

MARK YOUR CALENDAR

For more information about events, visit
the MTGS web site or contact
Virginia Watson at ginnyology@comcast.net

Check our website for last-minute
changes: www.mtgs.org

Sat., July 21, 2007

Basic Genealogy Skills Workshop

This event has been postponed.

Sat., July 28, 2007

Non-Population Schedules of the U.S. Federal Census

Knowles Senior Center, 1:00 p.m.

Martha Gerdeman, local history librarian at the
Dickson Public Library and past MTGS president
will discuss Federal statistics collected since 1810
about people engaged in manufacturing and
agriculture, slaves, Native Americans and social
statistics. Open meeting.

Sat. August 11, 2007

Native American & Cherokee Genealogy Workshop

Knowles Senior Center, 10:00-4:00

Lorna Morton, Tribal Genealogist, will conduct
this workshop on the Five Civilized Tribes and
Southeastern Indian research. Registration fee \$25
includes lunch. Register by Aug. 6th.

Sat., September 15, 2007

Caring For Your Family Documents & Photographs

Martin Center (Brentwood), 1:00 p.m.

Christine Young, Conservator of Manuscripts,
will present this fascinating program about
modern methods for preserving old paper, ink and
photographs. The limited shelf-life of records and
pictures we create today will also be discussed.
Don't let your family history fade away.

Sat., Nov 17, 2007

Tracking Your Ancestors with Land Records – Even if They Didn't Own Land!

Brentwood Library

The annual MTGS Fall Seminar will feature
presentations about using land records for
research and a land-platting workshop. Watch for
details in the next issue and in your mailbox.

Middle Tennessee

Journal of Genealogy & History

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**Middle Tennessee
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Contributors in this issue

Sarah Armistead	Gale Williams Bamman
T. Vance Little	Patricia Gilliam Daley
Joan Pruett	Peggie Sides
Laine Sutherland	Jeanne D. Sugg
Shirley Wilson	

From the Editor . . .

The 20th Anniversary Celebration of MTGS was a wonderful event! Congratulations to award-winners Mary Sue Smith, who certainly earned her Distinguished Member Award, and Gale Williams Bamman, the Journal Writer's Award for her series on the Defective, Dependent and Delinquent (DDD) census schedules of 1880. For some pictures from the banquet and a history of the Society prepared for the event, turn to the center-fold.

In this issue you will find the first installment of a new series. This is an transcription of Davidson County's 1805 tax list, one of the best early records of Nashville and the surrounding area. The transcription has been annotated with references from the 1812 tax list and other early sources, to help the genealogist link the records together.

Excitement is building about the new State Library & Archives that is being planned for construction starting in 2009. Read State Librarian Jeanne Sugg's article about these plans, found on page 23.

This issue's installment of the Law & Order series about the early laws of Tennessee includes information about the functions of Justices of the Peace and the early courts. Reading this will help you better understand records of your ancestors.

Don't miss the obituary of William D. Brown, contributed by Peggie Sides, titled "Death by False Teeth." It's one of those things that really shouldn't be funny, but still is.

As always, your comments on Journal articles and submissions of new materials are welcomed.

Chuck Sherrill
Journal Editor

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Yearly memberships include four issues of the *Middle Tennessee Journal of Genealogy & History*. Make check or money order payable to MTGS. Dues are \$25.00 per membership year, beginning of fiscal years on June 1. See back cover for details and application form.

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Visit our website at <http://www.mtgs.org>

1805 Davidson County Tax List, Annotated

Part I of a series



Persons Names	Land in Acres	White Males	White Females	Black Males	Black Females	Slaves	Studs	Town Lots	Retail Stores	Billiard Tables	Peddlers and Hawkers
Anderson William	169	1									
Johnson George	100										
McDonald Andrew											
McKee William											
Adams William											
Adams Benjamin											
Andrew David	226										
Armstrong James	50										
McCall David											
Anthony David	220										
Hester Lucy											
McCall William											

The following list of taxable inhabitants taken in Davidson County in 1805 provides the names of 1,855 free white males and a few females, and enumerates (but does not name) 2,205 taxable slaves. It is one of the most complete records of early Nashville area that names all taxable settlers.

At the time this tax list was taken, Davidson County encompassed all of its current boundaries plus most of what would later become Cheatham County. Rutherford County had been formed in 1803, considerably reducing the size of Davidson County.

The published laws of Tennessee reveal to us that residents were required to report and pay their taxes each April, and to be listed according to this procedure: "The clerk of each county court ... shall, on or before the first day of February ... furnish the collector or sheriff of each county with a list of taxable property by them to be collected.... The collector or sheriff shall appoint the day and place in each district of the said county, in the month of April, when and where he will attend.... posting it three of the most public places" in the district."¹

Subsequent sessions of the General Assembly passed laws revising and adjusting the tax code established by the territorial legislature. By 1805 the following property was taxable at these rates:

- Lands held by deed or entry or lease or right of dower, 12 ½ cents per 100 acres
- Free males and male servants aged 21-50, 12 ½ cents each
- Male and female slaves aged 12-50, 25 cents each
- Stud horses, \$2.00 each
- Town lots, 50 cents each
- Retail stores, \$25 each
- Billiard tables, \$1,000 each (!)
- Peddlers and hawkers, \$25 each

The original list turned in to Sheriff John Boyd of Davidson County in 1805 is not extant. That list would have included columns for all of the information listed above. However, a copy listing the names of taxpayers and the number of black and white polls for which they were charged was made by Andrew Ewing, Clerk of the Court of Common Pleas. This copy, from which the transcription below was made, is housed at the Tennessee State Library and Archives.² The list is shown here in the exact order as it appears on the copy, with no information omitted. Ewing's handwriting was cramped and filled with flourishes that make it difficult to read. Moreover, when he was several pages into the list Ewing must have felt he was short on paper, and instead of listing each name on a separate line he began to run them

¹ George Roulstone, comp., *Journal of the Proceedings of the Legislative Council of the Territory of the U.S. South of the River Ohio, etc.* [1795] (reprint, Nashville: n.p., 1852), Chapter IV.

² Access to the manuscript list is restricted for preservation, but a microfilm copy can be found on the reel titled "Early Tax Lists."

together, making transcription even more difficult. Question marks [?] have been inserted to indicate where the transcriber was uncertain.

Although the 1805 tax list was carefully indexed by Byron Sistler for his 1977 publication, *Early Tennessee Tax Lists*,³ that index does not show the details provided in the original. This *verbatim* transcription provides the genealogist with new information as well as insightful clues.

Heads of Household – The enumerator sometimes listed more than one male per household. These names were separated in Sistler’s index. For example, Joseph, Jordan and James Anderson are listed together in one household, making it clear that the other James Anderson, listed separately, was a second man of the same name living in the county.

White Polls – The enumeration shows the number of free white males aged 21 to 50 taxed in each household. Christopher Stump, for example, paid tax on 13 white polls. Who were the other 12 males in his household? Perhaps Stump genealogists can answer that question.

Taxable Slaves – The enumeration shows the number of male and female slaves over age 12 living within each household. Slave ownership can help distinguish records of two people with the same name. In this list, for example, two men named Robert Thompson appear, each paying one white poll. But one Robert paid tax on seven slaves, while the other paid none. With the knowledge that an ancestor owned slaves, the researcher discerns that the ancestor was a person of some wealth and that further clues may be found in deeds and other court records.

Annotations - As a ‘leg up’ for the genealogist just beginning research in Davidson County, this list has been annotated by comparing it with two other sources. One of those is Marjorie Fischer’s masterful index titled *Tennesseans before 1800: Davidson County*,⁴ in which she indexes names found in early court minutes, deeds, and other records. Each name in the 1805 list of taxable inhabitants was compared with Fischer’s index, and the earliest-dated reference to the name in her book is indicated in the annotations. Refer to Fischer’s volume for full citations to the primary sources mentioned here.

Additionally, the 1812 enumeration of free taxable inhabitants in Davidson County was also compared to this list. The 1812 enumeration was previously indexed in Charles Sherrill’s *Reconstructed 1810 Census of Tennessee*.⁵ Any names appearing on both lists have been noted, and the names of the militia captains from the 1812 list are also given. The 1812 list was not rearranged alphabetically and because of that it is useful for determining an ancestor’s neighbors. It did not, however, indicate slave ownership. The Captains and Justices of the Peace enumerated in 1812 were:



Captain of Company

Capt. Butler
Capt. Richard Boyd

J.P. of Company

Alexander Walker, JP
Josiah Horton, JP

Captain of Company

Capt. Wm. Criel
Capt. Birdwell

J.P. of Company

Eli Hammond, JP
Joseph Love, JP

³ Byron and Barbara Sistler, *Index to Early Tennessee Tax Lists*. (Nashville: Byron Sistler & Assoc., 1977).

⁴ Marjorie Fischer, *Tennesseans before 1800: Davidson County* (Frontier Press, 1997).

⁵ Charles Sherrill, *Reconstructed 1810 Tennessee Census* (Mt. Juliet, TN: n.p., 2001).

Captain of Company

Capt. Jos. Williamson
 Capt. Hail
 Capt. Jesse W. Thomas
 Capt. Wm. Mullins
 Capt. Barnheart
 Capt. David Cloyd
 Nashville Captains
 Capt. Wm. Henry
 Capt. Liles
 Capt. Dempsey Morris

J.P. of Company

Thos. Williamson, JP
 Geo. S. Allen, JP
 Jas. Mulherin, JP
 Robert Thompson, JP
 Joel Lewis, JP
 Samuel Shannon, JP
 E.S. Hall, JP
 Thos. Dillahunt, JP
 Robert Hewitt, JP
 Thos. Hickman, JP

Captain of Company

Capt. Philip Campbell
 Capt. Jno. L. McCormack
 Capt. Bell
 Capt. Rogers
 Capt. Wm. R. McAdams
 Capt. Winfrey
 Capt. Jas. Benning
 Capt. Stringfellow
 Capt. Dempsey Morris

J.P. of Company

Robert Johnston, JP
 Braxton Lee, JP
 Cary Felts, JP
 Christopher Stump, JP
 Wm. Donelson, JP
 Edmond Gamble, JP
 Willie Barrow, JP
 Wm. Anderson, JP
 Thos. Hickman, JP

*"State of Tennessee Davidson County. To William Martin Esquire Secretary & etc.
 The following is a list of the enumeration of Davidson County as taken & returned to me
 by John Boyd Esq. on the 31st of August 1805, To wit"*

		Free White Males	Taxable Slaves	Notes from <i>Tennesseans Before 1800: Davidson County,</i> and from the 1812 Davidson County list of free taxable inhabitants
<i>In the Letter A</i>				
<i>Atchison</i>	<i>William</i>	<i>1</i>		
<i>Armstrong</i>	<i>Martin & James</i>	<i>2</i>		Martin Armstrong Sr.: in the Register's book in 1783.
<i>Armstrong</i>	<i>Nathaniel</i>	<i>2</i>		
<i>Anderson</i>	<i>John</i>	<i>2</i>	<i>1</i>	A John Anderson is in the Register's book in 1791. In 1812 a John Anderson appears in Hall's list, and in the militia company of Capt. Stringfellow.
<i>Anderson</i>	<i>Cotton[?]</i>	<i>2</i>	<i>2</i>	
<i>Anderson</i>	<i>Luke</i>	<i>1</i>		Luke Anderson appears in the County Court minutes in 1793.
<i>Andrews</i>	<i>Gray</i>	<i>1</i>		
<i>Askew</i>	<i>John</i>	<i>1</i>		
<i>Andrew</i>	<i>David</i>	<i>1</i>	<i>2</i>	
<i>Allen</i>	<i>George</i>	<i>1</i>		George Allen appears in the Register's book in 1795. George Sugg Allen Bill of Sale in 1798. In 1812 George S. Allen is listed in the militia company of Capt. Hail.
<i>Alexander</i>	<i>Henry</i>	<i>1</i>		Henry Alexander appears in Court minutes in 1798.
<i>Austin</i>	<i>James</i>	<i>1</i>		In 1812 James Austin is listed in the militia company of Capt. Thomas.
<i>Anderson</i>	<i>Thomas</i>	<i>1</i>		Thomas Anderson appears in the County Court minutes in 1792.
<i>Allison</i>	<i>James</i>	<i>1</i>		James Allison appears in County Court minutes in 1796. In 1812 James Allison is listed in the militia company of Capt. Henry.
<i>Allison</i>	<i>Hugh</i>	<i>1</i>	<i>2</i>	Hugh Allison married Lidia Harrison in 1797. In 1812 Hugh Allison is listed in the militia company of Capt. Henry
<i>Allen</i>	<i>Thomas</i>	<i>1</i>		Thomas Allen appears in the Register's book in 1792. In 1812 men named Thomas Allen are listed with both Capt. Henry and Stringfellow.
<i>Allen</i>	<i>Zachariah</i>	<i>1</i>	<i>2</i>	Zachariah Allen appears in a power of attorney in 1785. In 1812 Zachariah Allen is listed in the militia company of Capt. Henry.

		Free White Males	Taxable Slaves	Notes from <i>Tennesseans Before 1800: Davidson County, and from the 1812 Davidson County list of free taxable inhabitants</i>
<i>Arehart</i>	<i>Philip & Moses</i>	<i>3</i>		Philip Arehart appears in the Register's book in 1799.
<i>Arehart</i>	<i>David</i>	<i>2</i>	<i>1</i>	David Erhart appears in an estate inventory in 1791.
<i>Armstrong</i>	<i>James</i>	<i>1</i>		James Armstrong appears in the Register's book in 1789.
<i>Anderson</i>	<i>William Lande^r[?]</i>	<i>1</i>		The early records are full of William Andersons, but not William L. In 1812 a William Anderson is listed in the militia company of Capt. Rogers.
<i>Alsop</i>	<i>John</i>	<i>3</i>		John Alsap Sr. appears in County Court minutes in 1800.
<i>Anderson</i>	<i>Joseph, Jordan & James</i>	<i>3</i>		
<i>Andrews</i>	<i>James</i>	<i>1</i>		James Anderson appears in the Register's book in 1797.
<i>Total in the Letter A</i>		<i>36</i>	<i>10</i>	
<i>The Letter B to wit</i>				
<i>Bradford</i>	<i>Green</i>	<i>1</i>		In 1812 Thomas G. Bradford is listed in the militia company of Capt. Hall. [Hail?]
<i>Bryant</i>	<i>Nathan</i>	<i>1</i>		Nathan Bryant appears in County Court minutes in 1797.
<i>Beasley</i>	<i>John</i>	<i>1</i>		
<i>Bunderant</i>	<i>Edward</i>	<i>1</i>	<i>6</i>	In 1812 Edward Bondurant is listed in the militia company of Capt. Criel.
<i>Brown</i>	<i>Moses</i>	<i>2</i>		Moses Brown appears in County Court minutes in 1791.
<i>Brown</i>	<i>Lewis</i>	<i>1</i>		Lew Brown appears in a power of attorney in 1799.
<i>Bryant</i>	<i>James</i>	<i>1</i>		James Bryant appears in County Court minutes in 1785.
<i>Barnes</i>	<i>John</i>	<i>1</i>		John Barnes appears in the Register's book in 1789.
<i>Billings</i>	<i>John</i>	<i>1</i>		
<i>Billings</i>	<i>Ardent[?]</i>	<i>1</i>		
<i>Billings</i>	<i>William</i>	<i>2</i>	<i>1</i>	Wm. Billings appears in a bill of sale in 1797.
<i>Beaty</i>	<i>David</i>	<i>2</i>	<i>4[?]</i>	David Beaty appears in the Court of Pleas minutes in 1788. In 1812 David Beaty is listed in the militia company of Capt. Campbell.
<i>Brown</i>	<i>Richard</i>	<i>1</i>	<i>1</i>	Richard Brown appears in a bill of sale in 1797.
<i>Barnes</i>	<i>Henry</i>	<i>1</i>		Henry Barnes appears in County Court minutes in 1792. In 1812 Henry Barnes is listed in the militia company of Capt. Campbell.
<i>Brown</i>	<i>Thomas</i>	<i>1</i>		Thos. Brown appears in County Court minutes in 1785. In 1812 Thos. Brown is listed in the militia company of Capt. Campbell.
<i>Brooks</i>	<i>John</i>	<i>2</i>	<i>2</i>	
<i>Bumpass</i>	<i>William</i>	<i>1</i>		William Bumpass and William Bumpass Sr. appear in County Court minutes in 1798. In 1812 a William Bumpass is listed in the militia company of both Capt. Mullins & Capt. Campbell.
<i>Bleak</i>	<i>John</i>	<i>1</i>		
<i>Black</i>	<i>William</i>	<i>2</i>		William Black appears in the County Court minutes in 1787.
<i>Black</i>	<i>David</i>	<i>1</i>		In 1812 David Black is listed in the militia company of Capt. Mullins.
<i>Birdwell</i>	<i>George</i>	<i>1</i>		George Birdwell appears in the Register's book in 1793. In 1812 George Birdwell is listed in the militia company of Capt. Birdwell & Capt. Winfrey.
<i>Brownlee</i>	<i>John &</i>	<i>3</i>	<i>2</i>	John Brownlee appears in County Court minutes in 1796.

		Free White Males	Taxable Slaves	Notes from <i>Tennesseans Before 1800: Davidson County, and from the 1812 Davidson County list of free taxable inhabitants</i>
	<i>Alexander</i>			
<i>Bradshaw</i>	<i>William</i>	3	3	William Bradshaw appears in the Register's book in 1787.
<i>Branch</i>	<i>Benjamin</i>	1	10	In 1812 Benjamin Branch is listed in the militia company of Capt. Birdwell.
<i>Boyd</i>	<i>Richard</i>	2	7	Richard Boyd appears in the Register's book in 1792. In 1812 Richard Boyd was a militia captain.
<i>Bell</i>	<i>Robert</i>	1		Robert Bell appears in the Register's book in 1782. In 1812 Robert Bell is listed in the militia company of Capt. Williamson & Capt. Bell.
<i>Boak</i>	<i>William</i>	1		
<i>Bigley</i>	<i>Patrick</i>	1		In 1812 Patrick Begley is listed in the militia company of Capt. Benning, and Patrick Bigley is in Hall's list.
<i>Bundy</i>	<i>John</i>	1		
<i>Blackamore</i>	<i>William</i>	2	3	William Blackamore appears in the Register's book in 1788.
<i>Bell</i>	<i>Samuel</i>	1	1	Samuel Bell appears in the County Court minutes in 1786. In 1812 Samuel Bell Esq. was a militia captain.
<i>Brewer</i>	<i>Elisha</i>	1		Elisha Brewer appears in Will Book 1 in 1789. In 1812 Elisha Brewer is listed in the militia company of Capt. Kinkaid.
<i>Baker</i>	<i>Nicholas</i>	1		Nicholas Baker appears in many records in 1787.
<i>Biler[?]</i>	<i>Nicholas</i>	1		Nicholas Belar appears in County Court minutes in 1799.
<i>Buchanan</i>	<i>Robert</i>	1	3	Robert Buchanan appears in County Court minutes in 1793. In 1812 Robert Buchanan is listed in the militia company of Capt. Bell.
<i>Birdwell</i>	<i>Ruben</i>	2		
<i>Baker</i>	<i>Humphrey</i>	1		Humphrey Baker appears in a bill of sale in 1798.
<i>Bean</i>	<i>Stephen</i>	2		
<i>Barrow</i>	<i>Micajah</i>	2	5	Micajah Barrow appears in County Court minutes in 1793.
<i>Barnes</i>	<i>Nathan</i>	1		Nathan Barnes appears in a bill of sale in 1800.
<i>Beavers</i>	<i>Joel</i>	1		Joel Beavers married Luraney Morris in 1799.
<i>Boyles</i>	<i>Barnabas</i>	2	2	Barney Boyles appears in County Court minutes in 1787. In 1812 Barnabas Boyles is listed in the militia company of Capt. Cloyd.
<i>Bostian</i>	<i>James</i>	1		
<i>Brown</i>	<i>Roley</i>	1		
<i>Bridgwaters</i>	<i>Isaac</i>	1		
<i>Bonner</i>	<i>Henry</i>	2		In 1812 Henry Boner is listed in the militia company of Capt. Rogers.
<i>Buchanan</i>	<i>James</i>	1		James Buchanan appears in County Court minutes in 1791. In 1812 James Buchanan is listed in the militia company of Capt. Thomas.
<i>Blair</i>	<i>Samuel</i>	1		Samuel Blair appears in County Court minutes in 1790. In 1812 Samuel Blair is listed in the militia company of Capt. Thomas.
<i>Blair</i>	<i>John</i>	1	2	John Blair appears in the Register's book in 1789. In 1812 three John Blairs are listed: in the militia company of Capt. Thomas, Capt. Barnheart & Capt. Rogers.
<i>Buchanan</i>	<i>Samuel</i>	1		Samuel Buchanan appears in numerous records in 1785.
<i>Buchanan</i>	<i>Peggy</i>	--	1	
<i>Buchanan</i>	<i>Andrew</i>	1		Andrew Buchanan appears in a power of attorney in 1795.
<i>Buchanan</i>	<i>John</i>	2		John Buchanan appears in Court of Pleas minutes in 1783. In 1812 John Buchanan is listed in the militia company of Capt. Thomas.

		Free White Males	Taxable Slaves	Notes from <i>Tennesseans Before 1800: Davidson County, and from the 1812 Davidson County list of free taxable inhabitants</i>
<i>Boyd</i>	<i>Robert & John</i>	2		John Boyd appears in the Register's book in 1784. Robert Boyd appears in County Court minutes in 1789. In 1812 Robert & John Boyd are listed in the militia company of Capt. Mullins and John Boyd is listed in the militia company of Capt. McAdams.
<i>Boyles</i>	<i>John</i>	1		In 1812 John Boyles is listed in the militia company of Capt. Cloyd.
<i>Beeton [Becton?]</i>	<i>George</i>	1	5	George Becton appears in the Register's book in 1796. In 1812 Geo. Beeton is listed in the militia company of Capt. Mullins.
<i>Beeton [Becton?]</i>	<i>Asa</i>	1		In 1812 Asa Beeton is listed in the militia company of Capt. Mullins.
<i>Beeton [Becton?]</i>	<i>Nancy</i>	--	1	
<i>Bell</i>	<i>Robert</i>	1	1	Robert Bell appears in the Register's book in 1782. In 1812 Robert Bell is listed in the militia company of Capt. Williamson & Capt. Bell.
<i>Bell</i>	<i>John</i>	1		John Bell appears in many records in 1786. In 1812 John Bell is listed in the militia company of Capt. Williamson & Capt. Bell and John T. Bell in Hall's list.
<i>Bell</i>	<i>Thomas</i>	1		Thomas Bell appears in the Register's book in 1799. In 1812 Thomas Bell is listed in the militia company of Capt. Williamson & Capt. Bell.
<i>Bell</i>	<i>Samuel</i>	2	5	Samuel Bell appears in the County Court minutes in 1786. In 1812 Samuel Bell Esq. was a militia captain.
<i>Black</i>	<i>William Sr.</i>	2	2	William Black Sr. appears in the County Court minutes of 1791.
<i>Buchanan</i>	<i>Samuel</i>	1		Samuel Buchanan appears in numerous records in 1785.
<i>Brooks</i>	<i>William</i>	1		Wm. Brooks appears in the Register's book in 1797. In 1812 Wm. Brooks is listed in the militia company of Capt. Criel.
<i>Bell</i>	<i>James</i>	1		James Bell appears in the County Court minutes in 1789. In 1812 James Bell is listed in the militia company of Capt. Williamson & Capt. Bell.
<i>Bell</i>	<i>James</i>	1		See above.
<i>Bell</i>	<i>Hugh</i>	1		
<i>Beekham</i>	<i>William</i>	1		
<i>Barnes</i>	<i>James</i>	1		
<i>Bell</i>	<i>Hugh, Beekham</i>	1		Hugh Bell appears in the Register's book in 1788. In 1812 Hugh F. Bell is listed in the militia company of Capt. Lile.
<i>Barrow[?]</i>	<i>Willie</i>	7	4	Wiley Barrow appears in County Court minutes in 1793. In 1812 Willie Barrow, J.P., is listed in the militia company of Capt. Benning.
<i>Bell</i>	<i>John</i>	1		John Bell appears in many records in 1786. In 1812 John Bell is listed in the militia company of Capt. Williamson & Capt. Bell and John T. Bell in Hall's list.
<i>Burnett</i>	<i>George</i>	2	2	
<i>Bell</i>	<i>George</i>	1		George Bell appears in the County Court minutes in 1784. In 1812 George Bell appears on Hall's list and in the militia company of Capt. Campbell.
<i>Bell</i>	<i>George Sr.</i>	1	3	See above.
<i>Blair</i>	<i>John</i>	1		John Blair appears in the Register's book in 1789. In 1812 three John Blairs are listed, in the militia company of Capt. Thomas, Capt. Barnheart & Capt. Rogers.
<i>Butts</i>	<i>William</i>	1		William Butts appears in the County Court minutes in 1791.
<i>Blackman</i>	<i>Bennett</i>	4	13	Bennett Blackman appears in the Register's book in 1795. In 1812 Bennett Blackman is listed in the militia company of

		Free White Males	Taxable Slaves	Notes from <i>Tennesseans Before 1800: Davidson County, and from the 1812 Davidson County list of free taxable inhabitants</i>
				Capt. Williamson.
<i>Bosley</i>	<i>Beal</i>	2	7	Beal Bosley appears in numerous records in 1787. In 1812 Beal Bosley is listed in the militia company of Capt. Liles.
<i>Brown</i>	<i>Joseph</i>	1		Joseph Brown appears in the Register's book in 1791.
<i>Butts[?]</i>	<i>William</i>	1	1	William Butts appears in the County Court minutes in 1791.
<i>Bosley</i>	<i>John</i>	2	4	John Bosley appears in numerous records in 1787. In 1812 John Bosley is listed in the militia company of Capt. Criel.
<i>Bass</i>	<i>Laurence</i>	1		
<i>Baird</i>	<i>John</i>	1		John Batte Baird appears in a bond in 1783.
<i>Black</i>	<i>William of Nash^{ll}</i>	2	3	William Black appears in the County Court minutes in 1787.
<i>Benham[?]</i>	<i>John</i>	1		
<i>Bryant</i>	<i>Samuel</i>	1	1	Samuel Bryan appears in the Register's book in 1797. In 1812 Samuel Bryant is listed in the militia company of Capt. Henry.
<i>Brown</i>	<i>Henry</i>	1	3	In 1812 two Henry Browns area listed in the militia company of Capt. Henry.
<i>Burnham</i>	<i>Isaac</i>	1	2	Iaac Burnham appears in the Regsiter's book in 1797.
<i>Ballance</i>	<i>Joshua & Abraham</i>	2		Joshua Balance appears in County Court minutes in 1797.
<i>Byrnes</i>	<i>James</i>	4	1	James Byrns is listed in several records in 1785. In 1812 James Byrn Sr. is listed in the militia company of Capt. McAdams.
<i>Betts</i>	<i>Zachariah</i>	2		Zachariah Betts appears in the County Court minutes in 1791. In 1812 Zachariah Betts is listed in the militia company of Capt. McAdams.
<i>Brooks</i>	<i>Matthew</i>	1	5	Matthew Brooks appears in the Register's book in 1797. In 1812 Matthew Brooks is listed in the militia company of Capt. Bennings.
<i>Baitts</i>	<i>Robert</i>	1		Robert Bates appears in the Register's book in 1800. In 1812 Robert Bates is listed in the militia company of Capt. McAdams.
<i>Bowers</i>	<i>C. William</i>	1		William Bowers appears in the Register's book in 1790.
<i>Barnes</i>	<i>Joel</i>	1		In 1812 Joel Barnes is listed in the militia company of Capt. Williamson.
<i>Booth</i>	<i>Henry</i>	1	4	Henry Booth appears in the Register's book in 1798. In 1812 Henry Booth Jr. & Sr. are listed in the militia company of Capt. McAdams.
<i>Bolin</i>	<i>Isaac</i>	1		
<i>Byanes[?]</i>	<i>James Jr.</i>	1		
<i>Burnett</i>	<i>Leonard</i>	1		In 1812 Leonard Burnett is listed in the militia company of Capt. Stringfellow.
<i>Barnes</i>	<i>Benjamin</i>	1		Benj. Barnes appears in the Register's book in 1789. In 1812 Benj. Barnes is listed in the militia company of Capt. Kinkaid.
<i>Bleak</i>	<i>Hugh</i>	1	5	
<i>Baker</i>	<i>Colly</i>	--	3	
<i>Browder</i>	<i>Joshua</i>	1		
<i>Bender</i>	<i>Lott</i>	1		
<i>Buchanan</i>	<i>John</i>	2	9	John Bucchanan appears in Court of Pleas minutes in 1783. In 1812 John Buchanan is listed in the militia company of Capt. Thomas.
<i>Brewer</i>	<i>William &</i>	2		

		Free White Males	Taxable Slaves	Notes from <i>Tennesseans Before 1800: Davidson County, and from the 1812 Davidson County list of free taxable inhabitants</i>
	<i>Francis</i>			
<i>Boyd</i>	<i>John</i>	2	9	John Boyd appears in the Register's book in 1784. In 1812 John Boyd is listed in the militia company of Capt. McAdams.
<i>Briant</i>	<i>Asa</i>	1	1	Asa Bryan/Bryant appears in the Register's book in 1797.
<i>Briant</i>	<i>Samuel</i>	1	1	Samuel Bryan appears in the Register's book in 1797.
<i>Bowers</i>	<i>Elizabeth</i>	1	3	
<i>Bristol</i>	<i>John</i>	1		
<i>Bradford</i>	<i>J. Benjamin</i>	2	1	Benjamin J. Bradford appears in County Court minutes in 1800. In 1812 Benjamin J. Bradford is listed in the militia company of Capt. Hall.
<i>Blackaman</i>	<i>George</i>	2	2	
<i>Buchanan</i>	<i>David</i>	1	1	David Buchanan appears in County Court minutes in 1793. In 1812 David Buchanan is listed in the militia company of Capt. Thomas.
<i>Bare[?]</i>	<i>Henry</i>	1		
<i>Bell</i>	<i>William</i>	1		William Bell appears in the Register's book in 1788. In 1812 Wm. Bell and Wm. R. Bell both listed in the militia company of Capt. Liles, and Wm. Bell in the militia company of Capt. Bell.
<i>Bacom</i>	<i>Isaac</i>	2		
<i>Bratchew</i>	<i>Solomon</i>	1		
<i>Bratchew</i>	<i>John</i>	1		
<i>Brown</i>	<i>Moses</i>	1	2	Moses Brown appears in County Court minutes in 1791.
<i>Burnside</i>	<i>Thomas</i>	1		
<i>Blackburn</i>	<i>John & Edward</i>	2		John and Edward Blackburn appear in the County Court minutes in 1796.
<i>Blakely</i>	<i>Jesse</i>	1		
<i>Bassett</i>	<i>Thomas & John</i>	2		
<i>Barnes</i>	<i>Elias</i>	1	23	
<i>Bashaw</i>	<i>Benjamin</i>	1	2	In 1812 Benj. Bashaw is listed in the militia company of Capt. Birdwell.

To Be Continued

Red-Headed Yankee Schoolteacher Caught Red-Handed in Perry County, 1837

Sterling Hindman was convicted of larceny in Perry County and sentenced to three years in the State Penitentiary. He arrived at the Penitentiary Dec. 13, 1837. The records describe him as follows:

He is 23 years old, 5' 7 1/2" high, weighs 131 lbs. Red hair, blue eyes, fair skin, thin visage. Has a small scar in the edge of each eyebrow, he says caused by buckshot at the battle of St. Jacinto in Texas. Born and bro't up in the state of New York, Dutchess County. Has acted as clerk for Ezra Scofield, White & Co. Has followed sc[h]oolteaching in Tenn.

(Tennessee State Library & Archives, Record Group 25, Penitentiary Ledger #45, page 74)

The Defective, Dependent, and Delinquent Schedules of the 1880 Tennessee Census



Davidson County Asylum (concluded)

Abstracted by
Gale Williams Bamman, CGSM
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The DDD Schedules, as they are often called, were part of the non-population schedules supplementing the 1880 federal census, and were created to help the government decide on funding appropriations for institutions and health programs. On each of the following schedules of the DDDs, the census-takers were instructed to give an account of the location and condition of persons who met these descriptions:

The following questions were asked on all seven of the DDD schedules:

name of the afflicted person; county and district where enumerated; county of residence; and location in the population schedule.

Certain questions were repeated on all seven schedules:

name of the afflicted person; county and district where enumerated; county of residence; and location in the population schedule.

The remainder of the questions pertained to each particular class of persons:

Insane Inhabitants: form of disease; duration of current attack; age at first attack; if requires restraint; if ever institutionalized and for how long; if additional features, such as epileptic suicidal, or homicidal. Distinction was to be made between persons with deterioration of mental power, such as dementia and those born defective; the latter were to be classified as Idiots.

Idiots: supposed cause; age of occurrence; size of person's head [at that time considered as significant]; if self-supporting or partly so; if ever in training school and for how long; and if additional illnesses present (insane, blind, deaf, paralyzed.)

Deaf-Mutes: supposed cause; age of occurrence; if semi- or totally deaf and/or mute; if ever institutionalized; if also insane, idiotic, or blind. Enumerators were instructed to inquire about deaf-mutes and their residences from physicians in the area and also from schoolteachers.

Blind: if self-supporting; age at occurrence; form; supposed cause; if totally or semi-blind; if ever in an institution for the blind; length of time there; date of discharge; if also insane, idiotic, deaf-mute. Those who could see well enough to read were not to be placed on this schedule.

Homeless Children: whether father and/or mother were deceased; whether abandoned or surrendered; whether born in an institution, or year admitted; whether illegitimate; if separated from his/her mother; if ever arrested, and why; if origins were "respectable;" whether removed from criminal surroundings; if blind, deaf-mute or idiotic.

Inhabitants in Prisons: place of imprisonment; whether awaiting trial, serving a term, or serving out a fine; if awaiting execution, or transfer to higher prison, or if held as a witness; if imprisoned for debt, or for insanity; date incarcerated; alleged offense; fine; number

of days in jail or workhouse, or years in penitentiary; whether at hard labor, and if so, whether contracted out. Enumerators were also to ask these questions of wardens or keepers of any prison, "station-house, or lock-up in their respective districts."

Paupers and Indigent: if supported wholly or partly at cost of city, county, or state; or at cost of institution; whether able-bodied; whether habitually intemperate; if epileptic; if ever convicted of a crime; if disabled; if born in the institution, or date of admission; whether others of the family were also in that establishment; if also blind, deaf and dumb, insane, idiotic. Paupers living in individual homes who were supported partly or fully at county cost were referred to by the Census Office, as "outdoor paupers," to distinguish them from paupers in institutions.

For a more-detailed discussion of the DDD Schedules and this abstracting project, please see Part I, in the Summer 2005 issue of this journal (Volume XIX, no. 1), pp. 32-40. The additional data in these abstracts comes from the population schedules and does not appear on the DDD Schedules themselves. The interpretation of the records may contain deciphering errors. The reader is encouraged to view the originals on microfilm. If any mistakes are noted, please contact the compiler with that information.

Davidson County Asylum (continued)

Scaif, Ann L.: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 1 October 1879.

Also: Insane Schedule; mania; duration of present attack, 8 mos.; age at first attack, 20; confined; restrained with strait jacket; inmate, asylum, 8 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.6]

Pop.Sch.: Scaif, Anna, age 20, single, [in health column:] "well", tick mark in insane column; born Tenn.

Woodruff, Pauline: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 8 October 1878.

Also: Insane Schedule; dementia; duration of present attack, 2 mos; age at first attack, 32; confined at night; inmate, asylum; 2 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.7]

Pop.Sch.: age 33, widowed; [in health column:] "well"; tick mark in insane column, born Tenn.

Nemo, Sarah: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 22 January 1880.

Also: Insane Schedule; dementia; duration of present attack, 2 mos.; age at first attack, 49; confined at night; inmate, asylum, 2 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.8]

Pop.Sch.: age 49, single; [in health column:] "well"; tick mark in insane column; born Tenn.

Haley, Susan: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 10 January, 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.9]

Pop.Sch.: age 59, single; [in health column:] "well"; tick mark in insane column; born Tenn.

Morrissey, Hannah: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 24 February 1880.

Also: Insane Schedule; dementia; duration of present attack, 15 mos.; age at first attack, 45; confined at night; inmate, asylum, 15 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.10]

Pop.Sch.: age 43, single; [in health column:] "well"; tick mark in insane column; born Ireland.

Parham, Amanda: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 18 April 1880.

Also: Insane Schedule; dementia; duration of present attack, 13 mos.; age at first attack, 25; confined at night; inmate, asylum, 13 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.11]

Pop.Sch.: age 25, black, single; [in health column:] "well"; tick mark in insane column; born Tenn.

McDonald, Mary: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876; idiot. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.12]

Pop.Sch.: age 30, black, single; [in health column:] “well”; tick mark in insane column; born Tenn.

Harding, Carrie: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 14 November 1878.

Also: Insane Schedule; dementia; duration of present attack, 1 year; age at first attack, 26; confined at night; restrained with strait jacket; inmate, asylum, 1 year. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.13]

Pop.Sch.: age 21, black, single; [in health column:] “well”; tick mark in insane column; born Tenn.

Brown, Ida: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 14 November 1878.

Also: Insane Schedule; dementia; duration of present attack, 13 mos.; age at first attack, 28; confined at night; inmate, asylum, 13 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.14]

Pop.Sch.: age 30, black, single; [in health column:] “well”; tick mark in insane column; born Tenn.

Davis, Rebecca: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 23 January 1880.

Also: Insane Schedule; dementia; duration of present attack, 5 mos.; age at first attack, 28; confined at night; inmate, asylum, 5 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.15]

Pop.Sch.: age 28, black, single; [in health column:] “well”; tick mark in insane column; born Tenn.

Trimble, Joseph: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; 20 April 1880.

Also: Insane Schedule; mania; duration of present attack, 6 mos.; age at first attack, 65; confined; restrained with strait jacket; inmate, asylum, 6 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.16]

Pop.Sch.: age 75, black, single; [in health column:] “well”; tick mark in insane column; born North Carolina.

Peck, Thomas J.: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; 10 January 1876.

Also: Insane Schedule; mania; duration of present attack, 5 years; age at first attack, 63; confined; restrained with strait jacket; inmate, State Asylum, 5 years. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.17]

Pop.Sch.: age 65, black, single; [in health column:] “well”; tick mark in insane column; born Virginia.

Anderson, Susan: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 10 November 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.18]

Pop.Sch.: age 76, black, single; old age; b North Carolina.

Litton, Annie: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; paralysis; admitted 10 January 1876?. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.19]

Pop.Sch.: age 60, black, single; paralysis; born Tenn.

Banks, Jane: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; old age; admitted 10 January 1876?. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.20]

Pop.Sch.: age 68, black, single; [in health column:] “well”; born Virginia.

Wilson, Susan: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; old age; admitted 7 May 1879. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.21]

Pop.Sch.: age 75, black, single; [in health column:] “well”; born Maryland.

Wilson, Jane: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; ulcers; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.22]

Pop.Sch.: age 51, black, single; ulcers; born Tenn.

Payne, Priscilla: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.23]

Pop.Sch.: age 78, black, single; [in health column:] “well”; tick mark in blind column; born Virginia.

Douglas, Rose: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.24]

Pop.Sch.: age 93, black, widowed; [in health column:] “well”; born Virginia.

Humphrey, Ranson: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.25]

Pop.Sch.: age 43, black, married; [in health column:] “well”; tick mark in blind column; born Tenn.

Humphrey, Jane: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.26]

Pop.Sch.: age 42, black, married; [in health column:] “well”; tick mark in blind column; born Tenn.

Gascon, Rebecca: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876.

Also: Insane Schedule; dementia; duration of present attack, 5 years; age 43; inmate, asylum, 5 years. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.27]

Pop.Sch.: age 65, black, single; [in health column:] “well”; tick mark in idiotic column; born Tenn.

Shade, Priscilla: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; epileptic; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.28]

Pop.Sch.: Shad, Priscilla, age 65, black, single; epilepsy; born Tenn.

Bosworth, Catherine: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; epileptic; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.29]

Pop.Sch.: age 40, black, single; epilepsy; born Tenn.

Bradley, Jane: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; epileptic; admitted June 1879; idiot. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.30]

Pop.Sch.: age 22, black, single; [in health column:] “well”; tick mark in idiotic column; born Tenn.

Beatty, Louisa: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 3 January 1876.

Also: Insane Schedule; not self-supporting; dementia; duration of present attack, 5 years; age at first attack, 34; inmate, asylum, 5 years. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.31]

Pop.Sch.: Beatty, Louise, age 39, black, single; [in health column:] “well”; tick mark in idiotic column; born Tenn.

Finch, Fannie: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; epileptic; admitted 1 January 1879; idiot. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.32]

Pop.Sch.: age 27, black, single; epilepsy; tick mark in idiotic column; born Tenn.

Miller, Mary: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; admitted 13 January 1876.

Also: Insane Schedule; mania; duration of present attack, 4 years; age at first attack, 30; inmate, asylum, 4 years. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.33]

Pop.Sch.: age 30, black, single; [in health column:] “well”; tick mark in idiotic column; born Tenn.

Spriggs, Nellie: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876.

Also: Insane Schedule; dementia; duration of present attack, 5 years; age at first attack, 70; inmate, asylum, 5 years. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.34]

Pop.Sch.: age 70, black, single; [in health column:] “well”; tick mark in idiotic column; born Virginia.

Baker, Emily: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; rheumatism; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.35]

Pop.Sch.: age 40, black, single; rheumatism; born Tenn.

Harding, Martha: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 19 June 1879.

Also: Insane Schedule; dementia; duration of present attack, 17 mos.; age at first attack, 28; inmate, Asylum, 17 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.36]

Pop.Sch.: age 28, black, single; [in health column:] "well"; tick mark in idiotic column; born Tenn.

Hamilton, Rebecca: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; ulcers; admitted 22 January 1874; insane. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.37]

Pop.Sch.: age 40, black, single; [in health column:] "well"; tick mark in idiotic column; born Tenn.

Allen, Serena: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 10 January 1876.

Also: Insane Schedule; mania; duration of present attack, 15 mos.; age at first attack, 40; inmate, asylum, 15 mos. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.38]

Pop.Sch.: age 45, black, single; [in health column:] "well"; tick mark in idiotic column; born Tenn.

Vandyke, Sarah J.: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 10 January 1876.

Also: Insane Schedule; age at first attack, 5 years; age at first attack, 30; inmate, asylum, 5 years. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.39]

Pop.Sch.: age 35, black, single; [in health column:] "well"; tick mark in idiotic column; born Virginia.

Tucker, Fannie: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; rheumatism; admitted 23 August 1879. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.40]

Pop.Sch.: age 70, black, single; rheumatism; born North Carolina.

Lipscomb, Malinda: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; consumption; admitted February 1879. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.41]

Pop.Sch.: age 50, black, single; consumption; born Tenn.

Lipscomb, John: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted February 1879. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.42]

Pop.Sch.: age 6, black; [in health column:] "well"; born Tenn.

McFerrin, Manda: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; old age; admitted 13 November 1879; idiot. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.43]

Pop.Sch.: age 60, black, single; [in health column:] "well"; tick mark in idiotic column; born Tenn.

Amos, Ann: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; old age; admitted January 1880. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.44]

Pop.Sch.: age 70, black, single; [in health column:] "well"; born Louisiana.

Davis, Lou: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; old age; admitted January 1880; idiot. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.45]

Pop.Sch.: age 40, black, female, single; [in health column:] "well"; tick mark in idiotic column; born Tenn.

Clemons, Eliza: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; tumor; admitted January 1880. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.46]

Pop.Sch.: age 51, black, single; tumor; born Tenn.

Wright, Ann: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; syphilis; admitted March 1880. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.47]

Pop.Sch.: age 40, black, single; syphilis; born Tenn.

May, Pauline: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted March 1880. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.48]

Pop.Sch.: age 30, black, single; [in health column:] “well”; born Tenn.

Lewis, Bettie: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost old age; admitted 24 May 1880. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.49]

Pop.Sch.: age 110, black, single; old age; born Tenn.

Wright, Cupid: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; paralysis; admitted 29 April 1880. [s.d.3,e.d.77; see Pop.Sch.p.14,ln.50]

Pop.Sch.: age 60, male, black, single; paralysis; born Virginia.

Scott, Nelson: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; paralysis; admitted 20 February 1877. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.1]

Pop.Sch.: age 70, black, single; paralysis; born North Carolina.

Smith, Madison: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; Epileptic; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.2]

Pop.Sch.: age 73, black, single; epilepsy; born Virginia.

Bysor, Griffin: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; paralysis; admitted September 1879. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.3]

Pop.Sch.: age 80, black, single; paralysis; born North Carolina.

Holt, John: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; epileptic; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.4]

Pop.Sch.: age 45, black, single; epilepsy; born Tenn.

Napier, Looney: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.5]

Pop.Sch.: age 65, black, single; [in health column:] “well”; tick mark in blind column; born Virginia.

Trabue, Caleb: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; spinal disease; admitted January 1877. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.6]

Pop.Sch.: age 50, black, single; spinal disease; born Tenn.

De Great, Louis: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; scrofula; admitted January 1877. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.7]

Pop.Sch.: age 68, black, single; scrofula; born Virginia.

White, Adam: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; spinal disease; admitted January 1877. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.8]

Pop.Sch.: age 60, black, single; spinal disease; born Tenn.

Stevenson, Nathan: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; paralysis; admitted January 1877. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.9]

Pop.Sch.: age 70, black, single; paralysis; born Tenn.

Harris, Edward: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; injury; admitted 1 February 1879. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.10]

Pop.Sch.: age 35, black, single; injured; born Tenn.

Alderson, Alfred: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 1 October 1878.

Also: Insane Schedule; dementia; duration of present attack, 4 years; age at first attack, 51; inmate, asylum, 4 years. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.11]

Pop.Sch.: age 53, black, single, [in health column:] “well”; tick mark in insane column; born Virginia.

Benton, Mitchell: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.12]

Pop.Sch.: Bentin, Mitchell, age 65, single, black; [in health column:] “well”; tick mark in blind column; born Virginia.

King, Moses: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; rheumatism; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.13]

Pop.Sch.: age 35, black, single; rheumatism; born Tenn.

Bosworth, Anthony: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.14]

Pop.Sch.: Bosworthy, Anthony, age 60, black, single; [in health column:] “well”; tick mark in blind column; born Tenn.

Cunningham, Gus: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; old age; admitted 3 January 1880. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.15]

Pop.Sch.: age 80, black, single; [in health column:] “well”; born Tenn.

Thompson, Henry: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th

C.D.; supported at county cost; paralysis; admitted January 1880.

Also: Insane Schedule; dementia; duration of present attack, 4 years; age at first attack, 50; inmate, asylum, 4 years. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.16]

Pop.Sch.: age 50, black, single; [in health column:] “well”; tick mark in insane column, born North Carolina.

Polk, Jefferson: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; paralysis; admitted 22 January 1880. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.17]

Pop.Sch.: age 45, black, single; paralysis; born Tenn.

Boyd, Robert: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; syphilis; admitted 22 January 1880. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.18]

Pop.Sch.: age 30, black, single; syphilis; born Tenn.

Chandler, Wallace: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; consumption; admitted February 1880. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.19]

Pop.Sch.: age 45, black, single; consumption; born Tenn.

Cooper, Ralph: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; rheumatism; admitted April 1880. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.20]

Pop.Sch.: age 40, black, single; rheumatism; born Tenn.

Rowland, Mike: Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18th C.D.; supported at county cost; sore leg; admitted January 1880. [s.d.3,e.d.77; see Pop.Sch.p.15,ln.21]

Pop.Sch.: age 53, black, single; rheumatism; born Ireland. ■

[End of Asylum listing]

To Be Continued

Franklin County Civil War Claims

Allowed for Payment by the Southern Claims Commission

Part V of a Series, Concluded

Following the Civil War, many residents of Middle Tennessee attempted to get compensation from the federal government for damage done to their property by the Union Army as it marched through their towns, raided their barns and camped in their fields. The Southern Claims Commission was established in 1871 to review the claims of Southerners. Only those deemed to have been loyal to the Union throughout the war were eligible to receive payment for damages.

More than 20,000 people filed claims with the commission; the records show that fewer than one-third recovered anything. The records of these "allowed" claims are located at the National Archives. Files pertaining to those who were rejected have been microfilmed and are available at the Tennessee State Library and Archives. The files of those claimants who were allowed some payment have not been filmed and can be viewed only at the National Archives branch in College Park, Maryland.

The following abstracts are based on the claims of Franklin County residents who were deemed loyal Unionists and allowed payment by the Commissioners for Southern Claims.

Martin, Eliza (Mrs.)

Age 44; filed in 1877; file consists of 48 pp.; claimed \$900 for rent of house 25 months, use of brick smokehouse, use of kitchen.

Commissioners' Remarks:

"The claimant is a married woman who owned the house and buildings and therefore claims pay in her own right. She testified that her father and his family and she herself and her husband were loyal. Four witnesses testify to her loyal conversations and reputation. Being a woman, such proof is about all that can ordinarily be expected, and in the absence of proof to the contrary, we find her loyal. Item 1 for rent is abandoned. Items 2 & 3 are for a smokehouse and kitchen. Other buildings are spoken of in the evidence, but not being in the petition we cannot allow for them. The smokehouse, kitchen and chimney were torn down and used by the soldiers in building winter quarters. The husband calls the smokehouse worth \$35 and the kitchen and brick \$85, but this is obviously an estimate of their value as new materials. ... As second-hand materials ... we allow for their whole value ... of \$75. Elizabeth Martin, wife of Wm. W. Martin, lives in Decherd. They were married in 1853. At the end of the

war they had seven children, all under 12. She was born and has always lived in Franklin Co. Her father Isaac Hines and her brothers were Union men. When the Rebels occupied Decherd she moved six miles out of town to live with her brother-in-law Jeff Miller and then to her father's. Has heard her father speak of near relatives in the USA but doesn't know their names. Her half-brother A.J. Hines was forced into the CSA but got out. Her husband was also in a state company that disbanded after a very short time, was never in any battle. Her property, a one-acre lot in Decherd, was deeded to her by her father. A large blacksmith's shop built for a storehouse, a frame well house and a buggy house were also taken down by the soldiers, all having been built after 1854. Only the dwelling house, used as officer's quarters, was left when we came back after the war."

Witnesses for Eliza Martin:

- Rebecca Underwood, 54, of Decherd, wife of W. G. Underwood, has known Eliza for 18 years, ever since witness came to Decherd.
- Artemissia F. Holliday, 53, of Decherd. Has known Eliza at least 20 years. Witness has lived in Decherd 22 years. Lived on neighboring lots.

Although Eliza was able to own slaves, she never did, and she did not want them. Her husband was sick nearly all the time. She mentions two log stables with a frame over them for fodder and hay, fencing and a good crib. All the buildings were within plain view from her house and she saw



them taken down. Nearly all the citizens of Decherd left during the occupation and many of them never came back.

- William W. Martin, 47, husband of claimant, blacksmith. They had lived in Decherd from early in 1854 to 1863 when his health became poor and they moved to the country. He was afraid of being imprisoned by the Rebels so he went into hiding and his wife and the children went to her father's. He went to an uncle's in Houston Co., Georgia, where he remained until the war was over. His testimony includes dimensions and descriptions of buildings.
- Elias L. Best, 66, farmer. Has known the Martins for 19 years.

Price, John A. (estate)

Filed by Elizabeth Price, widow. File consists of 35 pp. Claimed \$1,526 for corn, hogs, cattle, 2 wagons.

Commissioners' Remarks:

"John A. Price died in 1866 leaving a widow and two children both of whom were under 16 years of age at the close of the war. The loyalty of Mr. Price and of his widow who presents this claim is quite strongly proved by a large number of witnesses, many of whom were her near neighbors and knew her intimately and conversed with her frequently. We refer especially to the depositions of Nancy A. Russell and George W. Ridge, the last of whom was a Union soldier. Loyalty proved. It appears from Mrs. Nancy Russell that receipts were given for the property taken by Gen. Hawkins' command in 1862 ... and as nothing is shown in regard to them except that they were given, we do not

feel justified in allowing [those three items]. They may have been and probably were paid. ... We doubt items 7 and 8 [wagon and cattle]. We allow in all \$555."

Notes:

Elizabeth was a resident of Stevenson, Jackson Co., Ala., during the war but lived in Franklin Co. when she made her claim in 1873.

A copy of John A. Price's will is in the file.

A letter from attorney James Embrey to the Commissioners dated Oct. 26, 1878, states that Elizabeth Price has died. John A. Cargile, her adm'r., continued the claim. She left as heirs two daughters, Ann & Jane, aged 21 and 17.

Witnesses for Elizabeth Price:

- John A. Cargile, 34, has lived a mile east of Stevenson since 1861, is a minister of the gospel. Knew Elizabeth from 1861 to her death. Elizabeth sent her daughters to him to school. Mentions Rebel bushwhacker Obediah Crossland who was hung in Nashville 5 Jan. 1864. He became the adm'r of Elizabeth's estate.
- Walter Rosser, 54, of Jackson Co., Ala., where he has lived since 1856. He was away on the railroad when property was taken. The Prices had owned about 200 acres including the present location of the town of Stevenson, which they sold off before the war. Elizabeth's daughters are now very poor. He knew Elizabeth from 1855 to her death.
- Nancy Adeline Russell, 53, of Stevenson, Ala., where she has lived all her life except four

years. She is a step-daughter of Elizabeth Price and the children are her half-sisters. Believes the girls were swindled out of their inheritance. Elizabeth's brother-in-law William Walker was in the Confederate Army; she persuaded him to leave and join the U.S. Army; he is now dead.

- John F. Anderson, 70, of Franklin Co. Knew Elizabeth from 1850 to her death. Lives 10 miles away but was at Stevenson every week and would stay with the Prices while there.
- John Smith, 32, farmer, of Jackson Co. Ala.
- George W. Ridge, farmer of near Long Island, Jackson Co., Ala. Often visited with Prices because they lived in the little village where he went to do his trading. Mr. Price was old and afflicted and unable to do anything but talk to and feed the Union soldiers, which he did cheerfully. Witness' father and brother were killed by conscript officers in May 1863 for refusing to go into the Confederate Army, witness hid in the mountains for months to avoid them. He enlisted in the USA as soon as he could and served as guide. The federal army was on a forced march to Chattanooga; "they took everybody's property both rich and poor from Stevenson to Chattanooga, both loyal and disloyal."

Simmons, Susan (Mrs.)

Age 76; filed in 1877; file consists of 20 pp. Claimed \$825 for rent of dwelling house, three stables, kitchen and dining room torn down.

Commissioners' Remarks:

"The claimant is the widow of Wm. Simmons. She is 76 years old. Her husband died in 1860. He was an old-line Whig and a Union man. Her children and grandchildren appear all to have been Union people. She lived with her grandchildren during most of the war. At the beginning of the war she helped make a Union flag which was put up at Decherd but afterwards torn down by the rebels. The evidence shows that she talked decidedly and uniformly on the Union side and was regarded by all as a Union woman. She had no relations in the CSA. Three witnesses testify to her loyal reputation ... We find her loyal. Item 1 if for rent, of which we have no jurisdiction and it is therefore disallowed. Item 2, one of the stables was made of

hewed logs and the other two of round logs covered with boards. Taken for fuel and to make shelters for the troops camped there. The value ... was very small compared with the price claimed. We allow \$50. Item 3, the kitchen and dining room taken for army use at the same time, we allow \$60. Other buildings are shown to have been taken but as they are not included in the claim we cannot allow them. We allow in all \$110."

Special Examiner Ramsey wrote: "I had no previous acquaintance with the claimant but she made a favorable impression on me. Several of her nearest acquaintances and witnesses of record on her petition have died the last few years – Mr. S.S.P. Vaughan, Lewis Days and Wm. Simmons, who I knew to be a Union man...."

Notes:

Susan Simmons was born in South Carolina but came to Tennessee when a young woman and married here. Was the second wife of William Simmons, who she married in Franklin Co. in 1851. They moved to Decherd and lived there until he died. He was a farmer. She has no children. Lived with her widowed grandson William Simmons in Decherd and later with grandson Calvin Featherstone four miles out of town at the foot of the mountain; both were Union men. Grandson William Simmons is now dead. Her Union friends were Ben Ragsdale, who is dead, and Wm. Best, who is now in Ky. She rented her house to Lewis Days, a sutler for the army, until the surgeon took it for a hospital.

A copy of the will of William Simmons is in the file. He was a slaveholder.

Witnesses for Susan Simmons:

- Dr. T.C. Murrell, 46, of Winchester, physician. Claimant is his wife's step-grandmother; has known her since 1853. William Price had but one son, his wife's father.
- Artemissia Holliday, 53, of Decherd. Has known Susan Simmons all her life.
- Ellis Days, 30, of Winchester, merchant and farmer. Testified regarding grandson William's loyalty. William died here three or four years ago. In 1863 witness' father rented a house from Mrs. Simmons.



Sutler's Tent

Swann, Edward D.

Age 43; filed in 1873; file consists of 26 pp.; Claimed \$1,428 for bacon, potatoes, mutton, beef, pork, corn, oats, wheat and three horses.

Commissioners' Remarks:

"The claimant lived on his farm of 300 acres, of which 200 were cultivated. He was much threatened and molested. On one occasion a body of rebels came to his house in this absence and told his wife they had come to kill him. The rebels took four horses ... and other property from him. He bought horses for Capt. Wing, Gen. Negley's Quartermaster, and appears to have done what he could to aid the Union army. As soon as the army under Gen. Rousseau came to his vicinity in July '63 he went to their camp and took the oath of allegiance to the U.S., furnished all the supplies he could spare and received protection papers, which in this case seem to have been regarded, as the U.S. officers returned him a mule taken when they did not know he had protection papers. Loyalty proved ... The proof ... is satisfactory as to the first eight items as allowed. The corn was taken in roasting ears, a good deal being mere depredation, but a portion for forage which we allow. As to the horses, we allow for the grey horse ... which is rationally proved. But as to [the other two horses] there is no proof of the taking but one colored witness whose evidence is inconsistent with

claimant's, wholly wanting in details and in the indicia of truth and is not to be relied upon. We allow \$504."

Notes:

Swann resided on his farm three miles from Decherd, south of the Elk River, during the war. He was born and raised in Franklin County. Was arrested by CSA conscript officer McFerrin and taken to Fayetteville, but released on account of his right shoulder being out of place. They tried to arrest him at other times but, always riding an excellent horse, he evaded them. He served the U.S.A. buying horses, including one for Gen. Knipe, but was soon so wanted by spies and bushwhackers that he had to stop the

business. His brother was conscripted into the CSA and soon died. Two nephews were in the CSA and then in the U.S.A.. He voted for Lincoln in 1864 and for Grant since.

Witnesses for Edward Swann:

- Elias L. Best, 62, farmer. Has known Swann about 18 years.
- John Hendley, 64, farmer, was acquainted with Swann for several years before the war. Lived a few miles from Swann, who was a considerable trader and manager, and was often riding over the country. Some of his tricks to avoid conscription were known to a few Union friends.
- Wm. Kenley (colored), 24, farmer. Saw the property taken.
- Beverly Green (colored), 26, farmer, was claimant's slave before the war and has lived with him ever since, hired to work a portion of his land on shares. When the property was taken the army camp was at Mr. Featherstone's 2 ½ miles from Swann's.

Wilkerson, George W.

Age 62; filed in 1873; file consists of 17 pp. Claimed \$620 for two horses and fence rails.

Commissioners' Remarks:

“The claimant was a slave till 1863 when he left his master and went to live with his wife, a free woman who owned a small farm of 60 acres. The loyalty of claimant is established by the testimony, and during the latter part of the war he was employed in the army. It is in evidence that he is industrious and intelligent and that he and his wife owned the property ... claimed. They had been married 14 years and claimant had turned over whatever he made to his wife. There is satisfactory proof of the ownership of the property and of the taking by Wilder’s Brigade in 1863 for the use of the Army. We allow \$370.”

Notes:

Wilkerson resides at Decherd in Franklin Co. but property was taken at Pelham in Grundy Co., where he lived in 1861 and until 1863 when he moved to his place two miles from Decherd. He belonged to William Wilkinson before the war. Rebel soldiers came to his house, knocked him down with a gun, and robbed him of \$60 in gold and \$40 in greenbacks, and all his family’s household clothing and provisions in 1863.

Four nephews were in the USA: Harrison Wilkinson, George Clark, Bill Sanders and Aaron Sanders. Does not know where George is now. Harrison lives in Coffee Co. and Aaron in Davidson Co., Bill was killed in the army. When he was freed by emancipation claimant left his master and joined Gen. Rosecrans at Decherd. His wife purchased land where they now live from Morgan Price.

Witnesses for George Wilkinson:

- Martha Wilkerson, 44, wife of claimant. She was never a slave. She had been married to claimant about 14 years before the property was taken. No one but her was present when Gen. Wilder’s cavalry came and took the horses.
- Angeline Lovinggood, 26, wife of Thomas Lovinggood, niece of claimant, resident of Franklin Co. In 1863 she lived three miles from claimant.
- James M. Darwin, 46, has known claimant for many years, knew him when he was a slave.

Warren County Census of Manufactures, 1850

Name	Business	Power or resource	Employees	Produce Qty & Type	Product Value \$
Glenn, Wm.	miller	water	3	37,800 ft. plank, 600 bu. Meal	540
Cameron, Elisha	tanner	labor	2	500 sides	1000
Ruadette[?], --[?]	cabinet maker	labor	2	4 bureaus, 15 bedsteads, 40 tables, 5000 sash ...[?]	1000[?]
Clark, Daniel	sawmill	water	4	160,000 ft. plank	1900
Vincent, John	shoe & boot maker	labor	1	150 prs. shoes, 52 prs. Boots	750
Hill, J. T[?]	tanner	labor	2	528 sole & upper sides	1056
Moneda[?] & Gibbons	tailor	labor	2	100 coats, 50 prs. pants, 50 vests	2400
Simpson, John W.	miller	water	2	10,000 ft. plank, meal, flour	1000
Clenny, James T.	saddler	labor	2	125 saddles, 50 prs. ____ [?], 50 bridles	1500
Gross, Milton B.	saddler	labor	3	75 saddles, 150 bridles	none
Dibrell[?], R.	blacksmith	labor	2	150 ____ [?], 4 wagons, custom work	700
Harris, Vel--[?]	blacksmith	labor	3	Horseshoes	700
Jones, John	blacksmith	labor	3	ironing wagons ...[?]	600
Cumming, Joseph J.	tanner	labor	2	1300 sides	3000
Young, William M.	tanner	labor	4	5000 sides leather	10,000
Anderson, Matthias	broom making	labor	1	5000 brooms	650
Smith, John W.	shoe & boot maker	labor	3	500 prs. shoes, 150 prs. Boots	1700
Bossen[?], Charles H.W.	sawmill	water	2	180,000 ft. lumber	3000
Gleesen[?], Edward	tanner	labor	2	300 sides leather	900
Pollard, Edward	sawmill	water	4	750,000 ft. plank	600
Collins, Henry	[?] manu.	horse	4	24,000 gal. ____ [?]	1440
Waddy[?], Thomas	hatter	hand	1	72 hats fur[?], 600 hats wool	760
Bollar[?], Isaac	potter	horse	2	15,000 gal. ____ [?]	800



Tennessee State Library and Archives

Building for the Future, Preserving the Past

*Contributed by Jeanne D. Sugg,
Tennessee State Librarian and Archivist*

Where will the new TSLA building be located and will there be adequate parking?

The new building will be located at the northeast end of the Bicentennial Mall at 5th and Jefferson. There will be parking for all.

Where are you in the planning process?

The planning process has been in place for almost two years, picking up where we left off ten years ago. The Joint Venture architect team is Tuck Hinton Architects, PLC, represented by Kem Hinton, and Thomas Miller and Partners, LLC, represented by Don Miller. Sara Snodgrass of CFP Group has served as the planning consultant assisting us ten years ago as well as during the most recent planning. Richard Waters of Providence Associates, Inc., and Linda Miller of LMA techwork are also serving as consultants to the project. The design stage is under way. It won't be long until you will see the conceptual design. The encouraging news is that the State has acquired several pieces of land at our new site, the architects have presented the project to the Building Commission where it was accepted with great enthusiasm, and the Supreme Court is moving forward with their planning which includes renovating our present building for their library and staff.

What about the size and cost of this new building?

The building will be approximately 140,000 gross square feet with at a cost of approximately \$76 million dollars based on a 2008 bid date. We hope to open the new building in 2011.

What sort of high density storage will be used and is it environmentally safe?

We will be using robotic shelving for print, archival and manuscript collections as well as a carousel system for the media distributed by the Library for the Blind and Physically Handicapped. Our staff, the architects and consultants have traveled to several locations and conferences to learn everything possible about current installations and their success. By using this

technology, we will be able to reduce our storage space by 90%. This technology has been used by industry for many years and by libraries since 1989. From the first visit, our concerns of the environment inside the Automated Storage and Retrieval System (ASRS) have been at the forefront of our planning and that will continue through every phase of this process. We will use static and mobile shelving as well. Vaults will store the valuable materials requiring a more unique environment.

What about spaces for meetings and training?

We look forward to having the space to provide training and meeting spaces that will be adequate for the entire staff. Institutes for both librarians and archivists will be easily accommodated as will meetings of boards and commissions.

What are the activities with which TSLA is officially charged?

The Tennessee State Library and Archives (TSLA) is the official repository for the records of state government and the chief custodian of Tennessee's documentary history. By authority of the *Tennessee Code Annotated* Title 10, Chapters 1-8, the Library and Archives collects and preserves books and records of historical, legal, and reference value, and encourages and supports library and archives development throughout the state. The permanent records and essential publications of Tennessee State Government are housed here and made accessible to the public. Additionally, the State Library and Archives is charged with developing and promoting public library services statewide through the Regional Library System. TSLA also serves as the administering agency for Tennessee's regional Library for the Blind and Physically Handicapped (LBPH), providing open access to and promoting the use of media alternatives to standard print for eligible Tennessee residents. ■

History of the Middle Tennessee Genealogical Society

By T. Vance Little

The Middle Tennessee Genealogical Society is 20 years old! It seems like just yesterday that a group of ancestor worshippers were working like beavers to organize a genealogical society. It was their idea to bring together a group of like minded people to meet periodically to compare their genealogical research and to hone their skills to enable them to do further research. After it was determined that enough interest had been generated, a meeting was called. A few dozen enthusiastic people attended. They elected officers and were off and running. Elected to lead the newly founded organization was Rev. Isham G. Harris, Jr., and Shirley Wilson was elected vice president. Nancy Goodman, who had spearheaded the drive to form the Society, was elected secretary. Betsy Ragsdale was named treasurer and entrusted with all matters financial.

The first official meeting was held April 25, 1987, at the Tennessee State Library & Archives. It was determined that there should be a quarterly newsletter. It rolled off the presses in the summer of 1987. By-laws were drawn up and adopted. The first Board of Directors was elected. They were Tim Burgess, Irene Griffey, Mary Glenn Hearne and Byron Sistler. Rev. Harris resigned as president. V.P. Shirley Wilson stepped into the presidency. Irene Griffey became vice president. On March 8, 1988, the Society received its charter from the State of Tennessee. A group of 57 charter members officially launched the organization.

In February of 1988, the Board determined there should be greater emphasis placed on publications. The quarterly newsletter was expanded into a quarterly journal. It was called *Middle Tennessee Genealogy*. Irene Griffey became the editor. The quarterly thrived under her editorship. Barbara Sistler became editor of the Journal and it continued to grow and improve in quality. George Watson filled in as editor in 1993 and turned it over in 1995 to Dorothy Potter who became editor of the Journal, bringing it to full flower and giving it a new look and a new name. It became *The Middle Tennessee Journal of Genealogy and History*. She served until 2002, when Chuck Sherrill became editor. It continues to blossom under his tender and creative care.

In November of 1988 a new feature was added that has become an annual event. The first November all-day seminar was held. At first local speakers were featured. It has grown to use nationally-known presenters, and draws a sell-out crowd each year.

In 1996, as an official Tennessee Bicentennial event, the Middle Tennessee Genealogical Society was the local sponsor of the National Genealogical Society's Conference in the States, which was held in Nashville. It attracted 2,000 genealogists and genealogical researchers. It put the Society on a sound financial basis. The same year the Society co-sponsored a nationally televised series of programs on genealogical research.

In 2005, the Society again was the local host for the National Genealogical Society. It drew a smaller crowd than the previous one, but it did well financially and was declared another Nashville success.

The Society began with 57 charter members in 1988. Membership peaked in 1997 with 800 members. Membership is now 429.

Web Master Katheryne Cowan has put the Middle Tennessee Genealogical Society into cyber space. She has developed a wonderfully informative web site and on-line news announcements that have publicized the activities of the Society to thousands of web surfers. The site also has an index for all article titles and a full surname index for all journals. The surname index was a monumental undertaking by Katheryne Cowan.

In 2006, a new electronic newsletter titled "MTGS MESSENGER" began with T. Vance Little as editor. This announces our regular bi-monthly meetings, workshops and projects as well as current events from the 40 counties we serve.

In the past year a computer special interest group has been organized that meets regularly once a month. Also a project to copy and transcribe family Bible records has received widespread interest and participation. Workshops on beginning genealogy and various special topics are held periodically, attracting new members and providing continuing education for existing ones.

The Middle Tennessee Genealogical Society at age 20 has developed into a strapping youth, ready to enter into adulthood. We look forward to seeing its future growth and being a part of all that is to come.



Award Winners Gale Williams Bamman and Mary Sue Smith with President Virginia Watson and State Historian Walter Durham



Sue Edwards, Virginia Watson, Oddie Bryant, Mary Sue Smith, Juanita Patton, Lyn James and Mary Lawrence



President Virginia Watson and Webmaster Kathryn Cowan



Virginia Watson toasts MTGS.



State Historian Walter Durham and wife Anna Durham

2007 Prize Winners
Distinguished Member Award
Mary Sue Smith
Journal Writer's Award
Gale Williams Bamman



Barbara Sistler, Sue Edwards and Shirley Wilson

Cemeteries of Nashville - Oldest Burial Places

Contributed by Sarah Armistead



From *The History of Davidson County, Tennessee*, by W. W. Clayton
(1880; reprint, Nashville: Charles Elder, 1971)

In the early settlement of Nashville the dead were buried on the open grounds that overlook Sulphur Spring Bottom, and at two or three country burial places in the neighborhood. At the former place may be seen a number of mounds erroneously called "Indian graves." JOSEPH HAY, the first member of the little settlement killed by Indians, was buried a short distance to the east of Sulphur Springs, - not where it now appears, but a hundred yards towards the Capitol, where it issues from the rock beneath the surface of the ground. ROBERT GILKIE, the first who died from sickness, is said to have been buried in this ground.

The following reference to the early burying grounds was made by the late NATHANIEL CROSS, Esq., in a communication to the Tennessee Historical Society in 1850. "Being on the Bluff immediately above the Sulphur Springs this afternoon, which, as is well known, was formerly a place of burial for our city, as we now consider it, ... I observed that there is but one stone left with an inscription on it to tell who lies beneath. As this, which is a horizontal slab, and is already considerably defaced and otherwise impaired, and will probably be broken by rude hands, as the others have been, and disappear from the Bluff, and thus no monument to be left to attest the place where rest the bones of a considerable number of the early population of Nashville, ... I was induced to copy the sole remaining inscription. The first words were defaced and partially obliterated, but still sufficiently distinct to be read, as follows:

"Erected by Sundry Brother Officers and Comrades" "to the memory of Richard Chandler, late 1st Lieut. And Paymaster, 4th Regiment of Infantry, In the Army of the United States, who deceased on the 20th day of December 1801, aged 37 years, 7 months, and 16 days. He lived esteemed an honest man and brave soldier; He died regretted by all who knew him. Exalted truth and manly firmness shone Conspicuous in him beneath this stone."

"His remains were removed, under the auspices of the Historical Society, from the Sulphur Spring Bottom to Mount Olivet Cemetery, with impressive ceremonies, in which Hon. E. H. East participated as orator of the day. Many of the graves are lying deep beneath the yearly deposits of the Tennessee, and their numbers or near location is only a point of conjecture."

Before using the Bluff as a burial place, the dead were buried on the public square, between the court house and the site of the old inn. The late THOMAS CRUTCHER, who saw the last one buried there, was heard to say, years after, that the earth was so shallow it was difficult to obtain a sufficient quantity to cover the coffin. Two or three other and lesser burying places were used for a while in the surrounding country.

The City Cemetery was first used in 1822, and many bodies were removed from their first resting places for permanent burial here."

What's Happening at the Tennessee State Library and Archives?

By Laine Sutherland, Director of Public Services

I am often asked what is new in the Public Services Section of the Tennessee State Library and Archives (TSLA). I would like to update you on some of the policy changes, staff projects, and recent additions to the collections.

We have been able to purchase five new microfilm reader-printers, bringing the total number of reader-printer units to eleven. With this addition, the use policy has been changed so that all eleven machines may be used for reading or printing.



The objective of this is to speed up research and make your time in the Microfilm Reading Room more productive. We will soon be writing a "Request for Purchase" for even more reader-printers in this next budget cycle.

There is a link on our website homepage to a listing of new books added to our collection. This link can be found on our new home page under "News and Events." Additionally, we have added a small display in the Tennessee Room of some of our newest books, so you have the opportunity to browse.

We have also brought back an old favorite feature of the library – Current Periodicals. This is a constantly changing display of titles such as *Everton's Genealogical Helper*, *Internet Genealogy*, *Deep South Genealogical Quarterly*, *Magazine of Virginia Genealogy*, *Civil War Times Illustrated*, *Ancestry*, *Appalachian Heritage* and *The American Genealogist* to name a few. Come in, and browse the titles; these are in the Tennessee Room.

Public Services staff members have projects to work on when we are not assisting patrons. Listed below are some of the projects that have been completed, will be finished soon, or are still being chipped away at:

- Work continues on making the death indexes available online. If things go as planned, the 1920 deaths will be posted within the next six weeks; the 1921 death index will be posted in the fall.
- We have input the Manuscript Finding Aids into an electronic format and they are being loaded onto our website so researchers can peruse the guides, whether they are physically present in our building, or sitting in front of their PCs at home. They can be found on our website at: <http://state.tn.us/tsla/history/manuscripts/index.htm> - "List of Manuscript Collection Finding Aids." Use the Search button at the top right to search by keyword or surname.
- The list of Surname Vertical Files has been updated, and a printed copy is available at the Reference Desk in the Tennessee Room.
- A biographical study of constitutional officers from pre-statehood to present is currently being prepared. The information gathered includes years of service, party affiliation, and life dates.
- The Legislative Petitions are being re-indexed with a heavy emphasis upon names and subject matter.



- An Adjutant General's volume from Record Group 21, identified as *Confederate and Union Patients in Nashville Hospitals*, is being indexed.
- Within the United Daughters of the Confederacy Collection (Microfilm # 1276), there is a volume entitled *Record of Ex-Confederate Soldiers and Sailors, Members of the Confederate Relief and Historical Association of Memphis*. This oversized volume has been indexed and microfilmed. The index and an explanatory essay are available online

on the TSLA website under the Military topic heading.

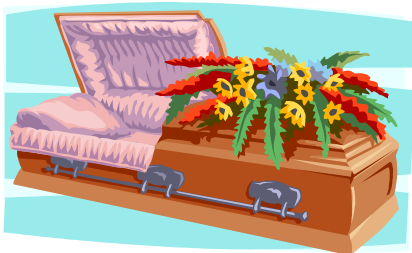
- We are currently indexing the loose opinions of three courts (Supreme Court; Court of Appeals-Civil; and Court of Appeals-Criminal) for West Tennessee. To date, we have covered 1901 to 1955. This is Step One in a process to ready them for future microfilming.



- We are in the final stages of proofing an index to the *List of Slaves and Their Owners Employed August 1, 1862 to April 1, 1863* from Mf. # 1797, *Employment Rolls and Nonpayment Rolls of Negroes Employed in the Defenses of Nashville, Tennessee, 1862-1863*. This index will be made available on our website under the Military section. This will be an important resource, as it may be the first reliable documentation of many slaves and free blacks before the Federal Census of 1870.

The following represents microfilm we have recently either produced in-house, purchased, or has been donated:

- *West Tennessee Funeral Home Records: Benton, Carroll, Gibson, Henry, and Weakley Counties*, Mf. #1786. The records provide family names, genealogical and burial records. They may also include reference materials such as obituaries, family names, and parents' names. Some funeral homes prepared items described as death certificates. These are considered drafts of death certificates and are not considered an official record by the Department of Vital Records. These funeral homes kept records in a variety of ways and to many levels of simplicity or detail. Some businesses maintained their own index books and others did not. If available, the index books were microfilmed.



- *Gospel Advocate*, 1855-2005, Film #S153 (indexed 1855-1982)
- *Annual of Southern Baptist Convention*, 1916-1967, Film #S157
- *Journal of the Convention of the Episcopal Church of Tennessee*, 1832-1955, Film #S156
- We are pleased to announce the arrival of the Tennessee Delayed Birth Records microfilm for the years 1900-1907.
- In March we received the state-wide death, marriage, and divorce records for 1956.
- 240 reels of microfilm of Hamilton County Loose Records (Marriages, Chancery, Circuit and County Court) are available for the dates 1863—1900.

We would also like to introduce you to a new TSLA digital initiative, the Tennessee Virtual Archive (TeVA), which features highlights from our collections. Currently in TeVA are selections from five collections: Arts, Crafts & Folklife photographs chosen from the Department of Conservation Photograph Collection; Dr. Harry Mustard Photo Album, views of rural schools and children of Rutherford County in the 1920s; Miers River Photo Album, images of steamboats and river-related work on the Mississippi and Tennessee rivers in the 1920s; Kenneth D. Rose Sheet Music Collection, featuring Confederate, minstrel, comic, patriotic, and war songs; and the Tennessee Postcard Collection, documenting attractions and locales of Tennessee.

TeVA additions planned for the future include Tennessee Founding & Landmark Documents, a virtual exhibit of the founding and landmark documents of Tennessee history; William Strickland Sketchbook featuring watercolors of European monuments drawn by the Philadelphia architect who designed our Tennessee State Capitol; and Early 20th Century Schoolhouses, photographs with an emphasis on Rosenwald schools and so-called "White" and "Colored" schools in the same community.

The link to TeVA can be found on the TSLA homepage and at <http://tsla-teva.state.tn.us/>.

We look forward to seeing you soon at the Tennessee State Library and Archives.

Law and Order in the Territory of the United States South of the River Ohio

Part VI of a Series



Tennessee in 1795, Known as Territory South of the River Ohio

(Courtesy of Sharon McCormack, McMinn County Rootsweb)

By Patricia Gilliam Daley (ducstop@aol.com) © Patricia Gilliam Daley, 2007 Used by permission

The following is a continuation of an exact transcription and analysis of the earliest statute establishing the judicial system in the Territory of the United States South of the River Ohio.

The series began in the Winter 2006 issue (vol. XIX, #3).

Headings in the text below are added for clarity and do not appear in the original statute.

Appeals from Judgments of Lower Courts

Sec. 37. *And be it enacted*, That the said courts shall have power and authority to grant writs of error, for correcting the errors of any inferior courts ; and the party praying such writ, before the same shall issue, shall assign error, and give bond and security to the satisfaction of the court, to abide by, perform, and fulfil the judgment which shall be given thereon by such court ; and if upon argument of any writ of error, or trial of any appeal from an inferior court the judgment or decree of the inferior court shall be reversed, the superior court shall grant judgment, or make such decree thereupon as should have been made up or entered in such inferior court, and shall and may issue execution thereupon, without granting a writ of *Procedendo* ; and to prevent the obtaining of writs of error by surprize, the party praying [p. 14] such writ in a civil cause, shall give notice in writing to the adverse party, at least ten days before motion, of his intention to move for such writ ; and no such writ shall be granted without affidavit of such notice.

If a party to the lawsuit were dissatisfied with the judgment rendered by the court and believed that the lower court judge(s) had made one or more mistakes in the law, he could appeal. Appeal was accomplished by asking a higher court (the court of pleas and quarter sessions if the appeal were from a single justice or the superior court if the appeal were from the court of pleas and quarter sessions) for a writ of error. A writ of error was an order directed to the lower ("inferior") court to transmit the record in the case so that the higher court could ascertain whether error had indeed been committed and either affirm the lower court's judgment or overturn it. In order to obtain a writ of error, the party had to enumerate and describe the specific mistakes he believed the court had made ("assign error.") He also had to give bond, with security, to guarantee his agreement to abide by the judgment of the higher court. The higher court had to be satisfied with both the bond and the security. (Securities and execution are discussed in more detail in Part III of this series in the Summer 2006 edition of this *Journal*.) It was not necessary for the higher court to remand (return) the case to the inferior court to proceed upon (by "writ of procedendo"); the superior court could directly execute upon the judgment. The attorney for the appellant was required to give the attorney for the appellee written notice, under oath ("affidavit"), at least ten days prior to his motion for a writ of error.

Establishment of Courts of Oyer and Terminer

Sec. 38. *And be it enacted*, That the governor or commander in chief, for the time being, by and with the advice of any two of the legislative council, is hereby empowered and required, as often as

it shall be found necessary, to issue a commission to the justices of the superior courts of this territory, empowering them, or any of them to hold a court of sessions of the peace, *Oyer and Terminer*, for the trial of such offenders, and to hear try and determine all crimes, and misdemeanors of what nature or kind soever, wherewith such offenders, or any of them, shall stand charged, and to give judgment and award execution thereon.

The Governor and two members of the Legislative Council (the upper body of the Territorial legislature) commissioned the judges of the Superior Courts to visit various locations in the Territory to take indictments and to try cases at those sites, using local jurors. When functioning as a court of oyer and terminer, the Superior Court judges heard criminal cases. In some locations Superior Court judges heard only more serious crimes (treason and felonies) in the Courts of Oyer and Terminer. However, this section makes it clear that Superior Court judges could also hear misdemeanors.

Establishment of Courts of Pleas and Quarter Sessions

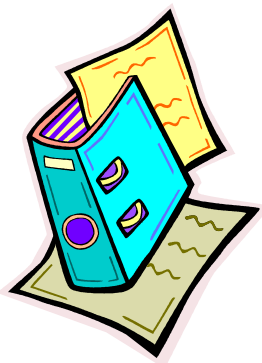
Sec. 39. *And be it enacted*, That courts of pleas and quarter sessions shall continue to be held as heretofore, in each and every county in this territory.

A discussion of the composition and jurisdiction of the Court of Pleas and Quarter Sessions follows Section 45, below.

Suspension of Statutes of Limitation

Sec. 40. *And be it enacted* That the time elapsed from the sixth day of March, 1773, until the 24th day of December, 1777, shall not be allowed of in any plea of limitation, or in the computation of time allowed for proving accounts under the act for ascertaining the method of proving book debts.

Statutes of limitation prohibit the filing of lawsuits after a prescribed period of time has passed. A general and total suspension of statutes of limitation is almost a foreign concept today, but it was occasionally invoked in earlier days when courts were unable to convene for a period of time. When courts are not operating, it is unfair for statutes of limitation to bar the recovery of litigants who are unable to file their lawsuits or have their cases heard.



Readers will note that from 1773 to 1777 the Southwest Territory was not yet organized; the area was still under North Carolina jurisdiction. At the time the statutes of limitation were tolled (suspended), North Carolina had such serious civil problems that, without a historical description, modern readers could barely imagine them. Among the problems were omnipresent conflicts between the eastern and western parts of the colony on virtually every issue concerning government. Not only did citizens of the west and the east have radically different backgrounds and circumstances, they had vastly different visions of and needs from their government. Western settlers, especially, resented the

poll tax system that taxed them the same as the much wealthier eastern residents. How the tax money was spent brought further exasperation. Colonists were expected to pay for their own government and its building projects, all of which were seated in the eastern part of the state, where the governor lived in a virtual palace. The French and Indian War had been costly, and taxpayers had picked up the tab. An additional expensive project that the crown desired was the survey of a boundary line between the northern and southern parts of the colony; taxpayers were expected to pay for that, as well. Western settlers, on the other hand, desperately needed roads and protection from the Indians, but only meager sums were spent for those projects. Further exacerbating these troubles was the fact that the colony was forbidden by the crown to issue paper money of its own, and there were no silver or gold mines in the colonies. In this financial atmosphere, colonists, especially those in the west, became debtors.

Western settlers also despised the undemocratic system of government in the colony. The crown appointed the governor and the upper house of the legislature; the governor appointed judges, justices of the peace (who

controlled local matters), sheriffs (who controlled elections), constables, patrollers, inspectors, and overseers of roads. Western settlers also detested the corruption of these appointed officials, and there is abundant evidence to conclude that they had reasonable grounds for resentment. The governor had the power to both convene and prorogue (end session of) the legislature as well as an unqualified veto, in addition to the crown's veto, over acts passed by the legislature. The undemocratic government, sectionalism, and financial hardships caused civil unrest that erupted into the Regulators' movement in the late 1760s. The Regulators were suppressed, but revolutionary zeal was sweeping the country, and North Carolina was no exception to the trend.



The immediate cause of courts ceasing to operate was the expiration of the statute that authorized the justice system. A conflict between the governor and the legislature had brewed over two issues: a law that allowed the attachment of colonists' land by creditors who had never set foot on Carolina soil and a squabble over the appointment of judges. When the legislature's actions on these issues failed to meet with the governor's approval, he prorogued the legislature before an act for extending the justice system was passed. When the prior law expired, the courts closed. An absence of courts meant that both crime and private injustice had no remedy. A traveler reported that the colony was in a state of anarchy and confusion.¹

Section 40 is taken from a North Carolina statute suspending limitation of actions during the same time period. "Book debts" are entries of debit and credit kept to memorialize business transactions, such as those entered in a ledger maintained in a general store to record customers' purchases and payments.

Oath of Office for Justices of the Peace



Sec. 41. *And be it enacted*, That every person who shall be appointed a justice of the peace, and justice of any county court, before entering upon and executing the said offices, shall publicly take the oath to support the constitution of the United States, and the following oath to wit : "I A B do solemnly swear, that as a justice of the peace, and a justice of the county court of pleas and quarter sessions, in the county of _____ in all things I will do equal right to the poor and to the rich, to best of my judgment, and according to the laws of the territory ; I will not privately or

openly, by myself or any other person, be of counsel in any quarrel or suit depending before me ; and I will hold the county court and quarter sessions of my county, as the statutes in that case shall and may direct – The fines and amerciaments that shall happen to be made, and the forfeitures that shall be incurred, I will cause to be duly entered without concealment : I will not wittingly or willingly take myself, or any other person for me, any fee, gift, gratuity or reward whatsoever, for any matter or thing by me to be done, by virtue of my office, except such fees as are, or may be directed and limited by law ; but well and truly, I will do my office of a justice of the peace as well within the county court of pleas and quarter sessions as without ; I will not delay any person of common right by reason of any letter or order from any person or persons in authority to me directed, or for any other cause whatsoever ; and if any letter or order come to me contrary to law, I will proceed to enforce the law such letter or order notwithstanding. I will not direct, or cause to be directed, any warrant by me to be made to the parties ; but will direct all such warrants to the sheriff or constables of the county, or other officers of the territory, or other indifferent persons to do execution thereof ; and finally in all things belonging to my office during my continuance therein, I will faithfully, truly, and justly, according to the best of my skill and judgment, do equal and impartial justice to the public and to individuals. SO HELP ME GOD."

[p.15] And if any person who shall be appointed as a justice of the peace, shall presume to execute the office of a justice of the peace, or the office of a justice of any county court, without first

qualifying himself in the manner by this act required, he shall forfeit and pay the sum of two hundred and fifty dollars, one moiety thereof to the territory, towards the support of government, and the other moiety to him or them who will sue for the same, to be recovered with costs, by action of debt, in any court where the same may be cognizable.

Note that the Justices of the Peace took the oath both as individual justices and as members of the Court of Pleas and Quarter Sessions, which was made up of the individual justices. In an early recognition of the need to avoid conflicts of interest, Justices of the Peace could not represent a party in a case which was being tried before them (“be of counsel in any quarrel or suit depending before me.”)

An “amercement” is a monetary penalty; a synonym for “fine.” The pledge to direct warrants not to the parties but rather to the sheriff or other indifferent persons is a commitment to use the proper channels for issuing process.

The sharing of a fine between the government and whoever would bring an action (“sue”) to punish a violation is commonly seen in early American statutes. Ordinary citizens were sometimes needed to personally assist with what we would think of today as government’s functions, since at this time government was minimal and did not have the resources that are available to today’s judicial systems. For example, there may have been no attorney representing the government or his jurisdiction may have been restricted (though Section 51 reflects that the Southwest Territory had one); the government’s attorney may have had so many other duties that he was unable to attend to all the government’s business; the violation might have happened in some remote section where it was difficult for the government’s attorney to travel; or the government’s attorney may have had a conflict of interest. It would be interesting to know whether this financial incentive engendered abuse.



Length of Court Term

Sec. 42. *And be it enacted*, That, if the business of any of the said courts cannot be determined on the day of the term, the justices may adjourn from day to day, not exceeding six days, at the end of which time the causes and matters which may be depending before them, and not then finally determined, shall be continued to the next succeeding term.

Failure of Judges to Appear



Sec. 43. *And be it enacted*, That if by reason of indisposition or other inability bad weather, or other accidents, it shall so happen that a sufficient number of justices shall not meet for holding the said courts, or any of them, on the days by this act appointed, in such case it shall and may be lawful for any one justice to adjourn the court whereof he shall be a member, from day to day, not exceeding three days, until a sufficient number of justices shall attend to hold the court.

Sec. 44. *And be it enacted*, That none of the said county courts, nor any process in any of them depending, shall be discontinued for or by reason of the justices failing to hold court upon the day by law appointed or of any alteration of any of the days appointed for holding the said courts; but in every such case, all such process, matters, and things depending, shall stand continued ; and all appearances upon returns of process shall be made to the next succeeding term in course, in the same manner as if such succeeding term had been the same term to which such process had stood continued, or such returns for appearances had been made; and all recognizances, bonds and obligations for appearances, and all returns shall be of the same force and validity for the appearance of any person or persons at such succeeding term, and all summonses for witnesses as effectual as if the next succeeding term had been expressly mentioned therein.

These two sections reflect conditions of the time: judges frequently rode circuits; bad weather sometimes precluded travel; roads were few and rough; medical care was primitive, making poor health a significant factor; hostile Indians made travel perilous, especially in the Mero District (the Nashville area). Even decades later Tennessee court records, especially in more remote areas, record occasional terms when the judge(s) did not appear to hold court. When no judge appeared, the court minutes reflected that the clerk opened court at the appointed time, kept it open until the usual hour for adjournment on each day of the court's term, and the required number of judge(s) did not appear. All the business that was set for the term in which no judge appeared was continued (postponed until the next term.) In these situations justice was substantially delayed since court was held only quarterly.



Courts of Pleas and Quarter Sessions

Sec. 45. *And be it enacted*, That the justices of the county courts of pleas and quarter sessions, or any three or more of them, shall and may take cognizance of, and are hereby declared to have such power, authority and jurisdiction as heretofore, to hear, try and determine all causes at law, within their respective counties, where the debt, damages or cause of action exceeds twenty dollars ; and shall have, hold and exercise jurisdiction in all actions of trespass in ejectment, formedon in descender, remainder and reverter, dower and partition, and of trespass *quare clausum fregit* and all petit

larcenies, assaults, batteries and trespasses, breaches of the peace, and other misdemeanors of what kind soever, of an inferior nature, and all actions of detinue, trover, and on penal statutes, suits for filial portions, legacies and distributive shares of intestates' estates, and all other matters relating thereto ; and shall also have power to remit or mitigate all fines by them inflicted, and all forfeitures on recognizances, previous to entering final judgment thereon. *Provided*, a majority of the justices in the said county be present when such remittance or mitigation shall be made. *Provided also*, That if [p. 16] any person or persons shall be dissatisfied with the judgment or decree of any county court entering final judgment against him or them, on forfeited recognizances, he or they shall be entitled to an appeal to the superior court of the district, under the same rules and regulations of other appeals which superior court is hereby authorised to determine on the premises as in other cases in this act directed – *Provided* That nothing contained in this act shall be construed to debar the county solicitor, or attorney for the government, from appealing from any judgment given, wherever he shall conceive the government has been injured ; but that in all such determinations he is hereby expressly required to pray an appeal, which the said court shall grant accordingly.

This section specifies that at least three justices of the peace sitting together were necessary to comprise a court of pleas and quarter sessions, also known as the county court. The court was similar to the court having the same name in North Carolina (“to have such power, authority and jurisdiction as heretofore.”) The name of the court indicates that they heard both civil cases (“pleas”) and criminal cases and administrative matters (“quarter sessions”). Their original jurisdiction was cases of more than twenty dollars’ value, and their power to act was very broad. (Cases where the sum in question was twenty dollars or less were heard by an individual Justice of the Peace.)

“Trespass *quare clausum fregit*” was a writ used to try possession of real property. “Formedon in [the]descender” was a writ used to recover land when a grantor had conveyed land in tail (which could only descend to the “heirs of the body;” i.e., the grantee’s lineal descendants), and subsequently, the grantee either conveyed the land or was somehow deprived of it during his lifetime, putting someone else in possession besides the grantee or the “heirs of his body.” When the grantee died, the grantee’s lineal descendant was entitled to possession under the deed from the grantor. In order to gain possession of the property, he would have asked the court for a writ of formedon in the descender. It is curious that the statute mentions this ancient writ, since North Carolina had abolished estates tail in 1784. It is, however, included in the 1777 North Carolina statute establishing the courts there, upon which the

drafters of this statute substantially relied.

A “remainder” is the estate in land that remains after the termination of an estate for life. A “reverter” is a remainder that reverts in (reverts to) the grantor at the termination of a life estate. No conveyance of property is required to complete either of these changes in ownership. All that is necessary is the death of the life tenant, and the remainder or reversion automatically vests. Other of the legal terms in this statute were defined in the Spring 2006 article in this series, or the reader may consult a legal dictionary. Rather than be slowed by definitions of these often arcane legal terms, the reader should concentrate on the concept that the courts of pleas and quarter sessions handled virtually every kind of case in their own counties in which the sum in question was more than twenty dollars in value. The court also had jurisdiction over appeals from the judgment of a single justice of the peace. Litigants who were dissatisfied with a judgment of the court of pleas and quarter sessions could appeal to the superior court of the district under the rules detailed in this statute, including Section 37.

Providing Care for the Mentally Unfit

Sec. 46. *And be it enacted* That it shall and may be lawful for every county court within this Territory, where any idiots or lunatics shall be within the jurisdiction thereof, to appoint them, or either of them a guardian taking bond, with approved security, for the faithful administration of the trust reposed in such guardian, in the same manner as bonds are taken from the guardians of orphans ; and such guardians, when so appointed shall continue during the pleasure of the court, and shall have the same power, to all intents, constructions and purposes, and shall be subject to the same rules, orders, and restrictions as guardians of orphans appointed by the court ; such idiotcy [sic] or lunacy to be ascertained by the inquisition of a jury by virtue of a writ to be issued by the court, to the sheriff of the county, for that purpose.

Legislation in North Carolina concerning orphans goes back to the earliest surviving collection of laws of the state (1715). A more recent North Carolina law (1760) required, among other provisions, the guardian of an orphan to file an inventory of the assets and liabilities of the orphan’s estate at the next court term following his appointment. The guardian also had to post bond made payable to those justices present at his appointment and provide securities. Additionally, it was the guardian’s duty to report to the court annually the receipts and disbursements of the orphan’s estate. Courts had the power to require additional reports or to discharge the guardian and appoint another if it appeared that he was failing to properly manage the orphan’s assets, converting the orphan’s property to his own use (beyond the normal expenses he incurred on behalf of the orphan for which he was entitled to be reimbursed), or failing to maintain the orphan according to his or her circumstances. The court could also dismiss a guardian if it seemed likely that he or his securities were about to become insolvent.

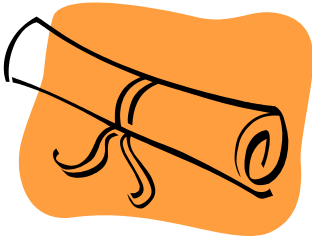
Probate Jurisdiction and Procedure

Sec. 47. *And be it enacted*, That the said courts of pleas and quarter sessions, shall and may, within their respective counties, take the probate of wills, and order the same to be recorded in proper books to be kept for that purpose ; and the said courts shall and may make orders for issuing letters testamentary, and letters of administration, which letters shall be signed and issued by the clerk of the said court ; and may by summons upon application to them made, compel any person or persons whatsoever, within their respective counties, having in their possession any will or testament of any deceased person, to exhibit the same to the court for legal probate thereof ; and whoever being legally summoned, shall in contempt of the court, refuse to produce any such will in his or her possession, or having been in his or her possession, shall refuse to inform the court, on oath, where such will then is or in what manner he or she hath disposed of the same, such person shall by order of the court, be committed to the common prison of the county, there to remain without bail or mainprize, until such will shall be produced, and due submission made to the court for the



contempt ; and the court shall, and is hereby empowered, in case of such person's removal, to issue such summons and process for commitment into any county in the territory.

"Probate" is the process by which a court determines whether a will is authentic. That task was given to the Court of Pleas and Quarter Sessions. "Letters testamentary" or "letters of administration" are the document(s) issued by the clerk upon order of the court, showing that the court has authorized the executor or administrator to begin carrying out the testator's wishes. An "executor" is a personal representative who has been named in the will to administer the estate; an "administrator" is appointed by the court because the decedent was intestate, because the decedent had named no executor in his will, or because the executor named in the will was unable or unwilling to serve.



Making a will is one of the most solemn and important functions that a person who owns property will do. However, people are often weak in body or mind when they make or change their will; they may be dependent upon others for their most basic needs. This situation, without protection for the testator, can easily lead to frustration of his intent and to injustice to those for whom he wants to provide. For that reason, the law provides safeguards; e.g., the law may require that a will be in writing and personally signed by the testator or signed at his direction. It may require that witnesses sign under controlled conditions, as well. Formalized will-making goes back

at least to the days of the Romans, but residents of the Southwest Territory would have been more familiar with a 1784 North Carolina statute that decreed that land could not be disposed of by will unless the will was written and signed in the testator's lifetime (thus excluding *nuncupative*, or oral wills). Either the testator or a person at his direction and in his presence had to sign the will. Two witnesses, in the presence of the testator and each other, also had to sign the document. There are numerous other North Carolina statutes dealing with the making and probate of wills, and a thorough analysis of them is beyond the scope of this article. Note that the 1784 statute deals only with land, not with personal property.

After his death, a testator is particularly vulnerable to having his intent frustrated, so additional safeguards are needed. A person who has custody of a will must produce it, explain what he or she has done with it, or explain where it is located, and severe penalties for those who unlawfully secrete or dispose of a will are common. Additionally, the person appointed to execute the testator's wishes needs to be closely supervised, to be certain that the testator's direction is obeyed and completed. Executors or administrators serve under the supervision of the probate court.

Section 47 provided a severe penalty for the person who refused to produce the will or explain where it was located; the person was to be committed to the county jail until he or she produced the will. If that person had left the court's jurisdiction, ("in case of such person's removal") the court could, through summons and process, reach the person for commitment in any county in the Territory.

Appeal from Appointment of Executor or Administrator

Sec. 48. *And be it enacted*, That if any person, who shall claim a right to execute any will, or to administer the estate of any intestate, and shall think himself injured by order of court, for letters testamentary or of administration, he shall be entitled to an appeal to the superior court of the district where such order shall be made, subject to the same regulations as in other cases of appeal; and such superior court is hereby declared to have cognizance thereof, and shall, at their sitting next succeeding such appeal, determine the same ; and upon such determination had, such court shall proceed to grant the letters to the persons entitled to the same he or she giving bond with sufficient security, for the faithful discharge of the trust.

Sometimes more than one person wanted to administer the estate. In those situations, the court decided whom to appoint. In the event that a person believed that he had been wronged because he was not selected, he could appeal

to the Superior Court. Again, the Superior Court did not need to remand the case to the Court of Pleas and Quarter Sessions. It could grant letters of office directly. The executor or administrator was required to give bond with security, which was available for the recovery of damages if the executor or administrator did not faithfully execute the testator's will.

Preservation of Probate Documents

Sec. 49. And for the better preservation of wills and other papers relating to the estates of deceased persons *Be it enacted* That all original wills, inventories and accounts of executors and administrators, shall remain in the clerk's office among the records of the respective counties where the same shall be proved or exhibited ; and to the said wills, inventories and accounts any person may have access as to the other records, except for the time they shall or may be removed before any other court, upon the determination of any controversy.



Clerks to Serve the Courts of Pleas and Quarter Sessions

Sec. 50. *And be it enacted* That there shall be a clerk to each of the said county courts of pleas and quarter sessions, who shall each give bond with sufficient security in the sum of five thousand dollars payable to the governor or his successor in office, for the safe keeping of the records, and the faithful discharge of the duties of his office, which said bond shall be lodged in the secretary's office, and may be assigned, and put in suit and recovery had in the same manner and according to the rules and restrictions as herein before prescribed for suits on bonds given by clerks of the superior courts ; and each of the said county court clerks shall take an oath to support the constitution of the United States, and the oath of office, herein directed to be taken by the clerks of the superior courts, and be subject to similar pains and penalties for similar offenses.

Clerks to the Courts of Pleas and Quarter Sessions had to post a bond only half the amount required of the clerks of the Superior Court (Section 2 of the act, found in the Spring 2006 issue of this *Journal*.) It is likely that they swore the same oath as the Superior Court clerks, too. (See Section 3 of the act.)

Attorney to Represent the Government in Courts of Pleas and Quarter Sessions

Sec. 51. *And be it enacted*, That there shall be appointed for each county, an attorney or solicitor, properly qualified to act for and in behalf of the government, whose duty it shall be to prosecute all matters cognizable in the county courts of pleas and quarter sessions, wherein he shall be appointed, for and in behalf of the government.

To Be Continued

¹ This short discussion is an oversimplification of the complicated situation in North Carolina. Readers may want to consult other sources for an amplified narration. See, for example, Ashe, Samuel A'Court. *History of North Carolina, 1584-1786*, Vol. I. (Greensboro, NC: Charles L. Van Noppen), 1908, pp. 408-410. Wheeler, John Hill, ed. *Historical Sketches of North Carolina From 1584 to 1851*. (Baltimore: Regional Publishing Co.), 1964, pp. 62-64. Lefler, Hugh T. and William S. Powell, *Colonial North Carolina: A History*. (New York: Charles Scribner's Sons), 1973, pp. 217-219.

Middle Tennessee Supreme Court Records

Third Series



by *Gale Williams Bamman, CG*
and *Joan W. Pruett*

Supreme Court Records, Box 78,
Middle Tennessee, 1845

**John McGregor's heirs vs
Ransford McGregor & others**
Original Bill heard in
Rutherford County Circuit Court

... 14th day of July, 1845 ... Bill of Complaint of Mary Ann, Flowers, Andrew J., Donelson, Milberry, and Martha, children and heirs of John McGrigor, dec'd., all of them under the age of twenty one years, who sue by their guardians, namely, the said Mary & Flowers by their guardian, Jacob D. Donelson, the said Donelson by his guardian, Albert McGrigor, the said Andrew J. by his guardian Andrew J. Donelson, the said Milberry by his guardian, Robt. D. Harris, and the said Martha by her guardian, Robt. M. Burton, Ex Parte.

..that their father, John McGregor, late of Rutherford County died seized and possessed of a tract of land in said county, situate on Stones River ... containing by estimation 1018 acres.

Your orators further shew that their said father had previously to his death purchased from one Washington McPeak another tract of land lying in the said County of Rutherford, and at the time of his

death held the said McPeak's bond for a title, that the purchase money having been paid the said McPeak has made the title to your orators, since the death of your orators' father ... containing 84 [sic] acres.

Your orators further show that their father had, in his lifetime, commenced building a walnut dwelling house on the tract of land first above described, which has been finished since his death by his executors at considerable expense ... on another part of said tract of land are situated a very valuable saw and grist mill ... The land is likewise badly watered ... next to impossible to divide said real estate between your orators ... it is therefore manifestly for the advantage of your orators that the said lands should be sold.

At county court for County of Madison and State of Tennessee on 4th day of January 1847 ... the following order was made ... Upon motion Albert McGregor was appointed guardian for Donelson McGregor, who thereupon came into open court and entered into and acknowledged his bond in the penal sum of twenty five thousand dollars with Thomas R. Richardson and Robert Booth as his securities ...

Interlocutory Decree

Martha McGregor by her guardian B. R. Owen Patrick H Anderson & wife Mary Ann formerly Mary Ann McGregor Flowers McGregor by his guardian Jacob D. Donelson, Andrew McGregor who appears by his guardian Levi Wade, Donelson McGregor who appears by his guardian Albert McGregor and Milberry McGregor who appears by her[sic] guardian Robt. D. Harris, heirs of the late John McGregor and Berryman Ferguson, John C. Gooch and Moses R. Buchanan vs Ransford McGregor.

Be it remembered that this cause came on to be heard ... before the Hon. Supreme Court of Tennessee sitting at Nashville on the transcript of the record from the Circuit Court of Rutherford County –

Whereupon it appeared to the court that at the November Term 1836 of the Circuit Court of Rutherford County a Bill ex parte was filed by the petitioners designated as the heirs of John McGregor praying a sale of certain lands of which their father died seized for distribution – that a sale was ordered and made by commissioners ... that the said Ransford McGregor became the purchaser of the tract of eight hundred and eighty four acres ... at the price of twenty five thousand one hundred and forty two dollars

and seventy eight cents – and to secure the payment of the purchase money he executed his five several notes under seal for the sum of \$5,028.55 5/8 each payable respectively on the 15th of December 1837, 1838, 1839, 1840, and 1841 with a surety on each as follows: ...1837, Ben Ward – 1838, William Alford – 1839, Berryman Ferguson –1840, John C. Gooch – 1841, Moses R. Buchanan ...

It further appeared to the court that the notes thus given were sued on as they respectively became due or soon thereafter – that considerable payments have been made on said notes and judgments – principally by the sureties on said notes – and that there is still a large balance due of said purchase money ...

It is further ordered that aforesaid tract of land be exposed to sale – and that the proceeds of such sale shall be applied first to the payment of the balance yet due the aforesaid heirs of John McGregor and that the balance be then applied to indemnify the sureties of said Ransford McGregor for such sums as they have paid on said notes or judgments obtained thereon ...

...the above cause came on to be finally heard before the Supreme Court of the State of Tennessee sitting at Nashville ... that R. M. Burton guardian of Martha McGregor has received in said judgments over and above her share the sum of \$249.22, and that the guardian of Flowers & Mary A. McGregor has received over and above the amount coming to them the sum of \$133.76 and ... that since the proceedings in said cause was commenced the said Martha

McGregor had intermarried with T. O. Harris and had also died and that Mary A. McGregor had intermarried with Patrick H. Anderson and Milberry McGregor with H. S. McKissick ... and said cause properly revived at the close of sd. Decr. Term 1851

Supreme Court Records, Box 78,
Middle Tennessee, 1845

**William Grubbs vs Jesse Meek,
Administrator, et al**

Original Bill heard in Williamson
County Chancery Court

Bill of Complaint filed 8th August 1840 by William Grubbs, a citizen of Davidson County against Jesse Meek, administrator of the estate of Joseph Meek, dec'd. and James Meek, Robert Meek, and John Munn & Jane his wife children & heirs of Joseph Meek, dec'd. ... that on 6 November 1835 your orator purchased from Joseph Meek then of Davidson County but now deceased, a tract of land situate in said county supposed to contain upward of 300 acres at the price of twenty dollars per acre, payable by obligation due to said Grubbs by T. W. Winter & D. Heardeman dated 2 Novr. 1835, wherein they undertook to pay said Grubbs \$5454.75 out of a note drawn by Wm. S. Ragner & Wm. A. Ragner payable on 1st January 1838 for \$13,500.00 and which note of \$13,500.00 was secured by a deed of trust on certain property ... that said land upon survey was found to contain 324 acres, which left due to sd. Joseph Meek the consideration of sd purchase the sum of \$1025.25. That your orator is ready & willing & has offered to pay the administrator the

sd. Jesse Meek the balance ... if he would make orator a title for said land but he has failed & refused to comply, alleging that he has not been able to collect sd. obligation of \$5454.75 ...

Orator states that Joseph Meek died in 1838 leaving the said James Meek & Robert Meek and Jane, who intermarried with sd. Munn, his children and heirs ... that sd. James & Robert Meek are minors ...

[Answer to Bill of Complaint] ... Complainant represents that the note of \$13,500.00 was secured by a valid deed of trust ... The deed of trust was not registered and by the laws of Mississippi, no deed of trust is valid against creditors unless registered. Meek did not receive the deed from Grubbs nor did he get any control over it by his purchase so that the parties were free to act as they please and they did afterwards rescind it ... that it was not a promissory note it was only a conditional contract ... that Meek died 12th February 1838

Supreme Court Records, Box 78,
Middle Tennessee, 1845

**Elizabeth Thurston
vs
John Summerford & John Roach**

Original Bill heard in
Lincoln County Circuit Court

Elizabeth Thurston vs John
Summerford & John Roach
*Devisavit vel non.*¹

¹ *Devisavit vel non*: The name of an issue sent out of a court of chancery, or one which exercises chancery jurisdiction, to a court of law, to try the

In the matter of Benjamin Thurston's will, be it remembered that heretofore, to wit ... at a county court in Fayetteville on 3rd March 1845 ... William F. Kerchevall presented in open court a paper purporting to be the last will and testament of Benjamin Thurston dec'd. ... and James Bright and Andrew Buchanan the persons named in said will as executors refuse to act as executors, and the said Kerchevall proposed to have said will proved by the subscribing witnesses thereto whereupon John Roach & John Summerford appeared in court and contested the probate of said will and entered into bond with Benjamin T. Parkes and Woodroof Parkes as their security for the prosecution of said suit ...

... therefore ordered ... that the clerk of this court send up said will to the next term of the Circuit Court of Lincoln County the first Monday in June next, there to have an issue made up to try the validity of said will agreeable to the statutes made and provided for.

Whereupon came Hugh Thomeson and moved the court to grant him special letters of administration upon the estate of Benjamin Thurston deceased during the pendency² of a suit about a paper purporting to be the last will & testament of said Thurston, dec'd., he having given bond & security ...

validity of a paper asserted and denied to be a will, to ascertain whether or not the testator did devise, or whether or not that paper was his will. *Ibid.*, 364.

² "Pendency: Suspense; the state of being pendent or undecided; the state of an action, etc., after it has been begun, and before the final disposition of it. *Ibid.*, 887.

authorized to make an inventory thereof and return into court and all the just debts ... the 1st Monday in March 1845. Henry Kelso, Clerk.

... and now at the term first above mentioned the plaintiff by his attorney filed his declaration as follows: "W. F. Kercheval comes into court and avers that the paper writing purporting to be the last will and testament of Benjamin Thurston, dec'd bearing date the 11th day of July 1843 and the paper writing thereto annexed purporting to be a codicil to said will, is the last will and testament of the said Benjamin Thurston, dec'd. ...

And thereupon the said Elizabeth Thurston presented her petition ... states she is the widow of the said testator and that by the said will the said testator gave and bequeathed unto the petitioner all his property both real and personal ... and that on 19th July 1844 the said testator made and published a codicil to said will

Supreme Court Records, Box 78,
Middle Tennessee, 1845

**William C. McKinney & others
vs
John R. Dabbs
and James M. Wray**

Original Bill heard in Williamson
County Chancery Court

... on 18th October 1844 Bill of Complaint was filed ... to wit ... Bill of complaint of William C. McKinney filed in behalf of himself and his seven children to wit William W., Mary E., Mildred J., James M., George W. and David W. McKinney, all minors, and Harriet

McKinney his wife formerly Wray of the County of Tishamingo and State of Mississippi, Complainants, against John R. Dabbs and James M. Wray citizens of the County of Davidson and State of Tennessee, Defendants.

Your orator and oratrix show ... Harriet McKinney is the daughter of William Wray, deceased, and that she is the mother and your orator the father of the above named minors ... that about 8th September 1843 William Wray died in Davidson County leaving a will in which said Dabbs & James M. Wray were named his executors ... that they have proven the will and entered upon their duty of executing it and have paid off the debts and are now ready to pay over the legacies or the greater part of them to the persons entitled thereto, but refuse to pay over the same or any part thereof to your orator and oratrix unless they are directed by Your Honorable Court that they ought to do so under the will ...

Your orator and oratrix claim to have a legacy left them by the 11th clause of said will which is in these words, viz "I will and bequeath to my daughter Harriet McKinney one sixth part of the above money to be disposed of as she may think best for the benefit of herself and children" ... and suppose the amount to be about two thousand dollars ...

Exhibit A. William Wray Dec'd. Will. Recorded October 6th 1843.

I William Wray of the County of Davidson and State of Tennessee ... First I will and bequeath to my wife Mary Wray during her natural life

all my property both real and personal ... during her life.

2nd I will that my son James M. Wray attend to my farm as he heretofore has done for the benefit of his mother Mary Wray for one third part of the crops each year during her life.

3rd I will that after the death of my wife that all my property both negroes & stock, household & kitchen furniture be sold ... & divided in the following manner:

4th I will & bequeath to my son William Wray one hundred dollars ... which will make the amount I intend to give him from my estate as he has heretofore received a sufficiency to make his interest equal with the rest.

5th I will & bequeath to Elizabeth Wray the daughter of my son William Wray one hundred dollars ...

6th The balance of the money arising from the sale of my property I wish to be divided in six equal parts in the following manner.

7th I will & bequeath unto James M. Wray & his heirs one sixth part of the above money.

8th ... unto my son John Wray & his heirs one sixth part ...

9th ... to the heirs of my son Thomas Wray one sixth part ...

10th ... to my son-in-law Stephen wood & his heirs one sixth part ...

11th ... to my daughter Harriet McKinney one sixth part ...

12th to the children of my daughter Elizabeth Owen one sixth part ...

13th I do hereby constitute and appoint my son James M. Wray of Davidson County & John R. Dabbs of said county my executors ... this 9th Decr. 1842. [signed] William [his x mark] Wray [Seal]. Witness: Benjamin Menees, John Menees, John K. Dabbs.

October Term 1843 ... will & testament of William Wray dec'd. was produced in open court for probate and proven thus. Benjamin Menees & John Menees two of the subscribing witnesses thereto ... say that they became such in the presence of the said William Wray, dec'd. ... and that they verily believe that he was of sound & disposing mind & memory at the time of executing the same. Ordered that said paper writing be admitted to record ... whereupon James M. Wray & John R. Dabbs ... gave bond in the sum of twenty thousand dollars with John Menees and Wm. _____[blank] their securities and qualified ...

In pursuance of the decree made in this cause at the last as well as present term of this court, directing the Clerk and Master to take and state an account of the amount of the interest coming to Harriett McKinney and in the will of sd. W. Wray dec'd. and as to what would be reasonable compensation to the solicitor of complainant, begs leave to report, from the settlement made by the executors ... it appears the whole amount on hand after paying all debts etc was \$12,847.00 and that Mrs. McKinney is entitled to the one sixth part of the same which would be \$2141.33. After deducting counsel fees of \$75.00 ... there

would be still due to her \$2066.33 Submitted 31st Decr. 1846. J. V. Clark, C & M.

... this 4th day of January 1847 ... the court being satisfied that the bond executed by William McKinney, R. S. Snell & Gibson Merrett is good and sufficient it is ordered ... that the Clerk & Master pay over to said McKinney the note & money in his hands in this cause, reserving the allowance for counsel fees. And it is further ordered that said executors pay the costs of this cause out of the funds in their hands

Supreme Court Records, Box 79,
Middle Tennessee, 1845

John Ferrill
vs
Hugh B. Porter

Original Bill heard in
Maury County

The questions in this case arise upon the following guardian bond: State of Tennessee, Maury County. Know all men by these presents that Esom B. Dooly Benjamin B. Smith and Hugh B. Porter, all of this county and state are held and firmly bound unto justices of said county court in the sum of one thousand dollars ... whereas the above bound James B. Smith and Hugh B. Porter this day chosen and appointed guardian of Nelson, Vincent and John Ferrill, minor heirs of Levi Ferrill dec'd. ...

The liability of Dooley as guardian and the amount of the same are not controverted – they are matters of record. The whole controversy is as

to the validity of the foregoing paper as a bond obligatory on Smith & Porter.

The sureties to the bond contest the claim of the complainant on the ground that the bond is void because they alledge that the bond contains no payee capable of enforcing it. To this it is answered by the complainant that the "justices of the Maury County Court" are the payees and that although by the statute they could not require a bond from a guardian to made payable to themselves as individuals or as a court, yet could as individuals by the description of "justices of the county court" accept a bond from a guardian and surety voluntarily given to them for the benefit of minors. Such bond is binding on the obligors as a common law bond and may be enforced in the names of the justices for the benefit of the minors. This principle has been repeatedly recognized in this state and in North Carolina

Supreme Court Records, Box 80,
Middle Tennessee, 1845

**John H. Hinton & Peter N. Marr,
extrs. of Dr. Peter H. Cole**

vs

**Henry H. Cole
by guardian, Willis B. Johnson.**

Original Bill heard in
Montgomery County
Chancery Court

Complainants Peter N. Marr and John H. Hinton, Executors of Peter H. Cole, dec'd., show that said Peter H. Cole departed this life sometime in the year 1823 having first made his last will and testament ... prayed to be taken as a

part of this Bill. Your complainants were named as executors in said will ... and state that the said testator was very considerably in debt at the time of his death and left no personal property except what he specifically bequeathed to his wife ...

The personal estate consisted of some slaves derived by the said testator by his marriage with his wife and which were specifically bequeathed to her by his will but notwithstanding the bequest they were levied upon by the creditors of said Peter H. Cole and sold under execution and purchased by your orators for the benefit of the said widow and placed in her possession where they have since remained without interruption. They further state that said will creates a charge on the real estate of said testator for the payment of his debts and directs certain portions of it to be sold for that purpose ... they proceeded to collect such debts as were due their testator in his lifetime and to pay the debts by him owing at his death. They also proceeded to sell such parts of the real estate & town lots as were unproductive reserving the house and lot in the town of Clarksville which they rented out from time to time ... At the July Term 1836 of the County Court of Montgomery commissioners were appointed to make settlement with them and they exhibited to the said commissioners a fair expose of all their receipts and disbursements except as hereafter stated ... and said commissioners settled the same and reported to the court that they had disbursed ... over and above their receipts the sum of eleven hundred and eighty eight dollars 87/100 cents ...

At the time of the death of said testator he left a widow Nancy Cole who was appointed guardian to his only son Henry A. Cole who was his only child then about four or five years of age who is now about the age of 18 or 19. Some time in the year 1825 or 1826 Nancy Cole the widow of said dec'd. intermarried with one George W. Jordan who then and yet resides in said County of Montgomery ...

Sometime about the First of July 1828 Henry A. Cole was sent to the house of your orator John H. Hinton who was then engaged as a teacher of youth for the purpose of board and tuition. He remained there one session in the year 1828 two sessions in 1829 and two sessions in the years 1830—1833, one session in the year 1834 and two months 26 days in the year 1835 ... at the rate of fifty dollars per session ... These items with interest calculated upon to the first of October 1837 amount to the sum of \$842.78 ...

At the death of Peter H. Cole he was seized of the following tracts of land which yet remain unsold to wit the tract of about 200 acres on the Forked Deer River 111 acres on the south side of Cumberland opposite the mouth of Red River opposite the mouth of the west fork and the house and lot in the town of Clarksville also a small fraction of lot in said town ... that in the year 1825 it became necessary ... to build a kitchen & smokehouse on said lot ... costs are stated in the settlement ... except the making and laying of 35,000 brick by C. H. P. Marr at \$8.00 per thousand

[In 1838 depositions were taken from Peter Marr, age about 46; Abraham Brantly, age about 62;

Lewis C. Taylor, age about 45; Samuel McFall, age about 48; Nancy A. Jordan, wife of George W. Jordan who was stepfather of Henry A. Cole. In 1840 depositions

were taken from Peter N. Marr, age about 40 and living in Hickman County, Kentucky; Cave Johnson, James Trice, James McClure, John H. Poston, H. H. Smith, Coleman

Williams, Thomas A. Trice, Nance F. Trice, John F. Branes [sic], Charles Bailey, Robert Clack, Willie W. B. Johnson, and Mary Trice.].

Death by False Teeth

The obituary of William D. Brown of Nashville, 1858

Contributed by Peggie Sides

From the *Daily Nashville Patriot*, Monday, 5 April 1858,

Yesterday morning, April 4th, at the residence of Mr. James Johnson, in this city, Wm. D. Brown, in the 23rd year of his age. About 2 o'clock Tuesday morning last, Mr. Brown was aroused from his sleep by swallowing a piece of gold plate to which was attached three artificial teeth, having forgotten to remove it from his mouth before retiring to bed. He immediately sought the assistance of Dr. Paul F. Eve, who failing to remove it with his instrument, gave him an emetic which he took upon his return to his room. Fortunately the result of the emetic was the ejection from his throat of the plate.



Up to Thursday night, the chances of his recovery were promising, his throat, though lacerated and inflamed, appeared to improve gradually. Friday the symptoms became more unfavorable, and continued to become worse, until yesterday morning death ensued.

Mr. Brown was a native of Canada, whence his parents (themselves Americans), emigrated to New Hampshire, whilst he was yet a child. In 1853, Mr. P. Weaver became acquainted with him at Concord, and was so much pleased with his noble attributes of mind and heart, he prevailed upon him to come here with him, giving him employment in the house of Johnson, Weaver & Co. In his position of clerk in this house, he developed the most sterling traits of character, and so won upon the confidence of his employers, that they regared [sic.] him with the sincerest esteem and affection. There have been few men, in our midst, of his years, who have exhibited as much business capacity, connected with those high moral qualities, without which the greatest genius is almost worthless.

Cut down in the dawn of manhood, ... it cannot be that with his exit from the stage of being his usefulness will cease. The influence of his example must continue for many years to come to operate upon the large circle of his friends. So far as the ties of consanguinity are concerned, he stood nearly alone in the world—both father and mother preceded him to that "undiscovered country whence no traveler returns," but though no kindred hands closed his eyes, he does not descend to the tomb unmourned. Many a friendly heart grieves over his untimely end, and will long mourn his loss.



Index to Pardons and Paroles from Tennessee State Prisons, 1904-1925

Part 5 of a Series

Part 4 was published Spring 2007 (vol. XX, #4) p.173

The following list indexes pardon and parole files available for research at the Tennessee State Library and Archives. It was prepared by Archivist Julia Rather Hammers. Each file may contain a number of items relating to the imprisonment, or there may be very little. The typical file contains the inmate's discharge papers, including a copy of the pardon or parole document. Letters from prison officials, government officials, and family members may also be found. A file often contains petitions sent by members of the inmate's community in order to help the prisoner obtain early release. Trial statements within the file give a summary of the crime committed and the reasoning behind the conviction and sentence. In many files there are newspaper clippings concerning that particular inmate's case. Newspaper clippings can particularly be found in the file of an inmate whose sentence was death.

The index lists the name of the inmate, whether the inmate was pardoned or paroled, the inmate's prison number, the county in which the crime was committed, the length of the sentence served, the prison that housed the inmate, and the crime committed. It is well worth the time of an interested genealogist to view the file. Most files contain information that may prove useful. The type of information depends on the prison where the inmate was institutionalized. Most files for inmates housed at Brushy Mountain prison, for instance, include a copy of a chaplain's report giving the inmate's native state and parents' names, ages, and nativity along with other information.

These records have been microfilmed and can be viewed at the Tennessee State Library & Archives, or the microfilm can be borrowed on interlibrary loan. Additionally, the archives staff can provide copies by mail for a fee (see www.state.tn.us/tsla for details). Refer to Record Group 261, Pardons & Paroles, and the box number given in the index.

Higginbotham, Eugene	Parole	8609	Davidson	1916	1924	Box 14; Murder 1; mitigating circumstances
Higgins, John	Pardon	11527	Warren	1921	1922	Box 14; Perjury
Hightower, Ben	Parole	9682	Knox	1916	1919	Box 14; Housebreaking & Larceny; Parole # 1543
Hill, John	Parole	9669	Knox			Box 14
Hill, McL.	Parole	9786	Shelby	1917	1918	Box 14; Fraud & broken trust
Hill, R.L.			Madison			Box 14; Carrying concealed weapon; petition
Hill, Thomas	Parole	11218	Anderson	1921	1923	Box 14; Petit Larceny
Hill, Walter	Parole	10575	Marshall	1920	1922	Box 14; Petit Larceny; 2 files
Hill,s Bernice	Parole	10799	Crockett	1922	1922	Box 14; Petit Larceny; 2 files
Hilliard, Luther	Parole	10166	Obion	1919		Box 14; Voluntary Manslaughter
Hills, Fred	Parole	10259	Montgomery	1919	1922	Box 14; False Pretense & Larceny
Hilton, Julius	Parole	3534	Shelby	1907	1919	Box 14; Asslt. to comm. Murder 2

Hilton, Oscar	Pardon			1921	1921	Box 14; Petit Larceny
Hines, Peter	Pardon	3282	Lauderdale	1906	1919	Box 14; Murder 1
Hitson, Henry		12388	Monroe	1923		Box 14; Forgery; d. 1925
Hodge, J.T.	Pardon	9191	Dyer	1917	1919	Box 16; Murder 2; petitions
Hodges, Virgil	Pardon	12554	Sumner	1923	1924	Box 16; Grand Larceny; letters
Hogan, Henry	Parole	11769	Shelby	1922	1923	Box 16; Petit Larceny
Holden, Sylvester	Parole	7541	Shelby	1914	1920	Box 16; Murder 2
Holland, V.K.	Parole	11465	Robertson	1921	1923	Box 16; Petit Larceny
Holloman, Harry	Parole	9802	Sullivan	1918	1919	Box 16; Voluntary manslaughter
Holloway, John	Parole	9900	Polk	1918	1922	Box 16; Voluntary manslaughter
Holman, Charlie	Pardon	9679	Campbell	1913	1920	Box 16; Rape
Holmes, Irving	Parole	8462	Shelby	1915	1918	Box 16; Housebreaking; Parole # 1208
Honeycut, J.M.	Parole	8184	Scott	1915	1917	Box 16; Forgery
Honeycutt, John		12084		1922		Box 16; died 1922
Honeycutt, John		12084	Knox	1922		Box 16; Felonious assault; died 1922
Hood, C.C.	Parole	10078	Hamilton	1919	1922	Box 16; Felonious assault
Hooper, Virgie	Parole	10786	Gibson	1920	1921	Box 16; Petit Larceny
Hopkins, Moses Lee	Parole	11630	Lauderdale	1921	1926	Box 16; Petit Larceny
Horns, Tom	Parole	8519	Sullivan	1915	1918	Box 16; Larceny; Parole # 1384
Horstbrink, Fred J.	Pardon	11646	Shelby	1921	1923	Box 16; Grand Larceny
Horstbrink, Henry	Pardon		Shelby	1923		Box 16; Grand Larceny
Horton, Doug	Pardon	10242	Hardin	1918	1921	Box 16; Housebreaking & Larceny
Horton, Mack		9268	Shelby	1917		Box 16; Grand Larceny; died 1922
Horton, Robert		7785	Hamilton	1914	1922	Box 16; Burglary; served out time
Horton, Sid	Parole	4649	Lake	1909	1918	Box 16; Murder 2
Horton, Susie	Parole	10243	Hardin	1919	1921	Box 16; Petit Larceny
Horton, Will		10163	Hardin	1919		Box 16; Received stolen property; petitions
Horton, William		9373	Shelby	1916		Box 16; Housebreaking & Larceny
House, Fletcher	Parole	9677	Cocke	1914	1923	Box 16; Murder
Houston, Enoch	Parole	9166	Hamilton	1915	1919	Box 16; Asst. to comm. murder 1; Parole # 1517
Houston, Robert and Newt Robinson			Claiborne	1921		Box 16; Petit Larceny; petition
Howard, C.H.	Parole	11919	Hamilton	1922	1924	Box 16; Petit Larceny
Howard, Herman	Parole	10814	Hamilton	1920	1924	Box 16; Robbery
Howard, John	Parole	10132	Davidson	1919	1923	Box 16; Grand Larceny
Howard, John	Parole	10266	Hamilton	1919	1922	Box 16; Grand Larceny; petition
Howard, Sam	Parole	9462	Dyer	1918	1919	Box 16; Petit Larceny
Howell, Robert	Parole	9446	Shelby	1918	1919	Box 16; Asslt. to Murder 2
Hubbard, Joe	Parole	9123	Claiborne	1915	1920	Box 16; Larceny
Hubert, Clyde E.	Parole	10651	Davidson	1920	1922	Box 16; Petit Larceny
Huddleston, Clarence			Putnam	1916		Box 16; Carrying a pistol; petition
Huddleston, Sumner	Parole	11674	Madison	1922	1924	Box 16; Att. Forgery
Huff, Charles W.			Rutherford	1920		Box 16; Vio. Bone Dry Law; petition
Huff, Otis	Parole	11712	Giles	1922	1923	Box 16; Forgery
Hughes, Henry	Pardon	2756	Morgan	1905	1919	Box 16; Murder 1, changed to Murder 2
Hughes, John	Parole	10660	Davidson	1920	1924	Box 16; Larceny and Receiving Stolen goods
Hughes, John Frank			Jackson	1920		Box 16; Vio. Bone Dry Law; petition
Hughes, Percy	Parole		Carroll	1922		Box 16; Petit Larceny; petition; 2 files
Hull, R.D.	Parole	9529	Shelby	1918	1919	Box 16; Vol. manslaughter

Hulsey, Essie		8789	Madison	1916	1921	Box 16; Grand Larceny
Hulsey, Jas.	Parole	8191	Madison	1915	1917	Box 16; Asslt to comm murder 2; Parole # 875
Human, Eben A.	Pardon		Morgan	1920	1921	Box 16; Violated liquor laws
Humphreys, Thomas Taylor	Pardon	11343	Shelby	1921	1923	Box 16; Embezzlement
Hunley, Kelly	Parole	4794	Campbell	1909	1915	Box 16; Murder 2; Parole # 230
Hunt, A.C.	Pardon		Davidson	1918	1919	Box 16; Vio. Bone Dry Law
Hunt, Hugh	Parole	8685	Lake	1916	1918	Box 16; Housebreaking & Larceny
Hunt, John	Parole	9995	Hamilton	1918	1925	Box 16; Larceny
Hunt, Mack	Pardon		Davidson	1920	1920	Box 16;
Hunt, Wilkie	Pardon	10325	Madison	1919	1922	Box 15; Housebreaking & Larceny
Hunt, Will	Parole	9684	Knox	1917	1921	Box 16; Felonious Assault
Hunter, Albert	Pardon	1009	Davidson		1921	Box 16; Murder 1& vol. manslaughter; petition
Hunter, L.J.	Parole	11348	Shelby	1921	1923	Box 16; Petit Larceny
Hurst, Byron			Henderson	1922		Box 16; Transporting whiskey; petition
Hurst, W.B.		11921	Greene	1922		Box 16; Bigamy; died 10-11-23
Hutchins, Joe	Parole	10713	Blount	1920	1923	Box 16; Housebreaking & Larceny
Hutchinson, Dock	Parole	9528	Gibson	1918	1922	Box 16; Murder 2
Hutchinson, Ralph	Parole	12089	Knox	1922	1925	Box 16; Grand Larceny
Hyatt, P.H.		10824	Sullivan	1920		Box 16; Murder; died 3-1-22
Hyde, Robert	Parole	8721	Davidson	1916	1919	Box 16; Murder 2; petitions
Hyder, A.C.			Cumberland	1921		Box 16; contempt of court; petition
Ingle, Earnest	Pardon		Madison	1919	1919	Box 17; Petit Larceny
Ingram, Allen	Parole	10160	Gibson	1919	1922	Box 17; Voluntary manslaughter
Ingram, John	Parole	8691	Shelby	1918	1921	Box 17; Murder 2
Irwin, Garfield	Parole		Shelby	1917	1919	Box 17; Volunatry manslaughter; red flag
Irwin, Will	Parole	8281	Shelby	1915	1919	Box 17; Housebreaking & Larceny; Parole # 1529
Isaacs, E.H.	Pardon	10030	Davidson	1919	1920	Box 17; Bigamy
Isby, Hattie	Pardon		Shelby		1922	Box 17; Petit Larceny
Jackson, Andrew		9997	Hamilton	1918	1923	Box 17; Burglary
Jackson, Bob	Parole	10056	Giles	1919	1921	Box 17; Assault with intent to murder
Jackson, Carrie	Parole	11281	Shelby	1921	1923	Box 17; Att to comm murder 2
Jackson, Catherine	Parole	11894	Maurry	1922	1923	Box 17; Grand Larceny
Jackson, Chas.	Parole	9525	Shelby	1914	1920	Box 17; Murder 2
Jackson, Dan	Parole	7755	Shelby	1913	1919	Box 17; Robbery
Jackson, Dave	Parole	9705	Washngtn	1918	1921	Box 17; Forgery
Jackson, Elomore	Parole	5559	Davidson	1911	1918	Box 17; Housebreaking
Jackson, Ernest	Parole	9604	Rhea	1917	1923	Box 17; Housebreaking & Larceny
Jackson, John			Jackson	1922		Box 17;
Jackson, John Henry	Parole	5782	Lake	1911	1921	Box 17; Murder 2
Jackson, Leonard						Box 17; Carrying a pistol; petition
Jackson, P.J.	Parole	9740	Grainger	1917	1919	Box 17; Voluntary manslaughter
Jackson, Perry	Parole	8406	Shelby	1915	1917	Box 17; Petit Larceny; Parole # 589
Jackson, Peter	Parole	10454	Hamilton	1919	1921	Box 17; Grand Larceny
Jackson, Q.			Jackson	1922		Box 17; Violated whiskey laws
Jackson, Sam	Parole	11767	Shelby	1922	1925	Box 17; Petit Larceny
Jackson, Woodward	Parole	10589	Knox	1920	1923	Box 17; Housebreaking & Larceny
James, Frank	Parole	10508	Davidson	1920	1922	Box 17; Petit Larceny
James, Walker			Dyer	1914		Box 17; Violated the Four-Mile Law
Jameson, John W.		10135	Hancock	1919		Box 17; Petit Larceny
Jamison, H.B.	Pardon		Robertson	1919	1920	Box 17; Assault & Battery
Jamison, Valma	Pardon	12187	Shelby	1922	1923	Box 17; Larceny

Jamison, Will	Parole	8173	Davidson	1910	1919	Box 17; Robbery & Larceny
Jax, J.W.	Parole	9371	Shelby	1917	1922	Box 17; Petit Larceny
Jeams, Ed	Parole	10372	Lawrence	1919	1920	Box 17; Involuntary manslaughter
Jeffers, Jasper	Pardon		Scott		1922	Box 17; Assault & Battery
Jefferson, Anthony	Parole	7363	Shelby	1913	1924	Box 17; Robbery & Asslt. to comm Murder 1
Jenkins, Alfred		12091	Madison	1922	1924	Box 17; Petit Larceny
Jenkins, Bob			Maury	1921		Box 17; Assault & Robbery
Jenkins, Henry	Parole	9618	Shelby	1915	1920	Box 17; Grand Larceny
Jenkins, James	Pardon	11099	Macon	1921	1922	Box 17; Incest
Jenkins, John		10601	Hamilton	1920		Box 17; Burglary
Jenkins, Sam	Parole	2459	Davidson	1905	1922	Box 17; Murder 2
Jenne, W.C.	Pardon	11937	Madison	1922	1923	Box 17; Forgery; 2 files
Jennings, Grundy	Parole	8427	Davidson	1915		Box 17; Housebreaking
Jennings, Tom	Parole	10465	Crockett	1920		Box 17; Voluntary manslaughter
Jennings, Will	Parole	7979	Knox	1914	1917	Box 17; Housebreaking & Larceny
Jernugan, Hiram	Parole	11482	Madison	1921	1922	Box 17; Petit Larceny
Jeter, E.A.	Pardon	11883	Weakley	1922	1922	Box 17; Grand Larceny
Johnson, Arthur		8688	Shelby			Box 17; d.1919
Johnson, Arthur	Parole	12050	Jackson	1922	1924	Box 17; Voluntary manslaughter
Johnson, Burtie	Parole	10691	Obion	1920	1922	Box 17; Asslt to comm. murder
Johnson, C.A.	Pardon		Putnam	1919	1919	Box 17; violated Bone Dry Law
Johnson, Charlie	Parole	9035	Knox	1915	1919	Box 17; Housebreaking & Larceny
Johnson, Chas. S.	Parole	8597	Madison	1916	1917	Box 17; Larceny; Parole # 611
Johnson, Chester	Parole	11821	Maury	1922	1924	Box 17; Att Murder 2
Johnson, E.B.	Parole	9706	Hamilton	1918	1919	Box 17; Petit Larceny
Johnson, Ed	Parole	7598	Clay	1914	1923	Box 17; Murder 1; 2 files
Johnson, Ed W.	Parole	6323	Shelby	1918	1922	Box 17; Murder 1
Johnson, Eugene		7618	Shelby	1914		Box 17; Rape
Johnson, Frank		9084	Davidson	1917		Box 17; Forgery
Johnson, George	Parole	110855	Henry	1921	1922	Box 17; False Pretense
Johnson, Henry	Parole	8431	Dyer	1915	1919	Box 17; Larceny & Received stolen goods
Johnson, Henry	Parole	9550	Dyer	1918	1923	Box 17; False Pretense
Johnson, Hewitt	Parole	8584	Shelby	1916		Box 17; Murder 2
Johnson, J.C.	Parole	9689	Sevier	1916	1918	Box 17; Vol. manslaughter
Johnson, J.J.	Pardon	6760	Knox	1912	1919	Box 18; Forgery
Johnson, James	Parole	7473	Shelby	1913	1920	Box 18; Petit Larceny; 2 files
Johnson, James	Pardon	9688	Rhea	1915	1922	Box 18; asst. to comm. rape
Johnson, James	Parole	8628	Shelby	1916	1922	Box 18; Robbery
Johnson, James	Pardon	10326	Madison	1919	1922	Box 18; Housebreaking & Larceny
Johnson, Jesse	Parole	9223	Obion	1917	1921	Box 18; Housebreaking & Larceny
Johnson, Jim			Blount	1922		Box 18; Vio. liquor laws
Johnson, John	Parole	8641	Davidson	1916	1920	Box 18; Att. to comm Murder 1
Johnson, John	Parole	11332	Hamilton	1921	1924	Box 18; Larceny
Johnson, Leon	Pardon	8329	Humphreys	1915	1920	Box 18; Asslt. to Rape
Johnson, Logan	Pardon	11736	Haywood	1922	1922	Box 18; Petit Larceny
Johnson, Mose	Parole	9374	Shelby	1917	1919	Box 18; Petit Larceny
Johnson, Ollie	Parole	9706	Bradley	1917	1920	Box 18; Petit Larceny
Johnson, Raymond	Parole	10049	Loudon	1919	1922	Box 18; Housebreaking & Larceny
Johnson, Robert	Parole	8417	Obion	1915	1918	Box 18; Larceny
Johnson, Robert	Parole	7974	Shelby	1915	1920	Box 18; Burglary, Larceny, & Grand Larceny
Johnson, Roy	Parole	7900	Shelby	1914	1918	Box 18; Burglary & Larceny
Johnson, Russell	Parole	9460	Hamilton	1918	1919	Box 18; Larceny
Johnson, Thomas	Parole	11775	Shelby	1923	1924	Box 18; Petit Larceny

To Be Continued



Book Reviews

by Shirley Wilson, C.G.

***Superior Court of Law and Equity,
Mero District of Tennessee 1806-1809
(Middle Tennessee)***

abstracted by Mary Sue Smith. 254 pp., index, 2004. \$32 from Heritage Books, Inc., Publishing Division, 65 East Main Street, Westminster, MD 21157-5026.

This is a copy of the surviving docket book for the Mero District Superior Court beginning with the November 1806 term. It is held at the Davidson County Archives. The minutes for this time period either did not survive or have not been located.

In this time period three traveling Superior Court judges heard cases in Jonesboro (Washington District), Knoxville (Hamilton District), Carthage (Winchester District), Clarksville (Robertson District), and Nashville (Mero District). Mero District had both original and appellate jurisdiction.

Although the location is not always mentioned, many are shown when the case was transferred to another district.

***Superior Court of Law and Equity,
Mero District of Tennessee 1810-1813
(Middle Tennessee)***

abstracted by Mary Sue Smith. 186 pp., index, 2006. \$33 from Heritage Books, Inc., at above address.

This is a continuation of the docket book for Mero District in Middle Tennessee (as reviewed above).

In 1809 the legislature formed a Circuit Court, to be held in each county and the Superior Court was renamed the Supreme Court of Errors and Appeals. This book lists the cases assigned to the various County Circuit Courts or to a different Superior Court

District. The reader can then search the appropriate County Circuit Court minute books for further information.

This book and the one reviewed above it are both excellent tools for locating people in Tennessee in a time frame when little else is available.

Afro American Genealogy Sourcebook

by Tommie Morton-Young, Ph.D. 199 pp., 1987. \$40 plus \$2 postage from author at PO Box 281613, Nashville, TN 37228.

This book and the one to follow are being reviewed because of interest generated at a recent MTGS workshop by Morton-Young. While the books were published twenty years ago, they still contain valid and extremely helpful information and are available for purchase.

The sourcebook is divided into four basic categories: background reading and basic reference sources, private resources, public records and resources and a directory of resources. The section on private resources which includes manuscript material is particularly relevant. Be sure to check the last pages in the book for a key to the locations of these documents.

Bearing in mind that the two books were published before on-line genealogy became a fact of life, this remains an important source book for anyone doing African American genealogical research.

The Chaffins

by John Lee Fults. 173 pp., appendix, illustrations, index, maps, 1999. \$29.95 plus \$3 shipping from the author, 11017 Rockcliff Drive, NW, Huntsville, AL 35810.

The descendants of John Chaffin (1690-1773) of Middlesex County, Virginia, are traced in this compilation. One branch of the family settled in Jackson County, Tennessee, near Flynn's Lick on their way westward. Others settled in Rutherford, Maury, Bedford, and Fayette Counties in Tennessee.

It is always a pleasure to read a family genealogy where history has been included with the study of the family. Fults seems to focus on military history, particularly during the Civil War period.

Illustrations of Indian mounds, village and castle diagrams, Civil War maps, and assorted other items

add value to the book and are found throughout its pages and also in the appendix. If you have Chaffin ancestry, you will want to add this publication to your library.

African-American Genealogy

by Tommie Morton-Young, Ph.D. 70 pp., illustrations, index, photographs, 1987. \$15 plus \$1.50 postage from author, address above.

This is more of a how-to-begin book for aspiring African-American genealogists and its focus is on organizing material, the process of conducting oral interviews with older relatives, and using public records among others.

While some addresses may now be out of date, this book still has much to offer for those beginning their journey in African-American genealogy. ■

Perry County Petitions 1820-1829

On file at the Tennessee State Library & Archives, Record Group 60

1820	Petition from Perry Co. asking that the south line of Humphreys Co. not be changed.
1821	Petition asking the Legislature to establish the County seat.
1821	Petition asking permission to lay off the Town of Shannonsville.
1821	Petition regarding line between Humphreys and Perry Co.
1821	Petition with Hardin Co. asking that a land grants be issued on James Island.
1822	Petition concerning the location of the county seat.
1822	Petition asking to change name of Perryville to Jarman.
1823	Petition of Wm. King and Wm. Kinney regarding land in Perry Co.
1823	Petition of John Essary regarding land claim.
1823	Petition of Joseph Durham regarding a land entry.
1823	Petition of Stanley Johnson asking relief for fine.
1823	Petition of Mary Hooper asking for a divorce.
1824	Petition from Perry citizens concerning benefit from State Bank.
1824	Petition from Robert White regarding commissioners and construction of the courthouse.
1824	Wm. Kenny petition asking relief.
1825	Petition asking for a bridge across Beach River.
1825	Petition of Henry Mahon asking to be attached to Wayne Co.
1826	Petition regarding division of the county.
1827	Petition to divide the 68th Militia Regiment
1827	Petition recommending Daniel Oliver for justice of the Peace.
1829	Description of part of Perry County to be added to Wayne County.
1829	John Reeves petition to operate a ferry across the Tenn. River at Perryville.
1829	Petitions recommending Dan'l Sanders, Nathaniel Dickerson, John Shelton and Aaron Kennedy for Justices of the Peace.