

# POWHATON TONEY CEMETERY, 67 - 1

## Summary Report



Powhatan-Toney Cemetery, Redstone Arsenal TA6, Madison Co. AL, March 4, 2003

(Contract archaeologist Jeff Thomason preparing to enter the cemetery.)

This cemetery is one of three known burial grounds in Test Area 6. Each of them has only one inscribed tombstone found to date. The inscribed stone in the Powhatan Toney Cemetery is for Millie Horton, January 12, 1898 – September 9 (or 4?), 1936.





Powhatan-Toney Cemetery, Redstone Arsenal TA6, Madison Co. AL, March 4, 2003

Finding Millie Horton in census records takes some persistence and deductions. What is known is that the census of the cemetery area was taken along routes known as the Huntsville – Triana Road and the Pond Beat Road in 1920 and 1930. In some census years, the area was part of the Madison Precinct or the Triana Precinct. In 1930 it was part of Whitesburg Precinct 6.

X 369364	Madge H. son	M	18	20	8			Alabama	Alabama	6
	Jacob Phillips Head!	M	18	14	8			Alabama	Alabama	6
	Jacob Phillips Dominant	M	18	14	8			Alabama	Alabama	6
	Mary daughter	F	13	10	8			Alabama	Alabama	6
	Louise daughter	F	13	10	8			Alabama	Alabama	6
X 369365	Scruggs Corbin Head!	M	18	10	8			Alabama	Alabama	6
	Northa wife	F	13	10	8			Alabama	Alabama	6
X 369366	Roden Meriah Head!	M	18	13	8			Alabama	Alabama	6
	Willie daughter	F	13	13	8			Alabama	Alabama	6
	Wash daughter	F	13	13	8			Alabama	Alabama	6
X 369367	Spitzer Henry Head!	M	18	12	8			Alabama	Alabama	6
	Epish wife	F	13	12	8			Alabama	Alabama	6
	William son	M	13	12	8			Alabama	Alabama	6
X 369368	Houston Edd Head!	M	18	14	8			Alabama	Alabama	6
	Willie wife	F	13	14	8			Alabama	Alabama	6
	John daughter	F	13	14	8			Alabama	Alabama	6
X 369369	Sarah Lura Head!	F	18	13	8			Alabama	Alabama	6
	William daughter	F	13	13	8			Alabama	Alabama	6
829365370	Borden Sam Head!	M	18	13	8			Alabama	Alabama	6
	Suzie wife	F	13	13	8			Alabama	Alabama	6
71364571	Humphrey Lina Sister	F	13	11	8			Alabama	Alabama	6
	Clay daughter	F	13	10	8			Alabama	Alabama	6
	of Cresco daughter	F	13	13	8			Alabama	Alabama	6
	James L. son	M	13	11	8			Alabama	Alabama	6
X 369372	Horton Millie Head!	F	18	33	8			Alabama	Alabama	6
	Turner Willie Head!	M	18	30	8			Alabama	Alabama	6
	Sarah wife	F	13	27	8			Alabama	Alabama	6
	Colwell Julia Lodger	F	13	30	8			Alabama	Alabama	6
X 369373	Bell Paul Head!	M	18	40	8			Alabama	Alabama	6
	Largie wife	F	13	35	8			Alabama	Alabama	6
	Marion daughter	F	13	13	8			Alabama	Alabama	6
	Cristina daughter	F	13	13	8			Alabama	Alabama	6
	Charlie son	M	13	11	8			Alabama	Alabama	6
	Clara daughter	F	13	9	8			Alabama	Alabama	6

1920 Madison County AL, E.D. 123, page 15A, Huntsville City, Madison Street: Millie Horton

This Millie Horton in the 1920 census (when only heads of household were listed in the index of Ancestry.com) was age 33. That would make her born about 1887, not 1898 as the tombstone showed.



DEPARTMENT OF COMMERCE-BUREAU OF THE CENSUS  
 FIFTY-THIRD CENSUS OF THE UNITED STATES: 1930  
 POPULATION SCHEDULE

Enumeration District No. 2  
 Enumerator's Name John C. Ballant

1930 Madison County AL Enumeration District 18, Sheet 3-A, Whitesburg Precinct, Pond Beat Road: George & Milberda Horton

This 1930 census record for a Milberda Horton, wife of George, states that she was age 21 in that year. If this possibility were our Millie of interest, she would have been born about 1898 per the tombstone, not 1909 as shown in the census. The 1930 census index on Ancestry.com is an “every name” index, and the only “Mil--- Horton” in Madison County in that year is the one above, within the accuracy of the index preparers’ interpretations.

However, as the 1920 every name census index was just added (September 2005) to Ancestry.com’s on-line census service, it was re-checked. The 1920 index for Millie had her recorded as “Millie Harton”, wife of Robert. A close look at the census page image shows that it is indeed the Millie Horton of interest, per the tombstone, and the Madison County marriage records show that Millie was a Toney prior to her marriage at age 14:

Horton, Robert (c)	Toney, Millie	19 Jan 1912	Vol. 37 p. 237
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STATE Alabama

1920 E.D. 132, Sheet 12-A

DEPARTMENT OF COMMERCE-BU

COUNTY Madison

FOURTEENTH CENSUS OF THE UNITED STATES

TOWNSHIP OR OTHER DIVISION OF COUNTY Triana Precinct

NAME OF INCORPORATED PLACE

NAME OF INSTITUTION X

ENUMERATOR

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19			
																		Place of Birth	Period		
					Naults Addie	Mother-in-law			F	W	66	un							Alabama		
	226257				Sullivan Tom	Head	R		m	W	69	un							Alabama		
					Ida A	Wife			F	W	66	un							Alabama		
	227258				Cotwright Gus	Head	R		m	B	28	un				No	No		Alabama		
					Fannie	wife			F	B	27	un				No	No		Alabama		
					Sara	Daughter			F	B	9	S				No			Alabama		
					Marion	Daughter			F	B	4	S							Alabama		
					Hamilton	Daughter			F	B	2	S							Alabama		
					Customa	Daughter			F	B	1	S							Alabama		
					Beasley Frank	Grandfather			m	B	75	un				No	No		Alabama		
	228259				Banks Elmer	Head	R		m	un	21	S							Alabama		
					Rice Mary Lee	Mother			F	m	47	un				No	No		Alabama		
					Della	Daughter			F	m	19	S				No	No		Alabama		
					Marion	Daughter			F	m	13	S							Alabama		
					Rubie	Son			m	m	5	S							Alabama		
	229260				Fields George	Son			m	un	1	S							Alabama		
					Smith Head	Head	R		m	B	24	un				No	No		Alabama		
					Lucie	wife			F	B	22	un				No	No		Alabama		
					Luther	Son			m	B	21	S				No	No		Alabama		
	230261				Fields Richard	Head	R		m	B	68	un				No	No		Alabama		
					Alice	wife			F	B	64	un				No	No		Alabama		
					Jefferson Gladie	Mother-in-law			F	m	15	S				No	No		Alabama		
	232263				Kelley Dora	Head	R		m	B	47	un				No	No		Alabama		
	233264				Smith Ernest	Head	R		m	m	36	un							Alabama		
					Marie Lee	wife			F	m	22	un								Alabama	
					Ernest M	Son			m	m	21	S								Alabama	
					Rubie	Daughter			F	m	7	S								Alabama	
	234265				Horton Robert	Head	R		m	m	33	un				No	No		Alabama		
					Orville	wife			F	B	22	un								Alabama	
					Robert	Son			m	m	6	S								Alabama	
	235266				Horton William	Head	R		m	m	34	un				No	No		Alabama		
					Carry	wife			F	m	37	un								Alabama	
					Walter	Son			m	m	17	S								Alabama	
	236267				Hulet Wash	Head	R		m	B	49	un								Alabama	
					Adeline	wife			F	B	40	un								Alabama	

The complete page image is provided on the CD-ROM supplied to Army offices, but basically both Robert and Millie were shown as born of parents who were both born in Alabama. Both worked on a farm, with Robert's occupation listed as "Farmer". The William Horton living next door was probably a brother of Robert. Millie may well have "company" in the cemetery from both families, as well as from others of their 1920 neighbors.



With Millie's maiden name being Toney, she was most likely related to Powhatan Toney, the namesake for the cemetery. The 1900 census shows a "Minnie Lee Toney" as a 2-yr-old child in the household of her parents:

1900 E.D. 108, Sheet 11-B TWELFTH CENSUS OF THE UNITED STATES

State Alabama }  
 County Madison }  
 Township or other division of county Acrcinct 7 } Name of Institution, \_\_\_\_\_  
 Name of incorporated city, town, or village, within the above-named division, Vriena  
 Enumerated by me on the 14 day of June, 1900. Chas. G. Dill

LOCATION.		NAME of each person whose place of abode on June 1, 1900, was in this family. <small>Enter surname first, then the given name and middle initial, if any. Transcribe every person living on June 1, 1900. Omit children born since June 1, 1900.</small>	RELATION.  Relationship of each person to the head of the family.	PERSONAL DESCRIPTION.						NATIVITY.				
IN CIVIL.	AGE.			SEX.	DATE OF BIRTH.	AGE AT LAST BIRTHDAY.	Whether deaf, dumb, or blind.	Number of years married.	Married in this country.	Number of times married.	Place of birth of this person.	Place of birth of Father of this person.	Place of birth of Mother of this person.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
51	278-279	Mathew Robert	Head	B	M	Mar 1866	34	M	14		Alabama	Alabama	Alabama	
52		Robert J	Son	B	M	Jan 1886	14	S			Alabama	Alabama	Alabama	
53		Peter	Son	B	M	Mar 1898	12	S			Alabama	Alabama	Alabama	
54		Change	Son	B	M	Feb 1890	10	S			Alabama	Alabama	Alabama	
55		Marion	Son	B	M	Mar 1892	8	S			Alabama	Alabama	Alabama	
56		Jennie	Daughter	B	F	Apr 1894	6	S			Alabama	Alabama	Alabama	
57		Anderson Math	Boarder	B	F	Jun 1870	29	S			Alabama	Alabama	Alabama	
58	274	Tony Chas Rhegg	Head	B	M	Oct 1848	51	M	21		Alabama	Alabama	Alabama	
59	277	Rinda	Wife	B	F	Mar 1862	38	M	12	11	7	Alabama	Alabama	Alabama
60		Elyzeth	Daughter	B	F	Mar 1853	17	S			Alabama	Alabama	Alabama	
61		Franklin	Son	B	M	Nov 1858	11	S			Alabama	Alabama	Alabama	
62		Ambrose	Son	B	M	May 1891	9	S			Alabama	Alabama	Alabama	
63		Edwin	Daughter	B	F	July 1893	6	S			Alabama	Alabama	Alabama	
64		Minnie Lee	Daughter	B	F	Aug 1897	2	S			Alabama	Alabama	Alabama	
65		Beada	Daughter	B	F	May 1900	1/2	S			Alabama	Alabama	Alabama	
66	220	Baller Chas. 1/3	Head	B	M	July 1844	56	M	3		Alabama	Virginia	Virginia	
67	236	Lena	Wife	B	F	May 1864	36	M	3	1	0	Alabama	Virginia	Alabama
68		Hillman Mary A	M-in-law	B	F	Oct 1834	65	M	1	1		Alabama	Tennessee	Alabama
69	231	Joney Lee 1/9	Head	B	M	Jan 1844	56	M	18			Alabama	Virginia	Alabama
70	234	Malinda	Wife	B	F	Aug 1856	43	M	16	13	9	Alabama	Alabama	Alabama
71		Wagner	Son	B	M	May 1884	16	S			Alabama	Alabama	Alabama	
72		Charles	Son	B	M	Mar 1886	14	S			Alabama	Alabama	Alabama	
73		Thurston	Son	B	M	Jan 1889	11	S			Alabama	Alabama	Alabama	
74		Puttin R	Daughter	B	F	Oct 1891	8	S			Alabama	Alabama	Alabama	
75		Mary Ann	Daughter	B	F	Mar 1894	6	S			Alabama	Alabama	Alabama	
76		Matt Lee	Daughter	B	F	Apr 1896	3	S			Alabama	Alabama	Alabama	
77		Laura	Daughter	B	F	Mar 1898	2	S			Alabama	Alabama	Alabama	
78	222	Betts Domin 2/3	Head	B	M	Mar 1840	60	M	14			Alabama	Alabama	Alabama

"Minnie" was the closest to "Mille" for the expected age in the 1900 census.

The 1880 census of course wouldn't include Millie Horton or anyone else born in 1898, but it does have a **Powhaton Toney** (namesake of the cemetery):

## 1880 Madison County, AL, Census Excerpts

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Census Place: Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 144B

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Frank TONEY</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>B</b>	<b>27</b>	<b>AL</b>
Winey TONEY	Wife	F	M	B	22	AL
John TONEY	Son	M	S	B	8	AL
Mary TONEY	Dau	F	S	B	5	AL
Smith TONEY	Son	M	S	B	1	AL

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Census Place: Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 144B

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Eliza RAGLIN</b>	<b>Self</b>	<b>F</b>	<b>W</b>	<b>B</b>	<b>40</b>	<b>AL</b>
Rachel RAGLIN	Dau	F	S	B	20	AL
Sallie RAGLIN	Dau	F	S	B	18	AL
Matilda RAGLIN	Dau	F	S	B	14	AL
Perlina RAGLIN	Dau	F	S	B	11	AL
Mason PARKER	GSon	M	S	B	1	AL

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Census Place: Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 144B

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Rueben RAGLIN</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>B</b>	<b>55</b>	<b>AL</b>
Lettie RAGLIN	Wife	F	M	B	54	AL

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Census Place: Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145C

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Major TONEY</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>B</b>	<b>55</b>	<b>AL</b>
Jane TONEY	Wife	F	M	MU	45	AL
Kate TONEY	Dau	F	S	B	20	AL
Straughter TONEY	Son	M	S	B	15	AL
<b>Pow Tan TONEY</b>	<b>Son</b>	<b>M</b>	<b>S</b>	<b>B</b>	<b>13</b>	<b>AL</b>
Charley TONEY	Son	M	S	B	21	AL
Rose ARNETT	GDau	F	S	B	5	AL
Faney ARNETT	GDau	F	S	B	3	AL
Samuel TONEY	Son	M	S	B	19	AL

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145C

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Ned KELLEY</b>	<b>Self</b>	<b>M</b>	<b>S</b>	<b>B</b>	<b>49</b>	<b>AL</b>

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145C

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Rueben TONEY</b>	<b>Self</b>	<b>M</b>	<b>W</b>	<b>B</b>	<b>63</b>	<b>TN</b>
Riley TONEY	Son	M	S	B	17	AL
Harris TONEY	Son	M	S	B	14	AL
Henry TONEY	Son	M	S	B	12	AL

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145C

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Susan TONEY</b>	<b>Self</b>	<b>F</b>	<b>W</b>	<b>B</b>	<b>24</b>	<b>AL</b>
Charley TONEY	Son	M	S	B	6	AL
Alexandra TONEY	Son	M	S	B	3M	AL

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145C

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Sam ARNETT</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>MU</b>	<b>56</b>	<b>AL</b>
Louisa ARNETT	Wife	F	M	B	50	NC
Kate ARNETT	Dau	F	S	MU	20	AL
Sannie ARNETT	Son	M	S	MU	18	AL
Virginia ARNETT	Dau	F	S	MU	16	AL
Manday ARNETT	Dau	F	S	B	14	AL
Eliza ARNETT	Dau	F	S	B	12	AL
Ellen ARNETT	Dau	F	S	B	12	AL
Oler ARNETT	Dau	F	S	B	8	AL
Lovenia ARNETT	Dau	F	S	MU	6	AL
Edgar ARNETT	Son	M	S	B	3	AL
Lucy ARNETT	Mother	F	W	B	70	VA

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145C

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Isom HATON</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>B</b>	<b>27</b>	<b>AL</b>
Mattie HATON	Wife	F	M	MU	23	AL
Mattie I. HATON	Dau	F	S	B	10M	AL

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145C

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Randal THOMPSON</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>B</b>	<b>51</b>	<b>AL</b>
Mary THOMPSON	Wife	F	M	B	30	AL
Elliott THOMPSON	Son	M	S	B	17	AL



John THOMPSON	Son M	S	B	15	AL
Millie THOMPSON	Dau F	S	B	12	AL
Randal THOMPSON	Son M	S	B	11	AL
Pollie THOMPSON	Dau F	S	B	10	AL
Manday THOMPSON	Dau F	S	B	7	AL
Albert THOMPSON	Son M	S	B	4	AL

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Census Place: Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145C

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Bona TONEY</b>	<b>Self</b>	<b>F</b>	<b>M</b>	<b>B</b>	<b>27</b>	<b>AL</b>
Laura TONEY	Wife	F	M	B	23	AL
Olley TONEY	Son	M	S	B	2	AL
Thomas TONEY	Son	M	S	B	1	AL

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Census Place: Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145D

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Edwin TONEY</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>W</b>	<b>28</b>	<b>AL</b>
Annie TONEY	Wife	F	M	W	23	TN
Mary B. TONEY	Dau	F	S	W	5	AL
Edwin TONEY	Son	M	S	W	3	AL
Tom B. PARR	Other	M	S	W	17	AL

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Census Place: Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145D

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Major TONEY</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>B</b>	<b>26</b>	<b>AL</b>
Perlina TONEY	Wife	F	M	B	22	AL
Mathis TONEY	Son	M	S	B	2	AL
<b>Davy CROCKETT</b>	Other	M	S	B	11	AL

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Census Place: Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145D

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Taylor RAGLIN</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>B</b>	<b>58</b>	<b>AL</b>
Betsey RAGLIN	Wife	F	M	B	60	AL

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Census Place: Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 145D

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Bettie WADKIN</b>	<b>Self</b>	<b>F</b>	<b>W</b>	<b>B</b>	<b>30</b>	<b>AL</b>
Lettie WADKIN	Dau	F	S	B	8	AL
Lewis WADKIN	Son	M	S	B	5	AL
George WADKIN	Son	M	S	B	4	AL
Jefferson WADKIN	Son	M	S	B	3	AL

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 146A

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Ellen WADKINS</b>	<b>Self</b>	<b>F</b>	<b>S</b>	<b>MU</b>	<b>30</b>	<b>MO</b>
Louella WADKINS	Dau	F	S	B	14	AL
Malissa J. WADKINS	Dau	F	S	B	12	AL
James N. WADKINS	Son	M	S	B	8	AL
Mattie WADKINS	Dau	F	S	B	4	AL
Josaphine WADKINS	Dau	F	S	B	1	AL

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 146A

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Carrie BRADFORD</b>	<b>Self</b>	<b>F</b>	<b>S</b>	<b>B</b>	<b>22</b>	<b>AL</b>
Dora BRADFORD	Dau	F	S	B	1	AL

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 146A

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Aaron MCCALLEY</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>B</b>	<b>44</b>	<b>AL</b>
Francis MCCALLEY	Wife	F	M	B	30	AL
Ellen MCCALLEY	Dau	F	S	B	10	AL
Willie MCCALLEY	Son	M	S	B	7	AL
Johnney MCCALLEY	Son	M	S	B	4	AL
Mary F. MCCALLEY	Dau	F	S	B	2	AL

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Census Place:Township 5, Madison, Alabama

Source: FHL Film 1254022 National Archives Film T9-0022 Page 146A

	Relation	Sex	Marr	Race	Age	Birthplace
<b>Ben BRADFORD</b>	<b>Self</b>	<b>M</b>	<b>M</b>	<b>B</b>	<b>72</b>	<b>VA</b>
Mary BRADFORD	Wife	F	M	B	60	AL
Ben BRADFORD	GSon	M	S	B	13	AL
Sidney BRADFORD	GDau	F	S	B	12	AL
Peter LACY	GSon	M	S	B	9	AL



DEPARTMENT OF COMMERCE-BUREAU OF THE CENSUS  
FIFTEENTH CENSUS OF THE UNITED STATES: 1930  
POPULATION SCHEDULE

Enumeration District No. 25-18  
Sheet No. 14 B

Enumeration by Geo. W. [unclear] and [unclear]

BLOCK NO.	HOUSE NO.	NAME	RELATION	SEX	RACE	AGE	MARRIAGE	EDUCATION	OCCUPATION	PROPERTY	MIGRATION		REMARKS
											IN	OUT	
100-100	100	Powhatan Toney	Head	M	W	63	Married	High School	Farmer	1000	0		
100-100	100	[unclear]	Wife	F	W	58	Married	High School	Homemaker	0	0		
100-100	100	[unclear]	Child	M	W	13	Never	Elementary	Student	0	0		
100-100	100	[unclear]	Child	F	W	11	Never	Elementary	Student	0	0		
100-100	100	[unclear]	Child	M	W	9	Never	Elementary	Student	0	0		
100-100	100	[unclear]	Child	F	W	7	Never	Elementary	Student	0	0		
100-100	100	[unclear]	Child	M	W	5	Never	Elementary	Student	0	0		
100-100	100	[unclear]	Child	F	W	3	Never	Elementary	Student	0	0		
100-100	100	[unclear]	Child	M	W	1	Never	Elementary	Student	0	0		

(This 1930 census record shows Powhatan Toney at age 63 – green arrow. This fits with the age shown as 13 in the 1880 census.)

Some of the many land transactions conducted by Powhatan Toney during his lifetime are shown below. Immediately below is the

TONEY	FROM	TO					
Annie Lou		United States of America	142,351				
Mary E		" " "	142,351	2-25-35	3		
Mary		" " "	142,351				
Ellen		" " "	140,378	3-14-31	1		
Ellen		" " "	140,378				
Delice	Dist	United States of America	142,621	3-21-35	1		
Albion		" " "	142,621				
Ellie	Kathleen	" " "	142,564	4-5-35	3		
	Kate McLaugh	" " "	142,564	4-11-35	1		
	Kathleen	Trust Banking Co	211 1/2	2-22-39			
al	Jessie By Reg	Mary O Robertson	Deed Book 144	6-26-35	6	29	
	<u>Powhatan</u>	United States of America	140,167	2-25-35	7		
	Mary	Powhatan	United States of America	142,677	1-25-35	8	23
Annie Lou		Spring Hill Methodist Episcopal Ch.	140,352	2-11-34	0	6	
"	"	Spring Hill Methodist Episcopal Ch.	140,351				
"	"	Lowell	140,351				

(Expanded view below)

al	Jessie By Reg	Mary O Robert
"	<u>Powhatan</u>	United States of
"	Mary	Powhatan
"	Annie Lou	United States of
"	"	episcopal ch
"	"	Spring Hill Metho
"	"	Beneficial Brest

This index segment shows Powhatan Toney, as a Trustee of the Low and Spring Hill Methodist Episcopal Churches, selling land to the TVA in 1935, per Deed Book 144, page 167. It also shows that Powhatan and his wife Mary sold more land to the TVA per Deed Book 142, page 677. These deeds are shown below:



WARRANTY DEED

MAD. Co. AL  
Deed Book 142  
Page 677

677

Mary Toney & Husband,

to The United States of America

THE STATE OF ALABAMA, COUNTY OF MADISON.

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of  
Nine Hundred Seventy and no/100 ----- (\$ 970.00 ) dollars,  
cash in hand paid to the undersigned by the United States of America, the receipt of which is hereby acknowledged, we the  
undersigned grantors,

Mary Toney and husband, Powhatan Toney.

have this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto the United States of  
America, the following described tract or parcel of land, lying and being in

Madison County, Alabama, and more particularly bounded and described as follows:

A tract of land lying in Madison County, State of Alabama, in Township five (5) south, Range  
two (2) west, and more particularly described as follows: The northeast quarter (NE $\frac{1}{4}$ ) of  
the northeast quarter (NE $\frac{1}{4}$ ) of the northeast quarter (NE $\frac{1}{4}$ ) of section eleven (11). The west  
half (W $\frac{1}{2}$ ) of the southeast quarter (SE $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of section twelve.

All of the above described land contains thirty and five-tenths (30.5 A.) acres, more or  
less, being further known as tract WR 708 as shown on map 8-212 prepared by the engineers  
for the Tennessee Valley Authority.

TO HAVE AND TO HOLD the said tract or parcel of land unto the said United States of America, its successors and as-  
signs, in fee simple forever; and for the consideration aforesaid, we do for ourselves, for our heirs, executors and administra-  
tors, successors and assigns, covenant to and with the said United States of America that we are lawfully seized and possessed  
in fee simple of said tract or parcel of land; that we have a good and lawful right to sell and convey the same as aforesaid; that  
the same is free of all encumbrances, and that we will forever warrant and defend the title thereto against the lawful claims  
of all persons whomsoever.

It is understood and agreed that wherever in this instrument the singular number is used, it applies to the plural if and  
when necessary, and that when the plural is used, the plural likewise applies to the singular if and when necessary.  
IN WITNESS WHEREOF we have hereunto set our hands this the 23 day of August, 1935.

Mary Toney  
Powhatan Toney

THE STATE OF ALABAMA, COUNTY OF MADISON.

I, W. E. Butler, Judge of Probate, a Notary Public, in and for said county, in said state, hereby certify that  
Mary Toney and husband, Powhatan Toney  
whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that,  
being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this the 23 day of August, 1935  
W. E. Butler, Judge of Probate Notary Public

(SEAL)

THE STATE OF ALABAMA, COUNTY OF MADISON.

I, W. E. Butler, Judge of Probate, a Notary Public, in and for said county, in said state, do hereby certify that  
on the 23 day of August, 1935, came before me the within named Mary Toney  
known to me (or made known to me) to be the wife of the within named Powhatan Toney  
who, being by me examined separate and apart from the husband touching her signature to the within deed,  
acknowledged that she signed the same of her own free will and accord, and without fear, constraints, or threats on the part  
of the husband.

Given under my hand and official seal of office, this the 23 day of August, 1935  
W. E. Butler, Judge of Probate Notary Public

(Seal)

THE STATE OF ALABAMA, COUNTY OF MADISON.

I, W. E. Butler, Judge of Probate, do hereby certify that the within conveyance was filed in my office for record on the  
23 day of August, 1935 at 12 o'clock P. M., and duly recorded.

W. E. BUTLER, Judge of Probate.

Stp \$1.00

MAD. Co. AL  
Deed Book 142  
Page 167-168

Warranty Deed

L. G. Fields et als Trustees  
to  
The United States of America

The State of Alabama  
Madison County.

Know all men by these presents, that for and in consideration of the sum of Four Hundred Twenty-five and no/100 (\$425.00) dollars, cash in hand paid to the undersigned, by the United States of America, the receipt of which is hereby acknowledged, we the undersigned grantors, L. G. Fields, as Pastor of the Spring Hill Church, and Powhatan Toney, Pitts Griffin, and Andy Logan, as Trustees of the quarterly Conference of Love and Spring Hill Churches, Huntsville District, Central Alabama Conference of Methodist Episcopal Church, have this day bargained and sold, and by these presents do hereby grant, bargain, sell, and convey unto the United States of America, the following described tract or parcel of land, lying and being in Madison County, Alabama, and more particularly bounded and described as follows:

A tract of land lying in Madison County, State of Alabama, in Township five (5) South, Range Two (2) West, and more particularly described as follows:

A portion of the north half (N $\frac{1}{2}$ ) of the south half (S $\frac{1}{2}$ ) of the South half (S $\frac{1}{2}$ ) of section Two (2) and more particularly described as follows:

Beginning at a point in the east line of the southwest quarter (SW $\frac{1}{4}$ ) of Section Two (2) approximately eight hundred ninety (890) feet north of the southeast corner of the southwest quarter (SW $\frac{1}{4}$ ) of section Two (2), a corner of the lands of James Tillman Williams and Miss Annie Lou Toney; thence west with Miss Annie Lou Toney's line twenty-five (25) feet to a point; thence north two hundred and ten (210) feet to a point; thence east twenty-five



feet to a point in the east line of the southwest quarter (SW<sup>1</sup>/<sub>4</sub>) of section Two (2) a corner of the lands of Miss Annie Lou Toney, and James Tillman Williams, thence east with James Tillman Williams's line eighty (80) feet to a point, a corner of the lands of James Tillman Williams, and Arthur Ragland et al; thence south with Arthur Ragland's line two hundred ten (210) feet to a point, a corner of the lands of Arthur Ragland et al and James Tillman Williams; thence west with James Tillman Williams' line eighty (80) feet to the point of beginning.

The above described land contains five-tenths (0.5) of an acre, more or less, being further known as Tract WR 835, as shown on map 8-212.1, prepared by the engineers of the Tennessee Valley Authority.

To have and to hold the said tract or parcel of land unto the said United States of America, its successors and assigns, in fee simple forever; and for consideration aforesaid, we do for ourselves, for our heirs, executors and administrators, successors and assigns, covenant to and with the said United States of America that we are lawfully seized and possessed in fee simple of said tract or parcel of land; that we have a good and lawful right to sell and convey the same as aforesaid; that the same is free of all encumbrances, and that we will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

It is understood and agreed that wherever in this instrument the singular number is used, it applies to the plural if and when necessary, and that when the plural is used, the plural likewise applies to the singular if and when necessary.

In witness whereof we have hereunto set our hands and seals on this the 25 day of July, 1935.

L.G. Fields (Seal)  
As Pastor of the Spring Hill Church

Powhatan Toney (SEAL)  
As Trustee of the Quarterly Conference of Lowe and Spring Hill Churches, Huntsville District, Central Alabama Conference, of Methodist, Episcopal Church.

Witness:-

obt J. Coker

MAD. Co. AL  
Deed Book 142  
Page 112

his  
Pitts X Griffin (SEAL).  
mark

As trustee of the Quarterly Conference of Lowe and Spring Hill Churches, Huntsville District, Central Alabama Conference of Methodist Episcopal Church

his  
Andy X Cowan (SEAL)  
mark

As trustee of the Quarterly Conference of Lowe and Spring Hill Churches, Huntsville District, Central Alabama Conference of Methodist Episcopal Church.

The State of Alabama  
Madison County

I, W.E. Butler, Judge of Probate in and for said County, in said State, hereby certify that L.G. Fields, whose name as Pastor, of the Spring Hill Church, and Powhatan Toney, Pitts Griffin and Andy Cowan, whose names as Trustees of the Quarterly Conference of Lowe and Spring Hill Churches, Huntsville District, Central Alabama Conference, of Methodist Episcopal Church, are signed to the foregoing conveyance and whose names are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, in their capacity as such Pastor and Trustees, executed the same voluntarily on the day the same bears date.

(Seal)

Given under my hand and official seal of office this the 25 day of July, 1935.  
W.E. Butler, Judge of Probate.



The deed below shows Riley Toney in 1905 selling the land to Powhatan Toney (and other Trustees) for the Spring Hill M. E. Church.

MAD. Co. AL  
Deed Book 93  
Page 460-1

Riley Toney and wife  
To  
Powhatan Toney Etal } State of Alabama  
Madison County

This indenture made and entered into this the 29<sup>th</sup> day of April 1905 between Riley Toney and his wife Sallie Toney of the County of Madison State of Alabama, parties of the first part and Powhatan Toney, Harris Toney and Samuel Arnett, of the County of Madison State of Alabama, parties of the second part. Witnesseth that the said Riley Toney and his wife Sallie Toney for and in consideration of Fifteen Dollars (\$15.00) to them in hand paid by the said Powhatan Toney Harris Toney and Samuel Arnett Trustees in Trust, and their successors in office for the Methodist Episcopal Church and known as Spring Hill Church for the use and benefit of the ministry and membership of said Church in the United States of America subject to the discipline usage, and ministerial appointments of the said Church as from time to time authorized and declared, and if sold the proceeds shall be disposed of and used in accordance with the provision of said discipline. The receipt is hereby acknowledged, has this day given, granted, bargained, sold, conveyed and confirmed and by these presents do give, grant, bargain sell, convey and confirm unto the said above named Trustees

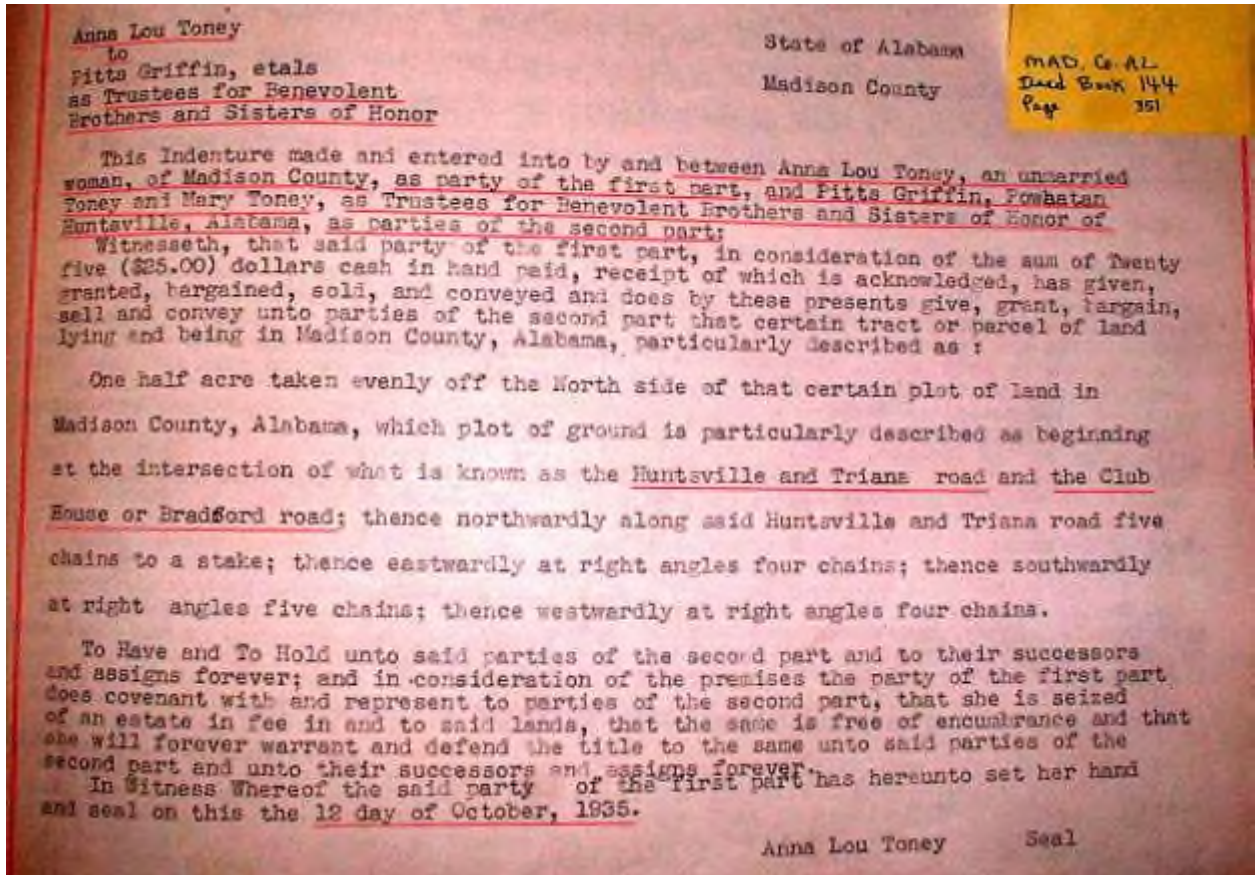


in trust and their successors in office for the use and benefit of the above named Church, all that certain lot of land, lying and being in the County of Madison, State of Alabama, hereinafter and described as follows, to-wit:

As being in Township 5 Range 2 West and being a part or parcel of land conveyed to me by deed November 28<sup>th</sup> 1904, by Harris Joney Ellen Joney, and Pitta Griffin. See deed Book Vol 73 page 285. The land herein meant to be conveyed is described as being One half (1/2) acre beginning at a point on the Keaton Road, and running East along said road One Hundred and five (105) feet, to land of the Brothers and Sisters of Honor, and thence North with said land Two Hundred and Ten (210) feet to lands of the undersigned, and thence West with the lands of the undersigned, One hundred and five (105) feet thence South with lands of the undersigned Two hundred and ten (210) feet to the Keaton road. The place of beginning and containing One half (1/2) acre off the west side to have and to hold the above described said one half (1/2) acre with the tenements and appurtenances thereunto belonging or anywise appertaining unto the said Trustee, in trust and their successors in office for the use above described and assigns forever, and the said Riley Joney and his wife Sallie Joney for themselves their heirs executors and administrators do hereby warrant and will forever defend the title to the above described and hereby granted unto the said Trustee in trust and their successors in office against ourselves our heirs and all and every person or persons claiming or holding under us the said Riley Joney and his wife Sallie Joney or the claims or demands of all and every person or persons, whomsoever. In testimony whereof the said Riley Joney and his wife Sallie Joney hereunto subscribe our names and affix our seals the day and year above written.

Riley Joney (Seal)  
Sallie Joney (Seal)

The deed below shows land sold to Powhaton & Mary Toney plus Pitts Griffin for the use of the “Brothers and Sisters of Honor”, as mentioned in the deed above, which was for the Spring Hill M. E. Church. This deed also mentions several roads in the area. The Huntsville and Triana Road (also called a “Pike” in other instances) was what is now called Anderson Road.



The deed below shows the purchase of the East Half of the Northeast Quarter of Section 11, Township 5 South, Range 2 West, by Powhaton Toney in December of 1904 from the American Freeholder Land & Mortgage Company of London, Limited. The transaction was executed by an agent in New York. This purchase was for the land where the Powhaton Toney Cemetery is located now.



MAP. G. AL  
Dad Book 93  
Page 390

W. J. Lowrey, Jr., State  
Judge of Probate,  
The American National Mortgage Company of Tennessee

American National Mortgage Company of Tennessee  
The State of New York  
New York County } Know all men by these  
present that for and in consideration of five  
hundred and sixty & 00/100 dollars to the said  
company of London Limited, in hand paid by  
Powhatan Loney of Madison County State of  
Alabama the receipt whereof is acknowledged  
it the said American National Mortgage  
Company of London Limited, acting by its  
attorney, does grant bargain sell and convey  
unto the said Powhatan Loney the following  
described real estate to wit:

The East half of the North East quarter (1/2  
of NE 1/4) of section eleven (11) in Township  
Five (5) Range (2) East West Containing approximately  
(40) acres more or less, situated in Madison  
County Alabama

to have and to hold to the said Powhatan Loney  
his heirs and assigns forever. And said  
Company do for it self covenant with the  
said Powhatan Loney his heirs and assigns  
that it is lawfully seized in fee simple of said  
premises: that they are free from all incum-  
brances and that it has a good right to sell &  
convey the same as a free title that it will  
warrant and defend the same to the said  
Powhatan Loney his heirs and assigns  
forever against the lawful claims of all persons  
In witness whereof its said attorney has hereunto  
set his hand and seal this 12<sup>th</sup> day of December

W. J. Lowrey, Jr.  
State Judge of Probate

The American National Mortgage Company of Tennessee  
By R. B. ...  
Attorney in fact



While Powhatan Toney was a landowner and Trustee of two churches (at the same time), he also had adverse experiences with the legal system of Madison County. There were several "Certificates of Judgment" by the Circuit Court against him. Some of them are shown below. The first one is in favor of the Henderson National Bank, and that bank building (with its name embossed) is still standing on the west side of the courthouse square in Huntsville.

128

MAD. Co. AL  
Circuit Court  
Certificate of Judgment  
Book 10 page 128

The Henderson Natl Bank  
a corporation organized and  
existing under the laws of the United States  
Plaintiffs.

No. vs.  
Powhatan Toney  
Defendants.

IN THE Circuit COURT  
OF  
MADISON COUNTY, ALABAMA.

Date of Judgment Sept 18, 1933  
Amount of Judgment for Damages . . . . \$ 167<sup>50</sup>  
Amount of Costs . . . . . \$ 9<sup>00</sup>

I, Jan B Stagner Clerk of the Circuit Court,  
for said County and State, hereby certify that on the 18th day of September, 1933  
The Henderson National Bank organized and existing under the laws of  
the United States Plaintiff, recovered of Powhatan Toney  
Defendant  
in the said Court of said County Judgment for  
the sum of one hundred sixty seven and 50/100 Dollars  
and for the further sum of nine and 00/100 Dollars  
costs of suit, and that Watts & White is Plaintiff's Attorney  
of Record; that said Plaintiff is owner of said Judgment, and that no property of Defendant is exempt from levy and sale hereunder.  
Given under my hand, this 12 day of Oct, 1933  
Jan B Stagner  
Clerk Circuit Court

THE STATE OF ALABAMA, MADISON COUNTY.  
I, THOMAS W. JONES, Judge of Probate in and for said County and State, do hereby certify that the foregoing Certificate of the  
Clerk of the Circuit Court of said County, was filed for registration  
on the 17 day of Oct, 1933, at 2<sup>35</sup> o'clock P. M., and duly recorded on same day.  
WITNESS, this 12 day of Oct, 1933  
Thomas W Jones  
Judge of Probate



*Jeanette Metzger*  
 Plaintiffs  
 No. *Parishattan Joney* vs. *Joney*  
 Defendants  
 I, *James G Stogner* Clerk of the *Circuit* Court,  
 for said County and State, hereby certify that on the *17th* day of *December*, 193*3*  
 Plaintiff, recovered of *Joney* Defendant  
 in the *Circuit* Court of said County, Judgment for  
 the sum of *one hundred thirty three and 63/100 -* Dollars,  
 and for the further sum of *nine and 70/100 -* Dollars,  
 costs of suit, and that *W J Price* is Plaintiff's Attorney  
 of Record; that said Plaintiff is owner of said Judgment, and that no property of Defendant is exempt from levy and sale hereunder.  
 Given under my hand, this *18* day of *Dec*, 193*3* *James G Stogner*  
 Clerk Circuit Court

THE STATE OF ALABAMA, MADISON COUNTY.  
 I, THOMAS W. JONES, Judge of Probate in and for said County and State, do hereby certify that the foregoing Certificate of the  
*Clerk* of the *Circuit* Court of said County, was filed for registration  
 on the *18* day of *Dec*, 193*3*, at *10:20* o'clock *A*.M., and duly recorded on same day.  
 WITNESS, this *18* day of *Dec*, 193*3* *Thomas Jones*  
 Judge of Probate.

*R P Wieden*  
 Plaintiffs  
 No. *J S Reed* vs. *Reed*  
 Defendants  
 I, *Annie Young* Clerk of the *Inferior* Court,  
 for said County and State, hereby certify that on the *20* day of *Dec*, 193*3*  
 Plaintiff, recovered of *J S Reed* Defendant  
 in the *said* Court of said County, Judgment for  
 the sum of *seventy six + 60/100 -* Dollars,  
 and for the further sum of *300 + 85/100 -* Dollars,  
 costs of suit, and that *Lavin + Price* is Plaintiff's Attorney  
 of Record; that said Plaintiff is owner of said Judgment, and that no property of Defendant is exempt from levy and sale hereunder.  
 Given under my hand, this *29* day of *Dec*, 193*3* *Annie Young*  
 Clerk Inferior Court of *Shells*

THE STATE OF ALABAMA, MADISON COUNTY.  
 I, THOMAS W. JONES, Judge of Probate in and for said County and State, do hereby certify that the foregoing Certificate of the  
*Clerk* of the *Inferior* Court of said County, was filed for registration  
 on the *29* day of *Dec*, 193*3*, at *11:20* o'clock *A*.M., and duly recorded on same day.  
 WITNESS, this *29* day of *Dec*, 193*3* *Thomas Jones*  
 Judge of Probate.

MAD. Co. AL  
 Circuit Court  
 Certificate of Judgment  
 Book 10 Page 147





Noted and paid in full  
 Bill No. 1723 Farmers' Cotton Oil & Fertilizer

Farmers Cotton Oil & Fertilizer  
 Co. a Corporation  
 - Plaintiffs.

IN THE Superior COURT

OF  
Huntsville  
 MADISON COUNTY, ALABAMA.

Date of Judgment 12/2 1922  
 Amount of Judgment for Damages \$ 65.00  
 Amount of Costs \$ 2.60

vs.  
John R. Dent Clerk of the Superior Court of Huntsville  
 Defendant.

and County and State, hereby certify that on the 22 day of Dec  
1922, recovered of F. C. O. + F. Co. a corp  
Prothonotary  
John R. Dent Clerk of said County.

MAD. Co. AL  
 Certificate of Judgment  
 Book No. 7  
 Page 101

for the sum of Eighty five + 00/100  
 and for the further sum of Two + 60/100  
 Dollars  
 Dollars  
 is Plaintiff's Attorney

of said suit, and that  
 of record; that said Plaintiff is owner of said Judgment, and that no property of Defendant is exempt from levy and sale hereunder.

Given under my hand, this 11 day of Jan  
1923  
John R. Dent Clerk of the Superior Court of Huntsville, Ala.

THE STATE OF ALABAMA, MADISON COUNTY.

I, THOMAS W. JONES, Judge of Probate in and for said County and State, do hereby certify that the foregoing Certificate of the  
Clerk of the Superior Court of said County, was filed for registration on the 12  
 day of Jan 1923, at 11:30 o'clock AM, and duly recorded on same day.

WITNESS this 12 day of Jan 1923  
Thomas W. Jones  
 Judge of Probate

MAD. Co. AL  
Circuit Court  
Certificate of Judgment  
Book 9, page 783

*W. L. Halsey Grocery Company*  
*a Corporation*  
Plaintiffs.  
No. *Perhater Joney*  
Defendants.

IN THE *Circuit* COURT  
OF  
MADISON COUNTY, ALABAMA.  
Date of Judgment *May 18<sup>th</sup>* 192*5*  
Amount of Judgment for Damages, *\$ 202.28*  
Amount of Costs, *\$ 9.75*

*Carter H. Rice* Clerk of the *Circuit* Court.  
for said County and State, hereby certify that on the *18* day of *May* 192*5*  
Plaintiff, *W. L. Halsey Grocery Company a Corporation*, recovered of *Perhater Joney* Defendant,  
in the *Circuit* Court of said County, Judgment  
for the sum of *Two hundred two and 28/100* Dollars  
and for the further sum of *Nine and 75/100* Dollars  
costs of suit, and that *Watts & White* is Plaintiff's Attorney  
of Record; that said Plaintiff is owner of said Judgment, and that no property of Defendant is exempt from levy and sale hereunder.  
Given under my hand, this *23* day of *May* 192*5*  
*Carter H. Rice*  
Clerk Circuit Court

THE STATE OF ALABAMA, MADISON COUNTY.

I, THOMAS W. JONES, Judge of Probate in and for said County and State, do hereby certify that the foregoing Certificate of the  
*Carter H. Rice* Clerk of the *Circuit* Court of said County, was filed for registration on the *23*  
day of *May* 192*5*, at *11* o'clock A. M., and duly recorded on same day.  
WITNESS this *23* day of *May* 192*5* *Thos W Jones* Judge of Probate.

*W. L. Halsey Grocery Company*  
*a Corporation*  
Plaintiffs.  
No. *E. V. Sanders*  
vs.  
Defendants.

IN THE *Circuit* COURT  
OF  
MADISON COUNTY, ALABAMA.  
Date of Judgment *May 18* 192*5*  
Amount of Judgment for Damages, *\$ 133.28*  
Amount of Costs, *\$ 9.75*

*Carter H. Rice* Clerk of the *Circuit* Court.  
for said County and State, hereby certify that on the *18* day of *May* 192*5*  
Plaintiff, *W. L. Halsey Grocery Company a Corporation*, recovered of *E. V. Sanders* Defendant,  
in the *Circuit* Court of said County, Judgment  
for the sum of *One hundred thirty three and 28/100* Dollars  
and for the further sum of *Nine and 75/100* Dollars  
costs of suit, and that *Watts & White* is Plaintiff's Attorney  
of Record; that said Plaintiff is owner of said Judgment, and that no property of Defendant is exempt from levy and sale hereunder.  
Given under my hand, this *23* day of *May* 192*5*  
*Carter H. Rice*  
Clerk Circuit Court

THE STATE OF ALABAMA, MADISON COUNTY.

I, THOMAS W. JONES, Judge of Probate in and for said County and State, do hereby certify that the foregoing Certificate of the  
*Carter H. Rice* Clerk of the *Circuit* Court of said County, was filed for registration on the *23*  
day of *May* 192*5*, at *11* o'clock A. M., and duly recorded on same day.  
WITNESS this *23* day of *May* 192*5* *Thos W Jones* Judge of Probate.



Tenn. Chem. Co. a Corp. IN THE Circuit COURT  
 No. 3971 Plaintiff,  
Powhaton Toney OF  
MADISON COUNTY, ALABAMA.  
Date of Judgment: Oct 17 1927  
Amount of Judgment for Damages: \$ 521.13  
Amount of Costs: \$ 9.10  
Carter H. Rice, Clerk of the Circuit Court,  
 for said County and State, hereby certify that on the 17 day of Oct. 1927  
Tenn. Chemical Co. a Corp.  
 Plaintiff, recovered of Powhaton Toney Defendant  
 in the Circuit Court of said County Judgment  
 for the sum of Five hundred and Fifty One & 13/100 Dollars  
 and for the further sum of Nine & 10/100 Dollars  
 costs of suit, and that David W. Cragan is Plaintiff's Attorney  
 of Record; that said Plaintiff is owner of said Judgment, and that no property of Defendant is exempt from levy and sale hereunder.  
 Given under my hand, this 19 day of Oct 1927 Carter H. Rice  
Clerk of Circuit Court  
 THE STATE OF ALABAMA, MADISON COUNTY.  
 I, THOMAS W. JONES, Judge of Probate in and for said County and State, do hereby certify that the foregoing Certificate of the  
 of the Court of said County, was filed for registration on the 19  
 day of Oct 1927 at 12 o'clock P. M., and duly recorded on same day.  
 WITNESS this 19 day of Oct 1927 Thomas W. Jones  
Judge of Probate.

MAR. 24. AL  
 Circuit Court  
 Book 11, Page 179

In February of 1928 Powhaton Toney claimed the Northeast Quarter of S11, T5-R1W, as his homestead. This was done for tax reduction purposes, and may have also entitled him to claim its exemption from seizure for debts at the time.

MAD. Co. AL  
CLAIMS OF EXEMPTIONS  
BOOK 5  
page 123

State of Alabama  
Madison County

Before me, Rachel Dombrowski, a Notary Public in and for said County and State this day personally appeared Powhatan Jones, who being by me first duly sworn hath depone and say that he is a resident citizen of Madison County, Alabama; that he has selected and claims as a homestead exemption under the constitution and laws of the State of Alabama, all of his right, title, interest and claim in and to the following described tract or parcel of land lying and being in Madison County, State of Alabama to wit:

The North east quarter of Section 11, Township 5 Range 2 West, excepting therefrom approximately eleven (11) acres in the Southwest part thereof, said tract herein claimed as exemption being less in area than 60 acres, and the interest of applicant therein being less in value than Five Thousand (\$5000.00) Dollars.

Powhatan Jones

Given to and subscribed before me this 23 day of February 1928

Rachel Dombrowski  
Notary Public

Filed this 24 day Feb. 1928 at 2 P.M. and duly recorded  
Thos. W. Jones  
Judge of Probate.

The mortgage record below shows Mary Patton as a widow. She borrowed \$200 in September 1941, using her homesteaded land as collateral. The mortgage was paid in December 1941.



MAD. Co. AL  
MORTGAGE RECORD  
BOOK PAGE(S)  
305 50

STATE OF ALABAMA,  
MADISON COUNTY

Know All Men by These Presents: That, Whereas I the undersigned Mary Joney, a widow  
justly indebted to Mrs. Florence H. Speake  
in the sum of Two Hundred and no/100 Dollars with out interest  
and payable as follows: Two Hundred and no/100 Dollars (200.00) on or before  
January 1, 1942

And, Whereas I am anxious to secure the payment of said debt, principal and interest when due:  
Now therefore, in consideration of the premises and said sum of \$ 200.00 to me in hand paid by said Mrs. Florence H. Speake  
the receipt of which is hereby acknowledged, I the undersigned Mary Joney, a widow

do hereby grant, bargain, sell and convey to the said Mrs. Florence H. Speake  
the following described real estate situated in Madison County, State of Alabama, viz:

Northwest quarter except N 1/4 of N 1/4 and except 11.30 acres  
in southwest part of south half, and except 1 acres due east  
of 11.30 acres, this one acre, Camp property, all being  
in Section 11, Township 5, Range 2 West, containing 140.30  
acres.

Endorsed on original has been paid and  
satisfied in full on the 6<sup>th</sup> day of December, 1941

Witness Mrs. Florence H. Speake  
M. H. Lanier

To Have and to Hold, with the rights, privileges, tenements and appurtenances thereto belonging or in any way appertaining, to the said  
Mrs. Florence H. Speake her heirs and assigns forever.  
And I the said Mary Joney, a widow do hereby covenant with  
the said Mrs. Florence H. Speake her heirs and assigns  
that I am seized in fee of the above described property and have a good legal right to sell and convey the same; that the same is free from encumbrances  
and that I will forever warrant and defend the title thereto against the lawful claims and demands of all persons whomsoever.

But this conveyance is upon condition that if I pay said debt, principal and interest, when due, and keep the taxes paid on said property before the  
same become delinquent, and keep the improvements on said property insured against loss by fire and tornado in a sum and with a company satisfactory to the mort-  
gagee or holder of this mortgage, then this conveyance to be void; but should I fail to pay said note when due, or any annual  
installments of interest when due, or any tax against said property before the same becomes delinquent, or to keep up said insurance as aforesaid then, or in either  
such event, the said Mrs. Florence H. Speake or the holder of the mortgage is authorized to declare the  
entire debt, principal and interest, immediately due and payable; and may take possession of said property, and, after giving three weeks notice of the time, place and  
terms of sale, with a description of the property, by advertisement once a week for three successive weeks in some newspaper published in Madison County, Alabama,  
may sell said property to the highest bidder for cash, in front of the Court House door in the City of Huntsville, Alabama, or at other public places to be designated in  
said advertisement; and may become the purchaser at said sale, and may execute a deed to the purchaser; or the auctioneer conducting the sale is authorized to execute  
such deed. And the proceeds of such sale, or of any sale of said property under proceedings in a court of equity foreclosing this mortgage, shall be applied:

- FIRST—To the payment of the costs and expenses of foreclosing this mortgage, including a reasonable attorney's fee therefor;
- SECOND—To the payment of amount, principal and interest, due on said note, together with any taxes on said property or insurance premiums which the  
mortgagee, or holder of mortgage, may have paid, with legal interest thereon from the time of such payment; and
- THIRD—The balance, if any, to be paid to the undersigned Mary Joney

In witness whereof, I have hereunto subscribed my name and affixed my seal, this 27 day of  
September, 1941. Mary Joney (SEAL)  
(SEAL)  
(SEAL)  
(SEAL)

State of Alabama—Madison County  
I, J. R. Barkley Notary Public in and for said County in said State,  
hereby certify that Mary Joney, a widow

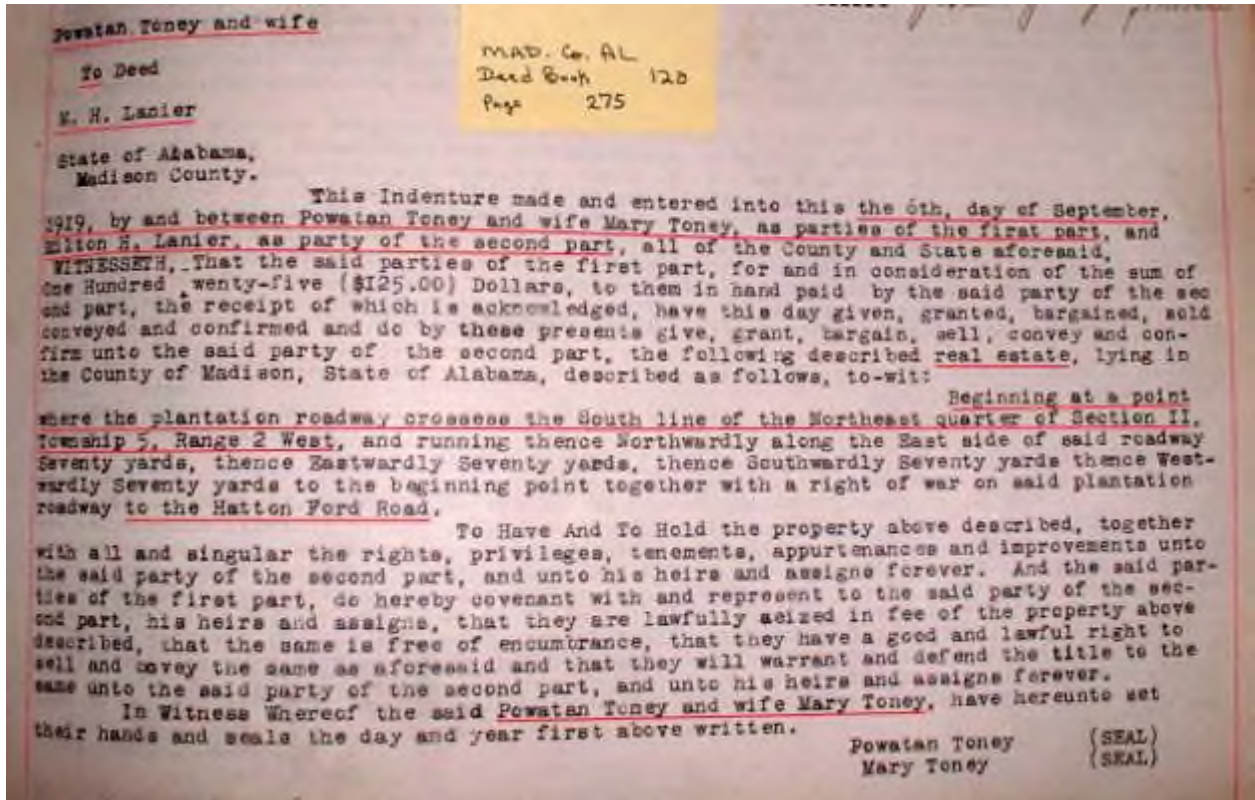
whose names is signed to the foregoing mortgage and who made known to me, acknowledged before me on this day, that, being informed of  
the contents of said mortgage, executed the same voluntarily on the day the same bears date. Given under my hand this 27 day of  
September, 1941. J. R. Barkley Notary Public  
State of Alabama—Madison County







The 1919 land transaction below shows Powhatan & Mary Toney selling land to Milton H. Lanier. The instrument mentions several old roads of the area as boundaries for the parcel.



Milton H. Lanier was a white lawyer who not only purchased the above parcel of land from Powhatan Toney, but he also witnessed several of the Toney land transactions. It is likely that he was considered the “family lawyer” by the Toney. Milton H. Lanier is shown below in the 1920 census for reference, one year after the above transaction was conducted.

74				James	wife								
75	207	131	139	Moffett	Harry M.	Head	102	M	W	37	M		
76				—	Allie	wife		F	W	38	M		
77				—	Harry	son		M	W	11	S		
78				—	Susann	Daughter		F	W	8	S		
79				—	Carrie Lena	Daughter		F	W	6	S		
80				—	Rollie	son		M	W	4 1/2	S		
81				—	Alexander	son		M	W	4 1/2	S		
82				—	Mary L.	Daughter		F	W	1 1/2	S		
83	X	132	140	White	Lester	Head	102	Q F	M	W	45	M	
84				—	Edith	wife		F	W	40	M		
85				—	Frazier J.W.	son		M	W	31	S		
86				Wall	Edith	Daughter		F	W	24	M		
87				—	John H.	Son-in-law		M	W	27	M		
88				—	John Jr.	Grandson		M	W	4 1/2	S		
89	X	133	141	Humes	Eddy	Head	102	Q F	F	W	60	W	
90				—	Powell Alberta	Niece		F	W	30	M		
91				—	Clifton	Boarder		M	W	35	M		
92				—	Ella Lee	Great Niece		F	W	24 1/2	S		
93													
94	X	134	142	Lanier	Milton H.	Head	102	Q F	M	W	40	M	
95				—	Annie T.	wife		F	W	30	M		
96				—	Margaret	Daughter		F	W	9	S		
97				—	Milton H. Jr.	son		M	W	2	S		
98	X	135	143	Cooper	Lawrence	Head	102	Q F	M	W	68	M	
99				—	Eliza	wife		F	W	64	M		
100				—	Elizabeth	Daughter		F	W	28	S		

1920 Madison County AL Census; E. D. 123, Sheet 6-B  
(Milton H. Lanier's occupation listed as "General Lawyer")

The original land ownership of the NE/4, S11-T5-R2W is shown below:



**OLD LAND RECORDS OF MADISON COUNTY, ALABAMA, by Margaret Matthews Cowart**

TOWNSHIP		5 South		RANGE		2 West		HUNTSVILLE MERID		
DESCRIPTION OF THE TRACT		AREA		UNITED STATES TITLE				Date of Sale Location or Grant	Number of Certificate or Warrant	Date Milit Ac
PART OF SECTION	Section	Acres	100ths	TO WHOM SOLD OR GRANTED						

Page 112	<b>10</b>	639.88							
North East ¼	"	159.97		State			23 May 1828	*Memo	
				*River Impts Saml Hattin			6 Jul 1830/41	*Vol 6, p	
				J. B. Horton			28 Jul 1830/41	*Vol 6, p	
							5 Vol 3, p320		
North West ¼	"	159.97		Harris Toney, Asse			4 Feb 1818	98	
E ½ of SE ¼	"	79.88 ½		John Rowe, Jr.			6 Dec 1832	5805	
W ½ of SE ¼	"	79.88 ½		<u>John Cartwright, Asse</u>			4 Feb 1818	1301	
South West ¼	"	159.97		<u>Edward Dillard, Asse</u>			4 Feb 1818	1274	
	<b>11</b>	641.40							
North East ¼	"	160.35		Samuel Hatton, Asse			28 Jun 1831	942	
North West ¼	"	160.35		Jno. Rowe, Jr. &					
				Wm. Oliver, Asse			25 Jun 1831	868	
South East ¼	"	160.35		John H. Lundy, Asse (Hundley?)			2 Jun 1831	633	
NE ¼ of SW ¼	"	40.08 ¾		John Rowe, Jr.			6 Dec 1832	5804	
NW ¼ of SW ¼	"	40.08 ¾		<u>John Cartwright</u>			4 Jun 1832	4899	
S ½ of SW ¼	"	80.17 ½		Edmund Ayres			4 Sep 1833	6365	
	<b>12</b>	643.76							
E ½ of NE ¼	"	80.47		<u>Mary Lanier</u>			6 Feb 1832	4763	
W ½ of NE ¼	"	80.47		Edmond Ayres			19 Sep 1833	6408	
NE ¼ of NW ¼	"	40.23 ½		Frank Toney			30 Apr 1909	02281	
				<u>Holden W. Prout</u>			4 Feb 1828	3028	
				*Also to Frank Toney			30 Apr 1909	02281	
SE ¼ of NW ¼	"	40.23 ½		Samuel Hatton			27 Mar 1827	11120	

The transitions of land ownership to 1920 for this section are given in the INDEX below:





INDEX TO LANDS																				
Section 11		Township 5		South of Range 2 East		Madison County, Alabama.														
G. W. JONES & SONS																				
Index	Page	Vol. of Deed	Deed No.	GRANTOR	GRANTEE	DATE OF ASSIGNMENT	DATE FILED	N. E. 1/4				N. W. 1/4				S. W. 1/4				S. E. 1/4
								NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	
90	384	25g		Kellogg, William & J. C.	Fuller & Company	1900														
98	38	24g		Toney, Powhatan & Mary	Miller, John B.	1907														
102	127	2		Kellogg, William	Toney, Powhatan	1900														
103	182	2		American Freeholder & Co.	Toney, Powhatan	1908														
106	68	24g		Toney, Powhatan & Mary	Miller, John B.	1908														
108	1	24g		Toney, Powhatan & Mary	Miller, John B.	1909														
109	248	2		Stevens, Geo. W. & J. C.	Low, Malville et al	1910														
109	26	24g		Brow, J. H.	Keston, Robert W.	1910														
109	178	2		Low, J. & G. G.	Harris, William	1912														
111	608	24g		Toney, Powhatan & Mary	Damon & Graham	1912														
107	168	2		Wells, Mary & et al	Brow, J. H.	1912														
107	412	2		Morris, Geo. & Geo. W.	Santer, Milton E.	1913														
107	189	2		Hudson, M. et al	Santer, Virginia	1913														
107	156	2		Santer, Virginia et al	Santer, Virginia	1913														
107	181	2		Moore, Green & S. S.	Simons, Annie	1913														
107	388	2		Simons, Asa & Maria	Langston, Kate	1913														
107	176	2		Moore, John & S. S.	Moore, Elias	1913														
108	110	24g		Langston, K. & Kate	Rice, J. D. & Sons	1913														
111	102	2		Wells, Maria & et al	Moore, J. H.	1914														
114	502	2		Moore, J. H. et al	Santer, Milton E.	1916														
114	504	2		Santer, Milton E. & Annie T.	Santer, Milton E. & Annie T.	1916														
107	380	24g		Miller, John B. et al	Toney, Powhatan et al															
107	172	2		Toney, Mary & John	Santer, Milton E.															

The above land records and indexes show that Samuel Hatton in was the first purchaser of the NE/4 of S11-T5-R1W and several adjacent quarters in other sections as well. John W. Looney had some of the adjoining land in the NW/4 of Section 12. In 1845 Samuel Hatton put the NE/4 of Section 11 in a Deed of Trust to Benjamin T. Moore, as Trustee. Several others (Langley, Ewing, Ragland, Jones, Brickell, and Spragins) were involved in transactions regarding the NE/4, until in 1870 the land was transferred from Elias C. & Anna Spragins to Samuel H. Moore. Samuel transferred the land in 1874 to James R. & Sallie K. Spragins, who in turn transferred it to Sarah (“Sallie”) A. Spragins in 1876. In 1886, Sarah Spragins sold the land to **John W. & A. J. Mayhall**, who also sold a portion of it in 1886 to the American Freeholder Land Mortgage Company. It was that company that referred to the parcel as “**part of the J. W. Mayhall place**” and initially sold the land to Powhatan Toney in 1904, as shown in the deeds and INDEX inserted earlier.

Other aspects of this cemetery are seen in the photos below:



Powhatan-Toney Cemetery, Redstone Arsenal TA6, Madison Co. AL, March 4, 2003  
(Area with old type mesh wire enclosure that has fallen apart, plus a metal funeral home marker, just to right of center.)

There is no indication of the names of people buried within this separately enclosed area within the Powhatan Toney Cemetery, other than the old metal funeral home marker. However, the marker no longer has an insert with the name of the deceased, and the serial numbers on the marker are very difficult to interpret. Still, the photos below show the marker in as much detail as could be obtained.





Powhaton-Toney Cemetery, Redstone Arsenal TA6, Madison Co. AL, March 4, 2003





Powhaton-Toney Cemetery, Redstone Arsenal TA6, Madison Co. AL, March 4, 2003





Powhatan-Toney Cemetery, Redstone Arsenal TA6, Madison Co. AL, March 4, 2003



Metal Funeral Home marker in Powhaton-Toney Cemetery, Redstone Arsenal, Madison County AL, March 3, 2003

It may be that the Royal Funeral Home conducted the funeral and emplaced the metal marker, since that funeral home did inter a number of people in the arsenal cemeteries. It is not known whether they have serial numbers of the markers recorded, or if there is enough of this number legible to determine the deceased's name from them, if they did in fact conduct the funeral.

When the effort to explore this cemetery was first undertaken, it was thought that the name Powhaton Toney was actually two different surnames. Thus, the name in the caption of the photos is hyphenated. However, it is now known that Powhaton Toney was indeed one man's name in the area. His marriage record is shown below:



THE STATE OF ALABAMA,  
MADISON COUNTY.

TO ANY OF THE JUDGES OF SAID STATE: ANY JUSTICES OF THE PEACE  
OF SAID COUNTY: OR OTHER PERSONS LEGALLY AUTHORIZED:

These are to Authorize You, or either of you, to solemnize the Rites of Matrimony  
between Powhatan G. Toney and Mary T. Graves  
of said County, agreeably to the statute in such cases made and provided.

Given at the office of the Judge of Probate of said County, this 30 day  
of March 1896  
M. Stewart  
Judge Probate Court.

Solemnized on the 30 day of March 1896.

Know all Men by these Presents, That we Powhatan G. Toney  
and Henry Higgins  
of Madison County, State of Alabama, are held and firmly bound unto the State of  
Alabama in the sum of Two Hundred Dollars, for the use of said State: for the due  
payment thereof, we bind ourselves and heirs, jointly and severally.

Witness our hands and seals, this, the 30 day of March 1896.

The Condition of the above Obligation is such, That the said Powhatan G.  
Toney  
hath this day prayed a License from the Judge of the Probate Court of Madison County,  
to be married to Mary T. Graves.  
Now if there be no lawful cause to obstruct such marriage, then the above obligation to be  
void: otherwise to remain in full force.

Approved March 30 1896

M. Stewart  
Judge of Probate.

Powhatan G. Toney  
Henry Higgins

STATE OF ALABAMA,  
COUNTY OF MADISON,

Personally appeared before me, M. Stewart, Judge of the Probate Court of  
said County, Powhatan G. Toney  
made oath that he is over the age of 21 years: and that  
Mary T. Graves is over the age of 18 years, and lives in this County.

Sworn to and subscribed before me this

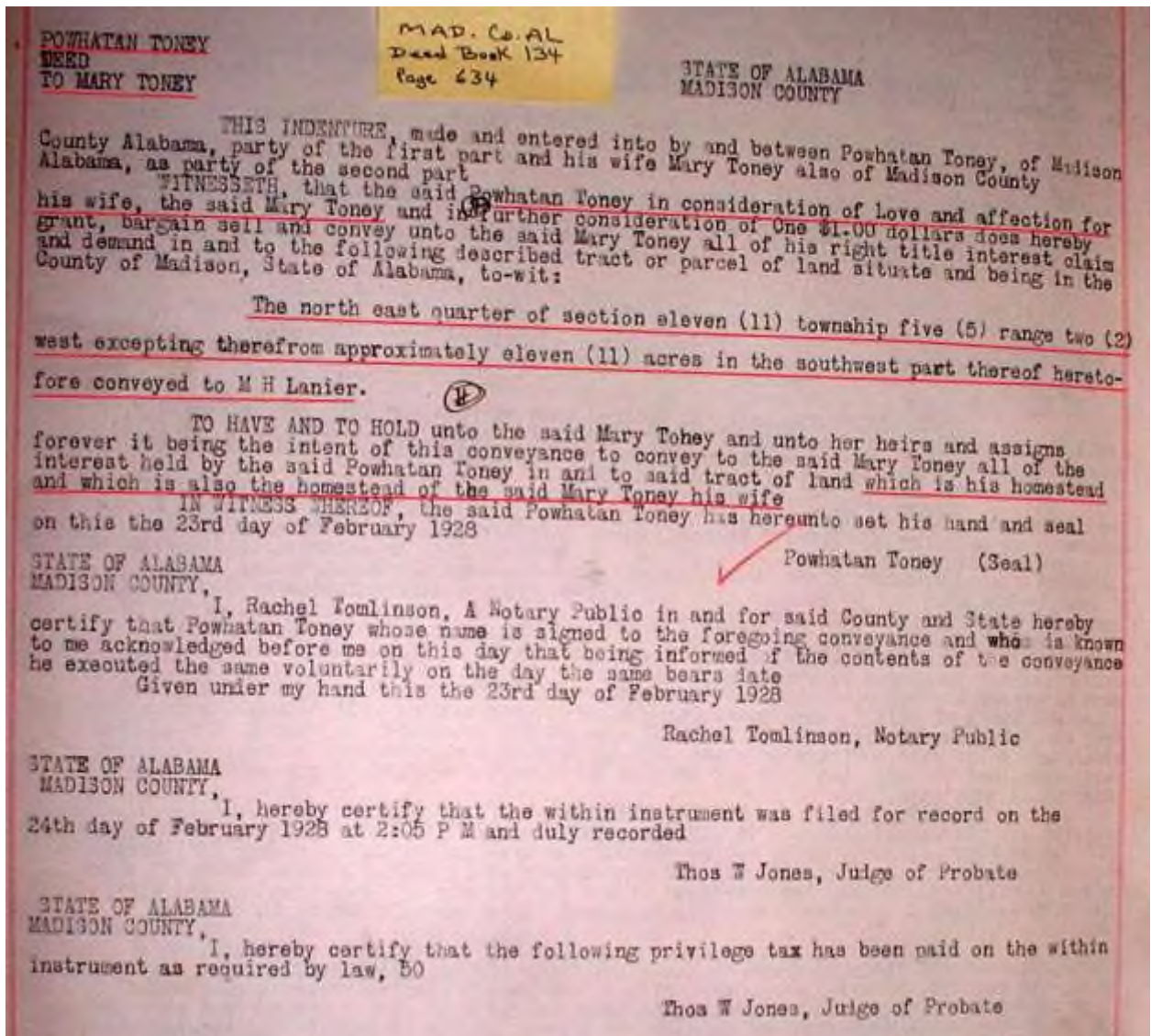
30 day of March 1896

M. Stewart  
Judge of Probate.

Powhatan G. Toney  
Witness:

Marriage Book 21, Record # 470: Powhatan Toney & Mary T. Graves  
(Mary T. Graves may be Mary T. Groves, related to Austin Groves?)

In February 1828 Powhatan Toney put his land in his wife's name:



The precise reason for the transfer of land into his wife's name by Powhatan Toney is not known, but it was probably either for protection from seizure over debts or in order to avoid probate, if Powhatan expected to pass away soon. However, from other records it is known that he continued to live through 1935, when he sold land to the United States for the use of the Tennessee Valley Authority. It is also known that he did pass away by 1941, when his wife Mary was shown on a mortgage instrument as a widow.



The Powhatan Toney Cemetery has not been filled with information to be gained from tombstones. However, it has led into research about a black man who was born just after the Civil War (in 1867) and who died in the late 1930s or early 1940s. His life record shows that he was a fairly responsible man, being a trustee of churches and a member (or officer) of a black honorary society. He obviously had good legal advice in his numerous land transactions, probably as guided by Milton H. Lanier, a notable Huntsville attorney. Yet, he had several circuit court judgments against him, all apparently for debts. Oddly enough, there is no tombstone for Powhatan Toney or his wife in the cemetery that carries his name. Even the one tombstone found in the cemetery was for a name other than Toney. Yet, research has shown that it was indeed for a woman whose maiden name was Toney, so there was probably a close relationship to Powhatan.

While nothing definitive can be shown directly for the burials, other than for Millie (Toney) Horton, it is likely that the cemetery is filled with those who lived in the immediate area around Powhatan Toney, as shown in the census records. In particular, it is likely that many of the members of the Lowe and Spring Hill Methodist Episcopal Churches were buried in the cemetery, since Powhatan was a trustee of those churches. Similar logic would apply to the members of the "Brothers and Sisters of Honor" society. The cemetery could even have been considered more so a church cemetery than a private family cemetery. It is unfortunate that no tombstones were erected, or at least that none remain today, beyond that for Millie Horton. Still, it has been worthwhile to learn of this family headed by a man with an unusual first name. His life left its mark, whether he has a tombstone or not.

Prepared by John P. Rankin, April 6, 2003; revised September 18, 2005