

Whether or not Charles Burns unraveled the history of Amanda and Jack before he passed away is not known. Raneé' Pruitt does not know of any book that he completed. It is reasonable to assume that had he completed his book, he would have provided a copy to the Heritage Room in the Huntsville Public Library. An interview of Charles Burns that appeared decades ago in the *Redstone Rocket* is presented in another section of this manuscript.

The name Burwell Jacobs is found in South Carolina and Alabama across the timeline of three centuries (1790 through the time of sale of land on RSA to the government). Burwell Jacobs owned land prior to the Civil War. As shown on the land deed on the following page, a Burwell Jacobs owned land in Madison County in 1858. Was the Burwell Jacobs shown on the 1858 land deed the same one who was the father of Amanda Jacobs? His name on the 1850 census indicates he was a free Mulatto. Was this the Burwell Jacobs who was the grandfather of Yancy Horton, Sr.? Was Burwell Jacobs a free Mulatto and his daughter a slave because her mother had been a slave?

HISTORIC FACTS ABOUT FREE BLACKS IN THE 1800'S (Source: James Benson Sellers, *Slavery in Alabama*, UA Press, 1950):

Children "followed the condition of their mother." Children born to a free (Black/Mulatto) woman were free, but their freedom had to be proved. Affidavits executed by persons who were reputable citizens and long-time acquaintances of the Negro in question are very common in the court records. In some instances, the head of a free Negro family acted to protect his children, as did John Robinson of Huntsville when, in 1848, he filed papers "for the purpose of providing a permanent means by which his children could be identified and declared, under oath his "own children, born free" [Madison County Deed Book W, July 1, 1848:632]. Such statements were particularly important to free Blacks coming to Alabama from other states.

In Alabama, Acts of the General Assembly (p. 28) passed in 1859-1860 tightened restrictions on emancipated slaves. One declared void all wills which emancipated slaves, including prohibiting the authorization of the removal of slaves from Alabama for the purpose of freeing them. However, in his book, Sellers provides examples of the ways White men who had "mulatto" children and/or faithful servants wrote their wills so as to provide them with a house, land, and the means to live in relative freedom during the duration of their lives; asked for "an act of emancipation as soon as possible;" and, in some cases, included leaving land in trust for them. Sufficient bond was required to see that the provisions of the will were carried out.

An examination of 1860 Alabama census records showed that three of every four free Negroes were mulattos, but mulattos were only one in twelve in the slave population:

Males: Black Slaves—201,258, Mulatto Slaves—16,508, Free Mulattos— 962.
Females: Black Slaves—199,492, Mulatto Slaves—17,822, Free Mulattos—1,136.