

COOPER - PENLAND CEMETERY, 80 - 1

Summary Report



Cooper House from Redstone Arsenal, as moved into Madison AL, August 14, 2005



Cooper House from Redstone Arsenal, as moved into Madison AL, August 14, 2005

The house shown above in the town of Madison, Alabama, has a direct connection to the Cooper – Penland Cemetery on Redstone Arsenal. It was the home built by James Cooper for his bride Charity Allison Cooper in the mid-1800s. Originally, it overlooked the Tennessee River, from about a mile north of its banks. Of course, the house as shown here in August of 2005 has been extensively renovated, but it is indeed the old Cooper house, just relocated to the northwest corner of the intersection of Eastview Drive with Metaire Lane in Madison.

The house was moved into Madison from the arsenal by Tyler and Evelyn Darwin in 1977. Below are notes made of a telephone conversation with Mrs. Darwin about the house and its move and its history.

Notes of telecon of August 15, 2005

With

Evelyn Darwin, Widow of Tyler Darwin

Mrs. Evelyn Darwin related that she and her husband Tyler Darwin personally moved the old Cooper – Lea / Lee – Harris home from Redstone Arsenal in about 1977 to Madison, Alabama. Tyler Darwin is deceased, but he was an expert cabinetmaker and woodworker in general, according to Evelyn. He rented house-moving equipment from the Kennedy Moving Company, and he moved the house from the arsenal himself in two stages. First the bricks were moved, then the remainder of the house was relocated. The house as they got it was constructed of wood planks, not brick. However, the basement was of brick construction. According to Evelyn, the house is supposed to be haunted, with several stories told of seeing a woman (female ghost) on the stairs at various times. She said that Tyler had grown up around the old house in its original location. When asked if he had ever mentioned the existence of more than one tombstone in the nearby cemetery, she said that she was pretty sure that there were no others during their lifetime.

Evelyn and Tyler had decided to move from Huntsville “into the county” in order to get their son out of the city school system and raise him in a more relaxed setting. Their son was about 12 years old when they moved the house, which had 5 fireplaces – two upstairs and three downstairs. They chose the site in Madison to provide the view overlooking Huntsville, so they bought 4 acres there and put the house on it. Stories of the house and its move were published in the Redstone Arsenal newspaper and in the Huntsville newspapers at various times. She credited U. S. Senator John Sparkman and Huntsville Mayor Joe Davis (personal friends of hers) with helping clear away the “red tape” to get the house move accomplished.

Evelyn said that she had some old photos of the house before the move, but most of her historic materials had been loaned to one of her son’s schoolteachers for a special report, and she never got them back. She also said that the local Darwin families are descended from the famous Charles Darwin, who proposed the theory of evolution, and she stated that he was a religious man who had sons in Christian ministry.

*Evelyn further stated that Tyler Darwin’s mother was Edna **Woodward**, of the Woodward family on the pre-arsenal lands. Edna is buried in Maple Hill Cemetery, but the family still considers the **Woodward Cemetery** on the arsenal as “theirs”. She intends to revisit it soon, if her son will escort her there. Tyler’s father (Edna’s husband) was Jeff Darwin, and he died in the 1918 great flu epidemic. Tyler died in his 80s, and his mother lived to be 101. Maple Hill Cemetery records (per Old Huntsville Magazine’s web page) shows that Edna died January 28, 1989.*

Evelyn also mentioned that Huntsville Attorney Fred Simpson interviewed her husband Tyler Darwin extensively for an entire day to learn details of the Woodward girl’s murder in Huntsville during the cotton mill days (1936). Mr. Simpson documented the

murder details in his book “Murder in the Heart of Dixie” (2003) and brought her a complimentary copy after its publication.

*John P. Rankin
103 Madison Avenue
Madison, AL 35758*

***Addendum:** Percy Keel says that a Mr. Foster lived in the house after the Darwins. Madison City Attorney Ann Marie Lacy and her husband are the present occupants / owners.*

James Cooper came to Madison County around 1818. He began buying land that later became arsenal property until he had a small plantation. A 1933 newspaper account reports that he built his house with brick brought down the Tennessee River from Chatanooga, Tennessee. However, the owner who moved the house from the arsenal to the town of Madison said that it was made with plank siding, not brick. In any event, the house has passed through many owners to this point. It was said to be haunted, with a female form or ghost seen at various times on the stairway. It is strange that the ghost stories would involve a female, since it was the male, James Cooper, whose death would more possibly be expected to generate ghost stories of unhappy spirits hanging around the house.

The article inserted below is from the **Huntsville Times** newspaper series about historic homes, as published in 1932-3. The series was written by Pat Jones, and printed on page 4 of every Sunday issue of the paper. The homes were mostly in Madison County, but there were a few articles about historic homes in other counties of Alabama. The partial listing below states that at the time of the writing, Joseph B. Harris was the occupant of the “Lee” (Lea – Cooper) home, thus it became known to the later generations as the “Harris House”.

Dates Upon Which 29 'Historic Homes' Built

For the convenience of readers who have followed the series of stories on historic homes of Madison county, published in The Times each Sunday since August 28, the following compact list, giving the present occupants and the year in which those already written about were built, has been prepared:

| <u>Home</u> | <u>Occupants</u> | <u>Date</u> |
|-------------|-----------------------|----------------|
| Echols | R. E. Spragins | 1834 1814 |
| Whitten | Mrs. S. L. Whitten | 1826 |
| McCalley | (Razed) | 1811 |
| Weeden | Robert P. Weeden | 1819 |
| Scruggs | Tenants | 1811-1815 |
| Boswell | C. S. Boswell | 1838 |
| Grayson | David A. Grayson | 1852 |
| Rice | Tenants | 1818 |
| Burritt | Tenants | 1812 |
| Newman | W. W. Newman | 1824-1832 1835 |
| Dilworth | W. P. Dilworth | 1840 |
| McCracken | Miss Laura McCracken | 1843 |
| Otey | J. B. Walker | 1850 |
| Toney | John Toney | 1859 |
| Sivley | Tenants | 1812 |
| Jude | Tenants | 1818 |
| Garth | Willis W. Garth | 1822 |
| Chase | Henry Chase | 1850 |
| Neal | Miss Annie Neal | 1822 |
| Geron | C. T. Geron | 1826 |
| Mastin | Eugene Gill | 1854 |
| Dillard | Mrs. Lucie D. Dillard | 1837 |
| Brickell | R. C. Brickell | 1821 |
| Criner | Henry Fanning | 1836 |
| Strong | W. P. Satterfield | 1836 |
| Cabaniss | J. A. Carriger | 1809-1815 |
| Lee | Joseph B. Harris | 1818 |
| Bone | Bone heirs | 1826 |
| Steele | W. M. Fowler | 1840 |

Article Series on Historic Homes of Madison County, by Pat Jones published Sundays in HUNTSVILLE TIMES newspaper, 1932-3

The name “Harris House” on the arsenal today has been applied to another, much smaller house that remains near the site of the original Cooper – Lea – Harris home.



Harris House, about 200 yards east of Penland - Cooper Cemetery, 80-1



Harris House on Buxton Road -- one of the few remaining original houses from pre-arsenal days

The 1933 newspaper account of the original Cooper – Lea – Harris house is shown below:

negro servants, found in the possession of several of whom, including Mrs. L. B. M. Burdine and H. A new front porch wider than the old one, the chief change made in the house

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HISTORIC SCRAPBOOK
Volume Two
LEE Home, 5 Mar. 1933

...trees still standing
...ard, this is one home,
...the floral beauty which
...ended it, that could be
...unchanged overnight
...ed during and following
...without in the least indi-
...succeeding years which
...perienced.

The Lee Home 5 MARCH 1933 P. 4

A Z-shaped dwelling in two sections, of different ages, wrapped around an Irish woman with a business tendency, and distinguished by the most beautiful circular stairway in Madison county—all of this comes to light in a review of the Col. H. H. Lee home, for the last 13 years the residence of Joseph B. Harris, situated near the Tennessee river four miles west of Whitesburg.

Tall cedars and two of the largest pecan trees in the South, which have borne for more than 60 years, shade the home, forming a gradual contour from the hundreds of fertile acres of river bottom land surrounding.

Two rooms of the mansion, both of brick and forming the lower part of the Z; were built soon after 1818, and were followed nearly 25 years later by the others, built of substantial frame material.

Land Entered by Cooper

The quarter section of land, on which this home was erected, was entered in 1818 by James Cooper. This was choice acreage, and included some of the best farming soil in the county, all in the center of what is now known as Pond Beat, a name gained from the number of tiny ponds formed by floods when the river is high. His neighbors were scarce, but he was not many minutes' ride from Ditto's landing, the import and export center for this section during the early years of the last century.

With bricks hauled from the landing, where they had been brought by boat from Chattanooga or some other point, Cooper erected a small two-story building, the beginning of the present mansion. This was to be his home and that of his bride, Charity Cooper, born in 1801, the daughter of William Allison; who had come over from Ireland several years after her birth.

This settler did well, hauling his cotton to Whitesburg for shipment, and occasionally coming to Huntsville to get supplies. He found that his land, untilled before his arrival, could not have been better suited for a young planter, and made the most of his opportunity.

Bought More Land Later

In 1830, his fortune increasing, he bought for \$800 three-quarters of an adjoining section from Rodah Horton, builder of the present McCracken home on Meridian pike. Four years later, through a deal with Charles G. Bowen, covered by

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LEE Home, 5 Mar. 1933

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four notes, he added one quarter of still another section.

Then came his death—through suicide—on Dec. 7, 1834, the same year of his purchase from Bowen. Just what influenced him to take his own life—whether money matters, troubles with his wife, or dependency over his health—is not known. On this day, cold for the method of dying he chose, he walked the mile to the banks of the Tennessee, fastened an iron pot he had carried with him over his head, and plunged into the water.

His will, made the June prior, left the majority of his property, estimated at nearly \$12,000, to his wife. Her share included his real estate, his cotton crop, valued at \$2,470.51, and 18 slaves, appraised at \$10,000. She also was bequeathed all cattle, horses and household furniture.

Cooper further specified that \$500 should be given to each of his sisters, Mrs. Mary Wall, Mrs. Nancy Veitch and Mrs. Elizabeth Ross, wife of the Rev. Alexander Ross. His father was to receive \$25 annually as long as he lived.

Charity Took Over Farm

Charity took over the reins there on the plantation without thought of moving the few miles to Huntsville for an environment not nearly so lonesome. She directed her slaves with as true an iron hand as ever Irish woman possessed, using her own judgment as a farm housewife in having potatoes planted in that field, corn in this one, or cotton over the entire acreage.

She forgot her troubles during the first year or two of this new task, yet, as the months passed, she gradually began to miss the companionship of her husband.

But a suitor appeared on the scene. He was Col. Houston H. Lee, originally of Tennessee, five years her junior and the owner of half a section of land jammed up into the ell formed by her three sections.

After this courtship began, Lee often was her counsel in matters pertaining to her farm. Often, he rode over in the early evenings and sat there at her doorstep in the bright moonlight that flooded the slope toward the river. Quietly, they talked of new arrivals in Pond Beat, of the latest wrinkle in cotton planting, or of other topics of the day, interrupted only by some cow or sheep in the lowlands, or by the sound of a stern-wheeler chugging its way slowly up the river.

As the months rolled by, Charity gradually began to realize that this neighbor was becoming a part of her life, so she listened to his proposal of marriage when finally it came.

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Marriage Agreement Recorded

Charity was a business woman, and she considered that all agreements should be treated carefully and wisely. On Dec. 1, 1840, she came to the courthouse in Huntsville and had a marriage agreement recorded.

"Whereas, a marriage is shortly intended to be solemnized between Charity Cooper and Houston H. Lee," it read, "and the said Charity is possessed in her own right of a large property, both of a real and personal nature, and whereas, it is agreed by and between the contracting parties that said Charity Cooper shall reserve to her own separate use, benefit and control, exclusive of the said Houston H. Lee...but that the same (property) shall in all things remain in subject to the rights, control and dominion of the said Charity Cooper in as full and ample manner as if said intended marriage had never taken place..."

On this same day, she recorded a deed of trust with James W. Fennell of near Gunterville, grandfather of W. F. Esslinger and Dr. James L. Jordan of this city.

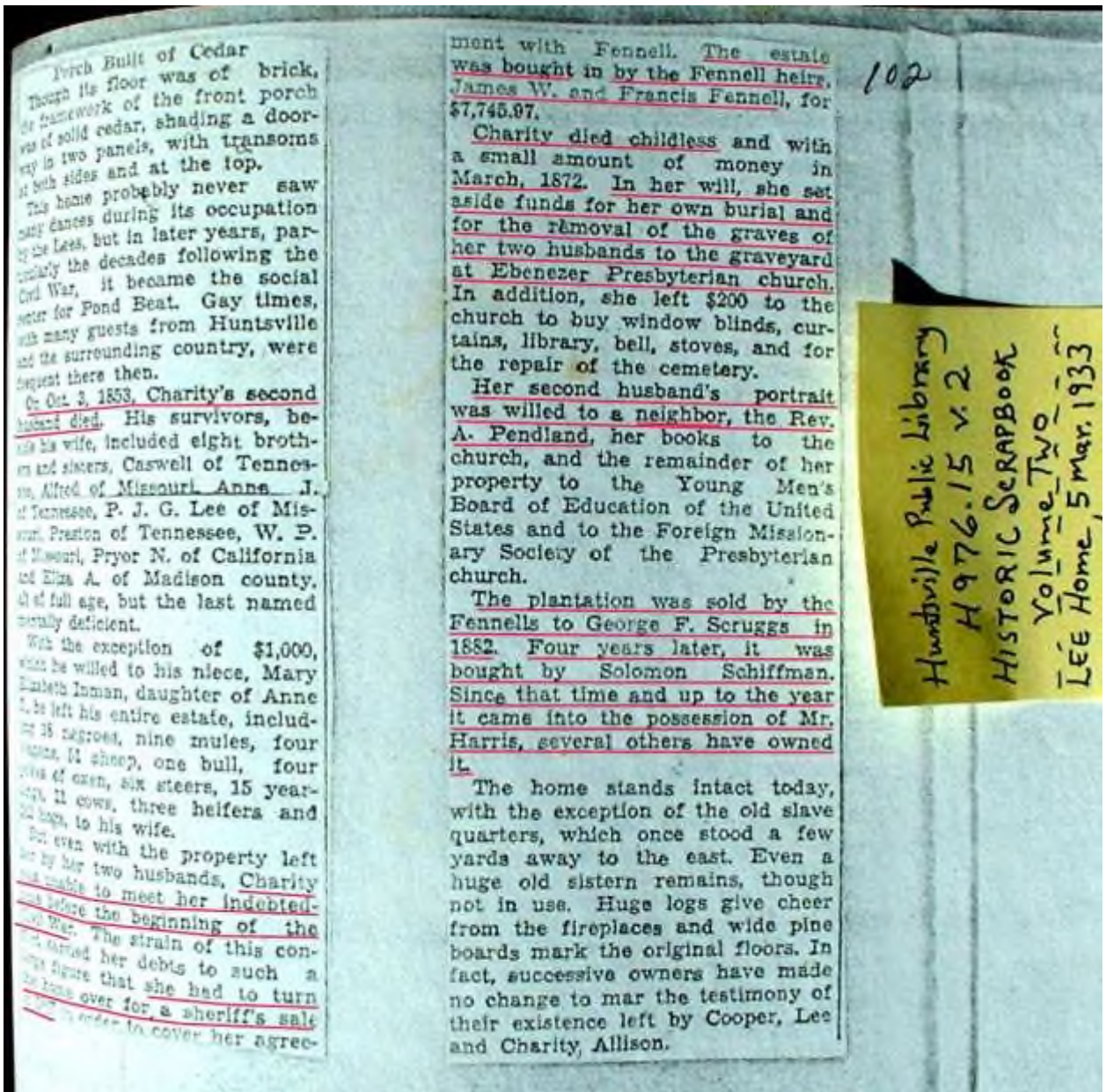
After their marriage, the Lees began plans to enlarge the wife's home left by her first husband. Four large rooms, 20 by 20 feet square, with ceilings 14 feet high, were built in a two-story section to form the upper part of the Z, nearer the gateway.

Stairway In Hall

In the wide center hall between the two rooms at each end of this division of the mansion was built the gradually winding walnut stairway, the really remarkable phase of the home, considering the tools with which carpenters worked in those days. These steps were put up so carefully that even now, nearly a century later, they do not shake or give with the weight upon them. To allow the curve, the wall in the rear part of the hall was rounded to coincide with the angle of the outer bannister. At regular intervals in the wall along the stairs were placed niches for statuary, comprising another feature seen in few local homes.

From the front section of the dwelling, back to the old brick part was constructed a connecting link a story and a half in height and composed of four more rooms. This division was inclosed on both sides and at the back by a brick stoop, making it possible to pass from any room in the house during rainy weather without going out into the dampness.

A cellar, reached by two doors from the outside or by an inner door near the back, was excavated under the entire building.



Porch Built of Cedar
Though its floor was of brick,
the framework of the front porch
was of solid cedar, shading a door-
way in two panels, with transoms
at both sides and at the top.

This home probably never saw
many dances during its occupation
by the Lees, but in later years, par-
ticularly the decades following the
Civil War, it became the social
center for Pond Beat. Gay times,
with many guests from Huntsville
and the surrounding country, were
frequent there then.

On Oct. 3, 1853, Charity's second
husband died. His survivors, be-
sides his wife, included eight broth-
ers and sisters, Caswell of Tennes-
see, Alfred of Missouri, Anns J.
of Tennessee, P. J. G. Lee of Mis-
souri, Preston of Tennessee, W. P.
of Missouri, Pryor N. of California
and Eliza A. of Madison county,
all of full age, but the last named
generally deficient.

With the exception of \$1,000,
which he willed to his niece, Mary
Elizabeth Isman, daughter of Anne
Lee, he left his entire estate, includ-
ing 38 negroes, nine mules, four
horses, 11 sheep, one bull, four
pigs of oxen, six steers, 15 year-
lings, 11 cows, three heifers and
two hogs, to his wife.

But even with the property left
her by her two husbands, Charity
was unable to meet her indebted-
ness before the beginning of the
Civil War. The strain of this con-
dition carried her debts to such a
large figure that she had to turn
the home over for a sheriff's sale
in order to cover her agree-

ment with Fennell. The estate
was bought in by the Fennell heirs,
James W. and Francis Fennell, for
\$7,745.07.

Charity died childless and with
a small amount of money in
March, 1872. In her will, she set
aside funds for her own burial and
for the removal of the graves of
her two husbands to the graveyard
at Ebenezer Presbyterian church.
In addition, she left \$200 to the
church to buy window blinds, cur-
tains, library, bell, stoves, and for
the repair of the cemetery.

Her second husband's portrait
was willed to a neighbor, the Rev.
A. Pendland, her books to the
church, and the remainder of her
property to the Young Men's
Board of Education of the United
States and to the Foreign Mission-
ary Society of the Presbyterian
church.

The plantation was sold by the
Fennells to George F. Scruggs in
1882. Four years later, it was
bought by Solomon Schiffman.
Since that time and up to the year
it came into the possession of Mr.
Harris, several others have owned
it.

The home stands intact today,
with the exception of the old slave
quarters, which once stood a few
yards away to the east. Even a
huge old sistrum remains, though
not in use. Huge logs give cheer
from the fireplaces and wide pine
boards mark the original floors. In
fact, successive owners have made
no change to mar the testimony of
their existence left by Cooper, Lee
and Charity Allison.

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One of the first Ahnentafels found for James Cooper was posted on the Ancestry.com web pages by Dennis Simpson of California, as shown below:

[Index](#) | [Individual](#) | [Pedigree](#) | [Download GEDCOM](#)

Ahnentafel, Generation No. 1

1. [James COOPER](#) died Bef 15 Jan 1835 in Tennessee River, Madison County, Alabama. He was the son of 2. [William COOPER](#). He married [Charity UNKNOWN](#).

Ahnentafel, Generation No. 2

2. [William COOPER](#).

Children of William COOPER are:

- i. [Mary COOPER](#) was born 1801 in Virginia, and died 1 Mar 1869 in Madison County, Alabama. She married [Alexander Grey WALL](#) 1820, son of James WALL and Mary TURNER. He was born 1793 in Virginia, and died 1836 in Madison County, Alabama.
1. ii. [James COOPER](#) died Bef 15 Jan 1835 in Tennessee River, Madison County, Alabama. He married [Charity UNKNOWN](#).
- iii. [Nancy COOPER](#). She married [UNKNOWN VEITCH](#).
- iv. [Elizabeth COOPER](#). She married [Frederick ROSS](#).

This is supplemented by family groups sheet also found on the internet postings, as given below. Unfortunately, the source information was not saved for these files and has not been relocated.

Family Group Sheet

William Cooper Husband:

1762 Born: Virginia in:
24 Nov 1787 Married: Orange Co Virginia in:
Aft. 1834 Died: Alabama in:
James Cooper Father:
Mary Landrum Mother:

Mary Quisenberry Wife:

Abt. 1768 Born: Virginia in:
Bef. 1834 Died:
Moses Quisenberry Father:
Mary Gatewood Mother:

CHILDREN:

1 Elizabeth Cooper Name:
15 Sep 1788 Born: Spotsylvania Co Virginia in:
26 Apr 1867 Died: Tuscumbia, Colbert Co Alabama in:
24 Feb 1807 Married: in: Albemarle Co Virginia
Alexander Ross Spouse:
F

2 Nancy Cooper Name:
07 Nov 1790 Born: Orange Co Virginia in:
10 Oct 1845 Died: Hinds Co Mississippi in:
30 Dec 1808 Married: in: Orange Co Virginia
John G Veatch Spouse:
F

3 James Cooper Name:
Abt. 1793 Born: Virginia in:
07 Dec 1834 Died: Madison Co Alabama in:
03 Mar 1832 Married: in: Madison Co Alabama
Charity Allison Spouse:
M

4 William Cooper Name:
25 May 1795 Born: Virginia in:
28 Dec 1843 Died: Franklin Co Alabama in:
M

5 Mary Cooper Name:
Abt. 1799 Born: Virginia in:
13 Feb 1869 Died: Madison Co Alabama in:
22 Feb 1820 Married: in: Madison Co Alabama
Alexander Gray Wall Spouse:
F

6 Richard Cooper Name:
Abt. 1801 Born: Albemarle Co Virginia in:
13 Oct 1839 Died: Madison Co Alabama in:
M

Family Group Sheet

James Cooper Child:

Abt. 1793 Born:

Virginia in:

07 Dec 1834 Died:

Madison Co Alabama in:

William Cooper - Natural Relationship with Father:

Mary Quisenberry - Natural Relationship with Mother:

Address and Phone(s)

Medical

Notes

James Cooper was born about 1793 in Orange Co Virginia. He came to Madison county Alabama about 1818/19 with other family members. James first bought a quarter section of land. This land was located near the Tennessee River. James built a two story plantation home from bricks brought by boat from Chattanooga, Tennessee. This was the home he would share with his bride, Charity Allison, they were married March 3, 1832. She was born in Ireland about 1801, she came to the United States as a young child. She was the daughter of William Allison.

In 1830, Jame's fortune increased, he bought for \$800.00, three quarters of an adjoining section from Rodah Horton. Four years later, through a deal with Charles G Bowen, covered by four notes, he added one quarter of still another section. Then came his death, through suicide, on December 7, 1834, the same year of his purchase from Bowen. Just what influenced him to take his own life, whether money matters, troubles with his wife or despondency over his health, is not known. On this day, cold for the method of dying he chose, he walked the mile to the banks of the Tennessee River, fastened an iron pot over head, and jumped into the river. His will made in June 1834, left the majority of his property, estimated at nearly \$12,000.00, to his wife. Her share included his real estate, his cotton crop, valued at \$2470.51 and 18 slaves, appraised at \$10,000.00. She also was bequeathed all cattle, horses and household furniture. He further specified that \$500.00 should be given to each of his sisters, Mary Wall, Nancy Veatch and Elizabeth Ross. His father was to receive \$75.00 annually as long as he lived. Charity Cooper continued to run the plantation. She later married a man named Houston Lee. The plantation was sold in the 1860's. The 170+ year old plantation home still stands on the Redstone arsenal, Huntsville Alabama.

Charity Cooper Lee died in March 1872. James and Charity had no children.

Marriage Information

Charity Allison Wife:

03 Mar 1832 Married:

Married Beginning status:

Madison Co Alabama in:

Family Group Sheet

Moses Quisenberry Husband:

1748 Born: Virginia in:

1805 Died: Orange Co Virginia in:
Aaron Quisenberry Father:
Joyce Gayle Dudley Mother:

Mary Gatewood Wife:

1742 Born: Virginia in:
Henry Gatewood Father:
Ann Webb Mother:

CHILDREN

1 Mary Quisenberry Name:
Abt. 1768 Born: Virginia in:
Bef. 1834 Died:
24 Nov 1787 Married: in: Orange Co Virginia
William Cooper Spouse:
F

2 Moses Quisenberry Name:
1769 Born: M

3 Lydia Quisenberry Name:
25 Sep 1805 Married: in: Orange Co Virginia
Achilles Durrett Spouse:
F

4 Dolly Quisenberry Name:
F

5 Henry Quisenberry Name:
1788 Born: M

6 Nancy Quisenberry Name:
22 May 1807 Married: in: Orange Co Virginia
James Johnson Spouse:
F

Family Group Sheet

Moses Quisenberry Husband:

1748 Born:
Virginia in:
1805 Died:
Orange Co Virginia in:
Aaron Quisenberry - Natural Relationship with Father:
Joyce Gayle Dudley - Natural Relationship with Mother:

Address and Phone(s)

Medical

Notes

October 29, 1799 - Richard Collins and Sarah, his wife, of Kentucky, by Henry Collins, their attorney in fact: Moses Quisenberry and Mary, his wife, of Orange Co Virginia; Wharton Schooler and Margaret, his wife of Kentucky; John Edwards by Wharton Schooler, his attorney in fact, and Henry Gatewood and Ann, his wife, of Spotsylvania Co Virginia (heirs of Henry Gatewood Sr., Deed), to Martin Brent of Spotsylvania Co138 acres whereon said Henry Gatewood Sr., decd, lived in Spotsylvania CoDecember 3, 1799 Orange Co Virginia Tithables 1734-1782 Lists Moses Quisenberry - 1 free male; 1 slave (Esther) Deed Book 18, Orange Co Virginia Aaron Quisenberry deed of gift, negro girl about nine or ten years old, Moses Quisenberry, his son. Dated March 21, 1786, aifnws "his mark" Aaron Quisenberry.

Marriage Information

Mary Gatewood Wife:

Married Beginning status:

Marriage Notes

After the 1834 death of her husband James Cooper, Charity Cooper is found in the 1840 Madison County census as head of household:

| Name | 0-5 yrs | 5-10 yrs | 10-15 yrs | 15-20 yrs | 20-30 yrs | 30-40 yrs |
|----------------------|---------|----------|-----------|-----------|-----------|-----------|
| James Dickson | | | | | | |
| James Ransom | | | | 1 | 1 | |
| Rebecca Parrot | | | | | | |
| Abalom Williams | | | | 2 | | |
| John King | | 2 | | | | |
| Thomas January | | | | | | 3 |
| Thomas Malan | 3 | | | | | |
| William Cook | | | | | | 2 3 |
| Jas D. H. Cateham | | 2 | 2 | 1 | 1 | |
| John W. Lowry | 1 | | | | | |
| Joshua S. H. Cateham | 1 | | | | | |
| John January | 2 | | | | | 2 |
| Peyton Spence | | 1 | 2 | 1 | | |
| Mary Lee | 1 | 1 | 1 | | | |
| Charity Cooper | | | 1 | 1 | | |
| James E. Clarke | | | | | | |
| William Turner | 1 | | | | 2 | |
| William Rice | | | | | | |
| Totals | 374 | 243 | 158 | 109 | 246 | 121 |
| Totals | 16 | 8 | 12 | 10 | 17 | 9 |
| Totals | 355 | 191 | 158 | 147 | 221 | 121 |
| Totals | 12 | 13 | 5 | 3 | 18 | 10 |

Madison County 1840 census page 163: Charity Cooper (widow of James) family

One of the items of particular interest in this 1840 census record is that there are two young adults aged 20 – 30 (possibly a husband and wife) plus a male child aged 10 – 15 and a female child aged 5 – 10 included in Charity’s household. It was reported in the Ahnentafel and Family Group Sheets

above that Charity and James had no children, so this data apparently represents some “guest” family who was taken into the household for a period of time.

Additionally, Charity is listed on the 1840 census sheet immediately above James E. Clarke. In the report on the Clark Cemetery of Redstone Arsenal, it is pointed out that Lucy Lanier Ives married James E. Clark in 1837-8, and the census entry shows that James E. Clarke has a wife in the age bracket of 30 – 40. However, according to her tombstone, Lucy was born in 1790, so she may have looked younger than her true age and fibbed a bit to the census taker. Of course, she may have not told her second husband (James Clark) her true age, either, necessitating the erroneous entry on the census record to protect her secret. For comparison of their relative wealth, consider the slave page for this same census, showing that James Clarke had 8 slaves (in his total household of 10), whereas Charity is shown with 20 slaves (in her total household of 25).

by the Marshal of the *Northern* District (or Territory) of *Alabama* 163

| SEXES | | | | | | | | | | | | TOTAL | | | | PROPERTY OF SLAVES OR FREE COLORED PERSONS | | | | | | | | | | SCHEDULES, &c. | | | | | | | | | | | | | | | | | | | | | | | |
|-------|----|----|----|----|----|---------|----|----|----|----|----|-------|-------|----|----|--|-------|----|----|----|----|----|----|----|----|----------------|----------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| MALES | | | | | | FEMALES | | | | | | TOTAL | WHITE | | | | COLOR | | | | | | | | | | SCHEDULES, &c. | | | | | | | | | | | | | | | | | | | | | | |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |

Charity is also listed in the 1840 census as living adjacent to **Mary Lee**, and she later remarried to Houston H. Lee / Lea. In fact, her house was later mentioned in newspaper articles as being the “Lee House”, even though Charity had executed a pre-nuptial agreement to exclude Mr. Lea’s ownership, control, or inheritance of her property, which would have included her house. Obviously, she was a “wealthy widow” who had good business sense about her remarriage, and she planned better than the commonly-held concepts of most women’s roles of her day.

ninth day of December
twenty ninth day of Decem

Dec. 1, 1840
MAD. Co. AL
Deed Book S
Pages 173-4

and forty
Rich. B. Purdom Clk Co

Marriage Contract } Whereas a marriage is shortly intended to be solemnized between Charity Cooper and Houston H. Lea and the said Charity is possessed in her own right of a large property ^{of} a real and personal and whereas it is agreed by and between the contracting parties that said Charity Cooper shall reserve to her own separate use benefit and control the whole of said property both real and personal wholly free from all right claim or control whatever of the said Houston H. Lea by the law accruing to or to be acquired by said Lea in consequence of said intended marriage and that the same shall in no wise whatever be liable for subject to any right or control of said Houston H. Lea or liable or subject to the claims demands or debts of any or all persons whatever by said Lea already contracted or ^{hereafter} increased. But that the same shall in all things remain subject to the rights control and dominion of said Charity Cooper in as full and ample manner as if said intended marriage had never taken place

Now for and in consideration of the premises and for the further consideration

Dec. 1, 1840
MAD. Co. AL
Deed Book 5
Pages 173-4

MADISON COUNTY, AL ESTATE CASE FILE Lea, Houston & Charity Cooper 1840

DATE 1840 CASE NO. Deed
RK 5
p 173

As we see by her said, she said Charity Cooper both the day bargained & sold
him and granted, sold, conveyed & conveyed and by their presents
last began and sell him and grant, alien, cut off and convey
unto James W. Bennell the following described tract, to wit, a parcel
of land lying and being in the County of Madison and State of
Alabama and known to the East half and north west quarter of
National section nineteen in Township five of Range six west
and containing four hundred and eighty square more or less also the
South East quarter of section eighteen Township five Range one
west containing five hundred and sixty two square more or less also the
North West quarter of section twenty Township five Range one west
containing one hundred and fifty five acres and with hundred the
four acre also a certain quarter of section ten purchased by William
Benton not herein described containing one hundred and sixty seven
more or less also the following negro slave mentioned in number thirty seven
April 20 before 33 James B. Barlett 25 Simon 29 Ephraim 25 Jack 21 Bayard 26
John 21 Lynn 21 Charlotte 25 Ann 26 Nancy 22 Polly 24 Martha 12 Mary 11 Bill 8
John 8 Maria 5 also all my stock of horses and mules cattle & dogs all
my household and kitchen furniture and farming utensils to have and
sell unto the said Charity Cooper to remain the undivided portion
one of whole of said property, both real and personal free from all
incumbrance and discharge on his part to be by his deed and enjoyed
as may seem to her fit and it shall be the duty of said Bennell at all
times and in all manners to obey the instructions of said Charity Cooper
in relation to said property and upon the written request of
said Charity Cooper thereunto it shall be the duty of said Bennell
to sell & convey any such portion of said property as she may desire and
with further trust that said property, both real & personal at the death
of said Charity Cooper shall descend as by the law of said state is provided to
descend to the children of said Charity the issue of said intended mar-
riage or of any other marriage and if at Charity should die leaving no
able child in children then and in that event the whole of said property
shall descend to her right heirs to be arranged then distributed ac-
cording to said law

In testimony whereof in the above named partitioned presents set our
hands and state this the first day of December 1840

But
J. A. Bell
John H. Holtz

Witness me Richard B. Pardon Clerk of the County Court of Madison County in the
State of Alabama this day personally appeared John H. Holtz one of the above
signatories to the above and forgoing marriage contract and with oath that
the said Charity Cooper and James W. Bennell acknowledged the
above writing and delivery of the same on the day of its date and that

with presence of the other subscribing witnesses James B. Bell
John and my hand and seal this twenty eighth day of Dec-
ember English hundred and forty

Richard B. Pardon Clerk

(Seal)
Charity Cooper
James W. Bennell
(Seal)

William Allison died before 1839, when his estate settlement papers listed his heirs, which included Charity (Allison) Cooper, along with her brothers John and David and others, including Williamson W. Cobb and his wife Catherine of the New Hope area:

Alabama
Madison County } Letitia C Thompson Judge of the County Court of
County certify that I have on this day filed the account & vouchers of
John Allison Administrator of William Allison dec'd and find it
correct as above stated, viz that the said Administrator has rec'd & is
chargeable with the sum of three thousand three hundred & four dollars
& forty one cents and has expended & account for eight hundred & seventy
two dollars & sixty six cents & that there is a balance due the said Estate of
twenty four hundred & seventy seven dollars & seventy five cents and it
appearing to the satisfaction of the Court that Charity Cooper John Allison
David Allison Williamson W Cobb and his wife Catherine & James W
Barker and his wife Mary Lane Francis Tennell & his wife Isabella
and James W Tennell & his wife Martha are entitled to distribution
of said estate it is therefore considered by the Court that the said Charity David
Williamson W Cobb Isabella & James & his wife Martha recover severally
equally from the said Administrator three hundred & forty six dollars & eighty
two cents the amount of their respective shares of said Estate seven under
my hand April 5th 1839
Letitia C Thompson
The State of Alabama

Supreme Court of Madison County April Term 1839
Final Settlement of the Administrator of the Estate of William Allison
deceased was this day made by John Allison Administrator &
with the Judge of said Court is ordered to be recorded see minute Book No 3
434 Pursuant to said settlement and was duly recorded on the 21st day of July 1839
Feste
Richd W Purdom Clerk cc

MAD. Co. AL
Probate Record bk 8
p. 538
(P.L. of est. of Wm. Allison 19)

The 1850 census included a listing for David Allison, living in District 35 of Madison County, which included the New Hope area in the southeast.

SCHEDULE L - Free Inhabitants in Madison in the County of Madison State of Alabama enumerated by me, on the 12 day of Nov 1850. Levi H. Hines Ass't Marshal

| Household No. | Name | Sex | Age | Color | Profession, Occupation, or Trade | Place or Birth | Value of Real Estate | Value of Personal Estate |
|---------------|--------------------|-----|-----|-------|----------------------------------|----------------|----------------------|--------------------------|
| 389-389 | Leander Luster | M | 33 | W | Farmer | Tennessee | 7 | |
| | Phebe | F | 31 | W | | Tennessee | 1 | |
| | Marthy A | F | 9 | W | | Tennessee | 1 | |
| | Marthy J | F | 7 | W | | Tennessee | 1 | |
| | William W. H. | M | 6 | W | | Tennessee | | |
| | Leander E. C. | M | 3 | W | | Ala | | |
| | Mae J | F | 1 | W | | Ala | | |
| 390-390 | David Allison | M | 48 | W | Farmer & 3000 | Scotlan | | |
| | Eliza E. | F | 25 | W | | Ala | | |
| | Isabella | F | 15 | W | | Ala | 1 | |
| | Benjamin | M | 13 | W | | Ala | 1 | |
| | John A | M | 11 | W | | Ala | 1 | |
| 391-391 | Elizabeth Mitchell | F | 55 | W | | Georgia | 1 | |
| | Thomas | M | 28 | W | Farmer | Ala | | |
| | George | M | 23 | W | Farmer | Ala | | |
| | Lea | M | 18 | W | Farmer | Ala | | |
| | William | M | 9 | W | | Ala | 1 | |
| | John | M | 7 | W | | Ala | | |
| 392-392 | Lamar Horton | M | 31 | W | Farmer | Tennessee | | |
| | Mary | F | 26 | W | | Tennessee | | |
| | Mary | F | 7 | W | | Ala | | |
| 393-393 | Marthy Bacon | F | 53 | W | | Tennessee | | |
| | William J. | M | 18 | W | Wagon Maker | Ala | | |
| | Isabella C. | F | 17 | W | | Ala | 1 | |
| | Samuel B. | M | 15 | W | Farmer | Ala | | |
| | Nancy J. | F | 13 | W | | Ala | 1 | |

Madison County 35 District 1850 census page 416: David Allison family

From a communication sent by e-mail from John Rankin to Beverly Curry in early 2005, the relationships between the Cooper, Penland, Lea ("Lee"), and Timmons families of the pre-arsenal lands are summarized as follows:

Houston H. Lee apparently died before April 25 of 1847, per Probate records that show Alexander Penland being Administrator of the estate of Houston H. Lee on that date. Alexander Penland made "Final Settlement" of Houston Lee's

administration of John Timmons' estate. Alexander Penland would not have been an administrator of the estate of Houston H. Lea unless Mr. Lea had died.

Alexander Penland was married in July of 1850 to Isabella J. Allison, daughter of David & Sarah T. Smith Allison. Charity Cooper, wife of Houston H. Lea, was *nee* Allison. She first married on Feb. 27, 1832, to James Cooper (who used to have a stone in the Cooper - Penland Cemetery, per Dorothy Johnson's account on page 274 of Volume 1 of her book CEMETERIES OF MADISON COUNTY, ALABAMA). Dot Johnson further reported that James Cooper died December 7, 1834, at the age of 42 years. Charity must have been an aunt of the Isabella J. Allison, who married Alexander Penland. Isabella's father David Allison married Sarah T. Smith on December 23, 1833. Since both David and Charity Allison married in the years 1832 and 1833, it is a pretty sure bet that they were siblings.

Dot Johnson recorded that Charity was a sister of John Allison, but she never stated any relationship between Charity or John and David Allison. John Allison married Mary Ann Taylor on May 16, 1835. There was an earlier marriage record for a John Allison who wed Nancy Cobb on November 23 of 1825, but their graves and tombstone location indicate that they lived and died together in the far eastern portion of Madison County. They are buried on their own land, and there is no grave at that location for a second wife of that John Allison. Therefore, that is a strong indication (but not conclusive proof) that the John Allison who married Mary Taylor in 1835 was of a separate family from the John Allison who married Nancy Cobb in 1825.

These facts show that the relationship of Alexander Penland to Charity Allison Cooper Lea was that of his being the husband of her niece. Thus, when Houston H. Lea died, Alexander was administrating the estate of his aunt's husband, with the relationships being by marriage, not blood.

The 1880 census of Madison County showed the names of a later "Alexander" Penland with children named Charity C. and David A., indicating that the names were kept in the family for generations. This later generation was still living on pre-arsenal land, per the Township 5 label.

Census Place: **Township 5, Madison, Alabama** -- **1880**

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

| | Relation | Sex | Marr | Race | Age | Birthplace |
|---------------------------|----------|-----|------|------|-----------|------------|
| Elexandre PENLAND | Self | M | W | W | 58 | NC |
| Charity C. PENLAND | Dau | F | S | W | 24 | AL |
| David A. PENLAND | Son | M | S | W | 21 | AL |

As recounted in the 1933 newspaper article, Charity Allison Cooper Lee / Lea died childless in March of 1872. However, she lost her home by sheriff's sale in 1857 due to inability to pay her debts. Since she no longer owned the home and the land that contained the nearby cemetery, she provided in her will for funds to transfer the graves of her two husbands (James Cooper and Houston H. Lea) to the graveyard at Ebenezer Presbyterian Church, where her former neighbor and husband of her niece (Rev. Alexander Penland) preached for a number of years. A photo of his grave at Ebenezer is shown below:



Ebenezer Presbyterian Church Cemetery, Hobbs Island Road, Madison County, Alabama; March 22, 2000

The Ebenezer Church Cemetery is much larger than the little Penland - Cooper family cemetery on the arsenal. In fact, because the church cemetery is immediately behind an active church, it is well-maintained. The

arsenal grounds contractor maintains the Penland – Cooper Cemetery, but it is located in a wooded area away from well traveled roads, as shown below:



Penland - Cooper Cemetery, 80-1, Redstone Arsenal, Madison Co. AL, April 26, 2003
No inscribed tombstones were found on this date. Dorothy Scott Johnson, in her book **CEMETERIES OF MADISON COUNTY, ALABAMA, VOL. I (1971)**, recorded a tombstone for Isabella J. Penland, "...daughter of Rev. Alex & I.J. Penland. Died December 16, 1856, aged ... (stone broken & age illegible..."
Mrs. Johnson further noted in her book that "... Alexander Penland -M- Isabella J. Allison, the daughter of David Allison and Sarah (Smith) Allison, on July 30, 1850."

Even after extensive probing of the soil to a depth of about two inches, fragments of only one obvious grave marker were found, as shown in the photos inserted below. From the traces of the remaining inscription on the fragments, it can be identified as the marker for a child named Isabella J.

Penland, who was apparently the daughter of Alexander and Isabella J. (Allison) Penland.



Penland - Cooper Cemetery, 80-1, Redstone Arsenal, Madison Co. AL, April 26, 2003
Dorothy Scott Johnson in her book CEMETERIES OF MADISON COUNTY, ALABAMA, VOL. I (1971) has a note that "... The stone of James Cooper used to be in this cemetery but is not there now. It has either been destroyed or carried away. James Cooper died December 7, 1834, aged 42 years. He was the husband of Charity Cooper, who was a sister to John Allison."

[Isabella Allison married Rev. Alex Penland, and they had a daughter named that they named Charity. They also had a son that they named David, after his maternal grandfather.]

Alexander and Isabella J. Penland also apparently had a daughter named for her mother, as the fragments of the marker shown in the photos above and below indicate.



PENLAND - COOPER CEMETERY, 80-1
Remnant of only remaining marker plus flat rock slab pieces found buried around marker



PENLAND - COOPER CEMETERY, 80-1

Remnant of only remaining marker: "Suffer little chi(ldren) to come unto me."

This portion of an inscription identifies the stone remnants as those of the marker for Isabella J. Penland, since Mrs. Johnson's book includes that epitaph for her on the stone that Mrs. Johnson saw in the cemetery before 1971. The stone fragment was subject of the communication excerpted below from John Rankin to Beverly Curry:

It appears to me that the little marker remnant in the **Cooper - Penland Cemetery (80-1)** is most likely for **Isabella Jane Penland**, daughter of Rev. Alexander Penland and his wife, Isabella Jane Allison. The daughter was **born in 1856** and is **not listed among the children in the census of 1860**. Therefore, it can be assumed that she is the one who died and is buried in the old family cemetery in a child's grave, which should date back to before 1860. Alexander Penland is known to be buried in the Ebenezer Presbyterian Church Cemetery, so his wife of the same name as this daughter is most likely also at Ebenezer.

I have also collected files for the related Allison and Cooper families, since James Cooper is reported to have been originally buried in the Cooper – Penland Cemetery in 1834, per Dot Johnson's book of 1971. Rev. Penland's wife, Isabella Allison, was a daughter of David Allison and his wife Sarah **Turner** Smith. Dot's book states that Charity Allison, wife of James Cooper, was a sister of **John** Allison. Considering the dates of birth and death and locations, I strongly suspect that she was also the sister of **David** Allison, father of Isabella Jane Allison Penland.

These families all lived in the New Hope area before moving onto the pre-arsenal lands. It would be very interesting if Sarah **Turner** Smith was a descendant of **Sugars Turner**, since Sugars was one of the very earliest land speculators of Madison County on a large scale. After these families moved onto the pre-arsenal lands, they were listed in the census records as neighbors of Hughy Smith, John Timmons, Pleasant S. Austin, and others that we clearly recognize as among the earliest of the pre-arsenal settlers. Before that, they were neighbors in the New Hope area of the earliest Madison County settlers of the Grayson, Maples, Clark, Glover, Vann, Ellett, Lemley and Kennamore / Kennamer names...

A communication from Beverly Curry to John Rankin in 2004 had the information excerpted below:

Rev. Alexander Penland was born 13 June 1819, died 1896. You know already that he was a preacher. He preached for 40 years at the Ebenezer Presb. Church and is buried behind the church, **his photo in a book at the church**. He and wife were married 3 July 1850, her name was Isabella Jane Allison. Children were David Alexander, born 1855; Mary E., born 1852; Charity Carolene Penland, born 1855(?); Isabella Jane Penland, born 1856; and Sallie Jamar Penland, born 1853, died 1888 (buried in Ebenezer Cemetery). The name of Rev.'s grand daughter is Elaine Brazelton.

On-line research yielded an Ahnentafel for Alexander Penland from Ancestry.com's data as follows:

Garners and Penlands of Webster County, MO

Entries: 4093 **Updated:** Fri Dec 10 00:34:24 1999 **Contact:** Donna Carmichael **caldmc@msn.com**

Ahnentafel, Generation No. 1

1. [Alexander Penland](#) was born 13 Jun 1813, and died 10 Jun 1896 in Triana, Madison County, Alabama. He was the son of 2. [William Robert Penland](#) and 3. [Mary Casey](#). He married [Isabella Jane Allison](#) 3 Jul 1850 in Madison County, AL, daughter of David Allison and Sarah Smith.

Children of Alexander Penland and Isabella Jane Allison are:

- i. [Mary E. Penland](#) was born 1852.
 - ii. [Sallie Penland](#) was born 10 Jun 1853.
 - iii. [Charity Caroline Penland](#) was born 1855.
 - iv. [Isabella Jane Penland](#) was born Nov 1856.
 - v. [David Alexander Penland](#) was born 1858.
-

Ahnentafel, Generation No. 2

2. [William Robert Penland](#) was born 1771-1786 in Salisbury District, Rowan County, NC, and died 1837 in Cocke County, TN. He was the son of 4. [George Penland](#) and 5. [Anne Alexander](#).
3. [Mary Casey](#) was born 4 Nov 1793 in Newberry County, South Carolina, and died 5 Jun 1847 in Morgan County Tennessee. She was the daughter of 6. [Aaron Casey](#) and 7. [Mary Polly Wayne](#).

Children of Mary Casey and William Robert Penland are:

- i. [Dydeema Alice Penland](#) was born 19 May 1812 in Roane Co., Tennessee, and died 20 Sep 1873 in Thayer, Missouri. She married [James Clift](#) 24 Jun 1826 in Tennessee. He was born 7 Jun 1806, and died 23 Aug 1876 in Thayer, Missouri.
1. ii. [Alexander Penland](#) was born 13 Jun 1813, and died 10 Jun 1896 in Triana, Madison County, Alabama. He married [Isabella Jane Allison](#) 3 Jul 1850 in Madison County, AL, daughter of David Allison and Sarah Smith.
- iii. [George Washington Penland](#) was born 9 Nov 1813 in Roane Co., Tennessee, and died 19 Apr 1862 in Marsfield, Webster Co., Missouri. He married

[Nancy Edington](#) ABT. 1836, daughter of James Edington and Nancy Agnes Scott. She was born 1819 in Roane or Knox County, TN, and died in CA. He married [Lucinda Bolin](#) 24 Aug 1852 in Marsfield, Webster Co., MO., daughter of Unknown Bolin.

- iv. [Matilda Penland](#) was born 15 Oct 1815, and died 17 Jan 1879 in Oakdale, TN. She married [James Alley](#) 1841. He was born 26 Dec 1820, and died 12 Mar 1905 in Oakdale, TN.
- v. [Barbara Caroline Penland](#) was born 7 Nov 1817, and died 1906-1907 in Winlock, Washington. She married [Larkin Bethel Snow](#). He was born 26 May 1813, and died 2 Dec 1884 in Oakdale, TN.

Ahnentafel, Generation No. 3

- 4. [George Penland](#) was born 1753 in St Georges Hundred, New CastleCo., Delaware, and died 1829 in Reemes Creek, Buncombe Co., NC. He was the son of 8. [John Pendland Penland](#) and 9. [Jean Unknown](#).
- 5. [Anne Alexander](#) was born in Morgan Dist., Rowan.

Children of Anne Alexander and George Penland are:

- 2.
 - i. [William Robert Penland](#) was born 1771-1786 in Salisbury District, Rowan County, NC, and died 1837 in Cocke County, TN. He married [Margaret Unknown](#). He married [Mary Casey](#) 29 Jun 1811 in Roane Co., Tennessee, daughter of Aaron Casey and Mary Polly Wayne. She was born 4 Nov 1793 in Newberry County, South Carolina, and died 5 Jun 1847 in Morgan County Tennessee.
 - ii. [Christopher F. Penland](#) was born 1774 in Salisbury Dist. Rowan Co. NC.
 - iii. [Rachel Penland](#) was born 1776 in Salisbury District, Rowan Co., North Carolina. She married [William Penland](#) 1792 in Burke Co, NC, son of William Penland and Annis Donnal.
 - iv. [George Penland](#) was born 1780 in Morgan District, Burke Co., North Carolina, and died AFT. 1850. He married [Mary Polly Erwin](#) ABT. 1802.
 - v. [Jane Penland](#) was born 1782 in 1782 in Burke Co., North Carolina.
 - vi. [Ann Penland](#) was born 12 Apr 1782 in Morgan District, Burke Co., North Carolina. She married [James Hughey](#).
 - vii. [Alexander Nobel Penland](#) was born 12 Apr 1789 in Morgan District, Burke Co., North Carolina, and died 25 Mar 1869 in Buncombe County, NC. He

married [Lucinda Penland](#) 1827 in Buncombe County, NC, daughter of George Penland and Mary Polly Erwin.

viii. [Matilda Jane Penland](#) was born 30 Jun 1799 in Reems Creek, Burke Co., NC, and died 21 Jun 1841 in Cielo, NC.

6. [Aaron Casey](#) was born ABT. 1748 in Bedford Co., Virginian, and died 1811 in (Roane County) TN. He was the son of **12. [Jesse Casey](#)** and **13. [Mary](#)**.
7. [Mary Polly Wayne](#) was born 1752 in Spartanburg South Carolina, and died 1845 in Parthenon (Newton) Ark.

Children of Mary Polly Wayne and Aaron Casey are:

- i. [Abner Casey](#). He married [Elizabeth Bowen](#).
- ii. [Alexander Casey](#).
- iii. [Anthony Casey](#).
- iv. [Jesse Casey](#) was born 1768 in North Carolina. He married [Phoebe](#) in Green County, Georgia.
- v. [Uriah Casey](#) was born 25 Dec 1791 in Spartanburg South Carolina, and died 1840 in Floyd Co. Ga. near Rome. He married [Leatha](#) BEF. 1820. She was born 25 Sep 1802.
3. vi. [Mary Casey](#) was born 4 Nov 1793 in Newberry County, South Carolina, and died 5 Jun 1847 in Morgan County Tennessee. She married [William Robert Penland](#) 29 Jun 1811 in Roane Co., Tennessee, son of George Penland and Anne Alexander. He was born 1771-1786 in Salisbury District, Rowan County, NC, and died 1837 in Cocke County, TN. She married [William J. Clift](#) 4 Mar 1824 in Roane Co. TN.

Ahnentafel, Generation No. 4

8. [John Pendland Penland](#) was born 1706 in Monmouth, New Jersey, and died 1776 in St. Georges 100, Newcastle, Delaware. He was the son of **16. [Nathaniel William Pentland](#)**.
9. [Jean Unknown](#).

Children of Jean Unknown and John Pendland Penland are:

4. i. [George Penland](#) was born 1753 in St Georges Hundred, New Castle Co.,

Delaware, and died 1829 in Reemes Creek, Buncombe Co., NC. He married [Anne Alexander](#) 1772 in Morgan Dist., Rowan, County. She was born in Morgan Dist., Rowan.

ii. [Margaret Penland](#) was born ABT. 1740.

iii. [William Penland](#) was born ABT. 1742 in Birmingham Twp, Chester Co., Pennsylvania, and died Dec 1815 in Morgan District, Burke Co, NC. He married [Annis Donnal](#) 4 Jun 1762 in St. Georges Hundred, Newcastle Co., Delaware.

iv. [Robert Penland](#).

12. [Jesse Casey](#) was born 1728 in Baltimore, MD, and died 1796 in Spartanburg district 96, SC. He was the son of 24. [Abner Casey](#) and 25. [Harriet "Hattie" Green](#).

13. [Mary](#).

Children of Mary and Jesse Casey are:

i. [Isaac Casey](#).

ii. [Jesse Casey](#).

iii. [John Casey](#).

iv. [Thomas Casey](#).

v. [Abner Casey](#) was born 1746 in Bedford County, VA.

6. vi. [Aaron Casey](#) was born ABT. 1748 in Bedford Co., Virginian, and died 1811 in (Roane County) TN. He married [Mary Polly Wayne](#). She was born 1752 in Spartenburg South Carolina, and died 1845 in Parthenon (Newton) Ark.

vii. [Moses Casey](#) was born 1750.

viii. [William Casey](#) was born 1755.

Ahnentafel, Generation No. 5

16. [Nathanial William Pentland](#) was born 1671 in Old Scotts, Monmouth County, East Jersey, NJ, and died 1741 in Monmouth (Royal Colony) NJ.. He was the son of 32. [John Penland Pentlentn](#).

Children of Nathanial William Pentland are:

8.
 - i. [John Pendland Penland](#) was born 1706 in Monmouth, New Jersey, and died 1776 in St. Georges 100, Newcastle, Delaware. He married [Jean Unknown](#) 1738 in Birmingham, Chester Co, Pennsylvania.
 - ii. [Alexander Penland](#) was born 1704 in Monmouth (Royal Colony) NJ, and died ABT. 1779 in Northern Liberties, Philadelphia, PA.
 - iii. [George Penland](#).
24. [Abner Casey](#) was born 1700 in Tyrone County, Ireland. He was the son of **48. [John Casey](#)**.
25. [Harriet "Hattie" Green](#) was born in Wales.

Children of Harriet "Hattie" Green and Abner Casey are:

- i. [John Casey](#) was born 1726 in Roanoke Valley, Virginia, and died 14 Aug 1814 in Spartanburg Dist. SC.
12.
 - ii. [Jesse Casey](#) was born 1728 in Baltimore, MD, and died 1796 in Spartanburg district 96, SC. He married [Mary](#).
 - iii. [Moses Casey](#) was born ABT. 1730 in Roanoke Valley, Virginia. He married [Abigail unknown](#).
 - iv. [Nancy Casey](#) was born ABT. 1730 in Roanoke Valley, Virginia.
 - v. [Christopher Casey](#) was born 1730 in Roanoke Valley, Virginia, and died 2 Aug 1840 in Cole Co, MO. He married [Susannah](#).
 - vi. [Benjamin Casey](#) was born 1731 in Roanoke Valley, Virginia (Anne Arundel, MD).
 - vii. [James Casey](#) was born 1733 in Roanoke Valley, Virginia. He married [Nancy](#).
 - viii. [Sarah Casey](#) was born 1735. She married [Edward Phillips](#).
 - ix. [Randolph Casey](#) was born 1738 in Roanoke Valley, Virginia, (Virginia Colony), and died 1815 in Smith Co. TN. He married [Mary Jane Penington](#).
 - x. [Levi Casey](#) was born 1749-1752 in Roanoke Valley, Virginia, and died 1 Feb 1807 in Washington, DC. He married [Elizabeth Duckett](#) 1775 in South Carolina, daughter of Jacob Duckett and Sarah ODELL. She was born 1759 in Frederick Co., MD, and died 1839 in Lauderdale Co., AL.

32. [John Penland Pentlentn](#) was born 28 Nov 1641 in Old Scotts, East Jersey, NJ, and died 23 Jun 1719 in Monmouth (Royal Colony) NJ. He was the son of 64. [Henry Pentland](#).

Children of John Penland Pentlentn are:

- 16. i. [Nathanial William Pentland](#) was born 1671 in Old Scotts, Monmouth County, East Jersey, NJ, and died 1741 in Monmouth (Royal Colony) NJ..
- ii. [Henry Pentland](#) was born 1673 in Monmoth Co. NJ.
- iii. [Jean Pentland](#) was born 1675. She married [Henry Ross](#).

48. [John Casey](#).

Children of John Casey are:

- 24. i. [Abner Casey](#) was born 1700 in Tyrone County, Ireland. He married [Harriet "Hattie" Green](#). She was born in Wales.
- ii. [Peter Casey](#) was born 1715.

The land purchases recorded in Madison County by deeds issued to Alexander Penland are indexed below:

| | | | | | | | | | |
|----------------------|--|--------------------------|-------|-----|--------|------|----|---|-------|
| Penn & Goff Plf | | Wm Carter Phillips | Mtg | D | Q 533 | 1838 | 9 | 4 | 2-W |
| Penland al Alexander | | James R Carterright Dft | Jdgmt | Dkt | 1 58 | 1891 | 13 | 5 | 2-W |
| do Alexander Tr | | Henry W Grantland Adm al | Deed | D | DD 221 | 1861 | 24 | 5 | 2-W |
| do Alexander Tr | | Isaac A Lanier | Deed | D | FF 573 | 1867 | | | Indef |
| do Alexander | | Burwell C Lanier | Deed | D | FF 577 | 1867 | | | Indef |
| do Alexander | | Wm Kirby Est by Reg al | Deed | D | LL 560 | 1869 | 23 | 5 | 2-W |
| do Alexander | | do do al | Deed | D | LL 580 | 1869 | 24 | 5 | 2-W |
| do Alexander | | Adm al | | | | | | | |
| do Alexander | | Merriwether A Lewis by | Deed | D | LL 582 | 1869 | 23 | 5 | 2-W |
| do Alexander | | Wm B Allison by Comr | Deed | D | TT 101 | 1872 | 24 | 5 | 2-W |

Madison County, Alabama, Index to Land Sales by Alexander Penland

The lands shown in the index above that are in Township 5, Range 2 West, are immediately west of the section that contains the Cooper – Penland

Cemetery. All of these parcels were acquired from other prominent plantation owners of the area who were significant in the history of the land that became the arsenal. The lands in Madison County that Alexander Penland sold were recorded in the index below. The last transaction to Laura Lanier was executed by the Trustee of his estate, since he died in 1896. Since the Cooper – Penland Cemetery is located on the section line between Sections 19 and 20 in T5-R1W, it is strange that none of the index entries show Alexander involved in either purchasing or selling land in either of those sections. However, he could well have come into possession of the land around the cemetery by his marriage to Isabella J. Allison. If she outlived him, any sale of that land would be recorded with her as Grantor.

| SPECIALS | | N | O | Pa | Pe-Pf | Pi | PhPi to Py | Q-Ra | Ro | Rh Ri | Ro Ru Ry | 29 |
|-------------------------------------|----------------------|---------|---------------|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----|
| CHURCHES | See page 17 under Ch | Na 1 | Ok to Ok 11 | Pax to Pal 17 | Pea to Pel 25 | Pia to Pil 25 | Ph Pi 35 | Q 47 | Rea to Ref 57 | Rh 65 | Roa to Rok 65 | |
| LOGGERS | See page 21 under Lu | Ne 3 | O'B to O'K 11 | Panta to Pap 19 | Pag to Pel 27 | Pig to Pil 27 | Pea to Pop 37 | Raa to Rak 49 | Reg to Rek 59 | Ria to Rif 57 | Ral to Rar 67 | |
| SCHOOLS, COLLEGES and SCHOOL BOARDS | See page 15 under So | Ni 5 | Ol to Or 13 | Par 21 | Pem to Pep 29 | Pim to Pip 29 | Pr 41 | Ral Ram 51 | Rel to Rep 61 | Rig to Rih 59 | Ros to Ror 69 | |
| | | No 7 | O'L to O'R 13 | Par 21 | Per to Pex 33 | Pir Pis 31 | Pr Py 43 | Ran Rap 53 | Rel to Rep 61 | Ril to Rip 61 | Ro 71 | |
| | | Nu Ny 9 | Os to Oz 15 | Pas to Paz 23 | Pf 25 | Pir to Piz 33 | P-Odd 45 | Rar to Raz 55 | Rea to Rea 63 | Rir to Rir 63 | Ry and Odd 73 | |

| MAKER | | | | SEARCH THESE NAMES | GENERAL INDEX TO REAL PROPERTY | |
|--|--|--|--|---|---|--|
| SEPARATELY GROUPED ON PAGE INDICATED | | | | FIRST | No. 1 | |
| <i>Penney 111</i> <i>Penner 26</i> <i>Pepper 161</i> | | | | BUREAUS, FIRMS or Corporations have written will because of their frequent entry, be listed separately grouped on page here indicated. If name is not here written, look for it in first name column on this and containing pages. | DEEDS, MORTGAGES, JUDGMENTS, LIS PENDENS AND OTHER INSTRUMENTS EFFECTING REAL ESTATE Madison County, Alabama From 1810 to 1919 Inclusive | |

| SURNAME | GIVEN NAMES ABCDEFGH | GIVEN NAMES IJKLMNO | GIVEN NAMES PQRSTUWXYZ | TO WHOM MADE | KIND OF INSTRUMENT | WHERE AND WHEN RECORDED | | | | LOCATION OR OTHER BRIEF DESCRIPTION | | | |
|-----------|----------------------|---------------------|------------------------|--------------------------|--------------------|-------------------------|------|------|------|-------------------------------------|-----|--------|-------------|
| | | | | | | Book | Vol. | Page | Year | Sec. | Tp. | Rp. | |
| Penland | | | | Alexander Ewing Admr | Deed | D | AA | 619 | 1855 | 16 | 5 | 1-W | |
| do | al | | | Martin J Vaughan | Deed | D | LL | 561 | 1869 | 13 | 5 | 2-W | |
| do | al | | | James P Springer | Deed | D | LL | 558 | 1869 | | | Triana | |
| do | al | | | Alexander Penland | Deed | D | LL | 580 | 1869 | 23 | 5 | 2-W | |
| do | al | | | Sydney J Mayhew | Deed | D | LL | 584 | 1869 | 45 | A | Triana | |
| do | al | | | James Riley | Deed | D | MM | 25 | 1869 | | | Triana | |
| do | al | | | Geo W Douglass | Deed | D | CCC | 392 | 1878 | 20 | 5 | 3-E | |
| do | al | | | Samuel H Moore | Deed | D | HHH | 304 | 1883 | 1 | 5 | 2-W | |
| do | al | | | do do | Deed | D | HHH | 304 | 1883 | 6 | 5 | 1-W | |
| do | | Luticia | Thomas | Thomas Carpenter | Deed | D | WWW | 153 | 1884 | 33 | 5 | 3-E | |
| do | | Alex | | S S Darwin | Mtg | M | | 36 | 501 | 1891 | 24 | 5 | 2-W |
| do | | Alex | | do do | Mtg | M | | 36 | 501 | 1891 | 23 | 5 | 2-W |
| do | | Alex Tr | | Laura P Lanier | Deed | D | | 78 | 49 | 1896 | | | Sundry |
| do | | D A Dft | | VanWaltenburg & Matthews | Jdgmt | Dkt | | 1 | 260 | 1899 | | | |
| do | al | David A | | Lela B McGaha | Deed | D | | 82 | 636 | 1900 | 24 | 5 | 2-W |
| do | al | David A | | Alexander P Wilson | Deed | D | | 87 | 17 | 1900 | 24 | 5 | 2-W |
| do | al | David A | | do do | Deed | D | | 87 | 17 | 1900 | 23 | 5 | 2-W |
| Pentecost | | Julia | S | W L Halsey | al Mtg | M | | 36 | 300 | 1890 | | | Wien St Hvl |

A check of the land transitions in Sections 19 and 20 of T5-R1W in the indexes prepared by G. W. Jones and Sons, Inc., show the ownership trail through the 1800s. Neither Alexander Penland nor his wife Isabell J. Penland appear at any time as owners either buying or selling land in the sections that contain the Cooper – Penland Cemetery. Accordingly, it must be concluded that permission to use the cemetery for the Penland family burials must have been granted by owners at the time of need by their neighbor. Yet, it would be strange that anyone with so much of their own land would use another family’s cemetery – except for the marriage connection back to the Allison family.

INDEX TO LANDS

Section 19 Township 5 South of Range 1 West Madison County, Alabama
G. W. JONES & SONS

| BOOK | PAGE | Kind of land | GRANTOR | GRANTEE | DATE OF INSTRUMENT | DATE FILED | N E N W | | | | S E S W | | | | |
|------|------|--------------|----------------------------|---------------------------|--------------------|------------|---------|----|----|----|---------|----|----|----|--|
| | | | | | | | NE | NW | SE | SW | NE | NW | SE | SW | |
| 5 | 99 | D | Horton, Rhoda & Lucy A W | Cooper, James | 1890 | | | | | | | | | | |
| 5 | 179 | Agmt | Cooper, Charity | Lee, Houston H | 1890 | | | | | | | | | | |
| 5 | 179 | Agmt | Lee, Houston H | Cooper, Charity | 1890 | | | | | | | | | | |
| 5 | 172 | D | Cooper, Charity | Fennell, James W Tr | 1890 | | | | | | | | | | |
| FF | 316 | D | Lee, Charity by Sheriff | Fennell, James W Admr | 1897 | | | | | | | | | | |
| 15 | 176 | Agmt | Lee, Charity, Supt | Fredley, Joseph W Admr | 1899 | | | | | | | | | | |
| 15 | 183 | D | Aikins, E W & C A | Scruggs, George F | 1893 | | | | | | | | | | |
| 15 | 183 | D | Fennell, A W & Elizabeth | Scruggs, George F | 1893 | | | | | | | | | | |
| 15 | 267 | D | Fennell, G M & Annie W | Scruggs, George F | 1895 | | | | | | | | | | |
| 15 | 304 | D | Hell, W C & Belle F | Scruggs, George F | 1893 | | | | | | | | | | |
| 15 | 461 | D | Hell, S F & Belle F | Scruggs, George F | 1893 | | | | | | | | | | |
| 17 | 9 | Wtg | Scruggs, Geo F & Sarah H | McDuffian, Solomon | 1894 | | | | | | | | | | |
| 15 | 50 | D | Hell, W C & Belle F | Scruggs, George F | 1893 | | | | | | | | | | |
| 15 | 178 | D | Fennell, F M by Admr et al | Scruggs, Sarah H | 1894 | | | | | | | | | | |
| 15 | 300 | D | Gunter, W M & S E | Scruggs, George F | 1890 | | | | | | | | | | |
| 15 | 129 | Wtg | Scruggs, Geo F & Belle H | McDuffian, William H | 1890 | | | | | | | | | | |
| 15 | 178 | D | Scruggs, Geo F & Sarah H | Proctor, Albert D | 1890 | | | | | | | | | | |
| 15 | 602 | Wtg | Scruggs, Geo F & S E at C | McDuffian, Solomon | 1890 | | | | | | | | | | |
| 15 | 114 | D | Scruggs, Geo F & Sarah H | Proctor, Albert D | 1890 | | | | | | | | | | |
| 15 | 184 | Wtg | Scruggs, Geo F & Sarah H | Proctor, Albert D | 1890 | | | | | | | | | | |
| 17 | 482 | D | Proctor, A D & Emma | Scruggs, Geo F & Sarah | 1890 | | | | | | | | | | |
| 17 | 497 | D | Scruggs, Geo F & Sarah | Proctor, A D & Emma | 1890 | | | | | | | | | | |
| 15 | 227 | D | Scruggs, Geo F & Sarah H | Kenney, Wilbert S et al | 1900 | | | | | | | | | | |
| 15 | 556 | D | Scruggs, Geo F & S E | Proctor, Albert D | 1907 | | | | | | | | | | |
| 15 | 212 | D | Proctor, Albert D & Emma | Glessner, Frank | 1899 | | | | | | | | | | |
| 15 | 379 | D | Kenney, R L & A L et al | Henderson, William C | 1903 | | | | | | | | | | |
| 15 | 110 | Wtg | Glessner, Frank & Emma | Proctor, Albert D | 1903 | | | | | | | | | | |
| 15 | 116 | Wtg | Glessner, Frank & Emma | Hard, Geo S & Geo W Tr | 1904 | | | | | | | | | | |
| 15 | 530 | Wtg | Bellamy, A D & Grace A | Ferry, F M | 1904 | | | | | | | | | | |
| 15 | 590 | D | Henderson, W C & Willie L | Bellamy, A D | 1904 | | | | | | | | | | |
| 15 | 247 | Wtg | Bellamy, A D & Grace A | Richardson, W M | 1904 | | | | | | | | | | |
| 15 | 486 | Wtg | Ferry, F M | Bellamy, A D | 1907 | | | | | | | | | | |
| 15 | 484 | Wtg | Bellamy, A D & Grace A | Union Central Life Ins Co | 1907 | | | | | | | | | | |
| 15 | 590 | Wtg | Bellamy, A D & Grace A | Ferry, F M | 1908 | | | | | | | | | | |
| 101 | 463 | D | Henson, R C | Intercounty Telephone Co | 1910 | | | | | | | | | | |
| 101 | 464 | D | Bellamy, A D Spt by Tr | Fatton, J D et al | 1910 | | | | | | | | | | |

Section 19, Township 5, Range 1 West land ownership transitions.

| TOWNSHIP | | RANGE | | HUNTSVILLE MERIDIAN | | | |
|--------------------------|---------|--------|--------|-------------------------|--------------------------------|----------------------------------|----------------------|
| 5 South | | 1 West | | | | | |
| DESCRIPTION OF THE TRACT | | AREA | | UNITED STATES TITLE | | | |
| PART OF SECTION | Section | Acres | 100ths | TO WHOM SOLD OR GRANTED | Date of Sale Location or Grant | Number of Certificate or Warrant | Date of Military Act |

| | | | | | | | |
|--------------------------------------|----|----------------------|--|-----------------------------------|-------------|--------------|--------------------|
| Page 54 continued | | | | | | | |
| NE $\frac{1}{4}$ of SW $\frac{1}{4}$ | 16 | 40.50 $\frac{1}{2}$ | | State | 2 Mar 1819 | | |
| | | | | *School H. H. Lea | 20 Oct 1856 | Vol. D, p 5 | |
| NW $\frac{1}{4}$ of SW $\frac{1}{4}$ | " | 40.50 $\frac{1}{2}$ | | State | 2 Mar 1819 | | |
| | | | | *School H. H. Lea | 20 Oct 1856 | Vol. D, p 5 | |
| SE $\frac{1}{4}$ of SW $\frac{1}{4}$ | " | 40.50 $\frac{1}{2}$ | | State | 2 Mar 1819 | | |
| | | | | *School H. H. Lea | 20 Oct 1856 | Vol. D, p 5 | |
| SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | " | 40.50 $\frac{1}{2}$ | | State | 2 Mar 1819 | | |
| | | | | *School H. H. Lea | 20 Oct 1856 | Vol. D, p 5 | |
| | 17 | 631.80 | | | | | |
| NE $\frac{1}{4}$ of NE $\frac{1}{4}$ | " | 39.48 $\frac{3}{4}$ | | Nancy (T.) Graham | 20 Nov 1854 | | 21178 |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | " | 39.48 $\frac{3}{4}$ | | Nancy (T.) Graham | 20 Nov 1854 | | 21178 |
| W $\frac{1}{2}$ of NE $\frac{1}{4}$ | " | 78.97 $\frac{1}{2}$ | | George Cook | 4 Jul 1831 | | 1461 |
| E $\frac{1}{2}$ of NW $\frac{1}{4}$ | " | 78.97 $\frac{1}{2}$ | | State | 23 May 1828 | | |
| | | | | *River Impts J. & W. Points | 1 Sep 1837 | | *Memo |
| W $\frac{1}{2}$ of NW $\frac{1}{4}$ | " | 78.97 $\frac{1}{2}$ | | State | 23 May 1828 | | |
| | | | | *River Impts John Ives | 5 Oct 1830 | | *Memo |
| | | | | John Ivey | Same | Vol. 1, p 17 | |
| E $\frac{1}{2}$ of SE $\frac{1}{4}$ | " | 78.97 $\frac{1}{2}$ | | Francis C. Prichard | 28 Sep 1854 | | 19131 |
| W $\frac{1}{2}$ of SE $\frac{1}{4}$ | " | 78.97 $\frac{1}{2}$ | | George Cook, Asse | 6 Feb 1819 | | 2853 |
| South West $\frac{1}{4}$ | " | 157.95 | | Charles G. Bowen | 4 Jan 1834 | | 6960 |
| | 18 | 650.50 | | | | | |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$ | " | 81.31 $\frac{1}{2}$ | | John Ives | 26 May 1825 | | 1851 |
| W $\frac{1}{2}$ of NE $\frac{1}{4}$ | " | 81.31 $\frac{1}{2}$ | | John Ives | 9 Dec 1825 | | 1974 |
| North West $\frac{1}{4}$ | " | 162.62 $\frac{1}{2}$ | | Isaac Alexander Lanier, | | | |
| | | | | Wm. Henry Lanier & | | | |
| | | | | Burwell Clinton Lanier | 22 Oct 1850 | | 14921 |
| South East $\frac{1}{4}$ | " | 162.62 $\frac{1}{2}$ | | Donaldson Turner, Asse | 1 Jul 1831 | | 1307 |
| E $\frac{1}{2}$ of SW $\frac{1}{4}$ | " | 81.31 $\frac{1}{2}$ | | William Patton, Asse | 3 Feb 1818 | | 3018 |
| W $\frac{1}{2}$ of SW $\frac{1}{4}$ | " | 81.31 $\frac{1}{2}$ | | William Patton, Asse | 28 Jun 1831 | | 964 |
| Page 55 | 19 | 586.97 | | North and East of Tennessee River | | | |
| East Half | " | 320.00 | | Littleberry Robinson & | | | |
| | | | | Rodah Horton, Asse | 2 Feb 1818 | | 1004 $\frac{1}{2}$ |
| North West $\frac{1}{4}$ | " | 160.00 | | Littleberry Robinson & | | | |
| | | | | Rodah Horton, Asse | 2 Feb 1818 | | 1004 $\frac{1}{2}$ |
| South West part | " | 106.97 | | Entered Name unknown | unknown | | unknown |
| | | | | James Cooper | 31 May 1851 | | 657 |
| | 20 | 620.62 | | | | | |
| N $\frac{1}{2}$ of NE $\frac{1}{4}$ | " | 77.57 $\frac{1}{2}$ | | Francis C. Prichard | 28 Sep 1854 | | 19131 |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | " | 38.79 | | blank John M. Lynch | 2 Jul 1855 | | 2323 |
| SW $\frac{1}{4}$ of NE $\frac{1}{4}$ | " | 38.79 | | Benjamin Spence | 15 Dec 1832 | | 5838 |
| North West $\frac{1}{4}$ | " | 155.16 | | James Cooper, Asse | 2 Feb 1818 | | 1486 |
| South East $\frac{1}{4}$ | " | 155.16 | | Lemuel Mead | 2 Feb 1818 | | 992 |
| South West $\frac{1}{4}$ | " | 155.16 | | James Finch, Asse | 16 Mar 1818 | | 2988 |
| | 21 | 637.89 | | | | | |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$ | " | 79.74 | | Edmond Rives, Asse | 2 Feb 1818 | | 863 |
| W $\frac{1}{2}$ of NE $\frac{1}{4}$ | " | 79.74 | | John Timmons, Asse | 28 Sep 1821 | | 2964 |
| North West $\frac{1}{4}$ | " | 159.47 | | Samuel V. D. Stout, Asse | 2 Feb 1818 | | 824 |
| South East $\frac{1}{4}$ | " | 159.47 | | Benjamin S. Jones, Asse | 21 Jun 1831 | | 770 |
| South West $\frac{1}{4}$ | " | 159.47 | | Lemuel Mead | 2 Feb 1818 | | 104 |
| Page 56 | 22 | 632.82 | | | | | |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$ | " | 79.10 $\frac{1}{2}$ | | State | 23 May 1828 | | |
| | | | | *River Impts Hugh Smith | 27 Mar 1830 | | *Memo |

Information in script appears on the copy from the office of the Secretary of State of Alabama.

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| FUND | STATE TITLE | WHEN CONVEYED | Number of State Transfer or Conveyance | WHERE RECORDED | | MEMORANDUM |
|------|-------------|---------------|--|----------------|------|------------|
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| | | | | | | |

It is assumed that since the Cooper and the Allison families who owned the land of the little cemetery were mostly wealthy, they surely would have had inscribed tombstone erected at the graves of their family members. However, there is no evidence of such markers today. Perhaps a clue is given for the Cooper and Lee / Lea graves from the records that state that Charity Allison Cooper Lea left funds to move graves from this cemetery to the Ebenezer Presbyterian Church Cemetery. It may be that other graves and markers were also moved through time.

Another possibility arises relative to the dismal reports encountered from a number of people that over the years some of the grounds maintenance contractors of the past may have uprooted tombstones and thrown them in the Tennessee River near the boat ramp at the Recreation Area. It is generally known that old, broken tombstones do tend to cause damage to mowing machines and trimmers in overgrown cemeteries, so there may be some truth in these reports. Mowing operations would certainly go much more smoothly if old tombstones were removed, but still, one must wonder about the integrity and values of anyone who would deliberately destroy historic cemeteries rather than restore them. Yet, such has been known to happen to many old cemeteries in Madison County that are not on the arsenal, and there certainly was ample opportunity for destruction of cemeteries before the Army acquired the land.

Considering the number of threats to the old cemeteries, perhaps the miracle is that so many still exist. At least those on the Army property now are much better protected in general than many of those in undeveloped civilian areas of the county.

By John P. Rankin, August 15, 2005