

MARK YOUR CALENDAR

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

OUR MEETING PLACE

Knowles Senior Center
174 Rains Ave., Nashville
• From I-65 exit 81 East and follow
Wedgewood Ave. into the State Fairgrounds.
Turn left inside the gate in the black fence.

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

Sat., Jan. 19, 2008
Family History Show & Tell
Knowles Senior Center
1:00 p.m.

Bring your favorite old photo, document or family
artifact to share with the group. Share and enjoy
favorite family stories in this friendly, casual
meeting with other history-lovers. Guests are
welcome.

Saturday, March 15, 2008
Cemeteries of Our Ancestors
→Brentwood Library←
1:00 p.m.

Dan Allen, President and Archaeologist of the
Cumberland Research Group, will discuss
cemeteries and the law, burial customs and
practices, locating and restoring cemeteries, and
reinterment. *Note that this meeting is NOT at the
Knowles Center due to a schedule conflict.*

Saturday, May 17, 2008
Annual Awards Program
featuring George Zepp
The Knowles Center
1:00 p.m.

George Zepp, Nashville historian and author of
the 'Learn Nashville' column in the *Tennessean*,
will host this year's meeting and will present the
award for the best article in the MTGS Journal in
2007. President Virginia Watson will present the
Distinguished Member award. Don't miss it!

Middle Tennessee

Journal of Genealogy & History

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Anita Coursey	Virginia Watson
Patricia Gilliam Daley	Joan Pruett
Trent Hanner	Stephanie Sutton
Shirley Wilson	

Gale Williams Bamman
Contributor and Editorial Assistant

From the Editor . . .

In this issue you will find the names of many Middle Tennessee ancestors, ranging from those who appear in the 1805 tax list of Davidson County (which then covered a large area) to those who received pardons and paroles from the State Penitentiary in the 1920s.

Of special interest in this issue is Bob Dennison's article about a young girl in his family who was kidnapped by Comanche Indians in 1836. This is the premier article for a new series titled "Honoring our Female Ancestors" which offers contributors a chance to write about an interesting woman in their family.

The Mexican War was short but brutal, and many Tennessee men died in misery while serving there. Letters from Pvt. James Law McLaughlin of Nashville, contributed by Virginia Watson, provide a personal look into the experiences of one such soldier.

Members and Friends of the Society have come forward with some excellent articles for the current issue. It's a pleasure to have so many among us who are willing to write and conduct research to benefit all the readers of the *Journal*.

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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Charlotte Robertson

Honoring our Female Ancestors:

Aunt Cynthia Parker, Indian Captive

by Bob Dennison¹

Back when I would spend a few weeks each summer with my grandmothers, both of whom lived in rural Dickson County, Tennessee, I would relish the evenings spent on the front porch listening to tales of a time gone by. My father's mother would tell Civil War stories passed to her by her husband, my grandfather. He was young teenager during the war but his father and most his brothers were fighting for the South. That is another story for another time.

My tale today is about a particular story told by my maternal grandmother. She talked frequently of Aunt Cynthia and her capture by Indians. While the thought of cowboys and Indians were of deep interest to me, the real significance of the story was lost until I was much, much older. Granny's name was Melinda Tidwell Harrington. Her great uncle, John Parker, along with her grandfather, Moses Parker, organized the Turnbull Baptist Church

which survives today as the oldest Baptist Church in Dickson County². John Parker did not linger long in Dickson County before he moved on to Arkansas. He left behind his brother Moses who had a daughter Mirinda Parker, who married Johnny Tidwell, and they were the progenitors of my maternal side of the family. However, I am going to follow my 4th great-granduncle, John Parker.



Quanah Parker,
son of the writer's Aunt Cynthia
(National Archives)

After going to Arkansas, Parker preached for several years, then moved on to Texas, following the footsteps of hundreds of other Tennesseans. He settled in an area that is located approximately 80 to 90 miles south of what is now known as Dallas, in a settlement called Fort Parker, named after his brother, Issac Parker. Fort Parker was little more than a stockade with a few cabins inside and out.

Fort Parker became a prosperous settlement. John Parker spread the gospel while Issac Parker was a rancher, soldier and legislator. On a day in May, 1836, a Comanche raid devastated the community. Many were killed, including John Parker. One of John's sons, Elias, who was also killed, had a daughter, Cynthia Ann, 9, who was taken captive by the Comanche.

Thus began a 25-year captivity. Cynthia was chosen as his bride by Peta Nocona when she was 18, and she bore three children — two sons, Quanah and Pecos and a daughter, Topasannah³. For 15 years she raised her family, as the tribe staged forays into Parker County, named after her uncle.

¹ Bob Dennison has a continuing interest in Tennessee and Tennesseans as well as genealogy. He owns an extensive collection of over 500 volumes of Tennessee history and books by Tennessee authors. Bob is a retired Colonel with the Tennessee Air National Guard, serving for over 38 years. He has been awarded the Legion of Merit, the Meritorious Service Medal with 1 Oak Leaf Cluster, the Air Force Commendation Medal with 1 Oak Leaf Cluster, the Air Force Outstanding Unit Award, the Viet Nam Gallantry Cross with Pal., along with numerous other decorations and awards. He is a Scottish Rite Mason, who has been honored by the award of Knight Commander Court of Honour. He and his wife Ann live in Franklin, Tennessee.

² Corlew, Robert E., *A History of Dickson County* (Nashville: Tenn. Historical Commission, 1956).

³ *The Old West: The Great Chiefs* (Alexandria, Virginia: Time-Life Books, 1977).

Then in 1860, much as with her capture, her tribe was surprised in a raid by a detachment of government Indian hunters. Cynthia was discovered and returned to her Texas family. She was very unhappy and could not adapt to the "civilized" life. Several times she stole horses and lit out in quest of her sons who had eluded capture. After about 4 years Cynthia's daughter died of fever. Devastated by grief, Cynthia starved herself to death.

Cynthia Ann did leave a legacy. Her son Quanah became the last great chief of the Comanche. He led what was left of the tribe on a trail of raiding, foraging and destruction before eventually surrendering himself and his followers to government authorities. He was one of the few great Chiefs to never be captured. After his surrender he became an even greater leader. Quanah learned to deal with the Texas cattlemen, leasing them Indian lands for grazing. He, along with many of his fellow tribesmen, became quite well-to-do. Quanah made several trips to Washington and used the visits to lobby in Congress for Indian interests.

Quanah lived until 1911. Although speaking little English, his remarkable adaptation to white ways brought him honors, wealth and a 12-room showplace home for his family. Yet none of this tempted him to forsake his Comanche heritage. When he was buried beside his white mother, it was in the full regalia of a Comanche chief.

Granny Harrington related a little of this story to me, and I have extracted much more material from reading in other sources, including Robert Corlew's 1956 *History of Dickson County* and the Time-Life volume titled *The Great Chiefs* from their *Old West* series I was too young to probe with questions that I now have. Aunt Cynthia was a source of pride to Granny and she told of relatives traveling to Texas to meet Cynthia and other relatives. Granny would sit on the porch and stare at the night sky as she told these tales. I always wondered what she was seeing. Now I know.

Do you have a female ancestor you would like to feature?

The story of a special grandmother or beloved aunt?

Send your contribution for the Honoring our Female Ancestors series to the editor

casherrill@bellsouth.net

The Story of an Arkansas Tooth-pick

From the Nashville *Daily American*, August 11, 1876

"A formidable bowie knife, in a leather case tipped with tin, will be presented to the Historical Society at its next meeting. This knife was taken from the battlefield of Fort Donelson by P.G. Warford, of Stewart County. On the Saturday evening before the surrender, and on Sunday morning, there was very hard fighting on the right, and for a few moments it was a hand-to-hand struggle.

"It was here that the gallant soldier and owner of the knife lost his life. On coming to close quarters, he drew his knife and defended himself with it until shot down. He was supposed to have belonged to that heroic Confederate regiment known as "The Bloody Tenth Tennessee."

"The morning after the surrender, Mr. Warford, while walking over the field, came upon this dead soldier, lying where he had fallen, the knife still grasped in his hand. With some difficulty he took it from the brave fellow's fingers and bore it home as a memento of the battle. Quite recently it was turned over to Anson Nelson, Secretary of the Historical Society. It was presented through W.T. Quarles, and bears the marks of hard service."

Davidson County Civil War Claims

Allowed for Payment by the Southern Claims Commission

Part II of a Series



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 Davidson County residents who were deemed loyal Unionists and allowed payment by the Commissioners for Southern Claims.

William Berry (continued from volume 20, #2)

Witnesses

- W. Berry Bayless of Giles County (continued) ... Maj. Gen. George Thomas. But Gen. Gross' men forced the guard and took about half the corn. Berry and his family were ordered into Nashville for protection. Four regiments of federal troops retreating from Franklin reached Berry's about midnight and camped there. The lard factory was a large brick building about 95' x 45' and three stories high. The other buildings were used as servants' quarters, stable, storehouse and barns.
- Henry M. Gist, Cincinnati, Ohio, former USA officer, was present when Berry's property was taken and the buildings torn down. He visited frequently with Berry and knew him well as a loyal man.
- A.W. Wills of Nashville, former USA chaplain and AQM, similar to Gist's testimony.

- Charles H. Irwin, former USA lieutenant and AQM, now of Nashville, similar to Gist's testimony.
- William B. Whipple, former Adjutant General under George H. Thomas, now of Nashville, similar to Gist's testimony.
- Mr. Maynard, has known Berry many years, says he had "what was regarded as the best Bookseller's establishment in the South – that is, the most recherché and elegant." Maynard came to Nashville in March 1862 with Military Gov. Andrew Johnson, and was from that time frequently in communication with Berry. "He was not only loyal, but radically so."
- R.J. Meigs, now of Washington DC, knew Berry in Nashville from 1835 to 1861. "He kept a large bookstore, in which I spent a great deal of time ... He was as loyal a man as we have in this country ... I know his sentiments broke off

friendships between him and some of his most intimate friends."

- S.W. Wills, Asst. QM, served in U.S. Army from 1862 to 1867. Became acquainted with Mr. Berry in 1862 and often visited his store. Wills had charge of the government printing house at Nashville. Since the war Wills went to Berry's to measure the property, assisted by Mr. Willett, an engineer, and Mr. Ready, a master mechanic who built the depot at Nashville.
- James R. Willett and James W. Ready of Nashville. Willett is a civil engineer, architect and surveyor and was an officer in the U.S. Army. Ready is a mechanic and carpenter and during the war was master mechanic of the depot under Capt. Irwin and Capt. Wills.
- M.D. Lemoine, government architect, estimated it would cost \$12,000 to replace Berry's fences and buildings.
- W.F. Prosser wrote on Nashville Post Office letterhead asking the Commission for an early review of Berry's claim.
- R. McPhail Smith, attorney of Nashville, met Berry in 1861 at the home of John Trimble, now Smith's father-in-law. Knows Berry's place with a long frontage on Franklin Pike "which is the choicest of all our avenues to the city for suburban and country residences of gentlemen doing business in the city."
- John Trimble, has known claimant 30 years, says Berry was "one of the faithful few" loyal citizens of Nashville.
- William Simmons, carpenter and builder, has lived in Nashville 17 years. Estimated value of lumber and shingles in Berry's losses.
- E.R. Glasscock, D.B. Cliffe and R. McP. Smith made a joint declaration of support for Berry's claim. All lived in Nashville and knew Berry prior to the war.
- James S. Negley, Congressman from Pennsylvania and former Major General, U.S. Army, says his brigade was stationed directly opposite the home of William T. Berry in 1862. "Deponent afterwards became commander of the Post of Nashville and made himself conversant with the business and people of the surrounding country, through his spies and by his own observation he knew the status of nearly every prominent man in the country. He

made it his special business as it was his duty to know who were loyal and reliable men and who could not be trusted." Knew Berry was an outspoken Union man.

- W.B. Bayliss and H.A. Gleaves "have been connected with the house of W.T. Berry Dealer in Books, Stationery & etc. in Nashville Tenn. for the past twenty years and are still connected with said house." They provided the accounts of purchases by U.S. Army officers.
- Robert Hunter, former Capt. 74th Ohio Inf. Berry's farm was ½ mile inside his picket line in 1862. Hunter was often in command of the picket station on the turnpike beyond the Berry's residence. He saw the property taken. "All these losses Mr. Berry submitted to without murmur or complaint ... told me that he would rather lose all his property than live to see the rebellion successful ... He never doubted, even in the darkest hours, as to the ultimate success of the Union cause."

Read More About William T. Berry and Nashville's Antebellum Bookstore

In 1978 the *Tennessee Historical Quarterly* published an article by David Marshall Stewart entitled "William T. Berry and His Fabulous Bookstore: An Early Nashville Literary Emporium Without Parallel," THQ XXXVII (1978), 36-48.

The Berrys and Tylers were prominent Hickman County settlers. The article tells the interesting story of Berry's parents, Maryland aristocrats who settled in Hickman County about 1815.

In about 1826, young William Tyler Berry and his middle-aged benefactor, Wilkins Tannehill, established a bookstore in Nashville. Berry later married Tannehill's daughter. The bookstore flourished for 30 years bringing literature and culture to Nashville.

Berry's alienation from many of his friends and neighbors during the Civil War, along with the depredations of both armies, crippled the business. After the war, there was no market for fine books and little leisure to enjoy them. Berry lost his fortune and finally closed the bookstore in 1876. He died at the home of his son on Franklin Pike in 1889.

James H. Brantly

Age 41; filed 1872; file consists of 55 pp. Claimed \$1,210 for five mules, harness and two wagons.

Commissioners' Remarks:

"The claimant testifies to his Union sentiments, and that he voted No Convention and No Separation and was active as a leader at the polls in opposition to secession. He was Dep. Marshal of the City at the time. He remained in Nashville and continued to adhere to the Government throughout the war. Two or three witnesses confirm claimant's statement and testify to his loyal conduct and reputation. Two or three witnesses also confirm claimant's statement that he had two mule teams with new wagons and harness and an extra mule hauling wood into Nashville, and that in Sept. 1862 a Federal officer took possession of this property [and] took it to Fort Negley, where the mule teams were used by the Army in the service of the Government. Gen. Rousseau and other officers promised to settle for them with claimant but never did and he got no pay. We find him loyal. We allow the sum of \$900."

Notes:

Brantly is a resident of Nashville, has lived in Davidson Co. since 1854. States he personally took 40 men to the polls in Ward 4 to vote against secession. He was in the business of hauling wood and the mules were taken from the square in Nashville and removed to Fort Negley where Lieut. Duodonough was in charge. Clinton Hadley and Henry Hays were driving the wagons; Hays has since left the area. Gen. Rousseau promised him a receipt for his mules, but he never got one. Claimant went to Cincinnati from Spring 1863 to July 1864. In 1876 claimant was Coroner of Davidson County. Although others often wrote the name as Brantley, the claimant consistently signed as Brantly.

A statement in favor of Brantly's claim was signed by the following Nashville citizens who state they have known him for 20 years: E.D. Whitworth, Sheriff; E.R. Glasscock, late U.S. Marshal; James T. Bell, Clerk County Court; Nat. F. Dortch, Clerk Circuit Court; Na—[?]-tt Baxter, Jr., Clerk & Master Chancery Court; Samuel Donelson, Clerk Criminal Court; John Trimble; Edward H. East.

Witnesses for James H. Brantly:

- Clinton Hadley, age about 28, colored, has lived in Nashville all his life. Was born free and has never been a slave. Has known Brantley 15 years, used to wait on him at his boarding house. A squad of men made him and Hays drive their teams to Ft. Negley, where the men were made to work on the fort for several months.
- Alfred Young, age 45, colored, blacksmith, has lived in Nashville 28 years. Saw the teams taken.
- William S. Cheatham, age 41, testified regarding claimant's loyalty.
- Benjamin S. Weller, Sr., age 72, has lived in Nashville 55 years, has known claimant 15 years. "I was driven from Nashville by the Rebels during the war because I could not live in this place."

Lemuel Burch

Age 74; claim not dated, ca. 1872; file consists of 45 pp. Claimed \$1,525 for two horses, one mule, corn, fodder, hay and oats.

Commissioners' Remarks:

"The claimant is an old man now nearly 80 years of age. Was a farmer and resided in Davidson Co. Tenn. He opposed secession, voted no separation and was known and recognized as a Union man throughout the war. Was much of the time within Federal lines. His age and non-combatant manner saved him from violence. Several witnesses testify to his loyalty and among them is William Driver whose testimony is direct that Burch was a Union man. The claim was before the "Driver Board" — was examined and testimony taken in June 1863. Copies of that testimony and the claim are herewith filed. The circumstances were all fresh in the minds of the witnesses, the examination was in the vicinity of the claimant's farm, the witnesses were known to the persons comprising that board, and the value of supplies also known to them. No charge was then made for hay. We adopt the findings and recommendation of that board as to property and recommend the payment of \$525."

Notes:

Claimant resided four or five miles from Nashville during the war. In Nov. 1862 an army wagon train of more than 200 wagons passed his farm and took the

property. He was not home, having gone to Nashville to take the Oath of Allegiance. His son William B. Burch served in the Confederate Army; he was 30 years old. Claimant had some cousins and nephews in the U.S. Army; their name was Burch and they lived in Illinois.

Witnesses for Lemuel Burch:

- B.F. Manning, age 35, merchant, has known claimant 15 years, close neighbor. "I know they took all the old man had."
- John H. Burch, age 35, son of claimant, his father resides with him. J.H. and Mr. Bery[?] Jones were present at the taking.
- W.H. Wilkinson, age 58, has known claimant since 1850.
- William Driver, age 69, has known claimant since 1851 when claimant was a tenant on Driver's farm. "He is and was a poor man."

The following depositions were dated 1863, and were apparently taken before the Driver Commission and appended to the Southern Claims Commission file.

- Mrs. Ellen Burch, daughter-in-law of claimant, says he is the owner of a house and two-acre lot on White's Creek and rented adjoining land. Among the soldiers who took property were Stokes Cavalry and L.G. Bangs, Lieut. 19th Ill. Vols.
- Sarah Ann Burch, daughter of claimant, present at the taking. (Testimony dated 1863.)
- B.B. Jones, farmer, worked a field adjoining claimant in 1862. (Testimony dated 1863.)
- Sallie A. Young, neighbor of claimant. (Testimony dated 1863.)
- Louisa Reeves, saw a Col. of the 4th Ohio Cavalry take claimant's horse from her home on Hyde's Ferry Pike. Burch had loaned the horse to her son. The officer pointed his pistol at her son and told him to deliver him the horse, which he did. (Testimony dated 1863.)

Peter Carroll

Age 60; filed 1872; file consists of 66 pp. Claimed \$2,675 for corn, hay, fodder and 4 horses.

Commissioners' Remarks:

"This claim has been examined by Mr. Edwards ... The witnesses all testify to the loyalty of the claimant and there is nothing to show disloyalty. We are not satisfied with the remarks of Mr. Edwards upon the testimony of

the witnesses. We think the evidence fairly establishes loyalty. Claimant. is a poor, ignorant, but industrious and quiet Irishman. Five witnesses testify to his loyalty. Loyalty proven. Aside from the evidence of the claimant there is nothing to show that claimant cultivated over 14 acres of corn. Part of this was taken from the field and part from the crib. The evidence shows satisfactorily that the corn was not taken by the Confederates and four witnesses saw it taken by the Federals. We think \$250 fair compensation for all the corn taken by the army ... No proof of the taking of the horses but claimant and one Lehay who ... gives no details. Mr. Edwards' remarks as to the probability of Carroll's seeing them taken are forcible. But there are no facts stated so that we can tell whether the taking was lawful or lawless. It was the night after a great battle, when disorder and lawlessness reigned, and when there was every opportunity for theft and depredation and when the QM would have other work to do than seize horses. These items rejected. We allow \$290."

In the 1866 investigation, examiner John D. Edwards wrote, "... to sustain this claim we are asked to believe that Hood's destitute army could have been camped about Compton's place in 1864 for a week or ten days and not take a thing; while the U.S. troops as soon as Hood retreated took everything ... Either Hood's army stripped the place clean, or else claimant was so good a rebel that his property was left inviolate, and was for that very reason taken by U.S. troops. The former seems to be the reasonably hypothesis...."

Notes

Claimant was a railroad section hand on the Nashville & Northwestern railroad until late 1863 when he went to the farm of Henry W. Compton on Hillsboro Pike about six miles from Nashville and rented 40 acres. The taking occurred immediately after the repulse of Hood's army from Nashville in 1864. Claim was originally investigated in 1866. The 1866 witnesses "are all Irish railroad hands." Carroll gave his age as 64 in 1866 but said he was 60 in 1872. Claimant lived in Dickson Co. in 1866. When asked, "Were you a Union man?" he replied, "Yes sir. I could be nothing else because I was an Irishman ... I'm no scholar but I know they want to have a free country."

Witnesses

- Thomas Morgan (witness in 1866) age 50, says claimant worked as a pick and shovel man on the railroad. Didn't know of claimant doing

anything to show that he was a Union man. Morgan also testified in 1872, giving his age as 52, occupation trader, has known claimant 16 years, often heard claimant express Union sympathies. Morgan was examined again in 1876, gave his age as "about 50," says he worked with claimant on the railroad before the war.

- James Martin (witness in 1866) age 55, says Hood's army took two of claimant's horses but returned them. Thinks Carroll was a Unionist because he ran into Nashville when Hood's army came. Witness lives on the Widow Martin's place on Gallatin Pike. He worked with claimant on the railroad, both left to farm, witness in Humphreys Co. and claimant in Dickson Co. In 1863 they decided to go to Compton's place where they farmed together one year. Carroll was helped by "his two little boys who was plowing." Says Hood's men were infantry soldiers so they did not take anything from the farm when camped around them. Says Carroll now lives in Dickson Co. near Sneedsville.
- Henry W. Compton (witness in 1866), age 63, was claimant's landlord, saw the taking. He recovered the horses the Confederates took from claimant. "Claimant was one of a number of Irishmen who had come up from the North Western road, they were all poor people and had nothing when they came up there except perhaps some few clothes and horses. I gave them a home on my place." Hood's army camped about ½ mile from his farm, cutting him off from town.
- John Donnelly (witness in 1866), age 51, railroad contractor, has known claimant since 1861, lived near claimant in 1864, lived in Dickson Co. in 1866. Didn't know of claimant doing anything to show that he was a Union man. Donnelly testified again in 1872, gave his age as 38, a farmer, has known claimant 15 years. "Claimant is a poor, honest and industrious citizen depending on his daily labor for support of himself and family."
- James Lahey (witness in 1866), age 55, lives at Gillem Station in Dickson Co., in 1864 lived adjoining claimant at Compton's, believed everybody on Compton's place was Union including the landowner himself. Lahey

testified again in 1872 when he gave his age as 50, a farmer, he saw the property taken.

- William Coen, age 38, resides Edgefield, laborer, has known claimant 20 years

Mary E. Cowgill

Age 30; filed 1871; file consists of 87 pp. Claimed \$1,765 for five horses, corn, hay, oats and fodder.

Commissioners' Remarks:

"The claimant was a widow when she filed her claim. She has since married and her name is now Mary E. Donnelly. Her former husband died in 1863 shortly after the property was taken ... He was a resident of Davidson County, Tenn. He was a young man, his father and mother resided with him. He died leaving no children and the widow was entitled to all his personal property. The family were all thoroughly loyal. The claimant's husband and his father opposed secession and were both arrested for disloyalty to the Confederacy. Their language and reputation were that of Union men. Several witnesses testify unqualifiedly to their loyalty and there is no indication that any of them ever forfeited their allegiance to the federal union. The proof is unusually strong of the taking of the property. It was taken by a forage train from Nashville in Oct. 1862. The claimant says a scrip was given for the supplies which named 950 bus. of corn, the horses, hay, oats and fodder, which scrip was burned with her house which was destroyed by fire. There is other proof as to the amount of the other property taken. A portion of the corn was standing in the field - the price of this charged, as also of all the property, is altogether too high. In October 1862 army supplies were comparatively cheap. No payment has been made and we recommend the payment of \$1,098."

Notes

Claimant was born in Wilson County about 15 miles from Nashville. At the time of the taking claimant lived 11 miles from Nashville on the Lebanon Pike. In 1871 she lived 12 miles from Nashville on the Gallatin Pike. The officer who took the property was Lieut. A.A. Carter of the 5th Tenn. Cav. She remained on the elder Mrs. Cowgill's place until 1864 when she moved to her father's about 4 miles further out Lebanon Pike. Her house burned in 1870 and she lost all her papers. Confederates "run my husband away and on another occasion they came there and scared myself and the family." Her brother William Vick was in the CSA six

months and then quit. Had some relatives in the USA whose names she does not know. In 1876 she stated that she had remarried to John Donnelly about 1871. Her first marriage to Abner Cowgill was 17 May 1861, and he died 5 Aug. 1863. While her husband was being held by the rebels they brought him under guard to her father's house where she was staying, and they also went to see his mother. He escaped from the guard and hid in Alex Smitz's[?] distillery, sending word to her father that he was there. He hid in the woods near his mother's until he became worn out, and they decided to go to Nashville. They stayed there about six weeks before he died. His cousin Ophelia "Sue" Brooks was at their home when the property was taken.

Witnesses

- Thomas A. Martin, age 47, has known claimant since her childhood. About the time claimant and her husband were married he was molested and driven from his home for his Union sentiments. She came with him to the place "where I was staying as a refugee near Nashville." Witness was a captain in the rebel navy, captured at Ft. Donelson and took the oath of allegiance.
- Fielding Vick, age 57, father of claimant, now resides in Sumner Co. but in 1862 lived in Wilson Co. at the edge of Davidson Co. and often visited claimant. He spoke to Lieut. Carter about it several times.
- John Donnelly, age 38, farmer, has known claimant since 1859, saw her while making his trading circuit in that area, generally making her house his headquarters. Was there when the property was taken. Spoke with Lieut. Carter.
- A.A. Carter of Nashville testified that he took the property from the Cowgill farm. His Colonel was William B. Stokes.
- Henry and James Vick of Nashville, were present at the taking.
- Violet I. Cowgill, age over 60, mother of Abner Cowgill, late husband of the claimant. My husband died during the war, not sure whether it was before the property was taken. The farm on which we lived was left to me by the will of my father, George Slagow[?] who died many years before the war. Her son died in 1863 after the property was taken. "One day when I was at home some 20-odd rebels came to the house and asked for my husband. He was in the field

... The rebels then told me that they would give him just 24 hours to get out of the country and that if he was not gone in that time they would return and kill him." She and her husband left for Nashville, which was inside the Union lines, that day. She soon returned but he stayed in Nashville five weeks until he became ill. She went to get him, but he died a few hours after arriving home. His death occurred about the time of the battle at Laverne. "A short time after this a squad of rebel soldiers came and carried off my son into Wilson County." He later escaped and remained at home hiding out in the cedars, until he and his wife left for Nashville. Not long after she heard he was ill and went to Nashville, where she found him dying. She and the claimant brought his body home in her "carry all."

- W.E. Hagar, age 54 (in 1877), resides 12 miles from Nashville on Central Pike near where he has lived all his life. Well acquainted with G.W. Cowgill and his son Abner, whose farm adjoined his. He went to Nashville for safety and remained there throughout the war, visiting home when he could go safely with a troop of federal soldiers. "When the second election took place myself, the father and son and the father of Mr. Cowgill all started to the polls to vote against the separation of the state. Before we reached the polls we met old man Strong coming back and he told us with tears in his eyes that no one could vote at the polls against the separation ... an officer at the polls said he would not allow anyone to vote in that way. We then turned back." Mr. Cowgill and Abner would not attend militia muster and refused to give up their guns, hiding them from the rebels, until they the rebels told them they would blow their brains out. "The father came to me sick and said that he had to go home even if the rebels did kill him and he went home and then died. I also saw the son when he was driven into town. He was often at my place of business in Nashville." Mr. Cowgill's brother was killed while plowing his field, probably by rebel bushwhackers. ■

To Be Continued

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

Davidson County (continued)

Abstracted by
Gale Williams Bamman, CGSM
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Orphanage ca. 1880
from the Library of Congress' American Memory collection.

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 (continued)

Continuing St. Mary's Orphan Asylum, Davidson Co., District #9, [s.d.3,e.d.69,] p.42, lines 1 through 50, and p. 43, lines 1 through 42:

Kimsey, John: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; parents not deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.41]

Pop.Sch.: Kinnie, John, age 4, male, white, born Tenn.

Walsh, Ed: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence North Carolina; parents not deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.42]

Pop.Sch.: age 9, male, white, born North Carolina.

Donigan, Ed: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.43]

Pop.Sch.: age 8, male, white, born Tenn.

Coleman, Willie: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.44]

Pop.Sch.: age 8, male, white, born Tenn.

Mahoney, Kate: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Cairo, Illinois; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.45]

Pop.Sch.: age 16, female, white, born Illinois.

Barrow, Rose: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.46]

Pop.Sch.: Bannon, Rose, age 12, female, white, born Tenn.

Barrow, Mary: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.47]

Pop.Sch.: Bannon, Mary, age 11, female, white, born Tenn.

Gorman, John: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.48]

Pop.Sch.: German, Jno., age 10, male, white, born Tenn.

Riley, Kate: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.49]

Pop.Sch.: age 10, female, white, born Tenn.

Sullivan, Maggie: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.42,ln.50]

Pop.Sch.: age 9, female, white, born Tenn.

Bowles, Charles: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Clarksville, Montgomery Co.; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.1]

Pop.Sch.: age 10, male, white, born Tenn.

Egloff, Lou: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Tennessee; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.2]

Pop.Sch.: age 11, female, white, born Tenn.

Egloff, Sophy: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Tennessee; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.3]

Pop.Sch.: age 9, female, white, born Tenn.

Houlihan, Annie: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Knoxville, Knox Co.; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.4]

Pop.Sch.: age 10, female, white, born Tenn.

Houlihan, James: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Knoxville, Knox Co.; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.5]

Pop.Sch.: age 8, male, white, born Tenn.

Gallagher, Margaret: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Chattanooga, Hamilton Co.; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.6]

Pop.Sch.: Gallagher, Mg't., age 17, female, white, born Ireland. [indexed as Gallagher, Nig't. on Ancestry.com]

Weilbruski, Lou: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Poland; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.7]

Pop.Sch.: Wulbrooks, Lou, age 9, female, white, born Poland.

Yonker, Mary: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.8]

Pop.Sch.: Yoker, Mary, age 9, female, white, born Poland.

Grey, Lena: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Laverne, Rutherford Co.; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.9]

Pop.Sch.: age 10, female, white, born Tenn.

Rose, Mary: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.10]

Pop.Sch.: age 8, female, white, born Tenn.

Hartness, Austin: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.11]

Pop.Sch.: Flastings[?], Austin, age 10, male, white, born Tenn.

Cabler, Clara: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.12]

Pop.Sch.: age 20[sic], female, white, born Tenn.

Clarissa, Carolina: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.13]

Pop.Sch.: Caverman[?], Cali, age 12, female, white, born Tenn.

Clarissa, Julius: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.14]

Pop.Sch.: Caverman[?], Julia, age 7, female, white, born Tenn.

Clarissa, Louis: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.15]

Pop.Sch.: Caverman[?], Louis, age 5, male, white, born Tenn.

Williams, Ed: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence New Orleans, Louisiana; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.16]

Pop.Sch.: age 9, male, white, born Louisiana.

Carter, Will: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Laverne, Rutherford Co.; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.17]

Pop.Sch.: age 10, male, white, born Tenn.

Saunders, Eugene: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.18]

Pop.Sch.: Saunders, _____[illegible], age 6, male, white, born Tenn.

Vaughn, Olive: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Winchester, Franklin Co.; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.19]

Pop.Sch.: Vaughn, Oliver, age 11, male, white, born Tenn.

Vaughn, Fred: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Winchester, Franklin Co.; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.20]

Pop.Sch.: age 9, male, white, born Tenn.

Manning, Mary: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; abandoned by parents; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.21]

Pop.Sch.: age 16, female, white, born Tenn.

Manning, John: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; abandoned by parents; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.22]

Pop.Sch.: age 10, male, white, born Tenn.

Manning, Margaret: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; abandoned by parents; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.23]

Pop.Sch.: age 7, female, white, born Tenn.

Manning, Ed: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; abandoned by parents; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.24]

Pop.Sch.: age 5, male, white, born Tenn.

Miles, Estelle: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; parents surrendered control to the institution; illegitimate; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.25]

Pop.Sch.: age 4, female, white, born Tenn.

Quinn, Mike: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum;

residence Clarksville, Montgomery Co.; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.26]

Pop.Sch.: age 5, male, white, born Tenn.

Quinn, Pat: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Clarksville, Montgomery Co.; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.27]

Pop.Sch.: age 3, male, white, born Tenn.

Thompson, Andrew: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; parents deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.28]

Pop.Sch.: age 10, male, white, born Tenn.

Clarke, John: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Chattanooga, Hamilton Co.; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.29]

Pop.Sch.: age 11, male, white, born Tenn.

Clarke, Cath.: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Chattanooga, Hamilton Co.; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.30]

Pop.Sch.: age 9, female, white, born Tenn.

Clarke, Thom: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Chattanooga, Hamilton Co.; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.31]

Pop.Sch.: age 7, male, white, born Tenn.

Clarke, Margaret: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Chattanooga, Hamilton Co.; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.32]

Pop.Sch.: age 8, female, white, born Tenn.

Clarke, Mollie: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Chattanooga, Hamilton Co.; mother deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.33]

Pop.Sch.: age 2, female, white, born Tenn.

Hallarey, Mike: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Ireland; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.34]

Pop.Sch.: Hallary, Mike, age 7, male, white, born Ireland

Hallarey, Josephine: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Ireland; father deceased; admitted 1879. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.35]

Pop.Sch.: Hallary, Josephine, age 9, female, white, born Ireland.

O'Donnald, Kate: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; admitted 1880. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.36]

Pop.Sch.: age 10[?], female, white, born Tenn.

O'Donnald, Mary: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; admitted 1880. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.37]

Pop.Sch.: age __[blank], female, white, born Tenn.

Cormandy, Kate: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; admitted 1880. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.38]

Pop.Sch.: age 10, female, white, born Tenn.

Cormandy, Bridgette: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; mother deceased; admitted 1880. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.39]

Pop.Sch.: age 8, female, white, born Tenn.

Marr, Willie: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; father deceased; admitted 1880. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.40]

Pop.Sch.: age 4, male, white, born Tenn.

Binarch, Sarah F.: Homeless Children Schedule; enumerated Davidson Co., St. Mary's Orphan Asylum; residence Metropolis, Illinois; admitted 1880; arrested for murder and convicted. [s.d.3,e.d.69; see Pop.Sch.p.43,ln.41]

Pop.Sch.: Binnarch, S. F., age 2, male, born Illinois.

[end of listing for St. Mary's Orphan Asylum]

Obituaries from the *Nashville American* of 1900

Following are a few examples of Nashville obituaries copied by Clarence Campbell. Mr. Campbell was for many years a daily visitor to the Tennessee State Library and Archives, and over a period of ten years he copied obituaries from Nashville and Memphis newspapers. Hand-copied onto small squares of notebook paper, the Nashville project includes more than 30,000 entries dating from 1850 to 1913. After Mr. Campbell became too ill to continue the work, volunteer Peggy Sides took his materials and began transcribing the records into a database. She has spent four years on the project and has entered 26,700 records so far. The information will eventually be shared with the public through the web page of the State Library & Archives.

Thursday, 17 May 1900. **Col. R. W. Pitman**, a gallant soldier, died Tuesday night at the Confederate Soldiers' Home. Death was due to a paralytic stroke received some time ago. He was 64 years of age.

Wednesday, 23 May 1900. **John C. Pritchett**, an ex-Confederate soldier, died yesterday at his home eleven miles out on the Nolensville pike. He was 68 years of age. He was a member of the Third Texas Regiment.

Sunday, 18 November 1900. At his home on South Cherry Street, on Nov. 13, **Capt. James W. Patton**, well and favorably known throughout the city. Funeral services at the Central Baptist Church to-day (Sunday), Nov. 18, at 2:30 p. m., conducted by Revs. J. B. Erwin and G. A. Lofton. The friends of the family and the friends of his brother, Joe B. Patton, formerly of this city, but now of Rome, Ga., are respectfully invited to attend. Pall-bearers from Smiley Lodge No. 90, I.O.O.F. Internment at City Cemetery. Carriages at Cornelius & Co. Zanesville, O., papers please copy.

The Funeral of R. H. Gardner, Esq.

From the Nashville *Sunday Journal*, Sept. 23, 1883

Anita Coursey of the Tenn. State Library & Archives provided the *Journal* with a copy of this obituary, which may be said to define the word "flowery." From a genealogical point of view, it is a disappointing death notice. Although it is long and complimentary, it really tells us nothing about the deceased except his age. Perhaps the reporter merely crept into the church after the service and inventoried the flowers!

"The Funeral of R.H. Gardner, Esq., was largely attended at the First Presbyterian Church at 11 a.m. The many friends of the deceased and his family and the large connection of relatives filled the sacred edifice to pay the last sad tribute to the departed citizen. The funeral services were conducted by Rev. J.H. McNeilly and were of a solemnly impressive character. Rev. Wm. Graham, of Christ Church, assisted in the services. The choir rendered the voluntary, "Thy Will be Done."

"The pall-bearers were Messrs. A. G. Adams, Jas. M. Hamilton, James Whitworth, Joe B. O'Bryan, C.W. Peden, Jno. Overton, J.R. Green, K.J. Morris and A.S. Colyar.

"The flowers sent by friends as tokens of sympathy with the bereaved family were of the most beautiful description and seldom seen in such quantities. The deceased was a citizen of such prominence and influence that the casket was laden with these tributes and the pulpit and altar rails almost covered with superb designs. The Tennessee Manufacturing Company sent a massive anchor, two and a half feet in height, composed of the rarest flowers, which occupied a conspicuous place on the altar. On the opposite side was a large cross of exquisite make sent by Mrs. Geo. S. Kinney. The Misses Lizzie and Jennie Brown sent a large pillow, with the word "Rest" in purple immortelles. Mrs. Geo. W. Fall's remembrance was a large sickle around a sheaf of wheat. Mrs. John W. Thomas' sympathy was expressed in a shapely harp. Mrs. Mat. McClung sent a handsome easel made of the rarest of flowers; resting upon it was a beautiful star. Mrs. L.F. Benson expressed condolence with a lyre. A Maltese cross was sent by Mrs. John Overton, a star by Miss Maxwell, and an anchor by Mrs. John M. Thompson. Mrs. Paschal sent an elegant cross. Miss

Alice Hensley presented a lovely star; Miss Ittie Kinney, a star; and Mrs. G.P. Lipscomb, an anchor. Besides those mentioned were innumerable pillows, stars, crosses, anchors, reapers and in fact every conceivable kind of design, composed of the loveliest of flowers, the perfumes of which floated over the sleeping dead – fit tokens and emblems of the translation to an upper and better kingdom.

"A long line of carriages filled with friends and relatives followed the remains to Mt. Olivet.

"Resolutions of respect were passed by the Fourth National Bank, the Tennessee Manufacturing Company, and by the merchants of the city. The deceased had lived to the ripe old age of seventy-five years, and had lived in Nashville since his earliest manhood."

What the 1880 census reveals about R. H. Gardner

The 1880 census of Davidson County lists Robert H. Gardner, age 72, a retired merchant, as one of many residents of a large hotel operated by Edwin Chapin (a native of Massachusetts).

Listed next to Gardner is Margaret Gardner, age 59, who was probably his wife. Robert Gardner was born in Tennessee, but his father was from Virginia and his mother from South Carolina.

Among the other residents in Chapin's hotel were John Wynne, a gambler, lawyers Jere Baxter and John M. Dickinson, the Superintendent of the Tennessee Coal & Iron Railroad, John McTyeire, and Governor Albert S. Marks.

1880 U.S. census, Nashville, Davidson Co. Tenn., population schedule, enumeration district (ED) 37, p. 41 (penned), dwelling 202, family 361; digital image by subscription, *Ancestry.com* (<http://www.ancestrylibrary.com> : accessed 20 December 2007); from National Archives microfilm T9, roll 1249.

Middle Tennessee Supreme Court Records

Third Series

by Gale Williams Bamman, CG
and Joan W. Pruett



Supreme Court Records, Box 79,
Middle Tennessee, 1845

**John W. Hagen & others vs
Thomas H. Bradford & others**

*Original Bill heard in
Williamson County Chancery Court*

(Continued from vol. 21 #3)

That the said Edward Bradford was the Executor of the last will and testament of their mother, as their testamentary guardian, and had also been appointed their guardian by the county court of Davidson and that they lived in the State of Mississippi, and further that they thought it would be manifestly to their interest, benefit and advantage that all the land aforesaid should be sold

Depositions of Wm. M. French & James H. Rhodes: ... that the land should be sold ... and the court so directed and appointed Robert A. Campbell as commissioner to carry said decree into execution.

Your orators further state that afterwards on the __[blank] of December 1840 that the said Thomas H., Martha & James Bradford by their said guardian Edward Bradford filed in said court their further petition calling it a supplemental petition, stating that a tract of land about four miles south

of the City of Nashville, on what is called the old or middle Franklin Road, was omitted to be specified in their original petition, that said tract adjoined the land of Philip Shute, and had been occupied for several years by Robert Bradford as their tenant and is the place on which he died and is at present in the occupancy of Edward Smith, that it contains 100 acres and is valuable not only from its proximity to Nashville and its fertility, but on account of the buildings erected thereon ... they pray ...that it should be sold ... The petition also shewed the court they were possessed of a number of tracts of land lying in different tracts throughout the State of Tennessee and prayed that as it was manifestly to their interest that the same should be sold ... which after proof was ordered.

...that at the July Term 1841 of said court, it appeared to the court that all the lands in Tennessee should be sold & the court doth order adjudge and decree that the lands specified in this decree be sold at public auction on the premises after giving forty days notices of the time and place of sale in the Nashville Union paper ...

... that said Alfred Hume as special commissioner afsd. did on the 23rd day of October 1841 ... sell said

tract of land lying in Davidson County afsd. ... to the highest bidder and orator John W. Hagen became the purchaser at \$60 per acre upon a credit of one, two, three, four, five and six years ... and he with Gilbert Hagen, Powhatan W. Maxey, George W. Coleman and Thomas B. Coleman the other complainants, executed six several notes for \$1100 each ... all dated the 23rd day of October 1841. Said land was estimated to contain 110 acres ... It was further decreed that the said cause remain in said court until the whole of said purchase money was paid ... that orator John W. Hagen took possession of said tract of land and retained possession of it until last fall, when he sold the same to Samuel P. Ament, who is now in possession of it.

[Additional data appearing in the transcript of the proceedings of the Warren County Chancery Court, dating from the filing on 25th July 1840:]

...the Bradford minors by their guardian Edward Bradford shew ... that their father Armisted Bradford having departed this life some eight years ago who was himself the only heir at law of the said John Hopkins, dec'd, they having exhibited a large estate both real and personal in the State of Mississippi. They have tracts being

exceedingly valuable worth perhaps seventy five or one hundred thousand dollars and the negroes being near one hundred in number and other personal property exceeding perhaps in value one hundred thousand dollars besides a valuable tract of land on the Bay of Saint Louis in the State of Mississippi ... that the whole of their interest lies in said State of Mississippi with the exception of the lands hereafter to be mentioned ... They further shew that their guardian has them temporarily in Tennessee in the City of Nashville going to school ... They shew that the lands which have been assigned to them are scattered over the State of Tennessee from Weakley County ... to the County of Grainger, that they are principally small detached pieces of land separated at great distance from each other .. and think it manifestly to their interest ... that the lands should be sold ... and the same be vested in some more profitable way to await their coming of age. The following are the lands: No.1, 250 acres in Grainger, Nos. 2—10, 4—22, 25—27, 30—33, and 36, [being] acreages in Warren, No.3, 96 acres in White, No.24—Lots 26, 30, 31, 35, 45 & 59 in the Town of McMinnville, Nos. 28—29, & 34, acreages in Coffee, No. 34 in Jacksboro, No. 36 in Gibson, No. 37 in Lauderdale, No. 38 in Weakley.

... and at the July Term 1840 of the said court the following decree was made: ... proof to be taken as to the condition of the land and other property of the petitioners in Mississippi, their lands in Tennessee, and to report upon the proof whether it is manifestly to their interest whether the land in the

pleadings mentioned should be sold or not ...

Supreme Court Records, Box 80
Middle Tennessee, 1840

Cunningham vs Wood et al

*Original Bill heard in
Bedford County Chancery Court*

On 29th September 1840 Martha Cunningham filed her Bill of Complaint against William Wood, Smith Bowling, Alexander Eakin, Robert Moffat and Giles R Bowers, to wit: your Oratrix, Martha Cunningham, a *feme covert*, who sues by her next friend Jane[sic] H. Cunningham ... represents that her father, John Bagley, at the time of his death, which was some few years ago, bequeathed to her for her own separate use a negro man by the name of Lewis, that said Bagly in fact made his will sometime before his death, and in pursuance of the above provision said negro was delivered to your oratrix ... that said negro was sold by her for the sum of twelve hundred dollars, and that with four hundred of that sum she directed her son-in-law Giles R. Bowers to purchase a negro girl named Malinda from one Solomon Bowers, which he accordingly did, but took a bill of sale therefore in his own name and has never conveyed the said negro girl to your Oratrix; in consequence thereof the legal title is still in said Giles R. Bowers, and liable at law for the payment of his debts as she is advised and believes.

...further sheweth ... that said Giles R. Bowers has become embarrassed in his pecuniary circumstances and said negro girl has been levied up as

the property of said Giles R. by one William Wood, a constable for Bedford County, and by Smith Bowling, also a constable for said county, and is ... advertised to be sold on the 3rd day of October next... That the firm of Eakin & Moffat, composed of Alexander Eakin and Robert Moffat, are plaintiffs in one of the executions.

Oratrix is a citizen of Bedford County, as are Wood, Smith Bowling, and Eakin & Moffat and prays they be made defendants to this Bill....

Whereupon on the 30th of December 1841 the following supplemental Bill was filed ... The Bill of Complaint of Richard Cunningham and Martha his wife, Rector Haggard & Martha (or Patsy), his wife, Benjamin Shepherd & Margaret (or Peggy), his wife, William Rowton and Jane his wife, and Angelina Cunningham, a minor who sues by her father and next friend, Richard Cunningham and of James Cunningham, against William Wood, Smith Boling, Eakin & Moffat, and Giles R. Bowers and Mary Ann, his wife, Defendants ... Martha (or Patsy) Cunningham by her next friend Jane Cunningham ...

...that Oratrix, Martha Cunningham, by her next friend Jane Cunningham filed her original bill on 29th September 1840 ... alleging that John Bagly, her late father, by his last will and testament bequeathed to her, to her separate use, free from the control of her husband a negro man named Lewis ... prays for an injunction ... that the title may be divested out of said Bowers and vested in Oratrix, or in a trustee for her use ...

Will of John Bagby: State of Georgia, Gwinnett County. ...I John Bagby of the state and county aforesaid ... being aged and bodily infirm ... I bequeath unto my beloved wife, Ellinor Bagby, so long as she shall live, two negroes, Becca, about forty years old, and Isabel, daughter of said Becca, about five years old, and the lot of land I now live on ... along with their increase ... At my wife's death ... I bequeath the land and said two negroes, with their increase if any unto my son Edmond Bagby, my son Thomas Bagby, my daughter Patsy and children herein named Patsy, Peggy, James, Jane, Mary Ann, and Angeline, and my daughter Margaret, now Margaret Arnold to have one hundred dollars, then the balance to be equally divided between them all, or their representatives, share and share alike... I bequeath to my son Edmond the negro girl Sarah and her increase, to my son Thomas a negro boy Berry, to my daughter Margaret Arnold a negro boy Dave, to my daughter Patsy Cunningham and her children above named a negro boy Lewis for them and each of them, or the husbands or representatives of each and either of them to have and to use and enjoy the benefit, right and title ... in fee simple ... I constitute and appoint my sons Edmond Bagby and Thomas Bagby and my neighbor William Montgomery my executors ...this 2nd January 1836.
[signed] John Bagby. Witness: John Wynn, James Brown, John (his A mark) Austin.

Supreme Court Records, Box 80,
Middle Tennessee, 1840

**William B. Young
vs Thomas T. Watson**

*Original Bill heard in
Dickson County Chancery Court*

On the 2nd day of October 1840, William B. Young filed his original Bill, to wit ... Your Orator William B. Young a citizen of Dickson County in State of Tennessee ... sheweth that on 9th January 1834 he executed to one M. A. Martin a deed conveying ... a tract of land on the waters of Grice's Creek in Stewart County ... devised to your orator by his Uncle Randolph Leak, and four negroes, Anthony Jack Maria and Billy ... in trust, that should Orator fail to pay to the said Lewis Hyer twelve hundred and ninety dollars with interest on or before the first of January 1836, then the said Martin ... should sell at auction ... and apply proceeds to the payment of the costs and charges of executing said trust and the balance to the payment of said Hyer's debt ... This deed of trust was duly proven and registered in the Counties of Stewart & Dickson in the State of Tennessee ... Orator has been informed that one Wm. K. Turner pretending to have some authority from the said Martin & Hyer without the consent of Orator has ... sold the property at a great sacrifice and loss to your Orator ... The property sold was subject to a life estate of one Charlotte Dunlap an old woman of feeble health and constitution. At this pretended sale made by said Turner the tract of land on Grice's Creek worth about six hundred dollars was sold to one John Kizer at two hundred dollars, the negroes Maria & Billy worth

about one thousand dollars were sold to Willis Morgan for about two hundred dollars, and Anthony and Jack, worth about eighteen hundred dollars were sold to Thomas T. Watson for four hundred dollars ... Orator has been informed and charges that the said Thomas T. Watson immediately after the sale made some sort of contract or agreement with said Charlotte Dunlap ... by which she relinquished to said Watson her title for life to the boy Anthony, and said Watson relinquished to her his reversionary interest in the boy Jack ... Orator charged that said Charlotte Dunlap since the contract ... has run the said Jack to parts unknown to your Orator and has sold him for eight hundred dollars...

The reversionary interest of your Orator in said slave is thus entirely lost to him by the misconduct of the said Charlotte Dunlap ... that the said Martin & Hyer both resided in Montgomery County and the property ... was pretended to be sold in Stewart County ... prays that the said John Kizer, Charlotte Dunlap and Thomas T. Watson citizens of Stewart County, Willis Morgan & Wm. K. Turner citizens of Montgomery County may be made parties defendants to this Bill ...

Supreme Court Records, Box 80,
Middle Tennessee, 1843

**George W. Perkins
vs Daniel P. Perkins**

*Original Bill heard in Williamson
County Circuit Court*

On 13th November 1843 the following was filed ... to wit:

Affidavit – George W. Perkins vs Daniel P. Perkins ... that Perkins is ... an inhabitant of the State of Mississippi ... dated 29 June 1839. Bond – George W. Perkins & Robert P. Currin, all of Williamson County, Tennessee. ... bound unto Daniel P. Perkins in sum of eight thousand three hundred and forty dollars ... this 28 June 1839. The condition: ... George W. Perkins hath ... prayed an attachment at the suit of himself against the estate of the above named Daniel P. Perkins for the sum of \$4170.00 ...

Wednesday 4th August 1841. The death of the defendant in this cause is suggested to the court ...

Friday 19th November 1841 ... that Jonathan Rothrock hath taken out letters of administration upon the estate of the said Daniel P. Perkins ...

On 18th June 1842 a writ of *scire facias* issued ... to wit: To the Sheriff of Williamson County ... whereas ... an attachment ... was levied upon one negro woman named Aggy, one negro boy named Marshall, one named Peter, one named Pinkney and one Daniel and on one tract of land in Williamson County on Big Harpeth ... 700 acres ... sheriff commanded to make known to the said James W. Perkins William P. Perkins Hardin Perkins Nicholas Perkins Nancy G. Marr, Robert McLemore, Abraham McLemore Daniel J. McLemore Mimikin[?] H. McLemore Mary E. McLemore Leah A. McLemore Margaret B. McLemore William Collins & Darius Phelps the terms of this writ and summon them to appear ...

[Sheriff reported that he] executed [the same] by making known the contents to J. W. Perkins. W. P. Perkins, Hardin Perkins, Nicholas Perkins, and Nancy G. Marr not being residents of this state, this *sci fa* has not been executed upon them. R. McLemore A. McLemore, M. H. McLemore Mary E. McLemore Leah A. McLemore and Margaret D. McLemore do not reside in this county and *sci fa* is not executed upon them & not executed on Collins & Phelps. [signed] W. Harrison, Shff.

Wednesday 30th November 1842. It appearing to the satisfaction of the court that the McLemore defendants are infants under the age of twenty one years and have no general guardian. The court therefore appoints William Anderson guardian *ad litem* for them

Supreme Court Records, Box 80,
Middle Tennessee, 1844

**Butcher's Administrator vs
Joseph Ramsey, James H. Stone,
and G. Mears**

*Original Bill heard in Cannon
County Chancery Court*

February 1844 ... Bill of Complaint of John Martin, Administrator of Richard Bucher [sic], dec'd. with the will annexed shews that some time in the year of 1841 Richard Bucher departed this life in Cannon County, Tennessee and your orator was appointed his administrator ... that the said Bucher died possessed of his own right and property of a negro boy named Daniel about 16 years old ... that the said Ramsey, Stone and Mears came to his house on 14th September 1842 and

pretending to have executions against one Henry Kersy they fraudulently took out of his possession the negro boy named Daniel ... These are therefore to command you ... to desist from selling or interfering with said negro boy Daniel ... and you are hereby strictly enjoined not to sell or interfere with said boy Daniel until the further order of our said court ...

The joint and separate answer of Joseph Ramsy, James H. Stone and Goodbury Mears, Defendants ... admit that ... it is true that said negro boy once belonged to complainant's intestate the said Butcher and that he was raised by said Butcher, But respondent avers that long before the death of said Butcher to wit on the 29th of May 1840 the said Butcher by a deed of gift ... a certified copy of which is herewith filed ... conveyed said negro boy Daniel to Elisabeth Kearsey his daughter and the wife of Henry Kersy ... and that said Kersy by virtue of his marital rights took possession of said negro and has never parted with such ownership to said Butcher or to anyone else. About the 15th of September 1842 the said Stone and Mears who are ... constables of Cannon County did go to the house of Complainant having several executions in favor of said Joseph Ramsy (or rather in favor of Archibald Rains[?] F. Coleman and S. Stephens) which said Ramsy had bought and the proceeds of which he was entitled to against said Henry Kersy and levied the same on said negro boy as the property of said Kersy.

Respondents ... say at the time of Butcher's death his estate was

worth several thousand dollars and that the debts and liabilities of said estate did not in all exceed three hundred dollars ...

Exhibit: For the love that I entertain for wife Martha Butcher I do hereby give transfer and convey to her a part of two tracts of land in Cannon County, Tennessee, District no. 9 ... including all my houses and spring and 100 acres of land ... also one negro man named Martin ... and negro woman named Lucy ... [signed] Richard (his x mark) Bucher.

Exhibit: For the love and affection I entertain for my daughter Lucy Elisabeth wife of Jas. English I do hereby give ... a negro girl ... named Liddy, also a certain yellow boy named George ... this 27 May 1840. [signed] Richard (his x mark) Butcher. Witness: Joseph Banks, G. W.[?]. Butcher.

November Term 1841 ... appeared in open court Joseph Banks, one of the subscribing witnesses ... and also appeared Alexander Blanton ... who says that he was acquainted with the said G. W.[?] Butcher, the other subscribing witness, and that he is now dead and that he has seen him write and he believes the foregoing signature purporting to be his is genuine ... this 1 November 1841 ...

Exhibit: For the love that I entertain for my daughter Patsy Martin the wife of John Martin I do give ... a certain negro man named Loo[?] also one other negro named Elijah ... also a negro girl named Mahala ... this 27th May 1840. [signed] Richard (his x mark) Butcher. Witnesses: Joseph Banks, G. M.[?] Butcher.

Exhibit: For the love ... for my daughter Elisabeth Kersy wife of Henry Kersy I do hereby give and transfer to her and the heirs of her body a certain negro girl named Milly, also a negro boy named Daniel ... this 27 May 1840. [signed] Richard (his x mark) Butcher. Witness: Joseph Banks, G. W.[?] Butcher.

Supreme Court Records, Box 80,
Middle Tennessee, 1844

**Heirs of Robert Parrish
vs Doyle & Marshall**

*Original Bill heard in Williamson
County Chancery Court*

On 7th day of September 1843 a bill of complaint was filed ... to wit: the Bill of Complaint of James Herron and Rhoda R. his wife of County of Lafayette in State of Mississippi and Robert E. Parrish, Sarah P. Parrish of the County of Tallahatchie in said state and Elisha A. Parrish of the same county and state, a minor who sues by his next friend James Herron, and John B. McEwen of the County of Williamson, State of Tennessee, Administrator of Susan G. C. Herron, dec'd.

... Your Orators and Oratrixes ... shew that in the year 1827 Robert Parrish the uncle and uncle-in-law of your Orator and Oratrixes, other than Orator John B. McEwen, departed this life in the County of Williamson, having first made and published his last will and testament and that at the October Term of the Court of Pleas and quarter Sessions for said county 1827 the said will was duly proved, and Matthew M. F. Parrish, the father and father-in-

law of Your Orators and Oratrixes qualified as Administrator with said will annexed ... By the said will the said Robert Parrish devised and bequeathed all his property both real and personal together with his interest in his mother's dower to the children of his brother the said Matthew M. F. Parrish, who in said will is described as his brother Fountain Parrish by which name the said Matthew M. F. Parrish was most usually known and called ... The said Matthew M. F. Parrish had at the time of the ... probate of said will as well as at the time of the death of said Robert Parrish, the following children ... to wit, Rhoda R. Parrish who sometime afterwards intermarried with your Orator James Herron, your Orators and Oratrixes Robert E. Parrish, Susan P. Parrish and Elisha A. Parrish and one other daughter named Luranna G. C. Parrish who afterwards intermarried with one Samuel F. Herron and is since dead having had by her said husband two children, to wit, Mary P. and Fountain P. Herron who are minors ... as well as the said Samuel P. Herron ... all of the above named children of said Matthew M. F. Parrish were at the time of the death of said Robert Parrish minors of tender years and one of them the said Elisha A. Parrish is still a minor...

...further shew that said Robert Parrish died possessed among other property of a certain negro boy named Michael which passed under his aforesaid will ... that the said boy Michael came to the hands of said Matthew M. F. Parrish as Administrator of said Robert Parrish with such will annexed ... who ... pretended to sell the said boy Michael to a certain Michael Doyle and appropriated the proceeds to his

own use ... without any right and power to do so ... and upon a search in the Register's Office in Williamson County no record can be found of any bill of sale or other conveyance of said boy Michael. The said negro was at the time of such sale about eighteen years old.

The death of Michael Doyle took place in Williamson County about the 14th of January 1843, he having first made and published his last will and testament, that he nominated said John Marshall and Catherine Doyle his Executor and Executrix ... that at the February Term of the County Court for said county, [they] qualified ... and returned into the county court an inventory ... in which inventory the said boy Michael is included as part of the assets of such estate and that the said John Marshall and Catherine Doyle now have the said boy Michael in their possession ...

And further represent that your Orator John B. McEwen qualified as Administrator upon the estate of Susan G. C. Heron, deceased, at the September Term 1843 of the said county court...

Exhibit A: Robert Parrish, Jr., deceased. Will. October Sessions 1827. Know all men by these presents that I Robert Parrish do make and publish this my last will and testament to wit after the payment of my just debts I give and bequeath all my property both real and personal together with my interest in my mother's dower equally to the children of my brother Fountain Parrish as well those which he may hereafter have as those he now has. In witness whereof I have hereunto set my hand and seal this 28th day of May 1827. I acknowledge this to be my last will and testament in presence of William L. North, John North ...

To which answer, Complainants filed the following Replication, to wit, the Replication of James Herron & others complainants to the answer of Catherine Doyle and John Marshall, Defendants ... that of the above named children of said Matthew F. Parrish the following have died since the death of the said Robert Parrish, to wit, Elizabeth, Susan, Sarah & Robert and that on the 4th day of November 1844 John B. McEwen obtained from the county court of Williamson County

letters of administration *de bonis non* upon the estate of said Robert Parrish with his said will annexed ...

In the Chancery Court at Franklin October 11th 1844 ... it is agreed between the Complainants and the Defendants that the following is a true statement of facts and the same may be read as evidence in this cause, viz: That Matthew F. Parrish who qualified as the Administrator of R. Parrish, dec'd. on the 8th October 1827 died in Williamson County on the 30th day of May in the year 1830. That the children of Matthew F. Parrish at the death of Robert Parrish were the following, viz: Joel, Susan, Rhoda, Robert, Sarah and Elisha, born since the death of said Robert Parrish are the following viz: Fountain & Elizabeth. The ages of all of said children are as follows: Joel 27, Susan 26, Rhoda 24, Robert 22, Sarah 20 and Elisha 19 years. The following of said children are dead, viz Fountain, Elizabeth, Susan, Sarah and Robert....

James Morton's Cotton Gin

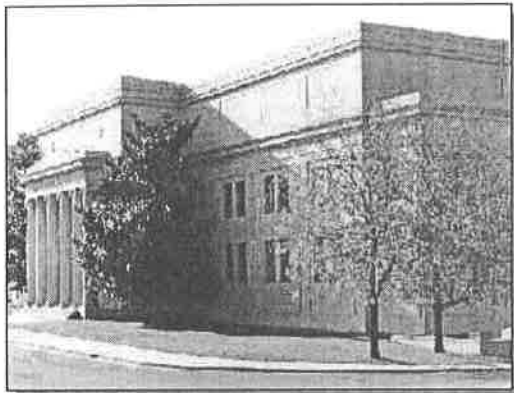


Williamson County Archives loose estate papers.
Contributed by Virginia Watson

*The Subscriber,
INFORMS the public, that he has erected a
cotton-machine
on Stewart's creek, eight miles from Jefferson, where he will gin
for the tenth part,
and press for four shillings and six pence per hundred*

JAMES MORTON, jun
November 22d, 1806

News from the State Library & Archives



by Trent Hanner and Stephanie Sutton,
Reference Librarians

The Tennessee State Library and Archives continues to add collections and improve its web site to facilitate research for its patrons. Visitors to the TSLA site, www.tennessee.gov/tsla, will notice a site redesign that was completed in Fall 2007. Along with a cleaner interface, viewers will find a "News and Updates" feature to keep patrons abreast of holiday hours and closings, new databases, and recent enhancements to TSLA's online presence.

TSLA added two major databases this fall. *America's Newspapers*, a service of NewsBank, now gives residents of Tennessee free access to the archives of four major newspapers: the *Chattanooga Times-Free Press* (December 14, 2006 - current); the *Knoxville News-Sentinel* (1991 - current); the *Memphis Commercial Appeal* (June 27, 1990 - current); and the *Nashville Tennessean* (January 1, 1999 - current). Genealogical researchers will appreciate this new database when searching for recent obituaries and other biographical information.

Another database, Infotrac's *19th Century U.S. Newspapers*, is prized by researchers for its staggering collection of historical newspapers. Nearly every state is represented with a selection of articles from newspapers published between 1800 and 1899. Tennessee publications include the *Memphis Commercial Appeal* (290 articles between 1894 and 1899) and the *Weekly Nashville Union* (97 articles between 1845 and 1847). Other searchable newspapers include the Alaska Territory's *Aurora Borealis* (1899), the *New England Weekly Review* (1828 - 1841), and the *South Carolina Temperance Advocate and Register* (1841 - 1847), to name just a few of the 200 titles available. *19th Century U.S. Newspapers* and *America's Newspapers* may be accessed at TSLA or by Tennessee residents from their personal computers. Contact the reference desk for the password necessary to login from home.

Since our last update in the quarterly, we've also added the 1922 and 1923 state-wide death indexes to the TSLA site. Genealogists can now search Tennessee death indexes from 1908 - 1912 and 1914 - 1923 on-line.

While TSLA expands its offerings online, the more traditional media of microfilm and print materials are not being ignored. The following list describes a selection of the microfilm collections that have been added recently:

Mf. 1818- Virginia Campbell Johns Papers, 1858 - 1863. TSLA. .5 linear feet. 1 reel.

This collection of materials consists of a range of diverse ephemera, including letters, telegrams, church bulletins, and a pamphlet containing Robert E. Lee's farewell address, among many other items.

Mf. 1849 - United Daughters of the Confederacy, Tennessee Division. (Volume 92, Parts 1 & 2) 1 reel. This volume contains applications for membership transfers and supplements, Sept. 2005-August 2006.

Mf. 1850 - Nancy Lawhorn Genealogical Research papers, ca. 1840 - 1987. 1 reel. This is a collection of genealogical research notes compiled by Mrs. Nancy Kirkpatrick Lawhorn that includes Bible records, handwritten notes, lineage charts, census data, newspaper clippings and articles, concerning the family names of Kirkpatrick, Wynnes, Firestone, Runyan, Higdon, and Williams.

Mf. 1851 - Descriptions of Census Enumeration Districts - Tennessee. National Archives. 5 reels.

This microfilm reproduces original volumes of the descriptions of geographic subdivisions (enumeration districts) that were used in the decennial United States censuses from 1830 to 1930 for Tennessee .

Mf. 1852 - Register of Confederate Soldiers, Sailors, and Citizens Who Died in Federal Prisons & Military Hospitals in the North, 1861 - 1865, National Archives. 1 reel. This is the 665-page register (compiled in 1912) of Confederate soldiers, sailors, and citizens who died in federal prisons and military hospitals in the North, 1861 - 1865. (See also Mf. 1044—Selected Records of the War Department Relating to Confederate Prisoners of War, 1861 - 1865.)

Mf. 1853 - Letter & Telegrams Sent by the Confederate Quartermaster General, 1861 - 1865. National Archives. 8 Reels. This microfilm reproduces 17 bound volumes of letters and telegrams sent by the Office of the Quartermaster General of the Confederate War Department during the period March 1861-January 1865, together with whatever indexes are included in the volumes.

Mf. 1854 - Records of the Office of the Secretary of the Interior Relating to the Suppression of the African Slave Trade & Negro Colonization, 1854 - 1872. National Archives. 10 Reels. Reproduced here are three bound volumes and a quantity of unbound records of the Office of the Secretary of the Interior relating to the suppression of the African slave trade and the colonization of recaptured and free slaves.

Mf. 1855 - State Department Territorial Papers, Territory Southwest of the River Ohio, 1790 - 1795. National Archives. 1 Reel. This microfilm records the bound volumes of papers of the Department of State relating to the Territory Southwest of the River Ohio.

Mf. 1864 - Burial Registers for Military Posts, Camps, and Stations, 1768 - 1921. National Archives. 1 reel. This two-volume register of burials at military posts, camps, and stations contains entries from 1768 - 1921; however, the bulk of the burials occurred between 1860 and 1890. These registers are part of the Records of the Office of the Quartermaster General, Record Group 92 (US).

Mf. 1865 - Lists of Confederate Captured at Vicksburg, Mississippi , July 4, 1863. National Archives. 1 reel. This microfilm reproduces lists of Confederate soldiers captured at Vicksburg, Mississippi, July 4, 1863.

These microfilm collections represent both purchases from the National Archives and materials that are unique to TSLA.

Finally, for those of you who enjoyed our first two Saturday workshops, it's time to mark your calendars again. We are pleased to announce our next class, *Finding Your Soldier in the War of 1812*, which will be led by archivist Tom Kanon. Tom is TSLA's resident War of 1812 scholar, so the workshop promises to be informative and engaging. *Finding Your Soldier in the War of 1812* will be held on April 5, 2008 at 10:00 a.m. Call 615-741-2764 or email reference.tsla@state.tn.us to register for this free course.

Finding Your Soldier in the War of 1812

A free seminar at the Tennessee State Library & Archives

Presented by Tom Kanon, Archivist

Saturday, April 5, 2008 at 10:00 a.m.

Seating limited; pre-registration necessary.

Mexican War Letters from Camp in 1846

Written by James Law McLaughlin



*Submitted by Virginia Gooch Watson,
Great grand niece of McLaughlin*

James Law McLaughlin was born 15 January 1823 in Nashville, Tennessee, the son of James McLaughlin of Rowan Co., North Carolina, and his wife, Mary Crawford Law of Baltimore, Maryland. James was obviously well educated and probably attended either Davidson Academy or Robertson's Academy and the University of Nashville as both his parents were well educated. He and his parents lived at 14 South Vine Street (now 7th Avenue) just south of Church Street. They attended the First Presbyterian Church in Nashville (now the Downtown Presbyterian) which was only two blocks away.

James volunteered for service and was one of about 1,000 men from Middle Tennessee chosen from the 1846 state lottery used to select men from the overwhelming number who volunteered. He was mustered in 28 May 1846 as a Private in Nashville and substituted in place of G.W. Murry by permission of Governor Brown. He served in the Nashville Blues 1st Tennessee Volunteer Infantry under Capt. B. F. Cheatham.

James's father had been a merchant in Statesville, N.C., manager and supervisor of the Washington Hotel on the west side of the Public Square in Nashville which his brother, William Hart McLaughlin owned, owner and operator of an iron furnace in Russellville, Ala, and by 1850 was a school teacher in Nashville. His uncle on his mother's side, James O. Law, was the Mayor of Baltimore, MD and his grandfather was an accountant in Baltimore in the late 1700's and early 1800's.

James was in the hospital in Vera Cruz in April 1847 and was mustered out of service on 23 May 1847 and paid for his services. He returned to Nashville and died 20 March 1848 from wounds received during the war. He is buried in the Nashville City Cemetery beside his older brother also named James Law McLaughlin who only lived 3 years and 19 days and died on 8 April 1823.

Two letters from James to his father, James McLaughlin, in Nashville have survived: the first on 1st July 1846 from Point Isabel, Texas, and the other on 1st September 1846 from Camargo, Mexico on the Rio Grande. He describes camp life, Padre Island, crowded conditions for 500 men in passage in the brig Charlotte from New Orleans, that the Mexican army was 17,000 strong at Monterrey and that Gen. Taylor expected to concentrate his forces and march against them. From the camp in Camarago, he mentions there was much illness in the camp with 3 or 4 deaths each day, that 500 men were ordered to Monterrey about 200 miles distant, that at Reynosa the Mexican army revolted and sent Gen. Paredes in chains to Mexico City and supposed Santa Anna would be his successor. J. Bullock was the only member of the Nashville Blues to have died at that time. Their regiment would leave the next day, 2d September, for Monterey; but Gen. Gideon J. Pillow was ordered to remain behind to care for the sick and convalescent. Gen. John A. Quitman of Mississippi would take command. General Quitman was appointed by General Winfield Scott as the Governor of Mexico City after storming the formidable works of Chapultepec and carried the Belen gate by assault. Quitman was twice Governor of Mississippi.

Other notables mentioned were Felix Grundy, Andrew Jackson, Louis Kossuth and Zachary Taylor.



Benjamin F. Cheatham, James McLaughlin's captain in the Mexican War, was later a Confederate General.

James said it was very hard to get paper, pen, and ink and was lucky to get them at any time he chose. In the July letter, he said he was "hurried for others are waiting to write," so evidently there was an area set aside for the men to use paper, pen and ink to write their letters. He also described how Mexican women made corn-bread.

Family members mentioned were his youngest sister, "little Bess," who was Elizabeth (Bettie), age 9 in 1846; another sister, Mary Ann; his brother, Alexander Richardson McLaughlin; and Peggy, who was his cousin, Peggy Crawford. He sent word that William and Anderson Rucker of Rutherford County were well and hearty. Close friend, Capt. Jno. Coltart, was mentioned and the July 1st letter was sent to James's father in the care of Capt. Jno. Coltart. Coltart was about the same age as James and was a Confectioner in 1850 in the 1st ward of Nashville with a real estate value of \$40,000 and a personal property value of \$2,000. He was elected in 1861 to be one of the two Councilman of the First Ward in Nashville after Andrew Johnson, Military Governor of Tennessee, proclaimed on April 7, 1862 to remove the current Mayor and Council for failure to take the Oath of Allegiance and installed those elected in 1861.

A daguerreotype of James's mother, Mrs. Mary Crawford (Law) McLaughlin, taken in Nashville about 1848/1850 shows her wearing an oval brooch at her neck. An enlargement of the brooch shows it to bear the image of a young man facing left in a high-collared coat, possibly a uniform, and which was probably the image of her son, James Law, who had recently died in 1848. It was not that of her husband. The brooch was probably a hand-painted brooch and was framed in a gold border. This was her 2d child to die and both carried the name James Law McLaughlin. The brooch did not survive, but this writer has the daguerreotype.

Letter from James Law McLaughlin

July 1st, 1846

To his father, James McLaughlin of Nashville, TN.

Letter was folded to make an envelope on which was the following:

"Point Isabel July 4 [page torn]

Jas McLaugh[lin]

N[ashville]

Care of Capt. Jno. Coltart"

Encampment near Point Isabel July 1st, 1846

We are on land once more In [har?]bour; we landed on the island [on?] which we are now encamped yesterday morning. It is a low, flat, and sandy island without a particle of vegetation on it with the exception of a few blades of round grass here & there. Water is much better than we expected to find it, in some parts it is a little brackish but by digging in the higher parts of it, the [wat]er is perfectly pure and fresh although it is somewhat[t] [w]arm. Our mode of getting water is this: we dig a _____ lous - 2 ½ feet deep then we get a barrel, knock o[ut the innar?]ds and sink it in the excavation. We left _____ us on the 7th of June after a voyage of _____ an, arrived at our anchorage nearly opposite point Isabel. Through the cupidity and utter contempt which Col. Hunt had for our comfort & lives, we were in a most miserable condition from the day on which we embarked until our debarkation (yesterday).



Mary Crawford Law McLaughlin.
Her brooch contains a portrait of her
son James.

Col. Hunt [Quartermaster] crowded 500 men into the big Charlotte when she had nothing in her but her ballast, consequently she was very nearly on her bearus' end the most of the time, and the Capt. of the vessel was in great anxiety during the whole voyage, and it is the confident belief of those who are experienced in seafaring that if we had been caught in a gale of wind the vessel would have been lost.

After we came to anchorage we remained there eight days. Doubtless you have seen cattle store away in boats for New Orleans, well if you have you can imagine our situation, for we were in the same situation. It is impossible for you to imagine how we were crowded, positively we had scarcely room to pass each other when we were standing, - you may judge how it was at night when we wished to lie down, there was not a square inch of plank in the dirty, filthy hole & on the wet deck that was not occupied in truth there was not room anywh[ere on] the whole ship for all of us to lie down, we laid ____s and on top of each other in every position imag[inable]. It is perfectly impossible for me to atte[mpt] to describe the scene of confusion and distress which prevailed aboard the ship. Most of the men (of course) were very sick & there

was no one to attend to them except a few of us who weren't sick, for Dr. Dorris is very inattentive & kept to his berth almost the w[hole] time, in truth he has become of late a byword am[on]g the troops for laziness and folly the silly fello[w] ____ly last night had to be ordered to his tent by ____ Col. As he was raising a disturbance in ____ trumpeting it about in the camp that the Philistines were upon us; He had been haased [harassed?] by some wicked fellows and he spread the alarm causing two companies to be drawn up in battle array - so much for him. I am in excellent health, so are most of the troops. The Kentucky troops left for Matamoras some days ago; it is impossible to know exactly when we will leave (we are only 27 miles from there) but it is supposed shortly. The Mexican army is 17000 strong at Monterey; the calculation is that Gen. Taylor will concentrate his forces as soon as possible and march against them. The officers of our regiment are determined to publish an insulting cara[?] against this Col. Hunt & wo[e] be to him if officer or private either comes across him, for I never saw a man or any set of men so enraged as they were at him. If you wish to address a letter to me, back it in this manner Jas. Law McLaughlin, Nash. Blues 1st reg. Tenn. Volunteers Infantry, care Capt. B. F. Cheatham; it will be sure to find us.

I hope that when you receive th[is] [Fathe]r you will all be in good health. I think of you all continually. Kiss little Bess for me and all of them. Give my respects to John Coltart. Let the boys pr____t [?] you, don't sell it unless you need to then of course do it. Your son,

[signed] Jas. [Law McLaug]hlin [page torn]

P.S. I will write ____oon [soon?] as possible although it is very hard ____[to?] get paper, pen, and ink (and he is a lucky man who can command them at any time he chooses) farewell. I have not forgotten what mother told me yet. I am hurried for others are waiting to write. -- J. L. McL.

Letter from James Law McLaughlin
Dated September 1st, 1846 from Camargo, Mexico
To his Father, James McLaughlin of Nashville, TN

Written while he was serving Co. E, First Tennessee Infantry during the Mexican War

The letter was folded to make an envelope on which was the following:

Mr. Jas McLaughlin Sen.

Nashville, Tenn.

P O Invalidated

& S Sept

[The figure "10" is in the upper right corner of the envelope]

Camargo, Mexico, September 1st 1846

Dear Father,

I have not received a letter since I left home, from any one, and I have written three to you & two to Jno. Collart. However Lieut. Bradfute received a letter from home which stated that Mary Ann & Mammy were over there & sent their love to me saying that you had received no letter from me; which is very strange since letters which I have written for others (which were mailed with mine) have been received at Nashville. (I must try & get a better pen as we have no pen knives here & it is very hard to get ink & paper)

I have been in most excellent health since I left home and remain so, but I am sorry to say that it has not been the case with our regm't; (1st) for 6 weeks they have been very unhealthy – nearly all who take sick die.

We have been here only four days. (Blues & Guards) and 3 or 4 are dying every day & more than half the regiment are sick, some slightly & other very sick.

We have received orders within the last few days to have 500 hundred picked men ready to march to Monterey the latter part of this week and accordingly, we were inspected this morning by a U.S. Officer. I am to go. Monterey is about 200 miles from Camargo, and it is said that it is a very healthy place & affords most excellent water. There are a great many young gentlemen (query) who are very homesick & sham[?] sick to keep from duty & they do keep from duty, which of course makes it harder on those who are willing to do duty. I came very near forgetting to give you a piece of news which we heard, as we came up the Rio Grande, at Roynosa; it is this, that the M. Army revolted, took Genl. Paredes prisoner & sent him to the City of Mexico in chains; it is supposed that S. Anna is his successor. You must not expect me to write you an amusing letter, giving you all the details, as it is seldom that I have the opportunity of writing (& never the convenience) & I must go on a general parade this evening for another inspection. Only one of the Nashville Blues has died since we left home (J. Bullock).

I do not believe that there will be any hard fighting unless the war is protracted & that we have to march to interior & storm their cities - which is not probable. It appears to be a part of their policy to procrastinate & retreat until most of the troops die or are taken sick. Disease is their most valuable ally (I must stop for parade).

I commenced this letter on day before yesterday, and I have not had an opportunity until now of concluding. I received your kind letter of Aug. 1st & I assure you that it was a most welcome one. I have scarcely time to finish now, as we must parade in a short time. I am very happy to hear that you are all in good health, and I again assure you that I was never in better health in my life.

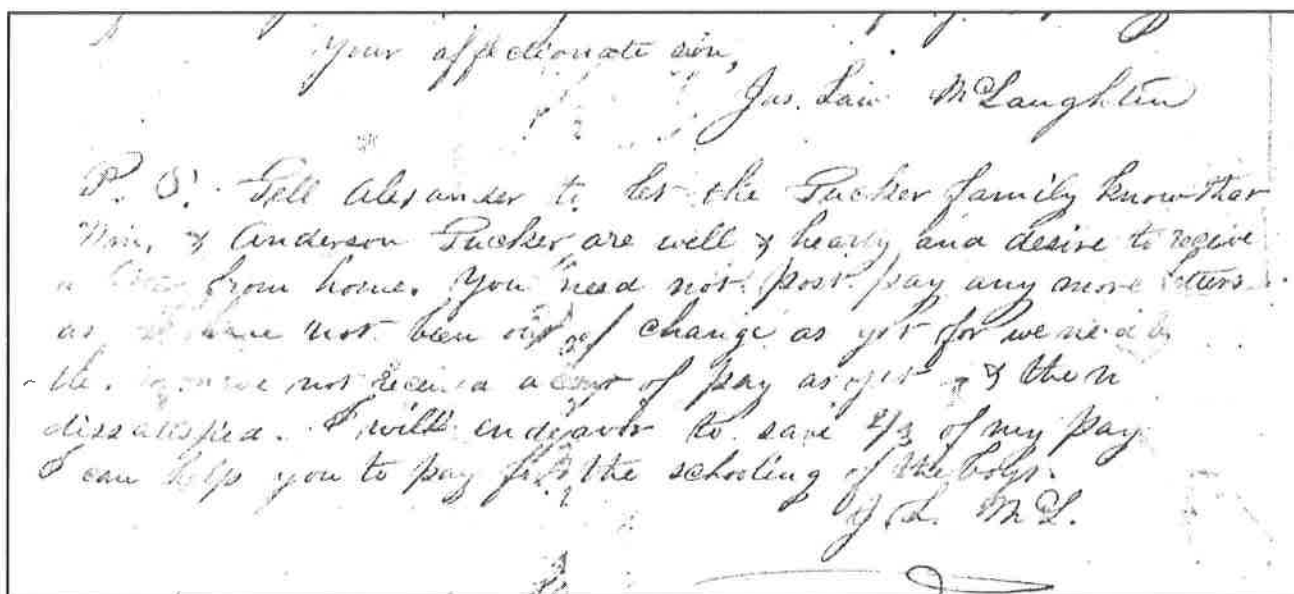
I do not know of any important news to give you; I should like however to give you a description of the country a. & c. so far as I have seen it & when I have time I will do it for at present I have scarcely time to write you a hurried letter.

Perhaps Mother & the girls would like to know how the Mexican women (for they do most of the work) make corn-bread. Well I will tell you; they boil their corn well, then on an earthen-ware stool about 2 ½ ft. in length with a concave surface, they mash the corn with a long square piece, somewhat bent, of hard burnt clay & then bake it on the hearth.

We start for Monterey on to morrow. I will endeavor to write you a letter shortly which will be worth reading. By the by I had forgotten to tell you that Gen. Pillow cannot go to Monterey as he is ordered to remain here with the sick & convalescent. Genl. Quitman of Miss. takes command. Tell Jno Coltart to write to me as soon as possible, give him my respects, & you can give him what news there may be in this letter. Kiss little Bess for me & tell her I do not forget her. And now I send my love to all, Peggy included. I should like to know something about the school. May I see you all in as good health as I left you. Good by.

Your affectionate son,
[signed] Jas. Law McLaughlin

P. S. Tell Alexander to let the Rucker family know that Wm. & Anderson Rucker are well & hearty and desire to receive a letter from home. You need not post pay any more letters as I have not been out of change as yet for we need to[part of page missing] the. We have not received a cent of pay as yet & the m[en are?] dissatisfied. I will endeavor to save 2/3 of my pay. I can help you to pay for the schooling of the boys. -- J. L. McL."



your affectionate son,
Jas. Law McLaughlin

P. S. Tell Alexander to let the Rucker family know that Wm. & Anderson Rucker are well & hearty and desire to receive a letter from home. You need not post pay any more letters as I have not been out of change as yet for we need to[part of page missing] the. We have not received a cent of pay as yet & the m[en are?] dissatisfied. I will endeavor to save 2/3 of my pay. I can help you to pay for the schooling of the boys. -- J. L. McL."

Sources & Notes:

- James Law McLaughlin's service record, *Mexican War Service Records*, Microfilm Manuscript 638, reel 2, Tenn. State Library & Archives.
- The MacLaughlin Family Papers 1779 - 1883*, Microfilm Manuscript 1269, Tenn. State Library & Archives. This collection was given by Mrs. Virginia Gooch Watson, great great granddaughter of James and Mary C. (Law) McLaughlin through their son, Henry Connor McLaughlin, brother to James Law McLaughlin. The collection contains Bible records, correspondence, genealogical data, cemetery records and pictures, photographs, sketches, vital records, county records (wills, deeds), church records, etc. for the McLaughlin and related families of Law, Crawford, Gooch, Edmondson, Gillespie, Keeble, Randolph and others in Baltimore, MD, Nashville, TN., and Rutherford, Williamson and Wilson counties in Tennessee. ■

1805 Davidson County Tax List, Annotated

Part 3 of a series

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 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.

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 is available on Manuscript Tax Lists Microfilm, roll 3, TSLA.

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

Heads of Household – The enumerator sometimes listed more than one male per household. These names were separated in the Sistlers' 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	J.P. of Company	Captain of Company	J.P. of Company
Capt. Butler	Alexander Walker, JP	Capt. Wm. Criel	Eli Hammond, JP
Capt. Richard Boyd	Josiah Horton, JP	Capt. Birdwell	Joseph Love, JP
Capt. Jos. Williamson	Thos. Williamson, JP	Capt. Philip Campbell	Robert Johnston, JP
Capt. Hail	Geo. S. Allen, JP	Capt. Jno. L. McCormack	Braxton Lee, JP
Capt. Jesse W. Thomas	Jas. Mulherin, JP	Capt. Bell	Cary Felts, JP
Capt. Wm. Mullins	Robert Thompson, JP	Capt. Rogers	Christopher Stump, JP
Capt. Barnheart	Joel Lewis, JP	Capt. Wm. R. McAdams	Wm. Donelson, JP
Capt. David Cloyd	Samuel Shannon, JP	Capt. Winfrey	Edmond Gamble, JP
Nashville Captains	E.S. Hall, JP	Capt. Jas. Benning	Willie Barrow, JP
Capt. Wm. Henry	Thos. Dillahunt, JP	Capt. Stringfellow	Wm. Anderson, JP
Capt. Liles	Robert Hewitt, JP	Capt. Dempsey Morris	Thos. Hickman, JP
Capt. Dempsey Morris	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"

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

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

Surname	Given Name(s)	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>Conger</i>	<i>John</i>	<i>1</i>		
<i>Casper</i>	<i>John</i>	<i>1</i>		
<i>Cook</i>	<i>William</i>	<i>1</i>		William Cook appears in the Register's book in 1786. In 1812 Willie Cook is listed in Capt. McAdams' militia company and William W. Cook in Capt. Hall's company.
<i>Cloyd</i>	<i>Phillip</i>	<i>1</i>	<i>1</i>	In 1812 Phillip Cloyd is listed in Capt. Boyd's militia company.
<i>Caffrey</i>	<i>John</i>	<i>2</i>	<i>3</i>	John Caffrey appears in County Court minutes in 1789.
<i>Cook</i>	<i>John</i>	<i>1</i>	<i>2</i>	John Cook appears in County Court minutes in 1786.
<i>Campbell</i>	<i>Alexander</i>	<i>2</i>	<i>1</i>	In 1812 Alexander Campbell is listed in the militia company of Capt. Campbell. He appears in the Court of Pleas records in 1789.
<i>Cabiness</i>	<i>Charles</i>	<i>14</i>	<i>5</i>	
<i>Cumpton</i>	<i>Richard & John</i>	<i>3</i>		
<i>Craddock</i>	<i>William</i>	<i>1</i>		In 1812 William Craddock is listed in Capt. Birdwell's militia company.
<i>Craig</i>	<i>James</i>	<i>2</i>		
<i>Curtis</i>	<i>James & William</i>	<i>2</i>	<i>1</i>	James Curtis appears in the Register's book in 1797.
<i>Crawford</i>	<i>James</i>	<i>4</i>	<i>1</i>	
<i>Clark</i>	<i>Solomon</i>	<i>3</i>		Solomon Clark appears in County Court minutes in 1791. In 1812 he is listed in the militia company of Capt. Liles.
<i>Caldwell</i>	<i>Samuel</i>	<i>1</i>		
<i>Catoe</i>	<i>Rowland</i>	<i>2</i>	<i>6</i>	
<i>Caggle</i>	<i>John</i>	<i>1</i>		In 1812 John Cagle is listed in the militia company of Capt. McCormack.
<i>Carman</i>	<i>Samuel</i>	<i>1</i>		Samuel Carman appears in the County Court minutes in 1800.
<i>Cromwell</i>	<i>Dozier</i>	<i>1</i>		
<i>Coldtharp</i>	<i>Norvell</i>	<i>1</i>		

<i>In Letter D To Wit</i>				
<i>Donelson</i>	<i>John</i>	<i>1</i>	<i>6</i>	John Donelson/Donaldson appears in Davidson County records in 1786. In 1812 John Donelson Jr. and Sr. are listed in the militia company of Capt. Criel.
<i>Donelson</i>	<i>Alexander</i>	<i>1</i>	<i>3</i>	Alexander Donelson appears in an estate division in 1791. In 1812 he is listed in the militia company of Capt. Criel.
<i>Donelson</i>	<i>Leven</i>	<i>1</i>	<i>3</i>	Levin Donelson appears in an estate division in 1791. In 1812 he is listed in the militia company of Capt. Criel.
<i>Donelson</i>	<i>Severn</i>	<i>1</i>	<i>3</i>	Severn Donelson appears in an estate division in 1791. In 1812 two men of that name are listed in the militia company of Capt. Criel.
<i>Dunn</i>	<i>Michael & Mackey</i>	<i>2</i>		Michael Dunn appears in County Court minutes in 1791. In 1812 men named Michael C. Dunn are listed in both Capt. Barnheart and Capt. Mackey's companies.

Surname	Given Name(s)	Free White Males	Taxable Slaves	Notes from Tennesseans Before 1800: Davidson County, and from the 1812 Davidson County list of free taxable inhabitants
<i>Dyer</i>	<i>Joel</i>	2	12	Joel Dyer appears in the Register's book in 1788.
<i>Dyer</i>	<i>R. Henry</i>	2	5	
<i>Duffell</i>	<i>John Sr.</i>	1	7	John Duffell appears in County Court minutes in 1784.
<i>Davis</i>	<i>Elijah</i>	1		Elisha Davis appears in the Register's book in 1786.
<i>Davis</i>	<i>Samuel</i>	1		
<i>Dale</i>	<i>Joshua</i>	1	3	Joshua Dale appears in County Court minutes in 1794.
<i>Dickson</i>	<i>Malten[?]</i>	1		
<i>Dickinson</i>	<i>Jacob</i>	2	11[?]	Jacob Dickinson appears in the Register's book in 1794.
<i>Dyer</i>	<i>Baldy</i>	1	1	Baldy Dyer appears in County Court minutes in 1798.
<i>Drake</i>	<i>John</i>	1		John Drake appears in County Court minutes in 1784. In 1812 John Drake appears in Capt. Rogers' company and John Drake Jr. and Sr. appear in Capt. Morris' company.
<i>Davis</i>	<i>Benjamin</i>	1		Benjamin Davis appears in the Register's book in 1794.
<i>Douglas</i>	<i>John</i>	1	1	
<i>Davis</i>	<i>Nathan</i>	1		
<i>Davis</i>	<i>Enoch</i>	1		Enoch Davis appears in the Register's book in 1797.
<i>Dolin[?]</i>	<i>Harris</i>	1	2	
<i>Dean</i>	<i>Thomas</i>	1		
<i>Donge</i>	<i>Peter</i>	1	3	
<i>Dean</i>	<i>Polly</i>	0	2	
<i>Dean</i>	<i>Robert</i>	1		Robert Dean appears in the Register's book in 1799.
<i>Davis</i>	<i>John</i>	1	3	John Davis appears in the Register's book in 1788. In 1812 John Davis is listed in Capt. Williamson's militia company.
<i>Dupree</i>	<i>James</i>	1	1	James Dupree appears in the Register's book in 1797. In 1812 James Dupree is listed in the militia company of Capt. Boyd.
<i>Dennis</i>	<i>James</i>	1	4[?]	In 1812 James Dennis is listed in the militia company of Capt. Butler.
<i>Dunn</i>	<i>Benjamin</i>	1		In 1812 Benjamin Dunn is listed in the militia company of Capt. Boyd.
<i>Douglas</i>	<i>William & Thomas</i>	2		William Douglass appears in the Register's book in 1791. In 1812 William and Thomas Douglas are listed in the militia company of Capt. Rogers.
<i>Duncan</i>	<i>Zachariah</i>	1		
<i>Davis</i>	<i>Obed</i>	2		
<i>Drake</i>	<i>Isaac</i>	1	2	Isaac Drake appears in Court of Pleas minutes in 1784. In 1812 men of that name are listed in the militia companies of Capt. Birdwell and Capt. Rogers.
<i>Doak</i>	<i>John</i>	1	2	John Doak appears in the Register's book in 1798.
<i>Durry[?]</i>	<i>Richard & Nicely</i>	2	7	
<i>Dunham</i>	<i>John.</i>	1	1	John Dunham appears in County Court minutes in 1784. In 1812 he is listed in Capt. Mullins' militia.

Surname	Given Name(s)	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>Donnelly</i>	<i>James</i>	2	1	James Donnally appears in County Court minutes in 1785. In 1812 James Donnelly is listed in the militia company of Capt. Mullins.
<i>Dillahunt</i>	<i>Thomas</i>	1	3	Thos. Dillahunt appears in the Register's book in 1796. In 1812 Thomas Dillahunt is a Justice of the Peace in Capt. Henry's militia company.
<i>Dillahunt</i>	<i>John Sr.</i>	1	1	John Dillahunt appears in the Register's book in 1796.
<i>Dickson</i>	<i>Robert</i>	1		Robert Dixon appears in the Register's book in 1790.
<i>Davis</i>	<i>Absalom & Miles</i>	2		In 1812 Absalom Davis is listed in the militia company of Capt. Williamson.
<i>Deatheridge</i>	<i>John & Thomas</i>	5	1	In 1812 John & Thomas Deatherage are listed by E.S. Hall, J.P.
<i>Davidson</i>	<i>William</i>	1		William Davidson appears in the Court of Pleas minutes in 1785. In 1812 Wm. Davidson is listed in the militia company of Capt. Kincaid.
<i>Dickson</i>	<i>John</i>	1		John Dickson appears in the Register's book in 1786.
<i>Deadrick</i>	<i>M. George</i>	2	10	George Michael Deadrick appears in the Register's book in 1793. In 1812 George M. Deadrick is listed in the militia company of Capt. Barnheart.
<i>Demumbie</i>	<i>Timothy</i>	2	1	Timothy Demumbre appears in County Court minutes in 1785. In 1812 Timothy Demumbrun Jr. & Sr. are listed by E.S. Hall, J.P.
<i>Deadrick</i>	<i>Thomas</i>	3	3	Thomas Deadrick appears in a will in 1798. In 1812 a Thomas Deaderick is found in the list of E.S. Hall, J.P.
<i>Drake</i>	<i>Benjamin</i>	1	5	Benjamin Drake appears in County Court minutes in 1785. In 1812 Benjamin Drake Jr. and Sr. are found in Capt. Rogers' militia company.
<i>Dennis</i>	<i>Lewis & Abraham</i>	2	7	
<i>Demoss</i>	<i>John</i>	1		
<i>Davy</i>	<i>Joseph & Jehu</i>	2		Joseph Davie appears in County Court minutes in 1793. In 1812 Joseph Davy is listed in the militia company of Capt. Henry.
<i>Davis</i>	<i>Seth</i>	1		In 1812 Seth Davis is listed in the militia company of Capt. Henry.
<i>Donelson</i>	<i>William</i>	1	6	Wm. Donelson appears in Court of Pleas minutes in 1789. In 1812 William Donelson was a Justice of the Peace in Capt. McAdams' militia company.
<i>Dorris</i>	<i>William, Robert, Isaac & Thomas</i>	4		William Dorris appears in the Register's book in 1793. In 1812 William Dorris is listed in the militia company of Capt. McAdams.
<i>Davis</i>	<i>Blackamon</i>	1	2	Blackamore Davis appears in an estate inventory in 1794. In 1812 Blackamore Davis is listed in the militia company of Capt. McAdams.
<i>Davis</i>	<i>Andrew</i>	1	1	Andrew Davis appears in County Court minutes in 1785. In 1812 Andrew Davis is listed in the militia company of Capt. McAdams.
<i>Douglas</i>	<i>John</i>	1		
<i>Douglas</i>	<i>Ezekiel</i>	1	1	Ezekiel Douglas appears in the Register's book in 1793. In 1812 Ezekiel Douglas is listed in the militia company of Capt. Stringfellow.

Surname	Given Name(s)	Free White Males	Taxable Slaves	Notes from Tennesseans Before 1800: Davidson County, and from the 1812 Davidson County list of free taxable inhabitants
Dickson	James	1	1	James Dickson is in the Register's book in 1797.
Dismuke	Daniel	1	2	In 1812 Daniel Dismukes is listed in the militia company of Capt. Winfrey.
Davis	Polley	1	4	
Dillon	Thomas	5	2	Thomas Dillon appears in the Register's book in 1796.
Dew	John	1	4	John Dew appears in Court of Pleas minutes in 1789.
Drake	John	1	5	Jno. Drake appears in County Court minutes in 1784. In 1812 three John Drakes appear in the militia lists, including John Jr. & Sr.
Dill	Joab	1		
Dillahunt	Silas	1	1	Silas Dillahunt appears in a will in 1798. In 1812 Silas Dillahunt is listed in the militia company of Capt. Henry.
Downey	Jonathan, Benjn., Robt. & John	4		Benjamin Downey appears in a marriage record in 1794. John Downey appears in County Court minutes in 1798.
Dicksaon	William	1	9	In 1812 the name of William Dickson appears in the militia lists of Capt. Barnheart and Capt. Campbell.
Depriest	Samuel	1		
Duggin	Emond	1		Edmond Duigan appears in an agreement in 1794.
Divers[?]	Patrick	1		
Durratt	Joseph	2		Joseph Duratt appears in County Court minutes in 1793. In 1812 a Joseph Dural is listed in the militia company of Capt. McCormack.
Dabney	John	2	7	
Dodson	Lillen[?]	2		In 1812 Allen Dodson is listed in the militia company of Capt. Criel.
Devault	John	1		
Davis	Daniel & Elijah	2	2	Elisha Davis appears in the Register's book in 1786.
Davis	Luther	1	1	
Davidson	John	1	5	John Davidson appears in the Register's book in 1794.
Douglas	Henry	1	1	In 1812 Henry Douglass is listed in the militia company of Capt. Rogers.
Dixon	William	1		William Dickson appears in the Register's book in 1797. William Dixon appears in County Court minutes in 1797. In 1812 men named William Dickson appear in the militia companies of Capts. Barnheart and Campbell.
Davids	William	1		In 1812 William David is listed in the militia company of Capt. Rogers.
Marked on the Return thus "Total in Letter D"				
		116	175	
In Letter E To Wit				
Enoch	Gabriel, Isaac, Enoch & John	4		
Egar	John & William	2		
Evans	John	1	1	

To Be Continued



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

Part 7 of a Series
Continued from previous issue

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.

Name	Pardon or Parole	Prisoner Number	County of Trial	Year Rec'd at Prison	Year of Pardon / Parole	Notes
Mazy, Walter	Pardon	7645	Coffee	1914	1921	Box 21; 2nd degree murder
McAdams, George	Parole	7570	Rutherford	1914	1916	Box 22; Voluntary manslaughter
McAnnally, Amos	Parole	9546	Roane	1916	1919	Box 22; Petit larceny; Parole # 1421
McAuliff, Jack	Pardon	9531	Shelby	1918	1919	Box 22; Voluntary manslaughter
McBee, Sam	Parole	9750	Knox	1916	1923	Box 22; Grand larceny
McBroom, Comer	Parole	10525	Putnam	1920	1920	Box 22; Involuntary manslaughter
McBroom, Stanley	Parole	10524	Putnam	1920	1920	Box 22; Involuntary manslaughter
McBryant, Luther	Escape	9747	Knox	1917		Box 22; Grand larceny
McCadden, Ed	Pardon		Trousdale	1919	1919	Box 22; Bone dry law
McCaleb, Frank	Parole	8300	Hamilton	1915	1918	Box 22; Voluntary manslaughter; Parole # 1341
McCarley, Edd	Comm	10116	Fayette	1919	1922	Box 22; Felonious assault

Name	Pardon or Parole	Prisoner Number	County of Trial	Year Rec'd at Prison	Year of Pardon / Parole	Notes
McCarter, Isaac	Pardon		Sevier		1920	Box 22; Violated liquor laws
McCarthy, Thos.	Parole	11695	Bradley	1922	1924	Box 22; Housebreaking & larceny
McClain, P.T.	Pardon		Rutherford	1920	1922	Box 22; Petit larceny
McClain, Will	Pardon	8841	Lake	1916	1922	Box 22; 1st degree murder
McClanahan, Dave	Parole	9584	Blount	1920	1921	Box 22; Housebreaking & larceny
McClellan, A.W.	Parole	8665	Davidson	1916	1918	Box 22; Forgery
McClendon, Mac	Parole	9751	Campbell	1915	1922	Box 22; Burglary
McClurkin, Ben	Parole	7747	Marshall	1914	1922	Box 22; 2nd degree murder
McCormack, Spencer	Parole	7472	Shelby	1914	1918	Box 22; Robbery
McCoy, Ernest	Parole	10209	Washngtn	1919	1921	Box 22; Petit larceny
McCray, Emmett	Parole	10126	Davidson	1919	1921	Box 22; Voluntary manslaughter
McCreary, H.J.	Parole	12186	Shelby	1922	1924	Box 22; Attempted murder
McDonald, Alex	Parole	9473	Overton	1918	1919	Box 22; Assault to commit battery & voluntary manslaughter
McDonald, William	Pardon	9076	Shelby	1917	1920	Box 22; Murder
McDow, John D.	Pardon		Lawrence	1919	1920	Box 22; Voluntary manslaughter
McDowell, Israel	Parole	8716	Fayette	1916	1918	Box 22; Voluntary manslaughter
McElroy, Jim			Roane			Box 22; murder; protest letters in file
McFarland, Edgar		12292	Davidson	1922		Box 22; Murder; died 4-20-1924
McFarriss, George		11350	Shelby	1921		Box 22; Larceny
McGuire, S.J.	Parole	10559	Davidson	1920	1923	Box 22; Burglary
McIntosh, Chester	Parole	10258	Hamilton	1919	1921	Box 22; Grand larceny
McKay, Will		9762	Sullivan	1918		Box 22; 1st degree murder
McKinley, Monroe	Parole	10865	Shelby	1920	1924	Box 22; Larceny
McKinney, Ida	Parole	11338	Hamilton	1921	1923	Box 22; Attempt to commit a felony
McKinney, Jeff	Pardon		Lincoln	1918	1919	Box 22; Carrying a pistol
McKinney, Robt.	Parole	11290	Weakley	1921	1923	Box 22; Grand larceny
McKissie, Tom	Pardon		Davidson	1920	1920	Box 22; Violated Bone Dry Law
McKnight, Henry		11244	Chester	1921		Box 22; Arson; died 9-10-1924
McLemore, Dane	Parole	8133	Davidson	1913	1918	Box 22; Robbery
McLeroy, Bernice	Pardon		Shelby	1919	1919	Box 22; Misdemeanor
McMehan, Floyd	Pardon		McMinn	1920		Box 22; Forgery
McMullen, Henry	Parole	11546	Shelby	1921	1921	Box 22; Larceny
McNairy, Addie		11830	Davidson	1922	1924	Box 22; Petit larceny
McNally, Neff	Parole	9562	Hamilton	1917	1923	Box 22; Burglary
McNamara, Allen	Pardon		Shelby		1923	Box 22; Rape
McNeil, Velmus	Parole	7931	Fayette	1914	1919	Box 22; Horse stealing
McNutt, Boyd	Parole	506	Hamilton	1915	1916	Box 22; Burglary
Mcrary, J.D.	Parole	9359	Lincoln	1917	1918	Box 23; Assault. to commit manslaughter
Meadows, Howard	Parole	8762	White	1916	1919	Box 23; Burglary
Mears, Tom	Parole	9894	Cannon	1917	1918	Box 23; Petit larceny; Parole# 1070
Meddlin, Robt. H.	Pardon	10397	Blount	1919	1920	Box 23; Transporting liquor
Medley, Simms	Pardon	10648	Van Buren	1920	1922	Box 23; 2nd degree murder
Medlin, R.H.	Pardon	10397	Blount	1919	1920	Box 23; Transporting liquor
Meeks, Fayett	Parole	9513	White	1918	1924	Box 23; Housebreaking & larceny
Meeks, Fred T.	Pardon	11874	Knox	1922	1922	Box 23; Grand larceny
Melton, Bennie	Pardon	11321	Marshall	1921	1922	Box 23; Begetting child by wife's sister
Meridith, Henry		10072	Hamilton	1918		Box 23; 1st degree murder; died 1923
Merriam, Dollie	Parole	9404	Bradley	1917	1919	Box 23; Voluntary manslaughter
Merritt, Artimus	Parole	9735	Hamilton	1917	1921	Box 23; Assault to commit voluntary manslaughter

Name	Pardon or Parole	Prisoner Number	County of Trial	Year Rec'd at Prison	Year of Pardon / Parole	Notes
Merritt, Joe	Parole	3025	Maury	1906	1918	Box 23; 2nd degree murder
Merriweather, Emmanuel		11061	Shelby			Box 23; Petit larceny; died 6-4-22
Messinger, Alex	Parole	11307	Lake	1921	1923	Box 23; Petit larceny
Metcalf, Charles	Parole	8258	Shelby	1915		Box 23; Rape; died 1922
Mickley, Walter	Parole	9350	Polk	1916	1921	Box 23; Grand larceny
Miles, Walter D.	Parole	9425	Davidson	1918	1923	Box 23; 2nd degree murder
Miller, Amanda	Parole	8982	Hamilton	1916	1918	Box 23; Voluntary manslaughter
Miller, Charles	Parole	9741	Knox	1916	1923	Box 23; Felonious assault
Miller, Chas.	Parole	9205	Shelby	1917	1924	Box 23; Robbery
Miller, Clarence	Parole	11384	Hamilton	1921	1924	Box 23; Forgery
Miller, D.B.	Pardon	7919	Shelby	1921	1923	Box 23; 1st degree murder
Miller, Dewey	Parole	12275	Knox	1922	1924	Box 23; Petit larceny
Miller, Ed	Parole	7954	Davidson	1915	1919	Box 23; Robbery; Parole # 1483
Miller, Ed	Pardon	12062	Cocke	1922	1922	Box 23; Grand larceny
Miller, Frank L.	Parole	10200	Tipton	1919	1922	Box 23; Forgery
Miller, Jimmie		11211	Shelby	1921		Box 23; Attempt to commit 2nd degree murder; died 7-7-1924
Miller, Joe	Parole					Box 23
Miller, O.F.	Parole	8081	Shelby	1915	1917	Box 23; Petit larceny
Miller, P.B.	Parole	11730	Shelby	1922	1923	Box 23; Petit larceny
Miller, Reuben B.			Cocke	1922		Box 23; Manufacturing whiskey; petition in file
Miller, Sam	Pardon	6467	Shelby	1903	1922	Box 23; Murder
Miller, Simon	Parole	10554	Shelby	1920	1923	Box 23; Larceny
Milligan, Granvill	Parole	10334	Hamilton	1919	1922	Box 23; Grand larceny
Milligan, R.L.	Parole	12072	Hamilton	1922	1925	Box 23; Forgery
Mills, Tilman	Pardon	5591	Hancock	1910	1920	Box 23; Murder
Mink, M.R.	Parole	9625	Knox	1917	1920	Box 23; Forgery
Minkle, Oscar	Parole	2670	Knox	1918	1922	Box 23; Housebreaking & larceny
Mitchell, Ed	Pardon		Scott	1920	1920	Box 23; Disturbing public worship
Mitchell, John	Parole	9898	Hawkins	1919	1921	Box 23; Felony
Mitchell, Mark	Pardon		Davidson	1920	1920	Box 23; Carrying a pistol
Mitchell, Norman	Pardon		Smith	1917	1920	Box 23; Selling liquor
Mixon, Ronnie	Parole	11977	Madison	1922	1925	Box 24; Rec. stolen property
Mizer, Tom	Parole	9656	McMinn	1917	1919	Box 24; Housebreaking & larceny
Mode, Joe	Pardon	11489	Monroe	1921	1922	Box 24; Voluntary manslaughter
Monk, H.C.	Parole	8062	Davidson	1915	1917	Box 24; Housebreaking & larceny
Monroe, Andrew	Parole	10244	Madison	1919	1923	Box 24; Forgery
Montgomery, Charles	Parole	11754	Hamilton	1922		Box 24; Burglary; died 3/13/1924
Montgomery, Marie	Parole	9131	Dyer	1917	1918	Box 24; Assault. & battery with intent to commit voluntary manslaughter
Moody, Berry	Pardon	12198	Washngtn	1922	1923	Box 24; Conspiracy to murder
Moody, Beryl	Pardon		Washngtn			Box 24; includes petitions
Moody, Elmer P.	Parole	10396	Blount	1919	1920	Box 24; Forgery
Moody, George	Parole	8351	Maury	1915	1921	Box 24; Grand larceny
Moody, Son	Parole	10772	Lauderdale	1920	1922	Box 24; Assault to commit voluntary manslaughter
Moore, Amos	Parole	3894	Hamilton	1907	1918	Box 24; 2nd degree murder
Moore, Beverly	Parole	9078	Shelby	1917	1919	Box 24; Voluntary manslaughter
Moore, Clarence	Parole	7242	Gibson	1913	1923	Box 24; Incest
Moore, Frank		9989	Shelby	1918		Box 24; Robbery; petition in file
Moore, George			Shelby	1921		Box 24; Assault
Moore, H.F.		7939	Davidson	1914	1919	Box 24; Attempt to rob
Moore, H.J.	Parole	10127	Shelby	1919	1921	Box 24; Attempt to commit felony

Name	Pardon or Parole	Prisoner Number	County of Trial	Year Rec'd at Prison	Year of Pardon / Parole	Notes
Moore, Henry	Parole	10517	Lake	1919	1920	Box 24; Asst. to commit robbery
Moore, Joe	Parole	7434	Campbell	1913	1921	Box 24; Rape
Moore, Joe	Parole	9738	Blount	1917	1921	Box 24; Fraudulently obtaining money
Moore, John		8100	Shelby	1916	1919	Box 24; Burglary & larceny
Moore, John			Hamblen	1922		Box 24; "Bootlegging"; protest letter in file
Moore, Lee	Pardon		Sequatchie	1922	1922	Box 24; Manufacturing whiskey; petition
Moore, Mary	Parole	11613	Hamilton	1921	1923	Box 24; Attempt to commit 2nd degree murder
Moore, Seth		12781	Meigs	1923	1924	Box 24; Petit larceny
Moore, Tom	Parole	9730	Knox	1917	1921	Box 24; Grand larceny
Moore, Tom	Parole	10203	Davidson	1919	1922	Box 24; Petit larceny
Moore, Tom		10203	Davidson	1921		Box 24; Petit larceny
Moore, W. Lane	Parole	10215	Shelby	1919	1923	Box 24; Petit larceny
Moore, Will		8684	Lake	1916	1920	Box 24; Forgery
Moore, Will	Parole	11230	Shelby	1921	1925	Box 24; Attempt to commit murder
More, Pete		12740	Sullivan	1923		Box 24; Transporting whiskey; petition in file
Morelaock, Fuller	Parole	9106	Washngtn	1917	1921	Box 24; Forgery
Morelock, Fuller	Parole	9106	Washngtn	1917	1921	Box 24; Forgery
Morford, Eugene		2136	Warren	1904	1922	Box 24; Murder; 2 files
Morgan, Edd	Pardon	7772	Knox	1914	1920	Box 24; Rape
Morgan, L.L.	Parole	9743	Hamilton	1918	1921	Box 24; Burglary
Morgan, Luther			Putnam	1922		Box 24; petition in file
Morgan, Walter	Parole	8256	Shelby	1915	1921	Box 24; Robbery
Morgan, Will		9463	Haywood	1916	1918	Box 24; Bigamy
Morgan, Will			Davidson	1922		Box 24; Petition in file
Morphis, W.A.	Parole	10456	Lauderdale	1919	1922	Box 24; Bigamy
Morrell, Mike, Lode Smith, Levi Hensley			Sullivan	1921		Box 24; Transporting liquor
Morris, A.W.	Parole	9495	Shelby	1918	1921	Box 24; Petit larceny
Morris, Dave	Parole	10272	Henry	1919	1922	Box 24; Housebreaking & larceny
Morris, Frank	Parole	8940	Shelby	1916	1921	Box 24; Grand larceny
Morris, Hal	Parole	9914	Shelby	1918	1920	Box 24; Larceny
Morris, Jesse		10631	Hamilton	1920	1922	Box 24; Larceny; killed in mines
Morris, Joe		12082	Knox	1922		Box 24; Grand larceny
Morrow, Frazier	Parole	7437	Lauderdale	1913	1917	Box 24; Violated age of consent
Morrow, Oillie	Parole	10186	Sumner	1919	1920	Box 24; Petit larceny
Morton, C.E.			Davidson	1919		Box 24
Morton, Johnson	Parole	16622	Williamson	1920	1922	Box 24; Housebreaking & larceny
Morton, Moses Walter	Parole	10069	Davidson	1919	1920	Box 24; Bigamy
Mosely, Bronah	Parole	8335	Gibson	1915	1916	Box 24; Involuntary manslaughter
Moses, Martha	Pardon	10164	McMinn	1919	1920	Box 24; Grand larceny
Mosly, Jesse	Parole	7132	Carroll	1913	1921	Box 24; 2nd degree murder
Mullins, Will	Parole	9991	Shelby	1918	1922	Box 24; Larceny & receiving stolen prop.; 2 files
Mumpower, J.L.	Parole	11872	Washngtn	1922	1925	Box 24; Forgery
Munson, Joe	Pardon	10253	Shelby	1919	1919	Box 24; Voluntary manslaughter
Murphey, Pat	Parole	12673	Shelby	1923	1924	Box 24; Larceny
Murphy, Albert	Parole	8749	Lauderdale	1916	1918	Box 24; Petit larceny

To Be Continued

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

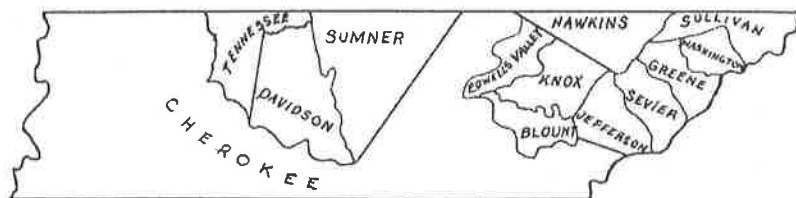
Part VIII of a Series

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Territory South of the River Ohio in 1795

(Courtesy of Sharon McCormack, McMinn County Rootsweb site.)

The following article 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 and Writs of Error

Sections 63-67 address appeals and writs of error. Both terms refer to the moving of a case from a lower to a higher court in order to review errors alleged to have been made in the lower court. Historically, the term "appeal" was associated with equity, a system of courts (chancery) that developed in England and which, among other attributes, offered remedies that were unavailable in common law courts. The term "writ of error" was associated with the review of a lower court's decision in common law courts.

Some of the following sections appear to essentially repeat other sections. It can be difficult to understand how two apparently repetitious sections of the statute fit together unless the reader understands that equity and common law were two separate systems of justice and that the Territorial legislature clearly intended both equity and law to be governed by this statute. In addition to the terms "appeal" and "writ of error," the two systems of justice had, to a considerable extent, separate vocabularies. The reader can recognize which system of justice is being addressed in a particular section of the statute by observing the vocabulary. In addition to the use of the term "appeal" in courts of equity, the term "pray" is used to mean a request to the higher court for relief ("pray an appeal"). "Pray" and "appeal" are found in sections 63 and 64, so clearly these sections address courts of equity. In section 65, however, the term "writ of error" appears, as does the term "move" [the court]; rather than "pray." This vocabulary illustrates that section 65 concerns the common law courts.

In addition to vocabulary there were many other differences between law and equity.¹ For example, upon appeal, equity traditionally reviewed alleged errors of both the facts and the law, granting a trial *de novo* at the appellate level to review the facts. In a trial *de novo* the parties again presented and defended the entire case, including testimony of witnesses, before the superior court. In contrast, review of the verdicts of common law courts was limited to errors of law; testimony was not heard again. Typical situations in which judges made errors of law were their rulings on evidence and procedure and their charge to the jury. (In the charge to the jury, the judge instructed the jury on the applicable law.)

Today the term "appeal," from equity, has survived as the common term applied to judicial review of a decision of a lower court; the term "writ of error" has virtually disappeared. Modern appellate courts have adopted the tradition of the common law courts, usually reviewing only alleged errors of law. One exception is that appellate courts today often decide whether the facts found at the trial support or fail to support the judgment rendered by the lower court.² Modern court reporting makes that review much easier and less time consuming than it was in 1794.

Sections 63-67 are very similar to the North Carolina statute establishing the courts following the Revolution.³

The Appeal; Provisions to Prevent Delay

[p. 21] Sec. 63. *And be it enacted*, That when any person or persons, either plaintiff or defendant, shall be dissatisfied with the sentence judgment, or decree of any county court, he may pray an appeal from such sentence judgment, or decree, to the superior court of law of the district wherein such county court shall be ; but before obtaining the same shall enter into bond with two sufficient securities, for prosecuting the same with effect, and for performing the judgment, sentence, or decree which the superior court shall pass or make thereon, in case such appellant shall have the cause decided against him – *Provided nevertheless*, That before the granting any appeal whatever, the attorney praying the same, shall certify to the court in writing, reasons for his motion, with his opinion that the same are good and sufficient in law why such appeal ought to be granted, which certificate aforesaid, signed with the name of the said attorney, shall make part of the record, and be transmitted, with the other transcript of the cause, to the superior court aforesaid.

Sec. 64. And whereas, from the manner in which appeals from the county courts of pleas and quarter sessions have been heretofore obtained, in numerous instances frequent injustice has happened to many just suitors, from the delay incident to the said appeals : for remedy whereof, *Be it enacted*, That when any appeal prayed shall not be prosecuted, or the court before whom such appeal may be determined, shall affirm the judgment, then shall the appellant be decreed to pay the appellee twelve and a half per cent interest, from the passing of the judgment in the county court, by which such appeal may have been granted and the bonds taken for prosecution of appeals with effect shall hereafter make a part of the records sent up to the superior court, on which judgment may be instanter entered up against the appellant and his securities ; and no appeal in any cause or court whatsoever, shall be abated by the death of either plaintiff or defendant, but may be proceeded on by application of the heirs, executors, administrators, or assigns of either.

An appeal from a county court moved the lawsuit to the superior court of the district in which the county court was located. A litigant who believed that errors had been made during his trial could appeal the judgment to the superior court, which, at least theoretically, affirmed, modified, remanded, or reversed the judgment of the county court. It is unclear how much, if any, modifying and remanding was actually done in these early courts, since appellate court reports this early in the Southwest Territory are virtually nonexistent today.

During the course of the appeal, execution upon the judgment of the county court was stayed (arrested). A stay prejudiced the appellee (the prevailing party in the lower court), since by filing an appeal, the appellant (party who appealed the judgment) was able to delay payment until the superior court issued its ruling. In a time when appellate courts were in session only twice a year, it was important to have provisions in place to control frivolous or spurious appeals. As a measure of protection, the appellant had to post bond with two securities, which secured timely prosecution of his appeal and provided a fund to pay the judgment if the superior court affirmed the lower court's decision.

In a further attempt to discourage insubstantial appeals, the appellant's attorney was required to certify (declare the truth of), in writing, the legal reasons for the appeal (the errors which he believed the county court had made) and sign the certificate. A trial court's errors might include, for example, admitting evidence which, under the law, should not have been admitted or excluding evidence which should have been admitted. In a court of equity, there might be issues of fact, as well, such as which witness to believe when testimony of two or more witnesses was not congruent. When the clerk collected the materials to be sent to the superior court, the attorney's certificate documenting the alleged errors was included in the file.

Additionally, section 64 enacted a substantial penalty, 12½ percent interest on the judgment, beginning at the time the county court's judgment was rendered. The bond, which was taken to secure the timely prosecution of the

appeal and the payment of the judgment, was required to be sent to the superior court as part of the record, so that court could order judgment and execution without delay ("instantly") against the appellant and his securities should the superior court affirm the judgment of the lower court.

At common law, the death of a party to the lawsuit abated (ceased) the lawsuit. However, this rule did not really accomplish justice, since the heirs of a deceased plaintiff should be entitled to receive whatever the decedent owned at his death, even though it might be intangible, such as a cause of action against a defendant. Likewise, it was only fair that the estate of a deceased defendant be liable for wrongs committed by the defendant during his lifetime. Section 64 provided that the successor in interest of the decedent ("heirs, executors, administrators, or assigns") stepped into the shoes of the decedent.

The Writ of Error; Provisions to Prevent Delay

Sec. 65. And because it may happen, that in issuing process, carrying on the proceedings, and rendering judgments in the said county courts, there may be error to reverse judgment, *Be it enacted*, That when any person shall be desirous to prosecute a writ of error, he shall move the county court of pleas and quarter sessions, where such suit is or hath been depending, to allow a writ of error, he first entering into 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 the court is hereby empowered and required to allow thereof, as if such writ of error should be then and there produced from the superior court.

The "writ of error" was the common law term for what courts of equity called "appeal," though the applicable procedure was somewhat different. Like a court of equity, the common law court required bond and security for prosecuting the appeal and paying the judgment. The writ of error was to be issued as a matter of right ("required to allow thereof"), not as a matter of discretion.

Records Required for Appeals and Writs of Error

Sec. 66. And for prosecuting appeals, *Be it enacted*, That when any person shall have appealed to the superior court in manner above directed, a transcript of the record of the suit on which the appeal shall be made, shall be delivered to the clerk of the superior court at least fifteen days before the sitting of the term, and shall by him be filed the same day on which he receives the same ; and if the trial of the county court was of an issue to the country, a trial *de novo* shall be had. And if on a hearing on a petition for a filial portion or legacy, or distributive share of an intestate's estate, or other matter relating thereto, a re-hearing at the superior court, without notice given by either party, and if [p.22]such transcript of the record is not filed within the time aforesaid, or if the appellant shall fail to appear, or to prosecute his appeal, then the judgment, sentence or decree of the county court shall be affirmed.

Sec. 67. And for prosecuting writs of error, *Be it enacted* That the following method of practice shall be observed : A transcript of the records and proceedings in the county court, in the suit in which any writ of error shall be granted or allowed, shall be transmitted and delivered to the clerk of the superior court at least fifteen days before the sitting of the term. And in case the plaintiff in error shall neglect to file such writ, and assign error as aforesaid, or shall fail to appear, or to prosecute the same then the judgment of the county court shall be affirmed. *Provided always*, That if it shall so happen, that there shall not be thirty days between the last day of the term or hearing in the county court, and the next term of the superior court, to which such appeal shall be made, or writ of error allowed, then such appeal or writ of error shall be continued, and a transcript of the records and proceedings shall be transmitted and filed in like manner in the office of the superior court, the term succeeding that which shall immediately follow such county court term, in which such trial and hearing shall be had as aforesaid.

Section 66 addressed appeals (equity); section 67 addressed writs of error (common law). Consistent with proceedings in equity, section 66 provided for a trial *de novo* in appeals from courts of equity in which a jury was involved ("of an issue to the country"). A rehearing on matters concerning a decedent's estate ("filial portion or legacy or distributive share of an intestate's estate") was heard *de novo* without any further notice to the parties.

Both these sections require similar materials to be transmitted to the appellate court and contain similar time requirements for filing them. At common law the "transcript of the record" included only the writ, the summons, the pleadings, the verdict and the judgment.⁴ With no court reporter to record testimony of witnesses, motions and objections of attorneys, and rulings of the judges on such matters as evidence and procedure, it was necessary to devise a method to bring these matters within the review of the appellate court. That method, although not specifically mentioned in this statute, came to be known as the "bill of exceptions," which contained, among other things, a list of the errors that were alleged to have been committed in the lower court. (See the attorney's certificate mentioned in Section 63.) In order to put the objections in context, the bill of exceptions could also include a summary of relevant portions of testimony as agreed upon by counsel for both parties. Additionally, other documents necessary to clarify the issues for the superior court (will, deed, etc.) could be included.⁵

Failure to file the transcript of the record or failure of the appellant or his attorney to appear and perform actions necessary to pursue the appeal in a timely manner resulted in affirmation of the lower court's decision, clearing the way for enforcement of the judgment against the appellant's bond.

Clerks' Responsibilities and Penalties for Noncompliance

Sec. 68. *And be it enacted*, That in every county court of pleas and quarter sessions within this territory, when any appeal shall be granted, or writ of error allowed, the clerk of such court shall immediately make up a full and perfect record of all the proceedings in such cause ; and shall, within ten days after the final adjournment of the term in which the cause shall be heard, give an attested copy of such record, with a taxation of all costs accrued, to the appellant or plaintiff in error, if required, and shall endorse on such copy the day or days on which the same may have been demanded, and the day on which it shall be delivered, and sign his name as clerk thereto. And if, by reason of the delay of any clerk, any transcript shall not be filed in time, or that the record is so erroneously or inartificially made up, that the superior court cannot proceed thereon, such clerk, in any of the said cases, shall, upon trial, be adjudged guilty of misbehaviour in office, and shall forfeit and pay, to the person entitled to such attested copy, the sum of one hundred and twenty five dollars, to be recovered by action of debt in any court having cognizance thereof ; and shall be further liable to an action on the case, for all damages which such person may sustain for want of such copy. *Provided always*, That if the judge or judges of the superior court shall be of opinion that there appears to be sufficient matter of substance in the transcript of the record and proceedings on any appeal or writ of error to enable them to proceed thereon, the same shall not be dismissed for want of form, any thing herein contained to the contrary notwithstanding.

Sec. 69. *And be it enacted*, That the clerks of the superior courts respectively, upon receiving a transcript of the record and proceedings in any suit, on which an appeal shall be made or writ of error allowed, shall give a receipt to the person delivering the same, and shall immediately endorse thereon the day on which it shall be delivered ; and if he receive it in fifteen days before the sitting of the term of the then next superior court, he shall enter it on the docket of causes for trial, and deliver to the parties such summonses for their witnesses as they [p. 23] may require ; but if such transcript shall be delivered to the clerk of the superior court within fifteen days before the sitting of such term as aforesaid then such clerk shall enter the cause on the reference docket of such court ; and if the clerk of any superior court shall refuse neglect or omit to do any of the duties

which he is hereby required to perform such clerk shall, upon trial and conviction, be deemed guilty of misbehaviour in office, and shall forfeit and pay to the appellant or or plaintiff in error, two hundred and fifty dollars to be recovered by action of debt, in any court having recognizance thereof and be further liable to an action on the case, for all damages which such appellant, or plaintiff in error may sustain by reason of such refusal, neglect or omission.

Keeping court records was a very serious and responsible task that literally meant many thousands of dollars to litigants. Only a small percentage of cases was appealed, and of those, most had large sums of money in dispute. In an effort to hold clerks of the county courts to a high standard of behavior and to safeguard litigants' rights, clerks were made liable for malfeasance by a double penalty. First, a fine of \$125.00, a significant amount of money in 1794, could be recovered from a county court clerk who did not attend to the business of making up the record in a competent manner and delivering it to the appellant within the time prescribed (ten days after the adjournment of the term during which the case was heard). The litigant had to sue the clerk ("upon trial") to recover the fine. The fact that "debt" was the prescribed method for recovery enabled a litigant to have a hearing and collect a judgment as quickly as possible following the verdict, since the amount to be recovered was not in controversy. Second, the clerk was also liable, in a civil suit, for damages that an appellant suffered by the clerk's delay, incompetence, or malfeasance in keeping, assembling, and transmitting the record. The form "action on the case," which the statute prescribed to be the form of action for the appellant to use to sue for damages, was the forerunner of today's malpractice complaints.

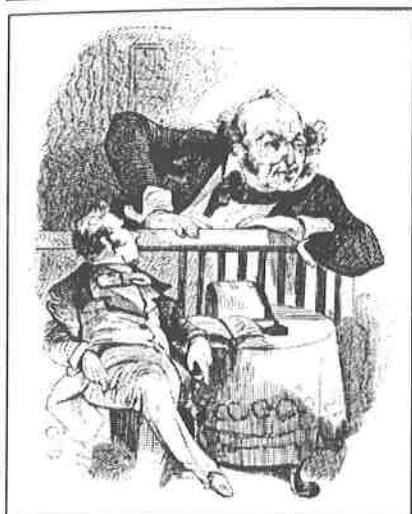
An asset that a litigant with a judgment against the clerk could tap for satisfaction of the judgment was the clerk's bond. County court clerks were, as a condition of taking office, required to post their bond of \$5,000.00, which became a tangible and liquid asset for satisfying judgments against them. (See Sec. 50 of this statute, covered in the Summer 2007 volume of this *Journal*.) A condition precedent to bringing an action based on section 68 was the inability of the superior court to proceed with the case, either because of the clerk's delay in collecting the records in advance of the term or because the record was so "erroneously and inartificially made up." If the superior court judges could proceed with review of the lower court's ruling, the clerk had no liability, in spite of poor performance.

Sections 68 and 69 applied to both appeals and writs of error; both terms were used in the body of both sections.

Section 69 provided that the clerk of the superior court was required to give a receipt for the transcript of the record, to record the date received, and to enter the case on the next superior court docket, issuing subpoenas and taking other steps necessary to the conduct of the appeal. The fine imposed on superior court clerks who failed to meet standards regarding their keeping of court records was \$250.00. The bond that superior court clerks posted when taking office was \$10,000.00. (See Section 2 of this statute, covered in the Spring 2006 volume of this *Journal*.)

To be Continued

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1. For a more comprehensive discussion of courts of equity, the reader may consult Henry Gibson's *Suits in Chancery*.
 2. Fryer, William T. and Orentlicher, Herman L., *Legal Method, Legal System*. (West Publishing Co. 1967) pp. 247-252.
 3. *Laws of North Carolina, 1777*, ch. 2, §§ 82-89.
 4. Fryer and Orentlicher, p. 248.
 5. Fryer and Orentlicher, p. 248.



To The Honorable... Petitions to the State Legislature

Forgery in White County

*Based on Petition Number 251,
Legislative Records of 1827¹
Record Group 60, Tennessee State Library & Archives*

Teenage boys have been causing trouble for their families for a long time, as indicated by this 1827 petition from two beleaguered fathers. William Sullens and Pleasant Hitchcock, boys under 18 years of age, forged some receipts for cotton. They were found out and arrested, and their fathers posted bail for them. Evidently, the boys ran away and left their fathers in debt to the court for \$500 each. As the signatures show, a large number of neighbors sympathized with the Sullens and Hitchcock families and hoped that the Legislature would do the same.

The 1830 census of White County shows that Zachariah Sullins (William's father) was a male aged 40-50 with three younger men between 10 and 30 in his household. A female aged 40-50 whom we presume to be Mrs. Sullins and four girls aged 5 to 20 are also in the family. Sullins owned no slaves. William had been in trouble before the forgery charge, as shown in the minutes of the White County Court of Pleas. At the April term of the court in 1827 William was charged with assault and battery by George Waddle and Phebe Waddle. He was found guilty of the assault on George and fined 50 cents, which was paid by Zachariah Sullins. Phebe failed to appear in court so that charge was dropped.¹

William Hitchcock, father of Pleasant, was older – the census shows him aged 60-70. In the Hitchcock household were two younger males and four young females, along with the presumed Mrs. Hitchcock, aged 50-60. William did own one slave, which may indicate that he was more affluent than the Sullins'. References in the Court of Pleas minutes to William Hitchcock as a Justice of the Peace probably refer to Pleasant's father.²

A search of the 1830 and 1850 censuses nationwide for William Sullins and Pleasant Hitchcock does not provide any entries identifiable as these two rascallions. It seems likely that they headed west and perhaps even changed their names.

Surprisingly, the Legislature was sympathetic to the plight of these two fathers. A Private Act of the Legislature was passed on November 30, 1827, to relieve Hitchcock and Sullens of their obligation.³ Apparently their

¹ U.S. Works Progress Administration [WPA], *Transcription of the county archives of Tennessee: Minutes of the Court of Pleas and Quarter Sessions of White County, 1824-1827*. (Nashville: WPA, 1941.) vol. 3, pp. 654, 658; Typescript. Tennessee State Library and Archives, Nashville.

² *Ibid.*, p. 650.

³ *Acts passed at the stated session of the Seventeenth General Assembly of the State of Tennessee, 1827*. (Nashville: Republican and State Gazette, 1827), p. 94, chapter CXIV, "An act for the relief of Zachariah Sullins and William Hitchcock."

neighbors in White County had enough political influence to help move the request along.

[Notation on front of folded page]

Petition of Zachariah Sullens & William Hickcocks praying to be released from a forfeiture taken against them at August Circuit Court in the County of White.

[Page 1]

To the Honorable, The Senate and House of Representatives of the State of Tennessee. Whereas William Sullens, and Pleasant Hitchcock, have been Indicted in White County Circuit Court for, or upon a charge of Forging some Cotton Receipts, and Zachariah Sullens and William Hitchcock their Fathers became securities in a Recognizance for each to the amount of Five hundred dollars. Which said Recognizances are Forfeited. And we have been long acquainted with said Zachariah and William. Therefore [we] state the following facts – They the said Zachariah and William are Honest, Industrious, Orderly Citizens, Poor with large families. The persons Indicted are very young neither of them Eighteen years of age – Thoughtless children – If the amount of the forfeitures should be collected it will Ruin the said Zachariah Williams. We therefore pray that they may be Remitted of all but the Costs and as in duty bound will pray [page missing?]

[page 2, column 1]

Benj. Gassaway
Wm. Usrey[?]
Nich Oldham
Joshua Hickey
Wooten Harris
James Dildime
Lea[?] Barnett
Pleasant Farley
Isham Farley
William Dyer
Samuel Dyer
Philip --ettica[?]
Isaac Bedwell
John W. Roberts
John Wilhite
Jesse Davis
John Rose[?]
Simpson Cash
Obedier[?]Lander[?]
Robert Vanbeber[?]
James Hudgens
John Lear[?]
Joseph Booher[?]



Signatures from the petition show how difficult transcription can be. What would be your guess at the second signer's name?

John Anderson
Anzia[?] Jane[?]
Archibald Connor

[page 2, column 2]

John Stapley
Robt. Hewitt
Vance Davis
William Kerr
James Russell
J.C. Hudson
A. Glasgow
Shadrach Price
Frederick Davis
Saml. Brown
Cosley Bowman
William Carberond[?]
William Warrenner
James H. Pass
Solomon K[?] Robinson
Joseph Hunter
Thoas. Williams
William Pryor
W. G. Rees[?]

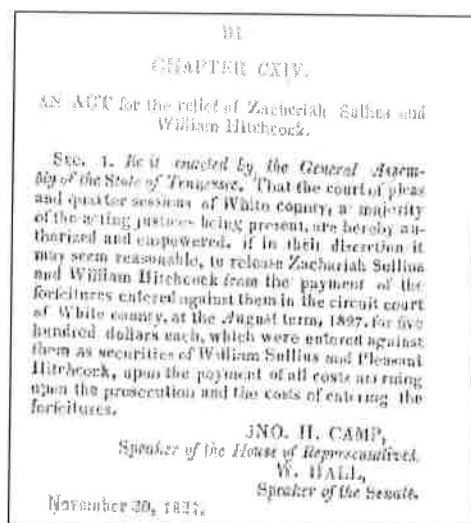
Robert Howard[?]
Larking Nelson[?]
Jesse A. Bounds
Roulen Richardson

[page 3, column 1]
Jesse England, prosecutor in
both cases
John W. Ford
G.W. Gibbs
Nathen Haggredy
Sevier Evans
John B. Baunds[?]
John Fall[or John Jett?]
A.Dibrell
James Rodgers
John White
John Chisum
Waman Leftwich
Samuel Johnson
Joshua Pennington
Isaac Taylor
John L. Smith
Alexander Lowrey Sr.

William Simpson
Thomas Fulkerson
Jacob Robinson
H[?] L. Carrick
Jones Turner
Andrew B--[?]

[page 3, column 2]
Seth Carrick
William James

Caloway Madcalf
Nathl. C. Davis
William ejnacoy[?]
William L. Bryan
James[?] Young
R.D. Crowder
Arthur[?] Cope
Jose C. Den
Aaron England
Charles McGrew[?]
Lewis Phillips
W.J[?] Bennett
Walter Huston
James[?] Anderson
James W. Copland[?]
C. Lawrey
Daniel Clark
George Keesee
Russel Ducan [sic]
Willilam B. Reed[?]
John Cooper
John[?] G.W.[?] Rose



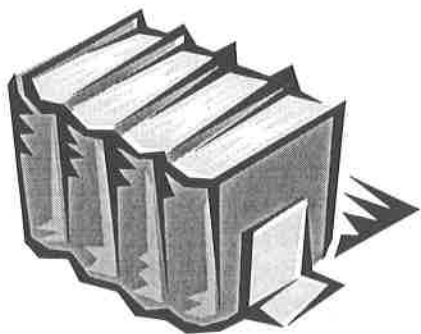
Judge Erasmus Gardenhire

In 2002 the *Journal* published an article by the late Thomas K. Potter, Jr., titled "Five Families for Secession" (*Middle Tennessee Journal of Genealogy and History*, vol. XVI, no. 2). Mr. Potter observed regarding Erasmus Gardenhire, "Although sometimes addressed by the honorific of "Judge," there is no evidence that [Erasmus Lee] Gardenhire served as a Circuit Court Judge prior to the Civil War."

Reader Robert Curlee of Virginia Beach points out that Gardenhire really was a judge. Records of the Morgan County Circuit Court show that Gardenhire served as a judge in that court from 1858 to 1861. Since Gardenhire usually lived and was politically active in Overton and White counties, Morgan was further afield than Mr. Potter's research extended.

Mr. Potter's article relates the service of Erasmus Gardenhire as a State Senator, lawyer and prominent spokesperson for secession. Mr. Curlee also found Gardenhire listed as a judge on the GenWeb page for Morgan County. Archivist Marilyn Bell Hughes at the Tennessee State Library and Archives checked the minutes of the Morgan County Circuit Court to verify that Gardenhire does appear there as a judge.

We thank Mr. Curlee for setting the record straight.



Reminiscences and Reflections: American Americans in the Kentucky-Tennessee Upper Cumberland Since the Civil War by Wali Rashash Kharif and William Lynwood Montell. 341 pp., soft bound, appendices, bibliography, footnotes, index, photographs, 2005. \$18, including shipping and handling from Janze Publications, 930 Bargo Street, London, KY 40741. KY residents add 6% sales tax.

This accounting of African Americans in the Upper Cumberland is scholarly, thoroughly researched, and makes fascinating reading. It addresses the black community in each of the counties in the Upper Cumberland and includes statistics on the numbers of free blacks and slaves. Customs revolving around education, courtship, marriage, music, and funerals, to name a few, are recorded. The photographs are splendid and, alone, would make this book remarkable.

While not billed as a genealogical book, there is a lot of genealogy in it. It is a must-have for African Americans with roots in the Upper Cumberland of Kentucky and Tennessee and for anyone doing genealogical or historical research in this area.

Davidson Co., Tennessee, Land Entries 1824-1836, Land Surveys 1824-1852 by Dr. A. B. Pruitt. 247 pp., hand bound, index (full name and place), maps, 2007. \$22.50 from author at Box 815, Whitakers, NC 27891. NC residents pay \$23.80.

The title of this book explains exactly what it is, but doesn't convey the importance of the collection. Included in each land description are many of the neighbors as well as the chain carriers,

Book Reviews

by Shirley Wilson

often young sons of the household obtaining the entry or survey.

The place index at the end of the name index serves as a virtual gazetteer of Davidson County in 1820s and 1830s with such locations as Buzzard Branch, Leatherwood Bluff, Raccoon Creek, J. Drake's Distillery, Banton's Ferry Road, and Bear Wallow.

Anything extracted from Record Group 50 at the Tennessee State Library and Archives is an absolute joy for genealogists. RG 50 is difficult to use but full of good information. Those interested in Davidson County records will want to include this book in their library collections.

Postcard Memories of Bedford County, Tennessee. 224 pp., illustrations, photographs, 2006. \$46 including shipping from the Bedford County Historical Society, PO Box 141, Shelbyville, TN 37162.

This is a lovely coffee table book with many color photographs. While it is not genealogically oriented, there are some fine old family photographs in the book as well as some excellent history of the county. The photos include homes, churches, cemeteries, public buildings, country scenes, family groupings, and, of course, numerous pictures of horses from this county steeped in the history of horseracing.

There is a very helpful listing of post offices in Bedford County with the dates of existence as well as a stunning photo of the Bedford County courthouse in flames during a riot on the night of December 14, 1934.

Bedford County has so many records missing that any publication offering helpful information is very much appreciated.