

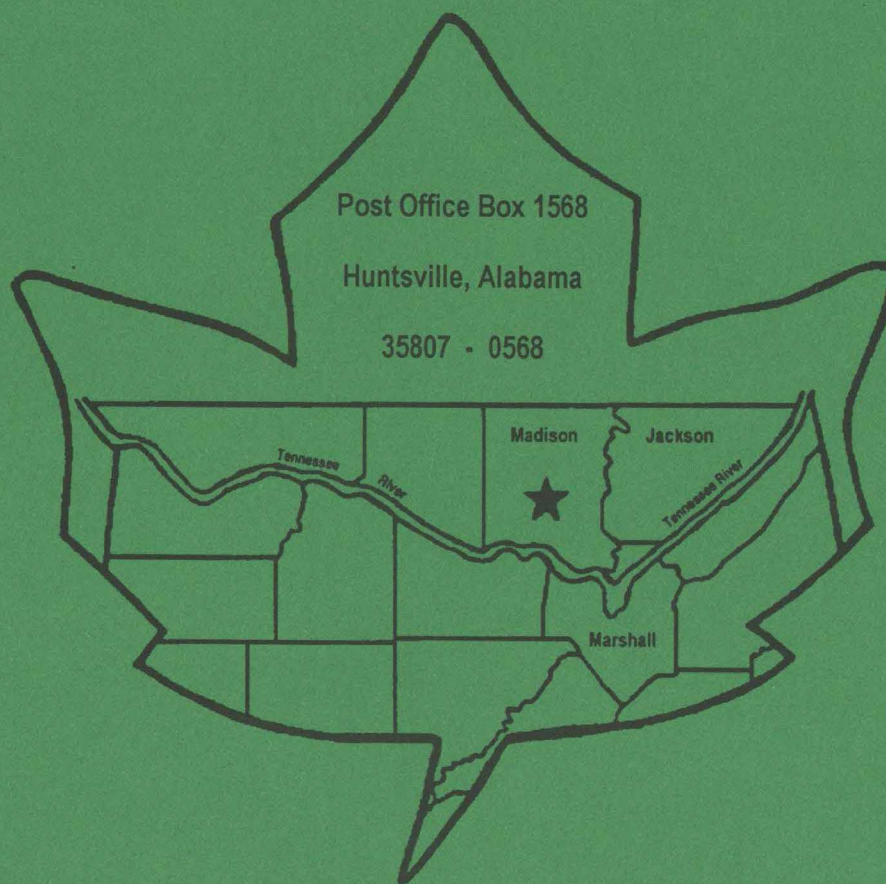
---

(North Alabama)

# Valley Leaves

TENNESSEE VALLEY GENEALOGICAL SOCIETY, INC.

QUARTERLY



Volume 45, Issue No. 2,      December 2010

# Valley Leaves

## Back Issues Price List

Volumes 1 through 13 (1966-1980) <i>now available on CD!</i> .....	\$ 10. per volume
Volumes 14 through 30 (1980-1996) .....	15. per volume
Volumes 31 through 35 (1996-2001) .....	20. per volume
Volumes 36 through 43 (current 2005-2009) .....	25. per volume

Note: Each volume contains four issues

Publications available by mail or in the Heritage Room of the  
Huntsville Public Library (915 Monroe St.) 1 block north of Governors Drive.  
(Across street north of the First Baptist Church on Governors – the church with a spire that looks  
like a missile.)

## Other Publications for Sale

<i>Ancestor Charts</i> [Volume 1, Mar 1975] <b>Reprinted 2002</b> – 5-gen charts, 187 pages, full name index.	\$15.00
<i>Ancestor Charts</i> [Volume 2, Mar 1978] – 5-generation charts, 153 pages, full name index.....	15.00
<i>Ancestor Charts</i> [Volume 3, Jan 1979] – 5-generation charts, 153 pages, full name index .....	15.00
<i>Ancestor Charts</i> [Volume 4, Sept 1989] – 5-generation charts, 182 pages, full name index .....	18.00
<i>Minutes of the Baptist Church of Jesus Christ on Paint Rock River and Larkin Fork, Jackson Co., Al.</i> 96 pages, full name index, Ann Beason Gahan, © 1991 .....	20.00
<i>Lawrence Co. Alabama 1820 State Census.</i> 42 pages. TVGS © 1976 .....	15.00
<i>Enumeration of the Moon Cemetery &amp; The Byrd Cemetery, Owens Cross Roads; Madison County, AL.</i> Carla Deramus, © 1996 Reprinted 2003 .....	15.00
<i>1907 Confederate Census of Limestone, Morgan &amp; Madison Counties, Alabama, 52 pages, Dorothy Scott Johnson, © 1981.....</i>	12.00
<i>Death Notices from Limestone Co., Alabama Newspapers, 1828-1891., Eulalia Yancey Wellden, © 1986 Reprinted 2003 .....</i>	25.00
<i>1840 Limestone County Census, 2<sup>nd</sup> Edition.</i> 66 pages [retyped]. Eulalia Yancey Wellden.....	20.00
<i>Early History of Madison County, Valley Leaves, Special Edition.</i> Tennessee Valley Genealogical Society, © December 1969 .....	12.00
<i>Index to Wills of Madison County, AL 1808 – 1900.</i> 36 pages. A. Ezell Terry, © 1977.....	12.00
<i>Marriages of Morgan County, AL 1818-1896,</i> 305 pages. Elbert Minter © 1986 .....	28.00
<i>Battle of Buckhorn Tavern.</i> Souvenir Program of the 1996 re-enactment .....	2.00
Valley Leaves Special Edition, a companion to Vol. 4 .....	15.00
Map: Revolutionary War Soldiers and Patriots Buried in Madison Co., Ala. [black & white].....	15.00

**Note: All publications have full name indexes. Prices include postage.**

For information on other genealogical publications in the Tennessee Valley see our **updated**  
web page: <http://www.tvgs.org>.

*Valley Leaves.* Published by the Tennessee Valley Genealogical Society, a not-for-profit society, P. O. Box  
1568, Huntsville, Alabama 35807-0567. © 2010. All rights reserved. See inside back cover for submission policies.  
Yearly memberships include four issues of *Valley Leaves*. Dues are \$25 per membership year, beginning on July 1.  
Make checks payable to TVGS.

**Valley Leaves**  
**Published by the Tennessee Valley**  
**Genealogical Society**  
**P. O. Box 1568**  
**Huntsville, Alabama 35807-0568**

Volume 45, Issue No.2      December 2010

**Officers and Chairmen**

President ..... Bettye Perrine  
1<sup>st</sup> Vice President (programs chair).....Coy Michael  
2<sup>nd</sup> Vice President: (Membership)Dr. Peter Booher  
Membership/Address changes .....Robert Mixon  
Treasurer ..... John Dement  
Recording Secretary ..... Toni Reynolds  
Corresponding Secty .....Patsy McFarlen  
Editor ..... Jacquelyn Procter Reeves  
Historian/Archivist ..... Howell Sims  
Directors .....Dorothy Brown  
..... Nancy Rohr  
..... Dr. Virginia Kobler  
..... Dottie Luke  
Refreshments Chairman .....  
Mailing Chairman .....Robert Mixon  
Membership Records.....Robert Mixon  
First Families Chairman .....Shirley Greer  
Editorial Assistants: Coy Michael (Marshall Co.)  
Dorothy Scott Johnson (Madison Co.)  
Jacque Reeves (Jackson Co.)  
Margaret Cowart

E-Mail Address:  
[pmcfarlen@aol.com](mailto:pmcfarlen@aol.com)

Put "Valley Leaves" in the subject line  
when sending an e-mail message

**Table of Contents**

<b>Jackson County</b> (Created 1819; partly burned)	
Addie Shaver's notes.....	37
Probate Records 1867.....	39
<b>Madison County</b> (Created 1809 as part of Miss. Terr.)	
Estate of Dr. David Moore (1787-1845) .....	45
<b>Marshall County</b> (Created 1836 from Blount-Jackson)	
Case against Edward Gunter, Part 2 .....	57
<b>Things You Should Know</b> .....	69
<b>Index to Volume 45, Issues 2</b> .....	71

**January 2011 Meeting**

**Thursday, January 27, 7:00 p.m.**  
**Huntsville/Madison County**  
**Public Library**

TVGS meetings are held on the fourth Thursday of July, Sept., Jan., March and May. Meetings are held at 7:00 p.m. in the auditorium of the Huntsville/Madison County Public Library (915 Monroe St.) unless announced otherwise.

**TVGS Web Site:**  
<http://www.tvgs.org>

© 2010. All Rights Reserved

No part of this quarterly  
may be copied or reproduced without  
express permission of the  
Tennessee Valley Genealogical Society,  
nor may information from it be  
sent out via the internet.

# Jackson County

## Addie Stovall Shaver's notes

Edited by Jacquelyn Procter Reeves

The late Addie Stovall Shaver was an avid collector of family genealogies. Much of her information was connected to families of Jackson County. The following excerpts are from her notes that are now in filing cabinets in the Heritage Room of the Huntsville/Madison County public library. They have been made available for the public.

### The Wright Family

The early Wrights of Paint Rock Valley have been very hard to connect, but I believe most of them were connected. Jackson County had around a dozen Wrights in 1830 and several of them in Paint Rock Valley. It is known that several of them migrated to Arkansas, Texas, and possibly Oklahoma, as some of them are known to have much Indian blood. An Isham Wright helped to carry Cherokees to Indian Territory in Oklahoma and also served in Indian wars. Isham Wright was the son of James Bradford Wright, who was a gunsmith who migrated to Larkinsville or Old Woodville from Knox County, Kentucky around 1813. James Bradford Wright married Mary Smith in Kentucky in 1809.

Mary Smith was the daughter of Elder John Smith and wife Nancy Mulky, a full blooded Cherokee Indian. Elder Smith and family also migrated from Kentucky in 1814 into Madison County in the Mississippi Territory.

James Bradford Wright had a brother-in-law, Uriah Shepard, who also married daughter Catherine of John Smith and Nancy Mulky. Uriah Shepard and his family moved to the Boston Mountains in the Ozarks in Arkansas in 1828. He

migrated from Paint Rock Valley and seemed to be one of the first settlers there from this area. Most of his children went along with him in 1828.

Isham Wright married his first cousin, Mary "Polly" Shepard, daughter of Uriah and Elizabeth Smith Shepard, in 1829. Isham's sister, Maria Elmira Wright, also married John "Jack" Shepard, who went along to Arkansas also.

Isham went through this area when going on the Trail of Tears to move Indians, and liked the area so much that he vowed to go back and settle there. The area was so much like Paint Rock Valley that it drew many kinfolk and friends from Jackson County

As I said, I have not been able to put them all together, but Sarah had married first an Osborne and had three children. Samuel Hall was married before to a Kennedy and had two children who lived in Alabama. He then married Sarah "Sally" Wright and had ten children. As I said, I believe this family of Wrights to be related to Silas Wright family.

William Wright was said to be born in Lincoln County, Tennessee to an unknown Wright and a Jennie Stovall, date unknown. Melvina Muscodara Bean was daughter of Edmund Bean and Elizabeth Whitford. William M. Wright

and Muscodara Bean were married in Franklin County, Tennessee on January 14, 1848 by H. Larkin.

Mrs. Trowbridge's family made a trip to Bunyan, Texas in 1994 and visited me on the way back to Virginia. They had visited the Bunyan Cemetery in Bunyan, Texas, Erata County. They found the gravestone of Mary Jane and William Cagle:

"They are lost, but gone before."

Mother: Mary Jane born 21 January 1848, died 23 November 1915; Father: William Cagle born 7 December 1840, died 27 September 1918. There is a Civil War plaque on his grave.

Buried in this cemetery are other Wrights and other people from Alabama. I believe there is a close connection with the Wrights here.

For many years, I have known Mrs. Betty (Tray) Clements of Vernon, Texas who is connection of the Bostick family and also my Swaim family. She has helped me with the Wright family. I believe them to be related to the Silas Wright family as many of them are also buried in Bunyan, Texas Cemetery and lived all around in the area.

Many of them are also buried in Bunyan, Texas Cemetery and lived all in the area. In Jackson County, Alabama 1870 census, in Paint Rock Valley, the following individuals are recorded:

Write, William 48 m, farmer b. Tenn.  
Write, Melvina 40 f, b. Ala.  
Write, James 19 m, housework b. Tenn.  
Write, David, 18 m, farmer b. Tenn.  
Write, Sary A. 16 f, housework b. Tenn.  
Write, Edmond, 13 m, farm labor b. Ala.  
Write, George 10 m, housework b. Ala.  
Write, William 6 m, b. Ala.  
Write, Clerinda, 2 f, b. Ala.

William Wright and Melvina Muscodara Bean were the great grandparents of Betty Clements. David Wright married Elizabeth Swaim, daughter of Michael Swaim and Martha Bostick. They are also buried in the Bunyan Cemetery in Texas.

David Wright was born in 1854, died in 1916 and Elizabeth Wright was born in 1857 and died in 1939.

Sary A. Wright married Samuel Hall in Jackson County.

Silas Wright, who married Jane Van Cannon, was killed in the Civil War and they were found in the family in 1860 Jackson County Census. Nothing could be found on other siblings or what happened to the family.

In doing some research, I found that Silas Wright was killed in the Civil War. They were living at Princeton when he enlisted. He was killed July 1, 1863 at Gettysburg. The family in 1860 was:

Silas Wright, 38, farmer, born NC  
Jane, 38, born Alabama  
Mary, 12, born Alabama  
John, 10, born Alabama  
Sarah, 8, born Alabama  
William, 6, born Alabama  
Lucinda, 2, born Alabama  
Martha (Mattie), 2 ½, born Alabama

In doing research, I found that daughter Mary married William Cagle, son of Rev. William Cagle of Paint Rock Valley.

~~~~~end~~~~~

## Probate Court Records found in the Jackson County Courthouse for the year 1867

Copied, Abstracted, and Contributed by Jacquelyn Procter Reeves

The following records were copied from the Probate Office of the Jackson County Courthouse in Scottsboro, record book for the year 1867.

**Benjamin Harper, dec'd, Estate of  
Confirming Sale of Land  
January 21, 1867  
Page 90**

Elizabeth A. Harper, the administratrix in this Court of said estate, this day filed her report in writing, and under oath, setting forth among other things, that on the 22<sup>nd</sup> day of November 1866, in pursuance of law, and the requirements of the former order and decree of this Court, which was the decree of sale, made and entered in court previous on the 20<sup>th</sup> day of October 1866, she proceeded and sold at public outcry all the lands belonging to the estate of said decedent, particularly set forth and described in said decree and order of sale, subject to the widow's dower.

And that at said sale, Andrew Harper became the purchaser of 20 acres situated on the mountain for the sum of \$75, and that the residue of said lands was purchased at said sale by ?. The said Elizabeth A. Harper at and for the sum of \$2400, she being the highest and best bidder therefore. And it appearing to the satisfaction of the Court from said report and from the evidence now therewith submitted, that said amounts so bid for said lands by said Andrew Harper and Elizabeth Harper were the highest and best bids for the same.

That said sums so bid were not greatly less or disproportionate to the real value; that said sale was legally and fairly

made, conducted, and concluded and that the purchase money for said lands is sufficiently secured as the law directs. It is ordered, judged, and decreed that said sale be, and the same is hereby approved and in all things satisfied and confirmed by the order and authority of this Court. It is further ordered that said report and all other papers on file relating to this proceeding be recorded.

It is further ordered that said administratrix pay the costs of this proceeding to the allowed ? against said estate.

**John D. Berry, dec'd, Estate of  
Appointment of Guardian ad Litem  
January 22, 1867  
Page 91**

It now appears that the parties who should feel interested for the minor child, William C. Berry, who is an heir at law of said John D. Berry, deceased, and interested in the application of Wm. M. Shook, administrator of said estate now pending in this court for the partition of certain lands, have been duly notified of the nature of such applications, and no one having appeared to nominate a fit and proper person to act as Guardian ad Litem for, and to protect the interest of, said minor on the hearing of said application, and it appearing that a reasonable time has elapsed for such purpose.

It is now ordered by the Court that L. C. Carlson who is not of kin to the

applicant nor to any parties who are interested in this proceeding, be and he is, hereby appointed Guardian ad Litem for, and to protect the interests of, said William C. Berry, the only minor concerned in such proceeding, and that he have due notice of his appointment.

**John D. Berry, Dec'd, estate of**  
**Order to Divide Lands**  
**January 22, 1867**  
**Page 91**

This being the day heretofore appointed for hearing the application of William M. Shook, administrator of said estate for an order and proceedings for the partition of the lands described as follows, to wit: the E  $\frac{1}{2}$  of Section 16, the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 15, a fraction of the North end of the W  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 15 containing 22 acres, also the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 15, and 26 rods in width off the west side of the NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 15 containing 53 acres in the S  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 9. The N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 15, also the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 16, all in Township 4, Range 4 East containing in all 634 acres between Davis Berry and William C. Berry, a minor child and heir at law of John D. Berry dec'd, and now comes the said administrator and moves the court that his said application may be granted.

Also comes L. C. Carlson, who has been duly appointed and has consented to act as Guardian ad Litem for the said William C. Berry, a minor, to protect his interest in these proceedings.

The said Guardian ad Litem, having filed his answers in writing as such Guardian, denying the allegations in said application contained. And it being shown by due proof to the satisfaction of the Court that said Davis Berry has had due notice of this proceeding and of the

time set for the hearing of the same as the law directs and in all respects in accordance with the former order of this court made and entered in the premises on the 18<sup>th</sup> day of December 1866, the court proceeds to hear said applications and the evidences submitted relating thereto.

Whereupon it appears by due proof to the satisfaction of the Court that the said John D. Berry, dec'd, departed this life in this County intestate, that he left him surviving his widow, Mary A. Berry and only one child, the said William C. Berry, a minor. That the above described lands lying in this County were owned jointly by one Davis Berry, above named, and said deceased in his lifetime; that a one third undivided interest therein was owned by said decedent and the remaining two thirds undivided interest therein owned by the said Davis Berry.

It is therefore ordered, adjudged, and decreed by the Court that said application be granted and that said lands be divided in accordance with the prayers thereof.

It is further ordered that Simeon Hawk, William Dodson, Reuben M. Erwin, John Isbell and Matthew Sims be, and they are hereby appointed commissioners, and they are hereby authorized to lay off, by metes and bounds, and to make divisions of said lands between the said Davis and William C. Berry, according to their respective shares and interests as the same as above stated, dividing said lands into three equal parts or shares and allotting one part or share to the said William C. Berry and two parts or shares to the said Davis Berry.

It is further ordered that a commissioner do forthwith issue to said commissioners in accordance with the law in such cases.



**John R. Garner, Dec'd, estate of  
Appointment of Guardian ad Litem  
January 24, 1868  
Page 93**

It now appearing that publication has been made against Laura Garner, a minor, interested in a cause now pending in this Court wherein Edward E. Douglass as the administrator, with the will amended of said estate, is applicant for an order to sell certain lands; and it now appearing that due notice has been given to all parties of interest strictly and in all aspects as required by the former order of this Court made and entered in the premises on the 13<sup>th</sup> day of December 1866, and neither the said Laura Garner nor anyone for her having appeared as nominated a fit and proper person to act as Guardian ad Litem for, and to protect, her interest on the hearing of said application now pending; and it appearing that a reasonable time has elapsed for such purpose.

It is therefore ordered by this Court that Robert Bupell, who is deemed by the Court a fit and proper person, and who is not of kin to said administrator, nor in any way interested in the ? of said application, be and he is hereby appointed, Guardian ad Litem to represent and protect the interest of said minor in this proceeding, and that he have due notice of his appointment.

**John R. Garner, Dec'd, Estate of  
Order to Sell lands  
January 24<sup>th</sup>, 1867  
Page 94**

This being the day to which was previously continued the hearing of the application of Edward E. Douglass, filed more than 40 days since by said Douglass as administrator in this court with the will ? of said estate praying for

an order to sell certain lands hereinafter described for the purpose of division and upon the ground that the same cannot be equitably divided among the devices of said estate; and all the parties in interest who reside beyond the limits of this State and who are particularly referred to and designated in the former orders of this Court made and entered in the premises on the 10<sup>th</sup> day of October 1866 and another on the 13<sup>th</sup> day of December 1866, having been duly brought into Court by publication in a newspaper, and all the resident parties in interest having had notice strictly and in all aspects in pursuance of said former orders as is now duly proven to the satisfaction of the Court.

Now comes the said administrator by his attorney and swears the Court that said application be granted and also comes Robert Bupell who is not of kin to said administrator nor in any way interested in the result of this proceeding, and who has been duly appointed and has consented to act as Guardian ad Litem to ? and protect the interests of Laura Garner, a minor who is interested in this proceeding; and the said Guardian ad Litem having filed his answers in writing as such Guardian denying the allegations in said application contained and it having been proven to the satisfaction of the Court by the oaths of S. E. Kennamer, L. B. James, and Charles Jones, who are disinterested witnesses and whose testimony has been taken by deposition upon direct interrogations as in chancery cases, and which testimony has been filed of record in this proceeding that the lands described as follows to wit: The SW  $\frac{1}{4}$  of Section 4 Township 5, Range 3, East. The E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 4 T. 5, R. 3 East. The E  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 18 T 5, R. 4 East, situated and

being in this County. The NW ¼ of the NE ¼ of Section 19, T 5, R 4, East situated and lying in the County of Marshall, State of Alabama, cannot be fairly equitably and beneficially divided among the devisees of such estate.

And it now appearing to the satisfaction of this Court that a sale thereof is necessary for such purpose and that it will be to the interest of said estate that said lands be sold.

It is therefore ordered, adjudged, and decreed that said application be granted and said administrator is hereby ordered to sell the above described lands except that part given to John and William Garner at public outcry in manner and form as the law directs in such cases. After having first given notice for at least three successive weeks of the time, place, and terms of the sale together with the description of the property in the *Huntsville Advocate*, a newspaper published in the City of Huntsville, there being no papers published in this County.

Said sale to be made on the premises of said decedent and the land to be sold on the following terms: one third cash and the balance on a credit of one and two years. The credit payment to be secured as the law directs in such cases.

**John Redman, Deceased, estate of**  
**Petition to compel John Phillips**  
**to settle farms administration**  
**January 24, 1867**  
**Page 95**

This being the day to which was continued the hearing of the application of John F. Clark, administrator de bonis non of said estate to compel John Phillips to settle the administration of Mary Ann Kirkpatrick. Comes the parties on this application for good cause showing it is ordered that the hearing of

said application be continued to the 14<sup>th</sup> day of February, 1867.

**Thomas Bass, Dec'd, estate of**  
**Order to convey title**  
**January 25<sup>th</sup> 1867**  
**Page 96**

This day comes Caleb St. Clair, administrator of said estate, and filed his report in writing showing among other things, that John Carlton, who became the purchaser of certain parts or portions of the lands of dec'd estate which was particularly described in the decree of sale, and which said portion so purchased by said Carlton is particularly described in said administration report of the sale thereof, has fully complied with the conditions contained in said decree of this court under which the said sale was made and with the requirements of law in such cases and that said Carlton has paid to said administrator the entire amount of the purchase money for which the said land was sold. And the court being now satisfied from an inspection of the records, that the sale of said land was in all things regular and fair and that said sale was heretofore duly approved and confirmed by the decree of this Court.

It is therefore ordered, adjudged, and decreed that the said Caleb B. St. Clair as such administrator as aforesaid, be authorized and he is hereby ordered to convey by proper deed to the said John Carlton all rights, titles, and interest which the said Thomas Bass deceased, ? in and to such lands at the time of his death.

It is further ordered that said report be recorded.

**Agnes E. Gill**  
**Guardian of Belinda Renshaw, minor**  
**Settlement continued**

**January 25, 1867**  
**Page 96**

This being the day to which was continued the final settlement of the guardianship of Agnes E. Gill, deceased, who in her lifetime was guardian of Belinda A. Renshaw, a minor. Comes R. C. T. Gill, the administrator of the estate of said Agnes E. Gill, deceased, and this cause is continued to the 1<sup>st</sup> day of February 1868.

**Agnes E. Gill, Deceased, estate of**  
**Annual Settlement**  
**January 25, 1867**  
**Page 97**

This being the day to which was continued the matter of the annual settlement of the administration of R. C. T. Gill, administrator of said estate, he having heretofore filed his accounts and vouchers for such settlement. Now comes said administrator and moves the court to proceed with such settlement and that said account be passed and allowed.

And it appearing to this Court from proper evidence that due notice of the time and nature of this settlement has been given strictly in pursuance of the order of court made and entered in these premises on the 13<sup>th</sup> day of December 1866; and also comes L. C. Carlson who is now by the Court appointed to act as Guardian ad Litem for, and to protect the interests of, Belinda A. C. Renshaw and Lydia C. Gill who are minors and interested in this settlement; and the said Guardian ad Litem now appearing in open court consenting to act and contesting such settlement, the court proceeds to examine said account and to hear the proof in relation thereto.

Whereupon it is found that administrator has received of the assets

of said estate the sum of \$708.61, that he has justly expended in and about the costs and charges attendant upon said administration, and in paying the just debts of said deceased, the sum of \$57.71 leaving in his hands the sum of \$6501.90.

It is therefore ordered, adjudged, and decreed by the court that said account be and the same is hereby in all things passed and allowed as above stated.

It is further ordered that said account and statements, together with all other papers on file relating to this settlement, be recorded.

**John P. Fletcher, Deceased, estate of**  
**Guardian ad Litem**  
**January 26, 1867**  
**Page 98**

It now appearing that citations have been sent and served for Wesley J., John C., Sara E., Martha L., Zara M., and Lydia H. Fletcher, minor heirs of said John P. Fletcher, deceased, and who are interested in a proceeding now pending in this Court for the sale of certain lands belonging to said estate; that all parties in interest have had notice strictly and in all respects as required by the former order of this Court made and entered in this cause on the 17<sup>th</sup> day of November 1866, and no one interested for said minors having appeared for them, nor nominated a fit and proper person to act as Guardian ad Litem for and to protect their interest in this proceeding, and it appearing that a reasonable time has elapsed for such purpose.

It is ordered by the court that M. L. Swan, who is deemed by the Court a fit and proper person, and who is not of kin to the applicant nor in any way interested in this proceeding be, and he is hereby appointed, Guardian ad Litem for and to protect the interest of all of

said minors on the hearing of said application for the sale of said lands and that he have notice of his appointment.

**John P. Fletcher, Deceased, estate of  
Order to sell lands**

**January 26, 1867**

**Page 98**

This being the day to which was continued the hearing of the application of Robert J. Hodges as the administrator of said estate, for an order to sell certain lands hereinafter described for the purpose of paying the debts due from said estate. And it being known to the Court that since the filing of same application, the said Robert J. Hodges has been duly discharged from all liability; and that Moses Maples has been duly appointed to the administration thereof.

Now comes the said Moses Maples as administrator de bonis non of said estate and moves the Court that said application be granted, and also comes M. L. Swan who is not of kin to said administrator nor in any way interested in this proceeding, and who has been duly appointed Guardian ad Litem and has consented to act as such, to represent and protect the interests of Wesley J., John C., Sarah E., Martha L., Zara M., and Lydia H. Fletcher, who are minors and interested in this proceeding; and Mastin D. Fletcher who is a non resident of this state having been duly brought into court by publications in a newspaper, and it now being shown by due proof to the satisfaction of the court that all the parties in interest and who are referred to and particularly designated in the former order of this court made and entered in the premises on the 17<sup>th</sup> day of November 1866.

Having had due notice strictly in pursuance of law and said former order,

and it having been proven to the satisfaction of the court since the filing of the answers of the Guardian ad Litem denying the allegations in said application contained by the oaths of Luna Bower and J. H. Evans, who are disinterested witnesses and whose testimony has been taken by deposition upon direct interrogations as in chancery cases, and which testimony has been filed of record in this proceeding, that the personal property is insufficient to pay the debts of said estate, and that it will be necessary to sell the following described lands for that purpose to wit: the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 1 T 5, Range also three acres lying and being in the NW corner of the S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of same section T and R containing in all about 170 acres. It is therefore ordered, adjudged, and decreed that said application be granted and Moses Maples as the administrator de bonis non of said estate is hereby ordered to sell that portion of the above described lands not included in the homestead, which has been set off for the widow and minor children at public outcry in manner and form as the law directs in such cases after having first given 30 days notice of the day, place, and terms of the sale by posting such notice thereof for such length of time at the courthouse door and three other public places in this county, there being no paper published in this county where in the lands are situated.

Said sale to be made on the following terms: one third to be paid cash and the balance to be due and payable at 12 months, the credit payment to the secured as the law directs.

~~~~to be continued~~~~

# Madison County

## Estate of David Moore (1787-1845)

Contributed by Jacquelyn Procter Reeves



Harriet Haywood Moore  
Photo courtesy of Jacquelyn Procter Reeves



Dr. David Moore  
Photo courtesy Huntsville/Madison County  
Library

Dr. David Moore, an early settler to Madison County, was one of the wealthiest men in this area. He was born in Virginia and moved to Alabama in 1810. His first wife, Harriet Haywood, was the daughter of Judge John Haywood of the Tusculum Plantation near Nashville. She died after a long illness, and David Moore then married Martha. Their children were young when he died in 1845 at age 61 on September 22, 1845. He had been a long-time member of the state legislature.

The following information, the obituary first of Harriet Haywood Moore and then her husband Dr. David Moore, give a clear indication of their standing in the community. His will and the eventual disposition of his property indicate the vastness of his personal wealth.

Obituary of **Harriet Haywood Moore**  
as it appeared in *The Democrat*  
April 23, 1790 - October 15, 1831

**Died on the morning of the 15<sup>th</sup>**

Mrs. Harriet Moore, wife of Dr. David Moore of this county. Mrs. Moore was the daughter of the late Judge Haywood of Tennessee, formerly of North Carolina and was born in the latter state on the 23<sup>rd</sup> day of April, 1790. She was educated in the most highly approved schools of her native state, and being endowed by nature of a fine intellect, excelled in the solid as well as the ornamental branches of learning. In her early years, she engaged in the gay amusement of life, and enjoyed the fashionable world, as it is termed, where she was the delight of her friends. Having from infancy to the day of her death, received all the indulgencies which wealth could afford, and being brought up in the highest and most fashionable circle of life, it was expected that til some change was wrought by Religion, she would indulge in the fashionable amusements of the world so perfectly at her command.

But in pleasures of this description, her soul found no solid resting place, and while she commanded all the means which wealth and in continued course of prosperity could afford to enable her to continue her former course, she was arrested by the convictions that she was indebted to her Creator for all the mercies she had received, and that she had failed to render to Him that obedience which she owed. The more she reflected, the more deeply she became convinced of the insufficiency of this world with all its possessions to make her happy. Hers was not the excitement of a moment, but from the

date of her first conviction, she reasoned, read, and reflected on the subject in a manner which shewed that she viewed it as more important than all others, while in this situation, she often expressed to one, from which she kept nothing secret, her difficulties in obtaining a clear apprehension of the Scriptures, which she read continually with the most careful attention.

In the fall of 1823, she attended a Methodist camp meeting held at Jordan's camp ground near Huntsville, during which the plan of Salvation was opened to her view – her heart rested in Jesus and she found peace in believing. From that time, she continued a uniform and faithful following of the Lord, and an ornament to the Methodist Episcopal Church, to which she united herself. On the first Monday of February last, her illness commenced, and from that time until her death, her sufferings were great indeed, but they were borne with Christian fortitude and patience.

Although during most of the time of her sickness, she seemed unwilling to leave her husband and three young nieces who had lived with her for some years, and for whom she felt a maternal affection; yet for the last few days of her life, all these feelings seemed to be lost in a love for, and confidence in, the Savior; and she longed to go to Him who for 8 years had been her stay, support, and trust. This she continued until her death, and left this world in the triumphs of Christian faith, an heir to that inheritance which is "incorruptible, undefiled and that fadeth not away."

In the death of Mrs. Moore, society has lost one of its brightest ornaments, and the church one of the most exemplary, faithful, and [esteemed] members. Three little orphan girls and an orphan boy – the last unconnected with her by blood,

found in her a tender mother and bosom friend. As a mistress, she was kind, affectionate, and indulgent; as a friend sincere and ardent; and as a wife, tender, confiding, and devoted. She has left her mourning husband and friends but they sorrow not as those who have no hope. Heaven is her resting place, and there she will be found by those who follow her....Her funeral was preached on Sunday, the 16<sup>th</sup> instant, by the Rev. J. M. Taylor...to a weeping congregation. Her mortal remains were entombed to the family burying ground of the Rev. John Moore, the father of her husband, there to remain until the morning of the Resurrection.

Obituary of **Dr. David Moore**  
As it appeared in *The Democrat*  
October 1, 1845

### Died

On the 23<sup>rd</sup> inst. at his residence in the town of Huntsville, Dr. David Moore, in the sixtieth year of his age, after a protracted and lingering affliction, which he bore with all the fortitude and resignation of a Christian.

The language of eulogy is not unfrequently intended more to soothe the feelings of the living, than to give a correct and faithful sketch of the character of the dead. A picture, drawn from fancy, is presented to our view, upon which we dwell with momentary admiration; yet we can trace no touches of the pencil by which to recognize the original. Such license is sanctioned by all the sympathies of our nature and afford proof, at least, of the homage paid to virtue, by showing what we wish our friends were, if not what they really have been.

In relations, however, to the subject of this notice, could we be now instructed

by his counsel, we should be asked to speak of him as he was - set down not in malice, and nothing extenuate, and so indeed we shall.

Through a long life, checkered by adversity and prosperity, he sustained a reputation for integrity, probity and honorable bearing, which commanded the confidence and respect of all who knew him. These qualities, combined with his intelligence and devotion to every duty which he assumed, whether public or private, induced his fellow citizens of the county of Madison to select him as one of their representatives in the State Legislature for more than twenty years. As speaker of the House, his dignified and gentlemanly deportment enabled him to retire from the delicate and responsible duties of that office, with the high personal regard of both political parties.

In his private relations he was kind, affectionate, indulgent, and forbearing, relaxing from his ample means, acquired by great industry and economy, the wants of the indigent and worthy, with that Christian spirit, which teaches us humility and humanity.

As a husband, father, citizen, and philanthropist, his virtues will live long and green in the memory of many who survive him. He has gone where no traveler returns and is now, we doubt not, resting in peace, on the bosom of his God.

### The State of Alabama Corporation of Huntsville

At a special meeting of the Mayor and Aldermen of Huntsville held on the 24<sup>th</sup> Sept. 1845, the following preamble and resolutions were unanimously adopted:

Whereas, Doctor David Moore, who has been for many years an efficient member of this Board, has departed this

life, and whereas the Mayor and Aldermen, deeply sensible of the heavy loss the town has sustained in the death of one of its oldest and most worthy citizens, have assembled for the purpose of paying the last tribute of respect to the memory of the deceased, passing through a long life with a most unimpeachable character, indulging habitually in the practice of charity – and adhering under all circumstances, to the most rigid precepts of morality and honesty – Doctor Moore secured the friendship of all who knew him.

The high public stations which he filled so long evinced the confidence of his fellow citizens and the faithful manners in which he discharged the various duties, made him a public benefactor.

Regretting most sincerely that he has been called from among us, and humbly hoping that he has not lived uselessly or in vain. Therefore, be it resolved that we deeply deplore the disposition of Providence which has removed from among us, our esteemed fellow citizen, Dr. David Moore.

Resolved that we sincerely sympathize with the family of the deceased in the loss they have sustained.

Resolved that the secretary of the board be, and is hereby instructed, to present a copy of these proceedings to the family of the deceased.

Resolved that as further testimony of their high regard, the Mayor and Alderman will, as a body, attend the funeral of the deceased this day at 2 o'clock.

Resolved that the proceedings of this meeting be published in a newspaper of this place.

**Last Will & Testament**  
**Probate Record 12, Page 13**

### **David Moore, Deceased**

I, David Moore of the town of Huntsville and State of Alabama, being of sound mind and memory, but weak in body, do in the name of God, Amen, declare and intend this to be my last will and testament, revoking and annulling all others:

Item 1. I desire and direct my executors to pay all my just debts out of my estate, and that the remainder of my estate, entire, or real, personal and mixed, of whatever kind soever be divided between my dearly beloved wife, Martha L. Moore, and my children which are now living, or that may be born after my death, begotten of her, which may be living at the time of the division to be made in equal value as near as may be each one's share.

Item 2. In order to render my estate more manageable, it being too extensive to be managed profitably to my children, I hereby authorize and empower my Executors wherever it shall seem to them proper and most to the interest of my said children, to sell the following landed property, to wit:

The McAnulty tract of land on Harrison Creek entire – the tract bought of John C. Grayson, and the tract near it bought of Kirksey, in the Big Cove, or any part of said land.

Item 3. I will and direct that each and every one of my children shall receive a good education out of my estate.

Item 4. My executors are hereby vested with the power and authority to continue in operation all or any of my plantations for the benefit of my children and approbation of the Court of Probate, and in exercise of a sound direction, they may discontinue and break up any of them, and hire out the slaves and rent the lands if they shall believe it most to the advantage of my children; and they are



authorized to keep up all my plantations if they think it best for my children until a division and distribution takes place, and in order to make the farms profitable they are authorized to purchase fence rails and necessary timber for the use of any of the plantations, and remove the hands from one place or farm to any of the plantations, and to buy timbered land sufficiently for the farms.

Item 5. My dear wife, Martha L. Moore shall have power to draw her entire share of my estate which is to be an entire child's part at the expiration of any one year, to be allotted to her under the order of the court upon her application. But she shall have the power, if she remains single and prefers it to let her part of my estate remain in joint stock until the oldest child living shall arrive at lawful age, if a male, or until she may arrive at the age of 18, of a female child, and should marry, in which event then a division shall take place and their respective shares shall be allotted to them respectively, or should my wife marry, then a division shall be made, allowing her part of my estate to be set apart for her use and delivered up by my executors and the balance kept together until distribution be made among my children respectively. If any of my children shall die before they arrive at the age of 21 years, having no legal guardian or issue, that part of said child or children so deceased shall revert back to my surviving child or children and their heirs, and if the child or children so dying shall leave legal issue, then and in that event, their respective portions of my estate shall descend and be allotted to such issue of their body, so left at their death.

Item 6. I will and desire that my house and lot in the town of Huntsville, where we now reside and the lot and stable and

the lot adjoining Thomas Brandon's garden, be reserved free of charge to my dear wife, as a residence with all household and kitchen furniture, carriage and horses and such other furniture belonging to the premises as I may own at my death, and the same to be kept up in a reasonable and economical way for her use and the use of my children until she calls for a division of her part of my estate, or that the division shall be made agreeable to the provisions of this will. And all reasonable and necessary expenses for keeping up the farms and the family expenses economically made shall be paid by my Executor out of the joint funds of my estate until a division takes place agreeable to this will.

Item 7. I have large amounts of money due me from different persons, which will be seen by reference to the claims I hold, which my executors are directed to collect or secure by the best means in their power having due record to saving the same, that as little be lost as possible, and granting reasonable indulgences upon making the debts perfectly secure. I give and bequeath to Robert D. Moore, son of John F. Moore, \$250.00 per annum for four years, should he live and pursue a profession. And to Albert Moore, youngest son of John F. Moore, deceased, \$200.00 per annum for seven years to aid in getting an education which shall be paid by my Executors, annually, until Robert receives \$1,000.00; and Albert \$1,400.00.

Item 9. (no Item 8 is listed) I give and release to the Methodist E. Church of the town of Huntsville, all monies advanced for said Church, and further will and enjoin upon my executors to pay over annually to the stewards of said Methodist E. Church and other successors in office \$50.00, as long as my estate remains undivided among my

children, or until they shall receive their distributive shares of my estate, when this donation shall cease or would my wife cause a division of my estate then it shall cease as it is intended to be a family contribution such as I have paid for many years annually, and which I do not wish disturbed as long as my property remains undivided and as a joint stock for the use of my family.

Item 10. I hereby give to my executors power to sell such of my slaves as may become refractory or habitual runaways by and with the consent of my wife, Martha L. Moore, during her widowhood, having regard to humanity and in no case for frivolous causes should any of them be sold. And my executors shall not be compelled to sell any of my household furniture which can be divided between y wife and children, but may divide to each an amount of equal value as near as may be to each.

Item 11. I hereby request my executors to see that my children shall be raised to business habits, property educated in a moral religious and proper manner so as to make of the boys, men of business and useful members of society, and the females ornamental and useful as members of society.

Item 12. I request my Executors to use every kindness towards my wife to render her happy and contented, to consult her wishes as far as may be reasonable and consistent with the interest of my estate and the welfare of my children.

Item 13. My executors are hereby prohibited from vesting any of my estate or the moneys arising therefrom in any of the state stocks or any other company stocks, but should they believe it to be to the interest of my children, they may vest all money which they may receive in stocks of the Government of the

United States not to exceed \$100,000.00 in the whole from time to time as may seem to them best which shall be kept for the use of my children and paid over to them in equal proportions, should said stocks be purchased.

Item 14. I hereby nominate, constitute and appoint Stephen S. Ewing, George P. Beirne, and William J. Mastin my Executors to this my will and testament, and hereby vest them with full powers to carry the same into full effect, agreeable to law, hereby declaring this my last will and testament, revoking all other wills heretofore made by me in all respects whatever.

Given under my hand and seal this 12<sup>th</sup> day of March, 1845.

David Moore (seal)

Signed, sealed and proclaimed in the presence of: James Bradley, B. M. Lowe, William H. Clopton, Thomas W. White

And I, the said David Moore, do now this 8<sup>th</sup> day of April, 1845, make this codicil to the foregoing will. It is my will and desire that the shares of my estate, real personal and mixed or of any description whatever which is intended for my daughters, shall vest in and be held by my executors above mentioned or the survivors in trust for the sole and separate use and benefit of my said daughters respectively, and should they or either of them marry, then said shares to be for their sole and separate use from the control of management of their husbands, and not in any manner and liable for their debts, the net income only to be allowed by my said executors for the comfortable support and maintenance of my said daughters and their families. And on the death of my said daughter or daughters leaving children, the share of such daughter to be equally divided between her children,

provided that my said Executors may allow to the husbands of my daughters the net annual proceeds of their respective shares, if they think it prudent to do so.

Lastly, I do appoint George P. Beirne and William J. Mastin guardians of my children.

In Witness Whereof I have hereunto set my hand and seal the day and year above mentioned.

David Moore (seal), Attest: J. W. McClung, J. J. Pleasants, James Bradley

**State of Alabama**  
**Madison County**  
**Orphans Court**  
**October, 1845**

The last will and testament of David Moore, deceased, having this day been duly proven by the witnesses, James Bradley, William H. Clopton and Thomas W. White and also the codicil thereto by James W. McClung, James J. Pleasants and James Bradley, is ordered to be recorded (Minute Book 10, page 411).

Pursuant to said order said will was duly recorded on the 22<sup>nd</sup> day of September, 1846.

Teste: John W. Otey, Clerk C.C.

**Petition of Stephen S. Ewing and George P. Beirne, Executors to divide the property belonging to said Estate.**  
Rec: Pro Rec 18, page 594

The petition of Stephen S. Ewing and George P. Beirne, Executors of the last will and testament of David Moore, deceased, states that their testator, David Moore, was a citizen and resident of the County aforesaid, and that he died in the month of September, 1845 in the county aforesaid, seized and possessed of a large amount of real and personal property; that he made his last will and

testament bearing date March 12<sup>th</sup>, 1845, executed a codicil thereto, dated April 8, 1845, which was duly probated in the Orphans Court of said County a copy of which is hereunto annexed, marked Exhibit A, and prayed to be taken as part of this petition; that your Petitioners in conjunction with the late William J. Mastin, the Executors appointed in said will, duly qualified as such in the Court last aforesaid on October 13, 1845.

Thereafter the said Mastin departed this life, and your Petitioners have acted and are acting as Executors of their said testator.

Your petitioners further state that their testator divided all of his estate, real, personal and mixed, of whatever kind soever to his dearly beloved wife, Martha L. Moore, and his children which survived him: Harriet Ann Moore, David L. Moore, Samuel Moore and Catherine Moore, and bequeathed certain legacies to his nephews John D. Moore and Albert Moore, and an annuity to the Stewards of the Methodist Episcopal Church of the Town of Huntsville, which legacies have been paid. Your petitioners further state that their testators estate is solvent. That more than nine years have elapsed since they qualified as Executors. That their testators eldest child, Harriet Ann Moore, after arriving at and passing the age of 20 years was married on November 16, 1854 to John D. Barnard; that Testator's widow, Martha L. Moore was on January 2, 1855 married to Charles H. Patton of the County aforesaid, and that the event has come to pass, when the Testator, by his will aforesaid, required that his estate should be divided, his wife and children aforesaid in the proportion indicated. Your petitioners herewith present a schedule of real and personal property of

their Testators, marked Exhibit B, which they pray may be taken as part of this Petition and ask for an order of distribution as to the same, between said Martha L. Patton, Harriet Barnard, David L. Moore, Samuel Moore and Catherine Moore, to be made in equal portions and of equal value as near as may be each one's share. Your petitioners further state that said Harriet Ann Bernard, David L. Moore, Samuel Moore, and Catherine Moore are minors under the age of 21 years, ask that Guardians Ad Litem be appointed, severally for each; that they and the said Charles H. Patton, Martha L. Patton and John P. Bernard be made parties respondent to this petition. That they be cited to appear and show cause if any they have why the prayer of said Petition shall not be granted.

Your Petitioners ask for all necessary orders, decrees and precepts which may be required to effectuate the distribution prayed for.

**Huntsville, Alabama** Stephen S. Ewing  
**January 23, 1855** George P. Beirne

On October 6, 1845, said Court made and entered of record the following order and decree, to wit:

The last will and testament of David Moore, deceased, having this day been duly proven by the witnesses, James Bradley, William F. Clopton, and Thomas W. White and also the codicil thereto by James W. McClung, James J. Pleasants and James Bradley is ordered to be recorded. (See Orphans Court Minute 10, page 411).

**David Moore's Executors  
vs. David Moore's Heirs  
January 24, 1855  
Pro Minutes 3, page 324**

Comes George P. Beirne and Stephen S. Ewing, Executors of the last will and testament of David Moore, late of said County, deceased, and file their petition in writing, praying the appointment by this Court of Commissioners to divide the real and personal property described in said Petition, amongst the heirs of said Testator, and it appearing to the satisfaction of the Court that Martha L. Patton, wife of Charles H. Patton, who is of full age, Harriet Barnard, wife of John L. Barnard, Kate Moore, David L. Moore and Samuel Moore, all of whom are infants under the age of 21 years, and residents of the county aforesaid are entitled to distribution of said real and personal property.

It is therefore ordered by the Court that John L. Barnard who consents to and accepts the same, be appointed Guardian Ad Litem for said Harriet Barnard; that Robert C. Harrison who consents to and accepts the same, be appointed Guardian Ad Litem of Kate Moore; that Francis J. Levert who consents to and accepts the same be appointed Guardian Ad Litem for David L. Moore and Samuel Moore.

It is further ordered that citations issued to Charles H. Patton and Martha L. Patton, John L. Barnard and Robert Harrison, Guardian Ad Litem, F. J. LeVert, Guardian Ad Litem and John L. Barnard, Guardian Ad Litem as aforesaid, requiring them to be and appear before the Judge of said Court on the 25<sup>th</sup> day of January instant and show case if any they can why the prayer of said Petitioners shall not be granted.

F. L. Hammond  
Judge Probate Court

**January Term, 1855  
Pro Record 18, page 595**

In the matter of the application of said Executors for a division of the Real and personal property belonging to said Estate.

The citations heretofore awarded in this cause, having been returned duly executed, and no one appearing to contest said application, it is therefore ordered by the Court that William Echols Jr., William Watkins, O.D. Sledge, Alexander Ewing and Thomas W. White, be appointed Commissioners to divide in equal portions, and of equal value, as near as possible in accordance with the provisions of the last Will and Testament of said testator, between Harriet Barnard, Martha L. Patton, Kate Moore, David L. Moore and Samuel Moore, the following Real and personal property to wit:

A house and lot, containing 35/100s of an acre fronting on the East side of Lincoln Street, in the town of Huntsville now occupied by Robert P. Wilson, Esq. as a residence for boundaries of which see deed of Penelope Brooks to David Moore in Deed Book Q page 27 of the County Court of Madison County.

A lot lying on the north side of the public square of said town being part of Lot No. 28 in the plan of said town containing 20 feet front running at right angles with the front 150 feet in the rear, together with the use and occupation of an alley; ten feet wide adjoining said Lot, for boundaries of the same, see Deed of Stephen Neal, Sheriff, to David Moore, recorded in Deed Book J, pages 253 and 254 of the County Court aforesaid.

A house and lot known in the plan of said town as Lot No. 50 now occupied by Mrs. A. Yeatman, and the lot adjoining thereto being part of Lot No. 42, for description of which last lot, see deed of John Read and wife to David

Moore recorded in Deed Book P, page 220 and seq. in the County aforesaid.

A lot adjoining the lot now owned by Frances J. Levert, fronting on the same street, with said Levert residence 73 feet 8 inches, running back 145 feet 1 inch for boundaries of said lot, see N. Sheffield and wife, deed to David Moore, recorded in Deed Book J, page 233 in the County Court aforesaid.

A lot of land situated on the west side of Washington Street in the town of Huntsville, supposed to contain one acre. For description of which see deed of John J. Fackler and George Steele Commissioners to David Moore of record in the County of Madison aforesaid in Deed Book Q, page 255 and seq.

A lot of land situated on the west side of Washington Street in the town of Huntsville, and south of the lot aforesaid, conveyed by John J. Fackler and George Steele Commissioners & C containing 1 acre, 21 rods, 19 perches, and formerly known as David Moore's Gin house lot.

A lot of land in the town of Huntsville lying due north of the house and lot formerly owned by Robert J. Manning and used as a dwelling, west by the land of Thomas and William Brandon, North by a lot purchased at Sheriff's sale by Benj. Jolley and east by a lot of David Moore, containing in all 3 ½ acres more or less, conveyed by William Robinson, Sheriff of Madison County to David Moore, by deed recorded in Deed Book T page 190, in the County Court of Madison.

A lot of land and tenement thereto, belonging in the Village of Viduta in the County of Madison known as Lot No. 4. See deed of George Fearn to David Moore of record in the County aforesaid in Deed Book Q, page 505 & seq.

Lot No. 106 in the Town of Triana County of Madison for dimensions, see deed of William J. Adair and others of record in the County Court aforesaid Deed Book N pages 48 and 49.

Lot No. 58 in the town of Triana. For dimensions, see deed of W. J. Adair & others to David Moore of Record in the County Court aforesaid in Deed Book N, pages 47 and 48.

The lots of land and tenements known formerly as the residence of R. J. Manning, and as the last residence of David Moore. For description of which see, the deed of William Robinson, Sheriff of the County of Madison to David Moore of record in the County Court aforesaid in Deed Book T, page 388. (plus \$20,000 cash assets)

### Longwood Plantation Lands

SE ¼ S1, T4, R1 W; NE ¼ S 12, T4, R1 W  
NW ¼ S12, T4, R1 W; SW ¼ S1, T4, R1 W  
Containing 640 acres purchased of Lewellen Jones.

West ½ of SE ¼ S7, T4, R1 East 80, purchased of John Haynes and wife. 32 50/100 acres purchased of Jesse McLendon & wife, lying and being in the County of Madison on the west side of the Meridian Road, being parts of the NW ¼ of S7 in T4, R1 E. For boundaries see the deed of McClendon & wife recorded in Deed Book H, pages 518-19 and 20 of County Court of Madison.

Two acres of land fronting on Ditto's Landing Road near the town of Huntsville. For boundaries, see the Deed of Archibald Canada & wife to David Moore recorded in Deed Book O, pages 211 & 212 of the County Court aforesaid.

6 ¼ acres of land adjoining the lands aforesaid near the Triana Road bridge and Indian Creek for boundaries see deed of Thomas Fearn, Alex Erskine and

Samuel D. Morgan, to David Moore of record in the same Court in Deed Book O, pages 212 and 213.

64 and 62/100 acres of land being part of Section No. 11, T4, R1 W for boundaries see deed of Charles Cabaniss to David Moore of record in the County Court of Madison in Deed Book J, pages 167 & 168.

2 45/100 acres of land purchased of LeRoy Pope lying on the McAdamized Road and adjoining and south of the Grave Yard for the colored people, near Huntsville 2.40.

The undivided interest in the Huntsville Canal Company as per agreement with Thomas Fearn. (a list of slaves and personal property is attached to original.)

\*\*\*

The remaining information, which will not be reproduced in this publication, contains coordinates of other plantations: Turner Plantation lands, Harris plantation lands, Clark plantation lands, Chambers & Jones plantation lands, Phillips plantation lands, as well as a list of slaves and personal property attached to *each plantation!* This information, provided ten years after Dr. David Moore's death, indicates his great wealth.

\*\*\*

Martha Moore married Charles Patton after Dr. David Moore's death. Her eldest daughter, Harriet Moore, married John Barnard, and after his death, R. B. Rhett. Our next set of legal documents begin in 1919:

**Harry M. Rhett to  
Harriet Moore Barnard, et al  
July 24, 1919  
Deed Book 121, Page 380**

Before me the undersigned authority this day personally appeared Harry M.

Rhett, who is known to me and who being first duly sworn upon his oath says:

That he is Cashier of the W. R. Rison Banking Company of Huntsville, Alabama; that his mother's maiden name was Harriet Moore and that she was a daughter of Dr. David Moore; that his said mother was married twice; that she first married John D. Barnard and that three children, to wit, Martha P. Barnard, Kate Barnard, and David Moore Barnard were born of this union; that David Moore Barnard died in infancy; that after the death of John D. Barnard, his mother married R. B. Rhett, who was affiant's father and that Harriet Moore Rhett, who died in infancy and affiant were the only children born of this union. Affiant further says that the said Martha P. Barnard, Kate B. Caldwell, and himself were the only living children of the said Harriet (nee Barnard) on June 3, 1908.

Signed by Harry M. Rhett  
July, 24, 1919.

Clarence L. Watts, Notary Public

**Harry M. Rhett, unmarried**  
**Martha P. Barnard, unmarried**  
**To Kate B. Caldwell**  
**November 7, 1903**  
**Deed Book 92, page 276**

Whereas, Martha P. Barnard, Harry M. Rhett, and Kate B. Caldwell are all joint owners of the plantation known as the Longwood Plantation situated in Madison County, Alabama, of which the real estate hereinafter described is a part, a division of which plantation has been agreed upon among the said joint owners, except that part lying east of the Whitesburg Pike, and that part of the same hereinafter described allotted to Kate B. Caldwell; and

Whereas, the said Kate B. Caldwell and her husband, Joshua W. Caldwell,

have this day executed jointly, with Harry M. Rhett, a deed conveying to Martha P. Barnard, all of her right, title and interest in and to that part of said plantation allotted to Martha P. Barnard, which is particularly described in said deed, and have this day executed jointly with Martha P. Barnard, a deed conveying to Harry M. Rhett, all of her right, title, and interest in and to that part of said plantation allotted in said division to Harry M. Rhett, which is particularly described in said deed;

Now, therefore, known all men by these presents that for and in consideration of the execution by the said Kate B. Caldwell, and her husband, Joshua W. Caldwell, of said deed to Martha P. Barnard and said deed to Harry M. Rhett, above referred to, as well as in consideration of \$2.00 to us in hand paid by the said Kate B. Caldwell, the receipt of which is hereby acknowledged, we, Harry M. Rhett, an unmarried man, and Martha P. Barnard, an unmarried woman, do remise, release, quitclaim and convey to the said Kate B. Caldwell, all of our right, title, claim, interest and demand in and to the following described real estate, to wit: Situated in Madison County, Alabama, and more particularly described as follows:

The south half of the SW  $\frac{1}{4}$  and all that part of the south half of the SE  $\frac{1}{4}$  lying west of the Whitesburg Pike, all in Section 1, Township 4, Range 1 West, and the North half of the NW  $\frac{1}{4}$  of Section 12, Township 4, Range 1 West, all of which is more particularly described as follows:

The S $\frac{1}{2}$  of the SW $\frac{1}{4}$  quarter and all that part of the south half of the southeast quarter (SE $\frac{1}{4}$ ) lying west of the Whitesburg Pike, all in Section 1, Township 4, Range 1 West, and the N $\frac{1}{2}$

of the NW¼ of Section 12, Township 4, Range 1 west, all of which is more particularly described as follows: (the description of the property begins at a stone at the SW corner of Section 1 and is measured in surveyor chain links and degrees. The total is 207.21 acres and excludes the railroad and public right of way).

This same property is then sold on January 21, 1908:

**Kate B. Caldwell & Husband,  
Joshua Caldwell to Ed L. Pulley  
January 21, 1908  
Deed Book 97, page 201**

Know all men by these presents: That we, Kate B. Caldwell, and Joshua W. Caldwell, her husband, both of Knoxville, Tennessee, in consideration of the sum of \$5,000, to them cash in hand paid by Ed L. Pulley, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and confirm unto the said Ed L. Pulley, all that certain tract of land lying and being near the City of Huntsville, in the County of Madison and State of Alabama, described as follows, to wit: (already described above)

Saving and excepting therefrom the tract heretofore sold to the Tennessee Valley Fair Association, being all that part of the northeast quarter of N ½ Section 12, Township 4, Range 1 West, which lies east of the Nashville, Chattanooga & St. Louis Railway, the entire tract herein sold containing 175 acres, more or less.

And this conveyance is made of course, subject to the right of way of the Nashville, Chattanooga and St. Louis Railroad, over the land as the same now exists and runs, and also subject to any

road, street or right of way, public or private, if such there be, that may now exist upon the land herein conveyed, under the law or otherwise.

To have and to hold the above described tract of land which the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said Ed L. Pulley, his heirs and assigns forever.

**Power of Attorney  
Kate B. Caldwell to Harry M. Rhett  
June 4, 1909**

Know all men by these presents: That I, Kate B. Caldwell, do hereby constitute and appoint H. M. Rhett of the County of Madison, State of Alabama, my true and lawful attorney for me and in my name and behalf, to enter the fact of payment on the margin of the record of that certain mortgage executed by Ed L. Pulley to Kate B. Caldwell on the 5<sup>th</sup> day of June, 1908, recorded in Volume 96, page 262, in the office of the Judge of Probate of Madison County, Alabama, also that certain other mortgage executed by Ed L. Pulley to Kate B. Caldwell on the 21<sup>st</sup> day of January, recorded in Volume 96, page 133, in the office of the Probate Judge of Madison County, Alabama.

And I do hereby ratify and confirm whatsoever the said H. M. Rhett, may do in the premises.

**Editor's Note:** On January 24, 1908, Ed L. Pulley sold the property to The South Huntsville Development Company, incorporated January 8, 1908, of which he served as secretary/treasurer. Special thanks to John Shaver for providing much of this information.

~~~~end~~~~



# Marshall County

## Edward Gunter's Reservations Land Claim Case

Contributed by Coy Michael

Part 2, Continued from Volume 45, Issue No. 1

Marshall County was created by an act of the legislature January 9, 1836. Land from Jackson and Blount Counties as well as the last of the Cherokee lands formed Marshall County, named for Chief Justice John Marshall. It was later broken up to form Etowah County.

The following information was transcribed by Roy Boney, Jr. and was taken from National Archives Microfilm Publications, Microcopy 574, Roll 4. These letters deal with a dispute over Edward Gunter's property and accusations toward him for cheating the U.S. Government in order to obtain better property.

Gunter was the half-Cherokee son of John Gunter, for whom Guntersville was named. Edward (also known as Edmond and Ned in some sources) was wounded in the Battle of Horseshoe Bend in 1814, where he served as a Major, fighting with the Cherokees under General Andrew Jackson. Many of the Cherokee Gunter descendants were removed to Oklahoma on the Trail of Tears. John Gunter was also the great grandfather of Will Rogers.

(marker 0681)

### State of Alabama, Jackson County

Pursuant to a notice heretofore served on Edward Gunter, a copy of which marked (A) is herewith filed and executed by David Ricketts, constable, of Archibald R. Barclay, an acting justice of the peace in and for the county of aforesaid, at the insistence of John Gilbreath and Booker Smith, have called and caused to come before me at my office in Claysville: Bailey Read, John Gilbreath, Hugh Henry, Edward Cox, Elisha Clampett, Richard Chuck, Howard Rose, William McKee, Richard Kirkland, David Ricketts, Booker Smith, David Parkhill, Benjamin Roden, Jeremiah Roden, John Cox, Edmond Bridges, and Samuel Webber on the 13<sup>th</sup> day of April 1832, at the hour of 11 o'clock A.M. of that day, who being

duly sworn to speak the truth the whole truth and nothing but the truth in relation to the claim of Edward Gunter to a reservation of 640 acres of land in said county, claimed by him under a treaty between the United States and the Cherokee Nation of Indians.

Hugh Henry, being first called, deposeth, and saith that in the year 1819 in the latter part of February or the first of March, was his first acquaintance at Gunter's Landing when Mr. Edward Gunter claims his reservation, and to the best of his recollection, he did know there lived on the reservation which is claimed by the said Edward Gunter. As to where Mr. Gunter lived at that time, he is unable to say but in the year 1820, in the latter part of the winter or early in the spring, he returned to said Gunter's Landing. Mr. Edward Gunter then was living on the south of the Tennessee River in the Cherokee Nation where the

contract [allowed them] to live for some few years and then allowed a short distance in the Nation.

Question: Did you ever know of Edward Gunter living on the reservation claimed by him in Jackson from your early acquaintance with the said Gunter up to this time?

Answer: I never knew of Edward Gunter. Everyone on the land claimed by him, as a defendant, says that was a reservation since my first acquaintance with him. - Hugh Henry

Sworn to and subscribed before me this 13<sup>th</sup> day of April 1832, A.R. Barclay, Justice of the Peace

John Cox, being next called, deposed and says that in the year 1817, I became acquainted with Edward Gunter at Gunter's Landing and that he then lived on the north side of Tennessee River. I was then absent a little, near twelve months. On my return in 1818, he was living on the south side of the Tennessee River, and to the best of my belief, he has never lived on the north side of said river since, and I have been occasionally in the neighborhood of Gunter's Landing since that time up to the present day.

- John Cox

Sworn to and subscribed before me this 13 April 1832, A.R. Barclay, Justice of the Peace (marker 0684)

Edward Cox being next called, stating that his first acquaintance with Edward Gunter was in February 1817. My acquaintance with him has been ever since that date, never living more than from five to fourteen miles since. He lived on the north side of the Tennessee River where I first became acquainted with him on the tract of land now called his reservation, and sometime in the winter of 1819, he moved on the south

side of said river and lived a few years near the banks. He then moved about two miles south of his first settlement into the nation where he now lives.

Question by Booker Smith: Do you know that Edward Gunter removed the houses he at first occupied from the place where he first erected them, lower down the river, and if so, did he not by moving said houses make the center of the reservation in a manner to gain for himself a very valuable addition to the value of the reservation, by throwing off inferior land and gaining thereby land of the best quality in its stead; and how far do you think he moved the houses?

Answer by Edward Cox: In answer to the first part of your question, moving his houses & c. I think the distance to be about or between four and five hundred yards down the river, and the next part of the question he, by said removal, did gain that amount of first rate land in place of a spur or bluff on said river, and back of said bluff, that distance of 2 berth and poor land the width of said reservation.

Question by Booker Smith: Did not Edward Gunter move the houses, as it appeared to you at that time, for the purpose of adding to the value of the said reservation?

Answer by Edward Cox: I do.

Question by Booker Smith: At what time did Edward Gunter remove from the reservation claimed by him to the Cherokee Nation?

Answer by Edward Cox: In the early part of the year of 1819 or the latter part of 1818, he moved to the south side of the river. - Edward Cox

Sworn and subscribed to before me this 14<sup>th</sup> April 1832, A.R. Barclay, Justice of the Peace.

Gilbreath Barton being next called, states that his first acquaintance with Edward Gunter commenced in December 1818, and I have known him ever since. When I first became acquainted with him, he lived on the north side of the river on what is now called his reservation. I rented, of the said Gunter, some houses on the south side of the Tennessee River and lived there until January 1819. (marker 0686)

I then left there as Gunter told me that he wanted the houses to move to. I moved and settled about 3 or 4 miles and I don't recollect of ever being back at the same place until the latter part of February or the first of March 1819. Edward Gunter was living there then and has lived on the south side of said river ever since, that is in the Cherokee Nation. - Gilbreath Barton

Sworn and subscribed to before me on this 14<sup>th</sup> April 1832, A.R. Barclay, Justice of the Peace.

Elisha Clampett is next called and states that his first acquaintance with Edward Gunter commenced in 1818 when he was then living on the north side of the Tennessee River, and I have been acquainted with him ever since in the latter part of the year of 1819. I was at Gunter's Landing and Edward Gunter was then living on the south side of the Tennessee River and has lived there ever since.

Question by Edward Gunter: Did you ever know of men living there as tenants on my reservation?

Answer by Elisha Clampett: In 1821, Dawson Clark told me that he rented some land of yours and leased some for the clearing, and was to have it rent free for four years and it has been rented out to different tenants ever since, except one year when it lay idle or a part of it. I

recollect of no tenant that year. - Elisha Clampett

Sworn to and subscribed to before me this 14<sup>th</sup> April 1832, A.R. Barclay Justice of the Peace.

Robert Walker, being next called, states that his first acquaintance with Edward Gunter commenced in 1818 or the early part of 1819, but I think 19.

I was then on the south side of the Tennessee River, about eight miles from Gunter's Landing on a place that I had then rented of Edward Gunter.

Near corn gathering time, word came from the Mr. Gunter that if I would go and keep the ferry, they would send a hand to gather corn for me; that he, E. Gunter, wanted to go to a council that was then in the nation. I stayed at the ferry until 1820. Gunter left this side of the river in 1819, and has never lived on the north side of the Tennessee River since, as I know of. - Robert Walker

Sworn and subscribed to before me this 14<sup>th</sup> April 1832, A.R. Barclay, Justice of the Peace. (marker 0688)

Alexander Gilbreath, being next called, states that his first acquaintance with Edward Gunter commenced in the year 1808 or 1809, and have being acquainted with him ever since that time.

Question by Booker Smith: Do you know where Mr. Edward Gunter lived at the time the treaty was made between the United States, and the Cherokee nation in the year 1819, and where he has lived since that time?

Answer by Alexander Gilbreath: I do not recollect where he lived at the time the treaty was made, but he lived in the Cherokee Nation in the year 1819, and has continued to live in the Cherokee Nation ever since. - Alexander Gilbreath

Sworn and subscribed to before me this 14<sup>th</sup> April 1832, A.R. Barclay, Justice of the Peace.

Benjamin Roden, being next called, states that he became acquainted with Mr. Edward Gunter in the summer of the year 1819.

Question by Booker Smith: Where did he live when you became acquainted with him?

Answer by Benjamin Roden: He lived in the Cherokee Nation, on the South side of the Tennessee River.

Question by Booker Smith: Where has he lived since that time?

Answer by Benjamin Roden: He has continued to live in the Cherokee Nation ever since that time.

Question by Edward Gunter: Did you know of any persons occupying the reservations claimed by me on the north side of the Tennessee River, say that they were my tenants, and rented that land from me?

Answer by Benjamin Roden: I once heard Howel Rose say that he had rented Mr. Gunter's land, and I saw corn taken from that farm to the Cherokee side of the river, which I understood to be rent corn, and I saw corn lying in a pile inside of the said plantation which I understood to have been made by Howel Rose. I also once heard Samuel Tyler say that he had rented the above agreed land from Edward Gunter. – Benjamin Roden

Sworn and subscribed to before me this 14<sup>th</sup> April 1832, A.R. Barclay, Justice of the Peace.

David Ricketts, being next called, states that in the early part of the year 1820, Edward Gunter lived in the Cherokee Nation and has continued to live there ever since that time to the present date. – David Ricketts (marker

0690)

Sworn and subscribed to before me this 14<sup>th</sup> April 1832, A.R. Barclay, Justice of the Peace.

John W. Cole, being next called, states that he became acquainted with Edward Gunter fifteen years ago.

He (Gunter) then lived on the north side of the river and continued to live there on to the spring of that year, and then he moved off, I think up the river to the south side, near to where Samuel Gunter now lives, something like 8 or 10 miles from Gunter's Landing.

My next acquaintance with E. Gunter was in January 1823. He was then living on the south side of the river in the Cherokee Nation, and has continued to live on the same side of the river ever since.

Question by Booker Smith: Were you at or in the neighborhood of the reservation in question, between the years 1817 and 1823? And if you were, where did Mr. Edward Gunter then live?

Answer by John W. Cole: I was there twice during that time, in the months of October in two different years. And I was informed by said Gunter's ferryman, Thomas Aikman, that he lived from eight to ten miles from the said reservation in the Cherokee nation at those times, and has continued to live there (in the Cherokee Nation) ever since.

I have resided in this neighborhood for the last nine years and have never known of Mr. Gunter's having lived on the land in question during that time. - John Cole

Sworn and subscribed before me this 14<sup>th</sup> April 1832, A.R. Barclay, Justice of the Peace.

George T. Reed, being next called, states that he became acquainted with

Edward Gunter in the year 1818, at which time he lived in what is now known as the Cherokee Nation on the south side of the Tennessee River, and opposite to the place he now claims as a reservation in the county of Jackson.

Question by Booker Smith: Where has Edward Gunter resided since your first acquaintance with him in the year 1818?

Answer by George T. Reed: He has not lived on the reservation in question since my first acquaintance with him; and has continued to live in the Cherokee Nation ever since that time.

Question by Booker Smith: Do you know that Edward Gunter did, in the year 1819, remove the houses on the reservation claimed by him, so as to make the center of said reservation a considerable distance further down the river?

Answer by George T. Reed: I think the houses were removed from where they stood at the time of any first acquaintance with that place about one quarter of a mile lower down the river, which was done, as I suppose, in the year 1819, as I saw them standing at the place they were removed to in the fall of 1819.

Question by Booker Smith: Did not Mr. Gunter, by removing his houses as above named, gain good land that distance one way and one mile the other way; and thereby add greatly to the value of the reservation above named?

Answer by George T. Reed: By that means, Mr. Gunter gained land that is considered very valuable, instead of land of very inferior quality.

Question by Booker Smith: Has it not been generally said by the people in this neighborhood, that it was a fraud practiced by Mr. Edward Gunter to the injury of the Government of the United

States in this removing the houses above named?

Answer by George T. Reed: It has been generally said to be so.

Question by Edward Gunter: Did you see the houses removed [that] you speak of?

Answer by George T. Reed: I did not.

Question by Edward Gunter: Do you know where the center of the reservation is?

Answer by George T. Reed: I do not know.

Question by Edward Gunter: Did my plantation lie at the ferry landing when you first became acquainted with it in 1818?

Answer by George T. Reed: It was between where Mr. Gunter's houses originally stood and the ferry landing, and extending, I think, nearly from one place to the other. - George T. Reed

Sworn and subscribed to before me this 16<sup>th</sup> April 1832, A.R. Barclay, Justice of the Peace.

I certify, under my hand and seal, that the foregoing deposition was taken truly by, and before me, the days and dates above written, and that said Hugh Henry, John Cox, Edward Cox, Gilbreath Barton, Elisha Clampett, Robert Walker, Alexander Gilbreath, Benjamin Roden, David Ricketts, John W. Cole, and George T. Reed subscribed to the foregoing depositions in my presence this 16<sup>th</sup> April 1832, A.R. Barclay (seal) Justice of the Peace for Jackson County, Alabama

(marker 0694)

**State of Alabama**  
**Jackson County**

I, Richard Blelagian, clerk of the county court for the said county, do

hereby certify that A.R. Barclay, Esq., before whom the foregoing depositions were taken, and whose name appears subscribed to the within and foregoing certified now, is and was at the time of subscribing his name thereto and acting Justice of the Peace in and for the said county, duly qualified as such and that full faith and credit is and should be given to all his acts as such.

In Testimony whereof I have hereunto subscribed my name and affixed my personal seal this being said seal of affairs at office this 23<sup>rd</sup> day of April 1832, R. Blelagian, Clerk.

(marker 0695)

**Notice**

**John Gilbreath and Booker Smith  
vs. Edward Gunter  
State of Alabama, Jackson County**

Personally appeared before me, A.R. Barclay, an acting Justice of the Peace in and for this county aforesaid, John A. Wear, who being duly sworn, states that on the 13<sup>th</sup> day of April 1832, he delivered to Edward Gunter a notice of ? whereon this was a true copy and explained it to him truly.

To Mr. Edward Gunter: Sir, you will please take notice that we shall attend at the office of Archibald R. Barclay Esq. on Saturday the 14<sup>th</sup>, just for the purpose of taking the deposition of Gilbreath Barton, Robert Walker, and John W. Cole, to be read as evidence before the commissioners of the General Land Office in this city of Washington, District of Columbia, respecting your claim to a reservation of land containing 640 acres of land claimed by you, and lying in the country of Jackson, on the north side of the River Tennessee.

To be continued from day to day, until the whole is taken, at which time and place, you may attend if it suits you.

Mr. Gillbreath  
Booker Smith  
April 13<sup>th</sup> 1832

(marker 0697)

To Mr. Edward Gunter: Sir, take notice. I shall attend at the office of A.R. Barclay, an acting Justice of the Peace for the County of Jackson, on the 13<sup>th</sup> of this inst. and to continue from day to day until the evidence is all taken: the evidence of John Gunter, Sir Thomas Hodges, William Smith, and Robert Walker, respecting your right to a reservation of land said to be taken by Thomas Harrison, which you may attend if you choose, this 9<sup>th</sup> April 1832. - L.H. Bashart.

**Booker Smith and John Gilbreath  
vs. Edward Gunter  
17<sup>th</sup> day of April 1832  
State of Alabama, Jackson County**

To any Deputy Constable, or lawful officer to execute.

You are hereby commanded to summon Richard Check to be, and appear, at the office of A.R. Barclay on the 17<sup>th</sup> instant, to give evidence respecting a reservation of land in said county, claimed by Edward Gunter, which claim is contested by Booker Smith and John Gilbreath. Herein fail not. Given under my hand and seal this 16<sup>th</sup> day of April 1832, John C. Johnson, Justice of the Peace.

(marker 0701)

**L.D. Bashart vs. Edward Gunter  
for John Gunter  
23<sup>rd</sup> day of April 1832**

**David Ricketts, Constable  
State of Alabama, Jackson County**

To any lawful constable, you are hereby commanded to summon John Gunter in to appear before me at my office on the 24<sup>th</sup> day of this instant to give evidence in a certain matter of controversy before me, defending therein L.D. Bashart is plaintiff and Edward Gunter is defendant. Fail not. Given under my hand and seal this 13<sup>th</sup> day of April 1832, A.R. Barclay, Justice of the Peace.

**Subpoena  
John Gunter, L.D. Bashart  
vs. Edward Gunter  
10<sup>th</sup> day of April 1832  
David Ricketts, Constable  
State of Alabama, Jackson County**

To any lawful officer granting, you are hereby commanded to summon John Gunter to appear before me at office on the 13<sup>th</sup> instant to give evidence in a certain matter of controversy, wherein L.D. Bashart is plaintiff and Edward Gunter defendant, in behalf of the plaintiff. Fail not. Given under my hand and seal this 9<sup>th</sup> March 1832, A.R. Barclay, Justice of the Peace.

**Subpoena for John Gunter  
L.D. Bashart vs. Edward Gunter  
23<sup>rd</sup> day of April 1832  
David Ricketts, Constable  
State of Alabama, Jackson County**

To any lawful officer granting, you are hereby commanded to summons John Gunter to appear before me at my office, on the 24<sup>th</sup> instant to show course if any he had why he did not appear before A.R. Barclay to give evidence in the case of L.D. Bashart against Edward Gunter, and why the statute shall not take its due course for his failing to

appear. Fail not. Given under my hand and seal this 13<sup>th</sup> April 1832, A.R. Barclay, Justice of the Peace.

**Notice  
John Gilbreath and Booker Smith  
To Edward Gunter**

Executed by handing a copy to Edward Gunter and by reading and explaining the same to him on the 10<sup>th</sup> day of April 1832 by me. David Ricketts, Constable.

Mr. Edward Gunter: Sir, you will please to take notice that we shall attend at the office of Archibald Barclay Esq. on Friday the 13<sup>th</sup> instant for the purpose of taking the evidence of: Bailey Read, John Gilbreath, Alexander Gilbreath, Hugh Henry, Edward Cox, Elisha Clampett, Richard Check, Howel Rose, William McKee, Richard Kirkland, David Ricketts, Booker Smith, David Parkhill, Benjamin Roden, Jeremiah Roden, John Cox, Edmond Bridges, and Samuel Webber, to be read in evidence before the commissioners of the General Land Office in this city of Washington District of Columbia respecting your claim to a reservation of land containing 640 acres of land claimed by you and lying in the county of Jackson, and on the north side of the Tennessee River to be continued from day to day until the whole is taken, at which time and place you may attend if it suits you.

**David Ricketts, Constable  
State of Alabama, Jackson County**

To Mr. Edward Gunter: Sir, take notice I shall attend at the office of Archibald R. Barclay, a Justice of the Peace for said county on the 24<sup>th</sup> of this inst., for the purpose of taking the deposition of John Gunter Sr, Thomas Hodges, Robert Walker, Isaiah Walker,

and William Smith respecting your right or the rights that Thomas Harrison had to a reservation of land of 640 acres claimed by him in township 7 range 4 east in said county when you may attend of your choice this 14<sup>th</sup> April 1832.

#### **Notice to John Gunter**

This notice executed by handing a copy to John Gunter, Sr. and by reading and explaining the same to him on the 10<sup>th</sup> day of April 1832 by me. - David Ricketts, Constable

Mr. John Gunter sir: Take notice that I shall attend at the office of A.R. Barclay, a Justice of the Peace for the county of Jackson on the 13<sup>th</sup> day of this month for the purpose of taking the evidence of Isaiah Walker, Robert Walker, William Smith, and Booker Smith, respecting your right to a reservation of land in township 647 range 4 east where you may attend if you choose this 9<sup>th</sup> day of April 1832.

#### **Cherokee series of books No. 17 p. 15 State of Alabama, Jackson County**

Know all hereby then present that I, John Gunter, Jr., of the county of Jackson and state of Alabama, for and in consideration of the sum of \$6,000 to me in hand, paid the receipt whereof, is hereby acknowledged to have this day bargained, sale transpired, and delivered and by these presents do bargain, sale transfer, and deliver unto John Gunter Sr. of the county and state aforesaid, all my right, title, claim, interest and demand of in and to the following described property (viz) one improvement or occupant claim to a certain tract or parcel of land lying in that part of Jackson County, state of Alabama over which the jurisdiction of

said county has been extended by the legislature of said state containing about one acre and up on which is a store house known and called by the name of Gunter's Store and also a blacksmith shop and other improvements together with the appurtenances and also my full entire and complete stock and assortment of goods earned and merchandise now on hand at said storehouse, and all that has been purchased heretofore for the use and benefit of said establishment, and not yet received be it all of whole kind character and description, it may also owe other improvements in the same part of said county known and called by the name of Cave Spring improvement and purchased by me of Stephen Newman with all its appurtenances, and I also owe other improvements in the same part of the said county on Brown's Creek adjoining the improvement of Dry Forehead and purchased by me of Howel Rose and its appurtenances, also five horses and one mule and two wagons with their gear to have and to hold all, and singular the property of every kind, sort, character, and description herein mentioned and by these present bargained, sold, transpired, delivered under the said John Gunter his heirs, executors, administrators, and assigns forever.

The said John Gunter Jr. does hereby lend and obligate myself to warrant and defend to the said John Gunter Sr. his heirs, executors, administrators, and assigns, all the property therein mentioned and specified against the claim or assigns and the claims of or claim myself, my heirs, executors, and administrators and every other person whatsoever in testimony whereof I have hereunto set my hand and affixed my



seal this 21<sup>st</sup> day of February 1834. - J. Gunter (seal).

M.W. Lindsey  
Stephen Newman  
State of Alabama

I, Moses Jones, clerk of the county court of Jackson County, do hereby certify that the above and foregoing is a true and perfect transcript of a transfer made from John Gunter Jr. to John Gunter Sr. as registered in this office and proven by Stephen Newman, one of the subscribing witnesses to said transfer.

In testimony whereof, I have hereunto subscribed my name and affixed my private seal having no seal of office, at offices in Bellafonte the 29<sup>th</sup> day of September 1836 and of American Independence, the 61<sup>st</sup> year.

**Copy of the last will and testament of John Gunter Sr.**

I, John Gunter Sr. of the Cherokee Nation and residing in the said Nation, do make and ordain this my last will and testament.

1. I desire that all my just debts shall be paid as soon as convenient after my decease.

2. It is my will that my son Samuel Gunter have my mill and plantation situated and being on and near Brown's Creek, being the same which I purchased of James Thompson and also that he have one Negro woman named Peggy in his possession. I also give to my son, Samuel Gunter, all the debts which he may be owing me at the time of my decease.

3. It is my will that my daughter, Martha Henry, have the five following Negroes viz Peter, Murray, Sukey, and

his children, Viny and Lucy and all the increase of the said Negroes.

4. Should my daughter Martha die without children, it is my will that the said Negroes above mentioned be considered as part of my estate and be divided as follows viz one to each of my children and one to my granddaughter Nancy Gunter, a daughter of Edmond Gunter.

5. Should the above Negroes have any more increase after this time, then it is my will that my grandson George, a son of Samuel Gunter, have one and any other increase which they may have to be divided between my daughters Elizabeth and Catherine.

6. It is my will that my daughter Elizabeth Gunter have the six following Negroes viz Olivan, Nero, Isaac, Judah, Amy, and old Lucy and all their increases.

7. It is my will that my daughter Catherine Gunter have the five following Negroes viz Bill, Andrew, Calvin, Polly, and Peggy and all their increase.

8. It is my will that my son John Gunter, Jr. have the six following Negroes viz Tom, Bob, Mary, Augustus, Daniel, and China and all their increase.

9. It is my will that all warrants what I may have on the Cherokee Nation at the time of my decease shall belong to my son John Gunter, Jr.

10. As I have sold my crop of cotton of the year 1832 to my son John Gunter Jr. for \$500, it is my will that if I should die before he can return from his contemplated voyage to New Orleans then the said John shall not be called upon to make payment for said cotton provided that he shall, on his return, supply the family at my present home with 300 pounds of coffee and three barrels of sugar but if I should live till he

can return, then this tenth article to be void and of no effect.

11. It is my will that my reservation of a tract of land lying in Jackson County, Alabama and known by the name of Gunter's Old Place about eight miles from Gunter's Landing shall belong to my son John Gunter Jr.

12. It is my will that my granddaughter, Lucy McLoy, whom I have raised, shall have the four following Negroes viz Aaron, Jacob, Chloe, and Mary, and all their increase.

13. It is my will that my wife Catherine Gunter have the seven following Negroes viz Will, Sophy, Jack, Abram, Bolivar, Rachel, and Bonipart and all there increase.

14. It is my will that on the decease of my wife, Catherine Gunter, five of the last mentioned Negroes viz Will, Sophy, Jack, Abram, and Bolivar with all their increase shall belong to and become the property of my youngest daughter, Catherine Gunter.

15. It is my will that on the decease of my wife, Catherine Gunter, two of the Negroes mentioned in article thirteen viz Rachel and Bonipart, with all their increase, shall belong to and become the property of my son Edmond Gunter.

16. It is my will that my wife, Catherine Gunter, have the use of all my household and kitchen permits during her life and at her decease that it be divided equally between my three daughters Martha, Elizabeth, and Catherine, and my granddaughter Lucy McLoy, provided however that if either of my daughters or granddaughter should marry before the decease of my wife, then my wife is requested to give to each one her part of the furniture.

17. It is my will that all my stock of cattle and hogs be equally divided between my wife Catherine and my

daughters Martha, Elizabeth, Catherine, and my granddaughter, Lucy McCLOY.

18. It is my will that my wife, Catherine Gunter, have my house and plantation where I now live with all its appurtenances, including the plantation on the island at her own disposal during her life provided that she shall not sell, rent, or in any way put it out of her own cultivation as long as the land belongs to the Cherokee Nation.

19. It is my will, that at the decease of my wife Catherine, the house and plantation of land mentioned in the last article shall be, by the executors of this my last will and testament, offered for sale to the legatees alone who are mentioned in this will, and no one else shall have a right to become a purchaser and the property shall be sold to and become the rightful possession of the individual among my legatees who will give the highest price for it and at the same time enter into such penal bond as the executors shall deem prudent that he or she, the said purchaser, will not dispose of the said house and plantation of lands to anyone except one of my lineal descendants.

20. And it is furthermore my will that no person, except one of my own descendants, shall ever become the owner of the property mentioned in the 18 article. I do therefore ordain that if any of my heirs shall dispose of it to any such an individual the title to said individual shall be and it is hereby declared to be null and void and the property shall in such case return to and be vested in my legatees to be disposed of as directed in article nineteen.

21. It is my will that my wife, Catherine Gunter, have \$600 in ready money; my daughter, Martha Henry, \$250; my daughter, Elizabeth Gunter, \$250; my daughter, Catherine Gunter,

\$250; my granddaughter, Lucy McLoy, \$250, all of which sums are to be paid in ready money by my executors as soon as they shall enter upon the duties of their office.

22. It is my will that all my ready money after the above named shall have been paid shall be equally divided between my sons, Samuel and Edmond.

23. Although I have left several legacies to my daughter, Martha Henry, yet it is my will that none of them be paid to her so long as she shall remain the wife of Hugh Henry, but it is my will that all legacies which I have designated for the said Martha shall be placed in the hands of Samuel and Edmond Gunter in trust for the use and benefit of the said Martha, and they shall be required to give bond for the good management of said legacy and the faithful application of all the proceeds to the benefit of the said Martha, and if the said Martha shall die without issue, then all the legacies which I have designated for her shall be regarded as part of my estate and shall all, except the Negroes mentioned in articles 3, 4 and 5, be equally divided between my daughters Elizabeth and Catherine.

24. It is my will that if in any way my daughter Martha shall, during her life, cease to be the wife of Hugh Henry or should have issue, then all legacies which I have designated for her shall pass into her hands and be at her own disposal.

25. And for the purpose of carrying in to execution, this my last will and testament. I name as my executors John Ross, George Lowery Sr., the Spirit Boat and Bank all citizens of the Cherokee Nation.

In witness whereof, I have hereunto set my name by making my mark and

affixing my seal this 6th day of March in the year of our Lord 1833.

John Gunter (seal)

Signed, sealed, published and declared by the said testator as and for his last will and testament in our presence, who at his request in his presence have subscribed our names as witnesses thereto.

Wm. Potter (seal)  
William Turner  
Larken Beavert

State of Alabama, Jackson County

I, Moses Jones, clerk of the county court for said county, do hereby certify that the foregoing is a true and perfect transcript of the last will and testament of John Gunter Sr. as filed in this office for registration and proven by William Turner and William Potter subscribing witness to the same.

In testimony whereof I have hereunto subscribed my name and affixed my private seal having no seal of office at offices in Bellafonte this 28<sup>th</sup> day of September 1836 and of American Independence the 61<sup>st</sup> year.

Moses Jones Clerk CC  
Clerk Fees} fees copy \$2.00  
Certificate .50  
\$2.50

(marker 0724)

**John Gunter**  
**Deposition**  
**State of Alabama, Marshall County**

This day personally before me Richard Coleman, an acting Justice of the Peace in and for said county. John Gunter who signed an oath, that some time in the

latter part of the year of 1829, a Mr. Hugh Henry removed himself of effects, out of the jurisdictional limits of the Cherokee nation and went across the Tennessee River into the county of Jackson and state aforesaid. About this time, said Henry left his Cherokee wife and thereby forfeited all his right, title, and claim in and to the Cherokee country. After having left his wife, the then said Henry sold to a Mr. Rich Fields a certain improvement which said Henry had left or abandoned, which improvement lies on the main road leading out from Gunter's Landing to Ashville and known as Braun's Old Place at the foot of the sand mountains.

Mrs. Martha Henry then, now Martha Blackburn, did go and take possession of said improvement in a short time after said Henry had left her, at least she had entire possession of said improvements previously to the purchase of said Fields from said Henry. Of said improvements, for in the month of July 1830, she had a Negro Bo of mine there at work.

When said Fields went and drove said Negro Bo from the field and told him that the place was his, and that he should not work there anymore, but previous to all this, my sister, Martha Henry then, now Martha Blackburn, had made me her duly authorized agent to act for her in all respects as I thought best. So in the fall of 1829, I obtained a permit from the General Council of the nation and immediately after obtaining said permit, I put and placed a Mr. James H. Killisan, who was a blacksmith by trade, upon said improvement as my tenant to keep and take care of said improvement, and I charged him especially as the agent of my sister Martha to let no person or persons whatsoever take or even get possession of said improvement so said Killisan kept said place in peaceable

possession, for me, until said Fields set up his claim to said place & c.

So after Fields drove the boy away from said improvement, I then immediately provided against said Fields, as the laws of the Nation then directed, I instituted suit against said Fields per said improvement in the Spring of 1830 and in the fall of 1830. Said suit came to a hearing and Fields lost said suit.

He then appealed from the occasion of the union court to the Supreme Court of the nation there. Then the papers never were produced as the state's laws were then extended of our court so the case was in time lost sight of, but consequently she went and again took possession of said improvements so Fields then resorted to the laws of Alabama and had her removed from said improvements by the sheriff of the county of Blount and State of Alabama.

She has been out of possession of said place ever since. Before the place was valued, I notified Moore and Ricketts to value the same in the name of Martha Blackburn & c.

John Gunter

Sworn to and subscribed before me this 3<sup>rd</sup> day of April 1837

Richard Galekin, Justice of the Peace for Marshall County

~~~~to be continued~~~~

# Things You Should Know

## New Clues to European Ancestors

Familyrelatives.com has recently added over one million records taken from European post office and trade directories. These records are more than the forerunner of modern phone books, they listed the occupation of residents in order for traveling salesmen to better target their customers' needs.

Familyrelatives.com requires an annual membership fee.

## Help with Naturalization Records

In a recent article on naturalization records written by Certified Genealogist Brenda Kellow for Tracing Our Roots, she reminds us that American Indians did not have citizenship rights until the Indian Citizenship Act was passed in 1924! Women of all races could become a citizen after marriage to a white man. The exception for an Indian man to become a citizen was to serve in the U.S. military, or by special statues or treaties made with the U.S. government. Otherwise, it was easier for a foreigner to become a U.S. citizen.

Amendments made to the process of becoming a U.S. citizen have been numerous over the years, and if you are trying to find information on your own ancestor, it might be necessary to find out what the laws were at that time.

Beth suggests that it is worthwhile to check the following websites for more information on your ancestors:

[www.archives.gov/genealogy/naturalization/](http://www.archives.gov/genealogy/naturalization/). For more on women seeking citizenship:

[www.archives.gov/publications/prologue/1998/summer/women-and-naturalization-1.html](http://www.archives.gov/publications/prologue/1998/summer/women-and-naturalization-1.html). The Indian

Naturalization act of 1924 is at [www.nebraskastudies.org/0700/frameset\\_reset.html?http://www.nebraskastudies.org/0700/stories/0701\\_0146.html](http://www.nebraskastudies.org/0700/frameset_reset.html?http://www.nebraskastudies.org/0700/stories/0701_0146.html).

## Cemeteries of Madison Co., AL Volume 2

Limited printing of this 142 cemetery, 8-1/2 x11 book now available; 375 pp, approx. 9,000 listings in full-name index, soft bound. Covers NE quarter of county and includes **communities** of New Market, Harbinville, Skinem, Sulphur Springs, Hazel Green (east half), Roseboro, Meridianville, Mountain Fork, Steele Crossing, Hickory Flats (now Plevna), Hillsboro, Cedar Gap, Greenfield, Deposit, Maysville, Bell Factory, Three Forks of Flint, Moores Mill, Chase, Mercury, Ryland, Maysville, Brownsboro, Moontown and Monte Sano Mountain. Contains large cemeteries and tiny family cemeteries. Includes some "excepted" graveyards found mentioned in early deed books and few obituaries. Grave info. has been correlated with 1850 census and marriage records which records are also included and in some cases other family information. Send \$25.00 plus \$5.00 postage to:

Tennessee Valley Genealogical Soc.  
P. O. Box 1568  
Huntsville, AL 35807-0568

### **Cabarrus Genealogy Society, NC**

Cabarrus Genealogy Society in Concord, North Carolina has listed a number of publications that include church memberships, Confederate veterans, Revolutionary Patriot roll, newspaper abstracts, family histories, and many more. For more information, contact them at:

Cabarrus Genealogy Society  
P. O. Box 2981  
Concord, NC 28025

### **News on Historic Alabama Sites**

The Alabama Historic Commission reports that the home of Joseph Wheeler, known as Pond Spring, should be finished with renovation by the end of 2011, which includes the removal of dangerous lead paint.

Fort Morgan has been undergoing renovation as well. The casemate stabilization began this past summer, and other tourist-friendly improvements will complete the transformation.

Other projects under the direction of the Alabama Historic Commission are Gaineswood, Fort Toulouse campground, Magnolia Grove, St. Luke's Episcopal Church at Old Cahawba, Fendall Hall, Belle Mont, Middle Bay Lighthouse, and many others. Let us visit these sites to ensure their preservation for future generations.

### **More Georgia Records On-Line**

Ancestry.com has offered grants to Georgia agencies to digitize historic records. Those organizations who have received grants to reproduce records are: Augusta-Richmond County Consolidated Government; City of

Hapeville; City of Kingsland; DeKalk Historical Society; Haralson County Historical Society; Historic South-View Preservation Foundation; Oconee County Probate Court; Troup County Historical Society. Look for your family records from these towns and counties soon.

### **TVGS Upcoming Meetings**

Watch for more information on our upcoming meetings:

- In April 2011, Dr. Robert Davis will help us research our Civil War ancestors.
- In October, 2011, Frazine Taylor will help us research our African-American ancestors.

### **2011 Institute of Genealogy and Historical Research...**

...will be held at Samford University, Birmingham, Alabama from June 12-17. Irish Genealogical Research will be one of courses offered as part of the Institute. David E. Rencher will be the coordinator for this four and a half-day course. Among the ten courses currently planned are: Techniques & Technology; Intermediate Genealogy & Historical Studies; German Genealogical Research; Advanced Methodology & Evidence Analysis; Writing & Publishing for Genealogists; Genealogy as a Profession; Virginia: Her Records & Her Laws; Land Records: Using Maps; Military Records Research II: Colonial Wars, French & Indian War, and Revolutionary War & War of 1812. Registration will begin in January of 2011. Contact the institute by e-mail at [ighr@samford.edu](mailto:ighr@samford.edu)

## Now Accepting Ads in *Valley Leaves*

As announced in the March 2003 issue of *Valley Leaves*, the Tennessee Valley Genealogical Society is now accepting advertising from individuals and societies. The subject matter must pertain to genealogy or legitimate historical material. TVGS retains the right to refuse an ad from any individual or organization.

TVGS has published *Valley Leaves* for over 35 years. During that time, our reputation has built and our membership grown. We presently exchange with over 100 societies or libraries and have over one hundred paid members.

If you have just published a family history, advertising in *Valley Leaves* will make potential buyers aware of the existence of your product and promote sales due to our wide readership.

Since we are a non-profit organization, we are deliberately keeping our rates low: The rates quoted are for one-time ads:

|                         |         | <u>Art Area</u> |
|-------------------------|---------|-----------------|
| Full page               | \$50.00 | 6½ x 9 inches   |
| Half page               | \$25.00 | 6½ x 4½ inches  |
| Quarter page (vertical) | \$12.50 | 3¼ x 4½ inches  |

We are not set up for color so all will be in black and white. Neither are we set up to print photographs at these prices. All ads will be at the back of each issue.

### Advertising Copy Must Be Received By:

| <u>Issue</u> | <u>Deadline</u>          |
|--------------|--------------------------|
| September    | August 1 <sup>st</sup>   |
| December     | November 1 <sup>st</sup> |
| March        | February 1 <sup>st</sup> |
| June         | May 1 <sup>st</sup>      |

### Book Reviews

Book reviews are still free upon receipt of a book. Once the book is reviewed we donate it to the Huntsville Public Library. One might do well, however, to follow up the review with an ad in the following issue.

# Valley Leaves

## Index

### Volume 45, Number 2

#### A

Adair, William J., 54  
Aikman, Thomas, 60

#### B

Barclay, A.R., 58, 59, 60, 61, 62, 63  
Barclay, Archibald R., 57, 62, 63  
Barnard, David Moore, 55  
Barnard, Harriet Moore, 54, 55  
Barnard, Harriet, 52, 53  
Barnard, John D., 51, 52, 55  
Barnard, John, 54  
Barnard, Kate, 55  
Barnard, Martha P., 55  
Barton, Gilbreath, 59, 61  
Bashart, L.D., 62, 63  
Bass, Thomas, 42  
Bean, Edmund, 37  
Bean, Melvina Muscodara, 37, 38  
Beavert, Larken, 67  
Beirne, George P., 50, 51, 52  
Berry, Davis, 40  
Berry, John D., 39, 40  
Berry, Mary A., 40  
Berry, William C., 39, 40  
Blackburn, Martha, 68  
Blelagian, R., 62  
Blelagian, Richard, 61  
Boney, Roy, Jr., 57  
Bostick, Martha, 38  
Bower, Luna, 44  
Bradley, James, 50, 51  
Brandon, Thomas, 53  
Brandon, William, 53  
Bridges, Edmond, 63  
Brooks, Penelope, 53  
Bupell, Robert, 41

#### C

Cabaniss, Charles, 54  
Cagle, Mary Jane, 38  
Cagle, William, 38  
Caldwell, Joshua W., 55, 56  
Caldwell, Kate B., 55, 56  
Canada, Archibard, 54

Carlson, L.C., 39, 40, 43  
Carlton, John, 42  
Check, Richard, 63  
Chuck, Richard, 57  
Clampett, Elisha, 57, 59, 61, 63  
Clark, John F., 42  
Clements, Betty (Tray), 38  
Clopton, William H., 50, 51  
Cole, John W., 60, 61  
Coleman, Richard, 67  
Cox, Edward, 57, 58, 61, 63  
Cox, John, 57, 58, 61, 63

#### D

Dodson, William, 40  
Douglass, Edward E., 41

#### E

Echols, William, 53  
Erskine, Alex, 54  
Erwin, Reuben M., 40  
Evans, J.H., 44  
Ewing, Alexander, 53  
Ewing, Stephen S., 50, 51, 52

#### F

Fackler, John J., 53  
Fearn, George, 53  
Fearn, Thomas, 54  
Fields, Rich, 68  
Fletcher, John C., 43, 44  
Fletcher, John P., 43, 44  
Fletcher, Lydia H., 43, 44  
Fletcher, Martha L., 43, 44  
Fletcher, Mastin D., 44  
Fletcher, Sara E., 43, 44  
Fletcher, Wesley J., 43, 44  
Fletcher, Zara M., 43, 44

#### G

Galekin, Richard, 68  
Garner, John R., 41  
Garner, John, 42  
Garner, Laura, 41  
Garner, William, 42

Gilbreath, Alexander, 59, 61, 63  
Gilbreath, John, 57, 62, 63  
Gill, Agnes E., 42, 43  
Gill, Lydia C., 43  
Gill, R.C.T., 43  
Grayson, John C., 48  
Gunter, Catherine, 65, 66, 67  
Gunter, Edmond, 65, 66, 67  
Gunter, Edmond/Ned, 57  
Gunter, Edward, 57, 58, 59, 60, 61, 62, 63  
Gunter, Elizabeth, 65, 66, 67  
Gunter, George, 65  
Gunter, John, 62, 63, 64, 66, 67  
Gunter, Martha, 66  
Gunter, Nancy, 65  
Gunter, Samuel, 60, 65, 67

#### H

Hall, Samuel, 37, 38  
Hammond, F.L., 52  
Harper, Andrew, 39  
Harper, Benjamin, 39  
Harper, Elizabeth, 39  
Harrison, Robert C., 52  
Hawk, Simeon, 40  
Haywood, Harriet, 45  
Haywood, Judge John, 46  
Henry, Hugh, 57, 58, 61, 63, 67, 68  
Henry, Martha, 65, 66, 67, 68  
Hodges, Robert J., 44  
Hodges, Sir Thomas, 62  
Hodges, Thomas, 63

#### I

Isbell, John, 40

#### J

Jackson, Andrew, 57  
James, L.B., 41  
Jolley, Benjamin, 53  
Jones, Charles, 41  
Jones, Lewellen, 54  
Jones, Moses, 65, 67



**K**

Kenamer, S.E., 41  
 Killisan, James H., 68  
 Kirkland, Richard, 57, 63  
 Kirkpatrick, Mary Ann, 42

**L**

Larkin, H., 38  
 LeVert, F.J., 52  
 Levert, Francis J., 52, 53  
 Lindsey, M.W., 65  
 Lowe, B.M., 50  
 Lowery, George, 67

**M**

Manning, Robert J., 53, 54  
 Maples, Moses, 44  
 Marshall, John, 57  
 Mastin, William J., 50, 51  
 McClung, J.W., 51  
 McClung, James, 51  
 McKee, William, 57, 63  
 McLendon, Jesse, 54  
 McLoy, Lucy, 66, 67  
 Michael, Coy, 57  
 Moore, Albert, 51  
 Moore, Catherine, 51, 52  
 Moore, David L., 51, 52, 53  
 Moore, David, 45, 46, 53, 54, 55  
 Moore, Dr. David, 47, 48, 50, 51, 52  
 Moore, Harriet Ann, 51  
 Moore, Harriet Haywood, 45, 46  
 Moore, Harriet, 54, 55  
 Moore, John D., 51, 52  
 Moore, Kate, 52, 53  
 Moore, Martha L., 48, 49, 50  
 Moore, Martha, 45, 51, 54  
 Moore, Rev. John, 47  
 Moore, Robert F., 49  
 Moore, Samuel, 51, 52, 53  
 Morgan, Samuel D., 54  
 Mulky, Nancy, 37

**N**

Neal, Stephen, 53  
 Newman, Stephen, 64, 65

**O**

Osborne, Sarah, 37  
 Otey, John W., 51

**P**

Parkhill, David, 57, 63  
 Patton, Charles H., 51, 52  
 Patton, Charles, 54  
 Patton, Martha L., 52, 53  
 Phillips, John, 42  
 Pleasants, J.J., 51  
 Pleasants, James J., 51  
 Pope, LeRoy, 54  
 Potter, William, 67  
 Pulley, Ed L., 56

**R**

Read, Bailey, 57  
 Read, John, 53  
 Redman, John, 42  
 Reed, George T., 60, 61  
 Reeves, Jacquelyn Procter, 37, 39, 45  
 Renshaw, Belinda, 42, 43  
 Rhett, Harriet Moore, 55  
 Rhett, Harry M., 54, 55, 56  
 Rhett, R.B., 54, 55  
 Ricketts, David, 57, 60, 61, 63  
 Ridges, Edmond, 57  
 Robinson, William, 53, 54  
 Roden, Benjamin, 57, 60, 61, 63  
 Roden, Jeremiah, 57, 63  
 Rogers, Will, 57  
 Rose, Howard, 57  
 Rose, Howel, 60, 63, 64  
 Ross, John, 67

**S**

Shaver, Addie Stovall, 37  
 Shepard, Elizabeth Smith, 37  
 Shepard, John "Jack", 37  
 Shepard, Mary "Polly", 37  
 Shepard, Uriah, 37  
 Shook, William M., 39, 40  
 Sims, Matthew, 40  
 Sledge, O.D., 53  
 Smith, Booker, 57, 58, 59, 60, 61, 62, 63, 64  
 Smith, Catherine, 37  
 Smith, Elder John, 37  
 Smith, Mary, 37  
 Smith, William, 62, 63, 64  
 St. Clair, Caleb, 42  
 Steele, George, 53  
 Stovall, Jennie, 37

Swaim, Elizabeth, 38  
 Swaim, Michael, 38  
 Swan, M.L., 43, 44

**T**

Taylor, Rev. J. M., 47  
 Thompson, James, 65  
 Trowbridge, Mrs., 38  
 Turner, William, 67  
 Tyler, Samuel, 60

**V**

Van Cannon, Jane, 38

**W**

Walker, Isaiah, 63, 64  
 Walker, Robert, 59, 61, 62, 64  
 Watkins, William, 53  
 Watts, Clarence L., 55  
 Webber, Samuel, 57, 63  
 White, Thomas W., 50, 53  
 Whitford, Elizabeth, 37  
 Wilson, Robert P., 53  
 Wright, David, 38  
 Wright, Elizabeth, 38  
 Wright, Isham, 37  
 Wright, James Bradford, 37  
 Wright, Jane, 38  
 Wright, John, 28  
 Wright, Lucinda, 38  
 Wright, Martha (Mattie), 38  
 Wright, Mary, 38  
 Wright, Sarah "Sally", 37  
 Wright, Sarah, 38  
 Wright, Sary, 38  
 Wright, Silas, 37, 38  
 Wright, William M., 37  
 Wright, William, 37, 38  
 Write, Clerinda, 38  
 Write, David, 38  
 Write, Edmond, 38  
 Write, George, 38  
 Write, James, 38  
 Write, Melvina, 38  
 Write, Sary, 38  
 Write, William, 38

**Y**

Yeatman, Mrs. A., 53

# Valley Leaves Policies

## Contributions

**Editorial Policy:** The Tennessee Valley Genealogical Society, "Valley Leaves" is an educational publication committed to the compiling and printing of genealogical and historical articles and materials for the Counties of **Jackson, Marshall, and Madison** in the State of Alabama – including County and Municipal Records, Bible records, diaries, military records, newspaper items, personal letters, tombstone inscriptions, family histories, church and school records, research methodology and technology. The Society solicits primarily from among its membership unpublished source data but will accept previously published material if it is derived from rare, little-known, hard-to-find or out of print publications not readily available to researchers, provided that proper acknowledgement is given. An effort will be made to balance material among the three counties to broaden researcher interest. Materials prior to mid-20<sup>th</sup> Century are preferred. Family histories should be sufficiently comprehensive to interest researchers in methods of research, and possible connection to ancestors. In compiling submissions, all source references should be cited, including locations where known. The 15<sup>th</sup> Edition of the *Chicago Manual of Style* should be used. While attempts are made to check submission for accuracy and originality, The Society, Editorial Board, and the TVGS *Valley Leaves* Editor shall not be held responsible for any such errors by contributors. Correction of proven errors will appear in subsequent issues of the publication.

**Copyright Policy:** All material appearing in *Valley Leaves* will be copyrighted in the name of the Society. This copyright is used for the protection of original material published herein, and is not intended to interfere with copyright held on, or inherent in, materials quoted or cited

by submitters. Contributors who wish to may retain their publication rights by including the notation, "first serial publication rights only" in their submission. All records in public domain, such as headstone inscriptions, tax records, or deeds, just to name a few, cannot be copyrighted. However, abstracts or transcriptions of such material may be protected in the form in which they are submitted, and thus will be covered by the general copyright in the name of the Society once published in *Valley Leaves*. Contributors should not infringe on the copyright of others. The Society, Editorial Board, and Editor shall not be responsible for any such infringements by contributors. Photocopies made from this magazine are considered copyrighted; however, with proper acknowledgement copyright violations can usually be prevented. The using of material from any issue of the *Valley Leaves* for another publication must have written approval from either the Editorial Board, or the contributor who retained their publication rights, as described above.

**Submission Guidelines:** All submissions should be sent via email in MS Word, JPEG or other PDFs can only be used for photos and scanned materials. Although all submissions must focus on areas of genealogical interest, as mentioned above, other articles may be considered. Tombstone inscriptions should give location, direction, whether copied entirely or partially. DO NOT put in alphabetical order. Bible records should include a photocopy of entries, title pages and date of publication, and interpretation of each name. Any submission previously published must include a signed release or email authorization from the original author, surviving heir, or publication editor. Send submissions to: [jacqueprocter@aol.com](mailto:jacqueprocter@aol.com).

**Tennessee Valley Genealogical Society**  
**Post Office Box 1568**  
**Huntsville, AL 35807-0568**

**NON-PROFIT ORGANIZATION**  
**U. S. POSTAGE**  
**PAID**  
**PERMIT NO. 708**  
**HUNTSVILLE, AL**