

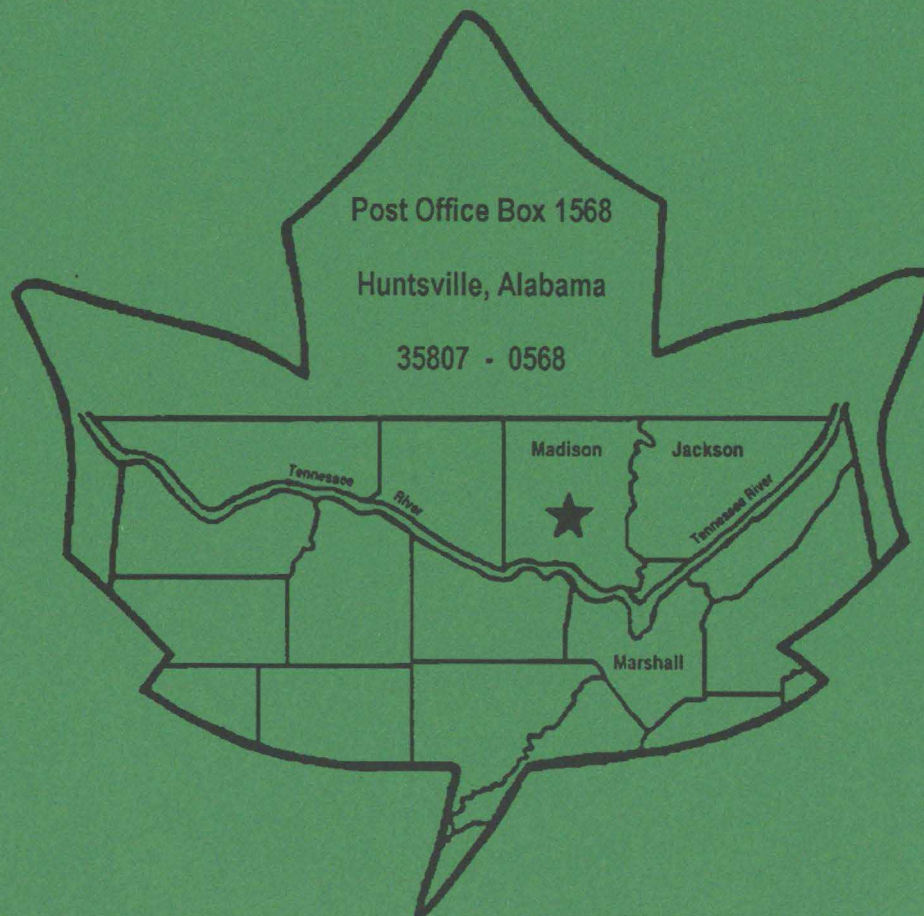
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(North Alabama)

# Valley Leaves

TENNESSEE VALLEY GENEALOGICAL SOCIETY, INC.

QUARTERLY



Volume 46, Issue No. 2,

December 2011

# Valley Leaves

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Volume 46, Issue No.2      December 2011

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**Speaker: Linda Coats, attorney  
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**Thursday, January 26, 7:00 p.m.  
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# Jackson County

## Pension Application on Service of Jones Bishop

Copied, Abstracted, and Contributed by Jacquelyn Procter Reeves

The following records were compiled by the late Addie Stovall Shaver. They are all stamped with the words "Reproduced at National Archives" and some bear the stamp of the U.S. Pension Office and the Old War & Navy Files. These documents represent the difficulty in trying to prove marriage by witnesses, long after the fact, as Louisa Bishop tried to apply for a widow's pension on the service of her deceased husband, Jones Bishop, some 60 years after his service. Mrs. Bishop did not wait long after the 1892 act was passed, allowing widows to receive a pension. Note also that his bounty warrant was awarded to Jones Bishop nearly 20 years after his service.

Readers will also take note that some of the records were from Texas, indicating that Jones and Louisa Bishop moved there at some point and both later died there. These records are located in the filing cabinets in the Heritage Room, 3<sup>rd</sup> floor of Huntsville/Madison County Library, dedicated to the records of Addie Shaver.

(application for widow's pension)

### **Indian Wars from 1832 to 1842**

Act of July 27, 1892

Widow's Pension #5673

Claimant – Louisa J. Bishop on soldier,  
Jones Bishop  
Rank: Private

Company: Capt. McDavid's Co.

Regiment: Ala. Mtd. Vols. Florida War

Submitted for approval: Sept. 15, 1894

Re-submitted: Oct. 22, 1894

Approved: Oct. 25, 1894 by H. W. Hall

Enlisted: Oct. 26, 1837

Honorably discharged: April 10, 1838

In service: 167 days

Bounty land warrant No. 46,806 for 80

acres, issued May 29, 1857

Claimant's marriage to soldier: March  
18, 1847

Death of soldier: Nov. 5, 1882

Declaration filed: July 6, 1894

Claimant not remarried

**Editor's Note:** the following information was written by Jones Bishop and submitted by Louisa J. Bishop as a sample of his handwriting – for whatever reason. *The misspelled words and incorrect wording are retained, as written, for the interest of the reader:*

I herewith enclose you a specimen of Jones Bishop's handwriting in 1875. Signed by Louisa Bishop.

Winchester, January 1875

At a regular metteting of the trustees of Winchester Academy H. Thomas in the chair a motion by Jas. Young that no teacher should teach school in the academy but regular graduate at colledge motion seconded an a dopted it motion to a dopt last metting a dopted it motion to a journ until 15 January 75. At Metting of the trustees in Winchester on the of 6 of Feburary 1875 – H. Thomas in the chair the trustees a greed to let Mr.

? have the use of the academy free to teach school in until the free school commenced. Trustees H. Thomas a motion to a journ. Signed by Jas. Young and Jones Bishop.

**State of Alabama  
County of Jackson**

In the matter of Pension Claim #5673 of Louisa Bishop, widow of Jones Bishop, soldier of the Mexican War.

Personally appeared before me, a Justice of the Peace, in and for said county, duly authorized to administer on this Frances F. Collins age 69 years, whose post office is Milan in the County of Jackson, State of Alabama, who being by me duly sworn declares and says in relation to aforesaid claim as follows:

Affiant was present at the marriage of Jones Bishop to Louiza J. Fraisure and that said marriage occurred in aforesaid County and State near Milan, Ala. and sometime in early part of year but affiant can't remember the month nor exact date of the month.

Why affiant thinks it was then, said marriage followed a few months after affiant's own marriage which was in latter part of 1846. Affiant and her husband, A. W. Collins and Sarah F. Martin now Sarah F. McCullough, Amanda M. McCullough, George S. Counts, and others, this is why affiant can and does remember of her personal knowledge of the facts

This statement was all written out by John R. Austell in her presence and only from her oral statements then made; and was written on 21<sup>st</sup> day of Sept. 1894 at Milan and in making the same she did not use and was not aided or prompted by any written or printed statement or recital prepared or dictated by anyone.

Affiant further states that she has no interest in said case nor is not concerned in its prosecution.

Signed by Frances F. Collins.

**State of Alabama  
County of Jackson**

Sworn to and subscribed before me on this day and I certify that I read and made known the contents of the affidavit before affiant signed the same and I certify that affiant is respectable person and (crease in paper) that I have nor interest direct or indirect in said claim - this Sept. 29, 1894.

Signed by John R. Austill, J.P.

**State of Alabama  
County of Jackson**

In the matter of Pension Claim #(left blank) of Louisa Bishop, widow of Jones Bishop, a soldier of the Mexican War.

Personally appeared before me, a Justice of the Peace, in and for said County, duly authorized to administer on this Sarah H. McCullough whose age is 61 years, post office address is Milan in the County of Jackson, State of Alabama, who being duly sworn declares and says as follows, to wit:

Affiant states that she was present at the wedding of Jones Bishop to Claimant and that said wedding occurred on or about March 1847, but exact date affiant cannot remember.

One fact affiant remembers is that Oma Bishop, who was a waiter on the bride and sister of bridegroom, had to go home and Miss Amanda McCullough, now Amanda Trice, [took] the place of Oma Bishop and I further remember that my mother went and superintended the cooking of wedding dinner.

I further remember that A. W. Collins, who was then an aged man and married, took a leading part in the play, he being a Deacon in the Primitive Baptist Church. Affiant further states that she made the statement to John R. Austell who reduced the same to writing and in making the statement she was not aided or abetted by any written or printed matter or by any verbal statement from any person or persons but makes the same from her own recollection of the facts and circumstances. Affiant further states that she is not interested in said case nor is not concerned in its prosecution.

Signed by Sarah H. McCullough.

Sworn to and subscribed before me on this day and I certify I read and made known the contents of the affidavit before affiant signed same and I certify is respectable and entitled to credit and that I have no interest direct or indirect in the matter nor am not concerned in its prosecution.

Signed by John R. Austell, J.P.

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

In the matter of Pension Claim # (left blank) of Louiza Bishop, widow of Jones Bishop a Mexican Soldier.

Personally appeared before me, a Justice of the Peace, in and for said County, Amanda M. Trice whose age 67 years, post office address Larkin in the County of Jackson, State of Alabama, who being duly sworn declares and states as follows to wit:

Affiant was present and saw the claimant and Jones Bishop married and said marriage occurred near Milan in the County of Jackson and State of Alabama and Furman Fowler officiated at said

marriage and it occurred in early part of 1847 – but the date I don't remember. Why I do remember about the marriage so well is that Oma Bishop, sister to bridegroom was a waiter and had to go home to fix the table at home for the reception the day following – and affiant took the place of said waiter.

I can also call to mind George Counts and Sarah McCullough, nee Martin being present at said marriage.

Affiant made this statement verbally to John R. Austell who reduced it to writing and she further states that she was not aided or prompted by any writing or printed matter or by any verbal statement but from the facts as affiant remembers them.

Signed by Amanda M. Trice.

Sworn to this Sept. 21<sup>st</sup>, 1894, signed by John R. Austill, J.P.

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

I, W. B. Bridges, Judge of Probate, in and for said county and state, do certify that John R. Austell, Esqr., who has signed his name to the foregoing declarations and affidavits was at the time of so doing an acting Justice of the Peace in and for said County and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this 24<sup>th</sup> day of Sept. 1894.

Signed by Wm. B. Bridges, Judge of Probate.

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

In the matter of pension claim of Louiza J. Bishop, claimant, widow of

Jones Bishop, soldier of McDavid's Co., Regt. of and commanded by Co. C., Ben Snodgrass, Indian War, North Ala. Volunteers.

Personally appeared before me, a notary public, in and for said county, George S. Counts, age 65 years, post office Milan, Ala., who being duly sworn, declares as follows, to wit:

Affiant was present at marriage of Jones Bishop to Louisa J. Frasier, which marriage occurred on or about 18<sup>th</sup> day of March 1847, why affiant remembers the day and year so *well*, it was within a few days of affiant's 18<sup>th</sup> birthday, and I also remember it from the fact of Esqr. Collins, a member of Primitive Baptist Church, and participated in the plays that night. Said marriage was solemnized by Firman Fowler, a Justice of Peace. Affiant further states that in making this statement, affiant was not aided nor prompted by any person or persons nor from any printed or written matter.

Affiant further states that he is not interested in said case nor am not concerned in its prosecution

Signed by George S. Counts, John Bishop and Sallie A. Bishop.

Sworn to and subscribed before me this day by the above named affiant and I certify that I read said affidavit to said affiant before he executed the same and acquainted him with its contents, including the word "*well*" added.

**State of Alabama  
County of Jackson**

In the matter of pension claim of Louiza J. Bishop, widow of Jones Bishop soldier of Indian War, North Alabama Volunteers, Capt. McDavid's Co. Regiment commanded by Col. Ben Snodgrass.

Personally appeared before me, a notary public, in and for said county, William Allen, 66 years of age, post office, Milan, in the county of Jackson, State of Ala. Who being duly sworn declares and state as follows, that he was present at the marriage of Jones Bishop and Louiza J. Fraisure, and that Firman Fowler, a Justice of the Peace officiated at said marriage, and that said marriage occurred on or about 18<sup>th</sup> day of March 1847.

Affiant cannot state positively as to that being the exact date, but affiant knows that it was in early corn planting time, and affiant remembers that old Esqr. A. W. Collins being present, a Primitive Baptist, and joined in the play and sung play songs.

Affiant further states that he made the above statement to S. G. Grimmett who reduced it to writing and that he was not aided or prompted by any person or persons, nor any printed or written matter of any kind, but makes it from his personal knowledge and affiant further states he has no interest in said cause nor is not concerned in its prosecution.

Signed by William Allen, Martha Gifford, and John Bishop.

**The State of Texas  
County of Fayette**

Before me, the undersigned authority, this day personally approved Mary A. Young, known to me who after being by me duly sworn upon oath, says that she is personally acquainted with Louisa J. Bishop, wife of Jones Bishop, deceased, that she is the sister of the said Lou J. Bishop and that she knows from her personal knowledge that neighbor of the said parties, Lou J. Bishop or Jones Bishop, were ever married previous to their marriage. She says that she first



met Jones Bishop in the year 1845, that he lived neighbors to my mother and that he married my sister, Lou J. Bishop. She says that she is 61 years of age (Mary A. Young) and further states that she was personally acquainted with Jones Bishop's mother, sisters, and brothers and that the said Jones Bishop was born and raised in the neighborhood that he and my sister Lou J. Bishop were married. They were married in Alabama, Jackson County, in A.D., 1847.

And at the same time personally appeared Lousinda Day, known to me who after being by me duly sworn upon oath, says that she is the mother of Louisa J. Bishop, wife of Jones Bishop, deceased, that she knows from her personal knowledge that Louisa J. Bishop and Jones Bishop were never married previous to their marriage.

I first got acquainted with Jones Bishop about the year 1845 in Jackson County, Alabama where he was born and raised. He was living neighbor to me when he married my daughter Louisa J. Bishop in the year 1847.

I hereby certify that the above testimony was all written in his presence and he only from this oral statement was made Oct. 13, 1894 at Winchester, Texas to A. Ramsay, and that in making the ? they did not ? and was not aided or practiced by any written or present statement or recital prepared as dictated by any other person.

Witness our hands this 13<sup>th</sup> day of Oct, 1894 Signed by Mary Young, Lousinda Day.

**General Affidavit**  
**State of Texas**  
**County of Lee**  
**Pension Claim of Louisa J. Bishop**

In the matter of Pension claim of Louisa J. Bishop, Indian War. On this 30th day of June A.D., 1894, personally appeared before me, a county clerk in and for the aforesaid County, duly authorized to administer oath to J. W. Barry, aged 50 years, whose post office address is Gradings, Texas who, being duly sworn, declared in relation to said case as follows: affiant J. W. Barry who states he was present at the death and burial of Jones Bishop and that he died November 5, 1882 at or near Winchester, Texas.

Affiant further states that Louisa J. Bishop, widow of said Jones Bishop, has not remarried since the death of her husband. Affiant further states that he makes the above statement to A. B. Greene verbally, who reduced the same to writing, and that he was not aided or prompted by any person or persons or by any writing or printed matter, but from the personal knowledge of himself.

The affiant further declares that he has no interest in said case and he is not concerned in its prosecution.

Signed by J. W. Barry.

Sworn to and subscribed before me this 18<sup>th</sup> day of October A.D. 1894, A. Ramsey a Justice of the Peace and ex-officio Notary Public Fayette County, Texas.

**General Affidavit**  
**State of Texas**  
**County of Lee**  
**Pension Claim of Louisa J. Bishop**

In the matter of Pension Claim of Louisa J. Bishop, Indian War. On this 30<sup>th</sup> day of June A.D., 1894, personally appeared before me, a county clerk in and for the aforesaid county, duly authorized to administer oaths, T. P. Huff, aged 33 years, whose post office

address is Winchester, who, being duly sworn, declared in relation to said case as follows: affiant T. P. Huff, who states he was present at death and burial of Jones Bishop, and that he died Nov. 5, 1882 at Winchester, Texas. Affiant further states that Louisa J. Bishop, widow of said Jones Bishop has not remarried since the death of her husband. Affiant further states that he makes the above statement to A. B. Green verbally who ordered the same to writing and that he was not aided or prompted by any person or persons or by any written or printed matter, but from his own personal knowledge.

Affiant further declares that he has no interest in said case, and he is not concerned in its prosecution.

Signed by T. P. Huff

### Deposition

#### Case of Louisa J. Bishop, No. 3683

On this 4<sup>th</sup> day of April 1912, at Giddings, County of Lee, State of Texas, before me, James E. Madden, a special examiner of the Bureau of Pensions, personally appeared Sarah A. Cherry, who being by me first duly sworn to answer truly all interrogatories, propounded to her during this special examination of aforesaid claim for pension, deposes and says:

My correct name is Sarah A. Cherry and my post office address is Giddings, Lee County, Texas. I knew the late Louisa J. Bishop for about 20 years. I knew that the late Louisa J. Bishop

whose post office address was Giddings, Lee County, Texas, drew a pension from the United States Government. I knew that the said Louisa J. Bishop died December 12, 1910, here at Giddings, Lee County, Texas. She was buried at Winchester, Texas.

I have heard and read the foregoing. I understand it and am correctly recorded here.

Signed by Sarah A. Cherry, deponent.

Subscribed and sworn to before me this 4<sup>th</sup> day of April 1912, and I certify that the contents were fully made known to deponent before signing.

James E. Madden, Special Examiner.

\*\*\*

No. 3683  
 Indian Wars  
 Act of July 27, 1892  
 WIDOW  
 Louisa J. Bishop  
 Widow of  
 Jones Bishop  
 Rank: Pvt.  
 Company Capt. McDavid's  
 Regiment Ala. Mtd. Vols.  
 Agency: Knoxville  
 Rate per month: \$8.00  
 Commencing July 27, 1892  
 Certificate issued: Oct. 31, 1894  
 Mailed: Nov. 7 1894  
 Giddings, Texas, Lee County  
 Dropped: Aug. 29, 1911  
 DEAD

~end~

## Jackson County

### Probate Court Records for 1899

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 1899.

**T. J. Hargiss, Deceased**  
**Estate of**  
**Order setting day for**  
**Final Settlement**  
**August 22, 1899**  
**Page 377**

This day comes N. H. Snodgrass the administrator of the estate of T. J. Hargiss, deceased, and files his accounts vouchers and evidences of debt for a final settlement of said estate. It is ordered that the above cause be continued till the 1<sup>st</sup> day of September 1899 and that all matter pertaining thereto be over till that day.

**Thomas Frazier, Deceased**  
**Estate of**  
**Order setting day to**  
**Hear Petition**  
**August 23, 1899**  
**Page 377-378**

James P. Williams, as the administrator of the estate of Thomas Frazier, deceased, having this day filed his application in writing and under oath, alleging that at the time of his death, the said decedent owned the following described real estate situated in said state and county to wit: the SE  $\frac{1}{4}$  and the E  $\frac{1}{2}$  of SW  $\frac{1}{4}$  Sec. 17 and NW  $\frac{1}{4}$  of Sec. 20 except a small strip on the west side

thereof so as to include one half of the Frazier Spring.

And the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  and the N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  Sec. 20 and two acres off of the east end of the S  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Sec. 18. Also 25 acres in the NW corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Sec. 31 and the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  and the E  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  except 30 acres off of the east side thereof of Sec. 29. All in township three range 4 east. Also one house and lot in Sec. 13 township 4, range 3 east. The last containing one half acre more or less and further described as a part of the SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Sec. 13 and beginning at SE corner of said subdivision and running north 105 feet thence west 210 feet thence south 105 feet thence east 210 feet to beginning.

That the said land cannot be equitably divided among the heirs at law of said estate. The names and residences of the heirs of said estate are: Mary L. Carden, wife of Bulley Carden; Willie A. Austin, wife of George Austin; Martha C. Frazier, wife of J. G. Frazier; Cora C. Brewer wife of J. M. Brewer; and Nancy E. Cochran, wife of Richard Cochran, all of whom are alleged to be of full age and reside at Trenton, Jackson County, Alabama. Also Gemima E. Cobb of full age, and resides at Tullahoma in the state of Tennessee, and Nellie K. Frazier and

Thomas F. Jones, John M. and James P. Jones, all of whom are minors over 14 years of age and reside at Trenton, Jackson County, Alabama, and James T. Dameron, who is a minor over 14 years of age, and W. H. Israel and Henry E. Dameron, who are minors under 14 years of age, and all of whom reside at Varendail Cross County, Arkansas.

That all of said heirs are of sound mind and Martha C. Frazier one of said adult heirs, requests the petitioner to sell said land as administrator aforesaid for division among said heir, and said petitioner prays for an order and proceeding to see the said land for the purposes aforesaid. It is therefore ordered by the Court that the 3<sup>rd</sup> day of Oct. 1899 be appointed a day to hear said application and the ? submitted in support of the same, which said day fixed for hearing is more than 40 days from this day.

It is further ordered that John B. Tally, who is a proper person, and who is not of counsel or kin to petitioner, be and he is hereby appointed as guardian ad litem to represent the said minors and to protect their interest in the hearing of said application.

It is further ordered that citation issue to all of said heirs who are shown to be of full age and residing in the state, notifying them of the said petition and of the day appointed for hearing the same, which must be served on them 10 days before the day appointed for the hearing thereof.

It is further ordered that the nature of said petition and of the time set for hearing the same be given by publication once a week for three successive weeks in the *Scottsboro Citizen*, a newspaper published in such county and that a copy of said paper containing said notice be

sent to the said Gemima E. Cobb by mail to Tullahoma, Tenn.

**W. R. Larkin, Deceased**  
**Estate of**  
**Order to record report**  
**of Appraisers**  
**August 26, 1899**  
**Page 378**

This day comes W. Rutledge Larkin, the administrator in the court of the estate of W. R. Larkin, deceased, and filed his inventory of the personalty of said estate. At the same time, comes the appraisers, J. P. Barclay, W. D. Selby, and Wiley Cotton, who were heretofore appointed and commissioned to appraise said estate and to set apart to the widow the personal exemptions allowed to her and file their report in writing and under oath showing how they have executed said demands of said commission.

It appearing to the court that said reports are all regular and in conformity to the former order of this court and strictly in compliance with the law in such cases. It is ordered that said reports be filed and recorded.

Do you need help finding your long lost ancestors? Contact Coy Michael at [michael63@juno.com](mailto:michael63@juno.com) for help.

January 26, 2012 – our next meeting will feature Linda Coats, a local attorney who has worked extensively with Orphans Courts, then and now. The meeting starts at 7 p.m. in the 1<sup>st</sup> floor of the Huntsville/Madison County Library.

# Madison County

## Estate Files of Martha Patton and Thomas Percy

Copied, Abstracted, and Contributed by Jacquelyn Procter Reeves

It is always interesting to go through the estate packets of some of Huntsville/Madison County's earliest residents, for much can be revealed about their personal lives and information that seldom makes its way into the history books. These names should be familiar to most people from this area. This information is housed in the records room of the third floor of the Huntsville/Madison County Public Library and they are available for anyone who wishes to go through them.

### Martha L. Patton

Martha Harrison was the second wife of early pioneer David Moore. (See *Valley Leaves* Volume 45, Issue No. 2, December 2010.) She married David Moore in 1834, after the death of his first wife, Harriet Haywood Moore, who died in 1831 at age 41.

Martha was the daughter of Benjamin Harrison of Brunswick County, Virginia and a cousin to President Harrison. She and Dr. Moore had six children. Dr. Moore died in September, 1845, and she then married Dr. Charles A. Patton. Martha died November 6, 1881, one day after her 70<sup>th</sup> birthday. Dr. Patton had apparently pre-deceased her. Only three of Martha's children were still surviving at her death.

A look at the 1880 census indicates that Martha was born about 1813 and in 1880, she was listed as the widowed head of household. Among the people listed on the census as living in her household were her son, 37-year-old Samuel H. Moore, a mulatto servant, 38-year-old Zena Pruitt who was born about 1842, and 12-year-old Addie Pruitt, also listed as mulatto and assumed to be the

daughter of Zena. Addie was listed as a student.

As most people know, Samuel Moore was part owner of the famous Jersey cow named Lily Flagg.

Zena Pruitt was known as the cook who prepared many dishes made from butter, cream, and milk of Lily Flagg to celebrate her entry in the Chicago World's Fair for producing the most cream/milk.

### Last Will of Martha L. Patton

Dated July 27, 1878

Date of Death: November 6, 1881

Filed December 13, 1881

Estate Case File #2877 and 3655

In the name of God, Amen. I, Martha L. Patton, at present residing in Huntsville, Alabama, do make, publish, and declare this to be my last will and testament.

I give, devise, and bequeath all of my estate, real, personal, and mixed of whatever name or nature and wheresoever situated to my beloved son Samuel H. Moore and to his heirs forever.

I nominate, constitute, and appoint my said son, Samuel H. Moore the sole

executor of this my last will and testament, and it is my will that under no circumstances, and in no event shall he be required to give any security whatever as such Executor.

I hereby revoke all wills heretofore made by me.

In witness whereof, I have hereunto set my hand and seal at the City of Huntsville, this 27<sup>th</sup> day of July, A.D. 1878. Signed by Martha L. Patton.

Signed and sealed by the said Martha L. Patton, the testatrix above named in our presence, and at the same time declared by her to us to be her last will and testament and thereupon we at her request and in her presence and in the presence of each other have signed our names thereto as witnesses at Huntsville, this 27<sup>th</sup> day of July, A.D. 1878.

Witnessed by John L. Rison and H. B. Dillard.

**The State of Alabama**  
**Madison County**  
**Petition for Probate of Will**  
**November 13, 1881**  
**Vol. 36, Page 76**

To the Honorable William Richardson, Judge Probate of said Madison County: the petition of the undersigned, Samuel H. Moore, respectfully represents unto your Honor that Martha L. Patton, who was at the time of her death an inhabitant of this County, departed this life at Huntsville in said County, on or about the 7th day of November A.D. 1881, leaving assets in this State, and leaving a Last Will and Testament duly signed and published by her and attested by John L. Rison and H. B. Dillard.

That your petitioner, as he verily believes, is named in said Will as sole Executor and does now herewith surrender said Will to the Court, and

pray that after proper proceedings and proofs, it may be probated and admitted to record as the true Last Will and Testament of said deceased. Your petitioner further represents that the names, ages, residence and condition of the next of kin are as follows, to wit:

Samuel H. Moore who is over twenty-one years of age, of sound mind and resides in Madison County, Alabama.

Harriet M. Rhett, the wife of R. B. Rhett, both of whom are over twenty-one years of age, of sound mind and reside in Madison County, Alabama.

David L. Moore, non compos mentis, whose guardian is George M. Harrison, who is over twenty-one years of age, and resides in Madison County, Alabama. The said guardian also resides in said Madison County, Alabama.

Your petitioner would further represent that John L. Rison and H. B. Dillard, the said attesting witnesses reside in said Madison County, Alabama, and are over the age of twenty-one years and therefore further prays that a day be set for the hearing of this petition, and that due notice thereof be given, as required by law, to next of kin of said deceased, and that such other proceedings, orders and decrees may be had and made in the premises as may be requisite and proper to effect the due Probate and Record of said Will according to law.

Signed by Samuel H. Moore. Sworn to and subscribed before me, this 13<sup>th</sup> day of November A.D. 1881. Signed by William Richardson, Judge of Probate.

**Citation to:**  
**David L. Moore and**  
**George M. Harris[on]**  
**Guardian of David L. Moore, non**  
**compos mentis**

**Returnable 10<sup>th</sup> Day of January,  
188[2]**

The State of Alabama – Madison County. To any sheriff of the State of Alabama – Greeting:

You are hereby commanded to summon David L. Moore and George M. Harris[on], guardian of the said David L. Moore, who is non compos mentis, to be and appear before the Judge of the Probate Court of Madison County, at the Court House in the City of Huntsville, on the 10<sup>th</sup> day of January next, to show cause why the petition of Samuel H. Moore to admit to probate a certain instrument in writing purporting to be the last will and testament of Martha L. Patton, deceased, late a resident citizen of the County of Madison, State of Alabama, shall not be allowed or granted.

Herein fail not, and have you then and there this precept.

Witness, William Richardson, Judge of Probate of Madison County, at office in Huntsville, this 13<sup>th</sup> day of December, A.D. 1881, and in the 106<sup>th</sup> year of American Independence.

Issued the 13<sup>th</sup> day of December, 1881. Signed by William Richardson, Judge of Probate Court.

(Writing on back indicates that it was executed December 14 by leaving a copy of written citation with G. M. Harris, guardian, and David L. Moore, signed by Sheriff John W. Cooper.)

**Citation to:**

**R. B. Rhett and his wife, Harriet M. Rhett**

**Returnable 10<sup>th</sup> day of January,  
188[2]**

The State of Alabama – Madison County. To any sheriff of the State of Alabama – Greeting:

You are hereby commanded to summon R. B. Rhett and his wife, Harriet M. Rhett, to be and appear before the Judge of the Probate Court of Madison County, at the Court House in the City of Huntsville, on the 10<sup>th</sup> day of January next, to show cause why the petition of Samuel H. Moore to admit to probate a certain instrument in writing purporting to be the last will and testament of Martha L. Patton, deceased, late a resident citizen of the County of Madison, State of Alabama, shall not be allowed or granted.

Herein fail not, and have you then and there this precept.

Witness, William Richardson, Judge of Probate of Madison County, at office in Huntsville, this 13<sup>th</sup> day of December, A.D. 1881, and in the 106<sup>th</sup> year of American Independence.

Issued the 13<sup>th</sup> day of December 1881. Signed by William Richardson, Judge of Probate Court.

(Writing on back indicates that it was executed December 15 by leaving a copy of written citation with Mrs. Harriett M. Rhett and leaving a copy at the residence of R. B. Rhett, signed by John W. Cooper, Sheriff.)

**The State of Alabama  
Madison County  
Probate Court  
January 10, 1882**

Before me, William Richardson, Judge of the Probate Court of said County and State, this day personally appeared in open court John L. Rison and H. B. Dillard, who on their oaths say that they were personally present and witnessed the signing and sealing of the forgoing

instrument by Martha L. Patton, the testatrix on the day the same bears date, as and for her last will and testament, and she then and there published and declared it to be such. That of the time of the signing of the said will, she, the said Martha L. Patton, was of sound mind and disposing memory and understanding and that the subscribed [signed] their names thereto at the request of the said testatrix and in her presence, and that they signed the same in the presence of each other.

Sworn to and subscribed before me January 10, 1882, William Richardson, Judge of Probate. Signed also by John L. Rison and H. B. Dillard

**State of Alabama  
Madison County**

I, William Richardson, Judge of the Court of Probate in and for said County and State, do hereby certify that the ? last will and testament of Martha L. Patton, late a resident citizen of the County of Madison, State of Alabama, has duly and legally admitted to Probate by the Hon. Court of Probate for the County of Madison, State of Alabama on the 10<sup>th</sup> day of January 1882 and together with the ? has been recorded in Will Book No. 2, January 10, 1882. Signed by William Richardson, Judge of Probate.

**Editor's Note:** David Leslie Moore, listed as non compos mentis in these records, is buried at Maple Hill Cemetery. He died shortly after his 50<sup>th</sup> birthday. Incidentally, a CSA marker, No. 78, was once assigned to his grave.

Samuel Moore is known to be buried in the same plot, however there has never been a marker placed over his grave. Speculation is that anger at him

for acquiring his mother's estate was the reason his next-of-kin did not mark his grave.

Martha Patton is also buried in the Moore plot.

**Editor's Note:** The following information is a continuation of Estate Case File #493 in the name of Thomas G. Percy, held in the records room (3<sup>rd</sup> floor) of the Huntsville/Madison County Public Library. This is a follow-up of information published in the Volume 45, Issue No. 3, March 11 *Valley Leaves*.

**Obituary of Thomas George Percy  
Died September 30, 1841  
*The Democrat*  
Saturday, October 9, 1841**

DIED – At his residence, in this place on Thursday morning, the 30<sup>th</sup> ult. Col. Thomas G. Percy, on the 55<sup>th</sup> year of his age, after an illness of 11 days. The subject of this notice was born near Natchez, Miss. then Louisiana. The advantages of a polished education were afforded at the College of Princeton, New Jersey, where he graduated in the year 1807. Whilst at this institution, he contracted an intimate friendship with our lamented John W. Walker, which was continued with increased ardor to the death of the latter. About the year 1815, he first visited this country, and in the year following, having married the sister-in-law of his bosom friend, the daughter of Col. LeRoy Pope, came to reside amongst us. The empty bubble of popular applause, so ardently sought after by many, was never coveted by him, but, with a fondness for polite literature and devoting himself to the peaceful and honorable pursuits of agriculture, he cultivated those social qualities for which he at all times was so



distinguished. Endowed naturally with an amiable and benevolent disposition, his manners were bland and courteous; affable and polite to all; ardent and devoted to his friends; kind and humane to his domestics; most tender and affectionate to his family and connexions; discharging with conscientious solicitude all his relative duties, he was emphatically the exemplification of an intelligent, polite and accomplished "Southern gentleman."

Col. Percy had complained of slight indisposition for several days, and had forebodings of severe illness; but in the early part of the day of his attack, he was quite cheerful, and engaged in his usual avocations, when he was suddenly stricken down by Apoplexy. And although at times, afterwards, sufficiently conscious to recognize and speak to his family and friends, he never again recovered the full exercise of his faculties. He lived without reproach and died without an enemy, deeply regretted by all who knew him, leaving a distressed widow and six children to mourn their melancholy bereavement.

**Editor's Note:** At the time of his death, he was survived by his wife Maria, and sons: John W., Charles B., Robert H., LeRoy P., William A., and Ellis W. He also owned the following slaves: Spencer, age 38; Tim, age 43; Milly, age 36; Clara, age 58; Albert, age 16; and Luisa, age 11.

Maria Pope and Thomas George Percy were married July 16, 1816 in Madison County, Alabama.

Thomas Percy and his wife lived in the Joshua Cox home, known locally as the Spite House, after it was discovered that LeRoy Pope owned title to the property. His family also lived in a plantation

home known as Belfield, adjacent to Oakdale, the plantation of his good friend, John Williams Walker. Apparently, after the death of his friend, Percy intended to move back to Natchez, Mississippi, but died before he could continue on. Some records indicate his widow moved to Mississippi after the several years it took to settle his estate locally.

The Percy family contributed politicians, writers, and a descendant of Thomas Percy's sister, Sarah, was the woman who left her final home to ex-Confederate President Jefferson Davis. It is known by the name Beauvoir.

**Order to Appraise Property  
Thomas G. Percy Estate  
(not dated)  
In Estate Case #493**

Ordered that Benjamin S. Pope, John J. Fackler, William McDowell, William J. Mastin, and George P. Burus or a majority of these, appraise the perishable property belonging to the estate of Thomas G. Percy, late of said County, deceased, which shall be shown them by Maria Percy, Executrix of said decedent and make report thereof to the next Term of this Court thereafter as by law required.

Have you considered giving a one year membership to Tennessee Valley Genealogical Society someone for a Christmas present? Please send your check for \$25 to:

TVGS  
P.O. Box 1568  
Huntsville, AL 35807-0568

**Death Certificates**  
**Of White People Buried in Maple Hill Cemetery**  
**1908 – 1916**  
**(Last names beginning with “P” and “R”)**

Part 11 – continued from Volume 46, Issue 1

Copied, Abstracted, and Contributed by Dorothy Scott Johnson

**Perry, Frederick Eli**

Died: 8 Feb 1913 at 5:00 p.m.  
Born: Alabama  
Place died: Meridian St.,  
Huntsville  
Had lived there 8 [18?] months  
before death  
Cause of death: Obstruction of  
bowels  
Age: 5 yrs.  
Father: M. F. Perry, b. Tenn.  
Mother: Betty Perry, b. Tenn.  
Reporter: H. H. Thomas, M. D.

**Pettis, Richard**

Died: 30 March 1914 at 4:00  
a.m.  
Born: (unknown)  
Place died: 4<sup>th</sup> ward Huntsville  
Occupation: Mill Hand  
Cause of death: Edema of larynx  
Remarks: Nothing known of  
deceased  
Reporter: M. R. Moorman, M. D.

**Phillips, David T.**

Died: 15 April 1914  
Place died: Ward 2 Washington  
St., Huntsville  
Occupation: Liveryman  
Had lived at place of death about  
10 years  
Duration of illness: 5 yrs.  
Cause of death: Pulmonary  
tuberculosis  
Age: 57 years  
Marital Status: Married

Father: James A. Phillips, b. Ala.  
Mother: Laura Phillips, b. Ala.  
Reporter: T. E. Dryer, M. D.

**Pierce infant**

Died: 8 Jan 1911 at 3:00 a.m.  
Place died: 700 E. Holmes,  
Huntsville  
Cause: Premature birth  
Father: J. E. Pierce, b. Ga.  
Mother: Nannie H. Pierce, b. Mo.  
Reporter: J. E. Pierce

**Pierce, Jacob Emory Jr.**

Died: 12 May 1910  
Born: Alabama  
Place died: West Ellis Hospital,  
Chattanooga, Tennessee  
Was there 3 days before death  
Where disease contracted:  
Huntsville, Al  
Cause of death: Emphysema  
Age: 3 yr., 1 mo. 17 days  
Father: Jacob Emory Pierce, Sr.  
Reporter: G. Manning Ellis,  
Chattanooga, Tn

**Pinion, Mildred**

Died: 23 Aug 1913 at 11:30 a.m.  
Born: Alabama  
Place died: 308 B St., Huntsville  
Had lived there six months  
Duration of illness: 4 days  
Cause of death: Ptomaine  
poisoning  
Age: 4 yrs.  
Father: C. F. Pinion, b. Tenn.  
Mother: Hattie Pinion, b. Ala.

Reporter: O. J. Brooks, M. D.

**Pitts, Margarette**

Died: 13 Jan 1912  
Place died: Wells Ave.,  
Huntsville  
Had lived entire life where died  
Duration of illness: 2 weeks  
Cause of death: Pneumonia  
Age: 4 mo., 13 days  
Father: Robert Pitts, b. Ala.  
Mother: Vernie Pitts, b. Tenn.  
Reporter: F. E. Baldrige

**Poovey, Janette**

Died: 3 Jan 1909 at 9:00 a.m.  
Born: Alabama  
Place died: Merrimack Village  
Duration of illness: 2 weeks  
Cause of death: Cerebral Spinal  
Meningitis  
Age: 9 mo., 3 days  
Father: Robert L. Poovey b.  
Catawba County, N. C.  
Mother: Gladus Poovey, b.  
DeKalb Co., Tennessee  
Buried Lot 108, Section E  
Reporter: O. J. Brooks

**Powell, James Peyton**

[death date and other info. not  
given.]  
Place died: Richmond, Virginia  
Remarks: Remains removed  
from Richmond one year after  
death.  
Note: No dates but was between  
Sept. 29 and Oct. 4, 1912 when  
reinterred.

**Powell, Nina (Mrs.)**

Died: 24 April 1908  
Born: Madison Co., Al  
Place died: Randolph East  
Cause of death: Locked bowel  
And typhoid fever  
Occupation: Housewife  
Age: 29 yr., 9 mo.

Marital Status: Married  
Father: Bonnie McDavid  
Mother: Nanie McDavid  
Buried Section D, Lot 116  
Reporter: E. D. Burwell, M. D.

**Powers, J. D.**

Died: 24 June 1914 at 4:00 a.m.  
Born: Alabama  
Place died: Pike St., Huntsville  
Occupation: Mill hand  
Had lived where died ten days  
Cause of death: Pistol shot  
wound, suicide  
Age: 43  
Marital Status: Widower  
Remarks: "A plain case of  
suicide."  
Reporter: H. C. Laughlin,  
Coroner

**Preist, Ernest**

Died: 19 May 1914 at 7:00 p.m.  
Born: Alabama  
Place died: West Holmes,  
Ward 1  
Had lived entire lifetime where  
died  
Duration of illness: 6 days  
Cause of death: Colitis  
Contributory cause: Meningitis  
Age: 1 yr., 1 mo.  
Father: Samuel Preist, b. Tenn.  
Mother: Leona Preist, b. Ala.  
Reporter: W. B. England

**Price, Joseph T.**

Died: 18 May 1913  
Born: Alabama  
Place died: East Clinton,  
Huntsville, Al  
Had lived there a short time  
Duration of illness: One year  
Cause of death: Pulmonary  
Tuberculosis  
Age: About 50  
Marital Status: Married  
Reporter: J. W. Boggess, M. D.

**Price, Nellie Louisa**

Died: 3 June 1913  
Born: Alabama  
Place died: Ward 2, Walker Ave.,  
Huntsville  
Cause of death: Gastrocolitis  
Age: 1 yr., 2 mo.  
Parents: Walter H. and Nellie  
Price, both born Alabama.  
Reporter: H. D. Westmoreland

**Price, Robert**

Died: 11 June 1910  
Born: Alabama  
Place died: Washington St.,  
Huntsville, Al  
Disease contracted in  
Birmingham, Al  
Duration of illness: One month  
Cause of disease: Introcoulitis  
Age: One year  
Father: F. G. Price, b. Tenn  
Allie Knox Price, b. Tenn  
Reporter: H. D. Westmoreland

**Pully, Edward L.**

Died: 9 Sept 1910 at 1:30  
Born: Madison Co., Al  
Place died: Huntsville, Al  
Had lived there entire life  
Duration of illness: One month  
Cause of death: Typhoid Fever  
Occupation: contractor  
Age: 4 yr.  
Reporter: O. J. Brooks

**Ragsdale, Ella (Mrs.)**

Died: 29 June 1914 at 10:00 p.m.  
Born: Alabama  
Place died: No. 8 Earl St.,  
Huntsville, Al  
Occupation: Housewife  
Had lived several years at place  
died  
Duration of illness: 13 months

Cause of death: Tuberculosis of  
lungs  
Age: 29  
Marital Status: Married  
Reporter: J. E. Walker, M. D.

**Rand, Oscar S.**

Died: 18 June 1913 at 2:25 p.m.  
Born: Alabama  
Place died: Duval, Jacksonville,  
Fla.  
Cause of death: Septicemia  
Age: 28 years  
Marital Status: Married  
Father: Jackson Rand  
Reporter Stanley Erwin, M. D.,  
Jacksonville, Florida

**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

# Marshall County Deed Record Book A

Part 28

Continued from Volume 46, Issue Number 1

Copied, Abstracted and Contributed by Coy Michael

Editor's note: Copies were previously taken from very large, aged books in the Marshall County Court House. Most of the deed books now are replaced by electronic duplication and printed to letter sized paper and placed in small books. Unfortunately, these recent copies are much more difficult to read. Question marks will be placed after names that cannot be readily interpreted.

**Deed of Trust**  
**Curtis Herrin, Isaac Henry and Albert Henry**  
**Pages 345-346**

This indenture made and entered into by and between Curtis Herrin of the first part and Isaac Henry of the second part and Albert Henry, trading under the name and style of Hugh Henry and Son, of the third part. Whereas the said Curtis Herrin is justly indebted to Hugh Henry and Son in the following sums of money, viz, One note of hand payable to Hugh Henry & Son dated April 15, 1839 for \$238 due one day after date. The said Curtis Herrin is willing and desirous to secure the payment of the same. Now this indenture witnesseth that for and in consideration of the sum of one dollar in hand paid to the said Curtis Herrin by the said Isaac Henry, the said Curtis Herrin hath this day given, bargained and sold to the said Isaac Henry all the following property: two gray horses about 7 years old, one bay mare 8 years old, one bay stud horse about 7 years old, four horse wagons and four pair

harness for wagon, one clock to have and to hold.

The said Isaac Henry shall permit the said Curtis Herrin to remain in quiet and peaceable possession of the above described property until default of payment of the above stated sum of money due April 16, 1839. If, upon default, the said Isaac Henry shall sell the above described property after giving 20 days' notice in three of the most public places and then selling to the highest bidder.

Signed by Curtis Herrin, Isaac Henry, Hugh Henry and Albert Henry. Richard S. Randles, clerk of the county court, witnessed the signatures and recorded this document in Deed Book A, pages 345 & 346 on April 15, 1839.

**Deed of Trust**  
**James Thomas, Isaac Henry and Hugh Henry and Albert G. Henry**  
**Pages 346-347**

This indenture made and entered into by and between James Thomas of the first part and Isaac Henry of the second part and Hugh Henry and Albert G.

Henry trading under the name of Hugh Henry & Son of the third part. Whereas the said James Thomas is justly indebted to the said Hugh Henry & Son in the sum of \$49.12 due by note dated April 18, 1839. The said James Thomas is willing and desirous to secure the payment of the same. Witnesseth that for and in consideration of the sum of one dollar paid to the said James Thomas by the said Isaac Henry the said James Thomas does give, bargain and sell to the said Isaac Henry all of the following described property: one gray mare and her young colt, the gray mare is about ten years old.

The said Isaac Henry shall permit the said James Thomas to remain and quiet and peaceable possession of the above described property until default in payment of the above stated amount plus interest. If upon default the said Isaac Henry shall proceed to sell the above described property at auction to the highest bidder the first Monday in August after giving 20 days' notice in three most public places.

The following signed this document April 19, 1839: James Thomas, Isaac Henry, Hugh Henry and Albert G. Henry. R.S. Randles, Clerk of the Court, witnessed the signatures and recorded this transaction April 20, 1839 in Book A on pages 346 and 347.

**Deed of Trust**  
**George Miller, Isaac Henry and Hugh Henry & Son**  
**Pages 348-349**

This indenture made and entered into by and between George Miller of the first part and Isaac Henry of the second part and Hugh Henry and Son of the third part. Whereas the said George Miller is justly indebted to the said Hugh

Henry and Son in the sum of \$432.20 due by note April 9, 1839 and the said George Miller is willing and desirous to secure the payment of said sum. Witnesseth that for and in consideration of the sum of one dollar paid to the said George Miller by the said Isaac Henry the receipt is hereby acknowledged and the said George Miller does hereby give, grant, bargain and deliver to the said Isaac Henry the following described property: one four wheel wagon, one yoke of oxen, one sorrel horse, one bay horse, seven head of cattle, thirty head of hogs to have and to hold.

The said Isaac Henry shall permit the said George Miller to remain in quiet and peaceable possession of the above described property until default of payment of the above described amount of money. Upon default the said Isaac Henry shall proceed to sell at public auction the above described property to the highest bidder after giving 20 days' notice in three of the most public places.

The following signatures were applied April 5, 1839: George Miller, Isaac Henry and Hugh Henry. R.S. Randles, Clerk of the Court, witnessed the signatures and filed this document April 20, 1839 in Deed Book A on pages 348 and 349.

**Deed of Trust**  
**James L. Clampett, Isaac Henry and Hugh Henry**  
**Pages 349-351**

This indenture made and entered into by and between James L. Clampett of the first part and Isaac Henry of the second part and Hugh Henry and Albert G. Henry trading under the name of Hugh Henry and Son of the third part. Whereas the said James L. Clampett is justly indebted to Hugh Henry and Son

in the following sum of money: one note of hand payable to Hugh Henry and Son for \$130 dated April 11, 1839 and due one day after date. The said James L. Clampett is willing and desirous to secure the payment of the same. Witnesseth that for an in consideration of the sum of one dollar in hand paid to the said James L. Clampett by the said Isaac Henry, the said James L. Clampett doth this day give, grant, bargain and sell to the said Isaac Henry the following property: one yellow horse about 8 years old by the name of Pete, one sorrel horse about 11 years old by the name of Turk, one bay horse about 10 years old by the name of Tom, four ploughs, four cows and calves, two feather beds and furniture, one wood clock, one steer 3 years old to have and to hold.

The said Isaac Henry shall permit the said James L. Clampett to remain in quiet and peaceable possession of the above described property until default of payment of the above described amount of money. If default the said Isaac Henry shall sell at public auction the above described property after giving 20 days' notice at three most public places.

Signatures of the following were applied April 12, 1839. James L. Clampett, Isaac Henry, Hugh Henry and Albert G. Henry and witnessed by R. S. Randles, Clerk of the Court, who entered this transaction into Deed Book A on pages 349, 350 and 351 April 20, 1839.

**Deed of Trust**  
**James Romans, Jacob Kennamer and**  
**Pressley Woodall**  
**Pages 351-353**

This indenture made and entered into on March 26, 1839 between James Romans of the first part and Jacob Kennamer of the second part and

Pressley Woodall of the third part. Whereas the said James Romans is justly indebted to the said Pressley Woodall as appears by three notes to wit: one due December 25, 1839 for 400 bushels of corn, one due December 25, 1839 for \$17.23 and one due December 25, 1839 for 200 bushels of corn which debt the said James Romans is willing and desirous to secure. Witnesseth that for and in consideration of the sum of one dollar in hand paid to the said James Romans by the said Pressley Woodall the said James Romans doth bargain and sell to the said Pressley Woodall all that improvement and cleared land lying in the County of Marshall known as the improvement on the head of the West Fork of Little Pain Rock containing 16 acres and also the following personal property to wit: one gray horse three years old, one old Bay mare, tow cows and one calf, 14 head of hogs, 5 sheep, one bed and furniture.

The said Pressley Woodall shall permit the said James Romans to remain in quiet and peaceable possession of the above described property until default on the above described note. If upon default the said Pressley Woodall may request to sell the above described real and personal property at auction to the highest bidder after giving public notice for 25 days by three advertisements at the most public places in the neighborhood.

The following signatures were applied: James Romans, Jacob Kennamer and Pressley Woodall and witnessed by Abram C. Davis, Justice of the Peace. R. S. Randles, Clerk of the Court, recorded this document on April 20, 1839 in Deed Book A on pages 351, 352 and 353.

**Deed of Trust**  
**Thomas Higdon, Jacob, Kennamer**  
**and James Wright**  
**Pages 353-355**

This indenture made and entered into this December 27, 1839 between Thomas Higdon of the first part and Jacob Kennamer of the second part and James Wright of the third part. Whereas the said James Wright is security as appears by a note executed by the said Thomas Higdon and James Wright and whereas the said Thomas Higdon is willing to secure him the said James Wright security for the faithful payment of said note executed to Johnson Gipson for \$30 due December 25, 1839. Witnesseth that for and in consideration of the sum of aforesaid the said Thomas Higdon hath given, granted, bargained and sold to the said Jacob Kennamer one bay mare with future increase.

The said Jacob Kennamer shall permit the said Thomas Higdon to remain in quiet and peaceable possession of the above described property until default in the described agreement. Upon default the said James Wright may request to sell the described property at public auction to the highest bidder after giving 15 days' notice by advertisement at three of the most public places.

This document was signed by Jacob Kennamer and James Wright and witnessed by Pressley Woodall, Justice of the Peace. R. S. Randles, Clerk of the Court, recorded this transaction April 20, 1839 in Deed Book A on pages 353, 354 and 355.

**Deed of Trust**  
**Thomas J. Thornsburg, Isaac Henry**  
**and Hugh Henry and Albert G. Henry**  
**Pages 355-356**

This indenture made and entered into by and between Thomas J. Thornsburg of the first part and Isaac Henry of the second part and Hugh Henry and Albert G. Henry trading under the name of Hugh Henry and Son of the third part. Whereas the said Thomas J. Thornsburg is justly indebted to Hugh Henry and Son in the following sum of money: one note of hand payable to Hugh Henry and Son for \$142 dated April 22, 1837 and due one day after date. Whereas the said Thomas J. Thornsburg is willing and desirous to secure the payment of same, whereas that for and in consideration of the sum of one dollar in hand paid to the said Thomas J. Thornsburg by the said Isaac Henry the said Thomas J. Thornsburg hath this day given, bargained and sold to the said Isaac Henry the following property: one chestnut sorrel mare three years old with a white blaze in her face, one black mare pony five years old, eight head of small stock hogs, one rifle, one man's saddle partly worn.

The said Isaac Henry shall permit the said Thomas J. Thornsburg to remain in quiet and peaceable possession of the above described property until default of payment of said note. If upon default the said Isaac Henry shall sell at public auction to the highest bidder the above described property after giving 20 days' notice at three most public places.

This document was signed by Thomas J. Thornsburg, Isaac Henry, Hugh Henry and Albert G. Henry and signatures witnessed by R. S. Randles, Clerk of the Court.



# Marshall County

## Direct Index to Deeds and Mortgages

### Deed Books A Through T

#### Part 7

Continued from Volume 46, Issue Number 1

Transcribed by Coy Michael

GRANTOR		GRANTEE		TYPE	BOOK	PAGE
Last Name	First Name	Last Name	First Name			
Billingsly	J. B.	Aldridge	G P	Deed	R	526
Billingsly	J. B.	Murry	E R	Deed	R	527
Bridges	M B et al	Moroney	F M	Deed	R	103
Barnard	J C	Moroney	F M	Deed	R	103
Barnard	F M	Barnard	M & A C	Deed	R	692
Barnard	Henry	Graves	T H	Deed	R	728
Bulman	John N	Hart	May L.	Deed	R	611
Blessing	William	Illegible		Deed	R	610
Bodine	Frank	Henry	A G	Deed	R	619
Boyles	T B & wife	Gunter	? M	Deed	R	737
Beasley	James H	Beasley	T B	Deed	R	294
Billips	Swann	Ala State	Land Co	Deed	R	646
Bright	R C	Henry	A G	Deed	R	314
Bell	Wm M & wife	Cox	J B & wife	Quit claim	S	15
Bell	J B & wife	Kelly	James T	Deed	S	306
Barnard	Henry	Carter	C P	Deed	S	40
Barnard	J B	M Oil Gas	& Mfg Co	Deed	S	50
Burkett	F A	M Oil Gas	& Mfg Co	Deed	S	52
Blackburn	Armand & wf	Johnson and	Williams	Deed	S	85
Bullard	Henry	Hooper	A R	Deed	S	91
Bean	David J	Brown, Holida	& Street	Deed	S	93
Bishop	John F	Lusk	J A	Deed	S	94
Bolton	R W	Dis???	John A	Deed	S	112
Brooks	Gus	Bryant	C. J	Deed	S	139
Bridges	W E	Ru??bley	? W	Deed	S	170
Bridges	W E	Carlisle	Hugh	Deed	S	163
Bridges	W E	Ru??bley	? W	Deed	S	221
Illegible	T J	Cody	W P	Deed	S	145
Bain	S M	Carlisle	Hugh	Deed	S	177
Butler	Samuel	Butler	G D	Deed	S	187
Butler	J T	Dodson	Sam P	Deed	S	227
Butler	George	Whitaker	R	Deed	S	234
Bell	W W & wife	Henry	A G	Deed	S	307
Bain	James S	Lusk	L D	Deed	S	211
Bartlett	W H	McCleskey	J E, J D, R R	Deed	S	206
Bartlett	W A	Snead	John	Deed	S	205
Beufield	W J	Snead	John	Deed	S	207

Beashire	J R & Mariah	Henry & Bain		Deed	S	328
Babb	John & Collins	Chambers	J L	Deed	S	338
Bain	J S & wf	Smith	Jasper	Deed	S	340
Brashier	W C	Bushers	Cemetery	Deed	S	341
Bartlett	W H	Branch	T P	Deed	S	344
Burget	John B & wf	SOA Co. Ltd		Deed	S	349
Boyles	T B & wife	Lo?hey	Ada	Deed	S	385
Bartley	& Gibsons	Ferrell	J	Deed	S	408
Beuefield	H J	Bartlett	W	Deed	S	405
Baldy	Mosrs A	Parris	J M	Deed	S	470
Bryant	B F	Nunn	R M	Deed	S	420
Birdsong	J N	Hannick	J T	Deed	S	428
Bartlett	W H	Snead	J H	Deed	S	431/2
Bartlett	& Gibsons	Morague	& Richardson	Deed	S	495
Bartlett	W H	NC & stL RR		Deed	S	498
Bartlett	& Gibsons	Richards	J A	Deed	S	501
Burns	S J	Johnson	William	Deed	S	433
Board of	ch Exten	St. Paul Meth	Church	Deed	S	474
Bishop	John F	So, Buildings	Assoc.	Deed	S	492
Burton	J W	Brown	& Street	Deed	S	521
Burns	S J	Webb	C M	Deed	S	528
Baker	& Wright	Batley	G M	Deed	S	89
Bond	N S	Vancleave	M J	Deed	S	558
Blalock	E M	Ober	Robert	Deed	S	576
Boggs	Catherine	Carlisle	Hugh	Deed	S	640
Blain	William et al	Brown	& Street	Deed	S	652
Brown	& Holiday	Beard	A H	Deed	S	681
Buchanan	Charles	Patterson	& Henry	Deed	S	682
Bailey	Laurance M	Dyar	Isham	Deed	S	689
Bailey	Columbus M	Dyar	Isham	Deed	S	690
Baugh	Silas	Mathis	R M	Deed	S	696
Brown	Jesse & wf	Smith	Ruth M	Deed	S	692
Baldy	Moses	Henry	A G	Deed	S	698
Burget	J B	Lett	M S	Deed	S	727
Baldwin	J S	Halcomb	M L	Deed	S	715
Bain	W V et al	Lusk	L D guardian	Deed	S	727
Burnes	S J	Patterson	M E	Deed	T	23
Brasier	Jn R & Mariah	Henry	A G	Deed	T	36
Brown	W L & wf	Ayers	A M	Deed	T	38
Brown	& Street	B & AM Co		Deed	T	47
Burton	W J	Mannus	George L	Deed	T	62
Bell	J B & wf	A Freehold	Land Co	Mortgage	T	106
Bell	J B & wf	Loan Co of	Alabama	Mortgage	T	110
British &	American Co	Brown	& Street	Deed	T	112
British &	American Co	Bell	Robert	Deed	T	113
Boyles	Thomas B & wf	Gunter	William M	Deed	T	116
Boggs	Catherine	Carlisle	Hugh	Deed	T	120
Burns	S J & wf	Everett	L S	Deed	T	127
Bartlett	WH & SE	Snead	J	Deed	T	141
Brooks	John R & wf	Lusk	& Bell	Deed	T	108
Baker	James	Rieves	Robert & wf	Deed	T	192
Butler	J T	McCorkle	J C	Mortgage	T	193
Bearden	Charity	Dodson	SP, Trustee	Deed	T	211
Baxter	Stephen	Dodson	SP, Trustee	Deed	T	221
Boggus	? B	Dodson	SP, Trustee	Deed	T	227
Beason	S	Dodson	SP, Trustee	Deed	T	235

Burnes	SJ & WD	Dill	John T	Deed	T	253
Burnes	SJ & WD	Coleman	W M	Deed	T	268
Beson	Sarah E	Dodson	S	Deed	T	274
Barnard	P A & wf	Williams	George W	Deed	T	306
Bartlett	& Gibsons	Cooper	J R	Deed	T	324
Blount	James A	Chandler	W T	Deed	T	333
Baxter	JB & MJ	McCausy	Wm E A	Deed	T	342
Beard	A J et al	UC & St	Louis RR	Deed	T	365
Burnes	Samuel	Funderburg	W	Deed	T	385
Butler	J T et al	Dodson	S P	Certificate	T	471
Benefield	H J & wf	Bartlett	W H	Deed	T	520/1
Brown	J M & wf	Bartlett	W H	Deed	T	526
Burns	S J & wf	McCord	W T	Deed	T	536
Barnes	Henry W & wf	Stewart	F S	Deed	T	541
Brownlee	JA & MJ	Applewhite	J T	Deed	T	579
Boling	William & wf	Cowle	Allex	Deed	T	610
Biessen	Louissie et al	Mutual B&L	Assoc	Deed	T	625
Bartlett	W H & wf	UC & Saint	Louis RR	Deed	T	632
Butler	W & wf	Woodall	Albert	Deed	T	640
Butler	W & wf	Elkins	E S	Deed	T	644/5
Beard	W E & wf	Hauer	W T	Deed	T	708
Batter Brock	&B A	UC & Saint	Louis RR	Deed	T	183
Butler	Joshua T & wf	Egu??	Sebra T	Deed	1	13
Baker Brick &	Building Co	Guntersville	Warehouse	Deed	1	63
Bartlett	W H & wf	Boaz	Academy	Deed	1	76
Bain	W N	Lusk	LD guardian	Deed	1	93
Bodine	Francis & wf	Bodine	Henry	Deed	1	101
Brock	James W &wf	Gipson	John P	Deed	1	104
Baker Brick &	Building Co	Standard Oil	Co	Deed	1	131
Bishop	G W & wf	Cagle	Rebecca L	Deed	1	178
Burt	A C & wf	Ward	J W	Deed	1	185
Bartlett	W H & wf	Duffey	F W	Deed	1	209
Bush	J W & wf	Richardson	Albert L	Deed	1	220
Bain	J S Jr & wf	Rayburn	Sarah J	Deed	1	221
Baker Brick &	Building Co	McMillan	Miss Lou	Deed	1	225
Brazleton	B H & wf	Hall	Robert	Deed	1	228
Banks	T C	Whitman	Ed F	Deed	1	232
Bartlett	George & wf	Whitman &	Co	Deed	1	233
Bodine	Henry & wf	Henry	Albert G	Deed	1	239
Burris	S J & wf	Stowers	W F	Deed	1	263
Barnes	M J & wf	Johnson	Samuel	Deed	1	292
Beard	Silas & wf	Beard	Arthur H	Deed	1	302
Bryant	James & wf	Dvain	P H	Deed	1	311
Beard	William & wf	Eurek	Mercantile C	Deed	1	317
Buchannan	John P & wf	Avery	J L	Deed	1	323
Bailey	Jerome & wf	Henry	Albert G	Deed	1	330
Bailey	Jerome & wf	Henry	Albert G	Deed	1	332
Butler	James & wf	Noel	M E	Deed	1	374
Burns	S J & wf	Rains	George M	Deed	1	434
Benson	Soloman	Henry	A G	Deed	1	483
Illegible		McDonald	Christopher	Deed	1	448
Bell	J B & wf	Kelly	J F	Deed	1	508
Baker	Jackson & wf	Marsh	William P	Deed	1	578
Bagley	E	Campbell	S C	Deed	1	580
Bodine	James & wf	Henry	A G	Deed	1	594
Beard	Arthur H & wf	Henry	A G	Deed	1	643

Boggus	? B	Martin	William D	Deed	1	49
Beard	W T	Capehart	S C	Contract	1	459
Robb	Bill	Rains	George	Deed	3	35
Lusk	John A & wf	Rains	George	Deed	3	35
Barron	M M & wf	National B & G Assn		Deed	3	75
Barnes	M J & wf	Johnson	Samuel	Deed	3	91
Bishop	Samson & wf	Kenamer	David	Deed	3	104
Black	Mary E	Kay	William D	Deed	3	118
Baxter	J P	Ashley	J B	Deed	3	137
Brashier	Mariah C	Wright	Willis J	Deed	3	159
Barclay	George F	Barclay	W. J	Deed	3	266
Brewster	J F & wf	New England Mortgage Co		Deed	3	296
Baker	George & wf	Nat'l B & G		Deed	3	317
Barnard	Robert L & wf	Barnard	Frank	Deed	3	403
Bell	William T & wf	Lusk &	Bell	Deed	3	136
Burns	S J	Nat'l B & G		Deed	3	369
Burns	S J & wf	McCormack	J S	Deed	3	382
Burns	Dora M	Nat'l B & G		Deed	3	369
Brewster	J F & wf	N. England		Deed	3	402
Bain	Lettie	Henry	A G	Deed	3	407
Black	W A	Black	Mary J	Deed	3	417
Bartlett	W H & wf	Davis	J. W	Deed	3	418
Buckelew	J W	Buckelew	A L	Deed	3	422
Buckelew	M E	Buckelew	A L	Deed	3	422
Bishop	G W & wf	Ryan	T L	Deed	3	428
British	Amer Mortg	Lusk	John pwt atty	Deed	3	432
Bain	George A & wf	Moore	W A	Deed	3	439
Bain	James S decd	Lusk	L D	Deed	3	446
Bodine	W C & wf	Lusk &	Bell	Deed	3	475
Brock	William	Gregory	Mary	Deed	3	480
Bailey	Jerome & wf	Garrow	T L	Deed	3	486
Baxter	Stephen B	McCanny	E A	Deed	3	488
British A M	Company	Brown &	Street	Released	3	496
Butler	J E et al	Lusk & Bell		Deed	3	136
Bell	William T & wf	Lusk & Bell		Deed	3	245
Brookshire	M & wf	Brookshire	Sam C	Deed	3	326
Boshart	W R & wf	Bulman	G W	Deed	3	326
Barron &	Russell & wf	National B	& G Assn	Deed	3	604
Bailey	Soloman & wf	Pimitive	Baptist Ch	Deed	3	638
Brannum ?	Sidney J	Burn??	Etta	Deed	3	646
Birdsong	J B	Milner	G I	Deed	3	655
Beard	Silas P et al	Beard	Arthur H	Deed	3	662
Beard	Arthur H & wf	Beard	Silas P	Deed	3	664
Beard	Arthur H & wf	Street	Julia	Deed	3	664
Burn??	Ettie	Kirby	Maggie	Deed	3	697
Burn??	S J	Kirby	Maggie	Deed	3	697
Bell	Robert & wf	Meyers	A J	Deed	3	393
Bell	Robert & wf	Dressler	Anna	Deed	3	394
Bell	Robert & wf	Snead	John H	Deed	3	424
Brewer	J M et al	Flanagan	James A	Deed	3	538
British A	Mortgage Co	Bodine	Wm C & Nan	Deed	3	518

## 1841-1843 Bankruptcy Exceptions

Copied, abstracted, and contributed by Dorothy Scott Johnson

In the early 1840s, when a person declared bankruptcy, the courts allowed that person to keep property that would allow him to continue to make a living; all other property, whether livestock or table settings, that was declared unnecessary was exposed to sale. Monies from the sale were applied against the debtor's obligations. The most interesting part of the bankruptcy proceedings was the list of items the courts allowed the person to keep. It gives us a glimpse into his life-style and occupation.

These records are from the 1841 - 1843 personal ledger of Septimus Cabaniss, a lawyer, and was kept in his role as assignee of Bankruptcy Court of Northern Alabama. Mr. Cabaniss was the ancestor of Dr. Frances Cabaniss Roberts who inherited the ledger then willed it to the University of Alabama, Huntsville campus. The original ledger is now in possession of that University and can be viewed there in its entirety. The number after the debtor's name is the page number in the original ledger. Please see "Historical Note" at the end of this chapter.

### Marshall County

#### Dixon Nailer, p. 3

Cow & calf, 6 head hogs, meal bag, two pair pot hooks, pitcher, 2 bowls, 3 books, one handsaw, one draw knife, two hammers, one hand box, 15 chickens, 4 ducks, one goose, two axes, one iron wedge, 3 plows, one pair of gear, one mattock<sup>1</sup>, 2 hoes, one singletree, one clevis<sup>2</sup>, 2 empty barrels, 5 awls, 3 lasts, one gun, one grind stone, 2 beds & furniture, one table, one wheel, 2 pair cards<sup>3</sup>, one loom & harness, one pair template, 5 chairs, one pail, 3 piggins<sup>4</sup>, one kesler[?], one churn, 4 pots, one oven, one coffee pot, 7 tin cups, 7 plates, 50 knives & forks, 4 glass bottles, 2 razors, one box, one brush, one strop, 1 cradle, one oven, one coffee mill, one rat trap, one bridle, crop in

field, 7 crocks, one side leather, one pair stirrup irons, one smoothing iron, two pair knitting pins, one bushel meal, one pair scissors, two gimblets<sup>5</sup>, and one sieve. Value totals \$72.00.

Dixon Nailer has credit for buying back two yearlings for \$.50.

#### Joel Higgins, p. 4

One bay horse, one bridle, one saddle, one saddle & blanket, one pair martingales, one plow, one pair chains, one axe, 10 books, one map, 4 candlesticks, 10 knives & forks, 6 cups & saucers, 2 sugar bowls, one cream pot, one dish, one bottle, 2 slates, one oven, 2 lids, 2 pair pot hooks, one pot rack, 2 shovels, 3 water vessels, one tea kettle, one tray, two bedsteads, one table, 2 coffee pots, one caster, one glass lantern, one wheel, one smoothing iron, one churn, 13 tea spoons, one demijohn, one shot gun, 3 razors, one having box, 2 razor strops, one trunk, one desk, one oil

<sup>1</sup> An implement for digging or grubbing.

<sup>2</sup> Used on the tongue of a wagon.

<sup>3</sup> In weaving, an instrument used to raise a nap on cloth or for disentangling and arranging the fibers of cotton, wool, flax, etc.

<sup>4</sup> Pigin. A small wooden pail with an upright stave used as a handle.

<sup>5</sup> Gimblet. Tool for boring holes.

cloth, 3 jars, 2 beds & furniture, 10 lbs. feathers, one side saddle, one trunk and 2 chairs for a total value of \$94.68.

Joel Higgins sold a shot cutter[?] to a man named \_\_\_ Martin for \$3.62, a pistol to J. D. Hamblin for \$.56, and a pen of corn to J. Higgins (himself) for \$21.00 for a total of \$25.18.

#### **Samuel Dennis, p. 11**

One looking glass, one horn & pouch, one wheel, one pair cards, 3 small dishes, 14 plates, one doz. knives & forks, one tin coffeepot, one teapot, 5 tumblers, 5 wine glasses, 2 bowls, 5 small pitchers, 2 wash pans, 2 tin pans, 2 candle sticks, one waiter, one wash tub, one pail, one iron kettle, one frying pan, one oven & lid, 5 stew[?] jars, one jug, one skimmer & ladle, one sifter, 2 salt glasses, one cow, one tea kettle, 6 silver dessert spoons, 6 silver tea spoons for a total of \$13.00.

#### **Thomas Lowry, p. 11**

Two pitchers, 5 jars, 2 dishes, 2 plates, 6 knives & forks, one sugar dish, one pot, 2 ovens, one brass kettle, one tea kettle, one gridiron, 2 pails, one small piggin, one bucket, one bread tray, one churn, one coffee pot, one jug, one bottle, 6 chairs, 2 trunks, one side saddle, one wheel, 2 tables, one cradle, one large kettle, one frying pan, 2 candlesticks, one drawing knife, 3 augers, 5 plows, 4 pair gears, 5 hooks, 3 axes, one hand saw, one looking glass, one pair steelyards, 1000 lb. bacon and 6 head hogs.

#### **Robert Walker, p. 185**

One colt, 4 cows & calves, one heifer, 2 steers, 35 head of hogs, one waggon, one plow, 2 hoes, one pair harness, one scythe & cradle, one cutting knife, 3 axes, 2 wheels, one pair cards, 8 plates, one set cups & saucers, one set knives &

forks, 3 beds & furniture, 7 chairs, one log chain, 3 pots, 2 ovens, one skillet, one kettle, one flat iron, 5 bedsteads, one coffee mill, one reel, 2 pair pot hooks, 10 lbs. corn, 300 bales fodder, one stack of oats, 3 pails [buckets], 2 bits[?], one coffee pot, 400 lb. pork one draw knife, one auger, 3 chisels, one pr. tongs & shovel, one spade, one grind stone, one loom, one churn and one rifle gun for a total of \$134.75.

The next entry showed a horse sold to R. Walker [self] for \$1.00 and 4 sheep sold to same for \$.50 totaling \$1.50.

#### **Hillar R. Shores, p. 201**

One bed, etc., 2 bedsteads, one table, one set of plates, cups & saucers, knives & forks, tea & table spoons, one wheel & cards, 2 buckets, one tub, one pail, 2 pots, one oven, 2 skillets, one iron, 2 pair pot hooks, one coffee mill, one tea kettle, one plow, 5 chains, one shovel, one axe, 5 lbs. corn, 450 lb. pork, 2 cows & calves, 120 lb. seed cotton, 8 head hogs, one candlestick, one jar (\$.50) and another jar (\$.25), for a total of \$71.00.

#### **Elias Biggs, p. 309**

One horse, bridle & saddle, 2 cows & calves, 30 head of hogs, one cross cut saw, one hand saw, iron & guan[?] compasses & draw knife, one adz, 5 augers, 5 chisels, 3 gimblets, one plough & gear, 2 singletrees, one clevis, 3 axes, 2 hoes, grubbing hoes, one iron wedge, one loom, 2 pails, 3 piggins, one tub, 3 pots, 2 ovens, one skillet, one kettle, 2 chairs, 2 plains[planes?], 2 bells, one churn, a fry pan & tailor's goon[?], one spinning wheel and pair cotton cards, one reel, trivet & pot rack, 2 beds & furniture, 4 strads[?] and one table, 2 trunks, one tool box, & bond[?] box, one coffee mill, 2 coffee pots, 3 tin spoons, 2 sugar bowls, set cups & saucers & 5 plates, one dish, 2 crocks,

one jar, large bowl, 3 bottles, one candle stick, one set knives & forks, one to...[?] tin cup, one salt seller, one tin pan, one tin bucket, candle moulds, 4 cart

wa...[?], 6 chairs, 4 books, shoemaker's tools, one hammer and 3 barrels for a total of \$166.62.

### Jackson County

#### Kennon Harris, p. 11

Two cows & calves, sow & 8 pigs, 2 beds & furniture, 6 chairs, 6 plates, 6 cups & saucers, 6 knives & forks, one pot, one oven, one pail, one churn, poultry, one shotgun and books, valued for a total of \$50.00.

#### John W. Bridges, p. 255

Two beds & furniture, two pots, one oven, one pan, one set of plates, onset of knives & forks, one set of cups & saucers, 3 pitchers, one jar, one coffee pot, one pail, two piggins, one churn, one wash tub, one chest, 2 tables, 7 chairs, one axe, one sieve, one bread tray, books, and pork for a total value of \$73.12.

### Madison County

#### John P. Turner, p. 4

One cow & calf, one yearling, 14 head of hogs, 5 chairs, one table, 2 bedsteads & furniture, one set cups & saucers, one poplar press, 2 chests, 4 bbl. corn and 250 lb. bacon for a total of 49.50.

#### Uriah Hussey, p. 5

Two bedsteads & covers, one book case, one tin box, one sugar dish & teacup & saucers, 2 knives & forks, one coffee pot, one bucket, one jar, one jug, 8 plates, one axe, one iron wedge, two pair traces, two pair hames<sup>6</sup>, six chairs, one table, one check reel, one wheel, one pair cards, 2 ovens & lid, one kittle, 10 books, one shovel, one pair pot hooks, 13 chickens, one sorrel mare, one sow, 7 shoats, one loom, one warping bar, one band box, one smoothing iron, two plows, 2 singletrees, one cot frame and one fifth chain for a total of \$53.50.

#### John D. Flanagan, p. 5

One cow & calf, one bed & etc., 6 chairs, 3 trunks, one chest, one churn, one piggin, one pail, one tub, one kettle, one oven, one skillet, 2 pans, one sieve, one set of plates, one set of knives & forks, cups & saucers and spoons for a total exemption of \$38.00.

#### John W. Jones, p. 6

Two coffee pots, 2 pair gear, one keg, one-half bushel, one water can, 3 piggins, one churn, one tin bucket, one pair candle moulds, one be'scuitrock[?], *Clark's Commentaries*, books, one dress table, one waiter, one bread tray, one sausage stuffer, 2 pr. andirons, 2 pot trammels<sup>7</sup>, 2 smoothing irons, one jug, one trivet, one strainer, one wash tub, two beds & furniture, 4 bedsteads, one iron rake, 2 wheels, one check reel, one saddle, 8 chairs, 3 hoes, 2 axes, one cutting knife & box, one froe, carpenter's tools, 3 beehives and poultry for a total exemption of \$93.25.

<sup>6</sup> Hames. Part of horse harness.

<sup>7</sup> Trammel. An adjustable pothook for the fireplace crane.

**William W. Weaver, p. 6**

One horse, one cow & calf, 2 sows, 10 pigs, 3 Carey ploughs, 2 tongues, one harrow, 3 hoes, one double tree, 2 single trees, one pair hames, one pair trace chains, one table, one table, one safe, one desk, one bureau, 2 bedsteads, etc., one candle stand, one wheel, 8 plates, one wash pan, set knives & forks, 13 chairs, one trunk, one cradle, one looking glass, one cane, 2 pots, 3 ovens, one skillet, one tea kettle, 2 pails, one churn, one side saddle, one tray & sifter, one set tea spoons, one set cups & etc., 2 books, 2 pitchers, one coffee mill, one coffee pot, one sugar dish, one tea pot, one salt & pepper box, one gun, 8 books, one *Walker's Dictionary*, one *World Displayed*, and poultry, for a total exemption of \$102.00.

**Lyddal B. Scruggs, p. 7**

Nine cups & saucers, 9 plates, 3 dishes, 2 pitchers, 4 tumblers, one teapot, 4 tumblers, one tea pot, one sugar dish, one set knives & forks, 2 cans & one pot, one tea kettle, 2 flat irons, one pair andirons, 3 decanters, one large waiter, one table, one small cupboard, 3 chairs, one candle, 4 tablespoons, one set tea spoons, 2 trunks, 2 beds & furniture, 2 cows & calves, and 3 hogs for total exemption of \$61.37.

**A. A. Fairbane, p. 7**

Two bedsteads & furniture, 3 pine tables, one pine chest, one wheel, one pair cards, 5 chairs, one lot of crockery, knives & forks, one oven, 2 small pots, one skillet, one kettle 2 pair tongs & shovels, 2 pails, one piggin, one churn, one wash tub, 2 bread trays, one sieve, 3 stone jars, 2 glass jars, one horse, one saddle & bridle and one pair andirons for an exempted total of \$60.87.

**Isaac Powell, p. 7**

Three beds & steads<sup>8</sup>, one sugar chest, one folding table, one looking glass, one crib, 8 chairs, 3 chests, 3 trunks, one clockreel[?], one wheel, one set of knives & forks, one set plates & dishes, 2 pots, 2 ovens, one skillet, one pair trays & shovel, 2 pair andirons, one flat iron, 2 pair plow gear, 3 plows, 3 augers, one draw knife, one grub hoe, 3 weeding hoes, 150 lb. bacon, 100 pounds flour, 1½ bushels meal, 3 bushels old corn, 17 head hogs, 2 cows, one yoke steers, 60 fowls, one ox cart, one bridle & saddle & martingale, one pair saddlebags, one grindstone, one axe, one hand saw and 30 acres of corn for a total exemption of \$234.31.

**James Quarles, p. 8**

Two feather beds, 6 chains, knives & forks, one pine table, 6 plates, one dish and one cow & calf for a total exemption of \$25.75.

**James S. Lewis, p. 8**

Two beds & furniture, 2 cows & calf, 6 large spoons, 6 teaspoons, 6 knives & forks, one Carey plow & gear, one gun, 18 head hogs, 6 plates, 2 dishes, one chest, one trunk, one man's saddle, one side saddle, 2 wash tubs, 2 pails, one piggin, one pitcher, 2 bottles, 2 iron pots, one oven, one spider, 6 chairs, one cradle, one pair andirons, 2 smoothing irons, 2 tables, one looking glass, one coffee mill, one coffee pot, one jug, one candlestick, one singletree and one shovel for an exemption total of \$70.68.

**John Y. Ballard, p. 8, 9**

Two beds, steads & furniture, 2 pair andirons, 2 pot trammels, 2 pots, 2 kettles, one oven, one skillet, one shovel & poker, one chest, one trunk one box, one wheel, one loom, one pail, one

<sup>8</sup> Steads. The frame work of a bed.



piggin, one cupboard, 5 chairs, one table, 7 plates, 2 dishes, 2 bowls, one set cups & saucers, 2 small pitchers, 6 knives & forks, one coffee mill, one coffee pot, one mean sieve, one bread tray, one griddle, 4 jars, 5 jugs, one stone basin, 6 bottles, one tin canister, one sugar dish, 5 spoons, one shot gun & pouch, one plow, 2 plows, one coalter<sup>9</sup>, 3 weeding hoes, one grubbing hoe, one spade, one shovel, one grass scythe, one briar hook, 2 axes, one broad axe, one hand axe, 2 hatchets, 5 augers, 5 hands ans[?], one cross cut saw, 6 chisels, 4 plane bits, one iron square, one pair compasses, one froe, one iron wedge, one set flooring digs, and 2 gimblets, 2 hammers, one cow, one yearling, one horse cart, one cutting box & 2 knives, one ox-ring & staple, one lot of books, one fat stand, one pickling tub, one meal tub & steely cards, and two pair of pot hooks for an exempted total of \$61.75.

**William McKay, p. 9**

Two feather beds & furniture, one trundle bed (cherry), one stove & pipe, 6 common chairs, and one cherry table for a total exemption of \$64.00.

**Mai Taylor, p. 9**

One horse, one cow & calf, 3 bedsteads, 25 head hogs, 2 trunks, 2 dozen plates, school books, one set knives & forks, 2 sets of cups & saucers, 2 pitchers, one set table spoons, one set teaspoons, 2 dishes, cream pot, sugar dish, salt cellar, one set cup plates, 2 stone jars, 2 tin pans, one paid, 3 piggins, one noggin<sup>10</sup>, 2 ovens, one pot, one brass kettle and one table for a total of \$97.56 exception.

**Edward W. Vann, p. 9, 10**

<sup>9</sup> Coulter. Coalter. A plowshare; knife.

<sup>10</sup> Noggin. A small mug.

Two beds & furniture, one bureau, 2 mirrors, one candle stand, one loom, 5 water vessels, one set cups & saucers, one churn, 9 earthen vessels, 12 chairs, one pair saddle bags, 2 pair pothooks, 9 pot vessels, 2 axes, one pickling stand, one trunk, 2 bedsteads, one coffee mill, one coffee pot, 2 smoothing irons, 5 knives & 4 forks, 5 plates, 35 lbs. bacon, one cow & calf, one plough, one single tree, one clevis & pin, one hoe, 50 lbs. salt, one tray, one table, one pair scissors, shaving utensils, one pair chains, one collar & hames, poultry and three books totaling \$54.50 exception.

**William H. Jones, p. 10**

Two beds & furniture, one desk, 15 silver spoons, one clay colored horse, one rifle, and one saddle & bridle totaling \$101.00 exemption.

**G. W. Williams, p. 10**

One gray mare, 24 head hogs, 2 cows & calves, 3 ploughs, one pr. gear, 2 hoes, 2 beds & furniture, 2 bedsteads, one feather bed, one trunk one table, one cupboard, iron wedges, one home-made carpet, 9 chairs, one loom, one wheel, one pair cotton cards, 17 plates, 9 knives & forks, one tea pot, one sugar bowl, one cream pot, one large pan, one coffee pot, one sugar box, one churn, one large jar, 4 glass tumblers, 4 water vessels, one wash tub, one lard stand, one pickling stand, one crock, one pot, 2 ovens, one skillet, one pair anirons, one shovel, one pot rack, 400 bos[?] fodder, 75 lb. bacon, 30 lb. lard, one saddle & blanket, one razor, one pair steelyards, chickens & turkeys, one cutting knife, one rifle gun, and 23 bushels wheat, totaling \$149.81¼.

**Samuel Dennis, p. 11**

One looking glass, one horn & pouch, one wheel, one pair cards, 3 small

dishes, 14 plates, one doz. knives & forks, one tin coffee pot, one tea pot, 5 tumblers, 5 wine glasses, 2 bowls, 5 small pitchers, 2 wash pans, 2 tin pans, 2 candle sticks, one waiter, one wash tub, one pail, one tin kettle, one frying pan, one oven & lid, 5 stone jars, one jug, one skimmer & ladle, one sifter, 2 salt glasses, one cow[?], one tea kettle, 6 silver dessert spoons, and 6 silver tea spoons for a total of \$30.00 allowance.

**John S. Woodward, p. 68**

One small horse, 7 hogs, 2 head cattle, one bed & furniture, one oven, 2 skilletts, 2 pitchers, 2 dishes, 2 sets plates, cups & saucers, one set knives & forks, one small table, one shot gun, 2 trunks, 200 bundles fodder, 20 bushels corn, and 20 bushels sweet potatoes for a total exception of \$59.00.

**Francis H. Bell, p. 68**

One sorrel horse, 2 beds & clothing, one bed stead and one saddle for a total of \$50.00.

**William B. Loyd, p. 192**

Two feather beds & bolsters, etc., one crib, one poplar wardrobe, one bureau, one mantle glass, one candle stand, one dozen small plates, one doz. dinner plates, one pair plated candle sticks, 6 chairs, 12 wine glasses, one pair decanters, 3 pitchers, one pot, 12 cups & saucers, one oven, one pan, one tea kettle, one tin safe, one pair smooth irons, 3 pair andirons, one cherry table, one breakfast table, one small bureau, 2 tureens, 6 silver spoons, one churn 2 pails, 2 bed covers, one pair tongs, one English cow[?], books, one coffee pot, 2 pictures, 2 books, one box, one wash stand, 6 G. S. spoons, one child's bed, one egg boiler, 2 heaters, one pitcher, 6 float glasses, 4 dishes, one pair card

racks, one small table and one large waiter for a total of \$175.00 exception.

**Edmund P. B. Y. Scruggs, p. 192**

One horse, one sugar chest, one bureau, 6 chairs, 2 trunks, 2 candlesticks, 2 sets spoons, one set plates, one set knives & forks, one pitcher, one set cups & saucers, 3 waiters, 12 books, one pair andirons, 2 smoothing irons, one churn, one pail, one brass kettle, one tub, one piggin, one coffee pot, one spice mat...[?], 4 pot vessels, and 3 beds & furniture, totaling \$144.75.

**Historical Note**

There are many more bankruptcies in Madison County than in Jackson or Marshall. Madison's population was greater which accounts for part of it but the economy was a prime cause of financial stress.

In 1818, cotton sold from 20¢ to 25¢ per pound. By 1830 it was 9¢ but went upward to 14¢ in 1835. Failure to fully rebound caused the panic and depression of 1837. Cotton prices fell to 6¢ in 1840 but the planter's expenses remained high and they still had to feed their families, livestock and slaves. Cotton prices bottomed out in 1845 at 5¢ per pound.

The frugal farmer/planter who had paid his expenses "as he went" and did not rely on credit or make foolish purchases was the one who went to bankruptcy sales and bought items at a fraction of their value.

Too, then as now, people were buried in a sea of credit expecting higher cotton prices that did not arrive until the Mexican War. By 1850, cotton was selling for 11¢ per pound then dropped to 8¢ by the mid-1850s. After that, a strong recovery lasted into the 1860s.

~~~~~end~~~~~

# Things You Should Know

## In Memoriam Margaret M. Cowart

Submitted by Dorothy Scott Johnson



We have lost a great lady but her works will live forever. On May 22, 2011 Margaret (Matthews) Cowart (Mrs. Eugene) died at Huntsville Hospital of a massive stroke, leaving an outstanding family and countless researchers who have benefited from her contributions. Her first love was her family and the second was genealogy.

Her contributions to genealogy began in June, 1966 when she became one of

the charter members of the Tennessee Valley Genealogical Society (TVGS). From that time forward she served in nearly every office and was almost constantly on the Board of Directors until her final illness. She was honored by the Society when she was awarded the prestigious *Lifetime Achievement Award*. She was also on the Board of the Friends of the Alabama Department of Archives & History and other groups.

Margaret was president when, in 1970, her husband was transferred to Seattle. Everyone rejoiced when the Cowart family returned to Huntsville and in 1975 she became editor of *Valley Leaves* after serving two years as apprentice under Helen McKnight.

After her term as editor expired she continued to make substantial contributions to *Valley Leaves*, including the 1855 Alabama State Census of Colbert-Franklin Counties, Madison County's Big Cove Church Minutes, and many others. Her stamp was on most issues of that publication until her energies went to meticulously compiling her *Old Land Records* series on each county of north Alabama. Margaret's forte was her devotion to accuracy.

To compile the *Old Land Records* series, Margaret worked from microfilm or photocopies but not trusting them she travelled to each county to verify the information from the originals. She also travelled to Montgomery to check the records in the Alabama Dept. of Archives & History and to the National Archives in Washington, D. C. Her work was so lauded that she was asked to lecture on land records at regional and national genealogical conferences.

One time a hot-shot young lawyer called to gleefully say he had found an error in Margaret's *Old Land Records of Madison County*. As it turned out, he was wrong and Margaret was right. He didn't know her obsessions were accuracy and honesty.

The remainder of her inventory of the *Old Land Records* has been donated by

the family to TVGS and to the Heritage Room of the Huntsville-Madison Co. Public Library. Except for Jackson County (out of print) these books may be ordered from the Society or picked up in person in the Heritage Room.

In 1946 Margaret met and married the love of her life, Eugene (Gene) Cowart, a marriage that lasted 65 years. Gene flew B-26 Marauders in the 9<sup>th</sup> Air Force during WWII. A few months after the war ended he entered the University of Alabama where he studied Engineering and where Margaret was an Art major. It was love at first sight. During Margaret's Junior-Senior year Gene got his degree in Engineering and Margaret traded in her Art studies for an MRS.

Gene went into private industry where he excelled in management. Margaret became a housewife and together they raised two outstanding children. Their son, David, earned his Ph.D from Rutgers University in New Brunswick, N. J. and now teaches at the University of South Carolina in Columbia, South Carolina.

Jan (Cowart) Potter, their daughter, is equally talented and successful. She received her degree from the University of Alabama (Huntsville campus) and is a computer guru. David and Jan each have children who are also talented and successful in their chosen fields. They have blessed Margaret and Gene with six grandchildren and eight great-grandchildren.

We miss you, Margaret.

## 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.

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