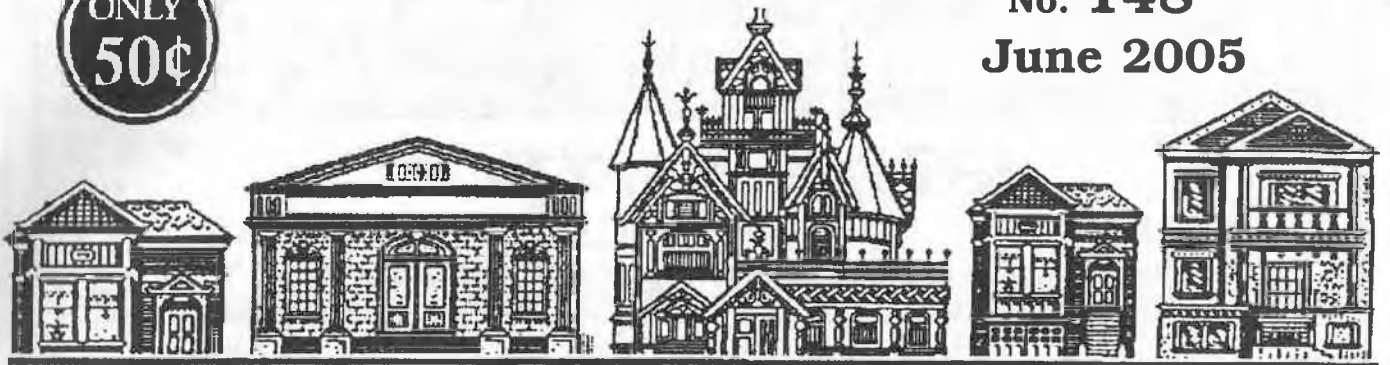


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While most people in Huntsville were suffering from the Civil War a few, like James Hickman, saw the opportunity to accumulate great wealth by trading with the enemy.

Within a few months Hickman held liens or mortgages against a sizable part of Huntsville. He had a large strongbox in his home in which, besides the liens and mortgages, he was reputed to have some \$20,000 in cash. In addition, he was reputed to have owned several hotels and even possessed an interest in the city's waterworks.

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# The Trials of James Hickman

by Jon Jackson

As war clouds began building over Huntsville and Madison County in 1860 most men chose sides, opting for the Confederate gray or the Union blue. For James Hickman, however, the color of his loyalty was the greenbacks he made by dealing with the hated enemy.

Born in Jefferson County, Tennessee in 1810 James Hickman had achieved modest success by the age of 40. Sometime during the 1840's he opened a small tavern in Jefferson County. During this period of his life he also ran for sheriff of Jefferson County and won. The 1850 census indicates that his household had grown to include a son-in-law and a free black laborer. As a tavern keeper he might not have had as much success as he had hoped for, but he provided for his family and kept the debtors away.

But in 1850 the desire for real wealth, not the modest means of a shopkeeper, drove Hickman to move to the booming town of Huntsville, Alabama. In the years since it's founding by John Hunt, Huntsville had gained a reputation as a place where an ambitious man could make his fortune. The rich, black soil of the Tennessee River flood plain grew tall, white cotton - cotton that needed cheap

labor to turn it into greenbacks.

By 1860 Hickman had achieved his dreams of a personal fortune. Setting up shop in Huntsville and trading in slaves, tobacco, and cotton amassed Hickman a sizeable fortune. Records indicate he owned over \$20,000 in real estate and another \$10,000 in personal property. Regardless of his new wealth he found it impossible to become accepted by Huntsville's elite. Hickman had run up on one of the great contradictions of the South: While their wealth depended on the slave trade, they wanted to view slavery as a noble institution - something they couldn't do with an actual slave trader around to point out its ugly side. So while Huntsville's elites found themselves in great need of Hickman's services, they did not want to mix with him on a social basis. Needless to say this did not sit well with an ambitious man like James Hickman

In the years leading up the Civil War, Hickman voiced his desire that Alabama stay in the Union several times. After the state voted to secede, Hickman became a Unionist and spoke at several pro Union rallies here in Huntsville. At one rally he went so far as to suggest the group storm the courthouse and raise the Stars and Stripes over Huntsville. "I would rather die," he said, "than see the old flag dragged under foot."



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However, when Confederate patriotism began to rise in Huntsville, Hickman changed his tune as he looked for ways to profit.

In 1861 Hickman sought an appointment as Postmaster General in Huntsville but failed when he could not get the right sponsors. He also sought a commission as a Major General in the Confederate Army, this too failed. He tried to raise a command of local mechanics and working men for the Confederacy. But when the men balked at the idea of serving for the duration of the war the unit fell apart. Most of his failures undoubtedly resulted in his reputation as a slave dealer "from the wrong side of the track."

Regardless, Withers Clay, publisher of the Huntsville Democrat, said of Hickman's efforts: "He is determined to go to war, even if he is alone."

Later Hickman began recruiting other local units, often telling anyone who would listen that of threats on his life by Unionists, Unionists he could never produce. Later he managed to be elected Quartermaster of another unit but when he could not get guns for the unit his commission was revoked and the unit disbanded. For all his efforts to make something on the war the only real success he had was a contract to cure bacon and sell it to the Confederate Quartermaster General. Hickman described himself at the

end of 1861 as "ground to the earth with debt." But just when things seemed the worst for James Hickman, along came a change in his fortunes in the person of Major General Ormsby M. Mitchel.

When Mitchel and his division of the Army of the Ohio rode into town on April 11, 1862 Hickman, along with the rest of Huntsville, did not know what to expect. Yet Hickman soon saw the chance to profit, as he never had under the Rebel flag. Mitchel would allow cotton to be traded, though under his control. Upon swearing an oath of allegiance to the Union, certain people, among them Hickman, were able to buy cotton from local planters to take across enemy lines and sell. Because the alternative was to let the cotton rot in the fields, Hickman was able to buy the cotton cheaply, especially when accompanied by armed Union patrols. Often times, instead of paying for the cotton, the soldiers would merely confiscate it. Regardless of how it was acquired, Hickman always seemed to make a profit while incurring the hatred of his neighbors at the same time.

Trading with the enemy proved to be much more profitable than dealing in slaves.

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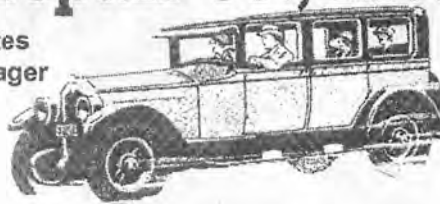
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Huntsville. These he sold for Union greenbacks. The citizens of Huntsville were placed in an awkward position. They had no desire to trade with Hickman, whom they considered a traitor, but there was no other place to buy the supplies. Worse still, in order to purchase the supplies they had to have greenbacks, of which Hickman seemed to have cornered the market. Within a few months Hickman held liens or mortgages against a sizable part of Huntsville. He had a large strongbox in his home in which, besides the liens and mortgages, it was rumored he had some \$20,000 in cash. In addition, he was reputed to have owned several hotels and even possessed an interest in the city's waterworks.

Most people believed Hickman and General Mitchel were partners. The fact that several of Mitchel's officers, who were also involved in cotton speculation, billeted with the profiteer only added to the perception. Huntsville's citizens, including most of the elite who had despised him earlier, watched with a seething anger as the slave trader from the wrong side of town accumulated a vast fortune at their expense. Many in town were already plotting Hickman's downfall. They would not have long to wait.

In September of 1862 the Union Army pulled out of Huntsville and was forced back to Nashville. When the Confederates moved back into Huntsville, Hickman's enemies saw their

chance. Withers Clay and other loyalists who had fled Union occupation called for harsh penalties against any who cooperated with the Union occupiers. In December Brigadier General William Bate, the commander of the Confederate forces occupying Huntsville, obliged him and ordered Hickman arrested for speculating in salt and held over for a military trial.

General Nathan Bedford Forrest had issued Hickman a permit to go to Columbia, Tennessee to buy salt for the purpose of reselling it in Huntsville. But when Hickman returned to Huntsville he raised the price many times over what he had paid for it and refused to take Confederate money. Bate considered this the final insult and ordered the arrest. Yet most other merchants in Huntsville and throughout the Confederacy were doing much the same thing yet few other arrests came of it. But it was the reaction of Clay and others who owed money to Hickman that made it plain that the real reason for his arrest was not the alleged charges. Clay and many other Confederate loyalists celebrated Hickman's arrest. "He has the reputation here," crowed Clay in the newly renamed Huntsville Confederate, "of affiliating and sympathizing with Yankee's...trading in cotton and many other disloyal acts." He added later that, "Under General Bate's jurisdiction some persons are beginning to feel the power of the Confederate Government."

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Yet, surprisingly, some in Huntsville were still Unionists and supported (or perhaps owed) Hickman. They began writing to Bate's superiors asking for Hickman's release, arguing that his offense was not military in nature. While Confederate President Jefferson Davis had suspended many of the civil rights of the average Confederate citizen, he had also recently voided all declarations of martial law by Confederate generals inside the Confederacy. Bate's superior officer, General Braxton Bragg, ever the loyal soldier, agreed and in late December ordered Bate to release Hickman. The citizens of Alabama were enraged and many called for General Bragg to be relieved from duty. "Your desire for the arrest of a bad man in your country is natural," Bragg wrote to the citizens of Huntsville, "I only regret I have not the authority to act on your suggestions."

In spite of his release Hickman did not rest easy. His enemies began seeking evidence for a civilian trial. In January of 1863 Hickman printed a circular defending his actions. He reminded his neighbors of his efforts at the

beginning of the war to aid the Confederate cause and denied speculating in salt. "I am a Southern man, born and raised," he said in his own defense, "with all the feelings of a Southern man." But his chief enemy, Withers Clay, would not let go. "I must be hunted down by a man," wrote Hickman of Clay, "that has never done anything that I know of to help the war, but a great deal to bring it on."

Unfortunately it seems to have fueled the Confederate efforts to gather more evidence against Hickman. Under the leadership of Clay the Confederate loyalists obtained a report showing that Hickman had willingly partici-

pated in a raid against Confederate forces in the summer of 1862. When Bragg heard of this he wasted no time ordering Hickman arrested again.

Somehow Hickman managed to get two of Huntsville's best to represent him: Former Confederate Secretary of War Leroy Pope Walker and local legal star Nicholas Davis, both of whom were alleged to have profited from selling cotton to the enemy. The fact that Hickman had large amounts of greenbacks to spend in his defense probably helped. Huntsville Probate Judge James Scruggs, after hearing the arguments of Walker and Davis, decided to take the case out of military hands and

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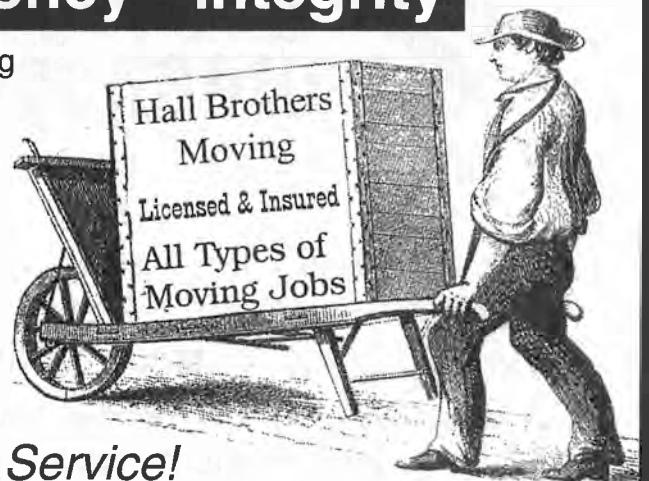
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on January the 23rd handed the case over to a grand jury.

Judge William Jones impaneled the jury. From the beginning Hickman was in trouble since most of the jury members were part of the wealthy Huntsville upper crust. Many of the jurors also had suffered under Mitchel. Several of them had seen their property confiscated by the Union army and several others had been imprisoned for suspected guerilla activity. Clay wrote of the grand jury, "Judge Jones in his charge did his duty. He appointed Judge Betts foreman of the Grand Jury (which is a very good one) at my instance."

The prosecution accused Hickman of "levying war against the Confederacy" by accompanying Federal troops to purchase cotton and by "opposing such troops of the said Confederate States as might resist the progress". The grand jury brought this line of reasoning and returned an indictment for the charge of treason. When Walker and Pope requested bail be set Judge Jones refused saying bail was "inappropriate" in this case. Hickman passed the time until his trial. The county jail allowed visits only from his wife and lawyers.

But the troubles surrounding the charges were not limited to the trial. One Huntsville resident said,

"Every good rebel said he ought to be hung." Others threatened local merchants who refused to take Confederate money that they would "be tried for treason just like Hickman." Local officials also confiscated Hickman's possessions including the contents of his stores and made him pay for his boarding at the jail.

But during the spring an amazing thing began to happen in Huntsville: The tide of public opinion began to turn in Hickman's favor. Many in Huntsville had not agreed to the idea of seceding from the Union. With the advent of shortages, conscription, worthless money, and the chaos of war people began to grumble that the hotheaded secessionists, and not the Yankees, were the real problem. Hickman's lawyers, although claiming to be loyal Confederates, seized on this and began to promote Hickman as a staunch Unionist and his persecutors as Confederate loyalists jealous of his success.

At the beginning of May 1863, the lawyers began selecting a jury for the trial. Unlike the grand jury earlier the court did not get to handpick the jury, instead Hickman's lawyers shrewdly disallowed many of the potential jurors from Huntsville itself, choosing instead small farmers and merchants from all over Madison

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county. These common men were much more sympathetic to the plight of a man caught up in a war he didn't start and didn't want than the rich men of a big town of Huntsville would have been. Clay complained that the jury was "marred in its character."

Walker and Davis also proved brilliant on cross-examination, getting all of the prosecution's witnesses to admit that none of them had actually seen Hickman take up arms against the Confederacy, but only accompany Union troops to buy cotton. After five minutes of deliberation the jury returned a verdict of not guilty.

Released from jail, Hickman once again tried to portray himself as a loyal Confederate, but it was too late. When he tried to collect on liens and mortgages people simply laughed at him. Records disappeared from the courthouse and his businesses were destroyed. His home, containing the strong box and all of his records, burnt down under mysterious circumstances. Only the return of Union troops in July of 1863 stopped what would have surely resulted in Hickman's death.

Hickman applied to the Union authorities for the return of his property but they too had grown tired of the man whose loyalties seemed to change monthly. In 1864, after repeated threats of violence, Hickman moved his family to Nashville where he spent the rest of his life trying to recover his ill gained fortune.

In 1866 he brought a civil suit against the city of Huntsville, the grand jury, Judge Jones, Clay, and the local sheriff for wrongful arrest, charging the prosecution's charges were "malicious and without probable cause." In 1871 a Federal judge dismissed the charges.

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The very first cabin erected in this area was in 1805, by Joseph Criner, the uncle of Isaac. It was located several miles away from Isaac's, who preferred the beautiful area now called New Market. Isaac's cousin Stephen McBroom was the third to build a cabin in the area known today as Gurley.

Although these three gentlemen were the first to settle in the county, they were by no means the first to arrive here. John Ditto had come to Huntsville back in 1802 and had built himself a small shack by the area known now as Big Spring. After a short while he moved down next to the Tennessee river to what is now known as Ditto Landing.

Samuel Davis came to the Big Spring before John Hunt, but after building the foundation of a small cabin and cutting the logs, returned to Georgia for his family. Just after the Criners had moved into their cabins in New Market, John Hunt and a man by the name of David Bean stopped for the night and were welcomed into one of the homes. The next day Hunt and Bean left, and reached the spring where Davis had started his cabin. Hunt liked the area so much he decided to finish building the cabin, and take it over. Bean helped him finish it, but was not as

intrigued by the country here and went back to Tennessee and settled near Salem.

Not much is known of what really happened when Samuel Davis returned and discovered John Hunt in his newly finished home, but Davis left and built another cabin near New Market.

If Davis had not returned to Georgia to fetch his family when he did, odds are we would be living today in Davisville, Alabama.

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# Remembering Old Huntsville

by Robert Meeks

While in Huntsville this past weekend, putting flowers on my Mother's grave at Maple Hill Cemetery, I stopped in an old familiar place to eat - Mullins Drive-In. They have the best hamburgers and chili dogs I ever ate. (The Varsity in Atlanta can't even compare.) Every time I visit Huntsville I always go to Mullins. They still taste as good as they did back in the 50's. It is unusual to find a cafe that keeps the same taste. Another of my favorite spots used to be Bill's Drive-In on Meridian Street which has been gone now for some time.

I grew up on "Billy Goat Hill" (Kildare Ave.) My dad used to work in the Lincoln Cotton Mill. His name was Eartte Meeks. He had 13 brothers and sisters who mostly all worked at the mill.

As a child my dad used to make Home Brew which he would sell at his poker games. We had a smoke house where he stored the home brew. My brother and I had to wash bottles so he could bottle the home brew. One hot day we heard really loud explosions. The home brew had gotten hot in the smoke house and blown completely up!

We also had a garage in the back of the house where men would come on Friday after getting paid and play poker. My dad got 10% of each pot, he also sold his home brew. I can remember men leaving without their shoes or hats. After they gambled their whole paychecks, some would pawn their hat and shoes trying to win back their money.

I wonder if anyone else remembers this? My dad's nick name was "Dink".

Those were hard times back then, but people took care of each other. If someone on the street needed food or anything else, everyone would pitch in and help. Neighbors were neighbors and our community was very tightly knit back then.

Perhaps the worst trouble I ever got into was one night when the garage was full of men playing poker, I flipped the light switch on and off several times (this is what we told to do if the police came) and you should have seen the men clearing out of the garage!!! Of course I was unable to sit for a few weeks!

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# Mrs. Gilbert

by Sally Fleming Walker

I, too, remember Mrs. Gilbert and Helen. They lived on Whitesburg Drive not far from our home. Mrs. Gilbert would get out in the street and stop cars, then she and Helen would get in and demand to go somewhere. My mother was flagged and she would take them to wherever. Mrs. Gilbert and Helen did ride the bus sometimes but I never saw them pay to ride. I guess the bus driver didn't know what to do either. They just got on and sat down. Mrs. Gilbert carried a cane and if you did something she didn't like, like talk, she would whack you with the cane.

Some times my brothers and sisters (NOT ME) would telephone Mrs. Gilbert and ask her if her refrigerator was running (if you grew up in the late 40's you know this joke) and she would scream and holler and say she was coming after us. It would scare us to death but we loved it. Then at supper time the phone would ring and the operator would ask for Mr. Fleming and whichever sibling answered the phone knew we were in trouble. You could tell by the look on their face there was trouble coming. Any way, the conversation with Daddy and the operator went like this. "Mr. Fleming, we've had a complaint to the phone company AGAIN from Mrs. Gilbert concerning prank phone calls. We know it's your children making the calls because we traced the phone number. Would you please put a stop to these phone calls?" "Yes ma'am."

Daddy sits down and says, "Ok, who's been calling Mrs. Gilbert this time?"

Standard answer from all of us was. "Not me Daddy, it wasn't me Daddy, no way Daddy."

"All right. I want it stopped you hear or I'm going to whip all of you."

I'll fess up now that Daddy is gone. Yeah, Daddy it was me. I wish you were here to "whoop" me again.

## Arrested

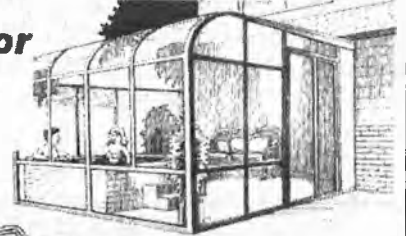
Henry Gomez appeared in police court this morning on charges of disorderly conduct. After getting drunk and being told to leave a local saloon, Gomez returned with a stick of dynamite and blew the front door to smithereens

from 1887 Huntsville newspaper

## Eloped To Tennessee

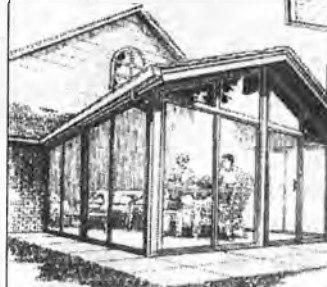
Disappeared Friday night last. Molly Ewing, aged 13, dressed in a white dress and possibly carrying a gold valise. Last seen in the company of Robert Withers, age 39. It is believed the couple has gone to Tennessee to get married. Anyone with information contact this office. from 1898 paper

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# New Law Will Compel 300 Children to Quit Local Mills

**Huntsville, April 8** - The new child labor law adopted by the Alabama legislature will not affect any of the cotton mills in Huntsville. The report had been circulated that the operation of the law would compel 300 children to quit working in the Dallas mill, but this is emphatically denied by W. R. Rison, general manager of the Dallas company.

Mr. Rison states that it is against the rules of the company to employ any child under 12 years of age, and if there are any younger operatives, their ages have been misrepresented by their parents.

Other representatives of the mills praised the mills' policy in providing work for children who would otherwise become vagrants and a nuisance to peaceful society. The spokesman also said that many of the children alleged to be under the lawful employment age of twelve were merely stunted in their growth, giving a false impression to people investigating mill conditions.

Mills in other states have overcome this problem by having potential employees swear they are at least twelve years of age, thereby relieving the mills of any legal responsibility.

Factories in Alabama are expected to implement the same policy.

From 1903 Newspaper

**"Diplomacy is the art of saying 'Nice Doggie' until you can find a rock."**

*Will Rogers*

# Strange Love

**Huntsville** - After a prolonged courtship, Edward T. Lowery and Elizabeth Gentry were married Saturday in a simple ceremony at a friend's home. All seven of their children were in attendance. The couple has no plans for a honeymoon.

**Decatur** - Ordered by the court not to molest his wife, Stephen J. Kennedy was jailed for heaving chunks of cheese at her. The original court order was obtained when Mrs. Kennedy complained her husband was in the habit of locking her in the privy. The couple is reported to be having difficulties with their marriage.

*from 1902 newspaper*



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# Heard On The Street

by *Cathey Carney*



The first correct winner of the Photo of the Month was **Bell Buchanan** who guessed **Floyd Hardin**. Congratulations to Bell.

There are sure some hard workers at the Clinton Avenue post office. We recently talked with **Greg Israel**, **Linnett Fortenberry** and **Shirl McCorkle** who were taking good care of the customers coming in there.

A special hello to our friend **Robert Lee Mason, Sr.** of Skyline. He's **Tony Mason's** dad and Tony was telling us that he and his dad had some interesting lumberjack experiences lately.

Wishing **Joachim Thoenes** a special Happy Birthday in July! We hear he's barely less than 40, since his brother **Michael Thoenes** is still holding at 39.

We were really sorry to hear of the death of **Milton White** in May. His wife is **Ollie White** and we send condolences to her and their family and friends.

**Lonnie Gibson**, of West Station Antiques in Madison, is having a big birthday in June. It's even more memorable because he's moving his business from Madison to Owens Cross Roads!

**Mr. and Mrs. Carlton McClain** are so proud of their son, **Jason McClain**, who recently was

elected to the Rocket City Chapter of the National Junior Honor Society for academic and citizenship excellence. Jason is a student at Ed White Middle School, where he plays sax for the school band.

We hear that **Bob Ward** has had a rough time of it lately and had to be in the hospital for a while. Bob has a really interesting book just published about **Wernher von Braun**. We're thinking of you, Bob, and wish you a speedy recovery!

Seems like everyone is doing books about Huntsville now. We recently had two phone calls in the same day from two different prominent writers who will be visiting Huntsville this summer researching their new books. We can't tell you who they are but we are sure the books will be full of intrigue and mystery!

Happy Birthday to our dear friend **Cecil Ashburn**. If he ever receives an honorary title it will be **Mr. Huntsville**, for he is the type of person who has made our town such a great place to live in.

We recently had dinner with

our dear friends **Louie** and **Jane Tippett**. They are such fun people to be around!

A young lady of 90 called us the other day to tell us she is having a birthday in July - congratulations **Brenda Hart Turner!**

**Nora Zeman** has been not feeling well lately, but her husband **Sam** sure takes good care of her. We're sending good thoughts your way, Nora.

**Jacquelin Case** wrote us the other day - after 36 years away she is happy to be living back in Limestone County!

There sure are some sweet people working at Colonial Bank. **Chinoo Dutta**, **Shirley Bush** and **Ann Smith** are the best and want to wish all our readers a great summer!

A special hello to **Robert Luna** of Huntsville. He sure knows some fascinating facts about Huntsville in the old days.

**Kim** and **Tim Mardis** (of Mollie Teal fame) are the proud parents of a new baby boy whom

## Photo of The Month

The first person to correctly identify the little boy on the right wins a year's subscription to "Old Huntsville" magazine.

Call (256) 534-3355.

Hint: This little boy may be the last to ever let you down.



Sandra Steele  
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they named **Ryan**. He joins a big brother **Connor** and sure has some proud grandparents!

**Susie Edwards**, of WAFF 48, was looking great the other day - it was good to catch up with her.

We were all so saddened when we learned the Clemens house had been vandalized. It is such a beautiful old home. If any one has any information on the people responsible give us a call and we'll give you a life time subscription to Old Huntsville.

**Marie Adkins**, at ABC #77, wants to send special birthday wishes to her beautiful twin daughters **Tekisa Marie Webb** and **Telisa Marie Webb**. Also, **Jason McClain** has a birthday and his dad **Carlton** says to send a special birthday wish out to him as well!

Our buddy, **Sam Spry**, stopped by the other day to swap stories. He can keep you spell-bound with stories of Huntsville's past.

**Suzie Nolen** had a big birthday bash during the month - Happy Birthday to you Suzie!

Also a Happy Birthday to the lovely **Aneita Scott**. Her hubby, **Charlie**, threw a big surprise birthday party for her and a great time was had by all.

**Evan Troup**, handsome son of **Stefanie** and **John Troup**, turns 2 in June. They sure are happy to be finally living here in Huntsville!

We wanted to pass along our wishes for a speedy recovery to **Joan Murchie**, who is suffering from some severe back problems. We're thinking about you, Joan! She has her sweet husband **Archie** to take care of her.

We saw **Jane** and **Roscoe Roberts** recently at a Redstone Village event, they were looking good. Also there were **Jesse Hopkins**, **Billy Hunter**, **Art Ousley**, **Ray** and **Kathleen Weinberg**, and **Kinley Eittreim**.

Our buddy, **Johnny**

**Johnston**, sure is staying busy doing talks about Old Huntsville. By the way, there is no charge, so if you need someone to speak before your group give him a call at 656-9575.

Whether you agree with him or not, you have to admire City Councilman **Mark Russell** for not backing down on his position about smoking in restaurants. That will be the law of the land eventually but in the meantime we don't see anyone turning down the tax money generated by smokers.

We had a blast recently while having dinner with our good friends **Dianne McWhorter**, **Evie Spearman** and **Cecil Ashburn**. Evie is such a gracious southern lady and can entertain you for hours with stories!

A big hello to **J.B.**

**Tucker**, the Mayor of Hurricane Creek. We hear he's been thinking about raising taxes so he can buy himself a new fishing boat.

That's all for this month!



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# Company's Coming!

## Jalapeno Crisps

1/3 c. Parmesan cheese, grated

3/4 c. mayonnaise

1/2 c. onion, chopped

Dash Tabasco sauce

1 jalapeno pepper

Salt and pepper

Toasted rye rounds or melba toast rounds

Combine first 4 ingredients in bowl. Remove seeds from jalapeno and chop, add to mayo mixture adding salt and pepper to taste. Spread on rounds of rye or melba toast and broil for 3-5 minutes and bubbly. Store, spread on pan, in refrigerator.

## Crabmeat Canapes

7 1/2 oz. can crabmeat, drained

1/2 c. butter, softened

1 c. cheddar cheese, grated

1 T. Worcestershire sauce

1 small loaf white bread

Combine cream cheese, butter, cheddar and Worcestershire sauce. Remove crusts from bread (easier if frozen and partially defrosted). Cut each slice into quarters. Spread bread with crabmeat mixture.

Place on cookie sheet and bake at 400 for 5-7 minutes. (May be fully prepared and frozen before baking.)

## Mint Spritzer

3 oz. white wine

Club Soda

Fresh mint

Fill a 12-oz. tumbler with ice cubes. Add wine and fill glass with Club soda.

Garnish with fresh mint.

Serves one.

## Sunrise

2 t. sugar

1/4 c. apricot nectar

1 c. orange juice

juice of 1/2 lime

1 c. dry white wine

Mix all ingredients together and chill for several hours before serving. Pour over ice - serves 4.

## Velvet Hammers

3 pints rich vanilla ice cream

6 jiggers brandy

6 jiggers creme de cacao (white)

Pour all ingredients into blender and mix well. This may be made ahead of time and refrigerated. Serves 6 happy ladies.

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## Spicy Cappucino

1 oz. hot cocoa mix  
 1 T. brandy OR half Kahlua  
 and half brandy  
 1 c. strong hot coffee  
 Fresh whipped cream  
 Combine cocoa mix and brandy in coffee mug. (Kahlua and brandy give a sweeter taste than brandy alone.) Fill mug with coffee and top with whipped cream. Serves 1.

## Cantaloupe Rings

1 cantaloupe  
 1 pint fresh strawberries  
 1 pint fresh raspberries  
 1/2 c. sugar  
 Mint leaves for garnish  
 Cut cantaloupe into rings. Remove seeds and peel, refrigerate. marinate berries in sugar for at least 1 hour in fridge. Place cantaloupe rings on pretty plates and fill center of each ring with berries. Garnish with mint leaves.

## Broccoli with Pine Nuts

1 bunch fresh broccoli  
 1/2 c. butter  
 1/2 c. golden raisins  
 1/2 c. pine nuts  
 2 T. lemon juice  
 Steam broccoli til tender but still crisp. Melt butter; stir in raisins and pine nuts. Saute til nuts

are golden, approximately 3 minues. Stir in lemon juice and pour over broccoli.

## Creamed Mushrooms

1 lb. fresh mushrooms, sliced  
 1/4 lb. crackers, crushed  
 1 1/4 c. light cream  
 1 t. salt  
 Pepper to taste  
 2 T. butter  
 Combine mushrooms, crackers, cream and seasonings. Place in 1-qt. buttered casserole and dot with butter. Bake at 350 degrees for 45 minutes to an hour.

## Uncle Henry's Pie

4 oz. can whole green chilies  
 10 oz. sharp cheddar, grated  
 1/2 t. garlic powder  
 4 eggs  
 Drain chilies. Grease 8" pie pan lightly and line with chilies. Put cheese over chilies and sprinkle garlic powder over cheese. Beat eggs with wire whisk and pour over cheese. Bake at 325 degrees for 30 minutes and knife comes out clean.

## Coffee Mousse

33 large marshmallows  
 1 c. strong coffee  
 1 c. heavy cream, whipped  
 3 T. slivered almonds, toasted

Cut marshmallows in half and melt by stirring in hot coffee. When marshmallows dissolve, add whipped cream and cool. Pour into individual serving dishes and sprinkle with almonds.



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# Shocking Murder

from 1835 Huntsville paper

We are informed by the Coroner of the County who held the inquest that a Mr. Sanford, an old and highly respectable citizen, who lived in the North-Eastern part of the county, not far from Simmon's Section, was found in his bed on Saturday last strangled to death.

The murder is supposed to have been committed by a Negro or band of Negros. We know nothing of particulars. Two Negroes are now confined in Huntsville jail under suspicion.

Such a transaction as this is horrible to think of. Will it not awaken in the county some more attention to the necessity of patrol-

ling? We do not believe there has been half a dozen regular patrolling companies in the county for the last twelve months.

Negroes prowl at night without molestation. When life as well as property is thus exposed, should not something be done to keep this dangerous population in closer confinement,

**Footnote:** Although Alabama was a slave-owning state, its constitution guaranteed the rights of slaves to a fair trial in capital murder cases. In this case two slaves were tried for the murder of Mr. Sanford; a male named Charles who belonged to a Mr. Couch and a female named Flora who belonged to Willis Sanford.

They were both found guilty in the first trial and Charles was hanged. Flora's attorneys appealed to the State Supreme Court and she was acquitted in the second trial.

On the day Willis died (July 4, 1835) the following articles were brought (obviously to line his coffin):

- In account with William Stewart July 4, 1835
- 5 yards cambric and I cotton (?) - 43 1/2 cents
- 4 1/2 yards fine domestic
- 5 yards black velvet - \$5.00
- 5 yards black lace &
- 10 3/4 yards black velvet ribbon - \$3.00
- 1 paper tacks. 150 brass tacks - 31 cents

(Footnotes taken from Case #110 Orphans Court Madison County, Alabama)

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Sam Keith

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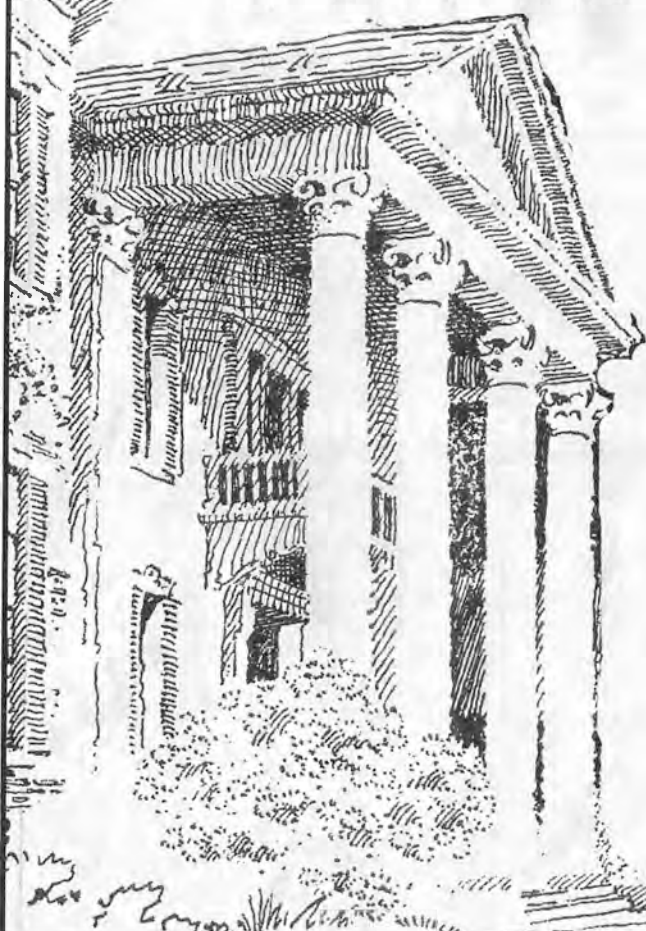
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# Remember when .... 1955

## Johnny Johnston

I was sitting in my office one sunny day when my phone rang and this pure southern voice said, "I read in the paper that you went to Butler High School and came back here with Eastern Air Lines, but I can't remember no Johnny Johnston that went to Butler?" It had been well over 30 years since I had heard that voice but immediately I said "David Henderson, have you still got your overall pants rolled up to your knees?" That telephone call reunited me with one of the greatest groups I had ever known. Plans were being made for our 35<sup>th</sup> Butler High anniversary reunion and I was remembered! Wow! I can't remember being so excited.

You see: I was known as Dalton Johnston in Butler and by my family. My first Supervisor at Huntsville Air Service started calling me Johnny in 1953 and since someone introduced me to Barbara (wife) at work, the name stuck.

From graduation and for 30 years I had maintained contact

with very few of my classmates for a couple of reasons. I wasn't popular at Butler since I was so very shy and also worked my last four years of school. Later because Eastern Airlines very often moved my job without much notice. Yep, that's right, shy. I was especially afraid of girls and what they thought of me, never had a date until after high school!

I joined that group in 1989 to help plan our reunion, had a blast, and couldn't believe that at that first meeting some of them remembered me (some didn't) and now the planing has started all over again. Our 50<sup>th</sup> reunion is coming up in June.

This might be a good opportunity to reflect on life (that's what happens as we make plans) as it

has occurred in my classmates.

The 1955 class is not a usual group of people. Many of us maintain contact on a regular basis by email and in person. A group of 20 or so meet each Mon-

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day of every week to see who is sick or died, who is a new grand parent or even great-grand parent and certainly we listen to the latest stories. We have a reunion every five years but every year we have a summer time gathering. That is a good relationship for one group brought together in 1951, by the consolidation of several high schools in Madison County. We came from Lincoln, Joe Bradley, West Huntsville, Farley, Monte Sano and even that distant and very small community of Madison.

Monday morning at Mullins a contest soon emerges for the best story, real or imagined. Perry Langston and Gerald Stanley are tied at the moment. Perry had the problem of having a bird build a nest in his pick up truck. Perry doesn't drive a lot so the bird was comfortable six days a week. On Monday morning Perry would crank the engine and drive down to Mullins from Coldwater, TN. The first two weeks Perry said the bird followed him down and entered the nest at Mullins parking lot. On the third week the bird

had learned where Perry was going and beat him there.

Stanley had a problem a little more severe than that, it involved two birds, one, a hawk and the other his pet rooster who happened to be the meanest and toughest rooster in the world. It seems the hawk had been catching chickens on a regular basis but on this one occasion the hawk mistook the rooster for a chicken and grabbed him up and flew away with him. Stanley said that the next day a very weak, bleeding hawk with feathers falling off came to his backyard and very gently turned the rooster loose. Not only did the rooster fight the Hawk for a full day but also made the hawk fly him home!

Two events loom above others with this class. We had a number of Germans join us in about the 8<sup>th</sup> grade at West Huntsville. That was the last year just before West Huntsville became Butler. The German students were brilliant. They were several years ahead of us in their studies. Because of a state law they were denied promotion to higher grades and were

required to re-take classes with the rest of us. Butler High was formed and in 1951-1952 became a consolidated school.

When all of us were young we also did funny and stupid things that make us laugh when talked about today at our ripe old age.

Glen Nunley talked about a period before our class was old

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enough for a driver's license. Johnny Butler was a little older than his brother Pete Butler, a classmate of ours, and Johnny was employed. Johnny delivered groceries and supplies from Browns General Store at 9<sup>th</sup> and 7<sup>th</sup> in West Huntsville. He would get up a load which should take hours to deliver then drive to the West Huntsville YMCA where he knew that Glen, Pete, Jimmy Butler and some other guys would be hanging out. They would all jump on the truck, rush through the delivery then take off to Braham Springs. There they would do tricks with Brown's truck such as driving through the mud, doing doughnuts, etc. When some time had gone by they would return to the "Y", Johnny would go back to Browns, at least until the next big delivery.

One young 17 year old boy, who is still shy about using his name, was maybe the most introverted person in the class. He was invited to a sixteenth birthday party at the Monte Sano Park one evening in 1954. He didn't know that girls would have their own games. These games were not kind to shy people. At one point the guys were matched up to the girls just to walk around the circle and come back to the building. When it came his time he began to shake with fear. He was matched up with a girl who was

not shy. He almost ran around the circle with her, came back to the party and was petrified when he heard the girl telling that he wouldn't hold her hand or even speak to her. She told her friends that he was frightened to death. He ran away when that girl won the best story contest and had a paper bag placed over her head!

Bettye Sue White, now Jacks-Perrine, tells a story that reflects the personality of two people. J. Homer Crim was the Principal; a self disciplined person of definite moral value. Although only about 5' 6" and 150 lbs., he could paddle students all day long and not get tired. Ask Roger Grider! Mr. Crim had thought nothing of venting his displeasure over the public address system.

The other individual was a teacher, Mr. John Oldham. He was a very proper person who rarely displayed emotion. He was extremely clean and well organized. Bettye tells the following story.

"It was on a particular 6<sup>th</sup> period, which was on a Friday afternoon in early spring when all of us, teachers included, would rather have been anywhere out-

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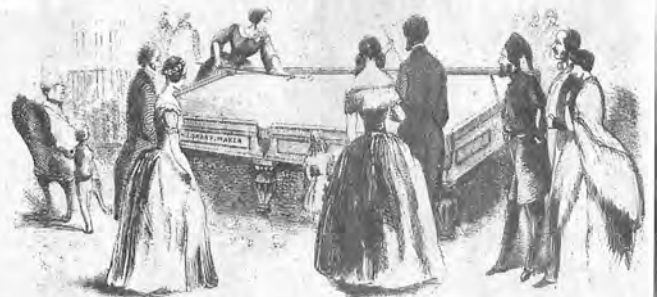
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side, certainly not in the classroom. Mr. Oldham was manfully trying to continue with our class in spite of the beautiful Friday last period. Mr. Crim interrupted us over and over again, until we students were sniggering behind our hands. Mr. Oldham's droopy-eyed scowl just deepened as the charade continued.

Finally Mr. Oldham had enough. When Mr. Crim broke in for the eight or ninth time. He took his desk chair, climbed up onto it, jerked the speaker from the wall, and threw it into the wastebasket. He then turned that droopy-eyed look toward us, as if defying us to move. We gaily went on with class in blessed quiet, with no interruptions, not even one audible snigger.

Mr. William Myers was given the chore of developing a band equal to the powerhouse football team that had been expected of the big Butler High School. At the first game the band was able to play only a few tunes and admitted to their shortcomings. However Grady Reeves called the game on radio and apparently spoke his feelings at the time. Mr.

Myers had spent all summer with the brand new music makers. Along the 2<sup>nd</sup> quarter Grady made the statement "all I can hear from the Butler Band is a lot of noise". That didn't go over so well with Mr. Crim. Grady was invited to make a very formal apology to the entire school on Monday morning. Mr. Crim gave him an introduction along with the public address microphone. Grady did a nice job of eating crow to the delight of all the school members.

All sports people had predicted a very strong football team and when Huntsville High tied Butler 7 to 7 that first year (1951), it was too much for some of the students to handle. When school opened at Butler on

Monday morning someone had painted on the front wall in large red letters "7 to 7". An investigation did not develop the culprit. The next week when Huntsville Students came to school all their trophies were painted green and gold.

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The following year Butler beat Huntsville 32 to 7 and lost to Bessemer for the first ever state championship game. For the first 6 years Huntsville and Butler played football the games were separated 4 times by only one point.

A sweet young girl, now married and living in another state, was always a favorite. She was somewhat shy and still doesn't want her name used. She was in the Senior Class Play called "Call Me Penny" and tells the following story.

"I was in the play and for the final act I was to wear a prom dress for the "Big" prom date. Well it was dress rehearsal night and the boy's dressing room was on one side of the auditorium and the girls on the other side. I came into the building on the opposite end of the girl's dressing room and walked across the stage to the girl's dressing room. As I was laying out my clothes I couldn't find my strapless bra that I had to wear with the prom dress. I started looking everywhere. Then I backtracked my steps and lo and behold there in the middle of the stage was my bra. I ran and very discreetly bent over and picked it up hoping no one saw me. If they did, they were kind enough to never mention it."

Major crisis in high school becomes amusing in later life and you begin to reflect a little more

on people you went to school with, things you did. I remember Bill Potter. Bill was handsome, brilliant, and had the cutest girl. Bill's father and my father both drove 53 DeSoto's and that is the only thing we had in common! He became Dr. William Potter, M. D. I did not!

Some students were very prominent in the space program, some in defense, several very successful builders. We had one song writer with many published songs and like most classes from high school, some we never heard from again. But on June 11, over 120 of our 1955 graduating class of Butler will gather for our 50<sup>th</sup> anniversary reunion with hugs, kisses and many, many stories.

I strongly wish that all graduates from all high schools had this strong relationship with their classmates. The feeling can't be replaced!



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# RUN AWAY!

The following was narrated by Thomas Cole in 1937 as part of the WPA program. Cole was a slave on the Cole plantation near Woodville where he was raised as a house servant.

One morning Missus Cole comes up to me afore we goes to work and says, "Well, well, Thomas, what a big, fine strong boy you is. You ought to be big enough to do most any kind of work, now. You ain't a baby no more. Thomas, I'm going to move off the plantation and let Mr. Antherson, the overseer, run it for me. He is going to move in this house, and I'm going to move to Huntsville. I bought a nice place up there, so I's going to take your ma with me, as she has always been our nurse, but I'm going to leave you out here on the plantation. I'm sure Mr. Antherson will take good care of you, and besides, you will be

grown in a few more years." Then she turns roun' and goes in the kitchen and leaves me standing there.

I thoughts, "Yessum, Mr. Antherson will takes good care of me. He'll give me that cat-o'-nine tails the first chance he gits." But I made up my mind right there he wasn't going to git no chance, because I was going to run off the first chance I got.

About that time, the boss hollers for all of us to go to work, so I told my mother good-bye. That was the last time I ever seen her. She never did get to come back to see me, and I never could

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go in to see her, and I never seen my brother and sister anymore. I don't know whether they were sold or not, after they got bigger.

I got my dinner and went on to the field, and the first thing Mr. Antherson says to me was, "Now Thomas, you got to do as much work as the rest of them." I says, 'Yassah," and flies in to it, and I kept at it all the time, but from that day on I didn't have no use for that overseer. He wanted to whip me, and I knew it, but I never did give him a chance.

I worked on, day after day, waiting for a good chance to run off, and finally there was talk about the North and South separating, I don't know how it all happened, but I think the North declared the slaves free, and the South declared themselves free from the North.

We began going to the field earlier and staying a little later each day then we did the year before. Corn was hauled off, cotton was hauled off, hogs and cattle was

rounded up and hauled off, and things began looking bad. That winter, instead of killing from three hundred to four hundred hogs, like we had always done before, we only did one killing and killed one hundred and seventy-five, and they were not all big ones, either.

When the meat supply began to run low that winter the over-

seer, Mr. Antherson, would send some of the slaves to kill a deer, or wild hogs without any marks or brand on them. One day, he called me up with some of them that had gone before, and told us not to go off the plantation too far, but to be sure and bring home some meat.

When we got to the hunting ground, the leader says, "Now let's

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all scatter out." I told him me and another man would go north and makes a circle round to the river. I didn't go very far until I turned north. I was going to a free country — the North, where there wasn't no slaves. I traveled all that day and night, up the river in the day and followed the North Star that night. Several times that night, I thought I could hear the blood hounds trailing' me.

I traveled this way for several nights, hiding in the daytime in the thickets. I would eat all the nuts I could find. I killed a few swamp rabbits and caught a few fish. I built one fire, waited for it to burn down to coals, and then baked some fish and a rabbit. I was shaking all the time, afraid I would get caught, but I was nearly starved to death and I did not care if I did get caught. I traveled on that night following the North Star and hid out the next day and ate the rest of my fish and some more nuts, and traveled all the night again, and hid in a big thicket the next day, and along that evening I hear the guns begin shooting. I was scared to come out and scared to stay in there, and while I was standing there thinking and shaking, I heard two men say, "Stick yo' hands up, boy. Where you going?" I put my hands up as high as I could reach and says, "Ah dunno where I's going. You ain't going to take me back to the plantation, is you?" They said, "No. You want to fight for the North?" I told them I did, cause I could tell by the way they talked that they was Northern men. They was spies for the North.

These spies led me around this place where they was shooting, and we walked day and night, and the next day we got to General Rosecrans' camp, and they took me to General Rosecrans. They thought I was a spy for the South, and they asked



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me all sorts of questions and said they was going to whip me, that they was going to burn my feet. But I told them the truth, and told it over and over to them, and they finally believed I was telling the truth, and took me out and put me to work. I had to help with the cannons, but I got plenty to eat.

Now, I felt important. I had got off and got me a real man's job, and the rest of the slaves back on the plantation was working night and day. But just right then, I didn't know what was in front of me. I supposed if I had, I would have run off again.

I helped set these cannons on this Chickamauga Mountain. I didn't even know they was getting ready to fight a battle. I thought we was kinda hiding them to keep the Rebels from finding them. But I had to go to one of them can-

nons and stay with a man and wait on him.

I don't know just what it was he had me doing, or if I ever got it finished. Anyway, the first thing I know, bang, bang, boom. Then things started, and guns was shooting faster then the fastest man you ever saw beating on one of these little drums with two sticks. I was getting' scared. I looked around to see which way to run, but guns was shooting down the hill in front of me, and they was shooting at me, and the men had different colored clothes, and I knew this was war and that they was the Rebels.

I looked back and guns was shooting over me, and guns on both sides was popping. I tried to dig me a hole and get in it, but the first thing I know this man was kicking me, and cussing me, and wanting me to help him to keep the cannon loaded.

Man, I didn't want no cannon, but I had to help him anyway.

We fought that way till dark; then we quit. I just wanted to git

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back to the ole plantation and pick more cotton. I would have been willing to just do anything to git out of this mess, but I was stuck.

There was men laying here and there wanting help, wanting water, with blood running out of them, and men laying around there with the top or sides of the head gone, great big holes in them. I just promised the good Lawd if He would just lemme git out of that mess, I wouldn't run off no more.

But that battle wasn't over yet, for the next morning the Rebels began shooting away at us again. They were killing lots of our men, and General Rosecrans ordered us to retreat. The Rebels came after us shooting, and we ran off and left that cannon setting on the hill. I didn't want that thing, no how. We kept hot footing it till we got to Chattanooga, and there is where we stopped.

After the War was over and we was all turned loose, we just scattered out — no where to go and nothing to do, nobody to go to for help. I couldn't go back South, where I had run off from, to look for work. Up there they called us traitors, and down South, they would nearly kill us, if they knew we had run off to the North to help them fight.

I always did hate that I ran off and left the South, for after the War they called us Southern traitors, because we ran off and came to the North. If Marster Cole had lived, I never would have run off.

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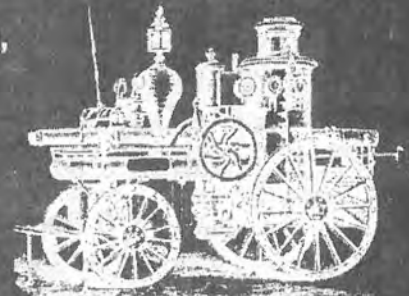


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# News From The Year 1955

## News From Huntsville and Around The World

### Communist Party Outlawed

A bill to destroy the Communist Party as a political and legal entity in the United States was signed into law today by President Eisenhower. The American people, the president said, are determined to protect themselves against any organization that purports to be a political party while "actually a conspiracy dedicated to the violent overthrow of our entire form of government."

As originally proposed in the Senate, membership in the Communist Party would be a crime. This feature of the bill was dropped after the president said that was going too far. But the new law does impose legal, political and economic penalties on party members. Any labor group found to be controlled by the Communists will be stripped of all rights under the Taft-Hartley Law. For instance, such labor unions will no longer be allowed to lodge any complaints

against employers or other unions or seek representative rights. This is the fifth anti-subversion law placed on the books in recent days and the president is expected to sign three others soon.

### GM Produces 50 Millionth Car

General Motors held a nationwide celebration today as the 50 millionth car produced by the automotive giant rolled off an assembly line in Flint, Michigan. The historic car is a gold-painted Chevrolet sport coupe with 600 gold plated parts. It took ten years after GM was formed in 1908 for the firm to produce its first million cars. It now makes well over a million cars a year. A message from President Eisenhower said the feat symbolizes "the industrial, scientific and creative genius of our people."

### Ed Sullivan Signs 20 Year Contract

Ed Sullivan, host of "Toast of the Town," has signed a 20-year contract with CBS. Next year his program will be called "The Ed Sullivan Show." Meanwhile Steve Allen, who began hosting NBC's "The Tonight Show" in September, is getting good reviews.

Among programs back for another year are "I Love Lucy," "Dragnet," "Topper" and "Ozzie and Harriet." "Lassie" is more enthralling than ever, now that she has had pups.

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# Ho Chi Minh Returns To Hanoi

Ho Chi Minh, the Communist leader who has hidden underground for eight years, returned to Hanoi with little fanfare. He made only one well-received announcement: a plea to residents to keep the peace and go back to work. This is a time for military celebration, and Ho left the limelight to the generals. Hanoi was awash in red as General Giap and thousands of Communist soldiers paraded through sectors that were evacuated yesterday by the French under terms of the armistice. French flags were removed from buildings where they had flown for more than 70 years. Simultaneously, Viet Minh guerrillas withdrew from a stronghold in South Vietnam

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# Prices Cut On Televisions

The Westinghouse Electric Corporation has cut the suggested retail price of its 12.5-inch color TV set from \$1,295 to \$1,110. The only company with a color set actually on the market, Westinghouse made the cut to "maintain our leadership in color TV." The sets were introduced early in March, but only about 30 have been sold so far. RCA is producing a similar set to retail for \$1,000. Larger screens are not planned, since the larger tubes necessary for them are not available. The present sets utilize RCA 15-inch tubes.

# Campanella Named As Most Valuable Player

For the second time in his baseball career Roy Campanella has been voted the National League's Most Valuable Player. The award was announced on the occasion of his 32nd birthday.

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# Doug Fees versus Bowaters

*What is the cost of suing one of this country's largest companies? Doug Fees found out - after he had lost almost everything he had.*

Ginger Fees was looking forward to the Christmas season. The past year, 1990, had been an especially hectic one for her and her husband Doug, a local attorney. Many people described Doug as a workaholic, often going into the office six or seven days a week and bringing files home with him every night. Now, with the holiday season almost upon them, Ginger was determined to drag Doug away from his work for a few days.

Doug had gone shopping and Ginger was decorating the house for Christmas when the phone rang. The caller, Evelyn Downing, quickly explained that she had gotten Doug's name from a friend whom he had represented. Ginger's first reaction was to have the woman call the office the next week and make an appointment, but something about the woman's story made her stay on the phone. Downing, in a highly emotional state, began explaining that her only son had been killed a few days earlier in a 99-car pile-up about 30 miles north of Chattanooga on I-75. The wreck had been featured prominently in the news and some reporters had filed stories about other massive car pile ups in the past, with other fatalities, at the same location.

"I'm not after money," Downing explained. "I just want to know why this happened and who's fault it was."

Possibly, as Ginger listened, she thought of her own family who would be getting together in a few days to celebrate Christmas. Evelyn Downing, she knew, would be spending the holidays by herself, with only the memories of her son to comfort her.

Minutes later, while shopping at Toys 'R Us, Doug was paged over the loudspeaker by Ginger who told him of the call and that she had promised Downing he would call her back as soon as possible. A short time later Doug returned the call and after listening to Downing's heart wrenching story, agreed to meet with her.

Fees was already vaguely familiar with the accident, having followed the news reports which described it as the worst traffic accident in this nation's history. He had also heard stories about numerous other wrecks, and deaths, at the same location. His background, with a degree in en-

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gineering, caused him to have a strong suspicion something besides driver error was causing the accidents. But, as an attorney, he knew it would take a lot more than a suspicion to ever get the case in court.

After meeting with Downing, Fees spent the next several weeks learning everything he could about the short stretch of highway where the accidents occurred. The highway was straight, in excellent condition, with no unusual dips or turns and with no intersecting roads. It could have been any road in America, had it not been so deadly.

Within a period of fifteen years there had been 7 multi-vehicle collisions on the short strip of highway, involving 225 vehicles with 18 deaths and 142 injuries, all involving unusually dense fog.

By talking with eyewitnesses

and piecing together news accounts, Fees was able to reconstruct what had happened on December 11, when Stephen Piper, the son of Evelyn Downing, lost his life.

It was a cold, crisp morning, with the sun already shining brightly at 8:30 in the morning, typical for that time of year. Traffic was moderate to heavy in the northbound lane. Suddenly, near Calhoun, Tn. traffic began slowing down as the drivers began encountering a light fog. One witness described himself as being able to see fairly well at first but then, suddenly, within a few hundred yards, the fog had become so thick it was impossible to see even the yellow line on the highway. Cars began slowing down and other speeding vehicles began crashing into them. Cars and trucks began burning and piercing screams of pain filled

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the air. Survivors pulled themselves from the mangled vehicles, becoming lost in the thick fog and finding it impossible to even see enough to get off the highway. A bus crashed into the pile of jumbled vehicles, moving the whole pile of metal and people some 15 or 20 feet. Seconds later a semi-tractor and trailer entered the fog at full speed, knocking vehicles out of its way as if they were mere toys. An instant later it crashed into the bus and burst into flames before exploding in a huge fireball.

Even as ambulances and rescue personnel began arriving on the scene the crashes continued. Paramedics bravely moved into the deadly fog, trying to help wherever possible and move people off the roadway. Ambulances from all the surrounding communities began arriving at the site but were quickly overwhelmed by the sheer number of injured. Rescue workers began pulling broken bodies

from the mangled pile and set up a makeshift morgue on the side of the road. Helicopters hovered overhead but were prevented from landing at the site by the dense fog.

By noon the fog began to clear, revealing a scene that was almost too horrible to describe. Bodies laid out in body bags, injured walking around with bloody bandages, with cars and trucks still burning. It was almost as if the depths of hell had been transported to the once beautiful and tranquil Tennessee countryside.

The final count for that one wreck was 12 dead, 99 vehicles destroyed and 56 injured.

Almost immediately Fees began to focus on Bowater-Southern Paper Corp., known locally as Bowaters, as a possible cause of the wrecks. The company was the largest pulp wood processor, and the largest land owner, in Tennessee. The plant used millions of gallons of water daily, taken from

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the nearby Hiwassee River, before releasing it into huge waste ponds. On cold mornings when conditions were right, immense clouds of steam-fog were created by the heated water from the plant being pumped into the ponds holding the colder water. Some experts estimated that, when conditions were right, millions of gallons of water vapor was being transformed daily into a deadly fog.

A trip to the accident site confirmed Fees' suspicions. Huge holding ponds, built by Bowater and covering hundreds of acres, were located adjacent to the highway on both sides. Even under normal circumstances it was common to see steam vapor rising from the ponds.

A short time later Fees and his firm, Morris, Smith, Siniard, Cloud & Fees, filed a wrongful death suit in Chattanooga, Tenn. on behalf of Evelyn Downing against Bowater, Inc. The suit eventually grew to include 25 other victims, many referred by other attorneys.

Some people might claim that Doug Fees had spent his whole life preparing for that one case. Even as a young child his parents had encouraged him to excel in what ever he attempted. He served as Student Government President while attending Johnson High School but still found time to make the All-City Football team in his senior year.

"There was never any question about Doug becoming a lawyer," recalled a friend. "We just always

assumed he would."

Although still a youngster, Doug realized that the weakness of many attorneys were their lack of engineering skills. "Almost every case," he later explained, "whether it be a an industrial claim, highway accident or product safety, required a knowledge of basic engineering in order to represent the clients properly."

Accordingly he enrolled in Auburn University where he obtained a degree in Mechanical Engineering. After taking a year off to work for Alabama Power Company, he attended the University of Alabama where he graduated with a degree in law. In 1983 he began practicing law here in Huntsville where he quickly established himself as a young upcoming attorney.

"The best part of that period," he recalled, "was meeting my wife Ginger. She applied for a job as a legal secretary and we later were married by a judge during a lunch break of a jury trial my partner and I were trying. The judge who was trying the case married us, and yes, we won the case."

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was good for the young attorney and his wife. They purchased their dream home, a stately Georgian-style home in Twickenham, and his business was thriving. For all practical purposes they were living the American dream - until the reality of suing one of this country's largest corporations began to unfold.

Almost immediately, as news reports of the terrible accident began to circulate, Bowaters went into crisis mode. They hired one of the world's largest public relations firms, Hill & Knowton, to help put their spin on the story - namely that the collisions were caused by "driver error" and that Bowaters had no responsibility. "Talking points" were distributed to Bowaters' management instructing them in dealing with the media and how to reply when asked about the wrecks.

During depositions of Bowaters employees Fees learned that the company had once commissioned a report dealing with the fog as part of another lawsuit they had been involved in. Fees filed a motion with the court asking that the report be released. Despite Bowaters' impassioned arguments that the report had been generated by their own consulting expert witness and was not admissible, the court ruled in Fees' favor.

Immediately attorneys for Bowaters appealed to the Tennessee Court of Appeals. Fees, by his own admission, did not expect

much from the report considering it had been written by Bowaters' own expert witness. "Bowater's lawyers kept telling me that if and when we ever got our hands on the fog study that I, Doug Fees, would be the biggest joke in the land because the study would vindicate Bowaters."

What should have been a simple case of corporate negligence soon turned into a night-

mare. The law firms representing Bowaters quickly made it apparent they were going to make the case difficult, if not impossible, for Fees to try. Fees was forced to hire expert witnesses to counter every claim made by Bowaters, at a cost of many thousands of dollars. Depositions of witnesses that would normally take several hours dragged into days, and tens of thousands of dollars, as



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Bowaters (according to some sources) sought to intimidate and delay testimony. Some of the witnesses became so angry at Bowaters' rough handling that they angrily left the room and refused to give any more testimony. Within a short time Fees' firm had run up hundreds of thousands of dollars in legal expenses and no one knew when, if ever, the case would go to court.

"I think part of Bowaters' strategy," recalled a friend, "was to make the case so expensive to try that Fees would have to back off. There were not many legal firms in this country that could afford to take on a corporate giant like Bowaters who was willing to spend unlimited amounts of money."

"My partners felt, and rightfully so", Fees said, "that Bowaters would drag the case into the next century and bankrupt the firm. Bowaters had nine different law firms defending them. In fact, their attorneys repeatedly said as much over the three years of litigation. My partners did not believe Bowaters would offer anything to settle, the case would have to be tried, and if we won, Bowaters would appeal the case "into the next century." I was directed to send the files back to the clients, or refer the clients to some national firm."

The decision was hard for Fees. He had worked with his

partners for years and admired all of them. But, at the same time, he felt he would be letting his clients down if he withdrew from the case. After much agonizing thought, he and Charles Smith, one of his partners who had been working with him on the case, decided to leave the firm and open up their own practice.

"When we left the firm we assumed about \$300,000 in debts related to the case, money we didn't have. In addition, it would cost at least another \$100,000 to try the case. Charles and I had already spent almost everything we had. In reality, we were almost broke. It began to appear as if I would be representing myself in bankruptcy court."

"One night as I sat thinking about how we could raise the money, Ginger announced that we were going to sell our home. We had

about \$100,000 equity in the house and that might be barely enough to cover the trial costs if we were careful. I was shocked. Ginger had worked tirelessly making it our dream home and I could not fathom her willing to give it up."

Fortunately, his wife prevailed and the house quickly sold, netting just enough money to continue preparing the case for trial.

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came when the Tennessee Appeals Court finally ruled that Fees could see the fog report that Bowaters had commissioned. The report, prepared by Bowaters' own expert witness, stated ".....for any person or agency with a predisposed opinion, the culpability of Bowaters as an apparent contributor would be obvious." The report also stated several ways Bowaters could reduce the fog, measures which the company had ignored.

The report that Bowaters' attorneys had said would make Fees a laughing stock basically showed they were aware of the dangers caused by the fog but still had taken no steps to correct the problem.

As the court date approached Bob Campbell, one of Bowaters' attorneys, called. After a few minutes of pleasantries he got to the point. They were prepared to go to court but in the interest of getting it over with, were offering a

settlement of four million dollars. Fees turned it down, countering with 20 million. Part of his decision had to do with the confidentiality agreements most large companies required as part of any settlement. With such agreements companies admitted no wrong, and more importantly, could continue the same practices that had already cost so many lives. Fees was passionate in his belief that Bowaters had to accept responsibility and take steps to insure more lives were not lost.

About a week before trial Campbell called Fees again. "If you want to settle, we'll be at the Crown Room in the Atlanta airport tomorrow morning and we'll have the decision makers there." Fees recalled, "I went alone, as Charles continued back home with trial preparations."

Fees did not really expect anything from the meeting but believed he had to give it a chance.

Along with Campbell there

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was another attorney, as well as Doug Brodsky, the vice president of Claims for National Union Insurance Co., one of Bowaters' insurers. They immediately began talking about money but Fees stopped them. "If you're going to insist on a confidentiality agreement," Fees said, "it's going to cost a lot more money."

Campbell reluctantly backed down on the confidentiality agreement but still would not offer what Fees thought was a reasonable settlement. Finally, after much talk back and forth, Bowater's attorneys announced they were done negotiating - they had planes to catch and couldn't waste any more time.

Most likely it was part of a plan to put pressure on Fees. In any case, after their departure Brodsky got down to serious negotiations by offering 6 million to settle the case. When Fees turned it down, Brodsky was incredulous. "How can you turn down 6 million?"

"I've got nothing to lose," replied Fees. "I've broken up my firm, I've sold my house and I'm hundreds of thousands of dollars in debt. The worst thing that will happen to me is bankruptcy. But the worst thing that's going to happen to your client is a legal determination that you killed those people. Now, I'm willing to take that risk if you are."

Brodsky replied that he did not believe he could get any more money. Fees gave him his home phone number, saying, "If I don't hear from you by midnight tonight saying you have seven million, then we're going to court."

During the drive back to Huntsville Fees kept playing it over in his mind. He knew he had done what was right but was it smart? That night his parents came over. "I had bought a small pool table because my father likes to shoot pool. We were shooting pool and drinking wine and it was about a quarter to midnight. I really did not expect Brodsky to call and then the phone rang. It was Brodsky. "I've got 7 million."

"I hung the phone up. Ginger and my parents were all watching me, waiting to hear what happened. When I told them that we had won they were quiet for a minute and then Ginger walked over to where I was standing and hugged me. She didn't say anything but I knew what she was thinking. She had believed in me the whole time."

"It was a bittersweet victory," recalled Fees. "It's hard to feel happy about putting a price on human tragedy. Unfortunately sometimes there is no other way to stop companies from putting profit over safety."

By the time the case was settled, Fees and his firm had incurred expenses of over \$1 million. Bowaters ultimately paid another \$4 million to settle other pending cases from this tragedy, and also agreed to close the wastewater ponds. Bowaters had spent well over \$10 million in legal fees as well as \$160 million in additional changes to its plant to try to prevent this from ever happening again.

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- In front of Charley Cummings' grocery store, corner Holmes and Washington, we notice a very neat invention, known as the "Patent Well windlass." Mr. Cummings has the county right for its sale.

The air of quiet which prevails around the Mayor's office proves that we have either the finest police in the world, or we live in the most law abiding city.

- A Huntsville washer woman was arrested Thursday on a warrant from Judge Richardson for

larceny. It is charged that she used the pretext of delivering laundry to peddle illicit spirits.

- There is a new manufacturing enterprise locating in our city. It is a cigar factory, to be located on Franklin Street, below the post office. The proprietor, J. B. Dierke, of Cincinnati, wisely decided on Huntsville after surveying several other cities. He informs us that he will use only the finest of goods, and his work will be handmade. So we will be seeing cigars made of only purest of tobacco, without the use of cabbage leaves, old rusty pieces of nails and leather.

- Charles Louis is in jail again. He is well on his way of setting a record - 14 arrests in one year for public drunkenness.

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*from 1920 newspaper*

Garland Orr, of Hartselle, charged with obtaining money under false pretenses in connection with his alleged sale of 100 gallons of water to Floyd Jacobs, former deputy sheriff, was this afternoon held to the grand jury on \$1,000 bail by Judge W.T. Lowe, following his preliminary trial.

Floyd Jacobs, the complainant, took the stand as a witness and related how he was alleged to have been victimized by Orr. He said that he had contracted with Orr for the delivery of 100 gallons of whiskey and had met a man on a pike outside Albany during the darkness of night who had delivered to him ten containers of 10-gallons capacity each, which upon later examination were said to contain water. Jacobs could not identify the man delivering the spurious "liquor".

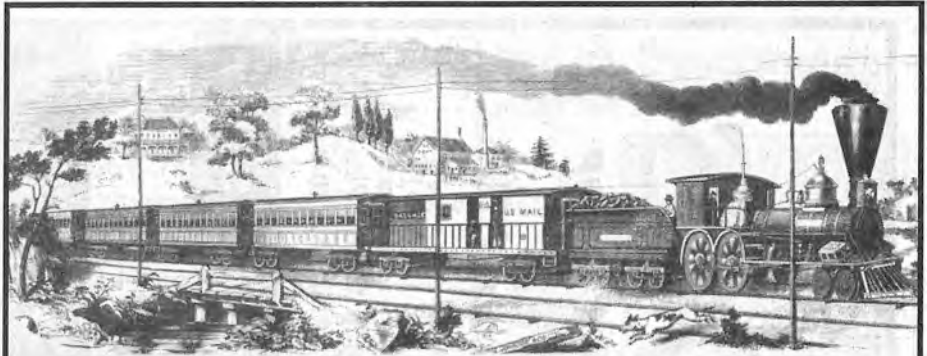
Attorney for the defense, seeking dismissal of the case, declared the state had not proved anything against Orr.

The defense contended that the state had not proved that the contents of the containers was not whiskey.

The judge then recessed the court in order to ascertain the contents of the containers, after which the charges were cheerfully dropped.

**"You really shouldn't say 'I Love You' unless you mean it. But if you mean it, you should say it a lot. People forget."**

**Nikki - age 6**



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*USA Weekend - 1999*



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# Good Advice for the Month of June

- Welcome the common cricket into your garden. It will warn of intruders at night by ceasing its chirping. When the intruder has departed, the cricket will resume its singing.

- Spiders do not spin their webs out of doors before a rain.

- When the sun rises brightly and immediately becomes veiled with clouds, the farmer distrusts the day.

- "If it rains before 7 (in the morning), it will cease by eleven" (old farmer's saw).

- When it becomes necessary to trim a piece of rubber, you will find the job much easier if the knife is dipped first in water.

- If a live mouse is caught in your home, tie a tiny bell to his neck and allow him to escape -all of his family will very soon go to someone else's house.

- Sprinkling salt on the top and bottom of the garden wall is said to keep snails from climbing up or down.

- A ring around the sun or moon stands for an approaching storm.

- A small amount of pennyroyal oil sprinkled around the room will drive away mosquitoes.

- It is believed by many that if a newborn baby cries at its birth and lifts up only one hand, it is born to command.

- Good health requires that we breathe the same air only once.

- For rheumatism, bathe the affected parts with very warm water in which potatoes have been boiled, just before bedtime. By morning the pain should be gone. This is an old, and amazing, cure.

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# Local News from 1875

- If you want a fine portrait painted go to W. J. Halsey. He will also paint your signs.

- Joe Graham, above Triana, had all his outhouses and fences blown down during the late storm. Many of the houses were also blown down at the Nick Lewis place.

- Run away from my residence about 3 miles northwest of Huntsville, during my absence on the 9<sup>th</sup> James Carter, a bound boy about fifteen years of age escaped. Said boy had on a black sack cloth coat and gray jeans pantaloons. Description: rather small for his age, fair skin, round face, blue eyes, rather low forehead, and very black thick hair. I forewarn any man from harboring him. He has no relatives in Alabama and it would be to his advantage to have him returned. Thos. H. Hewlett

- One of the most desirable building lots in Huntsville, adjoining the City Brewery and one block from the Huntsville Hotel. 80 feet front by 190 back. Price \$700, which is little more than half its value. Well fenced with good stable and \$100 worth of choice imported fruit trees and grapes on the lot. Call Christian Fromm at the Brewery.

- A Huntsville clergyman married a couple the other night, received his fee and sent them away, apparently satisfied. But a day or two later the bridegroom returned and said that he had come to pay more, as the woman had turned out so much better than he expected and was a wonderful cook.

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# The Great Indian Battle

The first word of Indians approaching Huntsville came from a thirsty traveler who had stopped to water his horse. The citizens gathered around as he told of savage warriors he had seen on his journey. The stranger spoke of being chased to the very edge of town by the red men.

You could have heard a pin drop on the old courthouse square that day back in 1813 as the townspeople clung to his every word.

Gradually the crowd dispersed, with worried men pondering the best ways to protect their families. When a few men put their women and children in carriages for the journey north and out of harm's way, the panic began. Farmers left their tools lying in the fields, women left their food still hot on the stoves, everyone was trying to flee Huntsville as fast as they could.

Masters and slaves alike competed for any kind of trans-

portation they could find. With the exodus north, plantations were abandoned and families separated as the cry became "Every man for himself!"

In a few short hours, Huntsville had become a ghost town.

Meanwhile the famous Indian fighter, Andrew Jackson, who was camped 25 miles away at Fayetteville, Tenn., had received word of the impending massacre. Rallying his troops, he ordered a non-stop march all the way to

Huntsville, without rest or food. He reminded the soldiers of all the helpless families that would surely be killed if the army did not reach Huntsville in time.

As the soldiers marched south to save Huntsville, the frightened populace continued its scramble north. Gloom settled over the town as it became abandoned, with no one left to defend it.

**It would be very helpful if poor people got just half the money that is spent in studying them.**

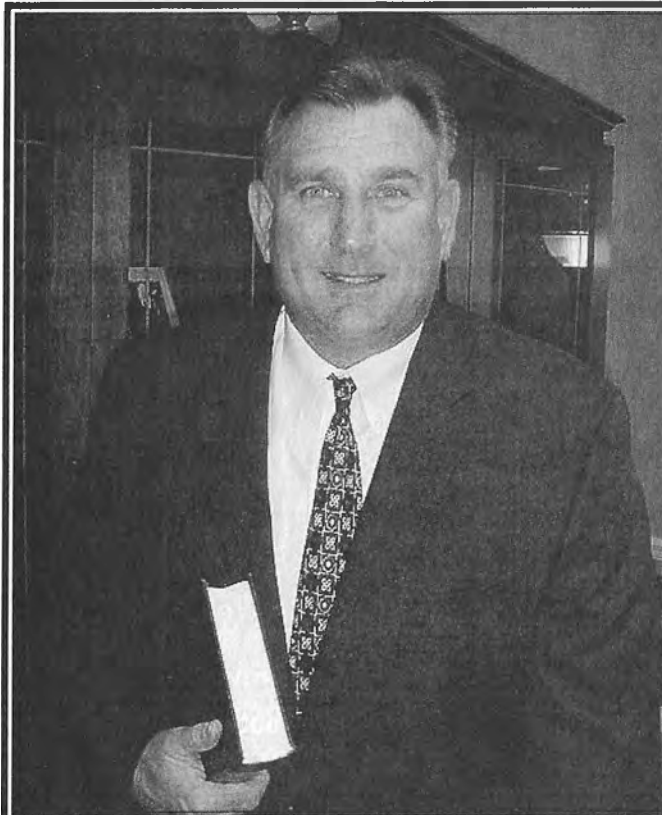
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No one, that is, except for five brave men who barricaded themselves in the new brick courthouse, determined to defend to the death the town they had helped to carve out of the wilderness.

Capt. Wyatt was no stranger to fighting Indians. He assumed command of the brave little group in the courthouse that day, knowing the odds were against him. But if he could delay the Indians, perhaps Andrew Jackson would arrive with his troops in time to save the day. Rumor had it that even Davy Crockett was headed toward Huntsville with his long rifle, determined to whip the red rascals once and for all!

It was a long, dark night as they paced to and fro in the courthouse, peering often out the windows. Capt. Wyatt, in an attempt to bolster his men's sagging morale, passed around a jug of whiskey, and then another ... and another.

Finally, with nerves at the breaking point, a shadow was seen darting behind the bushes in the courthouse yard. A shout rang out: "Indians, the Indians are here!" Men rushed to their posts and began firing.

The battle of Huntsville was on.

Gunshots rang out through the night as the stalwart defenders fired, reloaded and fired again, pausing only long enough to wipe the powder stains from their tired faces and

Television is NOT real life. In real life people actually have to leave the coffee shop and go to work.

*Bill Gates*



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to take another drink.

As the sun rose over Huntsville that next morning, it revealed a scene of utter devastation. All around the courthouse square, windows lay shattered, doors were shot off their hinges, and the acrid smell of gunpowder hung heavily in the air.

Gen. Andrew Jackson and Davy Crockett marched slowly into town at the head of the brave Tennessee volunteers. With guns primed and loaded, the soldiers slowly fanned out across the square. Veterans of a hundred Indian battles, they were amazed and at the same time terrified at the devastation the night's battle had wrought.

The great battle fought in Huntsville that night might have gone down in history books except for one small detail.

There were no Indians!

The brave courageous defenders of our fair city had been firing at shadows.

The stranger who had first spread the story of the Indians had long disappeared and the only hostile Indians within a hundred miles were those visions that emerged from the whiskey jugs.

Today, where Holmes Avenue intersects with Lincoln Street, one will see a historical marker that tells how Gen. Jackson and Davy Crockett camped there after a long, hard march from Tennessee. The marker does not tell why they came here.

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# Buried Treasure Under the Courthouse

by Pat Carpenter

We've all heard the story of the daring Huntsville bank robbery by none other than the infamous Jessie James. How he robbed the bank atop the cliff at the Big Spring in downtown Huntsville, then, in order to successfully make his getaway, how he spurred his horse over the cliff and into the great spring itself! Truly, a story worthy of the legend of Jessie James. The only problem with this tale is that it never happened. Now, it's true that Jessie's brother Frank was tried and acquitted in Huntsville in 1884 for an earlier Muscle Shoals robbery, but from all historical accounts, Jessie never set foot in the lovely Tennessee Valley town of Huntsville, Alabama.

Well, there's another tale of robbery and daring that too was set in Huntsville. Yet, there's been no mystical legend built up around it and hardly anyone remembers or knows anything about it.

It was the spring of 1966, April to be exact. Huntsville was no longer a sleepy Southern town, but it was still a fairly small city of 50,000 people. The space industry in Huntsville was a little more than three years away from its

greatest glory; when Neil Armstrong and company would blast to the moon aboard Huntsville's own version of home cooking, the most powerful rocket ever made, the Saturn V. It was also a time when the old Madison County Courthouse was being

torn down to be replaced by a new modern facility that the architects said would be the envy of every other courthouse in the land. In addition, a new Mall had just been constructed in an old pasture at University Drive and Memorial Parkway. For many years this pasture had been a favorite place for kids to go rabbit hunting. Now it would be a favorite place to go "hang out."

This modern mall would be a boon to Huntsville and North Alabama for years to come. Its two anchor stores, Loveman's and

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J.C. Penney's, brought patrons in by the thousands daily. Business was good for the retailers and the citizens were so happy to have this wonderful place to come and shop.

It was also, apparently, a place someone else was very happy to have around: A professional safe cracker!

In the late night hours of Sunday, April 10, 1966 burglars chopped a hole in the roof of Penney's. Dropping 20 feet to the floor of the room housing the heating and cooling equipment, the burglars then broke through a wooden door leading to the accounting department. The intruders then went to the main floor of the store and availed themselves of a J.C. Penney brand electric drill, sledgehammer and other fine Penney tools which they used to open a large vault.

The desperados must have cased the joint well because they next entered a small second-floor employee dining room and chopped a hole through a wall, directly into the room containing the vault. Using their own cutting torch, the burglars burned a foot square hole in the bottom right corner of the vault door. The thieves took their cutting torch with them but left the other tools behind. Huntsville Police dusted

for fingerprints Monday morning, but it looked like the bandits wore gloves and left no trace of their identity.

A second, smaller safe was left intact inside the larger vault. Police said it contained only a few hundred dollars of office money.

In estimating the loss, a store official said the vault contained about \$20,000 in cash and \$20,000 in checks and credit purchases. The scoundrels took only the cash in the main vault and left the checks and credit purchases scattered about the office and hallway.

Pointing out that the burglars were highly professional, detectives said that upon entering the store, they went immediately to the door through which they eventually escaped and cut off a heavy padlock in order to insure an emergency exit if they were discovered.

Huntsville police worked diligently on the case for many months but no new evidence or leads were ever discovered. The daring burglary was destined to go down in history as unsolved and the perpetrators anonymous masters of their craft — textbook professionalism at its insidious best....

It was a little over four years later and a curious tale began to

make the rounds in North Alabama.

It was June, 1970 and an Athens, Alabama man was in Westminster, Maryland. He asked the local police where he could find a room to bed down. They sent him to the local Rescue Mission where he stayed for two days. While there he met an ex-convict who had done time in the Maryland State Penitentiary. This ex-convict, upon hearing the man was from North Alabama, told him that he had met another convict in the Maryland State Pen who was, "one of the best safe men in Alabama." This "safe man" told the ex-con that he had burglarized "either a Penney's or Loveman's

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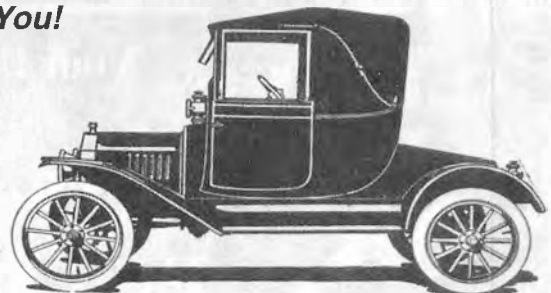
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store" several years earlier in Huntsville. After he had cracked the safe, the man took his share, which he said was \$12,000 and hid it in the construction site of the Madison County Courthouse.

When he went back to get his money a couple of days later, concrete had been poured over the place where it was hidden and he was never able to recover it. The safe man supposedly had two accomplices.

The Maryland ex-con did not know the date of the burglary but Huntsville police records show that Penney's in the Mall was broken into the weekend of Easter, April 10, 1966, after the store had closed at 10:15 p.m.

Huntsville Police Department detectives, informed of this curious tale, were, of course, unable to confirm the whereabouts of the money, but did note that the story fit with the known facts of the case.

Pictures of the various stages of the construction in the corridors of the courthouse show that at the

time of the break-in the cement columns around the ground floor of the building were being poured.

Is this story true? No one can be sure, but it does seem highly possible. We'll probably never find out, at least that is until the time comes when a new courthouse is

needed to replace that "marvel of the 1960s."

Then, who knows, maybe the successful bidder for new construction will discover an extra \$12,000 bonus hidden deep inside the bowels of the courthouse square.

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*Rodney Dangerfield*

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# Incident at Huntsville Hotel

from 1904 paper

Will Jones, a negro bell boy at the Huntsville Hotel, made a murderous assault upon Lou Womble, second base man for the Huntsville team in the rotunda of the hotel last night. A bottle of ill smelling chemical was being thrown promiscuously around in the crowd and by accident some of it struck the Negro. He thought Womble threw it and straightway drew a sharp knife and tried to stab him. The negro was quickly surrounded by a crowd of irate ball players and trouble of a serious nature would have occurred but the timely arrival of Night Chief Mitchell who landed the negro in the city prison.

## Brandied Melons

Bring from the garden several nice melons. Cut a well deep into the heart meat, leaving a small cave. Fill with good apricot brandy, then replace the plug and set aside in the ice chest. After a couple of hours open up and pour in more liqueur, doing the same for next day or so. Before serving, slice up on a chilled platter. Your guests will never forget these!

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A hand saw cost \$2.50, a padlock 8 cents and a hammer could be purchased for 85 cents. A lawn mower sold for \$6.50 and a 100 lb. barrel of nails was \$2.25.

While our prices have gone up slightly we still provide the same quality service our fore-fathers insisted on. We are the same family, doing the same business in the same location. Stop by and visit with us.

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**The Way You Remember Them**

**222 Washington St - 539-5777**

*Domie Lewter*

*Mac Lewter*

# When life was simple...



When the 69th New York Regiment was stationed here in 1898 they thought Uncle Matt, and his home-made wagon pulled by two cows, was the most ridiculous sight they had ever seen. Slowly, however, the taunts gave way to admiration for the old man who gathered slop for a living. In 1899 the 69th was ordered to New York to march in the victory parade. They were asked to choose someone to lead the parade down Fifth Avenue, someone noble, someone people could look up to. They chose Uncle Matt, an ex-slave whose determination to be free, beholden to no man, had inspired them all.

*Those days are long gone, but the folks at Propst Drug store still believe in offering the same dedicated, personal service that makes our city a special place to live.*

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