.

Judge Horton was assigned to the case of the Scottsboro Boys by the Chief Justice of the Supreme Court. At a height of 6'4", Judge Horton was soft-spoken, tolerant, a good storyteller and witty. He had received a classical education at Cumberland University, with five years of Latin and four years of Greek. He was a member of the Presbyterian church in Athens where he attended regularly.

As soon as it was learned that Judge Horton would preside over the new trial he came under intense pressure from the community. People he had



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Making Molasses in Hazel Green circa 1915. The woman is Margaret (Maggie) Sullivan and James Sullivan is holding the dip.



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known all of his life would approach him on the sidewalks, or in the church, with the warning to do the right thing, "and send those boys to the chair."

Even before the trial began, Judge Horton had become an outcast in his own community.

From the beginning, Judge Horton's trial was to be different from the rest. He had reserved spaces in the courtroom for out-of-town newspaper reporters, a fact the townspeople deeply resented because of the extensive worldwide news coverage. When he was observed shaking the

hand of a black reporter many people called for him to step down from the bench, saying a "nigger lover" could not conduct a fair trial.

During a break in the first days of the trial Judge Horton was approached in the restroom by one of the doctors who had examined the two women. Though terrified, the doctor told him confidentially that there was no way those women could have been raped, but he refused to testify to the truth because he was afraid he would lose his practice, being just three years

out of medical school.

The judge considered declaring a mistrial but realized if he did the men would simply be tried again, possibly in another courtroom under even harsher circumstances. After deep soul searching he decided to go ahead with the trial-- in his heart he felt sure the story fabricated by the two prostitutes would be recognized as lies by the twelve jurors.

The prosecution's case appeared to be in trouble when one of the female accusers, Ruby Bates, reversed her story and admitted that they had made the

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whole thing up. As Bates told of how she and Victoria Price had lied, the jury seemed more interested in her "New York hairdo" and the clothes she wore which had been bought at a fashionable northern boutique. Her picture had been on the front pages of newspapers for months, a result of her speaking at rallies to free the Scottsboro Boys. In one notable picture she was even shown shaking hands with the President. Now, as she testified, her appearance and celebrity status only fanned the flames of the townspeople's fury who believed that those people from up north had bought her off.

Mountains of evidence was introduced showing the state's case to be a complete fabrication. Eye witnesses and expert witnesses testified that the accused men could not have possibly

raped the two women. The state's case boiled down to a white woman accusing a group of black men, "so you must do what is right and convict these black boys."

In the end, the verdict should have been a foregone conclusion. In a straw poll taken by seventeen out-of-state observers the vote was unanimously for acquittal. The evidence simply wasn't there.

Unfortunately, in what was to become one of the saddest chapters in Alabama's history, the jury deliberated only minutes before returning a guilty verdict with punishment set at death.

Judge Horton was devastated. All of his life he had believed in the fairness of law and now what he considered to be a complete travesty of justice had occurred in his own courtroom.

After carefully writing more than twenty-six pages of brief to support his decision, Judge Horton put aside the verdict and ordered another trial. The backlash against the judge was immediate.

Friends he had known all of his life stopped talking to him. When he tried to purchase something in a store he would be informed the store was closed. Gas stations refused to sell him gas for his car and the mailman would lose his mail.

Threats against Judge Horton's life became almost a daily occurrence. Still, despite all intimidation, Horton continued to believe that justice should be for all men.

Finally, when all else had failed, the town of Athens simply stopped talking to him. Days would go by sometimes without

**Ready or not,
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*Nana came to paint
the nursery.*

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THE BABY SHOWER.**

*Come next month,
everything will
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anyone speaking a word to the judge. A native of Athens described Judge Horton as "the loneliest man in Alabama." Finally, out of concern for his family, he moved away from Athens.

Although he knew there was no chance of winning another election, he still ran for office again in 1934. To have done otherwise would have been to give in to the bigotry of the times.

Though Horton carried the counties of Limestone and Lawrence in election, he was still defeated and never served on the bench again. It was understood that he lost the election over the trial of the Scottsboro Boys, but he never once doubted his decision or had any regrets.

The retrials continued under Judge William Callahan who presided in the manner that the people wanted. He did not bother to hide his contempt for the defense attorney of the nine on trial and refused to allow important testimony, including that of Ruby Bates. Not surprisingly, they were again found guilty.

The Scottsboro Boys endured many painful years in prison until they were eventually released under the relentless pressure of various organizations and people convinced of their innocence.

Judge Horton lived to the age

of 95 still believing that justice was the right of everyone, no matter what color or sex. His personal philosophy was 'flat justitia ruat coelum', or 'let justice be done though the heavens may fall.'

Nearly 70 years have passed since the infamous "Scottsboro boys" trials. Attitudes changed as Alabama slowly pulled itself from the mire of bigotry and oppression. Today the city of Athens, Alabama recognizes Judge Ed Horton, the man they once refused to talk to, as one of its region's most important historical figures.

Based on his courage and legal ability, Judge James Edward Horton is considered one of the top ten State trial judges in American history.

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ever gets up to pour his or her own coffee, has to do likewise for the house.

But, on that morning years ago, Curtis, being the social gadfly that he is, was really enjoying Big Jim's service. Floyd, however, just sat there, fidgeting nervously. Suddenly, he pulled money from his pocket and paid

Aunt Eunice for his breakfast.

"Let's get out'a here," he said with a worried look on his face.

"What's the matter, Floyd?", asked Curtis.

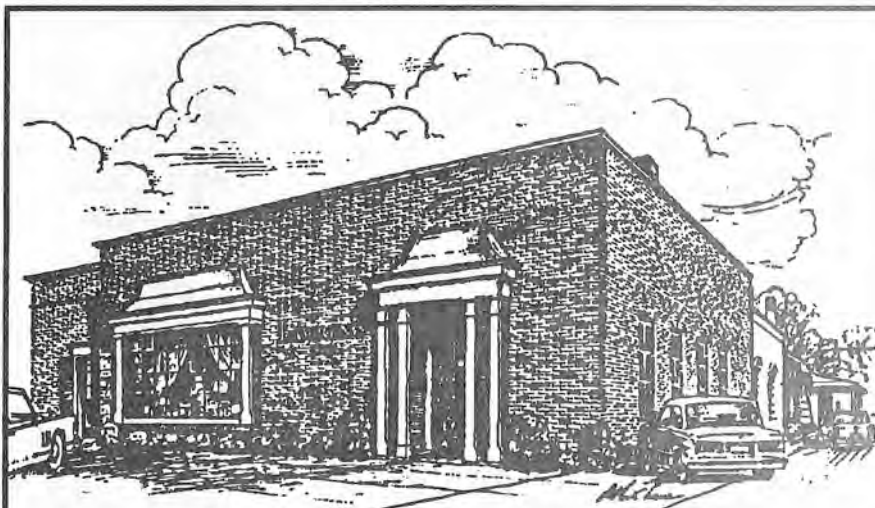
"Curtis," Floyd said, "I'm a church going man and if Brother Laird ever walks in here and catches these politicians waiting on me hand and foot. ... Well, there ain't no way I'm going to convince him that I haven't back slid.

*She says she has
absolutely nothing to
wear - and she needs
three closets to keep it in.*

Aunt Eunice's Restaurant, an institution in our town for more than forty years, has always been the kind of place where the customers, both the lowly and the great, wait tables and pour coffee. It's also where you may find yourself seated at the same table with a United States senator and an auto mechanic, with perhaps a congressman or governor refilling your coffee cup. One morning several years ago, barber Floyd Hardin and Curtis J. Hall walked in and ordered coffee with ham and biscuits. Much to their surprise, it was former Governor Big Jim Folsom who strolled over to their table and poured their Java.

They soon learned the act was just part of the norm. Mayors, judges, numerous congressmen (some even from out of state) and movie and singing stars (some of them legends) are not exempt from such duty. Who-

When I was young I was told that anybody could grow up to be President of our country. Now I'm beginning to believe it.



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Richard Taylor

He won the Medal of Honor while fighting his own brother



Most people in Huntsville are familiar with the statue of the Confederate soldier standing next to the courthouse. And almost any school boy can tell you stories about our heroes of the Confederacy such as LeRoy Pope Walker and Frank Gurley. But the most ironic untold story of a Civil War hero can be found inside the Madison County Courthouse. As you wander around the bottom floor you will see a display on one wall honoring natives of Madison County who fought in our wars. Among the many names listed you will see Richard Taylor, winner of the Congressional Medal of Honor for capturing an enemy flag during the Civil War.

The flag was a Confederate flag and Richard Taylor, a native

of Madison County, was fighting for the other side.

Richard Taylor was born just south of New Market around 1833, the oldest of ten children. His father, James was a shoemaker and from all indications not very prosperous. There are no records of him buying or selling any property in Madison County. In the 1850s Taylor moved to Daviess County, near Washington, Indiana. His family remained in Madison County. Family tradition indicates he worked as a engineer in a flour mill. When the Civil War began, Richard immediately enlisted as a Union soldier. His brothers, who had remained in Madison County, enlisted in the Confed-

erate Army.

In June 1864, Taylor's Regiment received orders to Washington D.C., to help defend the Capital. Confederate General Early had moved his Army to within five miles of the Capital before being repulsed. On October 19, General Early, in a surprise move, again moved his troops northward to Cedar Creek Virginia. In the bitter fighting that took place, Richard Taylor captured a Confederate flag, and for his bravery, was awarded the Congressional Medal of Honor.

The citation is the shortest one ever presented: "Capture of flag."

Opposing Taylor and his regiment were four Confederate infantry units from Alabama among whom was one of his own brothers!

At the end of the hostilities, Taylor was mustered out of the Union Army in Darien, Georgia on August 28, 1865. Rather than return to his family in Madison County, he chose to make his home in Indiana, where he died in 1890.

He never saw his brothers and sisters again.

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The Mystery of the Upside-Down Hill

by John Crow

The year was 1959. Fidel Castro became the Prime Minister of Cuba, "Tom Dooley" was a popular song, and I had come to Huntsville. My father and I were staying in a boarding house on Adams Street until he could close on a home and bring my mother and sisters down from Ohio. I had come down that summer with Dad to get squared away at Huntsville High for my pending junior year and to try out for the football team.

That summer I learned that Southern boys take their football seriously, that I resented being called a "Yankee" (I had lived most of my young life out West or in Tennessee), and through the auspices of my soon-to-be best friend, discovered what surely must be one of the all time great mysteries of the universe.

"Minus" Mullins was the football team manager. We called him "Minus" because at that time he was so small. His real name was Bob and he had sort of an impish, con-man quality about him. He was always cooking up some scheme or another designed to make a quick buck. Well one day after practice we were sitting around at Gibson's Barbeque drinking iced tea. I forget how the conversation got started but I was telling Bob about some of the wonders I had seen in my travels out West.

Bob got this sort of far away look in his eye, hunkered over closer to me, and in a low, seri-

ous voice said, "John, I bet you a dollar that I can show you a wonder right here in Huntsville, Alabama that you'll have to agree is the greatest wonder you've ever seen." I'll have to admit I was pretty leery of what was taking shape but I could tell Bob was serious and that look in his eye was downright scary. I figured I couldn't lose and besides I was

awfully curious.

"OK, show me," I said, a little smugly. We got in his '58 Chevy and headed north on the Parkway and took a right on Governor's Drive. We headed toward the mountain and then veered left onto Big Cove Road. Now you have to remember that back then the area around the Big Cove turnoff was mostly rolling, sloping, grass-covered hills, and the traffic wasn't anything like it is now. We traveled up Big Cove just a little way, it seems, then Bob started to slow down. He began looking from side to side then stopped, backed up a little, then stopped again. He put

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the car in neutral and with his foot still on the brake said, "We're on a hill going up, right?"

Well we were definitely on a hill, granted the spot where we were at was not a particularly steep grade, but it was definitely a hill.

"Bob, you know darn well we're on a hill."

"OK," he said, "When I let my foot off the brake we'll start to roll back down the hill, right?"

"Right," I said, not hiding my disgust. Bob let his foot off the brake, and I swear, instead of rolling backwards down the hill, the car rolled up the hill for a short distance, then came to a stop. "Whoa, do that again!" I said. Bob put the Chevy in gear and backed up (down) the hill a short distance, then repeated the performance.

"Bob, that's the strangest thing I've ever experienced."

"Yeah, it's weird alright. Let me show you something." He reached over and opened the glove compartment and pulled out a folded piece of paper. "Read that," he said. I unfolded what

appeared to be a piece of an old comic strip section from a Sunday newspaper. Someone had written a date on it that now was very faded, nineteen fifty something. When I read it I could feel the hair on the back of my neck start to rise.

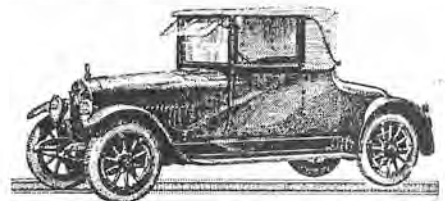
It was an old "Ripley's Believe it or Not" strip. You remember when it was in color in the Sunday comics. Well it showed this car on a hill and a man scratching his head and little question marks coming from his head and said something about the upside-down hill in Huntsville, Alabama. "Bob," I said, "This is really something. Imagine, we're on a spot in Ripley's." "Yeah," Bob answered, "Don't it beat all you've ever seen?" "It sure does," I replied.

Then I saw his eyes light up and he said, "John, you owe me a buck." Well, I begrudgingly paid Bob and, armed with a marble and a carpenter's level, all that summer I'd go back and try to unravel the mystery of the upside-down hill. I never could figure it out. I do know that the level

would show "down" but the marble would roll "up."

I had forgotten about this incident until a couple of weeks ago when I was thinking about my old friend. Bob's been dead over twenty years now. Little did we know that summer would be one of the few left when we still had our adolescent innocence. The sixties, Nam, the seventies, careers, family, all the changes and stresses of adulthood, almost caused me to forget that first summer in Huntsville.

I guess in memory of old Bob "Minus" Mullins I tried to find that spot on Big Cove the other day. I can tell you this, if you try to stop your car on Big Cove Road today the odds are you'll get run over, and to walk around there with a marble in your hand is just plain suicide. I've never found that spot again where down is up.



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A Perverted Wretch

from 1892 newspaper

Fifteen of the 33 women who were married to James W. Brown since 1883, confronted him today in recorder's court. The list included Helen Brownlee, and Annie Winters of Mobile, who with Mary Benjamin and Jennie Robertson of this city, were the only ones called to give evidence.



Five clergymen of this city certified that they had married Brown to as many different women. The case was so clear that the pros-

ecutors left it to the jury with no argument. During the trial Jennie Robertson's indignation could not be repressed, and she denounced Brown as a perverted wretch. The jury agreed with her evidently, for they took but four minutes to find him guilty.

Police had to be called to control the wives.

"If there's anything that upsets me, it's having people drop by when our house looks like it usually does."

An Expensive Cow

from 1919 newspaper

There is a man in Huntsville who pays \$18,000 a year for the privilege of keeping a cow. He is a sane man, a business man, a man of family and generally respected in the community. His poor relatives declare him a freak, and his neighbors shrug their shoulders and murmur things about rich men's whims.

The way of it is that he possesses a valuable building lot in a choice residence portion of the city, and having nothing else to do with it he put a nice little fence around it and quartered therein his pet Jersey cow. The cow was an artistic cow and harmonized well with the green turf and little bushes, so people rather admired the arrangement.

One day a man came along from Paint Rock who thought he would like to build on that particular lot, so he hunted up the owner and made him a spot cash offer of \$430,000 for the land. His offer was refused, politely and decisively. "But," remonstrated a relative aghast, "that would pay you \$18,000 a year! Why did you refuse it?"

The rich man lit a cigar and turned a protesting face on his accuser. "Yes," he assented in a puzzled way, "but what would I have done with my cow?"



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Old Time Remedies



If a woman does not want to get pregnant she should be careful about allowing people to place babies on her bed. On the other hand, if she wants to get pregnant, she should have all her friends and relatives place their babies on her bed and she will soon be with child.

A man should always leave the house by the same door as he came in. If he does not, there will soon be another child in the family.

If you want a boy, stick a knife in the mattress. If you want a girl, put a skillet under the bed.

A woman who is pregnant should satisfy every craving for food. If she doesn't, the child will have a birthmark shaped like the food that was denied the mother, or worse, will be a glutton for it until the day he or she dies.

An ax placed under the bed of a woman in childbirth will help alleviate her pain. But the ax must be sharp-- a dull ax is worse than none at all.

If a woman is having a difficult time delivering, you must make her sneeze. One way to do this is to fill a turkey quill with snuff and blow it into her face. The baby will be born as soon as she sneezes. Another nicer way to encourage the birth is to give the mother blackberry tea.

To prevent baldness later in life, bathe the baby's head in stump water soon after it is born.

Babies born between June 23 and July 23 will be natural born failures. Every effort should be made to avoid having a baby during this time.

A pregnant woman can do many things, but she should never put up fruit. If she does, it will spoil every time.



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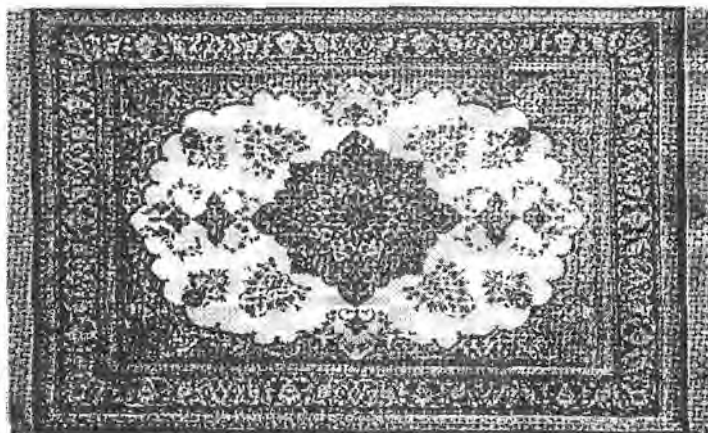
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From Around the World

Fuller's Folly

Just a few miles up Pulaski Pike, well within the city limits, is a cave that was once heralded as the most popular nightclub in this area. The early history of Shelta Cave is lost in the clouds of history, but some of the earliest stories tell of Confederate soldiers hiding in the cave to escape searching Union soldiers.

These remained just legends with no basis in fact until 1888 when a Mr. Bolen James sold the land to a Mr. Henry Fuller. Not much is known about the early life of Mr. Fuller but judging from his actions he must have been a born entrepreneur. Immediately after taking possession of the cave he hired a team of carpenters to install steps down into the main chamber.

Next he assembled a crew of craftsmen to install a dance floor in one of the great rooms with large stand-up bars at each end. He made no secret of the fact that he intended to open the grandest, fanciest and most unusual dance hall in Alabama. Huntsville had seen its share of weird wacky ideas; but a dance hall in a cave? Even for Huntsville's standards that was too much. Town people began to call the yet uncompleted dance hall "Fuller's Folly." As is true in many a new business, Fuller soon found himself facing a slight problem-- too many lofty ideas and not enough money. Reluctantly he let himself be talked into forming a corporation called, appropriately



enough, Shelta Cave Corp.

With this new influx of money from investors came new ideas and it wasn't long before Fuller heard of a new attraction in Nashville that he thought would be perfect for the business. There had been much talk in Huntsville about a new invention called

"electric lights," but while most people dismissed it as just another crazy idea, Fuller was determined to light his dance floor with the "marvel of modern technology."

Within days of Fuller's visit to Nashville, workmen arrived to begin stringing wire throughout the cave. Although few people realize it today, when Fuller pulled the switch on his new lighting system, he earned him-

self (and the dance hall) a place in Huntsville's history as having the first electric light bulbs in Madison County. Even this was not enough for Fuller, for as he cast his eyes upon the vast underground lake he began to see another possibility for potential profits. Within the week neigh-



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bors watched in amazement as workmen unloaded three large boats from a wagon and awkwardly maneuvered them down the steps. The citizens of Huntsville must have had a good chuckle when he announced his intentions of providing "Underground Boat Rides." And, as if that was not enough, he purchased hundreds of Japanese lanterns to hang overhead!

Finally the day of the "Grand Opening" arrived, and true to Fuller's predictions, crowds thronged the cave to see the marvel of electric lighting, ride the boats and dance to the sound of a newly hired band. With the admission price of one dollar, Fuller should have been able to make a profit but unfortunately he was too deeply in debt. Also, the townspeople, after making one or two visits to the entertainment mecca, quickly lost interest. Desperate for money, Fuller began to travel throughout the South promoting Huntsville and Shelta Cave as a convention center.

Evidently he had some suc-

cess as the "Huntsville Mercury" in 1889 ran an article about a gathering of the press association: "The entertainment of the Press Association by the citizens of Huntsville closed today with a grand barbecue in Shelta Caverns and nearly one hundred delegates and their ladies were in attendance. The affair was gotten up in a delightful manner and the beauties of the place were fully investigated by the astonished guests."

Another story of the day concerns a duel fought over a lady's honor at the edge of the dance floor. The gentlemen, both slightly intoxicated, were pursuing the same girl at the same time when they happened to accidentally meet at the dance. Harsh words were exchanged and to everyone's horror, they pulled pistols from underneath their coats. Both fired, and both missed. Fortunately they let themselves be led away before real harm could be done. The only casualty of the duel was a member of the band who was slightly injured by a falling sta-

lactite.

As almost any nightclub owner can tell you, crowds are fickle, and within a few years the dance hall was facing financial ruin. This time, even Fuller's salesmanship could not save it. On June 28, 1897 the cave was sold at a sheriff's sale on the steps of the courthouse to settle a judgement.

Although there is no documentation to support it, natives of Huntsville that can remember the 1920s and 1930s swear there was once a speakeasy located in the cave. Other sources claim that moonshine was produced in the cave at intervals all the way up to World War II. Another persistent rumor claims the cave was used as a liquor and beer warehouse during prohibition.

In 1968, after being neglected for years, the cave was purchased by the National Speleological Society. An iron gate has been placed over the entrance to prevent accidents.



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Autumn Flower Gardening

by Paul deMarrais

Even though our gardens have passed their blooms and look a bit tired, fall is still a wonderful time to build our next year's garden.

All perennials can safely be planted in our area until mid-September, giving their roots a head start in ideal cooler growing conditions. Trimming back and dividing overgrown perennials and removing seedheads strengthens roots for the long winter months. Daylilies, for example, flourish under these conditions. A light mulching is beneficial to plants, but over mulching can be disastrous. Drainage is very important. Plants smoth-



ered with thick mulch will retain too much moisture, creating unfavorable conditions for roots. If too moist, roots may rot and die. This problem can be avoided by planting the perennial properly. One method is digging the hole an extra inch deep, and filling that extra inch with fine gravel.

Shoo Fly Pie



1/2 cup boiling water, 1/2 cup dark molasses, 1 egg yolk, well beaten, 1/2 teaspoon baking soda, 1/2 cup brown sugar, packed 1/4 cup margarine, 1/4 teaspoon salt, 1/8 teaspoon nutmeg, 1/8 teaspoon ginger, 1/8 teaspoon cloves, 1/2 teaspoon cinnamon.

In the boiling water, put molasses, beaten egg yolk and baking soda and combine all thoroughly. Mix into the flour all the other ingredients and work it with your fingers until it is all crumbly. Put into unbaked pie shell, first some molasses mixture, then top that with some crumbs making alternate layers ending with crumbs on top. Bake in 350 oven until crust is well browned and filling is firm (45 to 50 minutes).

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page 15

Fall is an excellent time for planting shrubs and trees. Without the stress of the burning summer sun, roots can grow and build strength for a burst of spring growing energy. A little investment in autumn gardening pays big dividends for a beautiful garden next season.

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Huntsville Coffee Talk

by Aunt Eunice

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contributed by the Liar's Table*



I want to thank everyone who helped to make my **80th birthday** so special. Sometimes I think I must be the luckiest person in the world to have so many dear friends. I love every one of you!

A special thanks to my dear friend **Susan Kirkland** who does so much for so many people but always manages to keep a smile on her pretty face. I love you, Susan. She helps me with so many things.

Sandra Rhodes was the proud winner of a Country Ham breakfast for identifying **Jerry Hayes**, my good pal from **Channel 19**, in the last Photo Of The Month.

I really hope the **Madison County Library** gets the money it needs to purchase new books. Reading is the cornerstone of education and should be a priority.

A special Happy Birthday to **Mary Jane Caylor**. (21 again!) We wish you many, many more.

Judge Buddy Little just returned from vacation in Colorado. He was overheard telling a friend that the fishing was great, the weather was fine and the camping was fun, but the only thing missing were my biscuits!

Our pal **John Malone** is already making a name for himself in Nashville. He recently finished a special about **Kitty Wells** who just celebrated her 80th birthday, also.

Ex-Mayor **Steve Hettinger** is looking good these days-- must have something to do with not having a city council to deal with anymore. His wife **Bonnie** is getting prettier every day!

We have had lots of sadness since our last writing. Our sympathy goes to my dear friends, the **Mildred McDonald** family,

the **Bob Henshaw** family, the **Joe Butcher** family, and to **Dana Tatum** in the death of her dear husband, **Jim**.

Sympathy also goes out to **Tim** and **Ann Morgan** for the death of her beloved father.

You heard it here first! Our good friend **John Glenn** let the cat out of the bag the other day at my birthday party and admitted he is definitely running for County Commission, Place 2.

Our friend **Bill Hubscher**, who does the morning news on **Channel 31** has a new leading role at Theater Huntsville. He's starring in "**Heaven Can Wait**," and is a superb actor.

Keep an eye on city councilman **Glen Watson** in the next election. He's the only council person we have working full-time and it's going to be interesting to see how the voters respond.

Photo of The Month

The first person to identify this child in the picture below wins a breakfast at Eunice's Country Kitchen. So stop by and tell Aunt Eunice who you think it is!

Hint: "County school system."



Last month's photo was
Jerry Hayes

A Helping Hand

- * Grocery shopping
- * Last minute shopping
- * Laundry & dry cleaning pickup or drop off
- * Post office visit
- * Parcel pick-ups
- * Carry pets to veterinarian
- * Flower or gift delivery
- * Standing in line
- * Waiting for delivery or repair person
- * Help with parties



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Our **Arthritis Breakfast** is coming up **October 12** and **October 26**. We're expecting them to be the greatest yet. See you then!

Best wishes to **Julian Butler** who is celebrating his 60th birthday this month.

We hear that **Ms. Mayor** is working on a plan to plant wildflowers along the highways. Not only will it save money but it should be beautiful too! She says she wants to do it right.

Byron Laird's new book **Sand In My Shoes** should be back from the printers anytime now. It's subtitle is **Tales From A Country Preacher**, and will definitely be on my Christmas list!

Bubba Connors has a new restaurant appropriately named **Bubbaland BBQ**, I haven't tried it yet but everyone that has says it is fantastic!

What do you call a judge whom you have known all of her life? **Judge Laura Jo Hamilton** says she has been called everything from "Your Judgeship Honey," to the "Honorable Laura Jo." Her favorite name however, is "Mama." She has the sweetest children!

Loyd and Marci from the **Outback** are home from vacation in Florida. We heard they had great luck with the lobsters!

Missy Ming Smith, the other half of **Judge Lynwood**, is working to bring all of the State Legislators to Huntsville the weekend of the **Big Spring Jam**. That's sure a lot of politicians in a small place.

Doesn't look like **District Attorney Tim Morgan** is going to have much opposition in the next election. He's done such a good job no one wants to run against him!

Big talk around the county is

that **Stephen Brooks** is definitely throwing his name in the race for Madison's mayor against **Chuck Yancura**. He is supposed to declare on Oct. 2 and we hear he has some big names in his corner.

It looks like that being a politician is agreeing with **Jeff Enfinger**. He's so good looking and such a gentleman, but more important, he really cares about people!

David Milam recently made a great presentation to the Huntsville - Madison County Historical Society. Looks like he may have a new career in the works!

25 of the great folks from the **Sweet Spring Baptist Church** in Ardmore stopped by recently to have breakfast with me and boy, did we have a good time.

My favorite bumper sticker this month: **"Love Senior Citizens - Maybe you will be one someday."**

That's all for now, but remember I love all of you!

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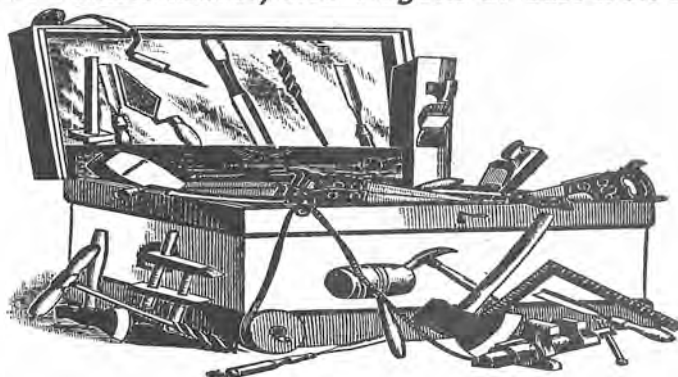
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These recipes come from "The Second Collection," published by the Penn-Cumberland Garden Club in Cumberland County, Pennsylvania. This cookbook sold out in record time, and contains some amazing recipes. Here are a few we liked:

German Slush

3 t. green tea
2 c. boiling water
2 c. sugar
7 c. water
1 12-oz can frozen lemonade
1 12-oz can frozen orange juice
2 c. vodka
cold 7-Up as needed
Steep tea in boiled water for an hour. Strain, boil water and

sugar one minutes and cool. Mix the lemonade and orange juice and add, along with the vodka, to the sugar/water mixture. Mix and freeze (2 days in advance). Fill glass with 2/3 slush and the rest with cold 7-Up. Stir.

"He Man" Sandwiches

8 oz. Swiss cheese, julienned
8 oz. Boiled ham, julienned
1 c. mayonnaise
1 8-oz. can sauerkraut, drained

1 t. caraway seeds
softened butter
12 slices dark rye bread

In a medium bowl, mix everything but the bread and butter. Chill overnight. Spread butter on each bread slice. Top slice with cheese, ham, sauerkraut mixture

and add other buttered slice of bread.

Ginger Apple Bread

1 14-oz. pkg. gingerbread mix
1 c. unsweetened applesauce
3/4 c. apple, peeled and finely chopped

Preheat oven to 350 degrees. Lightly grease an 8 x 8 x 2 inch pan. In a small bowl, stir together all ingredients, beat vigorously with spoon until well blended. Spread batter in pan and bake 35 minutes or til top springs back when lightly touched. Cool 10 minutes, remove from pan. Sprinkle with powdered sugar before serving.

Puppy Chow for Humans

1 12-oz box of Crispix cereal
1 stick butter
1 c. smooth peanut butter
1 pkg. Chocolate chips
Melt together last 3 ingredients and stir til smooth. Pour over Crispix and turn gently (not hard) to coat. Sprinkle with powdered sugar and take off the excess.

Apricot Balls

1 1/2 c. dried apricots
1 c. coconut
1/4 lb. Marshmallows



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1/4 c. evaporated milk

Grind the above ingredients, form into balls and roll in granulated sugar. Refrigerate 3 hours prior to serving.

Mandarin Orange Cake

2 11-oz. cans mandarin oranges

2 eggs

2 c. sugar

2 c. flour

1/2 t. salt

2 t. baking soda

3/4 c. brown sugar, packed

3 T. milk

2 T. butter

Beat together eggs and drained oranges. Sift and add the sugar, flour, soda and salt. Pour mixture into greased and floured 9 x 13 inch pan. Bake at 350 degrees for about 35 minutes. Bring brown sugar, milk and butter to a boil and pour over the hot cake.

Irish Potato Candy

1/2 c. mashed potatoes

1/4 c. softened butter

1 t. vanilla

1/2 c. coconut

2 lbs powdered sugar
cinnamon

Mix together the potatoes and butter. Add vanilla, coconut and mix. Add the sugar. Roll into small balls or potato shapes if you're creative. Let air dry for an hour, roll in cinnamon.

Chicken Supreme

3 chicken breasts, cooked

1 can Cream of Mushroom soup

1 can Cream of Chicken soup

1 can Cream of Celery soup

1 c. sour cream

8 oz. Pkg. Pepperidge Farm Herb dressing

Cut the cooked chicken in chunks. Mix with soups and sour cream. Place in a baking dish and prepare the dressing as directed on the package. Put the dressing on top of the chicken mixture and bake at 350 degrees for 30 minutes or until brown and bubbly.

Maryland Crab Cakes

1 lb. Crab meat

1/8 lb. melted butter

2 slices bread, moistened with water

parsley, salt and pepper to taste

1/2 t. garlic powder

1 egg

1 small onion, minced

Carefully pick over the crab meat for shells. Add 1 teaspoon salt and a pinch of pepper. Add a bit of dried hot pepper for bite. Mix all the rest of the ingredients except for the butter and shape into cakes. Fry on griddle or in skillet in butter til lightly browned on each side. Serve immediately.

Gourmet Onions

3 T. butter

1/2 t. sugar

salt to taste

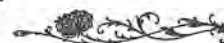
1/4 t. pepper

1/4 c. sherry

10-12 small onions, peeled, cooked and drained

1/4 c. Parmesan cheese, shredded

Melt butter in saucepan, add the sugar, salt, pepper and sherry. Add onions and heat quickly for about 5 minutes, stirring occasionally. Put into serving dish and sprinkle with cheese.



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The Buried Treasure of Hog Hollow

Is A Fortune In Buried Gold Coins Waiting To Be Discovered?



by Charles Rice

A fortune in antique gold coins lies awaiting a lucky finder about thirty miles west of Huntsville. At least, there is if you can believe an old local legend. The fascinating tale of lost treasure does have some verifiable facts to it. The story dates back to the War Between the States, a time of tragedy and turmoil in the Tennessee Valley, as indeed across the entire Southland. Just how much truth there is in the tale, we leave it up to you to decide.

The story takes place in Hog Hollow, a small valley not many miles below the town of Riverton, known in those days as Chickasaw. In October 1984, Mr. Cecil Hayes, who had grown up hearing the tale, recalled it for the Cherokee News of Cherokee,

Alabama. "This is all part of an old legend dating back to the Civil War," wrote Hayes, "and is kept alive in this region by an occasional repetition." The story tells of a keg of U. S. gold coins — \$5.00 half-eagles, \$10.00 eagles, and \$20 double eagles. Just one of the coins would be worth at least hundreds, if not thousands, to collectors today.

"Local tradition tells that the Rosses were Quakers who came from Oklahoma to Alabama and settled in the hill country in the early 1840s," recalled Hayes. "They bought vast tracts of timberland in a beautiful pastoral valley, surrounded by wooded hills and divided by a winding mountain brook, later known as 'Ross Branch'."

The Rosses might have been Quakers — though later actions hardly seem to show that, but it

is hardly likely they came from Oklahoma. The 'Sooner State' did not become a territory until 1890, and was not admitted as a State until 1907. Present day Oklahoma was simply the domain of the Indians in the 1840s. As to the "vast tracts of timberland," the U. S. Agricultural Census of 1860 does list the Ross family as owning 165 acres — quite a sizable farm, though perhaps not one deserving the word "vast."

"They cleared the land, sold the valuable timber and built a large two-story house, barns and other outbuildings," continued Mr. Hayes. "They planted their crops and orchards and vineyards. The Rosses were good farmers and hard-working people, and after a time their farm was one of the most beautiful and well-kept farms in the



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county."

This much of the tale is probably true and shows what people of the time thought of the Ross family. They were obviously very respectable citizens and their neighbors remembered them as such.

"The Rosses became wealthy in a region where many other people had failed to make a living," said Hayes. "Through careful and selective breeding, they produced the finest of livestock. Their sheep and cattle and horses were all thoroughbreds. And they raised such vast herds of hogs that their beautiful valley took on the rather odious name of Hog Hollow. Most of their rich produce went down river by steamboat to markets such as New Orleans."

Here again, we see truth mixed with the understandable exaggeration of time. The 1860 Agricultural Census shows the Rosses owning 16 sheep and 12 pigs, certainly enough to attract attention. However, in that last year of peace, John Ross owned only one horse and two mules. And the horse can hardly have been a thoroughbred, since the combined value of all Ross' livestock - including a milk cow and six other cattle - was just \$300. The old legend tells us that the family consisted of "the father, John; the mother, Mae, and two big boys, Jacob and James. There was also a daughter, Rebecca, said to have been severely retarded, and a half-breed Indian boy, as hired help."

Once again, the U. S. Census reports come to the rescue. They show us that John Ross was born in Georgia (not Oklahoma) in the year 1818. His wife, Martha, was a year or two older and a native of South Carolina. Most likely, the two had met ei-

ther in Georgia or in Alabama, where all their children were born. The oldest child was James, born in 1840. Next was a daughter, Martha J., evidently born around 1842 (the census reports differ). Martha might be the daughter remembered as Rebecca. Then came Frances in 1843, who either died in childhood or had married before the census of 1860. John B. came along in 1846, followed by Mary M. in 1850, Jacob in 1852, and Martin W. in 1859. Considering the passage of more than a hundred years, the names of the Ross family have been remembered fairly well. The Indian boy does not appear in the census returns, but then sometimes Indians simply were not listed - they didn't pay taxes!

The Rosses were a quiet family, remembered Cecil Hayes, and

kept pretty much to themselves. "When the family went to Riverton or Cherokee for supplies, they made their purchases in silence and silently departed." It was this that probably caused people to speculate about the Ross family. In the absence of knowledge, people perhaps began to make up stories about their reclusive neighbors. Since the Rosses seemed to spend so little, some folks naturally must have imagined they had a lot put away somewhere.

"As the income of the Ross family increased (so the old story tells us), they began tossing money into a new nail keg kept in one corner of the large living room," wrote Hayes. "The money was all in gold --five, 10 and 20 dollar gold pieces. This continued until one day it was discovered." *cont. on page 39*

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Of all the presidents to have visited Huntsville, Jefferson Davis, President of the Confederacy, received the biggest welcome. Over seventy percent of the city's population turned out to greet him.

The stone masonry used to construct the Church of Visita-

tion (Catholic) downtown was part of the Union defenses at Ditto Landing during the Civil War.

The city of Huntsville still owned mules and wagons up until 1946 when they were sold for the sum of \$200.

In 1928, when Montgomery Wards department store opened downtown, police had to be called out to control the crowds.

The last bordello did not close in Huntsville until 1949.

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Know Your Rights

MARRIAGE WITHOUT A LICENSE

In Alabama, you don't have to buy a license and you don't have to see a preacher in order to get married because Alabama recognizes "common law marriage."

There is much misunderstanding about the common law marriage. Some think that, if you have a child together (or perhaps several children), you have a common law marriage. Others think that, if you live together for six months (or some other 'magic' period of time) you have become married. These myths are not true. It is possible to live together for fifty years and have twenty-five children, and still not have a common law marriage.

There are three elements to a common law marriage and, unless all three elements exist, there is no common law marriage.

FIRST. Each party must have the capacity to marry. This means that each must be an adult of sound mind who is not married to someone else. There are people who have lived together for many years, call

themselves husband and wife, and have numerous children, but still do not have a common law marriage because one of the parties is still married to someone else. If the relationship is not a common law marriage because of the lack of capacity, it can later become a common law marriage (if, for example, the married party obtains a divorce, or when the party who is legally a child reaches the age of adulthood).

SECOND. Each party must have the intent that their relationship is a marriage relationship. If one of the parties does not have this intention, no common law marriage exists. A common indicator, recognized by the courts, that there was no 'intent' is the fact that the couple intended to enter into a Ceremonial Marriage some time in the future.

THIRD. The couple must 'consummate' the marriage. Consummation does not necessarily require a sexual relationship, but it does require that the couple achieve public recognition of their status as husband and wife. There are no hard-and-fast rules about public recognition, but there are many indicators that the courts have considered. Do they live together? Does the woman use the man's last name? Has the couple entered into joint contracts (to buy a home, car, etc.)? Has the couple filed joint tax returns? Do the couple maintain joint bank accounts? Do they refer to each other as spouse? Do they share household duties and expenses? Do they rear children together? The answers to any of these questions is not neces-

sarily determinative.

If all three elements exist, there is a common law marriage and it has exactly the same effect as a ceremonial marriage. It lasts until "death do us part" or until there is a divorce.

The validity of the relationship is only evaluated by the courts under special circumstances. If the couple breaks up and one party files for divorce, the other party may claim that no marriage existed. There may be a dispute about inheritance rights that hinges on the marital status of the couple. There may be a dispute about entitlement to insurance coverage or benefits, Social Security benefits, pensions, etc.

This column is provided as a public service by Legal Services of North-Central Alabama, Inc., a nonprofit corporation providing free legal help to low income persons in a 5 county area. To make a donation or receive information on how you can help, contact.

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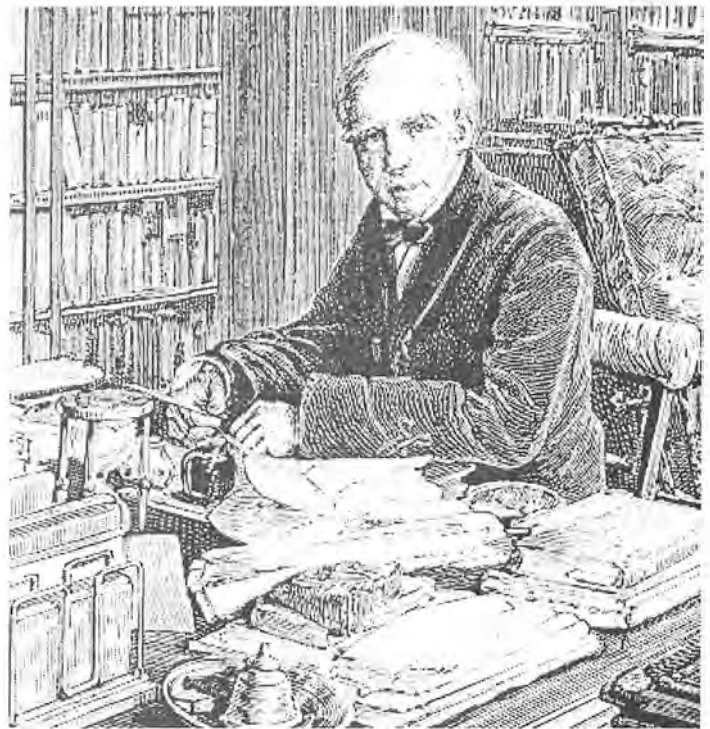
Brahan Spring

Monument To A Swindler

He was an undisputed swindler who came to a disgraceful end, but Huntsville heaped honors on him by naming one of our largest parks in his name. The park, Brahan Spring, is used weekly by thousands of people who know nothing about the scoundrel for whom it was named.

We have an old-time city council to thank for naming the park after John Brahan. They also knew nothing about the man. If they had, they may have questioned their own wisdom.

John Brahan was born in Fauquier County, Virginia in 1774. His father, an Englishman who had settled in Virginia, was killed during the Revolutionary War serving the American cause. Brahan spent his early youth in the Old Virginia plantation environment. Though his family was impoverished when compared to their neighbors he nevertheless made influential friends who would serve him in good form throughout his life. Brahan's first brush with the "fine art" of swindling came in 1808 when he convinced his friends to invest in a land company that he was organizing. The company would buy land around Nashville, Tenn. and, after a period of time, resell it for a large profit. He promised them wealth, saying "he'd do all the work if they just put up the



money."

After collecting what he thought was a sum sufficient for his purposes, Brahan went to Nashville, leaving his friends in Virginia dreaming about the riches that would shortly be coming their way. When almost a year had gone by without any word from Brahan his investors began to get nervous. "Please," they wrote, "let us know the state of our affairs." Still there was no word from Brahan or their money. Finally in a state of exasperation they wrote Brahan to demand an accounting. "Our confidence in our joint venture has greatly waned since the last season. Please be so kind as to provide an immediate accounting of all sums invested."

Brahan wrote back explaining that he had bad news: "I am at a loss to explain the current mar-

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ket." In short, there was no money left.

Still, there was enough money for Brahan to construct a new home in Nashville and conduct an active social life. With his cultivated manners and fine clothes he projected an aura of respectability in the new frontier community. Among the new friends he made was a General Weakly and Andrew Jackson, who in turn introduced him to many other influential people. With such people endorsing Brahan, it was fairly easy for him to gain an appointment to public office. One of the qualifications of holding an office of trust at that time was to put up a substantial bond to be forfeited in case of malfeasance. In May of 1809, Brahan was appointed Receiver of Public Monies for the Nashville land office. The bond was ten thousand dollars, which he did not have.

Brahan assured them the bond "was in the mail" and then promptly forgot about it. Fortunately for him, no one checked to see if the "mail" ever arrived.

Instead of settling down to earn a normal living, Brahan was still determined to make his fortune the easy way. His next victim was a man named John Gachet, a friend of General Weakly, who Brahan persuaded to put up a large sum of money to speculate in land. Again, Brahan was going to do all the work and all Gachet had to do was to sit back and count the profits.

Of course, after a short while, there was no profit, no land and no money left. All Brahan could offer was another flimsy excuse about "market conditions." Gachet was not as easy to put off as had been the Virginia investors. Not only was he persis-

tent in his demands, he was also dangerous. Gachet had been involved in several "affairs of honor" and was widely known as a man not to be trifled with. Unless Brahan could do something quickly he had reason to be concerned about his health. Then, quite unexpectedly, Brahan announced his engagement to Mary Weakly, daughter of General Weakly, who was also the close friend of John Gachet. General Weakly reportedly paid his new son-in-law's debts with the admonition of "never again!"

Brahan should have been satisfied with his good fortune, but instead he began casting about for new ways to earn money. At about this time, Brahan realized what a unique job he had. He was in charge of collecting and transmitting to the United States Treasury all proceeds from federal land sales. This put him in the unique position of collecting, from himself, for any lands that he purchased at the land sales. All he had to do was to list the account as paid and delay transmitting his reports to the treasury department until he could resell the land (at a profit), and then balance his account.

Within a year Brahan was on his way to amassing a small fortune. Unfortunately he had not yet learned the fine art of juggling books, so he stayed in constant trouble for his method of book-keeping. On March 26, 1810, the Secretary of the Treasury wrote

Brahan:

"Your mode of conducting the business of your office being different from that of all other land offices, and causing much embarrassment in this department, it becomes necessary to point out the deviations to you."

Apparently Brahan was not

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overly concerned about his "deviations."

As his fortunes rose, so did his prestige in the community. He was appointed and elected to many offices including the state militia. During the War of 1812 he served under Andrew Jackson at the battle of New Orleans. Many of us who watched the old movie classic "The Buccaneer" remember Andrew Jackson's soldiers firing from behind bulwarks built of cotton bales. Many historians claim that it was these cotton bales that saved the city from being overrun. What they don't tell you is that as soon as the battle was over, instead of returning the cotton to its rightful owners, General Brahan confiscated the bales and sold them, crediting most of the proceeds to his personal account.

Soon after he returned to Nashville, land sales in Madison County began reaching new heights. Immediately he began speculating heavily again with government money. By now he had his art perfected. He would buy land, list it on his reports as paid, and wait three or four months before sending the money, thereby giving him time to sell and make a profit.

Madison County had become such an important part of the new territory that the decision was made to move the land office from Nashville to Huntsville. Of course Brahan raised no objection as it put him closer to his "investments." Brahan selected a large section of land, later occupied by Merrimac Mills, and built a spacious home. By all outward appearances Brahan was a successful businessman and was well on his way to becoming one of Huntsville's elite.

Appearances were deceiving, however, as Brahan's world was

about to come crumbling down. By 1818 land sales in North Alabama had come to a virtual stand still and even worse, there was no money to pay the government for the sums he had already embezzled.

When the treasury secretary wrote and demanded an accounting Brahan put him off with the excuse that he was overworked and needed a clerk to help him balance the books. Brahan was well aware that the treasury had never authorized the hire of secretarial help before and perhaps hoped the request would gain him additional time. Unexpectedly, the treasury approved the hire of a clerk. The rest of the story can best be told by excerpts from the official

records.

To John Brahan,

Having on the 8th day of December last, instructed the Commissioner of the General Land Office to inform the receivers and registers that a reasonable allowance would be made for clerk hire. I have felt some surprise at the delay which has occurred in the transmission of your accounts. You are now six months in arrears, and judging of the future, by the past, there is no reason to expect your accounts will be rendered more punctually during the ensuing, than they have been in the past year. . . I perceive by your return for Sept., that more than \$53,000 remained in your hands

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Wm. Crawford, Sec. of Treasury

To the Sec. of the Treasury:
June 1819

I have the mortification to inform you that there is a considerable deficiency in my cash account, the cause I can only account for in part, the business being large & the time to sell & receive being only two weeks at each sale. I was always fearful that in the hurried state of things that I should sustain considerable loss. I am now convinced of the fact & beg leave to inform you that I am now closely employed in getting the books of the office up & as soon as that can be done, & I can procure & deposit the balance due to government, it will then be my wish to retire, from an office of so much risk & responsibility as the one I hold. (It, in this circumstance has given me more concern than any occurrence of my life; & the deficiency shall be made up as quick as possible at any sacrifice. I think by the last of Septem.) I can make all square at all events, & will do all in my power by that time. I have been in public service upwards of twenty years and this is the first time in my life that my accounts have ever exhibited any loss of public money. I must therefore

beg a little indulgence, to enable me to arrange the business as it is my determination that the government shall not lose any thing by me; even if it takes all I have to make good the loss — property of all sorts is very low at this time, & I am well aware that I must make a great sacrifice to raise the money, but I shall not hesitate to do it.

I have the honor to be &c.,
John Brahan

To John Brahan:
12 August 1819

SIR. Your letter of the 28th of June last, but postmarked the 8th has been received. The information which it contains has created no surprise. The withholding of your account and the retention of nearly \$80,000 in your hands from month to month could leave no room of doubt of the misapplication of the Public money to that amount. (Note: \$80,000 in 1819 would equal about \$12 million in 1999!) It is now important to secure with as little delay as possible to the government, the repayment of the sum which has been applied to your private use. For this purpose I have requested a Gentleman of your acquaintance to call upon you to receive such security as shall be in your power to give. Consider-

ing the manner in which this demand has been created it is expected you will seize with avidity the earliest opportunity of repairing the injury which the government has suffered by your Acts.

I am very Respectfully Sir
Your obedt serv',

Wm. H. Crawford

The Sec. of the Treasury To
Obadiah Jones

12th August 1819

SIR.

The failure of the Receiver of Public Monies at Huntsville to render his accounts with punctuality, and the state of such as were rendered, excited well-founded suspicions that he had applied a large amount of the Public Monies to his private use. Recently his accounts have been rendered as late as the month of

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April last, and show a balance retained in his hands of nearly \$80,000. A few days past a letter was received from Mr. Brahan bearing date the 28th of June last, but postmarked the 8th, in which he acknowledges a considerable deficiency in his cash account, and ascribes it in part to the extensive sales which had been made and the short time allowed for the public sales. He has not stated the amount of the deficiency, but from the amount which he has retained in his hands for the last 6 months as appears by his accounts when rendered, I am persuaded it is not much short of \$80,000. It is perfectly idle in Mr. Brahan to attempt to conceal the cause of the deficiency. It is all important to the government that this sum should be immediately secured, if he has property sufficient to do it. I have therefore to request that you will immediately after the receipt of this letter proceed to Huntsville and require of Mr. Brahan to secure to the United States the amount of the deficit. If deeds of trust which are recognized by the laws of the territory, they will be preferable to mortgages which require time and involve expense. It is presumed that Mr. Brahan will not hesitate to execute any instrument or Deed which you shall deem necessary to secure the

debt to the United States. Enclosed I send you a certified copy of his last return, which will enable you to ascertain the balance due by him. To this balance you will add the amount of monies received since, which can be ascertained by reference to the Books of the Register - from that sum deduct the sums which he has since paid, the difference will be the sum due according to his own statement. You will however avoid any expression in the writings which you may have executed that will preclude the government from making such further demands upon him as shall be found to be due upon the settlement of his accounts. A reasonable compensation will be made for the services which you may render, which shall be remitted in a draft upon the Huntsville Bank as soon as your account shall be received.

I am very Respectfully Sir
Your obdnt Ser'

Wm. H. Crawford

General Land Office
Washington D.C.

Sir: In answer to your note of this day, that John Brahan's commission was sent from the treasury department, April 10, 1809, with the form of a bond for \$10,000, which he was requested to execute, with one or more sureties: On the 12th of

May, 1809, he acknowledged the receipt and promised to send the bond. No bond can be found in this office,

Very Respectfully,
Josiah Meighs
Comptroller of the Treasury

EDITOR'S NOTE-

Through intervention of powerful friends Brahan was able to escape prosecution, although he was forced to secure the money by notes on all of his worldly goods. It took the government almost a half century to recover all the money that Brahan had embezzled.

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Land-Mine Fields

by Bill Eberius

On the 8th of December 1864, Sherman's men were approaching Savannah, Georgia when one of the horses of a young officer stepped on a land-mine, killing the horse and blowing the foot off of the young officer. Sherman witnessed that the Rebels had planted eight-inch shells into the road with friction matches to explode them when stepped on. Sherman viewed this as murder and not war, and thus forced Confederate prisoners to walk before his forces all the way to Fort McAllister, checking for land-mines.

A Long Education

In 1881, William Cullen Kemp, a sophomore at Columbia University, received an inheritance with an unusual twist. Kemp was left \$2,500 a year (at a time when per capita income was about \$300 a year), but only for as long as he remained a registered undergraduate of Columbia.

For the next 30 years, Mr. Kemp took courses at the college. As long as he didn't graduate, he could continue to draw the money, so he resigned himself to life as a permanent student.

In order to keep from graduating though, he had to resort to some unusual practices, including deliberately flunking chemistry seven times.

Over the years, Kemp became the leading expert on Columbia, and he essentially trained many of the University's presidents.



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from 1923 newspaper

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A Daring Adventure

Huntsville Captured By Yankees In Disguise

Train Crew Runs Gauntlet of Enemy Fire

from 1863 newspaper

Mr. Figures says many incidents connected with the occupation of Huntsville by the United States forces may have in the excitement of their sojourn amongst us, been overlooked or forgotten, but there is one of much interest and importance which should not only be embalmed in the recollection of our citizens but by the whole Southern Confederacy.

It will be remembered that the Federal troops under the command of Gen. Mitchel entered and occupied Huntsville on the morning of the 11th. of April, last, and captured the train from Memphis containing many sick and wounded soldiers from the battlefield of Shiloh. The freight train destined for Stevenson under Engineer John Glenn and Preston Yeatmen loaded with

molasses and etc., of incalculable value, had started on its destination unconscious of the danger that surrounded them, when about one mile from the Huntsville depot the conductor and engineer discovered ahead a group of ten or a dozen men in the garb of citizens, apparently awaiting their approach, who proved to be Yankee soldiers in disguise.

On the approach of the engine they drew their revolvers, and firing was heard but not the order to "halt." The conductor, still thinking the group was citizens, checked the train to ascertain the cause of the firing. In a moment more they discovered, some distance in front, Federal artillery being planted in direct range to intercept the passage of the train. Realizing in a moment the extent of their danger from

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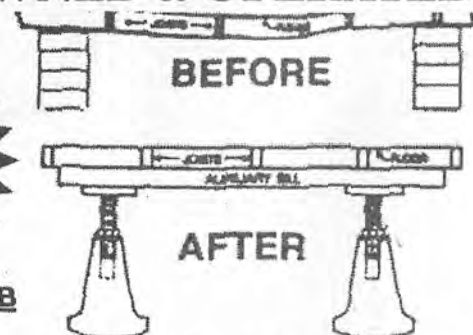


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capture they opened the valves of the engine the "Look-Out" and sped on with lightning speed to the perilous gauntlet. In an instant more the boom of cannon was heard, the ball or shell striking an embankment about ten feet from the engine, scattering the dust in every direction. Cavalry appearing at the same moment in front and rear demanding them to stop. But Southern mettle was aroused. Southern chivalry was equal to the perils of that trying hour, and these brave boys, Preston Yeatmen and John Glenn again received the fire of the enemy--ran the gauntlet in triumph, and brought their train safely to Larkinsville, arriving there, they met sixteen or eighteen hundred Confederate soldiers from Georgia en route to Corinth via Huntsville. Part of the brigade going down the evening before who

would have certainly been captured at Huntsville as they were without ammunition, and would have fallen into the embrace of the Federals without a moment's warning or preparation. Suppose Yeatmen and Glenn had surrendered the train on the demand of the Yankees? Everybody can at once see the result. The telegraph wires at Huntsville had been cut and there was no possible way of conveying intelligence to the expected train. Had it been possible before the destruction of the wires, the brave

soldiers still would have received no tidings of the danger. The Yankee operator was in the office at Huntsville, and true to his instinct as it afterwards turned out, he would have sacrificed the brave men who were pressing forward to join the army at Corinth.

A man who says he is doing as much at 60 as he did at 20, wasn't doing much at 20.

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Old Huntsville



Fishing

Never ask a fisherman how many fish he has caught so far that day and never put the catch net into the water before the first fish is caught.

For float fishing, always set your same faithful float, however battered and torn it may be.

Don't use an upside down bucket to sit on while fishing, or you may pour your luck out onto the ground.

Gambling

Never brag about your gambling successes, for failure will immediately follow.

Always carry good luck items

such as silver coins or notes.

Never sing during gambling, or you will send your fortune to another through the air.

And never lend a gambler money, your luck will go with it.

Starting a Business

If your shoelaces come undone on the same day that you start your new business, it is of the utmost significance and is not good luck.

However, if you happen to find a pair of worn shoes on which the shoelaces are perfectly tied, your business will thrive.

Jewels

Diamonds will cure insanity if held against the head of an insane person.

A diamond placed under the pillow of a wife who is having a love affair with someone other than her husband will cause the woman to admit the affair to her husband during the next week.

An amber is said to bring good health, protect against witchcraft and disease. You need to rub it on the inner wrists, the instep, the chest and then hang

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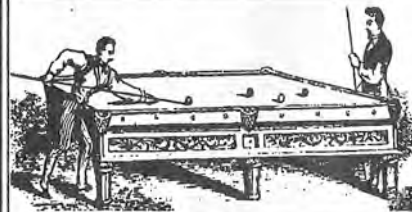
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A Heavy Reader

By all accounts, Eleanor Barry enjoyed reading. And she could be found reading all hours of the day and night. At her home in Decatur, Alabama she surrounded herself with every sort of reading material: Newspapers, magazines, books, catalogs-- you name it. But her habit of reading in bed proved to be the death of her. One night, as she lay sleeping, the books, magazines and other reading material piled

page 33
high about her fell onto her bed,
crushing her to death.
from 1890 newspaper



OLD HUNTSVILLE TRIVIA



1899 City fathers pass an ordinance making it unlawful for any female to enter a pool or billiard hall.

1908 Madison County becomes the first county in the state to use gas-powered buggies and motorcycles to deliver mail.

1910 The spring, located downtown, finally gets a name. Mrs. Grace Walker appeared before the city governing body with a request that the spring be named the Big Spring Park. The motion barely passed.

1921 Huntsville's first supermarket, Piggly Wiggly, opens with J.S. Comer as the manager.

1930 A mad dog runs amuck in Bryant's Alley, biting fifteen people, all of whom had to take the dreaded rabies treatment.

1933 The first state unemployment office opens in the Madison County Courthouse. Unemployed people were lined up for three blocks on the day of the opening.

1935 The poor house, sometimes known as the Alms house, is torn down. The house was located at the end of Hermitage Avenue.

1950 Terry Heights subdivision votes to come into the City of Huntsville.



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Kate Lackner *versus the* United States of America

by Jacquelyn Procter Gray

Rumors have it that Kate Lackner came from up north to Decatur as the consort of infamous riverboat captain Simp McGee. Miss Kate ran the local brothel, well-known to men of every class with a jingle of silver in their pockets. Miss Kate ran afoul with the law in the early days of World War II, but it had nothing to do with the services she offered! She threatened a scandal that could have brought down politicians from Washington, D.C. to Decatur, Alabama.



Miss Kate was known to be a stunning beauty in her youth, and her girls were quite glamorous as well. Young boys would make it a point to gather on Saturdays as Miss Kate's entourage of girls would make their way through town in the chauffeured

black Cadillac to the local beauty parlor for a little sprucing up before the Saturday evening festivities. Kate's place of business was a well-known secret in the community, and along with the local gambling joint, she could always be counted on by area



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charities for a sizable donation to a worthy cause. Whoever Miss Kate was personally entertaining would have to make a hasty exit however, for when she heard the distinctive sound of Simp McGhee's steamboat whistle as he came around the bend, he expected to spend time alone with Miss Kate.

A retired Morgan County judge tells this story of Kate Lackner, who would have expected trouble from the law as par for the course. This event occurred prior to the judge's forty-odd years on the bench, but it is still a favorite story of many people who knew the characters involved.

Shortages of commodities during World War II threatened the American economy with inflation, at a time when attention belonged with our soldiers fighting overseas. In an effort to curb inflation, prices for goods were fixed at prewar rates, and government agents were charged with enforcing these rules.

For Decatur madame Kate Lackner, a different kind of war came to her doorstep when someone turned her name into the Office of Price Administration for selling Coca-Colas for 10 cents, 5 cents over the appropriate rate determined by a government official. Before this fight was over, Washington, D.C. would get involved and Kate would have her way.

She opened the door to her home one day to find herself face-to-face with a man in a dark suit. He flashed his badge, introduced himself, and informed her that he was sent from the Huntsville OPA office to investigate the complaint. The diminutive little lady invited him in and they sat facing each other in the parlor. She patted the neat bun


in her hair and straightened the lace of her proper, old-fashioned dress, the absolute picture of a sweet little grandmother. Whether or not the agent knew of her status in the community is irrelevant, or of her rumored relationship with steamboat captain Simp McGhee.

"Let me understand what this is all about," she said in her Southern drawl, "You say I must charge 5 cents for coca-colas to my customers because that was the rate in 1939? Why, I assure you that I have always charged 10 cents, even in 1939. Coca-colas cost 10 cents on the train and at the circus, why is it not appropriate to charge 10 cents at my ... ahem ... establishment?"

The agent explained to Kate that the train and the circus were not in the business of selling these drinks for a living. Miss

Kate went on to explain, "My establishment is not in the business of selling drinks either, we furnish liquid refreshments as an accommodation for our guests." The unsympathetic agent cited her anyway and informed her that she would have to appear in Huntsville and show just cause why her business should be not shut down for the 5 cent discrepancy.

The unintimidated Miss Kate paid a visit to Decatur attorney John Sherrill, who came from a family of Republican mountain folks. Sherrill, a University of Alabama graduate, used to say that "Except for the Lord Our Savior, President Abraham Lincoln was the greatest human that walked upon the face of the earth." Not a popular notion among Southerners or Democrats, he was nevertheless respected for his native intelli-



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gence. He also possessed a shrewdness that overpowered those with the highest college credentials in the courtroom time and again. The Morgan County judge referred to earlier, recalls with admiration that Sherrill was about the only person who could actually spell the word "ptyzic," and even more impressive, he could pronounce it too. (When asked what the word meant, the judge paused thoughtfully for a moment and said, "I have no idea.")

Miss Kate went to John Sherrill's office, a dark dungeon with a potbellied stove in the center. The naked light bulb hung from the ceiling on a chain and was turned on by pulling a smaller chain attached to the base. The light in the hall was of the same Spartan design. Sherrill suffered from the effects of childhood polio and walked with a limp, his left hand drawn up under his chin. He carried his papers tucked into his pocket and sported a hair style that was not a complimentary walking advertisement for his barber.

John Sherrill agreed to take on Miss Kate's case in the United States of America vs Kate Lackner. Taking advantage of the delicate nature of keeping Miss Kate's clientele names as discrete as possible, he predicted that he could cause a panic that would accomplish his goal with relatively little effort on his part.

In preparation for the event, John armed himself with a fistful of subpoenas and went to Huntsville to file for the appearance of witnesses who would substantiate his case; the only issue being the question of exactly how long Miss Kate had been charging a dime for soft drinks at her establishment.

When subpoenas began arriv-

ing at the homes and businesses of rather prominent men whose stature in the community was based on reputation, Sherrill sat back and watched as the momentum gathered enough energy to make Haley's Comet look like an ember carelessly flicked off the end of a cigarette.

As the movers and shakers in the surrounding communities found themselves called to testify as character witnesses in the United States of America vs Kate Lackner, telephones in Washington, D.C. began ringing. Alabama Senators and Congressmen whose road to Washington was largely paved by the greenbacks of men who wished to remain anonymous in this particular court case, turned their attention to the lowly government agent trying to enforce 5 cent Coca-Colas.

The powers-that-be in Wash-

ington listened, and called the Huntsville agent's office. The case was dismissed, and like the many people who left the center of civilization to become lost in the great frontier of Texas never to be heard from again, such was the fate the agent found for himself. John Sherrill's shrewdness won once again and Miss Kate continued to sell Coca-Colas for 10 cents.



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The Bent Memorial

by Col. Don Steenburn

On Wednesday, the third of April, 1974, horror visited Huntsville. A killer tornado roared across Redstone Arsenal, through the densely populated area off Patton Road, to Parkway City, then through Thornton Acres, before lifting just east of Whitesburg Drive, jumping to the top of Monte Sano Mountain, then moving down the eastern slope where it continued on the ground for another 18 miles, all the way to the Madison County Fishing Lake.

This storm was actually tracked by the Weather Bureau for one hour and 46 minutes over a distance of 100 miles. The trail of death and destruction through the arsenal and city staggers the imagination. Fourteen people were killed, over 100 were injured, and the

monetary damage totalled untold millions of dollars. Traces of the path of this terrible storm are today almost impossible to find.

On the first anniversary of this disaster, Mayor Joe Davis and a group of distinguished citizens planted seventeen live oak trees in the medians of Williams and Monroe Streets near the Von Braun Civic Center in memory of the residents killed by this tornado. However, standing proudly in front of Fire Station No. 7, on the South Parkway, is the real memorial to this tragedy. A bent flagpole, leaning in the direction of the storm winds, has waited patiently for 25 years to be recog-

nized. The original Fire Station was demolished during the storm, its flag torn away and the fire truck severely damaged.

When you drive by this immaculate and well-kept Fire Station and wonder why the crooked flag pole, perhaps you will agree that it is a most appropriate way to remember what really happened here a long time ago.

*He'll go thundering
through history like an
extra pint of water going
down Niagra Falls.*

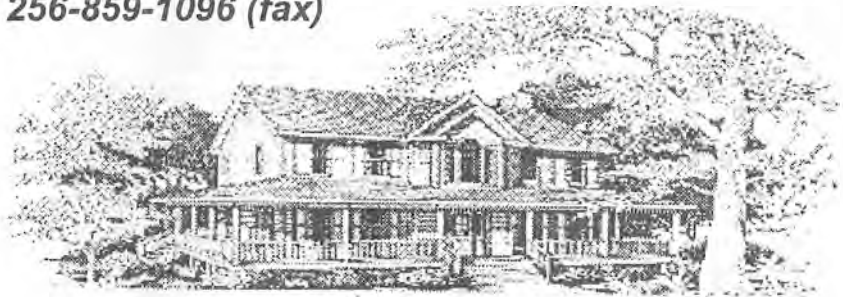
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The Little Refinishing Shop

Hog Hollow

cont. from page 21

ered that the keg was nearly full. Then they took the golden treasure out and hid it, presumably somewhere about the farm. And where they put it, there it remains to this day."

According to legend the Civil War caught up with them before the treasure could be retrieved. The Rosses seem to have sat out the War Between the States, determined to take no part in the fierce struggle between North and South. Possibly this was the reason their neighbors considered them to be Quakers. However, the war eventually did come to the Muscle Shoals area and no one was exempt from the death and destruction that came with it. One bright spring day, Union foragers came into Hog Hollow seeking the Ross' fabled pigs and sheep. In rather un-Quakerlike fashion, the Ross men objected to this blatant thievery. A gunfight broke out, with the outnumbered civilians naturally getting the worse of it.

"Some say two Union soldiers were killed," wrote Hayes,

"but the Ross family were all killed. Then the house and all the other buildings were set on fire. The girl, Rebecca [Martha?], by some unexplained miracle, escaped both the barrage and fire. Days later she was found in the woods."

That the gunfight did happen seems evident. Certain it is that John Ross no longer appears in the U. S. Census of 1870. Furthermore, while the tombstones on five of the six graves in the Ross family cemetery are now broken and illegible, the sixth is still intact. It reads: "James J. Ross, Son of John & M. A. Ross, Oct. 11, 1840 - May 29, 1864." The latter date presumably records the day of the fatal encounter with the Yankee raiders.

But what of the treasure? Was such a keg of gold possible? Unfortunately, it seems highly unlikely that John Ross was ever wealthy enough to have accumulated so large a fortune. His real estate —80 percent of it in untouched woodlands —was valued at only \$200 in the 1850 Census. It had risen in value to \$1500 by 1860. Ross' personal estate in 1860 was listed at a modest \$500. Ross was not a

slave owner, quite likely not believing in the outdated and questionable practice. He did raise enough cotton in 1860 to make seven 400-pound bales. Still, this hardly qualified him as a planter.

Then is the treasure tale only a harmless old legend? Well, maybe yes, and maybe no. Once the truth is sifted out, what remains is a half-forgotten story of an American tragedy. The Ross

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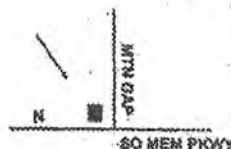
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family were honest, hard working farmers —peaceable people who paid their taxes, bothered no one, and obeyed the laws. They weren't rich, but they certainly were comfortable. Quite likely, they did hide away their money —perhaps not in the gold coins of legend, but probably in the more common silver and copper. And then one day the Yankees came to their valley and ended it all. "Some people today believe the old Ross story was just a kind of local fairy tale," recalled Cecil Hayes. "But my grandfather, John Carrithers, who was born in 1854, believed every word of it. He spent most of his life searching for the hidden treasure. With our modern

equipment, he might have been more successful."

Like John Carrithers, we all have our dreams. So why not get out your metal detector and head for Hog Hollow. Just be sure to get the landowner's permission first! (There are laws against trespassing.) Who knows, you just might discover John Ross' legendary keg of gold. Most likely you won't. But then again ... just maybe you will!

*It seems a little silly now,
but our country was
founded as a protest
against high taxes.*



A Detroit collection firm's car, bearing the legend "Bad Debts Collector," was sold at auction because the firm owed money on it.

In Boonville, Missouri, somebody stole the car of a lecturer while he was speaking on "Shoes and Benefits of Walking." He had to walk home.

In New York, a painter was fined for smoking while he was putting up "No Smoking" signs on a river pier.

Death by execution is not accidental when it happens "on purpose," Federal Judge Woodward has decided in the case of Mr. and Mrs. Joseph Diamond of Gary, Indiana, against the New York Life Insurance Company. The Diamonds sought to collect on a \$10,000 accident policy carried on their son, Harry, who was electrocuted at the Michigan City, Indiana, penitentiary for the murder of his wife. The Diamonds contended their son was put to death by unknown hands against his will, and this constituted accidental death. Judge Woodward held that although Diamond's death was against his will, his own felonious deed was responsible.



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