

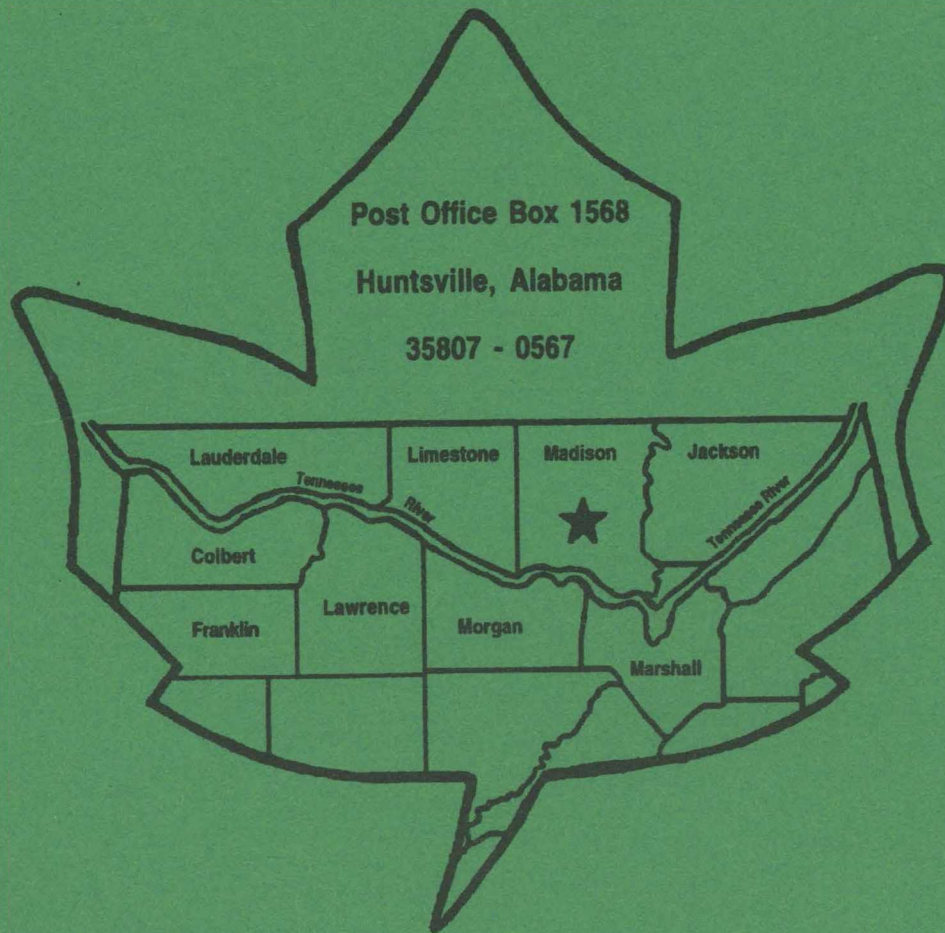
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(North Alabama)

# Valley Leaves

TENNESSEE VALLEY GENEALOGICAL SOCIETY, INC.

QUARTERLY



Volume 39, No. 1 & 2. Sept & Dec 2004



# Valley Leaves

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Volume 39, No. 1 & 2      Sept & Dec 2004

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**University Archivist who will speak to**  
**us on researching church records to**  
**find your ancestor.**

**Meetings**

TVGS meetings are held on the fourth Thursday of July, Sept., Jan., March and May. There is normally no November meeting due to Thanksgiving. Meetings are held at 7:00 p.m. in the auditorium of the Huntsville Public Library (915 Monroe St.) unless announced otherwise.

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# Colbert County, 1867 – 1870

## Deed Book A, 1867 - 1870

### Part 9

Abstracts of these deeds began in Vol. 28, Issue No. 4 and is continued here from Vol. 38, No. 1.

When dealing with any document, legal terms will crop up and be critical to understanding the document. When this happens, an explanation or definition of the term will be given in a footnote. In all cases, the definition is from *Black's Law Dictionary, 5<sup>th</sup> Edition* and will be so noted by the following: *Black's*.

You will notice that many of these deeds were made in Franklin County. They were made prior to the formation of Colbert County from Franklin County.

Pages 63-64

25 July 1867

Lien

*On or before the first day of  
January next [1868] I promise to  
pay J. W. Rand the Sum of One  
Hundred Dollars for value  
received.*

his  
Doctor + Campbell  
mark

Whereas I, Doctor Campbell, (Colored) am justly indebted to J. W. Rand of Colbert County, Alabama in the sum of \$100. I am making a crop this year, 1867, upon the premises of said Rand. Rand already has a lien and being willing and desirous to secure him the full payment of the principal and interest on the above promissory note, I do hereby give to said Rand an individual lien on my said crops of corn and cotton now growing on his premises. The purpose is to secure the payment of said Note and give Rand the privilege of taking charge and control of said crop, sell and dispose of the same or so much as may be sufficient to pay the promissory notes plus interest thereon and all

costs incident to the making, acknowledging and recording of this instrument.

After payment of debt, the balance of my said crop is to revert to my control and possession.<sup>1</sup>

his  
Doctor + Campbell  
mark

Witness:

J. N. Green

~~~~~

Pages 64-65

25 July 1867

Lien

*On or before the first day of  
January next, [1868] we or either  
of us promise to pay to J. W.  
Rand the sum of One hundred and  
fifty dollars for value received.*

<sup>1</sup> Apparently Mr. Campbell was a share cropper. A sharecropper lived in a house on the owner's land. He used the owner's seed, plow and mule to grow a crop. The worker agreed to give the owner a share of the harvest. Until the crop was sold, the owner often let a worker have food, medicine, clothes and other supplies on *credit*. After he sold his part of the cotton and paid his bills, a sharecropper had little, if any, money left.



his  
*James + Brown*  
mark

his  
Alexander + Brown  
mark

Whereas we, James Brown and Alexander Brown, are justly indebted to J. W. Rand of Colbert Co., in the sum of \$150 as shown by the above promissory note. We are making a crop on the premises of said Rand this year of 1867 upon which Rand already has a lien. Being willing and desirous to secure Rand the full payment of the principal and interest on the above note, we the said James Brown and Alexander Brown (Colored) do hereby give to Rand an additional lien on our crops of corn and cotton now growing on Rand's premises. Rand has the privilege, if note is not paid, to take possession of the crops and sell and dispose of so much as will be sufficient to pay off the note with interest and costs. When debts are satisfied then the Browns are to have the remainder.

Signed by James and Alexander Brown by their marks.

Witnessed by J. N. Green, J. P., on 25 July 1867.

Proven by J. N. Green, J. P., 25 July 1867 and recorded 27 July 1867.

~~~~~

**Pages 65-66**  
24 July 1867  
Lien

On or before the first day of January 1868 we, or either of us, promise to pay J. W. Rand the sum of One hundred and fifty dollars for value received.

His  
Albert + Comegay  
Mark

His  
Alex + Henegan  
Mark

Whereas we, Albert Cornegay and Alex Henegan (both Colored) of Colbert Co., Ala., owe J. W. Rand the sum of \$150 as shown by the above note. We are making a crop on the premises of said Rand this year of 1867 upon which Rand has already placed a lien. Being desirous to secure Rand the full payment of the principal and interest we hereby give to Rand an additional lien on our crop of corn and cotton now growing on his premises. Rand has the privilege of taking control of said crops and sell and dispose of same or so much thereof as may be sufficient to pay off and satisfy said promissory note plus interest and cost. When promissory note is satisfied then the lien is to be discharged and the remainder or balance of said crops to revert to Albert and Alex.

Signed by Albert Comegay and Alex Henegan by their marks on 25 July 1867 and witnessed by J. N. Green.

Proven by J. N. Green same day and recorded 27 July 1867

~~~~~

**Pages 66-67**  
31 July 1867  
Deed

This Indenture made and entered into this 31<sup>st</sup> day of July between John D. Inman and Mary P. Inman, his wife, and Benjamin F. Little[?]<sup>2</sup> and his wife, Martha A. Little[?], of Colbert Co., Ala. of the first part, and Mary S. Webb of Madison Co. of the second part.

The Inmans and Littles sell to Mary S. Webb for the sum of \$125 the following land in the town of Tuscumbia, Colbert Co., Ala:

Lots No. 436 and 437 together with all and singular the tenements, hereditaments and appurtenances thereunto belonging.

*J. D. Inman* (Seal)  
*Mary P. Inman* (Seal)  
*B. F. Little* (Seal)  
*Martha A. Little* (Seal)

<sup>2</sup> This name is not clearly written and could be anything from Suite to Little.



Delivered for recording 8 Aug 1867 and recorded 10 Aug. 1867. Acknowledged by the Inmans and Littles before Judge Charles Womble on 31 July 1867.

~~~~~

**Pages 68-69**

5 Aug 1867  
Deed

This indenture made and entered into this 5<sup>th</sup> day of August 1867 between James W. Ligon, Sheriff, of the first part and J. C. Lipscomb of the second part.

J. C. Lipscomb recovered a Judgment against F. W. Bynum in the Circuit Court of Franklin County, Ala on the 4<sup>th</sup> Monday in September 1861 and on the 23<sup>rd</sup> day of said month, for the sum of \$215.16 plus costs of suit.

On 22 April John G. Bently, Clerk of said Court, issued a *pluries fiere facias*<sup>3</sup>. It was placed in the hands of James W. Ligon, Sheriff, on 13 May 1869 and he did levy on the following real property as the property of said F. W. Bynum, to wit:

A lot or parcel of land containing ten acres, more or less, now occupied by John A. Steel, bounded on the south part by the City of Tuscumbia lying north of Main Street.

It was levied on as the property of F. W. Bynum to satisfy a *fi fa* in favor of J. C. Lipscomb. After having advertised the time and place of sale for 30 days in the *Christian Herald*, a newspaper published in Tuscumbia, the sheriff did on the 5<sup>th</sup> day of said month sell said land. It was sold at public auction to J. C. Lipscomb for the sum of \$515, that being the highest and best sum bid.

/s/ J. W. Ligon, Sheriff  
of Colbert Co., Ala.

Recd for recording 8 Aug. 1867. Recorded 10 Aug 1867. Signed by C. Womble, Judge.

~~~~~

<sup>3</sup> *Pluries* means a writ issued where other commands of the court have proved ineffectual. *Fieri facias* is an order commanding the sheriff to levy the amount of the judgment on the goods and chattels of the debtor.

**Pages 69-72**

10 Aug 1867

Deed of Grant, Bargain & Sale

John C. Goodloe and his wife, Harriett A. Goodloe, of Colbert Co., Ala. of the first part and Robert C. Brinkley of Shelby Co., Tenn. of the second part.

For \$8,000 in hand paid at the delivery hereof, John C. Goodloe does hereby grant, bargain, sell and convey in fee simple unencumbered title to said Robert C. Brinkley, the party of the second part, the following real estate and lands in Colbert Co., as follows: one undivided interest of ¼ of the following lands owned & held by the Chickasaw Land Company which was composed of said Goodloe, Isaac Law (now dead), James Robb and the said Brinkley. The lands are:

Fractional Section 14, Township 2, Range 15 west; also the SE/4 of Section 23 adjoining said section 14 in the same township and range.

Section 14 is the tract of land on which the town of Chickasaw on the Tennessee River is situated in Colbert Co.

The above two parcels of land being all the lots and lands conveyed to Isaac Lane by James Caruthers, surviving executor of Henry Smith (deceased) by deed dated 17 Aug 1852 and which is conveyed to said John C. Goodloe, as trustee. It is to be held in trust for said land company by James Caruthers, said deed dated the 13<sup>th</sup> day of Aug. 1853. Both deeds are referred to as parts hereof. John C. Goodloe, hereby grants, bargains & conveys in fee simple, title to said party of 2<sup>nd</sup> part Robert C. Brinkley and to his heirs & assigns forever, the following lands in said county, to wit:

Section 16, Township 4, Range 13 west except one undivided fourth (1/4) part of the NW/4 of the same section, township and range;

Also the SE/4 of Section 21, Township 4, Range 13;

Also the NE/4 Section 18, Township 4, Range 13 west;

Also the NW/4 of Section 17, Township 4, Range 13 west;

Also the SE/4 of Section 2, Township 5, Range 14 west;

Also the NW/4 of Section 27,  
Township 4, Range 13 west;

Also the NE/4 of Section 11,  
Township 4, Range 14 west. This last  
quarter section lies on Brown's Creek  
and adjoins the plantation known as the  
Newsom place held by Whitwell R.  
Newsom all of which lands are situated  
and lying in Colbert Co., Ala.

John C. Goodloe binds himself and his heirs and  
executors and administrators to warrant and  
defend the unencumbered fee simple title to  
Robert C. Brinkley.

Harriett A. Goodloe, wife of John C.  
Goodloe, has this date conveyed to Robert A.  
Goodloe (trustee), separate and apart from the  
right, title & control of her said husband She  
hereby joins in this conveyance of the lands sold  
by said Goodloe to said Brinkley and does  
herein convey & relinquish to said Robert C.  
Brinkley all right & interest of dower which she  
has or might have in the event she should  
survive her said husband in this life and which  
dower interest. She hereby conveys &  
relinquishes to said Brinkley, his heirs and  
assigns, free from all claim on her part in  
anywise whatever.

/s/ J. C. Goodloe

/s/ Harriett A. Goodloe

Acknowledged before Judge C. Womble 12  
Aug. 1867.

Recd. 12 Aug 1867 and recorded 17 Aug  
1867.

~~~~~

**Page 72-73**

29 July 1867

Deed of Trust

James Murdock of Lauderdale Co., Ala. is  
justly indebted to John Gilkeson and James L.  
Sloss the sum of \$500 by his promissory note  
dated today (29 July 1867) payable to Gilkeson  
& Sloss on or before 25 Dec 1867 with interest.

James Murdock is desirous of securing the  
payment of said debt. Therefore, in  
consideration of the premises and of the sum of  
\$1 paid "to me" by Joseph H. Sloss of Colbert

Co., Ala., have sold to Joseph H. Sloss, in trust,  
the land and tenements following:

That real estate in the town of South  
Florence in Colbert Co., Ala., now  
known as Murdock Bros. Store and  
Ware House, formerly known as Isaac  
Walker's Store & Ware House and the  
lots upon the same is situated.

To have and to hold the same to Joseph H. Sloss,  
in trust.

If the said sum of money or any part thereof  
shall remain due and unpaid on 25 Dec 1867  
Sloss is to make sale of the premises at public  
vendue to the highest bidder for cash at the  
corner of Main and 6<sup>th</sup> Streets in Tuscumbia,  
Colbert Co., Ala., between the hours of 10:00  
o'clock in the morning and 5:00 o'clock in the  
afternoon. He must first give four weeks public  
notice of the time, place and terms of said sale  
by previous advertisement in some public  
newspaper printed in Colbert County. Upon  
such sale, he shall deliver to the purchaser a  
good and sufficient deed of conveyance on said  
land heretofore conveyed to Joseph H. Sloss.  
Out of the proceeds of said sale, he shall pay  
first the cost and charges of this trust. Second,  
the debt and interest remaining due to Gilkeson  
& Sloss is to be paid. Third, should any balance  
remain it is to be paid to Murdock or his  
representatives.

If by 25 Dec 1867, Murdock shall pay the  
debt, interest and cost then this deed is void.

/s/ J. Murdock

Witness:

A. C. Murdock

Jas. P. Murdock

Recd. and recorded 17 Aug 1867.

~~~~~

**Page 74**

30 April 1867

Lien

Jesse T. Nolen of Franklin Co., Ala. is of the  
first part and William Warren of Colbert Co.,  
Ala. is of the second part.

William Warren has advanced supplies of the  
amount of \$97.74 to Jesse T. Nolen for the  
purpose of aiding him in making a crop in 1867.  
Without said advance it would not have been in  
the power of Nolen to make a crop.



Jesse T. Nolen now binds himself to pay to William Warren \$97.74 on or before 1 Dec 1867. In order to secure payment to Warren, Nolen gives Warren a lien upon the crop. It authorizes Warren to take possession of the crop and sell same to pay the debt and costs if debt not paid. Warren to give Nolen any sum remaining from sale of crop.

/s/ J. T. Nolen

Witness:

Thos. H. Sugg

Recorded 21 Aug 1867

~~~~~

**Page 75**

16 July 1867

Lien

J. T. Nowland [Nolen] of Franklin Co., Ala. is of the first part and William Warren of Colbert Co., Ala. is of the second part.

Warren advanced Nolen supplies to the value of \$56.96 for the purpose of aiding him in making a crop for the year 1867. Whereas the said advance has been obtained by Nolen and without it he would not have been able to have procured the necessary supplies or provisions to make a crop. Payment is due on or before the 1<sup>st</sup> day of December 1867.

In order to secure Warren against loss, a lien is given by Nolen upon the crop to be raised by him during the year 1867. It authorizes Warren to take possession of said crop, if debt not paid when due, and sell the same at such time, upon such terms and at such place as he may prefer. Out of the proceeds of said sale he is first to pay the costs of taking possession of, gathering and preparing such crop for market and selling same. Next, he is to pay the sum advanced with interest and the remainder, if any, is to be paid over to Nolen.

/s/ J. T. Nolen

Witness:

Thos. H. Sugg

Recorded 21 Aug 1867

~~~~~

**Pages 76-78**

1 July 1867

Deed of Trust

James H. Ligon, Sheriff of Colbert Co., Ala. is party of the first part. Julia A. Blocker is of the second part.

Julia A. Blocker and William Blocker recovered a judgment against Anderson M. Barclay and Felix G. Norman in the Circuit Court of Franklin Co., Ala. on the 23<sup>rd</sup> day of September, 1861 for \$2614.62 plus costs.

John G. Bentley, Clerk of said Court, did on 3 April 1867 issue a *pluries fieri facias* directed to any Sheriff of the State of Alabama. It came into the hands of Jas. W. Ligon, Sheriff, of Colbert Co. on 13 May 1867.

Nancy Beaumont recovered a judgment against William L. Hart & Brother and Anderson M. Barclay in said Circuit Court of Franklin County at said term of court on a bond. Said court was held on 23 Sept 1861. The bond was for the sum of \$125 plus cost of suit.

John G. Bentley, clerk of said court, did on 3 April 1867 issue a *pluries* execution in said case which came to the hand of Sheriff James W. Ligon of Colbert Co. on the 13 May 1867.

By virtue of said several *pluries* executions, Sheriff Ligon did levy on the following landed estate and real property in Tuscumbia, Colbert Co., Ala.:

Lot No. 21, 22, 23, 46, 47 and 48 as the property of said Anderson M. Barclay.

Said lots are now occupied by Robert B. Lindsay as Barclay's tenant and as his homestead. Said lots are near the north end of Main Street and to the west thereof.

Sheriff Ligon, after having duly given notice and advertised said levy, gave 30 days notice of the time and place of sale in the *Christian Herald*, a newspaper printed and published in Tuscumbia.

On the first Monday of July 1867 at public outcry the property was sold to the highest bidder in Tuscumbia as required by law, to wit:

Lots 21, 22, 23, 46, 47 and 48

Said lots were sold to Julia Blocker for the sum of \$1000, that being the highest and best bid. The sale included all and singular the hereditaments, privileges and appurtenances to belonging to the lots.

Out of the proceeds, the sum of \$260.83 has been applied to the execution in favor of Nancy Beaumont and of the balance, say \$793.19, the sum of \$52 was appropriated towards paying

costs in the case of Julia Blocker & Wm. Blocker, leaving the balance of \$741.17 to be applied to the debt.

J. H. Ligon, Sheriff

Witness:

L. B. Cooper

Jn. W. Cooper

Certified before Judge Charles Womble 15  
Aug 1867. Recorded 21 Aug 1867.

~~~~~

**Pages 78-79**

1 Aug 1867

Lien

M. D. Allen of Colbert Co., Ala. is the party of the first part. O. C. Boon & Co. of Shelby Co., Tenn. is party of the second part.

O. C. Boon & Co. advanced supplies valued at \$75 to M. D. Allen for the purpose of making a crop in the year 1867. Without the advance, Allen would not have been able to have procured the necessary supplies or provisions to make a crop.

Allen agrees to pay O. C. Boon & Co. \$75 on or before 1 Nov 1867. In order to secure payment, Allen gives Boon a lien on the crop to be raised during 1867. This authorizes Boon to take possession of and sell the crop upon failure of Allen to repay debt. Out of the proceeds, he is to pay the costs of taking possession, of gathering and preparing said crop for the market, and selling the same. Next, he is to pay the said sum advanced together with all interest due. The remainder, if any, he is to pay over to Allen.

/s/ M. D. Allen

Witness:

his

Jas. H. X Meadows

mark

Received and recorded 22 Aug 1867.

~~~~~

**Page 79**

Indenture of Grant & Bargain

John C. Goodloe of Colbert Co., of the first part, and Robert A. Goodloe, trustee, for the sale and separate estate trust and use, power and

control of Harriett A. Goodloe, wife of said John C. Goodloe.

~~~~~

**Newspaper Items**

Source: The National Banner & Nashville  
Whig

Wed. May 3, 1826

Married in Fayette Co, Ky., Dr. Benjamin Gray of Tuscumbia, Ala., to Miss Mary Young, daughter of Ambrose Young, Esq.

Fri. July 31, 1829

Married at Tuscumbia, Mr. Benjamin S. Ricks to Miss Catherine F. Winter (no dates)

2 Sept 1828

Died in Lexington, Ky., Mr. Abraham Cadmas, Jun. Of Tuscumbia, Ala., formerly of Newark, New Jersey.

Fri. Sept. 12, 1828

Died in Tuscumbia, Ala., Mrs. Sarah Jones, wife of Col. Arthur Jones, aged 47

Fri. June 26, 1829

Died in Tuscumbia, Ala., Mrs. Harriet Brooke (no dates)

1 June 1831

Died at LaGrange, Ala., Mr. Joseph W. Martin of White Plains, Miss., aged 20 years, a student at LaGrange College.

18 Feb 1831

Died at Tuscumbia, Ala., Miss Lydia Johnson (no dates)

Thurs. July 22, 1830

Married near LaGrange [Al or Tenn?], Mr. William Grider to Miss Sarah Taylor.



**Marriage Record Book B.**  
**1878 – 1887**  
**Part 20**

Colbert County was carved from Franklin County in 1867 and their first marriage book begins that year. Marriage Book A covers the year 1867-1878. The following marriages are from Marriage Book B. This series began in Volume 26 and is continued here from Vol. 38, No's 3 & 4.

**Groom**                                      **Bride**                                      **Solemnized**                                      **By**

---

**Page 432**

Dan Ransom                                      Jane Ivery                                      Lic. 9 May 1884 No return

THE STATE OF ALABAMA. }  
Colbert County.                                      } To any Judge, Minister of the Gospel, or Justice of the Peace, Legally Authorized.

You are hereby authorized and required to solemnize the Rites of Matrimony between  
*Dan Ransom*                                      and *Jane Ivery*  
agrecably to the Statute in such cases made and provided; and a due return make to the Office of Probate,  
for the County aforesaid.

Given under my hand, this *9<sup>th</sup>*                                      day of *May*                                      in the year of our Lord 18*84*

*John Steele*                                      Probate Judge.

I certify that I solemnized the RITES OF MATRIMONY between  
and                                      on the                                      day of                                      18*84*  
agrecably to the Statute in such case made and provided.

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George Edwards                                      Harriet Miller                                      21 May 1884                                      E. C. White, MG  
John H. Raglin                                      Anne Hubbard                                      22 May 1884                                      E. C. White, MG  
Jonathan Duncan                                      Margaret L. Barrett                                      22 May 1884                                      J. M. Hooper, JP  
James Marion Fisher                                      Sarah Daniel                                      25 May 1884                                      John G. Whitlock, MG

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George A. Coker                                      Rhoda A. F. Clarke                                      26 May 1884                                      John A. Steele, PJ  
William Nash                                      Harriett Randolph                                      9 June 1884                                      Frank Mullins, MG  
William W. Harris                                      Martha Ida Williams                                      11 June 1884                                      Isaac M. Blanton, MG  
William P. Byford                                      Viney M. Davenport                                      9 June 1884                                      John A. Steele, Prob. J.

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Henry McCool                                      Mollie Vandyke                                      29 June 1884                                      John P. Witt, JP  
John T. Bunnell                                      Rhoda F. Sherrill                                      13 July 1884                                      John Askew, JP  
Jesse Martin                                      Dilsey Vinson Donley                                      6 July 1884                                      Rev. L. Warren  
Henry Day                                      Mary Orr                                      10 July 1884                                      W. E. Northcross, MG

Groom	Bride	Solemnized	By:
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George Pierce	Melissa Hulsey	13 July 1884	John Askew, JP
J. R. Wade	Margaret E. Kirby	13 July 1884	A. W. Walker, MG
G. B. Williams	Miss I. J. Coats	6 July 1884	George D. Daily, JP
Andrew Jackson	Anna Reed	13 July 1884	S. W. Watkins, MG

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William Brannon	Theodocia A. C. Davis	17 July 1884	John P. Witt, N. P.
William F. Cooper	Malinda Jane McLehaney	21 June <sup>1</sup> 1884	W. B. Wood, MG
James L. Kenneer [?]	Anebarella C. Tune	27 July 1884	W. A. Randle, MG

THE STATE OF ALABAMA, }  
Colbert County. } To any Judge, Minister of the Gospel, or Justice of the Peace, Legally Authorized.

You are hereby authorized and required to solemnize the Rites of Matrimony between  
*James L. Kenneer* and *Anebarella C. Tune*  
agreeably to the Statute in such cases made and provided; and a due return make to the Office of Probate,  
for the County aforesaid.

Given under my hand, this *26<sup>th</sup>* day of *July* in the year of our Lord 18*84*  
*John A. Steele* Probate Judge.

I certify that I solemnized the RITES OF MATRIMONY between *James L. Kenneer*  
and *Anebarella C. Tune* on the *27<sup>th</sup>* day of *July* 18*84*  
agreeably to the Statute in such case made and provided. *W. A. Randle* MG

Simon Owens	Mary Sherrod	3 Aug 1884	C. C. Anderson, P. C.
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Charles McDaniel	Harriett East	3 Aug 1884	Rev. J. L. Long, by his mark
Charles C. Jeffreys	Mary Ellen Lowery	2 Aug 1884	Jasper N. Moreland, MG
William Sherrill	Mary Smith	29 July 1884	Rev. Aleck Brown
W. A. Burns	Mary Todd	3 Aug 1884	W. L. Vinson, MG

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Robert Fennel (c)	Julia Thomas (c)	3 Aug 1884	Abr. Goodloe
Thomas J. Beavers	Margaret B. Baine	11 Aug 1884	F. J. Ross, MG
Ned Hayes	Mollie Wallis	10 Aug 1884	John Carruthers, JP
Miles Miller	Caroline Leslie	14 Aug 1884	Monroe Jones, JP

<sup>1</sup> The license was obtained July 21, 1884 but the minister says they were married June 1884. It is obvious that the minister erroneously wrote June when he should have written July.



Groom	Bride	Solemnized	By:
<u>Page 440</u>			
Nathan Griffin	Sallie Sherrod	7 Aug 1884	D. C. Anderson, P.C.
Nelson Harris	Mattie Jones	17 Aug 1884	Frank Mullins, MG
Burt Hankins	Patsy Bradley	7 Aug 1884	Seaton Watkins, MG
George Watkins	Mary Willingham	16 Aug 1884	Simon Moore, MG
<u>Page 441</u>			
James Thompson	Dicy Tyler	21 Aug 1884	E. C. White, MG
William R. Holliman	Hattie Callahan	23 Aug 1884	W. H. Vessel, MG
Robert Giles Arnold	Bettie Peet	28 Aug 1884	M. W. Williams
William Seals	Viney Morgan	6 Sept 1884	James P. Murdock, JP
<u>Page 442</u>			
James B. Davis	Fannie Spencer	10 Sept 1884	L. P. Grissom, JP
Willis Malone (c)	Sarah Perkins (c)	16 Sept 1884	W. E. Northcross, MG
John D. Inman	B. J. Dunnington	18 Sept 1884	A. J. Ashburn
Harry S. Edwards	Matilda E. Kohn	17 Sept 1884	Thos. Armstrong, PC
<u>Page 443</u>			
Brewer Roberts	Arena Moore	16 Sept 1884	John P. Witt, NP
William Seals	Viney Morgan	6 Sept 1884	James R. Murdock, JP
Jno. W. Brown	Viola Mitchell	Lic. 13 Sept 1884	No return
Robt. Fields	Ann Brown	22 Sept 1884	Jesse Fearne, MG
<u>Page 444</u>			
Charles Rishen [?]	Justina Blum	Lic. 24 Sept 1884	No return

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MARRIAGE LICENSE.—Colbert, Fla., State of Ala., Sections 101 and 102, Chapter 10, Chapter 101, Chapter 102, Chapter 103

THE STATE OF ALABAMA, }  
Colbert County. } To any Judge, Minister of the Gospel, or Justice of the Peace, Legally Authorized.

You are hereby authorized and required to solemnize the Rites of Matrimony between  
*Charles Reche* and *Justina Blum*  
agreeably to the Statute in such cases made and provided; and a due return make to the Office of Probate,  
for the County aforesaid.

Given under my hand, this 24<sup>th</sup> day of September in the year of our Lord 1884.

*John Attley* Probate Judge.

I certify that I solemnized the RITES OF MATRIMONY between  
and \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_  
agreeably to the Statute in such case made and provided.

Boston Goodloe (c)	Ellen Thompson (c)	25 Sept 1884	Rev. Aleck Brown
James M. Wilson	Sarah C. Hooper	5 Oct 1884	W. C. Summers, MG

Groom	Bride	Solemnized	By:
Charles Dent	Joanna Whitesides	30 Sept 1884	Seaton Watkins, MG

**Note:**

The following note was slipped in between pages 445 and 446.

“Received from James G. Alexander Sixty One Dollars and fifty Cents it being in full of my Wife’s Mrs. Lucy M. Vaughn interest in the Rent of the Askew place for the year 1875 Amt. Received from Samuel Hugley on compromise of the case in the Circuit Court of Colbert County which Suit is this day dismissed by the agreement of parties in interest this 7<sup>th</sup> day of November 1876. J. T. Vaughn for Lucie M. Vaughn.”

*Received from James G. Alexander Sixty One Dollars and fifty Cents it being in full of my Wife Mrs. Lucy M. Vaughn interest in the Rent of the Askew place for the year 1875 Amount Received from Samuel Hugley on compromise of the case in the Circuit Court of Colbert County, which suit is this day dismissed by the agreement of parties in interest this 7<sup>th</sup> day of November 1876. J. T. Vaughn for Lucie M. Vaughn*

**Page 446**

George B. Duncan	Hannah Hampton	9 Oct 1884	J. Gilchrist, JP
Tim T. Bledsoe	Ellen Jones	23 Sept 1884	T. C. Walker, JP
William C. Ervin	Lillie D. Alexander	15 Oct 1884	Isaac M. Blanton
Edgar Montgomery	Dinah Peet	18 Oct 1884	George Merrill, MG

**Page 447**

Thomas J. Evans	Chilly Stanton	21 Oct 1884	N. J. Smith
Jesse Stanford	Elizabeth J. Duncan	1 Oct 1884	James A. Barton, JP
Washington Patterson, Jr.	Margaret Garrett	23 Oct 1884	Seaton Watkins, MG
Robert Collier	Milly Deloney	Lic. 24 Oct 1884	“Void” written by this license. <u>No return.</u>

**Page 448**

Levi Mead	Anne Brown	30 Oct 1884	W. E. Northcross, MG
Thurston A. Underwood	Mary E. Jackson	6 Nov 1884	T. M. Steenson, MG
Henry D. Long	Mrs. Julia J. Young	6 Nov 1884	M. G. Williams, MG



# Franklin County

## Marriage Record Book 3, 1902 – 1907

Part 16

Copied and Contributed by Oscar Glover

Franklin County's courthouse suffered multiple fires over the years, two of which were totally destructive, the last being in 1956. Since records from that county are rare, we are grateful to have the marriages even if they are dated after our usual 1900 cutoff date. The extant marriage records begin in 1890. Book 1 (1890-1897) was carried in *Valley Leaves*, Volumes 10 through 13. Book 2 (1897-1902) was carried in Volumes 15 and 16. Book 3 (1902-1907) began in Volume 35, No. 1, and is continued here from Vol. 38, March-June double issue. African American is designated with a (c).

- 236 Camron, W. E.                      Vaughn, Becky Ann Elizabeth                      25 Dec 1904                      W. S. Jones, MG  
Married at R. R. Vaughn's residence. Bondsmen: W. E. Camron and George Murphy.  
Both parties over the age of 21 and 18 years respectively.
- 236 Garner, Sep (c)                      Jones, Sallie (c)                      24 Dec 1904                      Rev. E. H. James  
Married at Russellville, Ala. Bondsmen: Sep Garner and John Wood. Both  
parties are over the age of 21 and 18 years respectively.
- 237 Hargett, J. R.                      King, Emma                      28 Dec 1904                      W. H. Austin, MG  
Married at bride's residence. Bondsmen: J. R. Hargett and J. D. Frederick. J. D. Hargett  
was previously married. Bride is over the age of 18 years.
- 237 Penfield, E. M.                      Hooker, Lena                      25 Dec 1904                      L. M. Wear, MG  
Married at 11:00 a.m. Bondsmen: E. M. Penfield and J. L. Kennedy.  
D. A. Hooker and wife gave permission for their daughter. J. L. Kennedy  
made affidavit that E. M. Penfield is over the age of 21 years.
- 238 Dickinson, O. L.                      Rea, Lizzie                      29 Dec 1904                      A. L. Owen, MG  
Married at residence of bride's father. Bondsmen: O. L. Dickinson and B. Bostick.  
Both parties over the age of 21 and 18 respectively.
- 238 Finch, B. E.                      Little, Mrs. R. S.                      1 Jan 1905                      S. B. Ramsey, MG  
Married at minister's residence. Bondsmen: B. E. Finch and A. C. Moody.  
Both parties were married previously.
- 239 Hale, T. Z.                      Cagle, Ida                      1 Jan 1905                      Rev. H. B. Foster  
Married at residence of bride's father. Bondsmen: T. Z. Hale and B. D. Fowler.  
Both parties over the age of 21 and 18 years respectively.
- 239 Lowery, John L.                      Brown, Viola                      5 Jan 1905                      G. W. Sims, NP/JP  
Married at the W. M. Hudson residence. Bondsmen: John L. Lowery and G. W. Sims.  
Both parties over the age of 21 and 18 years respectively.

- 240 Spencer, J. F. Hammock, M. E. 5 Jan 1905 Wm. Lindley, MG  
Married at residence of Frank Hammock, Alanthus, Ala. Bondsmen: J. F. Spencer and Sam Elrod. Frank Hammock gave permission in writing for his daughter to marry. J. F. Spencer is over age 21 years.
- 240 Suggs, Noble (c) Burgess, Mattie (c) 4 Jan 1905 James Hampton, MG  
Married at Russellville, Ala. Bondsmen: Noble Suggs and Will Suggs. Both parties are over age 21 and 18 years respectively.
- 241 Boyd, E. L. Bowen, Fannie 11 Jan 1905 L. F. Whitten, MG  
Married at residence of Mr. George Bowen. Bondsmen: E. L. Boyd and J. W. Vaughn. Both parties over the age of 21 and 18 years respectively.
- 241 Powers, J. W. Bentley, Stella 12 Jan 1905 S. B. Ramsey, MG  
Married at residence of bride's mother. Bondsmen: J. W. Powers, Sam Strickland and W. B. Massey. Sis Bentley, a widow, gave permission in writing for her daughter.
- 242 Hester, Joseph T. Jones, Rosa Alma 22 Jan 1905 J. O. Hester  
Married at Bride's residence. Bondsmen: Joseph T. Hester and P. A. Malone. Both parties are over age 21 and 18 years respectively.
- 242 Swindle, W. M. Powll, Josephine 29 Jan 1905 G. W. Sims, NP/JP  
Married at Dr. Powell's residence. Bondsmen: W. M. Swindle and O. E. Jackson. W. M. Powell, M. D., gave permission in writing for his daughter to marry.
- 243 Lott, Ellis Shepherd, Ida Elizabeth 25 Jan 1905 Porter Duboise, MG  
Married at Mrs. Shepherd's residence. Bondsmen: Ellis Lott and T. J. Lott. Both parties are over the age of 21 and 18 years respectively.
- 243 Montgomery, A. H. Webb, Altie 22 Jan 1905 R. R. Vaughn  
Married at bride's residence at Hargett's Mill, Ala. Bondsmen: A. H. Montgomery and W. P. Kent. W. P. Kent made affidavit that Altie Webb was over age 18.
- 244 McCarley, W. G. Frederick, Aurora C. 1 Feb 1905 W. H. Austin, MG  
Married at bride's residence. Bondsmen: W. G. McCarley and A. C. Frederick. A. C. Frederick, father of the bride, gave consent in person for Aurora C. to marry.
- 244 Sumerel, John O. Brown, Willie L. 5 Feb 1905 A. R. Smith  
Married at Belgreen, Ala. Bondsmen: John O. Sumerel and G. Brown. A. Brown, father of bride, gave his permission in writing for Willie L. to marry.
- 245 Bowen, G. R. Grisham, Francis A. 1 Feb 1905 L. F. Whitten, MG  
Married at Russellville, Ala. Bondsmen: G. R. Bowen and D. A. Malone. Both parties are over the age of 21 and 18 respectively.
- 245 Peck, Columbus Harris, Rozeney 5 Feb 1905 M. E. Vickery  
Married at bride's residence. Bondsmen: Columbus Peck and T. L. Harris. W. M. Harris gave permission for his daughter, Rozeney, who is over age of 18 years.

-To be continued





leaving Elizabeth with seven small children.

Elizabeth was of Irish origin and a woman of unusual ability and character as demonstrated above. She overcame her hardships and attained success in rearing her children. She was born at sea on the way from Ireland on 1 January 1787. She moved to Texas in 1853 and died in 1879 on a visit to relatives in Cass Co., Texas.

Their children were:

**Thomas McGill**, b. 4 April 1807 in SC, died in Texas 25 April 1867. He married Margaret Robertson who died in Calhoun Co., Miss.

**Mary "Polly" McGill**, b. 11 Jan 1809 in SC, died 11 Oct 1899 in Maple Springs, Texas. On 28 Aug 1826 she married William Humphreys

**John McGill**, b. 24 Feb 1811 Giles Co., Tenn. Died in Maple Springs, Texas. Married in Alabama to Martha Ann Robertson who was b. in 1815 and died in Maple Springs, Texas.

**James McGill**, b. 1813 Giles Co., Tn & d. 24 June 1860 in Maple Springs, Texas. He married Mahala Stewart.

**Samuel McGill**, b. 1814, Giles Co., Tn and was killed as a young man.

**Sarah McGill**, b. 1815, Giles Co., Tn and died young.

**Sallie Knox McGill**<sup>2</sup>, b. 1817 in Giles Co., Tn and d. 1897. In ca 1833 she married Aaron Patton who was b. ca 1804 and d. ca 1870-1880.

The daughter of Elizabeth (McGuire) McGill and John McGill, Mary "Polly" married William Humphreys in 1823. He is believed to have been born in Madison County, Tennessee, went with his father down the White River in Arkansas and in the early part of spring 1818 they arrived at

herself with holly, the spines of which punctured the skin releasing the water from her system.

<sup>2</sup> Named for her paternal grandmother, Naomi Knox who died of dropsy.

old Jonesborough, Red River County, Texas. According to his obituary in *The Standard* published at Clarksville, William's father [not named] died there some years later. William's mother's maiden name was Reid.

~~~~~  
**Elizabeth (McGuire) McGill  
Letters**

(Obtained by the late Agnes Sugg)

Elizabeth (McGuire) McGill, mother of Sallie Knox McGill Patton, left Franklin County, Alabama and went to Texas. She had lived in Franklin County and homesteaded land there. She rode horseback from Franklin County with a baby in her arms, to the Federal Land Office in Huntsville, Alabama, to obtain a patent on the 80.23 acres. On her return trip, she was followed by a panther. She got down from her horse, with baby in arms, and walked backward keeping her eyes on the cat. It did not attack her.

Today, the trip from the Franklin County courthouse in Russellville to Huntsville in Madison County is almost two hours on super highways in modern cars. The trip by horseback would have been a monumental undertaking by a woman, with a baby, on horseback in 1837.

Agnes Sugg had in her possession a copy of a letter Elizabeth (McGuire) McGill wrote to her son in Franklin County, Ala. when she was 72 years old. The original is in possession of a great-grand daughter, Miss Edna Howison of Bogata, Texas, as follows:

*Red River County, Texas  
May 3<sup>rd</sup> 1859*

*Dear Son<sup>s</sup>,*

<sup>3</sup> Your editor does not know which son this letter was written to

*It is with pleasure that I seat myself to write to you, though I can not say that I can give you any news of a great deal of importance; yet I will give you some of the productions of this country which may appear good news to you.*

*Land can be had here from \$3 to \$5 per acre, which will produce from 30 to 50 bushels of corn, 15 to 20 of wheat, oats in proportion, and from 1000 to 1500 lbs. of cotton to the acre.*

*This, I think to be a fine country and I think you will do well to move here, much better than to stay where you are. There is a considerable advantage to be adverted to by raising stock of all kinds. Cattle pay about 33-1/3 per cent, horses 80 and hogs in proportion; also sheep are very profitable. Labor is considerable higher here than where you live; 75 cts. is the lowest prices by the day.*

*W. Humphreys' family is well; in fact, all the connection are well. I close by tendering to you my maternal love.*

*Elizabeth McGill*

*P. S. William Humphrey's youngest sone died last February at school. His name was James.*

**HUGH McVAY, GOVERNOR OF THE  
STATE OF ALABAMA**

**TO ALL TO WHOM THESE PRESENTS MAY COME -  
GREETINGS**

**KNOW YE**, That *Elizabeth McGill* of the County of *Franklin* having made complete payment for *N 1/2 W 1/2 North East* quarter of Section No. *Twelve*, Township No. *Seven*, Range *Eleven West* containing *Eighty 23/100* Acres, in pursuance of the act, entitled "An act to enable the State of Alabama to sell and dispose of certain lands therein named:"

There is therefore granted, by the State of Alabama, unto the said *Elizabeth McGill* the *80-23/100* of land above described, with appurtenances, unto the said *Elizabeth McGill* his heirs and assigns forever.

In Testimony Whereof, I have caused these Letters to be made Patent and the Seal of the State to be affixed.

Given under my hand and the Seal of the State, at Tuscaloosa, this *23* day of *Sep.* in the year of our Lord, one thousand eight hundred and thirty *7* and of the Independence of the United States of America, the sixty *First*.

By the Governor: *Hugh Mc Vay*  
*B. Junstall*, Secretary of State

**Note: For a copy of the actual document, see the next page.**

**Elizabeth McGill Land Patent and Letter**

*Worugh McGill*  
**CLEMENT C. CLAY**, GOVERNOR OF THE STATE OF ALABAMA.  
 TO ALL TO WHOM THESE PRESENTS MAY COME—GREETING:  
**KNOW YE**, That *Elizabeth McGill* of the County of *Franklin* having made complete payment for *N<sup>1</sup>/<sub>2</sub> N<sup>1</sup>/<sub>2</sub> West East Quarter* of Section No. *Three* of Township No. *Seven* Range *Eleven* containing *Eighty <sup>25</sup>/<sub>100</sub>* Acres, in pursuance of the act, entitled "An act to enable the State of Alabama to sell and dispose of certain lands therein named."  
**There is therefore granted**, by the State of Alabama, unto the said *Elizabeth McGill* the *80 <sup>25</sup>/<sub>100</sub>* Acres of land above described, with the appurtenances, unto the said *Elizabeth McGill* his heirs and assigns forever.  
**In Testimony Whereof**, I have caused these *Letters* to be made *Patent*, and the Seal of the State to be affixed.  
 Given under my hand, and the Seal of the State, at Tuscaloosa, this *23* day of *Apr* in the year of our Lord, one thousand eight hundred and thirty *7* and of the Independence of the United States of America, the sixty *four*  
 BY THE GOVERNOR *Worugh McGill* SECRETARY OF STATE  
*O. B. Tunstall*  
 TUNSTALL

[Note by Margaret Cowart: The Federal Government gave the state a certain number of acres of land for Internal Improvement and River Improvement, etc. This is probably an example of land sold by the State.]

**For the Relief of Certain Families  
of Franklin County**

The Court of County Commissioners of Franklin County are authorized, if they deem it necessary and advisable, to support out of the county treasury, certain persons in the county with the same amount now allowed for paupers. These persons are Isaac Guinn and his wife and Isaih Stephens and his wife Sallie Stephens, and they are to be supported without their being kept in the Poor House of said county. [Source: *Acts of Alabama, 1859-60*. Approved February 10, 1860.]



## More Franklin Families

TVGS officer, Gaynell Beam, has secured a number of legal and family records from Mrs. John Richeson (Ann) of the Cherry Hill Community near Russellville who, in turn, received them from the late Agnes Sugg of Franklin County. We have a steadfast rule to not publish records that do not show a source nor do we publish compiled genealogies. However, due to the dearth of Franklin County records we are breaking those rules. Many of the following records were taken from family Bibles, from courthouse records before the destructive fires, and from newspaper clippings.



The late Agnes Sugg through whose sensitivity to history and family we can thank for these records.

### Obituary

#### Mary Elizabeth (Patton) Gholson<sup>1</sup>

Another dear mother has gone back home to God.

Our dear cousin Mary left this world of sin, toil, disappointments and heartaches October 14, 1914.

We just can't say how much we miss her. Words fail to express the thoughts. She was born December 24, 1836, was married to Milton G. Gholson<sup>2</sup> on January 10, 1854 and to them were born four children of which three are left –

<sup>1</sup> Her mother was Sallie Knox McGill Patton. Mary Elizabeth Patton Gholson was the mother of Mary Agnes Gholson Glass, wife of Joseph Uriah Glass who were the parents of: (1) Milton Gholson Glass, (2) Emma Glass Sugg, (3) Sally Glass Sugg, (4) Lizzie Glass Farned, (5) Jessie Glass Manley, (6) Mary Eliza Glass, (7) Susan Utuppy Glass Smith, (8) and Alma Glass Arnold.

<sup>2</sup> Milton George Gholson was born in 1832 and died in 1862. He was 30 years old at his death. They had been married 8 years when he died. The son, Aaron Houston was about 9 mo. old when he died.

two daughters and one son. Her husband was killed in the war July 17, 1862.

Being left a widow with a heart all torn and bleeding, she took these three precious babies out into this cold, black world all alone you say. No, twice I say no. Leaning on the strong arm of Jesus, having perfect faith in God who raised these little ones to be grand and noble sons and daughters.

She was one of that number that organized Cherry Hill church in the year 1855 and remained a true and faithful member until her death. What sweet rest it must be to the weary soul to slip gently out with the shadows into a bright land to join husband, baby and so many loved ones who have gone before. Every one who came in touch with her noble life can say a



Mary Elizabeth (Patton) Gholson

great and noble mother has fallen.

Dear children, I know you loved her but wipe those tears away, 'tis wrong to grieve for mother who has been made so happy. Just take her life as a lamp to your pathway and so lead your dear children and grandchildren to live and act as grandmother did and all will be well with God. One who loved her. Kate McCulloch Bowen.



Susan "Susie" Utuppy (Glass) Smith,  
grand daughter of Mary Elizabeth (Patton)  
Gholson

[See footnote previous page.]

~~~~~  
**Obituary**

**William F. Gholson**

William Francis Gholson, son of Mary E. and George Milton Gholson, was born November 8, 1856, died February 24, 1935. His mother's maiden name was Mary E. Patton. Both his mother and father were from the old pioneer families of Franklin County.

William Francis Gholson was a member of the Cherry Hill Baptist church for almost forty years. He was a man of unusual strength of character, suffering rather than yield to that which he did not believe to be upright and true.

He was a quiet, undemonstrative man, yet his

friends always knew on what side of any question he would be found.

His father, George Milton Gholson, died in 1862, being a gallant Confederate soldier.

After the death of his mother, he and his sister, Alice, lived in the old home in sweet contentment for a number of years. His pastor, Bro. Rickmon, lovingly compared this home to that of Mary, Martha and Lazarus in far-away Bethany of Biblical times.

After a time, the sprightly steps began to falter and the hand of old age lay heavily upon the affectionate brother and sister. They then moved to the home of a nephew, Milton Gholson Glass, where they were cared for with tender devotion. This brother was an invalid for a number of months. As his strength waned, he longed for the coming of the final summons. His friends and relatives may well say, "Truly a good man has gone."

"Sunset and evening star  
And one clear call for me  
And may there be no moaning of the bar  
When I put out to sea."

Margaret S. Broadus



William F. Gholson

**Widow's Civil War  
Pension Application  
Mary E. Gholson**

On 7 June 1887 Mary E. Gholson applied for a widow's pension before James M. Jordan, Judge of Probate. She swore her husband, George M. Gholson,<sup>3</sup> was a private in Company H of the 16<sup>th</sup> Regt. of Alabama in the CSA. He died from disease. She has not since remarried and was a resident of Ala. on 25 Feb 1887. Her taxable property does not exceed \$1000 in value. This application was for relief under an Act approved 25 Feb 1887.

On 25 June 1891 she applied again for a pension. She stated in this application that her husband was in the 16<sup>th</sup> Ala. Confederate Volunteers.

She again made application before Probate Judge James M. Jordan on 6 May 1892. Another application dated 13 May 1893, was made before Probate Judge W. M. Waltrip. There is no mention in any of the above applications whether they were approved or not.

Another application was dated 24 April 1894 before Judge Waltrip. On the back of this application is the following notation: "After an Examination and investigation of the within application, we report that the said applicant is worthy and recommend that the application be received." This was signed by the Board of Examiners: J. J. Bobo, W. R. Petree and C. F. Fleming.

On June 17, 1896, another application before Judge Waltrip stated her address was Waco, Alabama and that her taxable property consists of 160 acres of real estate valued at \$300. An application dated 10 June 1897 said the same thing.

One dated 1 June 1898 did state Milton Gholson died 17 July 1862. This document further states that she has not remarried since Milton's death and has no children upon whom she can depend for support. She stated that all of her property does not exceed \$400 in value and, therefore, asks that her name be placed on

the pension rolls "as a member of the fourth class." This is so that she may participate in the division of the funds provided for the relief of needy Confederate soldiers and sailors, and their widows, by an Act of the General Assembly of Alabama approved 10 Jan 1899.

In a Schedule of Property filed with an application for pension on 9 June 1900 Mary stated she owned 120 acres of land. About 50 acres were improved. She also had 5 head of hogs valued at \$5 and \$10 worth of household and kitchen furniture for a total value of \$315.00.

**Information from Tombstones**

Regretfully, the name and location of the cemetery in which these stones lie was not given.

M[ary] E[lizabeth]  
wife of  
G[eorge] M[ilton] Gholson  
Born  
Dec. 24, 1835  
Died  
Oct. 17, 1914

Mary Agnes Glass  
Born Dec. 1, 1854  
Died Jan. 14, 1917

William F[rancis] Gholson  
Born Nov. 8, 1854  
Died Feb. 24, 1935

Alice "Allie" E. Gholson  
Born Mar. 28, 1858  
Died July 17, 1937

Joseph Uriah Glass  
Born Nov. 25, 1854  
Died Sept. 25, 1923

Joseph O. Patton  
Born Jan. 2, 1849  
Died Mar. 17, 1922

<sup>3</sup> George Milton Gholson was wounded and on his way home in or near Corinth, Miss. The people he was staying with advised the family he died from wounds and pneumonia and was buried on their premises.



### Obituary

#### Robert Hurst Sugg

The subject of this sketch was born in the state of Arkansas, February 18, 1881 and removed with his parents to Alabama when quite young.

Here he grew to young manhood and united with Cherry Hill Baptist Church in September, 1902 and continued not only a consistent, but a faithful member of the same to the day of this death which occurred February 17, 1915 lacking one day of being thirty-four years of age.

He was united in marriage with Miss Sallie K. Glass on December 4<sup>th</sup> 1904. This faithful and devoted companion is now left a widow with five precious children to mourn the sad separation, the bitterness of which can only be sweetened by the knowledge that a lifetime of physical suffering has ended in that eternal and unbroken rest which God has provided for His saints.

Like a rough and broken piece of chalk, which sometimes contains a jewel of great value, this poor pain-racked body contained one of the rarest gems known to Christianity-the meek, patient and long-suffering spirit of Christ.

In his death, the community has lost a noble citizen and the church an ardent supporter and exemplifier of the faith once delivered to the saints.

May we all who loved him so dearly, strive to meet him in that heavenly land where earth's aches and pains, sorrows and tears melt away under the eternal sunlight of God's smiling face.

/s/ His Pastor

### Relinquishment of Dower

#### William Sugg Estate

Note: The following Relinquishment is copied here verbatim. There was no indication of the file number, however, it was undoubtedly copied before the devastating fires.

30 August 1838

Be it known that I, Elizabeth Sugg, wife of William Sugg of Franklin County, Alabama, have this day assigned over all of my Write [right] of Dowery to which I am entitled by the laws of the State of Alabama to the within

described land to Joe Ab Humble and his heirs forever.

/s/ Elizabeth Sugg

/s/ T. L. McCulloch, J. P.

### Obituary

#### Joshua Butler Sugg

Joshua Butler Sugg was born in North Caroline June 13, 1813. He moved with his parents when quite young to Russell Valley in Franklin County, Alabama.

At about 15 years of age he professed faith in Christ and joined Mt. Nebo Baptist Church. When the church no longer kept up regular preaching, he joined with Russellville Baptist Church.

In about 1890 Mt. Nebo Church was reorganized and he became one of the constituent members. Hence for about 71 years he was a member of the Church of Christ.

He was first married to Miss Mary T. Freeman. To them was born 10 children, all of whom preceded him to the spirit world except two sons, Thomas of Texas and Andrew who lives near the old home in Franklin Co., Ala.

On Sept. 18, 1868 death entered the home of our brother and claimed as its victim the wife and mother. With the destruction caused by the Civil War and the desolation of the home by the death of his wife, he passed through the severest trials of his life, and all of which he bore up with Christian fortitude.

He was married the second time to Miss Nancy Saint on Dec. 19, 1871 who survives him to mourn her great loss.

It was the writer's pleasure to make the acquaintance of Bro. Sugg in 1854. Thus for 45 years I have walked life's pathway with him. Being his pastor for a number of years, I spent many pleasant hours in his home where I was always welcomed by him and his good wife.

Honorable, upright and true to his convictions, he ended a long and useful life Oct. 9, 1899. Thus making a vacancy in the home that can never be filled, creating a loss which will be deeply felt in the community and in church of which he was a faithful and orderly member.

/s/ R. E. Wear

# Jackson County

## Bridgeport City Court Contributed by Judge William D. Page (Part 8)

Continued from *Valley Leaves*, Vol. 38, No. 3 & 4. The following cases were rescued from the sumpster at the Jackson County Courthouse by Ms. Jackie Slaten and Judge Robert Hodges. They are carried here through the thoughtfulness of the late Carlus Page and Judge William D. Page. Abstracted by Dorothy Scott Johnson.

### Manning Walden

Manning Walden unlawfully engaged in card playing on Sunday. Witnesses were J. W. Raines and Ed Ament. Filed 10 March 1900.

### Will Wesley

Will Wesley did assault Charity Bagwell, a woman, with the intent to forcibly ravish her.

Witnesses were Mrs. Charity Bagwell, J. W. Bagwell and N. B. Garrett. Filed 8 March 1900.

### Robert Woodall

Grand Larceny. Robert Woodall feloniously took and carried away a mule that was the personal property of John Posey. Witnesses were John Posey and Blue John Sanders. Filed 2 March 1900.

## Fall Term, Grand Jury True Bills, 1899

John Proctor is shown as Solicitor (prosecuting attorney), and D. Hurst is the Clerk.

### James Bridges

James Bridges did assault J. F. Hurst with brass knuckles.

The Grand Jury of said County further charge that before the fining of this indictment, James Bridges did assault J. F. Hurst with an unknown weapon.

Witnesses were I. F. Hurst, Claud Lotty, Lee Lotty, Lucius Lotty, and J. M. Hawkins. Filed 8 September 1899.

### William Britton

Two indictments for retailing were returned on William Britton, both filed 5 September 1899. On one, the witnesses were George Fennell (Col.), Charles Brown (Col.) and Jess Messer. On the other, the witnesses were George Fennell (Col.), Charles Brown (Col.), Jess Messer and Alex McGraw.

### Charley Cox

Charley Cox willfully interrupted or disturbed an assemblage of people, met for religious worship, by noise, profane discourse, or rude or indecent behavior, or by fighting at or near the place of worship.

Witnesses were Frank Hull [Hall?], Fayett Wright, Rev. W. L. Mitchell, John McKay, David Wilburn, Maggie Hancock and Young Hancock. Filed 8 Sept 1899

### Andrew Daniels

Andrew Daniels did sell tickets or chances in a device or scheme of raffling. Witness was Charles S. Ingalls. Filed 5 Sept 1899.

### James Gains and Dora Padget

James Gains, a man, and Dora Padget, a woman, did live together in a state of adultery or fornication. Witnesses were Lizzie Cazey Harris and Lee Harris. Filed 5 Sept 1899

**Miles Harris alias Miles Cooper**

Miles Harris (alias Miles Cooper) sold, bartered or exchanged spirituous, vinous or malt liquors without a license, and contrary to law, against the peace and dignity of the State of Alabama. Witnesses were Dick Cooper and Jim Gullatt (Colored). Filed 8 Sept. 1899.

**Thomas Herald**

Thomas Herald did enter into or go sufficiently near to the dwelling house of Mrs. Hannah Mance and, in the presence or within the hearing of the family, or a member of the family of the occupants thereof, made use of abusive, insulting or obscene language.

Witnesses were Hannah Mance, Buster Mance, and Emma Mance. Filed on 5 Sept 1899.

**Adolphus Jenkins**

Adolphus Jenkins did assault I. F. Hurst with brass knuckles. Witnesses were I. F. Hurst, Claud Lotty, Lee Lotty, Lucius Lotty and J. M. Hawkins. Filed 8 Sept 1899.

**Johnathan Baraxter**

Johnathan Baraxter, with intent to injure or defraud, did falsely make, alter, forge, counterfeit an instrument in writing in words and figures substantially as follows:



**John Caldwell**

John Caldwell unlawfully engaged in card playing on Sunday. Witnesses were J. W. Rains and Ed Ament. Filed 10 March 1900.

**Wilmer Davidson**

Wilmer Davidson carried a pistol concealed about his person. Witnesses were George Vernon, Jim Delany and Cal Vernon. Filed 5 March 1900.

**Wilmer Davidson**

Wilmer discharged a gun or pistol along or across a public road. Witnesses were George Vernon, W. L. Petty, Cal Vernon and John Boye. Filed 5 March 1900.

**Theopholis Finley**

Burglary. Theopholis Finley, with intent to steal, broke into and entered the dwelling house of Mathew Stewart. Finley did then and there feloniously take and carry away one gold watch of the value of \$15, the personal property of the said Mathew Stewart.

Witnesses were Mathew Stewart and Albert Ashmore. Filed 10 March 1900.

**Jet Hancock**

Jet Hancock unlawfully and with malice aforethought did assault Betsy Hancock with the intent to murder her.

Witnesses were Betsy Hancock, Enoch Story, James Holcomb and John Skelton. Filed 10 March 1900.

**Dan Jones, Lee Mathews and Jake Mathews**

Dan Jones, Lee Mathews and Jake Mathews engaged in, or carried on, the business of distilling spirituous vinous or malt liquors without a license and contrary to law.

Witnesses were William Howell, Joe Bray and Will Badger. Filed 2 March 1900.



**Pensions Granted****1902-3 Pension Roll**

Parts 4, 5 and 6 of 6 parts

This large book is housed in the basement of the Jackson County Courthouse and was copied 1 Nov 2002 for inclusion in *Valley Leaves*. This book begins with item No. 8151 which tells us there is or was an earlier book, even though it is shown as "Book A." The location of earlier ones is unknown to this editor. The item numbers are not carried here.

One of the most difficult things to find in tracing your ancestors is the cause of their death or the status of their health; this record abounds with that information. The date this record was made is not shown but it was for Confederate (only) Civil War veterans and their widows. Most held the rank of private. The name in the Remarks column is believed to be the person reporting the death. The widow's death is in the "Where wounded" column. Sometimes both death dates are given. Continued from the June 2003 issue of *Valley Leaves*. Since we are doubling our issues, we have chosen to carry the remaining three parts in this issue.

1902 Pension Roll

Name	Rank	Co., Regt.	Date	Enlisted Place	Date Disch'd.	Where wounded	Wound or Disability	Age	Post Office	Remarks
Troxell, Jacob	Pvt.	C 33	10-10-62	Stevenson	6-12-65	---	---	72	Bridgeport	
Travis, E. S.	Pvt.	C 4 Tenn.	---	---	---	Killed 9-19-63	---	---	---	Alfred Travis
Thomas, Joseph	Capt.	K 6	10-10-61	Bridgeport	Apr. '65	Gettysburg, Pa.	---	62	Davins? Cove	
Venable, E. K.	Pvt.	A 33	1-1-63	Stevenson	1865	---	Age	72	Tupelo	
White, W. A.	Pvt.	H 2	Apr. '62	C. H. S. C.	4-9-65	---	Wounded	68	Shaw	
Wilson, Mary E.	Pvt.	C 4	---	----	Died 1-21-1881	---	---	---	---	John S. Wilson
Wilson, Elizabeth	Pvt.	G 4 Ga.	Dec. '62	Stevenson	---	Died 1-28-1887	---	---	---	Thos. Wilson
Wilbanks, Elias P.	Pvt.	H 55	Dec. '62	Stevenson	April 1865	---	---	61	Bolivar	
Wiggle, Francis	Pvt.	H 21 Ga.	3-16-62	Trenton	11-19-64	Franklin, Va.	Wounded	63	Smilax	
Walker, William	Pvt.	C 49	Jan. '62	Marshall	Mar. '65	---	---	55	Bridgeport	
Nail, Geulan	Pvt.	D 4	3-15-63	Big Springs	4-10-65	---	Blind	91	Tally	
Townsend, Harris	Pvt.	E 17	9-9-61	---1865	---	Blind	67	Smilax		
Watson, E. C.	Pvt.	I 22	8-1-61	Middleton	8-26-65	---	Chronic Diarrhea	68	Section	
Wells, O. S.	Pvt.	H 4	8-2-61	Benton Cove	5-15-65	Peachtree Creek, Ga.	Wounded	57	Garth	

<u>Enlisted Name</u>	<u>Rank</u>	<u>Date</u>	<u>Where Co., Regt.</u>	<u>Wound or Place</u>	<u>Disch'd.</u>	<u>wounded</u>	<u>Disability</u>	<u>Age</u>	<u>Post Office</u>	<u>Remarks</u>
Young, Wm. S.	Pvt.	I 55	Nov. '62	P.N.Hudson, Tn.	Jan. '62	---	Died	65	Scottsboro	
Allen, W. H.	Pvt.	G 9 Ala.	Apr. '62	Richmond, Va.	May '65	Chickamauga	Wounded	65	Hollywood	
Bridges, H. H.	Pvt.	K 55 Ky.	June '62	Nashville	1865	---	Discharged	66	Pisgah	
Bryant, Nancy	Pvt.	F 15 Ga.	7-4-61	Elberton, Ga.	---	---	Died Jan. '96	---		Pisgah Note: This woman is not entitled. Her husband was in Yankee Army. See witness.
Branton, J. I.	Pvt.	K 3 S. C.	1861	S. C.	---	---	Fredericksburg	---	Pisgah	
Bradford, D. W.	Pvt.	F 15 Ga.	7-4-62	Shelbyville, Tn.	May '65	---	---	69	Pisgah	
Carter, J. L.	Pvt.	K 4 Ga.	Jan. '62	---	May '65	---	---	67	Langston	
Carter, Samuel L.	Pvt.	B 6 Ga. Cav.	Aug. '62	Lauden	Apr. '65	Wilmington, NC	Wounded	68	Welden	
Curl, John	Pvt.	A 10	3-10-62	Chambers Co.	4-11-65	---	Diarrhea	71	Rosalie	
Coil, Bettie	---	---	---	---	---	---	Died Mch. '02	---	---	Charles Coil
Carmon, Eliza	---	---	---	---	---	---	Died 8-5-1898	---	---	Samuel Carmon
Chisenhall, G. J.	Pvt.	K 4 Tn.	Jan. '62	Cumberland Gap, Tn.	May '65	Franklin	---	63	Dutton	
Murray, R. Meely?	Pvt.	H 4 Tn. Cav.	---	-Gone. Moved to Tennessee -	Died after 11 April 1898-					Jeff Murray
Cook, Will D.	Pvt.	I 13 Ga.	9-10-61	Griffin, Ga.	May '65	---	---	54	Tally	
Ferguson, Mary A.	---	---	---	---	---	---	Died 2-22-97	---	---	Henry Ferguson
Gray, William	Pvt.	A 33	6-10-62	Capertons Ferry	4-6-65	---	Lost use of leg	59	Rosalie	
Guess, Jno. M.	Pvt.	D 17 Tn.	5-10-61	Stevenson	June '65	Chickamauga	Disability	62	Balevan	
Gibson, J. F.	Lt.	B 15	7-4-61	Ft. Smith, Ark.	5-16-65	---	---	66	Pisgah	
Gambal, Mary E.	---	---	---	---	---	---	Died 10-14-72	---	---	Wiley Gambol
Harrison, T. S.	Pvt.	G 4 Tn.	9-15-61	Guntersville	1865	---	Disability	74	Seale	
Jackson, John	Pvt.	D 33	Aug. '62	Jasper	1862	New Hope, Ga.	Wounded	62	Milan	
Lambert, John	Pvt.	I 63 Va.	1-27-64	Dalton, Ga.	5-15-65	Resacca, Ga.	Wounded	76	Langston	
Neely, G. M.	Pvt.	D 4	3-1-62	Shelbyville, Tn.	---	---	Disease	69	Alto	
Nicholas, Nancy A.	Pvt.	---	---	---	---	---	Died 12-14-95	---	---	Wiley Nichols
Pierce, Jas. A.	Pvt.	A 1 S.	9-10-63	Selma	6-5-65	Ft. Gaines	Wounded	63	Moulder	

Name	Rank	Co., Regt.	Enlisted Date	Enlisted Place	Date Disch'd.	Where wounded	Wound or Disability	Age	Post Office	Remarks
Potts, Mary	---	---	---	---	---	Died 5-1-1902	---	---	---	G. W. Potts
Pigg, W. A.	Pvt.	H 30	Feb. '62	Talladega	May '65	Died	---	65	Nat	
Reeves, Matilda C.	---	---	---	---	---	Died 6-20-99	---	---	---	J. B. Reeves
Roe, H. A.	Pvt.	D 65 Ga.	5-6-62	Rome, Ga.	4-25-65	---	Disabled	69	Hollywood	
Sims, John	Pvt.	E 4 Cal.	9-6-62	Hog Jaw	May '65	---	Disabled	59	Larkinsville	
Spurgeon, C. C.	Pvt.	A 2 Nona.	Nov. '64	Warngion?, Ark.	May '65	Independence, Mo.	Wounded	58	Pisgah	
Surratt, Dov. J.	Pvt.	H 55	Mch. 10 <sup>th</sup>	Rome, Ga.	5-19-65	Peachtree Creek	Wounded	56	Barnes	
Steel, Chas. O.	Pvt.	F 34 Ga.	Dec. '61	Trenton, Ga.	May '65	---	Disabled	61	Pisgah	
Selby, Susan	---	---	---	---	1865	Decatur	Died 5-30-1902	95	---	Sam Selby
Stuart, J. M.	Pvt.	E 11	Aug. '62	Hebron Church	1865	Decatur	Disabled	60	Limrock	
Smith, J. T.	Pvt.	C 18	1862	Tullahoma, Tn.	1863	---	Disabled	69	Eliza	
Shepherd, T. S.	Pvt.	A 23	May '61	Camp McDonald, Ga.	May '65	---	Disabled	78	Bridgeport	
Stuart, David	Pvt.	H 49	1861	New Hope <sup>1</sup>	5-20-1865	New Hope Church, Ga.	Disabled	68	Paint Rock	
Thomas, John	Sgt.	F 34 Ga.	1861	Trenton, Ga.	5-10-1865	New Hope Church, Ga.	Disabled	73	Pisgah	
Wilson, Susana	---	---	---	---	---	Died 6-26-1901	---	---	---	S. T. Wilson
White, A. J.	Pvt.	K 8 Ga.	5-24-61	Rome, Ga.	3-21-65	---	Disabled	62	Princeton	
Wilbanks, W. R.	Pvt.	E 4	Sept. '62	---	Sept.	Nashville	Disabled	65	Hollywood	
West, J. H.	Pvt.	C 26	11-12-61	Iuka, Miss.	Jan. '63	---	Disabled	66	Gurley	

1903 Pension Roll

Chisenhall, G. J.	Pvt.	K 4 Tenn.	Jan. '61	Cumberland Gap.	5-10-65	Murfreesboro, Tenn.	Blind	67	Dutton	
Arnold, Mary	---	---	---	---	---	Died Aug. '98	---	---	---	J. J. Arnold
Brewer, Emberson	Pvt.	I 42	10-31-61	Checten?, Tn.	12-20-64	---	Age	61	Estes Fork	
Blake, Fannie B.	---	---	---	---	---	Died 12-25-1901	---	---	---	J. S. Blake
Brodaway, M. A.	---	---	---	---	---	Died 2-12-1900	---	---	---	N. B. Brodaway

<sup>1</sup> By New Hope was the date July 15, 1864. It is not known what this date is since 1861 was the enlistment date shown.

Name	Rank	Co., Regt.	Enlisted Date	Place	Date Disch'd.	Where wounded	Wound or Disability	Age	Post Office	Remarks
Curl, Martha	---	---	---	---	---	Died 4-12-1903	---	---	---	J. Curl
Carter, W. A. B.	---	I 55	Dec. 2 <sup>nd</sup>	Scottsboro	Apr. '65	---	Age	79	Scottsboro	
Carter, Cris. A.	---	---	---	---	---	---	---	---	---	
Denezen, J. H.	---	K 1 Tenn.	Apr. '61	Tennessee	1865	Fishing Creek, Ky.	Age	73	Fackler	
Formen, Elizabeth	---	---	---	---	---	Died 5-28-1900	---	73	---	D. C. Formen
Graham, Pauline	---	---	---	---	---	Died 5-14-1898	---	---	---	Dr. M. Graham
Griffin, F. C.	---	---	---	---	---	Died 15 <sup>th</sup> 1890 [?]	---	---	---	J. H. Griffin
Gross, Emma	---	---	---	---	---	Died 5 Jan 1900	---	---	---	J. D. Gross
Glasscock, W. S.	Pvt.	---	55	Dec. '61	Stevenson	Feb. '65	Cerden Town, Ga.	Disability	67	Bridgeport
Gray, J. O.	Pvt.	---	---	10-1-63	Jacksonville	5-5-65	---	Disability	82	Kosh
Horn, S. J.	Pvt.	C 33	Jan. '62	---	Jan. '64	Georgia	Disability	66	Bridgeport	
Hogue, A. J.	Pvt.	A 33	10-1-62	Stevenson	5-5-65	Chattanooga, Tn.	Disability	66	Kosh	
Houk, Joseph	Pvt.	I 55	7-20-61	---	1865	---	Disability	61		
Hambrick, W. M. H.	Pvt. R	4	Feb. '62	Tenn.	Mch. '65	---	Disability	66	New Market	
Joyner, Mary J.	Pvt.	K 4	---	---	---	Died 28 [?]	---	---	---	D. W. Joyner
Jones, A. P.	Pvt.	K 4	Apr. '61	Larkinsville	26 Apr '65	Gettysburg, Pa.	Disability	62	Scottsboro	
Johnson, J. C.	Pvt.	C 33	10-1-62	---	3-17-65	Franklin, Tenn.	Disability	71	Bridgeport	
King, J. L.	Pvt.	F. 36 Tn.	9-6-61	Camp Smart?	1865	<del>6-30-1903</del>	Disability	61	Larkinsville	
Moore, Eliza E.	---	---	---	---	---	Died 6-30-1902	---	---	---	J. W. Moore
Morris, G. W.	Pvt.	K 4 Tn.	Feb. '63	Shelbyville, Tn.	Apr. '65	Died 6-3-18__	Disability	74	Section	
Mathews, Mattie G.	---	---	---	---	---	Died 6-3-83	---	---	---	T. L. Mathews
Overdeer, J. J.	Pvt.	K 6	May '61	Stevenson	4-5-65	Wilderness	Disability	59	Kosh	



Name	Rank	Co., Regt.	<u>Enlisted</u> Date	Place	Date Disch'd.	Where wounded	Wound or Disability	Age	Post Office	Remarks
Perry, A. J.	Pvt.	Z 35 Tn.	9-6-61	Camp Smart	1865	---	Disability	60	New Market	
Payne, A. F.	Pvt.	E ---	4-9-1862	Georgia	1865	---	Disability	60	Section	
Perry, Thom.	Pvt.	I 35	9-6-1861	Camp Smart	1865	---	Disability	63	New Market	
Parten, L. T.	Lt.	I 19	Aug. '61	Columbus	May '65	---	Disability	70	Hitch	
Ray, Robt. L.	Pvt.	C 4	Sept. '62	Scottsboro	June '65	---	Disability	60	Collum	
Southard, Sarah	Pvt.	---	---	---	---	Died March 1903	Disability	---	---	J. Southard
Steeley, Mary	Pvt.	---	---	---	---	Died 1863	---	---	---	J. Steeley
Steel, Colvin	Pvt.	I 34 Ga.	5-5-62	Trueboro?, Ga.	May '65	Newport, Ga.	Disability	58	Stevenson	
Tate, J. L.	Pvt.	I 8	5-5-62	Alexander City	July <sup>2</sup> '65	---	Rupture	57	Col...[illegible]	
Thomas, A. M.	Pvt.	I 17	May '61	Anderson, Tn.	July '62	---	Age	78	Anderson Line [?]	
Towers, Lucy	Pvt.	O 17 Ga	May '61	---	---	Died 10-29-1902	---	---	---	A. B. Towers
Tipton, R. E.	Pvt.	---	---	---	---	Died 2-8-1896	---	---	---	D. B. Tipton
Vincent, Eliza	-	Moved to Arkansas-	---	---	7-18-64	---	---	---	---	S. Vincent
Wright, T. H.	Pvt.	Z 35	May '61	---	6-20-65	---	---	65	Hollywood	

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**Editor's Note:** The first 16 pages of the *Pensions Granted* book were taken up with the above information. Then begin typed lists from 1908 through 1910 giving the names of all those pensioners for each of those years. It is not near as complete as the above and shows the name and often the death but little other information. There are a total of 120 pages in that book.

-End-

<sup>2</sup> April written above July. The year was difficult to read and appeared to be 1864 with 1865 written over it or vice versa.

## Minutes of the Circuit Court Part 9

Continued from the Sept & Dec issue of *Valley Leaves*. Contributed by Wendell Page of Scottsboro and abstracted by Dorothy Scott Johnson.

The minutes of the Circuit Court, beginning in 1865, are housed in the Jackson County courthouse in Scottsboro. There is no front cover and the first 20 pages are missing. The next 41 pages were Bellefonte City Council minutes which were carried in *Valley Leaves* in Volumes 25, 26 and 27.

The Circuit Court minutes actually begin on page 66 of the ledger. These minutes are especially important because of the number of deaths reported. During the Civil War, many records were burned by Federal troops in a large bonfire. How this one escaped is a mystery. After the war, there was little or no money with which to buy supplies so when a ledger was found with blank pages, the conservative city officials wisely put them to use in the Circuit Court.

Many of these minutes were not clear and some terms used were not in *Black's Law Dictionary*. Judge William D. Page of the Madison County Circuit Court has kindly clarified these terms for which we are most grateful.

### PAGE 103.

Billing, Roof & Washington )  
vs )  
A. C. Austin, A. A. Russell, )  
James Cox and Alex Harriss )

Case No. 1523. 10 April 1866. Came plaintiffs by their attorney. Defendants, being solemnly called, came not but makes default. The Court then ordered plaintiffs to recover of defendants \$922.24 debt plus \$312.20 damages plus costs in this case expended.

State of Alabama, use & etc. )  
vs )  
John J. Dillard, A. S. Bibb & )  
Joel P. Ledbetter )

Case No. 1524, 10 April 1866. John J. Dillard is dead. The judge ordered this case abated as it pertains to Dillard. The other defendants being solemnly called came not but makes default. The plaintiff, by his attorney, "remits all the debt and damages." The Court orders that plaintiff have judgment to recover of defendants the costs in this case expended.

James J. Chadwick )  
vs )  
Robert L. Hembree )  
Case No. 1529. 10 apr 1866. Continued.

### Page 104

Gabriel B. Dewol )  
vs )  
"H. C. Bradford & others" )

Case No. 1536. 10 April 1866. The plaintiff moved to dismiss his suit. Defendant assumes the costs. Plaintiff to recover the costs from defendant.

T. G. H. Kirby )  
vs )  
Memphis & Charleston RR )

Case No. 1540. 10 April 1866. This case is revived in the name of Clinton Kirby and Arabella Kirby, administrator and administratrix. of T. G. H. Kirby, decd. Case continued.

Mary Ann Kirkpatrick )  
vs )  
John F. Clark )

Case No. 1546. 10 April 1866. Mary Ann Kirkpatrick has died. It is, therefore, considered by the court that this cause abate. [Note in margin: Recorded in Book D. page33.]

-To be continued

## 1869-1879 Estate Minutes

### Part 3

This 460-page book is housed in the basement of the Jackson County courthouse. It is coming apart but the front and back covers are there and no pages appear to be missing. The book is not titled but it is the minutes of probated estates. Copied and abstracted by Dorothy Scott Johnson.

Continued from Vol. 38, No. 2, Dec. 2003 issue.

**Nancy A. Skelton**

vs

**Andrew J. Huggins**

Page 13-14

29 June 1869

A hearing was held on the petition and motion of Nancy A. Skelton to vacate, annul and set aside the decree of this Court rendered regarding the guardianship accounts of Andrew J. Huggins, as guardian of Nancy A., made 16 Oct 1867.

Huggins consents in open court to the motion be granted and that the former final settlement and decree therein rendered may be vacated and set aside.

The Court believes the allegations of said petition are true, therefore, the Court decrees that said motion be granted and said final settlement of the guardianship accounts of Huggins and final decree be vacated and set aside and held for naught. It is further adjudged that Andrew J. Huggins pay the costs.<sup>1</sup>

### **Mahaley Berry Estate**

#### **Petition for Sale of Perishable Property**

Page 14

29 June 1869

John W. Williams, administrator of Mahaley Berry, deceased, prays for an order to sell horses, cattle, and household and kitchen furniture as they are perishable and liable to waste.

The Court approved the motion and decreed that the property be sold at public auction to the highest bidder for cash. The administrator must first give three weeks notice of the time and places of said sale together with a description of the property by posting up notices at the court

<sup>1</sup> No reasons were cited for this vacation. Prior motions, etc., were in a previous book.

house door and in three public places in the county.

The court further ordered the administrator, within 60 days from said sale do make report on oath to this Court of his account of such sale.

### **W. R. W. Cobb Estate**

#### **Order to Make Partial Settlement**

Page 15

1 July 1869

Comes John H. Norwood, attorney, and prays that Bryant Cobb, administrator, may be cited to make annual settlement of his administration. It is the desires of the creditors of said estate that annual settlement be made.

The Court ordered said Bryant Cobb to appear before the Judge of Probate on or before 23 July 1869 to file his accounts for a partial annual settlement of his administration.

### **Samuel Frazier Estate**

#### **Appraisement**

Page 15

1 July 1869

Came W. J. Kirk, Sheriff and *ex officio* administrator of Samuel Frazier's estate and presents his appraisement in due form. Same ordered filed and recorded. [No details given.]

**A. (H). J. Huggins, Guardian of**

**Nancy A. Skelton**

Page 16

2 July 1869

Nancy A. Skelton has reached the full age of 21 years. This day is set to hear the accounts for final settlement, filed by A [H?]. J. Huggins as her guardian for a final settlement.

All parties have been given due notice of this hearing.

Nancy A. Skelton is represented by her lawyer.

It is shown by sufficient proof that Huggins has received the assets of his ward from Jas. L. Skelton, admr. of Robert B. Skelton, the sum of \$800 including interest up to this settlement. He has expended the costs and charges necessary and incident to the guardianship including \$300 allowed the guardian as his commission, leaving a balance of \$433.18 due said ward.

The Court decreed that Nancy A. Skelton have and recover of Huggins \$433.18.

**Jno. G. Sanders, Guardian of  
Mary Hinshaw  
George W. Hinshaw and  
Martha Hinshaw**

Page 17  
3 July 1869

Came William M. Fears and files his application in writing alleging, among other things, that he is one of the securities in the bond filed by Sanders as guardian of said children, all minors. The bond was given by said John G. Sanders to secure the performance of his duties as guardian. Sanders is about to become entangled in law and Feas is afraid he will sustain loss thereby and prays to be released and discharged from further liability on said bond.

The Court ordered that 7 July 1869 be set to hear said application, the proof which may be made, and that Sanders be cited to appear and answer said allegations.

**James M. Rorex Estate  
Order to Make Settlement**

Page 18  
3 July 1869

Comes H. M. Roach and makes application praying that John Rorex, administrator, be ordered to file his accounts for settlement.

The Court ordered that John Rorex, admr., is required to appear in Court on 12 August 1869 to file his account for settlement of his administration.

**R. H. Taliaferro  
Probate of Will**

Page 19-20  
5 July 1869

Came Richard Taliaferro and filed an instrument purporting to be the last will and testament of Richard H. Taliaferro, decd. and prays for an order to probate said will. H. H. Horton and James O. Robertson of Jackson County attested to said instrument.

It appears to the Court that said petitioner is one of the next of kin<sup>2</sup> and that Elizabeth Taliaferro who resides in this county, is the widow of decedent. Decedent died leaving the following heirs at law:

Sarah D. Nelson  
Amanda Jane Davis, wife of Thomas Davis  
Sophia E. Conan, wife of J. H. Conan  
Ann H. Williams wife of Ezekiel Williams  
Minor children of deceased dau., Dyrena

Rice:

Hardin Taliaferro  
Bettie Powers formerly Bettie Rice,  
wife of Wm. A. Powers  
Edward Rice  
Joseph Rice, all four being minors and  
residing with their father, Francis  
W. [?] Rice in Madison Co., Ala.

The court orders that 20 July 1869 be set as a day for hearing testimony in proof of said will. H. H. Horton and James O. Robertson, witnesses, are to be subpoenaed to appear that day to prove the will. Also ordered to appear are:

Elizabeth Taliaferro, widow  
Sarah D. Nelson  
Amanda Jane Davis  
Thomas Davis  
Sophia E. Conan  
J. H. Conan  
Ann H. Williams  
Ezekiel Williams  
Harden Taliaferro

The said Betty Powers, Edward Rice and Joseph Rice is to have notice by a citation to be served on their father.

-To be continued

<sup>2</sup> He is probably a son but is not listed among the heirs.



# Lauderdale County

## Deed Record Book A-3

(Part 6)

Copied and contributed by Howell Sims

Abstracted by Dorothy Scott Johnson

This series began in Vol. 35, issue No. 1, and is continued here from Vol. 36, No. 1, Sept. 2001. This large book of early deeds is housed in the Lauderdale County Courthouse in Florence. Deed records are probably the most overlooked genealogical tool in the world, yet they are among the most important. From the deeds you might determine your ancestor's parents, the elusive name of the wife, where they lived, what state and county they were from and countless other important facts. Lauderdale County, established in 1818, is fortunate as they have had no fires, floods or other calamities and have most, if not all, of their original records.

### Askens to Wright

Pages 101-103

Warranty Deed

7 Jan 1826

Aron Askens and Lovey [Lucy?], his wife, sell property to John Wright (all of Lauderdale Co., Ala.)

The Askens sell to Wright, for \$400 to them in hand paid, the E/2 of the NE/4 of Section No. 27, Twp. 1, Range 9 West in Lauderdale Co., containing 79.68 acres with appurtenances

Signed by Aron Askens and signed by Lovey with an "X."

Acknowledged by the Askens before William W. Garrard, Clerk of the Lauderdale County Court on 7 Jan 1826.

Lovey relinquished her right of dower. William W. Garrard examined her separately and apart from her husband. She said she signed the deed free and voluntarily without any fear or threat of her husband and has no wish to retract the covenant.

Recorded 7 Jan 1826

### Gordan to Pope

Pages 103-104

Warranty Deed

10 Jan 1826

Bowling Gordan sells property to John Pope, both of Lauderdale Co., Ala., for \$9500. Pope

gave notes for the said sum payable in three annual installments, viz:

\$3160.62 due 11 Feb next [1826]

\$3166.62 due on 11 Feby 1827;

\$3166.62 due on 11 Feby 1828.

Said amount is for the following Lauderdale County land:

W/2 of the NW/4 of Section 2;

W/2 of the SW/4 of Section 2;

E/2 of the NE/4 of Section 3

E/2 of the SE/4 of Section 3;

E/2 of the SW/4 of Section 3,;

all being in Township 3, Range 12 West estimated to contain 400 acres more or less.

/s/ Bowling Gordan

Witness:

Jno. Coffee

James T. Hanna

Acknowledged 10 Jan 1826 by Bowling Gordan 10 Jan 1826, recorded same day and delivered to John Pope.

### Pope to Gordan

Pages 104-105

Lien

10 Jan 1820

John Pope hereby acknowledges the right of Bowling Gordan to return a lawful lien upon a tract of land sold and conveyed unto me the 10<sup>th</sup> day of Jan 1820, viz:

W/2 of the MW/4 of Section 2;  
W/2 of the SW/4 of Section 2;  
E/2 of the NE/4 of Section 3;  
E/3 of the SE/4 of Section 3;  
E/2 of the SW/4 of Section 3;

all in Township 3, Range 12 West. The said lien is hereby returned by Bowling Gordan to secure the payment of the purchase money, \$9500 payable in three equal annual installments, the first payment due 11 Feb next.

/s/ Jno. Pope

Witness:

William Griffin  
James J. Hanna

Acknowledged by Pope 10 Jan 1826 and recorded 11 Jan 1826.

~~~~~  
**Rodgers to Foley**

**Pages 105-107**

Deed of Trust  
2 July 1825

Lemuel Rodgers and Thomas Rodgers sell property to Washington G. L. Foly<sup>1</sup> and Robert Shane, in trust, for the sum of \$1000 in hand paid to Rodgers and Rodgers. All are from Lauderdale Co., Ala.

The property sold in trust included a certain tract of land in Lauderdale Co., it being one-half of a quarter section in Section 5, Township 3, Range 7 West containing 79.81 acres with hereditaments, appurtenances rents, rights, uses and profits except one-half acre held by Samuel Haraway. Also included in the trust sale was

- One Negro, Joe, age 25 years,
- 13 head of cattle
- 40 head of hoggs
- Four feather beds and furniture
- 2 bedsteads and furniture
- All kitchen furniture
- Cubbard [sic] ware

Deed of trust is upon certain conditions. Foley and Shane has this day become security of Thomas Rodgers and Lemuel Rodgers on a bond for the sum of \$695 payable on 19 Feb 1826 to John P. Cunningham, executor of the estate of Joel Burrow, deceased. The bond was for the

purchase of the above mentioned Negro man, Joe.

Now if Lemuel and Thomas pay the \$695 when it comes due then this conveyance to be void on all the aforesaid property *except* the tract of land. until Samuel Rodgers gives Foley a warranty deed for a certain lot of land lying and situated on the branch south of said Rodgers' house, then all to be void and of no effect.

If Lemuel Rodgers fails to pay debt, then ten days after debt becomes due or if Rodgers fails to make title, after giving ten days notice by advertisement in some public place the property Foley and Shane may expose said property, both real and personal, to public sale. They may sell so much of the property as will pay the \$695 debt plus interest and costs. The property to be sold, if necessary, at the house of Lemuel Rodgers.

/s/ Lemuel Rodgers  
/s/ Thos. Rodgers

Witness:

Thos. Cunningham

Acknowledged on 11 Jan 1826 before William W. Garrard, Clerk of the Lauderdale County Court. Recorded 12 Jan 1826

~~~~~  
**Leath to Kirkman**

**Pages 107-109**

Deed of Trust  
2 Jan 1826

- 1<sup>st</sup> part - Isham B. Leath
- 2<sup>nd</sup> part - David Hubbard
- 3<sup>rd</sup> part - Thomas Kirkman and James

Kirkman (merchants and partners trading in Florence under the firm name of T & J Kirkman.

Isham B. Leath owes T & J Kirkman \$1263.68 due by his several notes executed at Florence on 23 Sept 1825. They are payable to T & J Kirkman on order for:

- \$639.70 one year after date thereof
- \$631.70 payable 18 months after date

To secure T & J Kirkman against loss, Leath deeds to David Hubbard, in trust, the following:

"One lot of ground in Florence beginning on Court Street at the northwestwardly corner of a lot belonging to Julian Sebler [?] running

<sup>1</sup> Written Foley in most places in this document

thence with Court Street northwestwardly half the front of said lot, that is, half the distance between the point of beginning and the corner of said lot on the Military Road, thence eastwardly through the middle of said lot to an alley between Court Street and Seminary Street, then extending thence with the western boundary of said alley to Julian Sebie's [?] northwestwardly corner, thence with said Sebie's line to the beginning, it being that part of a lot heretofore sold by the trustees of the Cypress Land Company to Caleb S. Manly which the said Manly sold to Isham R. Leath and including a two-story framed house built by said Manly on Court Street in Florence."

David Hubbard shall permit Isham R. Leath to remain in quiet and peaceable possession of said lot, with all the appurtenances thereunto belonging, until default be made by Leath in payment of the above described sums of money. If default is made then Hubbard is hereby authorized to advertise the lot for sale with all things thereunto belonging and after giving one month previous public notice of the time and place of sale in some newspaper published in Florence, shall sell the lot on the spot to the highest bidder for cash. Permission is given to postpone sale five months. With proceeds he is to pay T & J Kirkman all sums due them. After paying the notes and expenses the remainder, if any, to be paid back to Leath.

/s/Isham R. Leath  
/s/ David Hubbard  
/s/Thos. Kirkman  
/s/ James Kirkman

Acknowledged 10 Jan 1826 and recorded 13 Jan 1826.

**Bryan to Smith**

Pages 110-111  
Deed of Conveyance  
25 Nov 1825

Samuel Bryan, of the first part of Lauderdale Co., Ala. for himself and as attorney in fact for the heirs of Miles Watson, and Alexander Smith

of Tennessee and Willie \_\_\_\_\_ of ...amson Co., of the other part.

Samuel Bryan, "in consideration of his locating interest of said lands to him in hand paid by" Alexander Smith & Company, sells to Alexander Smith land in Lincoln County, Tenn., as follows:

Beginning at a Beach [tree] on David McGavock's line running north 93 poles to a stake, thence west 199.3 poles to a stake on the beginning line of said tract of 240 acres granted to the heirs of Miles Watson, thence south with the said line 93 poles to a Beech [on the] southwest corner of said tract thence east to the beginning of said lands [with] hereditaments."

/s/ Saml. Bryan

Ack. in court 23 Jan 1826 and recorded same day. Delivered 11 Feb 1826.

**Cockrill to Houston**

Pages 112-113  
Deed  
6 Dec 1825

Mark R. Cockrill of Davidson Co., Tenn., is of one part and David Houston of Lauderdale Co., Ala. is of the other part.

For \$225, in hand paid, Mark R. Cockrill sells to David Houston the following property:

E/2 of the NE/4 of Section 28, Township 2, Range 13 West, containing 80.62 acres in Lauderdale Co., Ala.

Sale of property includes the rights, profits, emoluments, hereditaments and appurtenances in any way belonging to the property.

Ack. in Nashville, Davidson Co., Tenn. on 7 Dec 1825 before Jacob McGavock, Clerk of the Circuit Court and certified by Thomas Stuart, judge of the Circuit Court of Law & Equity on the same date. Recorded 21 Jan 1826.

Note: Date received and recorded in Alabama not given.

### Boyles to James

Pages 113-114

Deed

14 Jan 1826

William Boyles and Mary Boyles, his wife, sell to Abraham James, all of Lauderdale Co., Ala., for \$500 in hand paid, the following land:

E/2 of the SE/4 of Section 10, Township 1, Range 11 West containing 79.76 acres along with all appurtenances thereunto belonging, in Lauderdale Co., Ala.

Both William and Mary Boyles signed with their marks.

On the same day, Mary relinquished her right of dower having been privately examined by D. W. House, J. P., apart from her husband. Mary acknowledged that the signing of the deed was voluntary and not through any dread or fear, compulsion or threats of her husband.

Recorded 24 Jan 1826.

### Byler to Strawn

Pages 114-115

Warranty Deed

19 Dec 1825

This indenture is between Henry Anderson and Jacob Byler (administrators, with the will annexed, of the Estate of Jesse Evans, Decd.) and Richard Strawn. This document is in pursuance of a Decree of the County Court of Lauderdale Co., Ala. and of a Bond held by Richard Strawn on Jesse Evans of the one part, and Richard Strawn of the other part, both of Lauderdale Co., Ala.

Henry Anderson and Jacob Byler, administrators, for \$1000 to Jesse Evans in his lifetime paid by Richard Strawn, hereby conveys to Strawn, land as follows:

W/2 of the SE/4 of Section 12, Township 2, Range 12 West containing 79.92 acres in Lauderdale Co. granted to the said Jesse Evans, decd., as assignee of John Williams and sold by Evans in his lifetime to the said Richard Strawn as appears by a bond signed by Evans on 19 May 1823.

Conveyance includes all and singular the appurtenances thereunto belonging to the property.

/s/ Henry Anderson

/s/ Jacob Byler

Ack. 17 Dec 1825 before W. W. Garrard, Clerk of the County Court of Lauderdale County, Alabama. Recorded 24 Jan 1826. Delivered to Strawn 6 March 1826.

### Jane Cockburn to Israel Cockburn

Pages 116-117

Deed of Gift

15 Dec 1825

I, Jane Cockburn, of Lauderdale Co., Ala., for the natural love and affection I have for my son Isreal Cockburn, and for diverse other good causes I convey to him all that tract or parcel of land in Lauderdale as follows:

A tract of 86 acres and 102 poles it being that part of a tract of land awarded by my late husband, Elijah Cockburn, decd., and which was allotted to me as my dower.

Said land was laid off by Henry Garrard, Joseph Robertson, Phillip Huggins and William Garrett, Commissioners to me during my natural life.

I give the same freely to my said son, Isreal Cockburn. I also give to him the following personal property: my stock of hogs and also "the residue of my part of the Estate of my Deceased husband whatever it may be, which is now in the hands of Reubin Hough, administrator of my husband's estate. I give the property to Reubin for the purpose of affording him a comfortable sustenance and for his education.

her

Jane 5 Cockburn  
mark

Witnesses:

Richd. McMahan

Shelby Polk

Canny Coburn

Proven by witnesses before William W. Garrard, Clerk of the Lauderdale County Court 18 Jan 1826. Recorded 25 Jan 1826



~~~~~  
**Cochran, Martin & Cassity**

**Pages 117**

Articles of Agreement

4 Jan 1826

Richard Cochran, 1<sup>st</sup> part

James Martin & Levi Cassity, 2<sup>nd</sup>

All parties are from Florence, Lauderdale Co.

Martin and Cassity agree to do the carpenter and joiner work of a brick house built by Isham R. Leath, and key and adjoining the house bilt [sic] by John Simpson. The work is to be measured and priced according to the Bill of prices. Said Martin & Cassity to do the John Simpson Bilding [sic] for which Said Cochran is to pay said Martin & Cassity \$150 when the work is completed [sic], and the balance of what ever said house may measure to on or before the 1<sup>st</sup> day of January 1827. Also, said Cochran is to furnish all materials for said Bilding [sic] and said Martin & Cassity is to compleate [sic] said Bilding in a reasonable time after said materials are furnished.

In Testimony of which we have hereunto set our hands and seals this day and date above written.

/s/ Richard Cochran

/s/ James Martin

/s/ Levi Cassity

Witness:

John Simpson

Jno. Spalding

Proven by John Spalding before William W. Garrard, clerk of Lauderdale County Court on 31 Jan 1826.

~~~~~  
**Cypress Land Co. to Buchanon**

**Page 118**

Warranty Deed

31 Jan 1826

LeRoy Pope, Thomas Bibb, James Jackson, Dabney Morriss and John McKinly, five of the trustees of the Cypress Land Co., by John Coffee their attorney in fact, and John Coffee the other trustee, sell land to Andrew Buchanon.

For \$680 in hand paid, Coffee sells to Buchanon the following property:

The northern half of Lot No. 193 as known in the plan of the town of Florence containing ¼ acre including the alley back of the lot, with appurtenances thereunto belonging.

Deed signed by the above named trustees and by John Coffee also as attorney in fact.

Witness:

James H. Weakley

F. Sannoner

Ack by John Coffee 4 Feb 1826. Recorded 16 Feb 1826.

~~~~~  
**Rowsey to Fields**

**Pages 119-120**

Warranty Deed

26 April 1825

John Rowsey of Lauderdale Co., Ala. sells to Fieldon Fields for \$100 to Rowsey in hand paid, the following property:

All the goods, household stuff, implements and furniture particularly mentioned, expressed and contained in the schedule hereunto annexed, that is to say:

One gray mare

2 colts

3 feather beds and furniture

10 head of stock cattle

Household & kitchen furniture

all in "occupation" of John Rowsey

Signed by John Rowsey by his mark.

Witness:

Thomas Rowsey

George Homer

Acknowledged by John Rowsey on 19 Feb 1826.

Witness:

Benjamin Ingram

Thomas W. Rowsey

Proven by Benjamin Ingram on 20 Feb 1826.

Recorded 20 Feb 1826.

Note: The 1830 census shows this man as John Rousy.

### Cypress Land Co. to Edgar

Pages 120-121  
Warranty Deed  
20 Feb 1826

The trustees of the Cypress Land Co. (LeRoy Pope, Thomas Bibb, James Jackson, Dabney Morriss, John McKinly and John Coffee), by their attorney in fact, John Coffee, sell land to James Edgar for \$150 in hand paid. The property was:

Lot 360 as designated in the plan of the town of Florence, containing 2.2 acres with appurtenances.

Deed signed by the trustees by John Coffee.

Witness:

F. Sannoner

Ack. by Coffee 20 Feb 1826 & recorded 23 Feb 1826.

### Campbell to Elms

Pages 121-122  
Acknowledgement  
27 Feb 1826

I, William M. Campbell, do hereby acknowledge that Daniel Elms is entitled to one undivided half of 33 feet of ground lying on the west side of Court Street, being part of a lot bought by me of Ezekiel H. Hudnall. A brick house was built by Daniel Elms and myself on said lot. It runs 27 feet across the front and 40 feet back. The house is two stories high and finished complete. The under rooms of which are at present occupied by Graham & Close and the second story by myself.

Elms and Campbell were "jointly interested in the purchase of said part of said lot, built all the improvement on it jointly" and jointly paid for it. Therefore, both are entitled to jointly own said property.

/s/ Wm. M. Campbell

Witt:

George Boggs Jr.  
Chas. Buchanon

Ack. by Campbell 27 Feb 1826. Recorded 20 March 1826.

### Norman, Sampel, Martin & Monroe

Pages 122-124  
Articles of Agreement  
2 Feb 1826

James Norman of Rapides Parish, La. of the first part;

James Sampel ) of Florence,  
Deskin D. Monroe ) Lauderdale  
James Martin ) Co., Ala.

James Sampel obliges and binds himself to furnish brick, mortar and etc. and build a brick house in the town of Florence on Square No. \_\_\_ [blank], Lot No. \_\_\_ [blank] fronting Court Street of the following size and description:

22 feet by 36 feet and 20 feet high with two doors in front, common size, and two 18 light windows in front, one door and one window in the back of the building, 4 windows in front in the second story and three in the back wall. He further obligates himself to build two chimneys in the side adjoining said Sample's lot, one of which is to have one fireplace in the front room above and one fireplace below, all of which is to be of good materials and done in a workmanlike manner.

The said James Martin obligates himself to furnish all the timber necessary for the completion of said building of the best quality.

Deskin D. Monroe obligates himself to execute the carpenter's work on said house in the following manner:

Fit in the joists and sleepers to lay the floor on the first and second story, tongue and groove. Build the roof in the usual manner. Run one partition from the front, 23 feet back and four feet from the sidewalk next to W. Garrote. Build one other partition across 23 feet from the front door and join with the former one. Run another partition from the back wall to the partition dividing the front room from the counting room six feet from the side wall next to W. Garrote. Make and hang four common panel doors below stairs, one lined folding door in front, two lined folding

doors [and] shutters in front to make the sash for ten 8-light windows, three-light sash for front and back passage doors. Make one plain chimney piece for the counting room, one winding stair case in the corner of the passage, all of which to be done in a workmanlike manner.

James Norman promises and obliges himself to pay Sampel at the rate of \$8 per 1000 for the brick work on or before the 1<sup>st</sup> day of March 1827 (he understood that Sample is only to charge for 1/2 of each side wall). Norman is to pay D. D. Monroe for the carpenter's work at the rate of the customary prices at Florence on the 25<sup>th</sup> day of December next (1826), \$187 which has been paid to Monroe in advance.

The building is to be completed by the 1<sup>st</sup> of July 1826.

/s/ James Norman  
/s/ James Sampel  
/s/ D. D. Monroe  
/s/ James Martin

Witness:

J. B. Sale  
Robert Cade

Acknowledged 2 Feb 1826 before Benj. M. Stokes, JP. Certified 22 Feb 1826 before W. W. Garrard, Clerk of the Lauderdale Co. Court. Recorded 2 March 1826.

### Qualls to Yarbrough

Page 124

Power of Attorney

On 12 Nov 1825 Moses Qualls appointed William L. Yarbrough, both of Lauderdale Co. Ala., his true and lawful attorney. The purpose is to authorize Yarbrough, as his paid attorney, to receive, sell and dispose of a certain tract of land in Spartanburg District of South Carolina on the Packett [?] River containing about 180 acres. Said land was left to Qualls by his father, Thomas Qualls, "and which [has] been in the hands of John Qualls."

/s/ Moses Qualls

Witness:

B. W. Edwards  
Jacob Ellinger

Proven by Edwards and Ellinger 23 Feb 1826. Recorded 3 March 1826.

### McDonald & English to Anderson

Pages 125-126

Deed of Trust

Dated 24 Jan 1826

William McDonald & William K. English, debtors;

Peter Anderson, trustee  
Henry Anderson, creditor

McDonald and English are jointly indebted to Henry Anderson in the amount of \$255.47 by note which became due and payable 1 Jan 1826.

McDonald and English were unable to pay and satisfy the debt. They are anxious to secure Henry Anderson against loss and, therefore, they sell to Peter Anderson, in trust, the following property:

One sorrell horse aged 8 yrs  
One brown mare aged 4 years  
One 4-horse wagon

An entire set of harness for same

McDonald and English are to keep possession of the property until 1 March 1826 unless they attempt to remove the property from Lauderdale County. Unless debt is paid by 1 March, Peter Anderson, after giving 10 days notice by advertisement in writing put upon the door of the courthouse in Florence, shall sell same at public auction to the highest bidder. Out of the proceeds, he is to pay said debt, charges, expenses and interest. If debt is paid by due date then this deed is void.

/s/ William McDonald  
/s/ W. K. English  
/s/ P. Anderson  
/s/ H. Anderson

Witness:

Henry Strause proved this deed of trust on 15 Feb 1826. Recorded 2 March 1826 and delivered to P. Anderson on 20 March 1826.

### Ward, Garner & Bass Agreement

Pages 126-127

Agreement

Dated 24 Jan 1826

The State of Tennessee granted land (Grant No. 19404) to Uriah Bass and Brice M. Garner, and Presley Ward, assignee, 575<sup>2</sup> acres to-wit: to said Bass & Garner, assignee, to 300 acres and to the said Ward, assignee, 375 acres. Said land lies in Madison Co., Tennessee in the 10<sup>th</sup> Surveyor's District on the waters of the South Fork of Forked Deer River<sup>3</sup> in the first and second ranges and 8<sup>th</sup> and 9<sup>th</sup> sections, and bounded as follows, to wit:

Beginning at a Maple 120 poles south of the NE corner of entry No. 688 in the name of John Johnson, for 3000 acres, running the \_\_\_ north 170 poles to a hickory and maple; said corner thence (west) 10 poles to a white oak and maple thence north 300 poles to a hickory thence east 199.4 poles to a hickory thence south 470 poles to a black oak thence west 189.4 poles to the beginning.

Presley Ward and Brice M. Garner, for him and as agent for Uriah Bass of Fayetteville, Lincoln Co., Tenn., doth hereby nominate and appoint James \_\_\_[?], John H. Hyde, Thomas Shannon, William E. Butler and James Reed, or any two of them, commissions to make partition of and divide said land.

/s/ Brice M. Garner for himself  
and as agent for Uriah Bass

Witness:

M. C. Young

J. M. Campbell

Proven by Campbell 15 Feb 1826.

Recorded 2 March 1826.

### Andrews to Wood

<sup>2</sup> Says 575 acres but is believed to be 675

<sup>3</sup> The Forked Deer River is a navigable river in West Tennessee. It has three main forks designated as North, Middle and South Forks. The largest is south Fork which is declared navigable as high up as the mouth of Clark's Creek. South Fork takes its rise in McNairy and Henderson Counties and by a southwest course, flows through Madison Co., Tenn., past the town of Jackson, thence through the NE corner of Haywood. [Source: Eastin Morris, *The Tennessee Gazetteer*, Nashville: 1834. Reprinted 1971 by The Gazetteer Press.]

### Pages 128-129

Deed

3 Feb 1826

**NOTE:** This deed was marked out. There were obvious errors that were corrected in the next deed. In this deed, Patrick Andrews sold an 8 acre lot in Florence to William R. Wood, for \$175.

### Andrews to Wood

Pages 129-130

Warranty Deed

3 Feb 1826

Patrick Andrews, of Lauderdale Co., Ala. sold land to Alexander H. Wood for \$200 in hand paid. Said land is in the town of Florence and is designated and known as part of an eight-acre lot which Patrick Andrews purchased of the Cypress Land Co. It is described as follows:

Beginning at the SW corner of said eight-acre lot on the north side of Tuscaloosa St. and on the east side of Pine Street when extended, to run from thence with Tuscaloosa St. eastwardly 9-1/2 poles to an alley one pole wide, thence with that alley northwardly 8 poles thence to Pine Street as extended, 9-1/2 poles running parallel with Tuscaloosa Street, thence with Pine Street 8 poles to the beginning containing the same quantity of land as in one town lot in Florence.

Said lot is purchased with appurtenances.

/s/ P. Andrews

Witness:

George Boggs Jr.

John Key

Patrick Andrews acknowledged deed 3 Feb 1826  
an it was recorded the same day.

### Leath to Low

Pages 130-131

Warranty Deed

Dated 9 Feb 1826



Isham R. Leath sells to David Low both of Lauderdale Co., for \$178.25 in hand paid, land and lot in Florence as follows:

Beginning at a stake at the SW corner of Lot No. 354 in Florence then running east 60 poles to a stake, thence north 40 poles to a stake, thence west 60 poles to a stake, thence south 40 poles to the beginning, containing 15 acres.

Also included are appurtenances.

/s/ Isham R. Leath

Acknowledged 9 Feb 1826. Recorded 3 March 1826.

### Leath to Low

Pages 131-132

Deed

Dated 9 Feb 1826

Isham R. Leath sells to David Low, both of Lauderdale Co., Ala., for \$178.25 in hand paid, a certain tract or lot of land situated as follows:

Beginning on a stake at the NE corner of a lot of ground designated and known in the plan of the town of Florence as No. 354 running west 60 poles to a stake, thence south 40 poles to a stake, thence east 60 poles to a stake, thence south 40 poles to a stake, thence east 60 poles to a stake, thence north 40 poles to the beginning making 15 acres together with all appurtenances.

/s/ Isham R. Leath

Ack. by Leath 9 Feb 1826. Recorded 3 March 1826. Delivered to Low 24 March 1826.

Note: This deed must be a correction of the previous one - the lot number is the same but the description is different.

### Bryan to Haralson

Pages 132-133

Bill of Sale

13 Feb 1826

Samuel Bryan sells to Thomas B. Haralson, both of Lauderdale Co., Ala. for the sum of \$937 in hand paid, a Negro slaves, to wit:

Sam, a black fellow about 21 years of age;

One Negro boy named Washington about 13 years of age of a black Colour. Bryan warrants the slaves the title and also warrants them to be sound and healthy.

/s/ Samuel Bryan

Acknowledged by Bryan 13 Feb 1824.

### Commissioners Report

Pages 133—134

Dated Feby Term 1826, Recorded 3 Mar 1826

In pursuance of an Act of the General Assembly of Alabama entitled, *An Act to Authorize the Judge of the County Court of Lauderdale County to Levy a Tax for the Purpose Therein Specified*, passed at Cahaba on the \_\_\_ [blank] day of December 1825. The undersigned commissioners appointed by said act to contract for and superintend the building of three bridges in Lauderdale County, to-wit:

One over Shoal Creek, one over Blue Water and one over Cypress Creek.

The Commissioners have reflected on the subject and made such enquiry as respects the proposed building of said bridges above specified and have reached the following conclusions, to-wit:

The Act seems to give a discretion to the Commissioners as to the materials of which the bridges are to be built as well as the time for which they are to be warranted.

The Commissioners are well aware that the bridges should be made as durable as possible to the end that the county should not again be taxed with rebuilding the same. It appears evident, however, that in the infant state of the county and thinly scattered population, it would be oppressive to the people to tax them with a sum that would be sufficient to build these bridges, or either of them, out of stone.

For this reason, the Commissioners are of the opinion that they ought to be built of timbers of the best quality that can be procured and to be put upon [constructed in ] the best manner and

warranted for a time corresponding with the materials.

The Commissioners, acting under a full conviction that the foregoing plan ought to be adopted at this time, do hereby inform the Court that the sum of \$5000 is necessary for the erection of said bridges.

Respectfully submitted,

/s/ Ino. Coffee  
/s/ L. Thompson  
/s/ John Donohoo  
/s/ John Chisholm

Recorded 3 March 1826.

**Wood to McRee**

Pages 134-135

Warranty Deed

Dated 3 Feb 1826

William Wood, of Giles Co., Tenn., sells to David W. McRee of Maury Co., Tenn., for \$1500 and \_\_\_ Cents, in hand paid, a lot in Lauderdale Co., Ala designated as follows:

Lot No. 391 in the plan of the town of Florence "containing Sixty acres" which said lot was purchased by Wood from the Cypress Land Company.

/s/ W. W. Wood

Witness:

P. Ward  
Thos. B. Jones

Acknowledged by Wood 3 Feb 1826 and Recorded 3 March 1826.

**Oden to Perkins**

Page 135

Bill of Sale

3 February 1826

Hezekiah Oden sells to Wm. Perkins, both of Lauderdale Co., Ala., for \$300 in hand paid, the following Negro Slaves and their increase forever:

Eddy  
Jane  
Cherry  
Jaffrone  
Jane

Oden warrants the title to slaves against all and every other person.

/s/ Hezekiah Oden

Witness:

James Irvine

Hugh Findly

Proven by Irvine and Findly 3 Feb. 1826 and recorded 3 March 1826.

**Brown to Low**

Page 136

Power of Attorney

Dated 5 Jan 1826

Dudley Brown designates David Low, both of Lauderdale Co., Ala., "with the legal representatives of Joseph Davis, Deceased, to make Samuel Good of Lawrence County a title to a certain part or parcel of land in" Lauderdale County. The land is:

A half-quarter section known as the Mill Tract now in possession of said Good.



Low is authorized to what is necessary to perfect title of land, the numbers "not being recollected by me at present."

/s/ Dudley Brown

Ack. by Brown and recorded 3 March 1826.

-To be continued

# Lawrence County

## County Court Minute Book B.

1824-1825

Part 18

*Valley Leaves* began carrying the Lawrence County Court Minute Book B, 1823, in Vol. 25, No. 2, p. 79, December 1990. The series is continued here from Vol. 38, No. 3 & 4, March-June 2004. Most of these entries are for recovery of debt and few details are given. This period in Alabama history was especially difficult as "from the 20 to 25-cent per pound high in 1818, the price of the average pound [of cotton] fell to about 9 cents in 1830."<sup>1</sup> With this knowledge, one can readily see that the cotton industry, on which the South's economy was based, was declining yearly leaving great indebtedness in its wake.

**Page 106**

**January Term 1825 (24 Jan 1825)**

**Case No. 210**

Trotter & McGonnegal

vs

Allen H. Doyle

This day came the parties by their attorneys and Doyle says nothing. The Court ordered the plaintiffs to recover from Doyle \$83.92 debt plus \$5.75 damages by reason of the detention of the debt.

**Case No. 214**

Joseph Cotton

vs

Peter Bumgardner

This day came the parties by their attorneys and Bumgardner says nothing. The Court ordered the plaintiffs to recover from defendant \$50.50 debt plus \$3.31 damages due to the detention of the debt.

**Page 107**

**Case No. 216**

Nathan Gregg, assignee

vs

David Smith

This day came the parties by their attorneys and defendant Smith says nothing. Therefore, the Court ordered that plaintiff recover of defendant \$89.96 debt plus \$7.19 damages and costs.

**Case No. 226**

J. & J. Swoope

vs

James Frances Co.

This day came the parties of their attorneys and defendant says nothing why judgment should not be made against him. Therefore, the Court orders Swoope to recover against defendant \$78.90 debt plus \$5.79 damages and costs.

**Page 108**

**Case No. 179**

**24 Jan 1825**

Martin & Bradley, assignees

vs

James Elam

<sup>1</sup> Elise Hopkins Stephens, *Historic Huntsville, A City of New Beginnings* (Woodland Hills, California: Windsor Publications, 1937), p. 31.

Came the plaintiff by their attorney. James Elam being solemnly called came not, nor says any thing "in bar or preclusion of the action aforesaid" but made default. Therefore, the court orders that plaintiff recover from Elam \$64.25 debt plus \$6.42 damages plus costs in this case.

**Page 109**

**24 Jan 1825**

**Case No. 19**

Tilford & Carlton

vs

Joshua Seamans

This day came the plaintiff by his attorney who dismisses his suit. It is, therefore, ordered by the Court that the suit be dismissed and that defendant recover his costs from plaintiff.

**Case No. 221**

Bernard M. Patterson

vs

Riggins & King

This day came the plaintiff by his attorney who agreed to dismiss his suit. It is, therefore, ordered by the court that the case be dismissed and that plaintiff recover his costs from the defendant.

**Case No. 31**

John Henderson

vs

Thomas R. King

Came Henderson his attorney who agreed to dismiss his suit. It is, therefore, ordered by the Court that each party recover against the other one-half the costs about said suit expended.

**Case No. 38**

Fratts [?] & McBroom

vs

Young A. Gray

This day came the plaintiffs by their attorney who agrees to dismiss said suit. It is, therefore, ordered that defendant recover against the plaintiff his costs.

*Fratts & M<sup>c</sup> Broom*

The above is a photocopy of the actual signature.

**Page 110**

**24 Jan 1825**

**Case No. 122**

Tilford & Carlton

vs

John Glass

This day came the parties by their attorneys and the defendant says nothing why judgment should not be made against him. It is, therefore, ordered by the Court that plaintiffs recover from Glass the sums of \$60.91 debt, \$9.87½ damages sustained by reason of the detention of said debt, plus costs.

**Case No. 176**

Martin Shelton

vs

George Worley

This day came the parties by their attorneys who pray to dismiss said case. It is, therefore, ordered that said suit be dismissed and that each party recover against the other one-half of the costs about said suit expended.

**Case No. 185**

Thomas Holland

vs

Richard Hazlewood

This day came the parties by their attorneys who pray to dismiss said suit. It is, therefore, ordered that said suit be dismissed and that each party recover against the other one-half of the costs.

**Case No. 204**

C. McClung & Sons

vs

William Felton

This day came McClung & Sons by their attorney and prays to dismiss said suit. It is, therefore, ordered by the Court that the suit be dismissed and that plaintiff recover against Felton their costs.

**Page 111**

**24 Feb 1825**

**Case No. 211**

Trotter & McGonnegal

vs

Francis W. Muhaney



This day came the plaintiffs by their attorney and the defendant, although solemnly called, came not but made default. It is, therefore, considered by the Court that the plaintiff recover against the defendant \$61.31 debt plus \$4.44 damages sustained by reason of the detention of said debt, together with costs of this case.

**Case No. 235**  
McGhee & Hunter  
vs  
Isaac Johnson

This day came the plaintiffs by their attorney and pray to dismiss the suit. It is, therefore, ordered by the Court that suit be dismissed and defendant recover against plaintiff his costs expended.

**Case No. 230**  
Drew L. Bynum  
vs  
George T. Sadler

This day came the plaintiff by his attorney and the defendant, although solemnly called came not but made default. It is, therefore, considered by the court that Bynum recover \$85 debt, \$5.81 damages sustained by reason of the detention of said debt, together with his costs.

**Page 112 – Missing**

**Page 113**  
**24 Jan 1825**  
**Case No. 244**  
Samuel McBride

vs  
James Greenway

This day came McBride by his attorney and prays to dismiss the suit. It is, therefore, ordered that said suit be dismissed and that the plaintiff pay to Greenway his costs in this suit expended.

**Case No. 249**  
Solomon Gum [Gunn?], Executor  
vs  
James S. Clark

This day came the plaintiff by his attorney. Defendant Clark, although solemnly called, came not and made default. It is, therefore, ordered by the Court that plaintiff recover against defendant the sum of \$156 debt, \$15.93

damages sustained by reason of the detention of said debt, plus costs.

**Case No. 250**  
Solomon Gun, Executor  
vs  
James S. Clark

This day came the plaintiff by his attorney, and the defendant, although solemnly called, came not and made default. It is, therefore, considered by the Court that the plaintiff recover against the defendant \$206.80 debt, \$99.98 damages sustained because of the detention of said debt, together with his costs.

**Page 114**  
**24 Jan 1825**  
**Case No. 251**

Solomon Gum, Executor  
vs  
James S. Clark

This day came the plaintiff by his attorney and the defendant, although solemnly called, came not and made default. It is, therefore, considered by the Court that plaintiff recover against defendant the sum of \$656 debt and \$65.68 damages by reason of the retention of said debt, plus costs.

**Deed of Conveyance, Acknowledgment**

A deed of conveyance from John Gurgett [?], to John Billings, dated 24 Jan 1825, was presented in open court for probate by the said John Gurgett. He acknowledged that he signed, sealed and delivered the same on the day of its date. Ordered recorded.

**Case No. 246**  
Trotter & McGonnegal  
vs  
Joshua Croom

This day came the plaintiffs by their attorney, and the defendant, although solemnly called, came not and made default. It is, therefore considered by the Court that the plaintiff recover against the defendant \$158.73 debt, \$13.47 damages sustained by reason of the detention of said debt, together with costs.

**Page 115**  
**25 Jan 1825**

Case No. 174  
Thomas Gallaway  
vs  
Lewis B. Tally

This day came the plaintiff by his attorney, and the defendant, although solemnly called, came not but made default. It is, therefore, considered by the Court that the plaintiff recover against the defendant and John Simmons, his security in the appeal, \$9 debt plus \$1.08 damages by reason of the debt not being paid.

It further appearing to the Court that said appeal was made merely to delay. On motion of the plaintiff by his attorney, it is considered further that plaintiff recover against the defendant and his security \$1.51 being 15% on said debt and damages.

Ordered that the Court do now adjourn until tomorrow morning 10 o'clock.

Tuesday Morning, 10 o'clock, January 25 [?!], 1825. Court met pursuant to adjournment.

Page 115  
26 Jan 1825  
Case No. 177  
Jessie Standifer  
vs  
N. W. Floyd

This day came the plaintiff by his attorney who prays to dismiss said suit. It is, therefore, ordered by the Court that suit be dismissed and that defendant recover against plaintiff his costs.

Page 116  
26 Jan 1825  
Case No. 6  
Philip Roddy  
vs

Martin B. McMahon &  
James E. Kirkpatrick.

On suggestion of plaintiff's death, it is ordered that a *Scire Facias*<sup>2</sup> issue to the administrator of said plaintiff commanding him to show cause why said suit should not be revived by him as administrator.

<sup>2</sup> Issued to re-file the suit in the name of the plaintiff's administrator. [Black's]

Case No. 87  
Wm. Justen, use of & etc.  
vs  
Lewis Dillahunty

This day came the parties by their attorneys and also came a jury of good and lawful men, to wit:

Brandon, Carter  
Butler, John  
Casey, John  
Harris, Joel D.  
James Doswell  
McGaughey, Samuel  
McGaughey, William  
Nash, John  
Pinson, Thomas  
Simpson, William  
Torbess, Samuel  
Wright, William

Verdict: The defendant has not performed the covenant in the declaration and they assess the plaintiff \$149.06 damages plus costs of this suit.

Page 117  
26 Jan 1825  
Case No. 128  
A. W. Cotton  
vs  
Joel D. Harris

The plaintiff failing to prosecute his suit, on motion of the defendant by his attorney, it is ordered that the plaintiff be nonsuited<sup>3</sup> and that defendant recover against plaintiff his costs incurred in this suit.

Case No. 136  
James Bolds  
vs  
John Weatherford

The plaintiff failed to prosecute his suit. On motion of the defendant by his attorney, it is ordered that the plaintiff be nonsuited and that the defendant recover against the plaintiff his costs in this suit.

Case No. 137  
James Bails  
vs

<sup>3</sup> Nonsuited means termination of suit.

Robert Handley

On motion of the parties by their attorneys, it is ordered that this cause be continued.

**Case No. 138**

James Bails

vs

Joshua Seamans

The plaintiff failed to prosecute his suit. On motion of the defendant, by his attorney, it is ordered by the Court that plaintiff be nonsuited and that defendant recover from plaintiff his costs expended in this suit.

**Page 118**

**25 Jan 1825**

**Case No. 152**

Beverly Hughes

vs

Edmond R. Anderson

This day came the parties by their attorneys and thereupon came a jury of good and lawful men to wit:

Barnes, Jacob  
Boyd, William  
Clardy, Archibald  
Duffy, John  
Jones, Allen M.  
Keiser, Andrew  
McAllister, David  
McBride, [David]  
McVay, Javan  
McVay, Zadock  
Plant, Charles  
Reese, John C.

Verdict: The jury found that defendant did assume upon himself in manner and form as the plaintiff has alleged and they do assess the plaintiff damages by occasion of the non performance on part of defendant. The jury assess plaintiff damages of \$209.09½ damages and costs of this case.

**Case No. 167**

Jacob A. Blackwell

vs

James Doswell

This day came the parties by their attorneys and thereupon came a jury of good and lawful men, to wit:

Barnes, Jacob

Boyd, William

Clardy, Archibald

John Duffey

Jones, Allen M.

Keiser, Andrew

McAllister, David

McBride, David

McVay, Javan

McVay, Zadock

Plant, Charles

Reese, John C.

By consent of the parties and with the assent of the Court, Andrew Keiser, one of the jurors, is withdrawn. The rest of the jury could not render a verdict and was discharged. It is, therefore, ordered that this case be continued.

**Page 119**

**25 Jan 1825**

**Case No. 346**

Thomas McCormick

vs

Charles Henson

On motion of the parties by their attorneys it is ordered that said suit be continued.

**Case No. 178**

Charles McClung & Sons

vs

Oran D. Davis

This day came the plaintiff by their attorney and the defendant, although solemnly called, came not but made default. It is, therefore, ordered by the Court that the plaintiff recover against the defendant \$850 debt, \$140.25 damages sustained by reason of the detention of said debt plus their costs.

**Case No. 180**

Francis Patton, assignee

vs

Thomas L. Trotter

This day came the plaintiff by his attorney, and the defendant, although solemnly called, came not but made default. It is, therefore, considered by the Court that the plaintiff recover against the defendant \$150 debt plus \$24.90 damages sustained by reason of the detention of the said debt, and his costs in this case.

**Case No. 182**

Joshua Cox

vs

Thomas L. Trotter

This day came the plaintiff by his attorney and the defendant, although solemnly called came not but made default. It is, therefore, ordered by the Court that plaintiff recover against defendant \$80., the balance of the debt, plus \$6.67 damages sustained by reason of the detention of debt, plus his costs in this case.

**Page 120**

**25 Jan 1825**

**Case No. 183**

John Duffey

vs

Thomas Capps

On motion of the defendant, it is ordered that this cause be continued and that plaintiff be permitted to take the depositions of Allen M. Jones & others. The defendant wishes to take the depositions of Francis Capps and others after giving 20 days notice.

**Case No. 276**

Jesse Standifer

vs

N. W. Floyd

"The plaintiff failing further to prosecute his said suit, it is ordered that said suit be dismissed and that the defendant recover against the plaintiff his costs."

**Case No. 139**

William Bryan

vs

Hugh W. Stephenson

William Simpson

This day came the parties by their attorneys. The defendant demurred to plaintiff's writ and declaration being agreed and sufficiently understood. It seems to the court that the writ and declaration and the matters therein contained are sufficient in law to maintain the action aforesaid. Therefore, it is considered by the Court that the plaintiff recover against defendant the damages he sustained by the nonperformance of the covenant in plaintiff's declaration. A jury is to determine damages.

Therefore came a jury of good and lawful men, to wit:

Brandon, Carter

Butler, John

Crecy, John

Doswell, James

Forbes, Samuel

Harris, Joel D.

Leamans, Joshua

McGaughey, Samuel

McGaughey, William

Nash, John

Penson, Thomas

Wright, William

Verdict: The defendant has not performed the covenant and the jury assesses the defendant damages of \$440 plus costs.

**Page 121**

**25 Jan 1825**

**Case No. 151**

Solomon Green, executor

vs

John Glass

This day came the parties by their attorneys and the defendant now says nothing why judgment should not be rendered against him.

It is therefore considered by the Court that the plaintiff recover against defendant \$470.35 plus damages.

**Deed of Conveyance - Acknowledgment**

**Dated 25 Jan 1825.**

**Isaac Williams to Benjamin Jones**

A deed of conveyance from Isaac Williams to Benjamin Jones was presented in open court for probate. Williams acknowledged that he signed, sealed and delivered the same and it was ordered to be recorded.

**Deed of Conveyance - Acknowledgment**

**Dated 24 Jan 1824**

**Margarett Center to Cidney Center**

A deed of conveyance dated on the 24<sup>th</sup> day of June [Jan?] 1824 from Margarett Center to Cidney Center was presented in open court for probate. On the testimony on both, Ellison N. David was the only subscribing witness. The deed was considered by the Court to be proven and was thereupon ordered to be admitted to record.



**Page 123**

**25 Jan 1825**

**Case No. 186**

George Cockburn

vs

Robert Branson

This day came the parties by their attorneys and the defendant, having withdrawn his plea, now says nothing why judgment should not be rendered against him. Therefore, a jury of good and lawful men was called, to wit:

Bigham, Samuel

Blackwell, Jacob A.

Boils, James

Boils, William

Bransford, Robert

DeGraffenreid, A. M.

Griffith, Joseph

Handley, Robert

Hodges, William

Waters, Thomas J.

Whitehouse, Henry

Woods, John

Verdict: "The defendant did assume upon himself in manner and form as the plaintiff against him hath complained and they do assess the plaintiff damages by occasion of the nonperformance of that assumption to \$84.14 damages" and costs of this suit.

**Case No. 172**

L. H. Jones

vs

William Waters

This day came the parties by their attorneys. Also came a jury of good and lawful men, to wit:

Brandon, Carter

Bryan, Willes

Butler, John

Doswell, James

Forbes, Samuel

Harris, Joel D.

McGaughey, Samuel

McGaughey, William

Nash, John

Penson, Thomas

Simpson, William

Wright, William

Verdict: The defendant did not assume upon himself as charged, therefore, the Court decrees

that plaintiff take nothing and defendant recover against the plaintiff his costs.

**Page 123**

**Dated 25 Jan 1825**

**Case No. 198**

C. McClung & Sons

vs

Martin W. Richardson

This day came the parties by their attorneys and the defendant having withdrawn his plea now says nothing why judgment should not be rendered against him. It is, therefore, considered by the court that plaintiff recover against defendant \$388.93, the balance of the debt mentioned in the declaration, plus \$29.53 for his damages sustained by reason of the detention of said debt, plus costs.

**Case No. 194**

C. McClung & Sons

vs

Allen H. Doyle

This day came the parties by their attorneys and thereupon came a jury of good and lawful men, to wit:

Bigham, Samuel

Blackwell, Jacob A.

Boils, James

Boils, William

Bransford, Robert

DeGraffenreid, A. M.

Griffith, Joseph

Handley, Robert

Hodges, Wm.

Waters, Thomas

Whitehouse, Henry

Woods, John

Verdict: They find for the plaintiff and assess him damages, by occasion of the nonperformance, the sum of \$89.78¼ plus costs of this case.

**Page 124**

**Case No. 129**

A. W. Cotton

C. McClung & Sons

Tilford & Carlton

vs

Wm. Faris

On the motion of the plaintiffs, by their attorney, it is ordered that Thomas Glass, Esquire, show cause at the next term of this Court why an attachment should not issue against him for not producing to the Court the record and proceedings as he had been commanded by a *certiorari*<sup>4</sup> from the Court.

**Ordered that the Court do now adjourn until tomorrow morning, 10 o'clock.**

**Wednesday Morning, 10 o'clock,**  
**26 Jan 1825**  
**Page 124-125**  
**Case No. 136**  
James Boils  
vs  
John Weatherford

"On motion of the plaintiff, by his attorney, it is ordered that the judgment of nonsuit<sup>5</sup> rendered in the case yesterday, be set aside on payment of the costs of this case by the plaintiff. It is, therefore, ordered that the defendant be permitted to file another plea, the defendant having waived the formality of the plaintiff's affidavit."

**Page 125**  
**26 Jan 1825**  
**Case No. 135**  
James Boles  
vs  
Joshua Seamons

On motion of the plaintiff, by his attorney, it is ordered that the judgment of nonsuit rendered in this case on yesterday be set aside on payment of the costs by the plaintiff. It is, therefore, ordered that the defendant be permitted to file another plea, the defendant having waived the formality of the plaintiff's affidavit.

Ordered that the time for filing declaration be extended to sixty days "from this day and for making up pleas and to thirty days thereafter."

**Case No. 203**  
C. McClung & Sons

<sup>4</sup> A writ issued by a superior to an inferior court requiring the latter to produce a certified record of a particular case. [Black's]

<sup>5</sup> Termination of action [Black's]

vs  
Joseph Davis

The plaintiff's death being suggested, on motion it is ordered that a *Scire facias* issue to his legal representative directing them to show cause why said suit should not be revived against him.

**Case No. 74**  
John G. Crittenden  
vs  
Alexander Adan

The plaintiff, failing further to prosecute, his suit, it is ordered that the suit be dismissed. The plaintiff is to recover his costs against the defendant.

**Case No. 205**  
C. McClung & Sons  
vs  
George Kaiser

This day came the parties by their attorneys and also came a jury of good and lawful men, to wit:

Bransford, Robert  
Cargile, John H.  
Duffey, John  
Kyle, William  
Landers, George  
Langham, John  
McAllister, Daniel  
McDowell, A. T.  
McGaughey, William  
McMahon, Martin B.  
Weatherford, William  
Wright, William

Verdict: Find for the plaintiff and assess him damages, because of the nonperformance of the defendant, \$192.58 plus their costs.

**Page 126**  
**26 Jan 1825**  
**Case No. 207**  
C. McClung & \* Sons  
vs  
John Barron

The plaintiff failing to further prosecute this suit, the defendant moved for dismissal by his attorney. It is, therefore, ordered that said suit

be dismissed and that defendant pay the plaintiff's costs.

**Case No. 200**  
C. McClung & Sons  
vs  
Murdock & Woods

This day came the parties by their attorneys and also came a jury of good and lawful men, to wit:

Alvis, Ashley  
Brandon, Carter  
Balch, Theron E.  
Greenway, William H.  
Gregg, John  
Kaiser, Andrew  
McVay, Javan  
Pinson, Thomas  
Simpson, William  
Venable, Larken  
Walker, Jeremiah W.  
White, William

Verdict: Because of the non-performance of the defendant, the jury found for the plaintiff the sum of \$59.54 damages plus his costs.

**Page 127**  
**26 Jan 1825**  
**Case No. 208**  
C. McClung & Sons  
vs  
Joseph Martin

This day came the parties by their attorneys and also came a jury of good and lawful men to-wit:

Bransford, Robert  
Cargile, John H.  
Duffey, John  
Kyle, William  
Landers, George  
Langham, John  
McAllister, Daniel  
McDowell, A. T.  
McGaughey, William  
McMahon, Martin B.  
Weatherford, William  
Wright, William

Verdict: The jury found for the plaintiff and assessed his damages to the amount of \$56.74 plus his costs.

**Case No. 217**  
White & Lynn  
vs  
Herbert, Meeles & Smith

The plaintiff failing to further prosecute his suit, it is ordered that suit be dismissed and that plaintiff recover against defendant their costs expended in this case.

**Page 128**  
**26 Jan 1825**  
**Case No. 219**  
White & Lynn  
vs  
Bowler Fariss

The defendant's death being suggested on motion of the plaintiff, by their attorney, it is ordered that a *Scire Facias* issue against the administrator of said deceased. This is to show cause why said suit should not be revived against him and the heirs.

**Case No. 218**  
White & Lynn  
vs  
Robert Branson

This day came the parties by their attorneys and also a jury of good and lawful men, to wit:

Bell, Samuel  
Boyd, William  
Butler, John  
Coopwood, John  
Doswell, James  
Elam, William  
Jones, Allen M.  
Kennedy, LeRoy  
Landers, George  
McVay, Zadock  
Simpson, William  
Smith, Robert

Verdict: Found for plaintiff. Defendant did not pay plaintiff as promised. It is ordered that defendant pay plaintiff \$851.99 damages plus costs.

**Pages 128-129**  
**26 Jan 1825**  
**Case No. 229**

James D. Asbury  
vs  
George E. Julien

This day came the defendant by his attorney. The plaintiff, being solemnly called, came not but made default nor is his suit, therefore, prosecuted. It is considered by the Court that the plaintiff be nonsuited<sup>6</sup> and that defendant recover his costs against plaintiff.

**Page 129**

**26 Jan 1825**

**Case No. 254**

John Hogan, use of & etc.

vs

Jacob A. Blackwell

On motion of the parties by their attorneys, it is ordered that suit be continued.

**Case No. 247**

Nathaniel Fuller

vs

Joshua Seamans & others

This day came the parties by their attorneys and also came a jury of good and lawful men, to wit:

Bell, Samuel  
Boyd, William  
Butler, John  
Coopwood, John  
Doswell, James  
Elam, William  
Jones, Allen M.  
Kennedy, LeRoy  
Landers, George  
McVay, Zadock  
Simpson, William  
Smith, Robert

Verdict: Defendant hath not performed the covenant and the jury assesses plaintiff's damages at \$77.70 plus costs.

**Case No. 154**

Israel Blagg

vs

Aaron Green

This day came the plaintiff by his attorney and also came a jury of good and lawful men, to wit:

Bransford, Robert  
Cargill, John H.  
Duffey, John  
Kyle, William  
Landers, George  
Langham, John  
McAllister, Daniel  
McDowell, A. T.  
McGaughey, William  
McMahon, Martin B.  
Weatherford, William  
Wright, William

Verdict: Defendant is guilty as accused by plaintiff and plaintiff's damages are assessed at \$10 plus costs.

**Page 130**

**26 Jan 1825**

**Case No. 242**

Sterling Phillips

vs

Alexander McLanahan

This day came the parties by their attorneys and also a jury of good and lawful men, to wit:

Bell, Samuel  
Boyd, William  
Butler, John  
Coopwood, John  
Doswell, James  
Elam, William  
Jones, Allen M.  
Kennedy, Leroy  
Landers, George  
McVay, Zadock  
Simpson, William  
Smith, Robert

Verdict: The defendant hath not performed the covenant as promised and the jury assesses his damages to \$108.08 plus costs.

-To be continued

<sup>6</sup> Drop case



# Limestone County

## Chancery Court Minutes

In the Limestone County Archives in Athens, there were many loose files which, upon inspection, were determined to be minutes of the Limestone County Circuit Court in Chancery for the 18<sup>th</sup> District of the Northern Division of the State of Alabama. Most, if not all, of these cases show the law firm of Houston & Pryor as representing the plaintiff. Unfortunately, their scribe's handwriting was almost illegible and the documents are extremely difficult from the microfilm.

Copied and contributed by Dorothy Scott Johnson. Continued from Volume 36, No. 3, page 142.

**Thomas B. Dailey & Wm. W.  
Phillips**  
vs  
**Massenburg & Jones Heirs**

**Summons**  
(Case No. 12)

Houston & Pryor, solicitors for plaintiff.

To any Sheriff: You are hereby commanded to summon Cargill G. Massenburg, Admr. of Charles H. Jones, and Mary Moore, Samuel Moore, Charles Jones, Carrie Jones, Anna Jones and James Jones to appear personally in Chancery Court in Athens on the 1<sup>st</sup> Monday of Sept. 18\_\_\_. They are to answer the Bill of Complaint of Dailey and Phillips.

Issued 25 July 1866

### Bond

Dailey & Phillips gave bond in the amount of \$1000. Dailey & Phillips have obtained a decree from the Chancery Court for the sale of the following land belonging to the estate of Charles H. Jones.

S/2 of the E/2 of the SW/4 of Section 14;  
N/2 of the E/2 of the NW/4 of Section 23;  
SW/4 of Section 14 and the  
NW/4 of the NE/4 of Section 23 of  
Township 1, Range 1 West, containing  
160 acres.<sup>1</sup>

<sup>1</sup> This actually totals 240 acres.

This bond is issued so the court will be paid its costs in case Dailey & Phillips loses the suit.

/s/ W. B. Harsend

/s/ J. A. Moore

for Dailey & Phillips

### Guardian *ad litim*

4 March 1867

I, Joseph A Moore, hereby, in writing, certify the appointment of guardian *ad litim* of:

James Jones

Charles Jones

Carrie Jones, all under age 21 and over age 14, in the matter of the suit now pending in the Chancery Court wherein Dailey & Phillips are plaintiffs (complainants) and the said infants and others are defendants.

### Complaint

18 Feb 1867

On 25 May 1866 complainant filed their original Bill of Complaint. The defendant, Cargill G. Massenburg, was subpoenaed and the summons was served by A. L. McKinney, sheriff, on 31 July 1866. Massenburg is the administrator of:

Charles Jones

Anna Jones

Mary Moore and her husband, Samuel Moore plus the infants:

James Jones

Charles Jones

Carrie Jones.

It has been over 30 days since the defendants were served and more than 100 days since

advertisement was made. Plaintiffs now ask for an order ... [illegible].

Having failed to plead, answer, demurrer or otherwise approve [?] in or to the Bill of Complaint.

\$523.28

*One day after date I promise to  
pay Dailey & Phillips five  
hundred and twenty three dollars  
28/100 for land.*

*Aprile 19<sup>th</sup> 1856*

*1/s/ Ch. H. Jones*

#### Petition

Thomas B. Dailey and William W. Phillips, Limestone County residents, are merchants, both over the age of 21, complainants.

On 19 April 1856 complainants sold to Charles H. Jones, since deceased, who at the time was a citizen of Limestone County, the following real estate:

S/2 of the E/2 of SW/4 of Sec. 14-1-4W

N/2 of the E/2 of the NW/4 of Sec. 23-1-4W  
containing 80 acres, and:

SW/4 of Sec. 14-1-4W and the

NW/4 of the NW/4 of Sec. 23-1-4W  
containing about 160 acres, all in Limestone County, Ala., and known as the Walker Pettus Place, for the sum of \$523.28.

Upon the sale of the property, Jones was put in peaceable possession of same until the purchase money is paid.

Charles H. Jones died at his residence without a will leaving a widow<sup>2</sup> and the following heirs:

<sup>2</sup> The 1850 census shows Charles H. Jones, age 36, b. Va., with wife Martha, age 35, b. Tenn. and five children: Anna, age 12, Thomas H., age 10, and Mary E. M., age 7 all born in Tenn., and James, age 4, Charles H., one month. Charles H. Sr. was a teacher. The 1860 census says he was a farmer and the rest of the family was the same except Carrey T. P., age 7 had been added.

Anna Jones, over age 21

Mary Moore, wife of Samuel Moore, over 21

James Jones, under 21

Charles Jones, under 21

Carrie Jones, under 21, all res. of Limestone County, and

Thomas Jones, over age 21, a resident of Arkansas.

The Probate Court of Limestone County appointed, granted and issued Letters of Administration on the estate of Charles H. Jones to Cargill G. Massenburg.

Complainants now charge and alledge that Charles H. Jones, in his lifetime, failed to pay the said sum stipulated to be paid in the note except \$100 paid on 10 Dec 1856.

Massenburg, as administrator, since the death of Jones has not paid the balance and the full balance plus interest is now due and payable.

Complainants did not give a deed passing the title but on the contrary, expressly retained the title in order to secure the payment of the purchase money.

Complainants further charge that the estate of Charles H. Jones, decd., is insolvent. The amount in the hands of Massenburg is insufficient to pay the balance due on the land. No effort is being made to pay the note. It is necessary, therefore, to sell the land to finish paying for the land.

Complainants pray that land be sold to pay the debt and that Massenburg, as administrator, and the Jones heirs be made parties defendant to the suit. Heirs are:

Thomas Jones

Mary Moore and Samuel, her husband

\_\_\_\_ Jones

Charles Jones

Carrie Jones

Complainants request publication be made for the non-resident defendants with subpoenas and proper notices.

#### Order

May 30, 1867

This cause was submitted to this term of court. After due consideration it is decreed that

the complainants have a lien upon the land in the sum of \$786.75.<sup>3</sup>

The Chancery Court ruled that the Register of the Court proceed to sell the lands at the court house in Athens, for cash, to the highest bidder after giving notice of the time, place and terms of sale, and the description of the property.

Proceeds of the sale shall first be used to pay the costs of the suit and expenses of the sale. Then complainants or their solicitors are to be paid the amount reported due them for the purchase money. The remainder, if any, is to be brought into court to await further orders.

It is further ordered that if defendants, or one of them, pay plaintiff (complainant) the amount of money due on the land plus interest and costs of suit before the sale, then this suit void.

#### Sale of Land

R. Sanders, Register of the Chancery Court, pursuant to the order of the sale, made at the May term, 1867, after giving 30 days notice, orders time and place of sale, by advertisement be published in the *Athens Post*.

Sanders exposed the lands at public auction and sold same to the highest bidder, for cash, at the court house on Monday 5 August 1867.

Thomas B. Daley became the purchaser for the sum of \$71.20.

### Samuel Mitchell, Admr. of James Bland, et al vs. Joseph Clark, et al. Samuel Mitchell vs. James Bland

#### Affidavit

8 July 1866

Samuel W. Mitchell makes oath that the Bland heirs are:

Nancy Warwick & husb., Charles Warwick Saphronia Sanderson, & husb. John Sanderson are over age 21, & non residents. The Warwicks live in Tenn but residence of the Sandersons is unknown.

#### Summons

<sup>3</sup> This sum undoubtedly includes eleven years of interest.

Sheriff A. L. McKinney, admr. of Charles Clark, to summon the following into court.

Benjamin Clark  
Mary Clark  
Gravis?? Clark

They are to lay aside all excuses and appear personally in Chancery Court on 1 Sept 1866. The above were served the summons on Aug 1866.

#### Receipt

(No date)

Received of B. Sanders the sum of \$2.50 in full for services rendered in survey ... in the case of Samuel Mitchell, Admr. of James Bland, decd., vs. Charles Bland et al.

#### Demands

July 1867

B. Sanders: You will please settle with S. F. Mitchell the amount of \$3 due me in the case that was depending [sic] between S. F. Mitchell, Admr. of J. P. Bland, decd. and Charles Clark

B. Sanders, you will please pay S. F. Mitchell the amount of \$2.80 due me in the case that was depending between the Bland and Clark estates.

/s/ John Billins

B. Sanders you will please pay to S. F. Mitchell the amount of \$3 due me in the case between the Bland and Clark estates:

/s/ Samuel Childers

B. Sanders, you will please pay to S. F. Mitchell the amount of \$3 due me in the case of Bland vs Clark estates.

James G. Sanderson

#### Depositions Ordered

29 May 1869

The court orders depositions be taken from:

A. Gades  
Samuel Childers  
John Bedings ??  
James Sanderson  
C. L. Boyce  
Samuel Mitchell

#### Petition

Orator Samuel Mitchell as Admr. of James Bland, decd., of Limestone County, says that in

December 1864 Bland died without a will leaving the following [minor]heirs:

Oly [Oty?] Bland

Wesley Bland, both under 14 years of age  
The Limestone County Probate Court having jurisdiction for the ...issued Letters of Adm on James Bland's estate to Samuel Mitchell who duly qualified and is acting as admr.

In his lifetime, James Bland, with his own money and for his own benefit and use, placed in the hands of one Charles Clark the sum of \$500 and requested Clark purchase for Bland, from Ann Holland of Limestone Co., the following land:

W/2 S/2 NE/4 Sec. 12-2-3W in Limestone County whereon Ann Holland resided.

Clark bought same from Ann Holland but did not get a deed of conveyance. Complainant alleges Clark actually took a deed from Holland in Clark's own name with the intention of afterwards of making a deed to Bland. Clark died before the deed was made.

Clark died leaving the following heirs:

Nancy Clark, his widow

Joseph Clark, a res. of Madison Co., Ala.

Mary C. Michael

Zachariah Clark

Benjamin Clark

Nancy Warwick, wf. of Charles Warwick and  
Clark

all over 21 and residents of Limestone Co., and  
Sophronia Sanderson, wf. of John Sanderson, over age 21.

Letters of Adm. were issued in 1866 in Charles Clark's estate to Alex. L. McKinney, exofficio Sheriff of said county.

Complainant, as admr. of James Bland, alleges the Holland land was paid for by James Bland and that failure of Clark's estate to give a deed for same is a breach of contract and a misappropriation of funds.

Complainant believes that Bland and Clark agreed to exchange land. That is to say, Clark sold to Bland, giving possession thereof of the following land:

E/2 NW/4 Sec. 12-2-3W less 20 acres off the NE corner sold to Samuel Mitchell, leaving a 60 acre tract.

At the same time, James Bland was to give Clark \$50 and the following land:

E/2 NW/4 Sec. 9-2-3W

Complainant alleges that Bland and Clark did consummate their agreement. Bland did deliver actual possession of his tract of land to Clark plus \$50 cash but Clark died before making title to his tract.

Complainant prays that the widow and heirs of Clark be required to give good and sufficient deeds and title to the 60 acres purchased by Bland with other lands, money and rents.

The widow of Clark is to take dower in the lands given in payment or exchange for the said 60 acres and in lieu of her dower in the said 60 acres.

### Final Decision

May term 1867

3 June 1867

This cause was submitted for final decree to this term of court.

Some of the land in question is:

W/2 of S/2 of NE/4 of Sec. 12-2-3W;

E/2 NW/4 Sec. 12-2-3W less 20 ac. off  
the NE corner.

The above property is to be divested out of the heirs of Charles Clark, late of Limestone Co., decd. and invested in the heirs of James Bland, decd. and in his administrator for the purpose of the payment of the debts of said estate.

Furthermore, after due consideration it is adjudged, ordered and decreed that the right, title and interest to:

E/2 NW4 Sec. 9-2-3-W

is to be divested out of the heirs of the estate of James Bland, decd., and every person claiming under them and invested in the heirs of Charles Clark, Decd.

It is further ordered that the complainant, Samuel Mitchell, pay 2/3 of the costs in this case to be taxed by the Chancery Court, to be reimbursed to him out of the assets of said estate of Bland in his hands unadministered.

It is further ordered that the defendants pay the other 1/3 of the costs to be taxed by the Chancery Court.

/s/ S. K. McSpaddens, Chancellor



### **Elizabeth Crabtree Wells**

Elizabeth Crabtree Wells is the Samford University Archivist over Special Collection. She is responsible for personnel, service, and policies of this unit which serves as the depository for the Alabama Baptist Historical Collection. Samford University houses the Howard College/Samford University Archives. It is the repository of manuscripts and rarities primarily of Alabama. She provides instruction to the University community and others upon request regarding research tools and methodology.

Mrs. Wells holds a BA from Judson College, an MA from Auburn and a MLS from the University of Alabama. She comes highly recommended as a captivating speaker.

**Remember:** Seating is limited in the auditorium, therefore, pre-registration must be on a first-come, first-served basis. This is especially important because we are catering the lunch and Gibson's needs to know the number of persons to plan for.

**Your registration must be received by Monday, November 1, 2004.**



# The Tennessee Valley Genealogical Society

Presents

**Fall Genealogical Seminar**  
**Saturday, November 6, 2004**

**Elizabeth Crabtree Wells**

***"Finding Grandpa in the Pew"***

**Auditorium, Huntsville-Madison County Public Library**

**\$20.00**

**Program:**

- 9:00 Registration, Coffee, Vendors open  
9:30 *Types of Church Records*  
10:30 Break  
10:45 *Identifying the Denomination*  
11:45 Lunch [Catered by Gibson's Bar-B-Q]  
1:00 *Where Are the Records?*  
2:00 Break  
2:15 *Selected Denominations —*  
*Research Tips, Tried and True.*  
3:15 Question & Answer Session  
3:45 Adjourn



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Name \_\_\_\_\_

Address: \_\_\_\_\_

Number of reservations: \_\_\_\_\_ Amount enclosed: \$ \_\_\_\_\_

Return to:

Tenn. Valley Genealogical Society  
P. O. Box 1568  
Huntsville, AL 35807-0567

List five family surnames of particular interest to you:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Bible Records

The following Bible records were found in the family files in the Limestone County Archives in Athens.

### Peace Bible

Note: The title page was not included but the handwriting appears contemporary because of the different hands and different ink.

#### First page

Hartewell M. Peace was bornd November the 25<sup>th</sup> 1818.

~~~~~  
Katharine F. Peace was bornd August the 3<sup>rd</sup> 1818

~~~~~  
Virginia Washington Peace was bornd September

~~~~~  
William Hines Peace was Bornd May the 11<sup>th</sup> 1840

~~~~~  
Martha Frances Peace was bornd March the 5<sup>th</sup> 1842

~~~~~  
James Granderson Peace was bornd Febuary the 2<sup>nd</sup> 1845

~~~~~  
Hartewell Green Peace was bornd March the 5, 1847

~~~~~  
Charlotte Katharine Peace was Bornd october 6, 1849

~~~~~  
John Goodman Peace was Born March the 25, 1852

~~~~~  
Mark Meacheam Peace was Bornd Febuary the 28<sup>th</sup> 1855.

~~~~~  
Henry Frankllin Peace was Bornd November the 16<sup>th</sup> 1857

~~~~~  
Note: The next entry was written across the side of the page:

~~~~~  
Sarah Jennie? [faded writing] Peace was bornd July the 22<sup>nd</sup> 1844 [1841].

#### Second page

The next three pages are photocopies of the Family Record from a much older Bible

#### **Births**

greenberry greenhaw Deceast December the 12 Day 1824 Aged 32 years

~~~~~  
James C. baker was [born?] May the 9, 1821

~~~~~  
Virginia Washington Peace was born September 21<sup>nd</sup> 1838 [changed to 1839]

~~~~~  
virginia Washington Peace was bornd Sept the 21<sup>th</sup> 1839 [This entry believed to be a correction of the previous entry.]

~~~~~  
William Hings Peace was Bornd May the [the entry not completed]

~~~~~  
william Hines Peace was born May<sup>th</sup> 11 1840  
Martha Frances Peace was born March<sup>th</sup> 5, 1842

#### List of Jonathan's family's ages

Jonathan Greenhaw was born June the 11<sup>th</sup> 1789 his wife, Nancy Maicham, was born July 29, 1798, was married July 14, 1814.

~~~~~  
Washington Lewis Greenhaw was born March 17, 1815

~~~~~  
Wesley Meacheam greenhaw was born December 16<sup>th</sup> 1816.

~~~~~  
Maryann greenhaw was January the first 1817

~~~~~  
William Franklin greenhaw was born February 6, 1821

~~~~~  
Martha Jane Greenhaw was born September 8, 1823

Sary Meacheam Greenhaw was born September 30, 1825

Jonathan Andrew Jackson Greenhaw was Born the 4 day of aprial 1837

Third page

Annie L. Peace was Born Feb the 25<sup>th</sup> 1867

Matthew garrett was borne 10<sup>th</sup> of June in the year of our Lord 1809

Matthew garrott was Married to Nancy Meacham December the 18<sup>th</sup> [entry not completed]

Lavinia Caroline Garrott was bornd May 7<sup>th</sup> 1832

Mary F. Colyer was born July the 3 day 1835 and died Sept the 28<sup>th</sup> day 1838[? faded].

Julyann brasfeld Roshell was born February the first Day 1809

Alexander Fergerson was born october the 21 in the yer 1813

Mary F. Collier Was borned July the 3 Day 1835 and Dide September the 28, 1837

Fourth page

Sherwood Smith was born September the 22 Day 1793

Was married august the 19<sup>th</sup> Day 1817  
Nancy S. Smith, deceast January the 5<sup>th</sup> 1841

L. W. Smith, his book Bought aprile the 22 Day 1821.

Aprile 22 {1821 price \$8.50

Fifth page

Sherwood Smith was born September the 22 Day 1793

Nancy Smith was born the 8<sup>th</sup> of august 1786

patsy Meacheam was born december 11<sup>th</sup> 1813

Nancy Meacheam was born october 30<sup>th</sup> 1815

Catharine and curlaton [Carlton?] Smith, twins, was born august the 3<sup>rd</sup> day 1818

Fanny Smith was born october the 19<sup>th</sup> Day 1820

Grandeson T. Smith was born January the 22<sup>nd</sup> Day 1823

Sherwood White Smith was born Aprile the 7<sup>th</sup> 1825

John Smith was born April 28<sup>th</sup> 1827

The reverend Jonathan Greenhaw Decast [deceased] July the 3<sup>rd</sup> Day 1822 Aged about 72 or 73 years.

Solomon Smith deceast March the \_\_, 1822 Age about 72 or 73 yrs.

Nancy Garrott Deceast Sept 12<sup>th</sup> in year of our lord 1834 age 19 years

Nancy Greenhaw deceast Oct the 28<sup>th</sup> in the year of our lord 1827 age 75 yrs.

William H. Peace Decast Desember the 4<sup>th</sup> 1817 Age 27 years

Sixth page

| <u>Name</u>   | <u>Date of Birth</u> | <u>Date of Marriage</u> | <u>Date of Death</u> |
|---------------|----------------------|-------------------------|----------------------|
| S. C. Robison | 4 Oct 1856           | 7 April 1878            | 28 Dec 1920          |
| M. J. Robison | 7 Sept 1860          | 7 Apr 1878              | 23 Apr 1923          |

| Name              | Date of Birth | Date of Marriage | Date of Death      |
|-------------------|---------------|------------------|--------------------|
| Erskin Robison    | 28 Dec 1878   | 10 Jan 1901      | 5 Apr 1942         |
| Walter F. Robison | 8 Sept 1881   | Bachelor         | 16 May 1943        |
| Hezzy H. Robison  | 11 Jan 1884   | 10 Feb 1910      | 26 [20?] July 1957 |
| Willie G. Robison | 30 Aug 1886   | 15 Dec 1907      | 28 April 1969      |
| Elizabeth Robison | 23 Feb 1890   | [blank]          | 24 Feb 1890        |
| Eva M. Robison    | 25 May 1891   | 18 Dec 1911      | 21 March 1960      |
| Nellie M. Robison | 4 May 1894    | 25 Mar 1917      | 23 March 1961      |
| Bettie Robison    | 3 Jan 1897    | 36 Nov 1916      | 24 March 1964      |
| Carl A. Robison   | 23 Dec 1899   | March 1921       |                    |

**Note:** All of the above were listed as having been born in Limestone County, Alabama. All of the entries on this page appears to be in the same hand which tells us it was probably copied from another source. Too, the form it is in lends credence to that theory.

## Chunn Family Bible

A notation states the Bible was copied and is in "possession of Miss Idella Chunn, Lacy Springs." This Bible is important because this family has been in this area for many years and spread out to Madison, Limestone, Morgan and Marshall Counties. At least one branch moved to Texas.

Matthew Thomas Chunn, son of Lancelot Chunn and Martha Ridgely Chunn, was born November 16, 1810 in Frederick County, Maryland.

Charity Stradford Bell, wife of Matthew Thomas Chunn and daughter of Elisha Bell and Elizabeth Stradford Bell, was born in Camden, South Carolina, July 24, 1818.

Matthew Thomas Chunn and Charity Stradford Bell were married March 9, 1836 in Morgan County, Alabama.

Matthew Thomas Chunn died June 1, 1854.

Charity Stradford Chunn died September 14, 1852

William Ridgely Chunn (my father) son of Matthew Thomas Chunn and Elizabeth Stradford Chunn was born December 27, 1844 in Morgan County, Alabama - died June 1, 1913.

Martha Jeane Terry, wife of William Ridgely Chunn was born December 12, 1842 in Morgan County, Alabama - died January 9, 1922.

William Ridgely Chunn and Martha Jane Terry were married February 9, 1870 in Guntersville, Marshall County, Alabama. The ceremony was performed by [the] Bishop of the diocese of Alabama and Reverend Doctor Banister, rector of the Episcopal Church in Huntsville, Alabama.

### Copy of Bible Record

#### First Page

Note: The first two entries are near duplicates of the first two entries to the left.

Mathew Thomas Chunn, son of Lancelot Chunn and Martha Ridgely Chunn was born November 16, 1810 in Frederick County, Maryland.

Charity Stradford Bell, wife of the above named Mathew Thomas Chunn and daughter of Elisha Bell and Elizabeth Stradford was born in Camden, South Carolina July 24 1818.



Mathew Thomas Chunn and Charity Stafford Bell were married March 9, 1836 in Morgan County, Alabama

~~~~~  
**Dates of Birth of the Children of Mathew Thomas Chunn and Charity Bell Chunn**

Elizabeth [Chunn], born January 13, 1837 in Morgan County, Alabama

Martha Ann [Chunn], born October 26, 1838 in Morgan County, Alabama

Elisha Lancelot [Chunn], born August 31, 1840 in Morgan County, Alabama

Mary A.[Chunn] born August 31, 1840 in Morgan County, Alabama

Elisha Lancelot [Chunn], born August 31, 1840 in Morgan County, Alabama

Mary A. [Chunn], born November 25, 1842 in Morgan County, Alabama

William Ridgely [Chunn] born December 27, 1844 in Morgan County, Alabama

Sarah Easter [Chunn] born December 9, 1845 in Morgan County

Benjamin Lee [Chunn] born April 19, 1849 in Morgan County, Alabama

Richard Dolphus [Chunn] born May 25, 1850 in Morgan County, Alabama

**Deaths**

Matthew Thomas Chunn – June 1, 1854

Charity Bell Chunn – September 14, 1852

Elizabeth Chunn, July 3, 1837

Martha Ann Chunn, August 5, 1839

Samuel Easter Chunn, August 1, 1863

Mary A. Chunn – [blank]

Benjamin Lee Chunn, June 8, 1849

Elisha Lancelot Chunn, March 24, 1877

Richard Adolphus Chunn, November 29, 1905

William Ridgely Chunn, June 1, 1913

Charity Black, daughter of David Black

Mary A Chunn Black – born June 3, 1861

**Second page**

Mathew Thomas Chunn, June 1, 1854

Charity Stradford Chunn, Sept. 14, 1852

~~~~~  
Elizabeth Chunn, July 3, 1837

Martha Ann Chunn, Aug. 8, 1839

Sarah Easter Chunn, Aug. 1, 1868

Benjamin L. Chunn, June 8, 1849

Elisha Lancelot Chunn, March 24, 1877

Richard Adolphus Chunn, Nov. 29, 1905

William Ridgely Chunn, June 1, 1913

Charity Black, daughter of David R [B?] and Mary Ann Chunn, was born June 3, 1861

Martha Ridgely, wife of Lancelot Chunn, was the daughter of William Ridgely who died in 1777 or 1778.

William Ridgely was the son of Westall Ridgely, born 1706, died 1772, and Sarah Isaac, born 1714, died 1789.

Sarah Isaac was the daughter of Richard Isaac, born 1679, died 1759.

**Third page**

William Ridgely Chunn and Martha Jane Terry were married February 8<sup>th</sup> 1870 in Guntersville, Marshall County, Alabama. The ceremony was performed by Bishop Wilmer, bishop of the diocese of Alabama, and the Reverend Doctor Banister, rector of the Episcopal Church in Huntsville, Ala.

~~~~~  
**Children of William Ridgely Chunn and Martha Jane Terry Chunn:**

Ella Bell Chunn, born October 5, 1873 in Marshall County, Alabama.

Idella May Chunn, born October 7, 1880 in Marshall County, Alabama

James Buford Vaughan and Ella Bell Chunn were married February 7, 1897 in Huntsville, Alabama by Rev. R. M. Dubose, pastor of the First Presbyterian Church.

**Children of James Buford Vaughan and Ella Bell Chunn Vaughan**

Ella Bell Chunn Vaughan – [blank]

William Buford [Vaughan] Born June 7, 1899

James Robert [Vaughan] Born August 2, 1902

Mabel Evelyn [Vaughan] Born March 14, 1906

Martha Lou [Vaughan] Born August 29, 1908

Milton [?] Richard [Vaughan?], Born May 20, 1913 – Died in Oct. 1913.

**The following information was written across the page on the same sheet as the Children of James Buford Vaughan above:**

Richard Isaac born 1679, died 1759, father of Sarah Isaac, born 1714, died 1789, mother of William Ridgely [Vaughan], mother of Matthew Thomas Chunn.

Matthew Thomas Chunn, father of William Ridgely Chunn

**Fourth page**

William Oscar Macon and Mabel Evelyn Vaughan were married September 15, 1923 in Fayetteville, Tennessee

**Children of William Oscar Macon and Mabel Evelyn Vaughan Macon**

Edith [Macon] born August

Ann [Macon] born August

Lois [Macon], born December 6, 1931

George Dewey Vann Jr. and Edith Macon were married May 14, 1849 by Rev. John T. Millard,

pastor of the First Baptist Church in Huntsville, Alabama.

**Fifth page**

Martha Lois [Macon] born August 29, 1908

Walter Ridgely [Macon] born May 20, 1913 – died in Oct. 1913

Richard Malcolm [Macon] born September 17, 1914

William Oscar Macon and Mabel Evelyn Vaughan were married September 16, 1923 in Fayetteville, Tennessee.

**Dates of Birth of Children of H...[?] Chunn Macon and Mabel Evelyn Vaughan Macon:**

Edith [Macon] born August 18, 1926

Ann [Macon] born August 11, 1930

Lois [Macon] born December 6, 1931

George Dewey Vann Jr. and Edith Macon were married May 14, 1939 in Huntsville, Alabama by Rev. John T. Milford, pastor of the First Baptist Church.

William Ridgely Chunn and Martha Jane [Terry] were married February 8, 1870 in Guntersville. The ceremony was performed by Bishop Wilmer, bishop of the diocese of Alabama and the Rev. Doctor Banister, rector of the Episcopal Church, Huntsville, Alabama. [Note: This is a duplicate entry.]

**Dates of Birth of the Children of James Buford Vaughan and Ella Bell Chunn Vaughan:**

William Buford [Vaughan] born June 7, 1899

James Robert [Vaughan] born August 2, 1902

Mabel Evelyn [Vaughan] born March 14, 1906

Matthew Thomas Chunn, son of Lancelot Chunn and Martha Ridgely, his wife, was born Nov. 16, 1810 in Frederick County, Maryland

Charity Stradford Bell, wife of the above named Mathew Thomas Chunn, and daughter of Elisha Bell and Elizabeth Stradford, his wife, was born in Camden, South Carolina, July 24, 1818.

Matthew Thomas Chunn and Charity Stradford Bell were married March 9, 1836 in Morgan County, Alabama.

**Note:** The title page of a Bible was shown with the date of July 1901. It is believed the entries in this Bible, shown above, are copied from earlier Bibles.

## Bits and Pieces from Athens Newspapers

We thank the late Eulalia Welldon for the following excerpts from Limestone County newspapers. A favorite pastime of hers was to read ancient newspapers and copy items of historical or genealogical content. The following excerpts were taken from Limestone County newspapers printed shortly after the end of the Civil War.

### **The Athens Weekly Post**

T. B. Reynolds, Editor

#### **McDonald Estate Sale**

23 Jan 1869

The sale of the personal property belonging to the McDonald estate will take place next Monday. Next Saturday, at Dr. Maclin's plantation, near Harris' Station, Capt. Benagh will sell, as trustee, a large lot of farming utensils, mules, horses, etc.

#### **Horton Land Sales**

23 Jan 1869

The Horton lands will be sold on the third Monday in next February. There are errors heretofore published which will be corrected in next issue.

#### **James Danforth, Deputy Sheriff**

30 Jan 1869

We are glad to learn that our Deputy Sheriff, Mr. James Danforth, has been commissioned and duly qualified as Constable for the Athens Precinct. We hear frequent expressions of approval of the manner in which Mr. Danforth discharges his duties as an officer.

#### **Horse Thieves Shot**

20 Feb 1869

Jack Davenport, alleged to be a notorious horse thief and murderer, was killed at Burnsville, 8 miles from Iuka, Miss., last night. He has several accomplices and the people have a sharp watch on them. The community has determined to rid themselves of outlaws and the sooner the [culprits] leave the safer will be their physiognomies.

Just as we go to press we have received dispatch from Burnsville stating that Tobe Chartton of Eastport, R. D. Luter of Pulaski, Tenn., and George Kinsaid of Moscow, Tenn., all thought to be accomplices of Jack Davenport, were taken from the caboose last night and shot. Their dead bodies are now lying on the platform. [Obtained from the *Iuka Gazette*.]

The body of Luter is now at the depot at Athens, Ala.

#### **Public School in Mooresville**

27 Feb 1869

Next Monday, Mr. J. E. Nunn will open a public school in Mooresville.

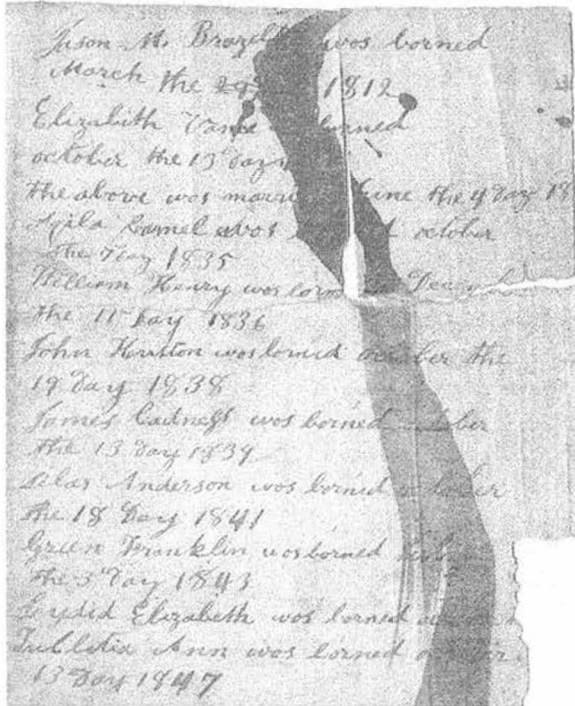
Mr. Nunn has the reputation of being a very fine preceptor and the Trustees showed fine judgment in their selection.

# Madison County

## Brazelton Bible and Family Information

The following information has been gathered, researched and contributed by Jim Parker, 10133 Banner Hill Circle, Sandy, Utah 84092. Mr. Parker has done excellent research on this family.

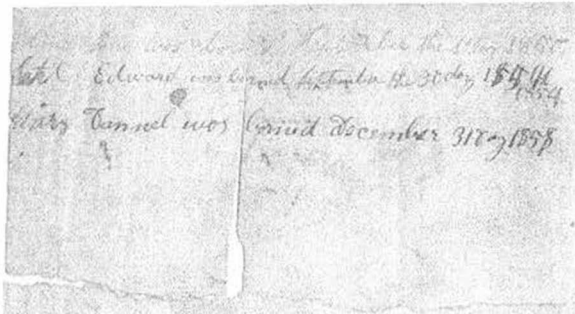
### Brazelton Bible Page 1



Note: Everything in brackets [ ] has been added by your editor.

Jason M. Brazelton was born  
March the 29 Day 1812  
Elizabeth Vance was born  
October the 13 Day [1814]  
the above was married June the 4 day, 18 [Note:  
Madison Co., Ala. Marriage Book 4 says they  
were married by Edward H. Vann 4 June 1834.]  
Aqila Camel [Brazelton] was born October  
the 7 Day 1835  
William Henry [Brazelton] was born December  
the 11 Day 1836  
John Huston [Brazelton] was born October  
the 19 Day 1838  
James Cadnest [Brazelton] was born October  
the 13 day of 1839  
Silas Anderson [Brazelton] was born October  
the 18 Day 1841  
Green Franklin [Brazelton] was born July  
the 3 day 1843  
Lydia Elizabeth [Brazelton] was born October the  
...  
Tulletia Ann [Brazelton] was born October  
13 Day 1847

### Page 2



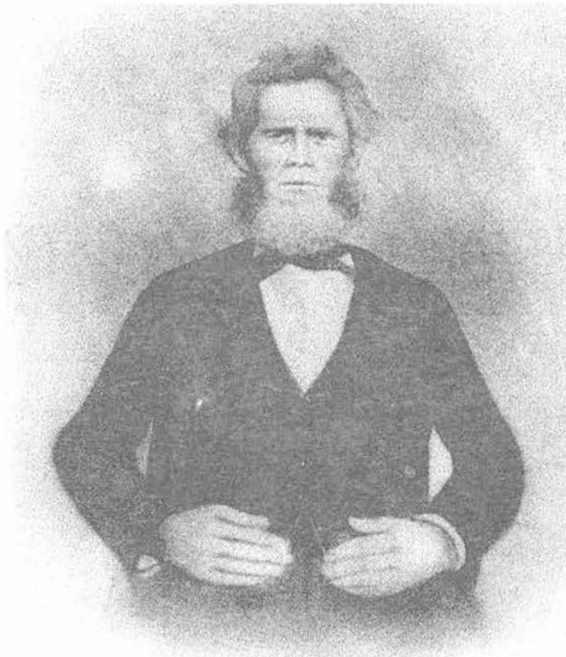
Salina Jane [Brazelton] was born September the 1  
Day 1850  
Robt. Edward [Brazelton] was born September the  
30 day 1854  
Mary Dannel [Donnel?] [Brazelton] born  
December 31 Day 1858



Aquila Camile Brazelton

Kate Evaline Brazelton  
(granddaughter, dau. of  
Dr. John Houston Brazelton)

Elizabeth Ann (Hinds)  
Brazelton, dau. of Levi Monroe  
Hinds and gr-dau. of Levi Hinds



Jason Madison Brazelton

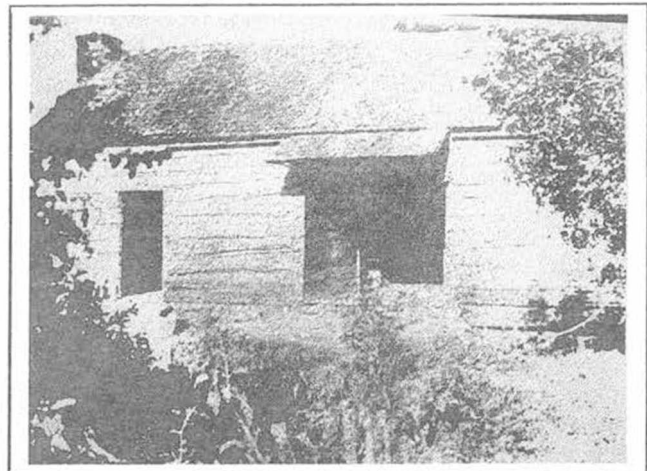




Back row, left to right: Hubbard Hinds Brazelton, John Houston Brazelton Jr., Felix Woodson Brazelton  
Middle row, left to right: Jenkins Sibley Brazelton, Kate Evaline Brazelton  
Front row, left to right: Dr. John Houston Brazelton, Jessie Matilda Brazelton (grandmother of contributor Jim Parker), Jane Jenkins (Sibley) Brazelton, and Sam Lawry Brazelton on Jane's lap.



Elizabeth (Vance) Brazelton  
Wife of Jason Madison Brazelton



This log home, built by Levi Hinds Jr., was later the residence of Aquila Brazelton and his wife, Elizabeth Hinds. It was located near the site of the cemetery at Hinds Spring on Goose Creek. [See cemetery on next page.] This wonderful old home is now gone.

### Brazelton Cemetery

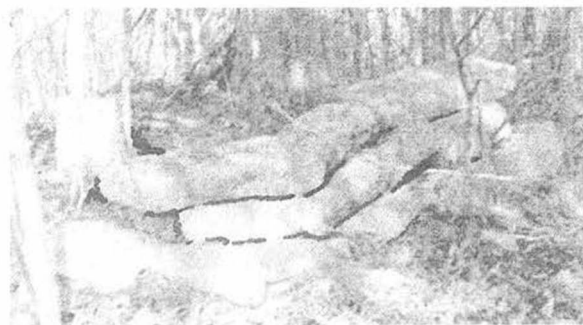
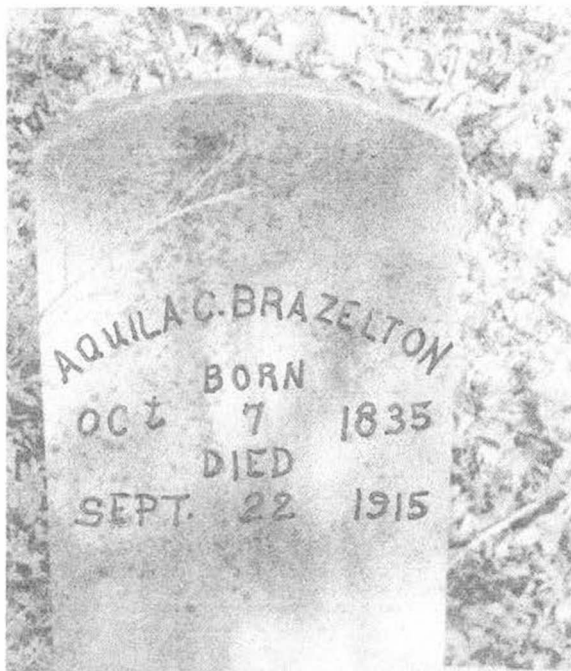
(Burial location and plot number of each grave in each row.)

			1	2	3	4	5		
6	7	8	9			10	11	12	
		13	14	15	16	17	18	19	20
	21			22	23	24	25		26
		27		28	29	30			
								31	
			32	33					

The following information is based on family records and not yet complete. The placement of a certain person's grave has a corresponding number above. There are two well-marked graves, one of which is that of Aquila Camile Brazelton (see photo on page 65) and a grave marked with stacked, dressed stones (see photo on page 65).

1. Tommy Brazelton, s/o Byron Brazelton who is s/o Aquila Camile Brazelton
2. Hoyt Brazelton, s/o Byron Brazelton
3. Andrew Brazelton, s/o Byron Brazelton
4. Aquila Camile Brazelton, b. 7 Oct 1835 – d. 22 Sept 1915, s/o Jason Madison Brazelton, father of Dr. John Houston Brazelton.
5. Elizabeth Hinds Brazelton, b. 1 Aug 1834 – d. \_\_\_ d/o Levi Monroe Hinds, wife of Aquila Camile Brazelton.
6. Unknown . It was at first believed this was the grave of Catherine Brazelton Hinds but a deed to the cemetery referenced her grave as a marker for the plot. This location is consistent with the stone mound shown in the photograph in the photographs.] See grave No. 13 for the actual burial location of Catherine. This may be the grave of either Elizabeth Connally or Ann Hunt. Levi Monroe Hinds's first wife was Elizabeth M. Connally, his second wife was Ann A. Hunt, and his third wife was Catherine Brazelton.
7. Levi Monroe Hinds, b. 28 Apr 1805 – d. 11 July 1884, s/o Levi Hinds, an original Madison County settler.
8. Huldah Camile Brazelton, \_\_\_ d/o Aquila Camile Brazelton
9. Eliza Campbell Brazelton, b. 15 Dec 1889 – d. 19 May 1891, child of Dr. John Houston Brazelton
10. Henry Melvin Brazelton, b. 19 June 1898 – d. 13 Nov 1898. Twin son of Dr. John Houston Brazelton
11. Harry Marvin Brazelton, b. 19 June 1898 – d. 28 July 1898. Twin son of Dr. John Houston Brazelton
12. Dr. John Houston Brazelton, b. 24 Oct 1859 – d. 5 Sept 1913. Country doctor, grad. Vanderbilt, d. of TB
13. Catherine Brazelton Hinds, b. 1808, 2<sup>nd</sup> wf of Levi Monroe Hinds, sister of Jason Madison Brazelton.
14. John Houston Brazelton, b. 19 Oct 1838 – d. 5 July 1855, s/o Jason Madison Brazelton, uncle of Dr. John Houston Brazelton
15. Mary Daniel Brazelton, b. 31 Dec 1858 – d. \_\_\_

16. Jason Madison Brazelton, b. 29 Mar 1812 – d. 23 Mar 1880, b. in Maryland, s/o Henry Brazelton & Lydia Ledbetter.
17. Elizabeth Vance Brazelton, b. 13 Oct 1814 – d. 6 Feb 1881, wife of Jason Madison Brazelton
18. Green Franklin Brazelton, b. 3 July 1843 – d. 20 Nov 1869, s/o Jason Madison Brazelton
19. Unknown
20. Lydia B. Hutchins, b. Oct 1845
21. Unknown
22. Tulletia Ann Collier, b. 13 Oct 1847, Wife of B. F. Collier & d/o Jason Madison Brazelton.
23. Benjamin Franklin Collier. Married to Tulletia Ann Collier March 1883. Born Aug. 1852.
24. Lydia Collier
25. Collier child
26. Felix Woodson Brazelton, b. 26 Dec 1886 – d. 19 May 1916 s/o Dr. John Houston Brazelton
27. Mobile Glass
28. Eliza Vance Brazelton Self
29. Maggie Williams Brazelton, wife of Robert Edward Brazelton (plot No. 30.)
30. Robert Edward Brazelton, b. 30 Sept 1854 – d. 30 May 1923, s/o Jason Madison Brazelton
31. Charlie C. Brazelton, son of Maggie and Robert Edward and last person buried in this cemetery. He was born in 1884 and died in 1966.
32. Mary Lee Brazelton
33. William Henry Brazelton, b. 11 Dec 1836 – d. 10 Nov 1910



Above is tombstone of Aquila Brazelton. On the right, above, is a stone covered grave and is believed to be that of Catherine Brazelton Hinds (see No. 13 above)

(Photographs by Norman Shapiro and Roy Maynard.)

## Rodman Cemetery

Location: Section 35, Township 3, Range 2 West, in the SW/4 of the SE/4. This was located on property owned by Mr. and Mrs. Gene Martin when I copied it in 1971. An elderly resident of the community and Rodman descendant, told me this was the ancient churchyard of old Shiloh Church and that her father had given her this information. It seems the church was abandoned sometime shortly after the Civil War. Of those buried here, only F. A. Brockway has a headstone. The other burial information is supplied from Rodman family records and personal knowledge of the Rodman family.

**Mary Jane Canterbury**, wife of James Rodman, born March 22, 1862, died January 16, 1901

**James "Jim" Rodman**, Born Wilmington, Delaware, August 27, 1853, died Jan. 28, 1907.

**Mrs. G. W. Crawford**

**Janey Elanor Rodman**, Born April 22, 1885 – died ? )

**James Robert Rodman**, Born April 28, 1887 – died ? )

**Irene Ruth Rodman**, Born ? Died ? )

**Leffie Rodman**, Born ? Died ? )

**Rodman boy infant** - Born ? Died ? )

These five children died young and  
are the children of Mary Jane and  
James Rodman

**F. A. Brockway**, Co. E, I Wis. H. A. [No other info. on this military stone]

**McCrary** – My informant said there were "two McCrary boys" also buried here. No other information.

**Canterbury** – A "Canterbury woman" is buried here. No other information.

**Note:** There was one other "sink" but I have no idea who is buried in it.

~~~~~

## Nale Cemetery

Location: Section 2, Township 4, Range 2 West. In the absolute southwest corner of the southeast quarter.

There are no headstones in this tiny cemetery. However, I was told by a long-time resident of the community that "Ronnie Nale's child" was buried here. No other information.

**Susannah Rice Claim**  
Southern Claims Commission  
Abstracted by Dorothy Scott Johnson

The Southern Claims Commission was established by the United States Government to reimburse Northern sympathizers living in the South for losses they sustained at the hands of Union forces during the Civil War. To be reimbursed one had to prove absolute loyalty from beginning to end of the conflict and to prove the losses sustained.

Susannah alleges that her testimony was taken in a satisfactory manner by James H. Bowen of Huntsville, Ala. and by George Eldridge "now living at Waterloo," Alabama. Mrs. Rice claimed \$202 loss for one horse, one wagon bed, two hogs and 25 sheep taken by General Osterhaus's division in 1863. She was allowed \$150.

**George W. Mann**  
26 August 1876

George W. Mann, age 55, resides near New Hope, is a farmer, and is related to the claimant. He has known Susannah about 30 years and has not lived over three miles from her during that time. Part of the time they lived within half a mile from each other. He was also well acquainted with her husband, James H. Rice.

Susana [sic] owned property in her own right, separate from her husband, having inherited it from her people. "I remember the time she received some of her estate and when her father went to Tennessee to receive some of her property she just gave him a Power of Attorney to accept it in her name."

**Mary Ann Howard**  
26 August 1876

Mary Ann Howard, age 34, resides six or seven miles southwest of New Hope and was born and raised there. She has lived in Madison County her entire life except for a time during the war she went north with her family.

She is the daughter of Susannah Rice, lived with her mother during the war, and was well acquainted with her property.

Susannah owned her own horse, hogs and sheep which were taken by the Union soldiers. Mary Ann's father, James H. Rice, had given her a filly which, after she was married in January 1861, she sold to her mother. After her mother bought the mare she traded it for a horse and it was the horse the Federals took.

Susannah received money from her grand mother's estate and she used part of it to buy the horse from her mother, Mary Ann.

When Mary Ann was small, her mother bought some hogs and sheep which were taken by the Federals. Mary Ann remembers her father saying the hogs and sheep belonged to her mother and that she had much better luck raising them than he ever did. His hogs had "died off badly."

**Susanna "Susan" Rice**

Susan is age 52, a farmer, and lives one-half mile southwest of Vienna [New Hope], Alabama where she has lived about 20 years except for the time they "went north." The family, including their son-in-law, went first to Nashville in March 1864, then went about 14 miles up the Louisville Pike to Sumner County. They made a crop there and she stayed until the following August [1864], when she came home. The Yankees were stationed at Vienna at the time but her husband, James Henry Rice, did not return until after the surrender.

Susannah is a native of east Tennessee. She has no relatives in Madison County in the Union Army but does have cousins in Tennessee that served.

She has six children, all living:

1. Mary A. Howard, age 34
2. John Rice, 32
3. Isaac Rice, 26
4. Davis Rice, 23
5. William Rice, 21
6. Turner Rice, 15



She was on the Yankee side from beginning to end. She states, "My old father would not speak to me for three months because I would say I was for the Union." She did not contribute to the Union as she had nothing to contribute.

When the Union forces were "about our place they treated us mighty good and when I was with them I always felt as if I was with my kin folks."

The leading and best known Unionists in her vicinity during the war were Philan Solomon, Thomas S. Harless and Joel Childress. Childress is dead. Mr. Andrew Brannum did not live near them but knew them very well. Susannah will ask Mr. Thomas Harless and Andy Brannum to testify for her.

Mr. Rice was threatened with death in 1863, 1864, and 1865 for their Union sentiments. Before the war, they had as many friends as anyone. At first, "they called him an old mean man and come to put him in the rebel army, and he lay out in the woods for a long time. The rebels said at first that they would put him in the army or kill him and from then it continued to get worse. Our rebel neighbors took up the abuse against us 'till we found we were in danger if we attempted to stay here."

After Mrs. Rice returned from Nashville in 1864, they threatened to burn their house.

One night before they left for Tennessee the rebels came and searched their house for her husband but he had escaped. The rebels wanted their arms which she had hidden. In the fall of 1863 a soldier by the name of Bud Neighbors, a neighbor, got their horse and never expected to pay for it.

Susannah had two brothers in the Rebel Army. One was Samuel Taber and the other was Benjamin Taber. Sam was in Texas when she last heard from him two or three years ago. Ben lived near her but she furnished neither of them one thing while they were in service. He had voted for Douglass in 1860 and would not even take Rebel money if he could help it.

They had Rebel neighbors who were good friends to her husband and in the "Bushwhacking Party" and Susannah

supposes they saved his life. They told Susannah they could not always be with their company and if they were not present he would probably be killed if found.

Susannah inherited money from her mother's side of the family at least ten years before the war, and the property she is making a claim for was purchased with that money or was raised on her land. She invested part of the money by buying land and putting it in both her name and her husband's name. When he died there was no administration on his estate "but the interest he appeared to have in the land. There was nothing to administer." She states she has paid up "pretty near all of his debts since his death although I was not compelled to do so under the law." She was married 35 or 36 years<sup>1</sup> and her husband died in May 1872.

Her farm consisted of 240 acres and was one and a half miles southwest of Vienna. About 50 or 60 acres were in cultivation and the balance in woods.

She was present in the fall of 1863 when the Union soldiers took the horse, when the corn was fed, and when the hog was taken. She cooked the bacon for the soldiers. She did not see the sheep taken but one of the soldiers who helped kill the sheep told her about it.

She heard a gun shot and when she went out and yelled at the soldiers they were "sticking the pig." They picked it up and put it on top of a wagon load of corn, then went on down the road that ran by her house.

Her husband accompanied the soldiers who took her horse, along with two other horses, to Paint Rock. When they found he was a Union man they let him have two of the horses back but said they were compelled to keep one as they couldn't get along without it. They got one of their neighbor's horses too.

From the fall of 1863 until the following March when the family went to Nashville, Federal soldiers were "coming and going."

<sup>1</sup> Madison County marriage records reveal that James H. Rice married Susan Tabor 24 March 1842.

She furnished them with everything for themselves and their horses. They offered to go "out in the country and get meat and flour and bring to my house for me to cook for them but I would not consent to that for it would have made the neighbors that much more against us."

She makes no charges for such things as flour, eggs, chickens, geese, butter, milk, bacon, or hams.

#### Andy Brannum

Andy Brannum is 58 years old, resides four miles northwest of Vienna near Woods Mills and had resided in the vicinity of Vienna nearly 40 years. During the summer he farms but in the fall and winter he is a stonemason.

Brannum is a brother-in-law<sup>2</sup> of Susan Rice, the widow of Henry Rice who died about four years ago.

He has been acquainted with Susan and Henry about 35 years and known them intimately 30 years. He lived within five or six miles of them during the war.

Brannum stated that Henry Rice felt it was not necessary to tear up the Union. Susan was "the best Union man of the two." They talked for the Union and fed federal soldiers. It was dangerous for a person to be against the Confederacy and had they not gone north Brannum is "satisfied he would have suffered bodily harm from the rebels."

#### Thomas S. Harless

Thomas says he will be 60 years old the 24<sup>th</sup> day of July next (1876). He is a farmer and has resided three fourths of a mile west of Vienna for 25 years, living neighbors to the claimant 25 or 30 years. He was always friendly and intimate with them. He lived near claimant during the war until they "left and refueged north."

Harless believes that Mr. Dickey, Frank Stone, Col. Thomas Vann and Colonel Wann could testify that Rice was a Union man. The known, prominent men in the neighborhood who were Union sympathizers

were Joel Childress, but he is dead, and Phelan Solomon who is living. Harless says he, too, was for the stars and stripes.

Harless tried to persuade Rice not to go north and to stay but was told he was afraid they would kill him if he did not leave. It was a serious loss to him to go for he had to give away a good deal of his property and leave some. His family returned some time before he did as he was afraid to come home. Had the Confederacy been successful Harless believes Rice would not have come back.

Harless saw Rice's horses in possession of the Federals, their sheep (he knew Rice's stock and his mark) in the Union camps or slaughter pen at Vienna, and witnessed the taking of the wagon bed.

There were some families who lived in their neighborhood who wanted to refugee north and wanted to go to the railroad at Paint Rock Bridge, about some nine or ten miles away. The soldiers "pressed" [took] Harless's and Rice's wagon and team to haul them to the bridge. Rice urged Harless to drive his team so as to be more apt to get it back. Rice was going to drive his team. The soldiers told Harless that if he wanted his team he had better go as they would not go to the trouble of returning it to him. Rice and Harless went, took the refugees in their wagons, and spent the night in the Federal camp. The next morning some soldiers came around looking for a wagon bed. They said Rice's would do so took it off his wagon and put it on one of theirs. Rice wanted Harless to go to headquarters with him to get his wagon bed back but Harless refused and left him there. Rice was not successful in getting his wagon bed back which was a very good wagon and had been well cared for.

Captain Ben Harris was a Federal army officer, a native of Madison County, and lived in Vienna and married here. He led scouting and raiding parties. They never carried supplies and Harless believes he was in the party that was at Rice's house.

-End-

<sup>2</sup> Granville Brannum married Elizabeth Taber 18 Dec 1840 according to Madison Co. marriage records.

### Manning Carpenter (Bond)

The following document was found among Circuit Court loose papers in the Probate Office's Records Room in the Huntsville Public Library. They have been accumulating for many, many years and it is unknown to which files they belong. Each document is being logged and put in its own acid free file.

Huntsville 17<sup>th</sup> June 1822  
Recd. of William C. Smith the Body  
of Manning Carpenter, which ~~the~~  
was Sued by Wilson T. Taylor in the  
Circuit Court of Madison, & the S<sup>d</sup>.  
W. C. Smith stood his appearance  
Bail, and not being willing to  
Stand any longer, he therefore  
Delivered him to me to extricate  
himself from further  
trouble. ————— Stephen Neal  
Shff. of M. County

Huntsville 17<sup>th</sup> June 1822

Recd. of William C. Smith the Body  
of Manning Carpenter, which  
was Sued by Wilson T. Taylor in the  
Circuit Court of Madison, and the S<sup>d</sup>.  
W. C. Smith Stud<sup>1</sup> his appearance

<sup>1</sup> Stood. This means Smith became Carpenter's  
bondsman. In this case, the word was spelled like it  
sounds.

Bail, and not being willing to  
Stand any longer, he therefore  
Delivered him to me to extricate  
himself from further trouble.

Stephen Neal  
Shff. of M. County

# Marshall County

## Deed Book B, 1840-1845

Part 4

Copied and Contributed by Coy Michael  
Abstracted by Dorothy Scott Johnson

This large book is housed in the records vault of the office of Probate Judge in the courthouse in Guntersville. It is continued here from *Valley Leaves*, Vol. 38, No's. 3 & 4.

The nation found itself in a panic and depression in 1837 which, by 1840, sent cotton prices down to around 6¢ per pound from 14¢. Cotton cost more to produce than the farmers could sell it for. For this reason, many farmers, planters and merchants lost everything they had during this period and it is reflected in these deeds.

Pages 47-48

Date: 20 Aug 1840

Deed of Trust

Joseph Tipton (debtor) of the 1<sup>st</sup> part, Calvin Hines (trustee) of the 2<sup>nd</sup> part and Hayter & Calloway (creditor) of the 3<sup>rd</sup> part, All of Marshall Co., Ala.

Joseph Tipton owes Hayter & Calloway the amount of \$117.54 due 12<sup>th</sup> August 1839. Tipton is desirous and willing to secure Hayter & Calloway against loss. Therefore, Tipton deeds to Calvin Hines, in trust, for \$1 in hand paid, the following property:

- Two sorrel horses, 8 or 9 years old
- One blind horse, 8 years old
- 20 head of hogs
- Three cows and calves
- One yoke of oxen, 3 yrs. old
- One clock
- One ladies' saddle
- One cupboard
- Two feather beds and furniture
- 25 or 30 acres of corn
- 2000 binds of fodder

Tipton is to remain in peaceable possession and use of the above described property. Upon further trust, Calvin Hines shall on 25 Dec 1840, after giving 10 days notice by advertisement at three or more places in Marshall County, proceed to sell at auction, for ready money at the residence of Joseph Tipton, all or a sufficiency of the said above described property to satisfy and pay the aforesaid claim plus all legal interest and costs of this indenture.

The balance, if any, after paying said claim, interest and costs, shall be paid over to Joseph Tipton. If the whole sum of \$117.54 is paid to Hayter & Calloway with all legal interest and costs by 25 Dec 1840, then this deed is void.

/s/ Joseph Tipton

/s/ Calvin Hinds

/s/ Wm. H. Calloway for Hayter & Calloway

Witness:

Tate Robinson

Jans. [?] Noble by his mark

Joseph Tipton acknowledged the above deed on 24 Aug 1840 before Tate Robinson, J. P.

William H. Calloway acknowledged the deed before Richard S. Randles, Clerk of the County Court, on 5 Sept 1840. Deed filed and recorded 5 Sept 1840.

Pages 49-50

Date: 30 Sept 1839

Sheriff's Sale

John D. Tanner and Jesse Blassingame

Joel Higgins, Sheriff of Marshall Co., was given a Writ of Execution issued out of the County Court of Marshall County delivered on 30 Sept 1839. He was commanded to put a \$99.07 lien on the goods and chattels of John D. Tanner and Jesse Blassingame. This case was brought by John A. Maroney, administrator, who had recovered against Farmer and Blassingame his damages sustained by reason of nonperformance of certain promises.



If sufficient goods and chattels could not be found, the sheriff should cause the damages to be made on the lands of Tanner and Blassingame.

The lien was to cover lands owned by Tanner and Blassingame as of 30 Sept 1839 or at any time afterwards.

By virtue of said writ, the sheriff did seize and take the lands hereinafter described as the property of John D. Tanner and have sold the same to satisfy the damages.

Same was sold to the highest bidder for cash, according to the statute in such cases made and provided. The highest bidder was Jesse

Blassingame who bid it in for \$21.25. Therefore, the sheriff made a deed to Blanningame on the following property:

The SW part of fractional section 13, township 7 of range 2 east containing 126, lived on and sold as the property of John D. Tanner.

/s/ Joel Higgins, Sheriff  
Acknowledged by Higgins before Richard S. Randles, Clerk of the County Court the 10<sup>th</sup> day of September 1840. Delivered for recording and recorded the same day.

-To be continued

## MISCELLANEOUS NOTES

### Outrages

We regret to hear that a band of disguised and armed men in Marshall County, Alabama, have been whipped and say they know who whipped them but are afraid to give their names as their lives have been threatened.

The same has been the case in Jackson County.

If these outrages do not cease and the parties are not arrested and punished, Gov. Smith will declare martial law and put the military force in such counties as he is required to do by law. [*The Athens Weekly Post*, 23 February 1869.]

### Phillips to Cook

Married, near Crossville, on the 27<sup>th</sup> ult., Will Phillips and Miss Hattie Cook. [*The Marshall Banner*, Albertville, Ala. 5 Jan 1899.]

### Lowery to Spence

Married, at the residence of the bride's father, near Lathamville, on the 25<sup>th</sup> ult., D. R. Lowery and Miss Sallie Spence, the Rev. Samuel Sparks officiating. [*The Marshall Banner*, Albertville, Ala. 5 Jan 1899.]

Copied and contributed by Judge William D. Page.

### An Act

For the Relief of William D. Walker,  
Jailor of Marshall County.

**Sec. 1.** *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened:*

That the Comptroller of Public Accounts be, and he is hereby authorized and required, to draw his warrant on the State Treasurer for the sum of one hundred and ninety-one dollars and sixty cents [\$191.60] in favor of William D. Walker, jailor of Marshall County.

Approved, December 9, 1861.

### An Act

To Prevent the Increase of Paupers in  
Marshall County.

**Sec. 1.** *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened:*

That any contractor or contractors of any of the railroads of Marshall County, who shall employ from other counties other than said county of Marshall, laborers to work upon said road or roads, and said laborers become paupers and a charge upon said county, that said contractor or contractors shall be personally liable to said county of Marshall for the amount expended in the support of said paupers, to be recovered by suit instituted by the county treasurer of said county.

Approved, February 25, 1860



## Circuit Court Records – Civil

### Book 1

#### Part 13

These, the first Circuit Court criminal and civil records in Marshall County, were rediscovered about 1989 and were saved from certain destruction by the Clerk of the Circuit Court. We are deeply indebted to her.

This previously unknown document dates from September 1838. The first 99 pages are criminal cases which we have already published in prior issues of *Valley Leaves*. The current records are the civil cases which are in the same book as the criminal cases.

This series began in Vol. 24, Issue No. 2 and is continued here from Vol. 38, No's. 3 & 4.

#### Pages 225-228

Case No. 483

Manning & Rickets

vs

Andrew Ice

7 Sept 1840

Present: Daniel Coleman, Judge

The Sheriff is commanded to take Andrew Ice, wherever he may be found, and safely keep him (jail) so he will appear before the judge of the Marshall Co. Circuit Court on the 4<sup>th</sup> Mon of Sept 1840 to answer Thomas Manning and David Rickets in a plea of trespass. Said men are merchants trading under the firm name of Manning & Rickets. Damages of \$500 are claimed in the plea.

The action of trespass is founded on a promissory note for \$120, made by the defendant, dated at Cottonville, Marshall Co., 23 Oct 1839 for payment in 120 days after date, to one Joel C. Childers payable and negotiable at the Branch Bank of the State of Alabama at Decatur. Said note was endorsed by said payee to one George Chennault and by him endorsed and delivered to the plaintiffs. Said note was regularly presented for payment, yet remains wholly unpaid. No bail required. Hopkins & Parsons, were attorneys for plaintiff

Andrew Ice was served on 11 Sept 1840 by W. Black, deputy sheriff for Joel Higgins, sheriff.

The debt became due and payable on 22 Feb 1840 but no part of it was paid. Since defendant has neglected and refused to pay the note, the plaintiffs claims \$500 damages because the debt was withheld.

22 Feb 1840. At the request of the cashier for the Branch of the Bank of the State of Alabama at Decatur, Jonathan Lane, a notary public for Decatur, Morgan Co., Ala., called at the above named bank and demanded payment of the note. Lane "informed me that the money had been deposited for that purpose and therefore refused to pay it. I, the said Notary, at the request aforesaid did protest." By these presents I do publicly and solemnly protest as well against the drawer or maker of said note." The parties have been duly notified of the protest by letters to them written by me. The letters were deposited in the post office at Decatur directed to the maker, Cottonville, Ala., and Joel C. Childers and George Chennault notices enclosed to Manning & Rickets and to them at Cottonville, Ala. I have hereunto set my hand and affixed my seal of office at the Town of Decatur this 22<sup>nd</sup> day of February 1840.

/s/ J. Lane, Notary Public

On back of the foregoing Protest is a copy of the note:

*\$120, Cottonville, Marshall County,  
23<sup>rd</sup> Oct 1839, one hundred twenty days  
after date I promise to pay Joel C.  
Childers on order one hundred and  
twenty dollars payable and negotiable at  
the Branch of the Bank of the State of  
Alabama at Decatur for value received.*

*Andrew Ice*

*George Chennault  
Manning & Rickets*

**4<sup>th</sup> Monday in March 1841**

Be it remembered that at a Circuit Court held at the Court House in the Town of Marshall on the 4<sup>th</sup> Monday in March 1841, the following proceedings

Present: The Hon. George W. Lane, Judge

**Pages 228-231**

**Case No. 483**

Manning & Ricketts

vs

Andrew Ice

Comes the plaintiff by their attorney and the defendant being called, came not but made default. It is, therefore, ordered by the Court that the plaintiffs recover judgment against said defendant the sum of \$132.38 damages.

**Case No. 484**

Manning & Ricketts

vs

George Chennault

Issued Sept 1840

The Sheriff is commanded to take George Chennault wherever he may be found and him safely keep so you have his body in the next Circuit Court on the 4<sup>th</sup> day in Sept instant. He is to answer Thomas Manning and David Ricketts, merchants and partners trading under the firm name of Manning & Ricketts. Plaintiffs claim \$500 damages. Witness: John O. Feemster, Clerk of the Circuit Court of Marshall Co., Ala.

This action of trespass is founded on a promissory note made by Andrew Ice dated at Cottonville, Marshall Co., 23 Oct 1839, with payment due in 120 days. Debt due to Joel C. Childers in the amount of \$120 payable at the branch of the State Bank of Alabama at Decatur, Ala.

Executed 17 Sept 1840 and a copy given to George Chennault<sup>1</sup> by Joel Higgins by his deputy, Lewis Manning.

Thomas Manning and David Ricketts complain of George Chennault, defendant in custody, of a plea of trespass. On 23 Oct 1839

<sup>1</sup> This name is written Cennault throughout this particular document but is Chennault elsewhere. See Chennault Bible record in *Valley Leaves*, Vol. 19.

Andrew Ice, at Cottonville in Marshall Co., Ala., made his promissory note by which he promised to pay Joel C. Childers \$120 in 120 days, i.e., 22 Feb 1840. The note was endorsed by Childers to George Chennault. When it was presented for payment at the Branch Bank of Alabama in Decatur the money was then and there duly demanded. However, no money was on deposit to cover the note and note was protested for non payment. The defendant then and there became liable for the money specified in the note. He still has not paid the note to the damage of plaintiff in the amount of \$500.

The case was continued to the 4<sup>th</sup> Monday in March 1841. The defendant being solemnly called came not and made default. The court ruled against the defendant and ordered him to pay \$132.38 damages.

**Pages 231-233**

**Case No. 485**

Milton J. Lukens

vs

Simpson C. Newman and

Randol C. Newman

On 2 Sept 1840 the sheriff was commanded to find S. C. and R. C. Newman. He was commanded to take S. C. Newman and R. C. Newman, wherever they may be found, and them safely keep (jail) so they will appear before the judge of the Marshall Co. Circuit Court on the 4<sup>th</sup> Monday in September 1840. No bail required.

This action was founded on a promissory note the defendants gave the plaintiff, of Philadelphia, Pa., on 18 Jan 1838 for \$256.12 for value received and due in 6 mo.. No bail required.

Sheriff's return: "Came to hand Sept. 11<sup>th</sup> 1840. Executed the 16 of Sept. 1840 and a copy handed to R. C. Newman, one of the firm. [Signed by:] Joel Higgins, Shff. by his deputy Lewis Manning."

Milton J. Lukens, by his attorney, files a Plea of Trespass against Simpson C. Newman and Randol C. Newman, merchants trading in partnership under the firm name and style of S. C. & R. C. Newman. They are now in custody. The defendants have not paid the note, although often requested to do so, to the damage of

plaintiff in the amount of \$500. Wyeth, attorney for the plaintiff.

In the March term of Court in 1840 came the plaintiff by his attorney. The defendants being called came not but made default. Therefore, the court ruled that plaintiff recover judgment against defendants the sum of \$297.09 damages.

**Pages 233-235**

**Case No. 486**

Daniel Stone

vs

Michael Howell

The following writ was issued and returned to our Circuit Court for Marshall County, at the Court house in the Town of Marshall. The Hon. Daniel Coleman, Judge.

The Writ commanded the sheriff to take the body of Michael Howell wherever he may be found in Marshall County and safely keep him [jail] and have him before the Judge on the 4<sup>th</sup> Monday in Sept 1840. He is to answer Daniel Stone in a plea of trespass.

Plaintiff Stone claims damages of \$500. Witnessed by John O. Feemster, Clerk of the Circuit Court.

The cause of action is a due bill of defendant to plaintiff dated 6 April 1836 for \$105.25 for value received. No bail required.

The Sheriff's return stated he had received the writ on 11 Sept 1840 and served same on 21 Sept 1840 on Michael Howell, the defendant. Delivered by deputy Lewis Manning for Joel Higgins, Sheriff.

Daniel Stone, by his attorney, complains that on 6 April 1840, in Marshall Co., Michael Howell made his due bill wherein he acknowledged himself indebted to Daniel Stone, or bearer, in the sum of \$105.25 for value received. The debt has never been paid although defendant has repeatedly been asked to do so. Therefore, plaintiff has sustained damages in the amount of \$500. Wyeth, atto. for plaintiff.

In the March term of court in 1841 the plaintiff came into court by his attorney. The defendant, although being solemnly called, came not but made default. The Court, therefore, ruled that plaintiff recover a judgment against defendant in sum of \$147.05 damages.

**Pages 235-237**

**Case No. 487**

Arthur C. Beard and James H. Beard

vs

Peter C. Starnes

A writ was issued by the Circuit Court to the Sheriff of Marshall County. Present: The Hon. Daniel Coleman, Judge.

The writ was dated 2 Sept 1840, the 65<sup>th</sup> year of American Independence. The Court orders the Sheriff of Marshall County to take the body of Peter C. Starnes, wherever he may be found in Marshall County, and safely keep him [jail]. He is to be before the Judge of the next Circuit Court to be held at the Court House in the Town of Marshall on the 4<sup>th</sup> Monday of Sept 1840 to answer Arthur C. Beard and James H. Beard, partners doing business as A. C. & J. H. Beard. The case is a Plea of Trespass wherein the Beards claim \$100 damages. John C. Feemster, Clerk of the Circuit Court.

The cause of action is because on 25 Dec 1839 Peter C. Starnes signed a promissory note in the amount of \$56.60 bearing interest from 25 Dec 1839 to the plaintiff.

*\$56.60*

*I promise to pay A. C. & J. H. Beard fifty Six dollars and Sixty cents bearing interest from the 25<sup>th</sup> of December last [1839].*

*Jan. 31, 1840*

*Peter C. Starnes*

The note is due and unpaid even though often asked to do so. Peter C. Starnes is now in custody.

At Court on the 4<sup>th</sup> Monday in March 1841 came the plaintiffs by their attorney and the defendant, being solemnly called, came not but made default. Therefore, the Court ordered that plaintiffs recover judgment against defendant for the amount of \$62.25 damages.

**Pages 237-239**

**Case No. 488**

Thomas K. Connally<sup>2</sup>

vs

George W. Allen

Lewis Manning

William Black

State of Alabama, Marshall County, for the Circuit Court of Marshall County, September Term, 1840.

Thomas K. Connally, plaintiff, states that he holds a note on the defendants, George W. Allen, Lewis Manning and William Black in substance as followeth: Twelve months after date we promise to pay James M. Moore the Sum of \$260 for value received 13 October 1837.

“For value recd. I assign the within note to T. K. Connally Sept. 17<sup>th</sup> 1838. /s/ James M. Moore” whereby the plaintiff hath become the proprietor. Defendants have had due notice, yet said debt remains unpaid. Plaintiffs pray for judgment for the debt and damages.

On 9 Sept 1840, George W. Allen, Lewis Manning and William Black were summoned to appear before the judge of the Circuit Court on the 4<sup>th</sup> Monday of Sept 1840 to answer the demand of Thomas K. Connally.

The sheriff was issued the order on 11 Sept 1840 and served same on defendant Allen on 12 Sept 1840. Lewis Manning was served 19 Sept 1840 by John Higgins, deputy for Sheriff Joel Higgins.

At the court held on the 4<sup>th</sup> Monday in March 1841 (George W. Lane, Judge), the plaintiff came by his attorney and discontinued this suit as to William Black. George W. Allen and Lewis Manning being called, came not but made default. It is, therefore, ordered by the Court that plaintiff have and recover judgment against said defendants the sum of \$197.60 which is the balance of the debt plus the further sum of \$26.86 damages.

**Pages 239-241**

**Case No. 493**

S. Richardson & John G. Russell

vs

Alfred G. Russell

On 12 Sept 1840, a writ was issued to the Sheriff commanding him to take into custody Alfred G. Russell wherever he may be found in

<sup>2</sup> Also written Conally

Marshall County. He was to safely keep Russell so that “you have his body” before the Judge at a Court held at the courthouse in the Town of Marshall on the 4<sup>th</sup> Monday in Sept 1840. Alfred G. Russell is to answer S. Richardson and John G. Russell, saddlers, partners doing business as Richardson & Russell, in a plea that defendant render to them the sum of \$128 debt plus damages of \$100.

The \$128 debt is for value received and based on a note dated 1 Jan 1839 due one day after date. It has not been paid. Hopkins & Parsons, attorneys for plaintiff.

The writ was received by the Sheriff 12 Sept 1840 and executed on Alfred G. Russell the same day by John Higgins, deputy for Sheriff Joel Higgins.

At a court held the 4<sup>th</sup> Monday in March 1841 the plaintiffs appeared by their attorney and the defendant being solemnly called, came not and made default.

The Court, therefore, ordered the plaintiffs to recover against defendant \$128 debt plus \$22.74 damages.

**Pages 241-243**

**Case No. 494**

William F. Murdock

vs

Brooks Jaco

12 Sept 1840. An order was issued to the Sheriff commanding him to find and take into custody Brooks Jaco wherever he might be found in Marshall County. The Sheriff is to safely keep Jaco [jail] so as to have him before the judge at a court to be held the 4<sup>th</sup> Monday in March 1841.

Brooks Jaco gave a \$696.69 note to Hugh Henry, for value received, on 2 Sept 1840 due one day after date. Isaac Henry was a witness. Said note was endorsed by Hugh Henry to William F. Murdock and witnessed by John Baldrige.

Jaco was served on 17 Sept 1840 and is in custody. On the 4<sup>th</sup> Mon in March 1841 Jaco withdrew his plea and now says nothing. The Court ordered that plaintiff recover against Jaco \$567.56 bal. on debt plus \$8.07 damages.

-To be continued

**1904-1906**  
**Marshall Co. Voter Registrations**  
Part 4

We try not to publish material dated after 1900 but we are making an exception in the case of this list. No one named here was born *after* 1883 and most were born long before that. These records were kept by precinct. All persons listed below are white males. Women did not vote until 1920 and most African Americans did not vote until the 1950's and 1960's.

Almost 2400 years ago Euripides declared that "A woman should be good for everything at home, but for nothing away from it." Through the centuries, man was reluctant to abandon this point of view. Finally, in 1917 the United States Congress passed a constitutional amendment to allow women to vote (the 19<sup>th</sup> Amendment). Three-fourths of the states, amounting to 36 at the time, had to ratify it before it could become law. Therefore, it was 1920 before women were allowed to vote.

The 13<sup>th</sup> Amendment to the Constitution of the United States legally freed Negroes and gave them the right to vote in 1865. Stark reality was that most were not actually allowed to vote, by means less than kind, until they asserted their civil rights. Therefore, you will find only white men in these records.

Any comment made adjacent to the person's name on the original list is included here as a footnote. Many of them transferred from another precinct. This large book is in the Marshall County Courthouse, Probate Judge's office. Copied and contributed by Dorothy Scott Johnson.

Continued from Volume 36, No. 1, Sept 2001.

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**Precinct No. 16**

**Year 1906**

| <b>No.</b> | <b>Name</b>              | <b>Age</b> | <b>Post Office</b>           |
|------------|--------------------------|------------|------------------------------|
| 41         | Noah Bartlett            | 21         | Boaz, RFD <sup>1</sup> No. 3 |
| 42         | L. B. Walker             | 53         | "                            |
| 43         | J. O. Dendy              | 43         | "                            |
| 44         | N. S. Bennafield         | 53         | "                            |
| 45         | J. T. Lowery, Exch.      | 34         | "                            |
| 46         | B. I. [J?] Vann          | 25         | "                            |
| 47         | S. S. Dooley             | 21         | Boaz, RFD No. 4              |
| 48         | H. D. Elrod <sup>2</sup> | 41         | Boaz, RFD No. 3              |
| 49         | J. S. Sharpton           | 47         | "                            |
| 50         | A. D. Hall               | 21         | Horton                       |
| 51         | A. B. Byress             | 44         | Boaz, RFD No. 3              |

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<sup>1</sup> Stands for "Rural Free Delivery"

<sup>2</sup> From Pct. 22



**Precinct No. 16  
Year 1906**

| No. | Name             | Age | Post Office     |
|-----|------------------|-----|-----------------|
| 52  | J. W. Vann       | 23  | Boaz, RFD No. 3 |
| 53  | W. T. Woodruff   | 25  | Boaz, RFD No. 3 |
| 54  | J. E. Smalley    | 47  | "               |
| 55  | Aron Woodruff    | 54  | "               |
| 56  | James T. Smalley | 22  | "               |
| 57  | J. M. Davis      | 22  | "               |
| 58  | A. M. Lokey      | 21  | "               |
| 59  | T. R. Smith      | 21  | "               |
| 60  | T. H. Horton     | 30  | "               |
| 61  | John Works       | 21  | "               |
| 62  | H. F. Bynum      | 21  | "               |

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**Precinct No. 17, Kirby**

|    |                 |    |               |
|----|-----------------|----|---------------|
| 1  | Kirby Winston   | 23 | Hillian Store |
| 2  | John Alexander  | 23 | "             |
| 3  | John Wilkinson  | 25 | "             |
| 4  | Dave Johnson    | 22 | "             |
| 5  | R. W. Hayes     | 22 | "             |
| 6  | W. S. Bennett   | 21 | "             |
| 7  | G. H. Walker    | 21 | "             |
| 8  | J. F. Bennett   | 54 | "             |
| 9  | John P. Cain    | 21 | "             |
| 10 | G. W. Wilkinson | 34 | "             |
| 11 | J. A. McCormick | 22 | "             |
| 12 | Eligah Worley   | 78 | Mid           |
| 13 | James Culbert   | 22 | "             |
| 14 | M. J. Barnes    | 46 | Pendergrass   |
| 15 | T. J. Fricks    | 32 | "             |
| 16 | T. G. Buckett   | 32 | "             |
| 17 | H. T. Cook      | 32 | "             |

**Year 1906**

| <b>No.</b> | <b>Name</b> | <b>Age</b> | <b>Post Office</b> |
|------------|-------------|------------|--------------------|
|------------|-------------|------------|--------------------|

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**Precinct No. 17, Kirby (-continued-)**

|    |                |    |             |
|----|----------------|----|-------------|
| 18 | J. P. Monroe   | 53 | Pendergrass |
| 19 | R. C. Doss     | 51 | "           |
| 20 | John Bryant    | 26 | "           |
| 21 | J. M. Forsyth  | 26 | "           |
| 22 | J. M. Johnson  | 22 | Mid         |
| 23 | W. P. Forsyth  | 25 | Pendergrass |
| 24 | Arthur Johnson | 21 | Mid         |

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**Precinct 18, Thompson**

|    |                        |    |          |
|----|------------------------|----|----------|
| 1  | W. N. Patrick King     | 22 | Martling |
| 2  | D. Abney               | 29 | "        |
| 3  | W. T. McCandon         | 22 | Jink     |
| 4  | R. T. Mayes            | 21 | "        |
| 5  | J. H. Taylor           | 22 | Martling |
| 6  | M. F. Barnes           | 29 | "        |
| 7  | T. T. Hall             | 26 | "        |
| 8  | T. C. McClendon        | 22 | "        |
| 9  | W. W. Slaton           | 22 | Jink     |
| 10 | J. W. Shipp            | 58 | Martling |
| 11 | J. E. Conway           | 21 | Peters   |
| 12 | J. F. Pointer          | 21 | Rodgers  |
| 13 | J. N. Rains            | 32 | Martling |
| 14 | G. W. Sparks           | 24 | Rodgers  |
| 15 | W. F. Cook             | 37 | Jink     |
| 16 | P. H. Gardiner         | 21 | Martling |
| 17 | J. W. Nickson [Nixon?] | 21 | Jink     |
| 18 | J. T. Hains            | 46 | Jink     |
| 19 | J. M. Merriman         | 30 | Jink     |

| <b>Year 1906</b>                           |                   |            |                    |
|--------------------------------------------|-------------------|------------|--------------------|
| <b>No.</b>                                 | <b>Name</b>       | <b>Age</b> | <b>Post Office</b> |
| 20                                         | J. P. Vaughn      | 58         | Martling           |
| 21                                         | O. M. Rose        | 25         | Peters             |
| 22                                         | T. Fletcher       | 25         | Jink               |
| 23                                         | B. Childress      | 21         | "                  |
| 24                                         | W. A. Brooks      | 21         | Peters             |
| 25                                         | J. A. Masters     | 28         | "                  |
| 26                                         | D. M. Brown       | 30         | "                  |
| 27                                         | Joseph Pace       | 37         | "                  |
| 28                                         | T. H. Ring        | 24         | Martling           |
| 29                                         | Allie Bridges     | 21         | "                  |
| 30                                         | Henry Hooper      | 21         | Guntersville       |
| 31                                         | A. T. Isbell      | 21         | Martling           |
| 32                                         | Ted Conway        | 21         | "                  |
| 33                                         | J. T. Parris      | 31         | "                  |
| 34                                         | J. J. Lambert     | 47         | Peters             |
| 35                                         | G. W. Hooper      | 61         | Martling           |
| 36                                         | S. D. Oaks        | 27         | "                  |
| 37                                         | S. L. Strange     | 33         | Jinks              |
| 38                                         | J. J. Bain        | 21         | Peters             |
| 39                                         | E. M. Vaughn      | 22         | Martling           |
| <b>Precinct 19, Buck Snort<sup>3</sup></b> |                   |            |                    |
| 1                                          | C. C. Ashborn     | 64         | Keel               |
| 2                                          | J. W. Click       | 22         | "                  |
| 3                                          | W. J. Webb        | 21         | "                  |
| 4                                          | L. R. Campbell    | 58         | "                  |
| 5                                          | W. W. Ashborn     | 32         | "                  |
| 6                                          | Willie Roden      | 28         | "                  |
| 7                                          | J. A. R. Whitaker | 21         | "                  |
| 8                                          | D. B. Parker      | 21         | Grant              |

-To be continued-

<sup>3</sup> One Buck Snort is in Fayette County which seems strange unless there are two in the state of Alabama

# Morgan County

## David Bush Estate

The following abstracts were made from the original documents in David Bush's probate file. David had seven children (six survived) by his first wife, Abby. After Abby's death he married her second cousin, Mary (Polly), and had seven more children. The children by the first wife were omitted from the will and they sued to break the will since part of the "seed money" of David's large estate was from their mother's inheritance. They contended that his second wife, Polly, influenced their disinheritance and that since David drank heavily he was mentally incompetent.

### Last Will & Testament

Dated: 20 April 1835

Probated:

"In the name of God, amen. I David Bush of the County of Morgan and State of Alabama, being of sound and disposing mind and memory, and not wishing to die intestate, do make this my last will and testament, to wit:

"I do will and ordain that all my property of every description, real and personal, be equally divided among my present wife, Polly Bush, and her children. That said property be all kept together as I owe nothing and there is no necessity for a sale.

"Wishing no separation or division of it until some one of them shall marry or become of age, when it shall be equally divided as above.

"My wife's bequest and devise, however, subject to this restriction: on her death or marriage, then her share to revert to my estate and to my children as above mentioned. This particular phraseology being used for good reason, not necessary to mention, for the purpose of excluding my children by the former marriage from any participation whatever in my estate.

"I wish my wife and said children to occupy my present residence until a division take place, then the whole to be divided including said residence.

"I appoint my friend, Theophilus Lacy, and my wife, Polly Bush, to execute this my last will and testament. Witness my hand and seal this 20<sup>th</sup> day of April in the year of our Lord 1835."

/s/ David Bush

Witness: Thos. H. Lacy

Cornelius Todd  
Lancelot Chunn

### Thomas H. Lacy Deposition

No date found.

In the matter of the contest of David Bush's will, Thomas H. Lacy, witness, appeared in open court and made the following statement:

Thomas H. Lacy witnessed David Bush's Will along with Cornelius Todd and Lancelot Chunn. Lacy says Bush appeared to be of sound, disposing mind. He had known Bush 20 years and was intimately acquainted with him up to his death.

In about 1840 Lancelot Chunn, left the neighborhood where he lived when he witnessed the will and to Lacy's knowledge he has not been in the state since.

### Cross Examination

Bush could not read writing. He was in the habit of drinking occasionally - he took sprees of drinking. Soon after "I became acquainted with him I saw him in sprees. He frequently was so drunk as to need help to ride. He kept on this course pretty much the same way until three or four years before his death when he quit entirely.

"We were together nearly every week. I never seen him when there was liquor he did not take too much - generally his sprees were from home - not often - His wife previous to '35 attended to buying merchandise. He bought Negroes - does not know that he bought any Negroes in 1835 - thinks he did not. I don't know that the habit of drinking incurred on him

in the years 1834-35. He was about 75 when he died. He generally kept a little [whiskey?] at home."

"This witness [Lacy] states that Polly Bush had some influence with her husband, David Bush, and the old man would agree with her in daily transactions - that he never knew the old man to do any thing contrary to the old Lady's wishes except that of drinking & that she ultimately influenced him to quit drinking. But that he does not know that she had any influence in him to make his will."

Re-examined

"Witness states that at the time the will was Signed that said Bush was sober so for as witness knows."

/s/ Thos. H. Lacy.

~~~~~  
**Contested Will**

In the matter of the contest of the will of David Bush, it is done on the following grounds:

- 1<sup>st</sup> Said will was revoked by the decedent in his lifetime and after its alleged publication.
- 2<sup>nd</sup> That said pretended will is not the will of David Bush, decd.
- 3<sup>rd</sup> That said pretended will was not signed by the said David Bush nor witnessed according to the requirements of law.
- 4<sup>th</sup> That the said David Bush, decd., at the time of the making of said pretended will was not of sound & disposed mind.

*William Bush  
George Bush  
Franklin Alexander  
Polly Bush's wife  
Henry King  
and Elizabeth his wife  
David J. Jeter and  
his wife Flora*

Wyeth & Scruggs, Attyns for plaintiffs.

"Comes William Bush and --- by their attorneys" and in their own proper persons and in the matter of the contest of the will of David Bush, late of the county of Morgan, decd., [and] request that a jury may be summoned for the trial of said contest. It is ordered by the Court that said request be granted and that 15 jurors be drawn & summoned for the trial.

29<sup>th</sup> Jan 1849

"To any Sheriff of the State of Alabama, Greetings: You are hereby commanded to Summon the following named persons, being good and lawful jurors thereof, to wit:

- 1. Kirby Sams, farmer, Sumerville beat
- 2. James Simpson, farmer, Orrs beat
- 3. Thomas Dutton, farmer, Orrs beat
- 4. William B. Smith, tailor, Cooksville beat
- 5. Jedediah Stinson, farmer, Gandy's Cove beat
- 6. Charles J. Lane, merchant, Decatur beat
- 7. Henry M. Mason, merchant, Somerville beat
- 8. Robert M. Johnson Sr., farmer, Wises[?] beat
- 9. John Holloway, farmer, Ryans beat
- 10. James Strange, farmer, Wallace's beat
- 11. Watkins Orr, farmer, Wise's beat
- 12. John B. Stuart, merchant, Somerville beat
- 13. Edward S. Farly, farmer, Center Spring beat
- 14. Thomas L. Morris, farmer, Wallace's beat
- 15. George Wiggins, farmer, Cedar Plain beat

Note: The following five documents are not dated.

**Thomas H. Lacy Statement**

As executor of David Bush, decd., he states that "John F. Banks, H. B. Lance [?], and H. Philpott are material witnesses in a suit pending in the Probate Court of Morgan County." "This affiant, as executor of the said Bush is plaintiff and the heirs & legatees of said David Bush are defendants. Said Lacy prays a Commission to take the deposition of same witnesses to be read as evidence in said case."

**Matthew M. Bailey Statement**

Witness Matthew M. Bailey: States he is acquainted with Lancelot Chunn and that Chunn lived in the state of Texas in August 1848. He does not know that Chunn has been in this state since, or removed from the state of Texas. He has been informed by letter that Chunn died since August 1848.

/s/ Mathew M. Bailey



**James A. Evans Statement**

Evans is a citizen of Texas and says he knew that sometime in Oct. or Nov. he heard one man say that Lancelot Chunn was dead. Evans lived about 180 miles from where Chunn lived.

/s/ James A. Evans

**B. A. Philpott Statement**

Philpott knew Chunn well when he lived in Morgan County but has not heard of his being in the state for six or seven years. Philpott was well acquainted with the handwriting of Chunn and believes the signature to the will to be that of Lancelot Chunn. Chunn has two brothers residing in this county.

/s/ B. A. Philpott

**Cornelius Todd Statement**

Todd states that David Bush signed the will in his presence and that Todd signed it in the presence of the David Bush and the other subscribing witnesses, Thomas H. Lacy and Lancelot Chunn

**Cross Examined**

Bush drank hard before making the will; at times he was in the habit of getting drunk. It might ... [?] drank more than half a dozen times a year. Sometimes he ... it ... his affair & sometimes he did not. Bush went down and "bought liquor from me the night before the will was signed."

/s/ Cornelius Todd

**Bathsheba Bell – Bill & Receipt**

25 June 1842

From M. [S?] Chunn, Guardian of Miss Bathsheba Bell. Two months board: March & April at \$4 per month - \$8.00.

Paid by David Bush [by his mark] 25 June 1842. Witness by Elisha Bell

**Physician's Statement**

1848

Sep 17	Visit, medicine & presc. to self	\$2.00
Sep 21	ditto	2.00
Sept 22	Night visit, med. & presc. to self	2.75
Sept 23	Visit & medicine & presc. to self	2.00
Sept 24	Visit to self	2.00
	Total.....	\$10.75

**Bill for Coffin**

25 Sept 1848

From J. S. Blackwood.

For "making fine coffin & case".....	\$15.00
Interest from 1 Jan 1849 to 16 Aug 1849	.75
Total.....	\$15.75

Received of Theo. Lacy in full 16 Aug 1849.

/s/ Margaret R. Blackwood

NOTE: The date the coffin was made gives us a good idea of his date of death, probably Dec. 31 1848 or 1 Jan 1849.

**Deposition of China Derick**

8 Feb 1849

I, Randolph Ivy, commissioner, has caused to come before me, Mrs. China Derick, a witness in the matter of a difference between the parties in the suit. [Note: Suit not explained]

China Derick says "she was acquainted with David Bush, late of the county of Morgan, deceased, and have known him about 50 years.

"I knew also his first wife who was my sister. Abby was her name. They had seven children of whom six are living: Chloe, William, George, Polly, Betsey and Susan.

"On the marriage of my sister with [to] Mr. Bush or shortly after, he received from her property two beds with furniture for one, and \$185.00 with interest.

"Then for about 12 or 13 years I was also acquainted with the present Mrs. Bush. She is a second cousin of mine.

"Since they moved to this state I have been to their house several times though not, as I recollect, for 17 or maybe 20 years."

"On my first visit, I went after my sister's child, Chloe, who I understood my sister had desired when she died that I should take and raise. When I first went there, Bush himself was not at home but was brought home that night drunk—by his Negro man, Charles, and went straight to bed.

"One of the children, Sally I think was its name, and who has since died, was a little child and then apparently sick. She was crying. Asked Mrs. Bush what the child was crying for. She replied, "For bread" and went to the cupboard and got out a piece of corn bread and

threw it to the child. I then picked it up and threw it out and gave the child a biscuit.”

I “saw George and William eat in the kitchen with the Negroes. I carried the victuals that was left from dinner to the boys in the kitchen and saw them sitting at the table with the Negroes.”

“Chloe, my niece after whom I went, was not at home. Mrs. Bush said that she had been sick bad; that she sent her away and I found her at George Fields’ some 5 or 6 miles off. I found her in her shimy<sup>1</sup>, bare necked and legged.

“At the various times I was there Bush seemed to take no care of anything but Mrs. Bush and the Negro boy, Charles, seemed to have the control of everything.

“When Bush lived in Tennessee, he attended to his own business. Before his second marriage, Mr. Bush, when he moved from Tennessee, had some 3 or 4 horses, some 25 or 30 head of hogs, something like 20 head of cattle and some three Negroes, all nearly grown [of which] 2 of them were girls [and] the other a boy or a man. [He also had] an amount of silver money that I should suppose would of filled a peck measure or nearly so. I saw this money before he, Bush, bought the Negroes alluded to above.

#### Cross Examination

James M. Adams, attorney for the legatees, cross-examined the witness. “Witness states that she saw \$185 counted that Bush said he had received from Kit. Taylor, administrator of my father’s estate, but does not know whether that included the interest or not. That is all the money that I know of his receiving from said estate. I did not see Mrs. Bush mistreat the children further than the throwing of the corn bread above stated.

“Sister was a woman that suffered her children to do pretty much as they pleased.”

China Derick [by her mark]

Witness by R. Ivy  
2 Feb 1849

#### Appraisal of Property

12 Feb 1849

We the undersigned appointed by the Judge of the Orphans Court to appraise the personal

<sup>1</sup> A shimy or shimmy is a chemise, a woman’s shirt-like undergarment.

property and real estate of David Bush, do appraise the same as follows:

Charles, man aged about 50 years.....	\$400.00
Franky, a woman, about 50 years.....	300.00
Edmond, a man aged about 42 years...	500.00
Austin, a man aged about 33 years.....	600.00
Hesekiah, a man aged about 29 years..	675.00
Caroline, about 30 yrs., and her infant child named Ned about 3 mo. old.....	550.00
Simon, a boy about 10 years old .....	400.00
Sally, a girl about 8 years old .....	300.00
Ellick, a boy about 7 years old .....	250.00
Chaney, a girl aged about 5 years .....	200.00
Lucy, a girl aged about 4 years of age .	150.00
Rosa, a woman age about 29 years & her child, Minerva, age abt. 14 mo. ..	550.00
Calvin, a boy aged about 8 yrs .....	275.00
John, a boy aged about 12 years .....	500.00
Lizza, a girl aged about 7 years .....	250.00
Julia, a girl age about 6 years .....	250.00
Robbin, a boy age about 5 years .....	250.00
Elly, a girl age about 3 years .....	200.00
25 bales of cotton @ 4½¢ per lb ,(not weighed) supposed average of 500 lb. per bale .....	562.50
2 beds & bedstead at \$25 each .....	50.00
1 bed (without stead) .....	15.00
1 bed and stead .....	20.00
2 beds and steads .....	35.00
1 bureau .....	7.00
1 clock .....	10.00
1 cupboard and ware .....	15.00
1 bureau .....	5.00
1 folding table .....	5.00
1 rifle and shot pouch .....	5.00
1 looking glass .....	.75
14 chairs @ 25¢ each .....	3.50
2200 lbs. bacon at 5¢ per pound .....	110.00
1150 Lbs. lard including stands.....	7.50
Kitchen utensils & andirons .....	15.00
2 sorrel colts @ \$25 each .....	50.00
1 sorrel filly .....	40.00
1 old sorrel horse (bald face) .....	30.00
1 old sorrel mare (blaze face) .....	45.00
1 old sorrel mare .....	40.00
1 grey mare .....	25.00
About 3000 bundles of fodder .....	25.00
225 lbs. corn at \$1.25 per barrel .....	281.25
1 waggon bed and gear .....	50.00
1 lot of plows .....	10.00
1 lot of old axes .....	4.00

1 cutting knife and box .....	1.00
1 lot of old hoes .....	.50
1 mattock.....	.50
1 lot hogs, 127 in number incl. pigs .....	145.00
7 bee gums @ \$1.50 .....	10.50
29 head of cattle incl. calves .....	90.00
4 head of sheep .....	5.00
W/2 of SW/4 Sec. 6-6-1E, 79.89 ac.....	700.00
E/2 of SW/4 Sec. 6-6-1E, 79.89 ac. ....	320.00
W/2 of SE/4 Sec. 6-6-1E, 79.89 ac. ....	320.00
E/2 of SE/4 Sec. 6-6-1E, 79.89 ac. ....	400.00
E/2 of NW/4 Sec. 6-6-1E, 79.89 .....	320.00
The last tract above named is said to belong to James D. Evans, infant child of Hamilton P. Evans and his wife, Ann Evans.	
Total .....	\$10,379.00

**Bill for Witness**

15 Feb 1849

I certify that C. Loud [Land?], a witness to establish the will of David Bush, decd., has attended one day & traveled 44 miles & ferrage 25 cents for which he is entitled, \$3.95.

17 Feb 1849

**Witnesses**

Witness:

Tho. H. Lacy

M. T. Chunn

Henry Davidson (by his mark)

Jackson Fields

Certified before Hood Haslett, JP on 17 Feb 1849.

**Bills**

One note of Fackler & Miller dated 2 March 1846, payable one day after date with interest from date - \$1,000.

One note of Nathaniel Evans & Jas. B. Graham dated 7<sup>th</sup> March 1846 payable 12 months after date, with interest after six months from date - \$847.92

One note of W. D. Gardiner dated 10<sup>th</sup> March 1846 payable one day after date with interest from date - \$400.

Cash - \$1,000.

Grand total .....\$3,247.92

Certified by Hood Haslett, JP on 24 Feb 1849.

**David C. Humphreys Bill**

17 Feb 1849

Fee for attending to the cause of the exr. & legatees in the matter of the contest of the will of said Bush in the Orphans Court of Morgan County from the month of Nov. 1848 to the 16<sup>th</sup> Feby 1849 inclusive - \$400.00

We the undersigned widow of said Bush and the legatees in said will, agree to the fee. Signed 17 Feb 1849 by:

Polly Bush (by her mark)

Franklin Evans

Malinda S. Terry

Elisha Bell

David M. Bush

W. D. Gardiner

Bill paid in full 17 Feb 1849.

**Administrator's Bond**

15 Feby 1849

Theophilus Lacy and Thomas H. Lacy are held and firmly bound to W. H. Campbell, Judge of the County Court of Morgan Co., Ala. and his successors in office in the penal sum of \$25,000.

**Order for Writ of Dower**

26 Feby 1849

The sheriff was ordered to summon five decent freeholders as commissioners connected neither with Polly Bush, widow of David Bush, late of said county, decd., or any of the heirs of said estate.

The commissioners are to allot and set off by metes and bounds her part according to quality and quantity of the lands of David Bush outlined in the Appraisal of Property.

Polly Bush's share is to include the dwelling house and other out houses in which the said David Bush last dwelt before his death. The commissioners are to make a full report.

**Dower Lands Allotted to Polly Bush**

Dated 8 March 1849

The Commissioners are ordered to lay off the dower lands in lands of David Bush:

W/2 of SW/4 Sec. 6, Twp. 6, Range 1 East

E/2 of SW/4 Sec. 6-6-1E

W/2 of SE/4 Sec. 6-6-1E

E/2 SW/4 Sec. 6-6-1E

E/2 of NW/4 Sec. 6-6-1E

The Commissioners have laid off and allotted dower lands from the above lands, to Polly as follows:

W/2 of SW/4 Sec. 6-6-1E

E/2 of NW/4 Sec. 6-6-1E each containing 79.89 acres.

Signed by Commissioners: John Williams, W. D. Williams, S. M Benson and Wm. B. Irvin.

#### Allotment of Slaves

9 March 1849

The allotment of the slaves belonging to David Bush, decd., and the amount of money or property advanced by David Bush in his life time to the legatees under the will. [Editor's note: The amounts do not total to the figures stated.]

#### Mrs. Polly Bush

Charles, a man - \$400  
Franky, a woman - \$250  
Caroline & her youngest child - \$500  
Simon, a boy - \$400  
Interest from 9 Mar 1849 to 14 June 1852,  
\$404.72 - for a total of \$1954.72

#### J. Emeline Bush

Edmond, a man - \$400  
Rose & her youngest child - \$500  
Lizzie, a girl - \$235  
Robert, a boy - \$200  
Julia, a girl - \$235  
Elly, a girl - \$180  
Calvin, a boy - \$325.  
Chaney, a girl - \$200  
Interest from 9 Mar 1849 to 14 June 1852 -  
\$594.02 for a total of \$2869.02

#### Franklin Evans

Austin, a man - \$525  
Sally, a girl - \$300  
John, a boy - \$400  
Amt. advanced to him by David Bush - \$1130  
Int. from 9 Mar 1849 to 14 June '52 - \$614.92  
for a total of \$2969.92

#### David M. Bush

Kiah, a man - \$600  
Advanced to him by D. Bush - \$1604.00  
Int. from 9 Mar '49 to 14 June '52 - \$575.49  
for a total of \$2779.49

#### Hamilton P. Evans, Gdn. of James D. Evans

Recd. of D. Bush in his lifetime as an advancement - \$1270.00  
Int. from 9 Mar 1849 to 14 June 1852 -  
\$331.61 for a total of \$1601.61

#### Elisha Bell

Ellick, a boy - \$250  
Lucy, a girl - \$160  
Amt. recd. of David Bush in his lifetime -  
\$1946.  
Interest from 9 Mar '49 to 14 June '52 -  
\$615.18 for a total of \$2971.18

#### Malinda S. Terry

Recd. of D. Bush in his lifetime - \$2104.  
Int. from 9 Mar '49 to June '52 - \$549.38  
for a total of \$2653.38

#### W. D. Gardiner

Recd. of David Bush in his lifetime - \$2286  
Int. from 9 Mar '49 to 14 June 1852 - \$596.92  
for a total of \$2882.92

#### Appraisal of Personal Property

9 Mar 1849

"We the commissioners summoned by the Sheriff of said county to divide the Negroes belonging to the estate of David Bush, decd., late of said county, to the following heirs, viz:

Polly Bush, widow of said David Bush  
Wm. D. Gardiner in right of his wife, Rhoda  
Elisha Bell in right of his wife, Haney P.  
Malinda S. Terry  
David M. Bush

Hamilton P. Evans, guardian of James D. Evans

Franklin Evans, in right of his wife, Jane  
Elisha Bell, guardian of Jemima  
Emily Bush

Note: This was followed by a list of the names of the slaves each heir received. Since it is essentially the same as the "Allotment of Slaves" above, we will not copy it again.

#### Account of Sales of Personal Property Purchasers & Purchases

#### Mrs. Polly Bush

9 April 1849

1 clock (\$5.), 1 cupboard & contents (\$10.), table (\$4.), bureau (\$5), one bed & bedstead etc. (\$15), 1 bed & furniture (\$9), 2 beds, steads & etc (\$20), small bureau (\$3), looking glass (50¢), rifle & pouch (\$2), two bed steads & etc. (\$16), 6 Windsor chairs (\$2), 10 common chairs (\$1.50), 1244 lbs new bacon @ 4¢ (\$49.76), 309 lbs of old bacon @ 4-1/8¢ (\$12.83), jar of lard (\$2), stand of lard (\$3), 6 bee stands @ 50¢ each (\$1.50), 2 bee stands @ 37 1/2¢ (75¢), 100 head of stock hogs (\$62), 3 cow & calf (\$18), 3 heifers (\$7.50), yellow cow (\$3), black & white cow (\$4); 1 white face cow (\$5), 1 steer (\$3), heifer (\$2.50), 1 cow & calf (\$6.50), yoke of oxen (\$11), gray mare (\$20, bald-faced horse (\$30), sorrel mare (\$30), one 2 yr old filly (\$26), sorrel colt (\$24), 40 bushels corn @ \$1.66 per bushel (\$66.40), 500 lbs. of fodder (\$2.55), 1500 lbs of fodder (\$7.50), old plough (\$2.12), one side harrow (50¢), cutting knife & box (\$1.65), horse waggon (\$71), one set of waggon gears (\$2), set cooking utensils (\$4), one hand mitt (\$1), one lot of old hoes (50¢)

**Wm. D. Williams**

1 small steer (\$3)  
white faced steer (\$3.50)  
1 side harrow (69¢)

**Hopkins Lacy**

cow and calf (\$5.12)

**Samuel Haslett**

cow & calf (\$4.75),

**David Bush**

2 yearlings (\$3)  
1 bull (\$6.25)

**Mrs. Nancy Bell**

1 sorrel mare & colt (\$30)

**Mrs. [blank] Evans**

1 sorrel filly, 3 yr. old (\$30)

**W. B. Irvine**

10 barrels corn @\$1.62 (\$16.20)  
10 barrels corn @ \$1.85 (\$18.50)  
10 barrels corn @ \$1.85 (\$18.50)  
10 barrels corn @ \$1.88 (\$18.80)  
10 barrels corn @ \$1.87 1/2 (\$18.75)

**Thos. H. Lacy**

10 barrels corn @ \$1.75 (\$17.50)  
10 barrels corn @ \$1.79 (\$17.90)  
10 barrels corn @ \$1.77 (\$17.70)

**Samuel Hazlett**

10 barrels corn @ \$1.80 (\$18.00)  
10 barrels corn @ \$1.81 (\$18.10)

**Eli Campbell**

10 barrels corn @ \$1.88 (\$18.80)

**Thomas Lipscomb**

10 barrels corn @ \$1.85 1/2 (\$18.55)

**Franklin Evans**

10 barrels corn @ \$1.70 (\$17.60)  
500 lbs. fodder @ 50¢ (\$2.50)

**Lowell Jennings**

10 barrels old corn @ \$1.39 1/2 (\$13.95)

**Thos. R. Williams**

26 bales cotton, 12893 lb. @ \$5.56 (\$716.85)

**W. D. Williams**

one lot old axes (50¢)

**Joseph Wilson**

3 bbl. & 3 peck corn @ \$1.77 (\$5.57)

Certified before Hood Haslett, JP by Thos. Lacy on 5 July 1849.

**Summons**

17 Sept 1849

The sheriff is commanded to summon Polly Bush, widdow of David Bush, decd., Elisha Bell as guardian of Jamiah [?] Bush, Elisha Bell, D. M. Bush, H. P. Evans as guardian of Jas. Evans and Franklin Evans. They are to appear before the Judge of the Orphans' Court in Somerville on the 5<sup>th</sup> Mon. in Oct 1849 to show cause why the real estate should not be sold.

**Sale of Real Estate**

4 Jan 1850

In pursuance of an order from the Orphans Court the lands were advertised for sale on 29 Dec 1849 by giving notice as required by law.



They were sold to the following persons, the highest bidders:

Mary Bush, E/2 of SW/4 Sec. 6-6-1E, \$400.

Samuel Haslett, W/2 of SE/4, \$726.

Samuel Haslett, E/2 of SE/4, \$565

Purchasers executed their notes with approved security payable 12 mo. after date of sale. Titles to land have been withheld until final payments are made. Recd. and ordered recorded 7 Jan 1850.

#### Sale of Dower Lands

11 Nov 1850

Mary Bush, widow of David Bush, decd., received her allotment of dower in the real estate containing 159.78 acres.

Petitioner further shows that the heirs under the will are as follow:

Rhoda Gardiner, wf. of Wm. D. Gardiner

Malinda Terry

David M. Bush

Eliza Jane Evans, wf of Franklin Evans

Nancy Bell, wf of Elisha Bell

J. Emeline Bush

James D. Evans, inf. son of Hamilton P. & [Ann E.] Evans.

The dower lands can not be equally, fairly and beneficially divided without a sale and petitioner prays for an order directing sale.

/s/ Theo. Lacy, Executor

"Let the Prayer of the Petitioner be granted. 11 Nov 1850."

#### Sale of Land

In pursuance of an order on 23 Dec 1850, Theo. Lacy advertised the dower lands for sale on 1 Feb 1851 in the *Democrat*, a newspaper published in Huntsville, giving legal notice of time and place of sale. It also gave notice by advertisement of said sale. Said lands were sold to the following persons:

Mrs. Eliza J. Evans, W/2 of SW/4 Sec. 6-6-1E for \$1550.

Mrs. Malinda S. Terry, E/2 of NW/4 Sec. 6-6-1E for \$655.

Purchasers executed their notes with approved security payable 12 mo. after the day of sale.

Recd. and ordered recorded 28 Feby 1851.

#### Legacy Receipts

Date: 14 September 1852

W. D. Gardiner, \$814.39 "in full of my wife Rhodah H. Gardiner's distributive share." Witness: David Gardiner.

J. LeRoy Harris, \$828.29, in right of his wife, J. Emeline Harris. Witness: D. M. Bush.

David M. Bush, \$917.82. Witness: LeRoy Harris.

Eliza Jane Evans, \$727.39. Witness: Thos. H. Lacy.

Nancy P. Bell, \$726.13. Witness: LeRoy Harris.

Malinda S. Terry, \$1043.93. Witness: D. M. Bush.

Mrs. Mary Bush by Nancy P. Bell, executrix of Elisha Bell who was executor of Mary Bush, decd., \$1742.59 Witness: Leroy Harris

To Hamilton P. Evans as guardian of James D. Evans ("son of my first wife, formerly Ann Bush"), \$2095.70 recd. 15 Sept 1952.

#### Distributive Shares

"We the legatees & Devises under the will of David Bush, Deceased, late of Morgan County, do hereby agree that we have recd. from the said Bush in his lifetime, the amount of property respectively enumerated below as advancement by him to us, a part of his legatees. And we consent that in the distribution of the estate of said Bush, what we have so received shall be taken into account. And we further agree that said estate may be divided as fully as can be without sale so soon as the dower of the widow may be allotted.

William Gardiner in right of his wife, Roda H., recd. in money & property \$2286.05

Elisha Bell in right of his wife, Nancy P., has received money & property, \$1956.

Malinda S. Terry has received in cash and money \$2104.05

David M. Bush received \$1604 in money and property.

Hamilton P. Evans, in right of his wife, Ann E., has received in money & property \$1270.

Franklin Evans, in right of his wife Eliza Jane, has received in money & property \$1130..

## Rescue Methodist Episcopal Church, South Minutes Morgan City, Alabama Part 2

Continued from the March-June 2004 issue of *Valley Leaves*. Mrs. J. O. Hughes (Mary) donated the following information. It was compiled by Mrs. Hughes and revised by Evelyn Owens 9 Jan 1971. When Mrs. Hughes was collecting the information on this church, a Mr. Walters told her the building had not always been at the present site; the old wood building had been moved two or three times within a half mile of its present site.

*Rescue* was first a school and Sunday School in the 1880's before it was organized as a church. Mr. A. E. Tyler and family from Wisconsin came south because of his health. He was a very intelligent man and began the school and Sunday School. He and his wife, Mary (Ditto), had two children named Glynn and Leon who later went to Florida. Mary had a brother and sister who attended this school. Mrs. Hughes's mother did the laundry for the Tylers in exchange for tuition for her children.

Rescue Church organized 1 July 1888 by W. F. Melton, preacher in charge of Oleander Mission, Guntersville District, North Alabama Conference. The members began building a new brick church in the winter of 1958, the Rev. Tom Willis, pastor. Pastor Willis was there four years and left in 1961. In 1970 when Wallace Ponder was pastor, the members bought new pews and carpet. The ladies church club bought drapes and a cross for the Sanctuary.

### Register of Pastors of the Rescue Methodist Church

W. F. Melton	June 1888	4 months
R. B Baird	Nov. 1888	1 year
H. P. Berry	Nov. 1889	1 year
B. H. O. Cochran	Nov. 1890	2 years
E. N. Pitts	Nov. 1892	1 year
P. L. Abernathy	Nov. 1893	1 year
M. E. Johnstone <sup>1</sup>	Nov. 1894	2 years
J. E. Hunkapiller	Nov. 1896	1 year
W. R. Beal	Nov. 1897	2 years
L. P. Hunkapiller	Nov. 1899	1 year
R. J. Pallard	Dec. 1900	1 year
W. E. Aldridge	Dec. 1901	1 year
W. M. Yarbrough	Dec. 1903	2 years
J. M. Tabor	Nov. 1906	3 years
John O. Ray	Nov. 1909	1½
A. B. Carlton	April 1911	6 months
J. H. Pass	Dec. 1911	2 years
W. A. Hamric	17 Nov 1913	1 year

<sup>1</sup> One must wonder if this is a typographical error and the name is actually Johnston.

W. A. Hamric      9 Nov 1914      1 year

**Minutes**

28 Jan 1892

1<sup>st</sup> Quarterly Conference 1891-92

Warrenton charge, Guntersville District,  
North Alabama Conference, held at Oleander.

After religious services conducted by M. E.  
Butt, the roll was called and the following

members were present: B. H. O. Cochran, P. C.

J. P. Goodson, Sd.

F. M. Couch, Sd.

W. A. Johnson, S. S. Supt.

J. P. Goodson was elected Secretary.

THE COMPLETE

QUARTERLY CONFERENCE RECORD BOOK

EMBRACING A PERIOD OF FOUR YEARS.

QUESTIONS ARRANGED

ACCORDING TO

REVISIONS MADE IN THE DISCIPLINE BY THE GENERAL CONFERENCE OF 1890.

Methodist Episcopal Church, South.

NASHVILLE, TENN.:  
PUBLISHING HOUSE OF THE METHODIST EPISCOPAL CHURCH, SOUTH.  
BARBER & SMITH, AGENTS.  
1891.

\$24.45 was raised during the present quarter  
for support of the ministry and was applied as  
follows:

Warrenton	\$1.60
Center Point	.95
Oleander	8.50
Lacy's Spring	3.00
Rescue	1.00
Mt. Olivett	6.00
Arab	.50

Turner Stone and N. G. Skidmore were elected  
to fill vacancies on the Board of Trustees.

**Minutes**

March 31, 1894

1<sup>st</sup> Quarterly Conference for 1893-1894

Warrenton Charge, Guntersville District,  
North Alabama Conference. Rev. P. L.  
Abernathy, P. C. in the chair. After he conducted

services, the roll was called and the following members were present:

- N. G. Skidmore
- E. B. Bush
- E. T. Pesnell
- T. G. Cadenhead
- J. M. Ditto.

J. M. Ditto was elected Secretary.

\$305 was raised this quarter for the support of the ministry. It was applied as follows:

Lacy's Spring	\$3.00
Cane Creek	---
Rescue	1.50
Oleander	1.50
Union Grove	---
Arab	---
Center Point	---
Warrenton	---
Mt. Olivet	---
Mason's Chapel	---

The next Quarterly Conference will be held at Union Grove.

J. M. Ditto, Secretary and Recording Steward

**Pastor's Report "A"**  
**on Sunday Schools**

We have five Sunday Schools (Union) with over 300 enrolled. All of these schools are in good live condition. Pastor makes it a rite to visit them once each month as possible. The pastor does all he can for the instructions of children.

P. L. Abernathy, P. C.

**Pastor's Report "B"**  
**on State of the Church**

Church is now in a rather low state. Just what is to be done I have not decided but shall make every effort to improve its condition. Only one prayer meeting on the work.

Very Resp.,  
P. L. Abernathy

**Minutes**

**29 May 1894**

**2<sup>nd</sup> Quarterly Conference for 1893-1894**

Warrenton Charge, Guntersville District, North Alabama Conference held at Union Grove May 29, 2894. M. E. Butt, P. E., in the chair.

After religious services conducted by Mr. Butt, the roll was called and the following members were present:

- P. L. Abernathy, P. C.
- Walter Hewett, Stew.
- T. G. Cadenhead
- Geo. W [?] Griffin
- N. G. Skidmore
- F. M. Pitts
- J. M. T. Hamby, Trustee
- A. J. Owens, S. S. S.
- E. T. Pesnell, S. S. S.

F. M. Pitts was elected Secretary.

Amounts estimated by the Board of Stewards for the support of the preacher in charge for the present year:

For P. C. \$305.00

Amounts apportioned to this charge by the District Stewards:

For Presiding Elder	\$43.50
For Foreign Missions	32.40
For Printing Minutes	2.50

How amounts raised this quarter for the support of the ministry has been applied:

Warrenton	---
Mt. Carmel	---
Cane Creek	---
Mt. Olivett	---
Lacey's Spring	\$3.75
Center Point	---
Union Grove	10.00
Arab	193.00
Oleander	3.00
Rescue	---
Total paid P. C.	\$18.00

Paid for Sunday  
School supplies 5.85

E. T. Pesnell given license to preach.  
R. J. Owens charters license renewed.

**Sunday School**

The following committee appointed to look after the building of a parsonage: Col. Bartee, Jas. Thompson, W. H. Hewett, Isaac Horton and Martin Ditto.

The next Quarterly Conference will be held at Lacey's Springs.

M. E. Butt, Presiding Elder  
F. M. Pitts, Secretary  
Martin Ditto, Recording Steward

*Sunday Schools are improving  
along all times. Brighter prospect  
ahead for us.*

*We have dismissed by letter  
Mrs. Mary H. Smith, lost by  
death Mrs. Jos. Thompson,  
received by letter H. W. Hull*

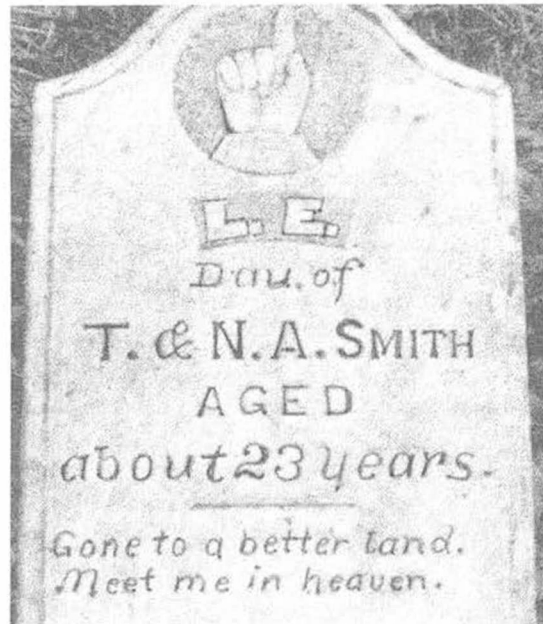
*[Hull?], Dr. D. L. Kirby & his  
wife, Bessie Kirby, sister Pickins,  
and the family of Bro. J. Horton,  
six in number.*

*God is blessing us,  
Respectfully,  
P. L. Abernathy*

### L. E. Smith Tombstone

This photograph was sent to us in May 1982. It was found abandoned on a pile of trash in Morgan County. Regretfully, we do not know who sent it nor where the tombstone was found. It is even possible that the stone is from another county.

If anyone can shed light on where the tombstone belongs, please let us know.





## Things You Should Know

### Franklin County Has New Archives

Great News from North Alabama: Ms. Chris Ozbin, as a volunteer, and now volunteer director, has established the Franklin County Archives and Research Center at 300 East Limestone St., Russellville, Al 35653.



Chris Ozbin in front of one of the archives display cabinets.

Over 14 years ago, Chris Ozbin envisioned a place where the historic records of Franklin County could be housed and preserved. Establishing an archives was critical due to the vast number of records that were burned in previous courthouse fires.

On December 9, 2002, Chris's dream began to be realized [after a great deal of badgering on her part] when the Franklin County Archives and Research Center was established by the Franklin County Commission.

The establishment of the archives is a reality through countless hours of hard work on the part of many volunteers. You are invited to use and enjoy this facility.

The research areas are spacious and very well organized. The all-volunteer staff is friendly and very helpful. Doris Johnson is assistant director [no relation to this editor.] They have a photocopier plus books and records on other counties and states as well as their own vast records such as Franklin County wills, marriage

records and Circuit Court records dating from 1890. School census records were donated by the Franklin County Board of Education. Bound copies of the *Franklin County Times* and the *Red Bay News* are housed here.

This archives will become a "gathering place" for county records in private hands (such as family deeds). If you have deeds, early marriage bonds, etc., please consider donating a copy to this archives – especially any document prior to 1890. And, of course, Bible records are most welcome. Your genealogy will be accepted and added to the numerous family files already in the archives. From the large collection of books and microfilm, we foresee this facility becoming a major research center in the future. Congratulations on a job well done.

**Archives Location:** If you are entering Russellville on Hwy. 43 going north, turn left onto Courtland Road (changes to Madison St.) Turn right onto Carroll Ave. Go one (1) block and turn right onto Limestone St. The Archives will be the first building on the left.

If you are entering Russellville on Hwy. 43 going south, turn right onto Courtland Road then follow the directions above.

### Records returned to Lawrence County

We are delighted to report that a few more old (1830's & 1840's), lost records will find their way back to the Lawrence County Archives.

As happened so many times in the past in courthouses throughout the country, priceless old records disappeared. Many were "just taking up room," and were put in boxes and put on the curb for the trash man. In the case of Lawrence County, the records had been stored in a barn and the barn owner decided to make some money off them. He put a hand-full of old, loose records in each of many fruit jars and sold them. They ended up all over the country. Recently, a number of them showed up on E-Bay being sold by a person in Connecticut who bought them from a dealer. Fortunately, a knowledgeable, caring person bid the records in and will return them to the proper repository. It

was discovered that the seller had over 110 additional original circuit court documents for Lawrence County dating from 1818 to 1868.

### **Tishomingo County Archives & History Museum Established**

In the early migrations, many North Alabamians left and migrated to or through the North Mississippi county of Tishomingo. They have established an archives in the old County Courthouse in the historic town of Iuka. A new courthouse was built in 1971. They have an enthusiastic and innovative group of volunteers and you should feel free to "drop by" sometime. They are located at 203 East Quitman St., P. O. Box 273, Iuka Mississippi 38852. Cindy Grubbs is office manager and their email is [tcarchives@nadata.net](mailto:tcarchives@nadata.net). We wish them every success.

### **Correction**

In Vol. 35, No. 2, page 81, Marriage Book 1, No. 30, we reported that James Madewell married Hannah Novell. This should be James Maxwell to Hannah Wood.

### **Free Service by Allen County**

For many decades, individuals who have not had a desire to officially publish their genealogical work have sent an unbound, "master copy" to the Historical Genealogy Department of the Allen County Public Library.

In exchange for the privilege of allowing them to make one photocopy for their collection, they provide you with one complementary, bound photocopy of your work in addition to returning the original master.

It is a great way to make sure your work is preserved and available for future generations of researchers. Please don't forget to include a bibliography or footnotes. Send your unbound copy to Steve Myers, Assistant Manager, Historical Genealogy Department, P. O. Box 2270, Fort Wayne, IN 46801-2270. Include a note that simply reads, "Photocopy Exchange Program."

### **"Smack Down"**

Have you ever run across this term? A "smack" is a single-masted sailing vessel, fore-and-aft rigged like a sloop or cutter" used for

fishing. A smack owner was the owner of one of those vessels and suggests an occupation as a fisherman.

Whenever you find an unusual phrase or word, you might wish to visit your local library to use the *Oxford English Dictionary, Second Edition*. Not only will you find the word and definition but also the history of its usage. [Source: Maureen A. Taylor, author of "*Scrapbooking Your Family History*." To read more of her advice for decoding archaic terms you find in genealogical documents, see the April 2004 *Family Tree Magazine*.

### **Why DNA?**

The Sorenson Molecular Genealogy Foundation (SMGF), which is carrying on the Molecular Genealogy Research Project that Brigham Young University (BYU) began in 2000, has debuted a genealogy Y-DNA database at <http://www.smgf.org>. The site catalogs Y-DNA test data from men who have contributed their DNA to the project.

The SMGF database contains 5,500 individuals so far, with more to be added regularly, says project director Dr. Scott Woodward. Although SMGF has analyzed samples from 40,000 individuals, only the 18,000 to 20,000 samples from men can be included in the database. That is because it tracks results from tests on the Y chromosome which is inherited by men.

SMGF researchers' goal is to collect 100,000 samples from around the world which would give the database wider-ranging genealogical benefits, Woodward says. He estimates that 13,000 people search the database per day, down from 20,000 per day right after the March 1 launch.

Anyone who has had a Y-DNA test can search the SMGF site for free by using pull-down menus to enter results for each of 28 genetic markers. Individuals who have test results for 12, 18 or 24 markers can still perform searches; they just skip the markers for which they lack results. A woman who wants to search the database can enter test results from a male blood relative.

You can add your own DNA to the database by requesting SMGF's free GentiRinse "mouthwash" DNA sampling kit, but you won't

receive any information about your DNA unless you pay \$200 for a results report.

Molecular Genealogy Research Project staff initially traveled to genealogy conferences and Family History Centers to gather blood samples for the DNA database. Now the project collects samples primarily by mail.

Utah billionaire James Sorenson, owner of Sorenson Development, funded the Molecular Genealogy Research Project from its beginnings at Brigham Young University, and his SMGF took on the project after it outgrew the university's capabilities. Project managers also wanted to maintain autonomy from the Church of Jesus Christ of Latter-Day Saints which sponsors Brigham Young University. Woodward says the same researchers and laboratories are handling the DNA samples.

#### Say Goodbye to Gendex

In a brief announcement last week, GENDEX owner, Gene Stark, said he will suspend operation and remove all genealogy data from the system on April 22, 2004. If you have not searched GENDEX genealogy index site, do so now: <http://www.gendex.com>. GENDEX went online in March 1996.

GENDEX itself is not a pedigree database, so it contains little original information. But it does index more than 22,000 online databases of genealogical information on 60 million people. That means you can view data from many Web sites without visiting each site. Basic searching of GENDEX is free; advanced searching costs \$10.

The time and cost necessary to run the site, for which Stark did not accept advertising, contributed to the decision to go offline..

#### National Genealogical Society Deals with Financial Fallout

On Jan. 12, 2004 the National Genealogical Society (NGS) announced that its recent turnover in leadership was due to concerns about financial mismanagement.

NGS's lawyers hired a forensic auditor after the board of directors learned last November that the organization's investments had declined from nearly, \$500,000 to \$50,000 in less than four months.

On 28 Nov 2003 NGS president Curt Witcher and treasurer Stephen Kyner resigned, followed shortly by secretary Amy Johnson Crow. The board elected new officers including president Ann Carter Fleming, vice president Marsha Hoffman Rising and treasurer Patricia O'Brien Shawker. On 16 Dec 2003 the board dismissed executive director Wendy Herr.

Board member Sandra Hewlett said in a press release that the board immediately cut NGS expenditures almost in half and that as yet the audit has not uncovered evidence of fraud.

In another money-saving measure, NGS has put its Arlington, Va. headquarters on the market. Proceeds from the sale of Glebe House – a mid-1800's building listed on the National Register of Historic Places – will cover relocation expenses and member services as well as offset losses to NGS's investment account.

#### National Genealogical Society's Conference in the States

The 2005 Conference holds a lot of interest here in the South as it will be held at Nashville in June of 2005.

It is not too early for one and all to plan their vacations for June of 2005. Nashville is two hours on an interstate highway from Huntsville, the home of *Valley Leaves*.

#### Phoenix Research Trip

An interesting sounding seminar will be held Jan. 20 – Jan. 22 in Phoenix, Arizona. Thursday (Jan. 20) will feature a one-day workshop. Speakers will include Elizabeth Shown Mills [hearing her will be worth the trip], J. Mark Lowe and Cyndi Howells. J. Mark Lowe will present "Coffins, Urns & Zip-Log Bag" at the Friday night banquet.

For more information contact the National Genealogical Society at:

NGS 2005 Phoenix Research Trip  
4527 17<sup>th</sup> St., North  
Arlington, VA 22207-2399  
[ngs@ngsgenealogy.org](mailto:ngs@ngsgenealogy.org)

#### WWII Aerial Reconnaissance Photos Go Online

A Web database featuring 5 million-plus WWII aerial reconnaissance images of Western Europe is apparently under siege.

The launch of the Aerial Reconnaissance Archive (TARA) at <http://www.evidenceincamera.co.uk> received worldwide print and Web media coverage. TARA, part of Keele University in London, is the repository for the images and manages the online database. A spokeswoman for Britain's National Archives (<http://www.nationalarchives.gov.uk>), the images' owner, says an overwhelming amount of traffic has prevented many Web surfers from successfully logging on.

Allied pilots took the photos of devastated cities, Nazi concentration camps, strategic geographic locations and battles in progress. Until the traffic at TARA subsides, you can get a peek at some of them at the BBC's Aerial Reconnaissance in World War Two Gallery site, [http://www.bbc.co.uk/history/war/wwtwo/aerial\\_recon\\_gallery.shtml](http://www.bbc.co.uk/history/war/wwtwo/aerial_recon_gallery.shtml).

The images played a key role in World War II. "The photographic techniques used enabled the interpreters to view the enemy's activities in 3-D, and to prepare highly detailed intelligence reports," says Allan Williams, who oversaw the project at TARA. Military intelligence officers studied photos of France's entire northern shoreline before choosing Normandy's coast for the June 6, 1944 D-Day landing.

Photos of the invasion itself show British 6<sup>th</sup> Airborne Division gliders near the Caen Canal bridge – which came to be known as Pegasus Bridge after the paratroopers' insignia – and the American 1<sup>st</sup> Division approaching Omaha Beach. The archive also includes a 1941 photo of the German battleship Bismarck anchored in a Norwegian fjord. On May 27, seven days after the photo was taken, British navy torpedoes sank the ship.

More recently, TARA has supplied images to bomb-disposal agencies, which have examined them to find and safely detonate "duds" dropped during the war. Steven Spielberg also used the photos to research his TV movie "Band of Brothers."

Williams says Eastern Europe is next on TARA's list: "We'll start cataloging over 2.5 million photographs of Eastern Europe taken by the Luftwaffe [the German air force]."

#### Encapsulation –vs- Lamination

There is nothing quite so inspirational in doing historical research as holding the original document in your hand. This is the same one your ancestor held and perhaps wrote on or signed. Preserve this inspiration by handling your old heirloom documents with care.

Encapsulation (not lamination) is a good way to protect a document if you need to handle and examine it repeatedly. When you encapsulate a document, you encase it between two polyethylene or poly propylene sheets (Mylar is one brand name. You will find these supplies in archival supply catalogs).

Use double-sided tape around the edges to secure the sheets together. The document "floats" securely inside so you can handle it safely. **Do Not** laminate your original documents because the heat and plastic permanently alter them and the lamination process is impossible to reverse.

[Source: Excerpted from *Organizing and Preserving Your Heirloom Documents* by Katherine Scott Sturdevant, (Betterway Books, \$21.99.)]

#### Everton is Gone

As you may be aware, Everton is no longer in business. The company was purchased by Bill Schjelderup, president of a Salt Lake City-based software company, who acquired the company's assets in January 2004 then decided to get out of the business in June. Assets were donated to the city of Logan, Utah.

Kristin Brandt, editor of *Everton's Newsline*, was given permission to continue the publication but under a different name, *GenWeekly*. Their web site is <http://www.genweekly.com>.

One hopes the *Handy Book for Genealogists* will continue to be published by someone. For the genealogist, it is one of the most important sources ever published. Too, the *Everton's Genealogical Helper* will be missed.

#### Limestone County Archives Moves

The Archives is now at 102 W. Washington in the historic 1904 L&N Railroad passenger depot. Good parking & lots of room. Write to the Archives at 102 W. Washington, Athens, Ala., 35611, telephone: 256-233-6404. Philip Reyer is archivist. Ya'all come.



## Book Reviews

### Welcome to Big Cove

by  
William Sibley

625 pages, 8-1/2 x 11

Soft cover

Surname index

\$30

Order from author at 108 Big Cove Road,  
Brownsboro, Ala 35741-9683

This reviewer read every page of this book which is printed in large, easy-to-read type. There are six sections of Big Cove history arranged chronologically. Other sections, varying in length from a partial page to eight pages, are interspersed within the chronological order.

Families mentioned in the table of contents are William Ewing Drake Sr., James King Drake, Perce Ellett, Moreland-Hodges-Moore, Moses Miller and Rebecca McGaha, Wright-Jenkins-Esslinger-Potts-Sibley, Mills Jenkins and Jane Wright, Robert Uel Childress and Temperance Connally, and the Williams family.

The last story of Samuel Miller's descendants lists Peggy Nerren Grissamore as its author. [Peggy is a well-known local researcher.]

Other surnames appearing most often are Armstrong, Brazelton, Broad, Brooks, Buford, Cobb, Collier, Cowley, Grayson, Howell, Hucks, Ikard, Jones, Lyle, Nunn, Owen(s), Pickens, Pitts, Roach, Sadler, Smith, Sublett, Taylor, Tidwell, Walker, Wall(s) and Webster. There are many other surnames included in this history.

Some of the things I enjoyed most were stories of school and growing up with mention of games, activities and life as it was before television and computers.

Some of the items are as brief as mentioning the person, date of death and the cemetery in which he is buried. Another might be a narrative about shopping cotton, weeding, picking cotton and pulling corn.

There are relationships established and many are footnoted.

Photographs are plentiful, many of large groups of people.

Naturally, there is a great deal of information about Mr. Sibley's family but he did a good job of including others – more people than I thought Big Cove could hold!

Overall, it certainly makes Big Cove familiar to the reader.

We should be indebted to the author for his attention to kinships. Among his sources, in addition to memories, experiences and family records (his and others), are courthouse records, cemetery records, newspapers and other publications.

Reviewed by Ann Esslinger Cochran

### David A. Smith

Abolitionist, Patron of Learning, Prairie  
Lawyer

by  
Doris Broehl Hooper

148 pages, 9-1/2 x 6

Hard cover

The "index" is more like a Table of Contents  
and is not a true index

No price given

May be ordered from the author, Mrs. Edward  
Hopper, 223 Caldwell St., Jacksonville, Ill.  
26250

David Smith's wife was the daughter of Rev. John Allan, pastor of the Huntsville Presbyterian Church. He freed his slaves in 1837 and located in Illinois. He settled in Jacksonville, Illinois in 1839 with his family and some servants. He became a well-known lawyer and was a friend and courtroom associate of Abraham Lincoln.

His grandfather, Thomas Smith Sr., came to the U. S. in the late 1700s. He and his wife, Rhoda, settled in Virginia and had four daughters and four sons, one of which was Thomas Smith Jr., born in 1782 near Richmond.

In early youth, David was placed in the private academy of the Rev. Mr. Weir at Mount



Amity, Pulaski, Giles County, Tennessee. When he was 16 years old, his family moved to Courtland, Ala. but David remained in Pulaski to complete his law studies with Judge Bramlette. He was admitted to the bar at age 20 and then joined his family in Courtland.

David's first wife died a few months after marriage. Seven years later he married Eliza Eleanor Allan, eldest dau. of the Rev. Dr. John Allan, minister of the Presbyterian Church in Huntsville, Ala.

David's father had become the owner of plantations, slaves and a hotel. After investing in the railroad which ran to Courtland, his hotel prospered.

David believed it was wrong to own slaves, a sentiment shared by his father-in-law. The Rev. Allan directed in his will that, "my Negroes shall be set free, and sent to Liberia." In 1837, David Smith presented his petition of manumission which freed 13 slaves in Lawrence County.

David then moved to Carlinville, Illinois and later to Jacksonville, Ill.

Several photographs enhance this book as do photocopies of the 1824 family record in the 1824 Bible of David Allan Smith. Photocopies of several family obituaries and funeral notices are included.

The book also includes Civil War actions involving Captain Thomas William Smith III, the eldest son of David Smith. Thomas was appointed Captain of the Hardin Light Guards at Cairo, Illinois July 30, 1861.

The publisher, the Morgan Co. Historical Society, supports the beautiful old David A. Smith home. The house is the meeting place for the Illinois College women students' literary societies. While not strictly a museum, it does have some of the original Smith furniture, dishes and pictures.

Reviewed by Coy Michael

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**The Family Tree**

**Ancestors and Descendants**

**William Thomas Rozell and Almena Hill**

Associated surnames: Clark, Coleman, Custer, Owen,  
Sanders, Schrimsher

by

**Betty Rozell Wood**

259 pages, soft cover

full-name index

Order from: Betty R. Wood, 103 Kettering Dr., SW,  
Huntsville, AL 35824, (256) 461-9253,  
[brwood1@bellsouth.net](mailto:brwood1@bellsouth.net)

This book begins with the lives of William Thomas Rozell and Almena Hill, Mrs. Wood's grandparents. She wisely began with them because they were the oldest generation of which she had personal knowledge. Mrs. Wood included their siblings with most of their descendants down to the present day. Their ancestors have been added as far back as the author believes the sources reliable. Some lines go back to the 1300's.

This family genealogy is chock-full of photographs which elevates a family book to "Wonderful" and in some cases, "Priceless."

Mrs. Wood begins with a biography of her grandfather, William Thomas Rozell and pictures of he and his wife, then she gives his entire obituary showing he was hit and killed by a car in 1952.

Chapter 2 is about the ancestors of William Thomas Rozell and takes them back nine generations to 1605. Some of the lines are taken back even further. The earliest date seems to be 1419.

Chapter 3 concerns Almena Hill, wife of Thomas W. Rozell and dau. of Adolphus Miller Hill and Jemima Ellen Clark. Almena's parents are discussed as are her siblings. Each sibling's descendants are included for 4 generations to the present day.

Chapter 4 concerns the ancestors of Almena (Hill) and goes back 9 generations to Pfalz-Zweibrucken, Germany ca 1688.

Chapter 5 regards the descendants of William Thomas Rozell and Almena Hill and includes the families of Gordon Thomas Rozell, Adolphus Miller Rozell and James Ashley Rozell.

Chapter 6 include the descendants of W. Thomas Rozell and Nellie Prudence Short, his wife. Genealogies are given on their children Nelta Lee Rozell, Ruby Almena Rozell, Anna Catherine Rozell, Vera Juanita Rozell, Billie Jo Rozell and Ruford Charles Rozell.

This book reflects the many years of research that went into it. The photographs elevate it even further as does an excellent full name index.

Reviewed by Dorothy Scott Johnson

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