

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 (Fifty Forward)
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

Saturday, Jan. 6, 2010

Annual Show & Tell Meeting
at the Knowles Senior Center
1:00 p.m.

Members are encouraged to bring a treasured
family artifact, photo or document on any subject
to showcase and explain to the group.

Saturday, March 20, 2010

George Zepp
The Hidden History of Nashville
at the Knowles Senior Center
1:00 p.m.

George Zepp, locally renowned journalist and
Nashville history columnist, will discuss his new
book *Hidden History of Nashville*.

Saturday, May 15, 2010

Bill Puryear hosts the
MTGS Annual Awards
and speaks on Pioneer Land Grants
at the Knowles Senior Center
1:00 p.m.

Join us for the presentation of awards including
one for the year's best *Journal* article. Bill
Puryear will be joined by co-authors Jack Masters
and Doug Drake to discuss the second installment
of their groundbreaking new book *Pioneer Land
Grant, Traces, Roads and Pioneer Stations in the
Central Valley of the Cumberland River*.

Middle Tennessee

Journal of Genealogy & History

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**Middle Tennessee
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Contributors in this issue

Gale Williams Bamman	Trent Hanner
Thomas G. Webb	Ann Goodpasture
Stephanie Sutton	Shirley Wilson

From the Editor. . .

The Society's November seminar was a success, with more than 100 in attendance. The evaluation forms showed that participants were very pleased with the program and arrangements. In Nov. 2010 our speaker will be the renowned genealogical speaker and writer Elizabeth Shown Mills, who is now a resident of Middle Tennessee and a member of MTGS. You won't want to miss it, so reserve Nov. 20th on your calendar now.

Tennessee's Occupant Land Laws and the confusion they caused among early settlers is the topic of this issue's longest article. *Joshua Baker's Land Dispute* shows how the whole neighborhood got involved in remembering who settled where twenty years earlier, in order to determine land ownership in the 1830s. Character assassination was one component in the dispute, bringing a little spice into the legal process.

Also this issue you will find information about the Harpeth Presbyterian Church, founded in 1811 on the border of Davidson and Williamson counties. A contract with a well-to-do Nashville preacher to serve that church gives us a glimpse into how church business was conducted in the 1840s.

The wonders of *Google Books*, a new web site providing free access to many historical titles, are described in the current installment of "Wandering the World Wide Web."

Our continuing series on the 1880 census of Defective, Delinquent and Dependent persons, along with Civil War Claims from Giles County and the 1805 Davidson County Tax List help round out this issue.

As always – keep those articles coming. Your contributions help keep the *Journal* fresh and interesting.

Chuck Sherrill
M.T.G.S Journal Editor
casherrill@bellsouth.net

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

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

Contract to Preach at Little Harpeth Church

Rev. John W. Ogden, 1846

This document is located in the McCutchin Papers,
Manuscript Accession No. 1264, box 2, folder 3,
Tennessee State Library and Archives.

"We the undersigned promise to pay the sum annext[sic] to our names to the Reverend John W. Ogden for preaching at the Little Harpeth Church for the present year. Sept. 19, 1846."

A study of Tennessee maps shows that the Little Harpeth River runs through southwest Davidson County down into Brentwood in northern Williamson County. Today the Harpeth Presbyterian Church, located near the corner of Hillsboro Pike and Old Hickory Blvd. in Brentwood, stands on the site of the original church, founded in 1811.¹

A comparison of the names on this list with the 1850 census records shows that most of the families who subscribed to pay Preacher Ogden lived in the "2nd Subdivision" of Davidson County and the 7th District of Williamson County.

It is interesting to note that most of the subscribers were property owners and people of more than average means for their place and time. It may be that the congregation also included less well-to-do members, but those who supported the preacher's salary were a more-wealthy group.

John W. Ogden himself lived in Edgefield, east of Nashville, in 1850. The census enumerator recorded his occupation as "Old Presbyterian Minister," perhaps not because of his age, which was just 52, but to distinguish him as not being part of the newer Cumberland Presbyterian movement. Ogden, a native of Kentucky, was a man of some wealth; the value of his property was listed at \$10,000 by the census-taker.² The congregation evidently had no moral objection to slave ownership, as their chosen leader himself owned more than a dozen men and women.³

Many of the families supporting Ogden's pastorate on the Little Harpeth were also people of means. A general search of the 1850 census on *Ancestry Library Edition* revealed that William Edmiston's property was valued at \$16,000, while both Henry O'Neal and James Northern were enumerated with \$10,000. Wealthiest of all was James C. Robeson (listed as Robinson on the census), with property worth \$22,000. The occupation of all these men was listed as farmer. Subscriber Bartley M. Barnes was Sheriff of Davidson County, and owned \$8,000 worth of property.

'Rec'd of James McCutchan security five dollars excluding 5 dollars paid by Wm. Edmiston to Mr. Ogden, Jan. 11th, 1847. [signed] John W. Ogden. " [on reverse side] "Due 10 of Jan. 1858, \$176."

Name	Pledge	Notes from Comparison with 1850 Census
James McCutchen	\$10, paid	
Wm. Scruggs	\$15, paid	Age 25, \$9000 property, living alone. Neighbor of wealthy men Jas. Northern, John

¹ Charlene Ring, *Harpeth Presbyterian Church* (<http://www.harpethpres.org/history.htm>).

² 1850 U.S. census, population schedule, Davidson Co., Tenn., Edgefield, stamped p. 259, family 1225, John W. Ogden household; digital image, *Ancestry.com*.

³ 1850 U.S. census, Davidson Co., slave schedule, written p. 575, Jno W. Ogden; digital image, *Ancestry.com*.

<i>Wm. Scruggs (cont.)</i>		Chickering & Wm. Harding. 2 nd Subdivision of Davidson Co. Another Wm. Scruggs is a 61 yr. old living next to Mary Caldwell in Dist. 7, Williamson Co..
<i>John B. McCutchen</i>	<i>\$2, paid</i>	Next to Bartley Barns, farmer, \$2880 property. 2 nd Subdivision of Davidson Co.
<i>Isaac Wyatt</i>	<i>\$1</i>	not found in 1850 census.
<i>H.W. Oneil</i>	<i>\$1.50, paid</i>	Henry O'Neal next to an Edmiston, age 29, farmer, \$10,000 property. 2 nd Subdivision of Davidson Co.
<i>Matilda Oneil</i>	<i>\$1.50, paid</i>	Age 55, living with Henry O'Neal above.
<i>Wm. Edmiston</i>	<i>\$10, paid</i>	Next to Samuel McCutcheon, age 58, farmer, \$16,000 property. 2 nd Subdivision of Davidson Co.
<i>Elizabeth Wilson</i>	<i>\$1.50, paid</i>	several in 1850 census; not identified
<i>W.C. McCutchen</i>	<i>\$2</i>	not found in 1850 census.
<i>B.M. Barns</i>	<i>\$1, paid</i>	Bartley M., Davidson Co. Sheriff, \$8,000 property. 2 nd Subdivision of Davidson Co.
<i>Samuel McCutchen</i>	<i>\$1, paid</i>	Next to John B. McCutcheon., age 55, farmer, born in Virginia, \$2500 property.
<i>J.C. Robeson</i>	<i>\$10, paid</i>	James C. Robinson, age 53, farmer \$22,000 property. Dist. 6, Williamson Co.
<i>G.W. Armstrong</i>	<i>\$2, paid</i>	Age 35, farmer with family, \$4,000 property. Dist. 7, Williamson Co.
<i>Cath. B. Mallory</i>	<i>\$1, paid</i>	not found in 1850 census.
<i>Catharine[?] McCutchen</i>	<i>\$2, paid</i>	Katherine McCutchan, age 79, born NC, \$4,000 property, Dist. 7, Williamson Co.
<i>B.H. McCutchen</i>	<i>\$1, paid</i>	Barbara H., age 28, with Martha McCutchan, Dist. 7, Williamson Co.
<i>Mary Caldwell</i>	<i>\$1, paid</i>	Age 51, wife of William Caldwell. Dist. 7, Williamson Co.
<i>A.P. Oneil</i>	<i>\$1, paid</i>	Alfred, age 27, living with Henry O'Neal above.
<i>W.P. Murrey</i>	<i>\$1, paid</i>	Wright Murray, age 60, laborer. 2 nd Subdivision of Davidson Co.
<i>Wm. B. Stewart</i>	<i>\$1, paid</i>	several in 1850 census; not identified
<i>Mary Walker</i>	<i>\$1.25, paid</i>	several in 1850 census; not identified
<i>Cyrena S. Hulme</i>	<i>\$1, paid</i>	Dist. 7, Williamson Co.; 2 children
<i>Martha S. McCutchen</i>	<i>\$2, paid</i>	Martha G. McCutchan, age 55, \$1,400 property, Dist. 7, Williamson Co.
<i>David Bell</i>	<i>\$5, paid</i>	Age 65, farmer, \$5,000 property, Crockett children in home. Dist 16, Williamson Co.
<i>Samuel Northern</i>	<i>\$2, paid</i>	Farmer, \$10,000 property; next to Wm. Scruggs. 2 nd Subdivision of Davidson Co.
<i>[Total]</i>	<i>\$14.25</i>	

Wandering on the World Wide Web

with *Google Books*

<http://www.books.google.com>



Much has been said in the media over the last several years about the effort by *Google.com* to scan and create digital copies of every book ever published. The restrictions placed on titles by copyright holders makes this less exciting than it might sound at first, because most books published since 1922 cannot be made available online. However, genealogists and historians can reap great benefits from Google's work with older titles no longer subject to copyright restrictions.

The Google project began in 2004 and initially focused on the holdings of a handful of large university libraries, including Harvard, Oxford, and Stanford, along with the New York Public Library. Since that time other institutions have joined in, including the University of Virginia and the University of Texas, increasing the number of books about the history of the Southern states.¹

Google Books now boast 7 million titles available in full-text, with more being added daily.² That means that anyone with internet access can view every page of each of those books. It is even better than visiting a huge research library, because it is so simple to search for words and phrases buried in any of the titles. Even books without an index (the librarian's worst enemy) are now easily accessible thanks to the marvels of technology.

Among the Tennessee history titles searchable on *Google Books* is the 8-volume biographical work *A History of Tennessee and Tennesseans*, compiled by Will Hale and Dixon Merritt, and published in 1913.³ Hale and Merritt interviewed leading citizens across the state, asking biographical and genealogical questions. Although the set is indexed by subject, there has never before been a way to search for every name in this valuable publication.

A sample search in volume 5 of this set was conducted for the term *Jackson County*. Since Jackson is a "burned county" with few surviving records, information about families there is often difficult to find. These three interesting references were located within a matter of seconds.

p.1307 Edward L. Anderson (b. 1879)." His paternal great-grandparents were Byrd and Geneva Draper Anderson, who were early settlers of Jackson county.... Caleb Anderson ... came from Virginia to Jackson county ... at a time when most of the country was still public domain, and took up a large quantity of land."

p. 1414 Henry J. Harley (b. 1838)."His grandfather Hiram Harley, a native, so far as known, of North Carolina, came from there to Tennessee in the very early part of the nineteenth century, making the removal with teams. Locating in Jackson county, he bought land on the Blackburn fork of Roaring river.

¹ "History of *Google Books*," *Google Books* (<http://books.google.com/intl/en/googlebooks/history.html>).

² "Google Books Settlement Agreement," *Google Books* (<http://books.google.com/googlebooks/agreement>).

³ Hale, Will and Dixon Merritt, *A History of Tennessee and Tennesseans* (Chicago/NY: Lewis Pub. Co., 1913), *Google Books*, (<http://books.google.com/books?id=g2wUAAAAYAAJ&pg=PA1207>). Quoted selections are from volume 5.

Tennessee was then but sparsely settled, wild game of all kinds being abundant.... Owing to an entire absence of mills of any kind, he, in common with other pioneers, used to manufacture his own meal, pounding the corn with a pestle in an iron mortar. In 1850, then a man well advanced in years, he again started westward, going to Missouri... [where] he was killed during the Civil War by bushwhackers, being then ninety years of age.”

p. 1491 James H. Yeaman (b. 1859) “was born in Jackson County at Granville.... He was educated at New Middleton in Smith county in what was known as the New Middleton Male and Female Institute.... The academy had pupils in attendance from every state in the Union. Mr. Yeaman started out as a carpenter, and from that practical trade worked himself into ... [an] architect....”

As you can see from these snippets, Dixon and Merritt did not confine themselves to the bare bones of their subjects’ biographies. They had an ear for historical reminiscences and recorded stories passed down through the generations in Tennessee families.

Although *Google Books* seems almost miraculous to researchers who have spent hours paging through unindexed books in the library, it does have limitations. For example, the Dixon & Merritt work includes eight volumes in print, but volumes 1 and 4 are lacking on *Google Books*. The remaining volumes all bear the Harvard University Library imprint. Whether the Harvard set was missing these two volumes, or whether the digital versions had problems that prevented inclusion, we cannot tell.

Another limitation of the *Google Books* site is that it can be somewhat difficult to move between the search results list and the text of various volumes. In this sample search, it was necessary to start the search over several times before viewing each of the Jackson County hits promised in the initial search. The site would also benefit by the addition of a quick link to a bibliographic citation of each scanned work, so that users could readily cite their sources.

Photographs found in the original material are usually, but not always, included in the digital file. Only black-and-white images are shown. Other features include easily downloading a ‘pdf’ version of the book to one’s computer, or clipping text from a page and sending it to a friend via e-mail (a G-mail account, free from Google, is needed to use this feature).

The issue of newer, copyrighted titles on *Google Books* is more complex. Most titles published after 1922 are not available in full text. Some have the “snippet view” option which allows you to search within the text of the book and read a sentence or two surrounding the search term ‘hit’. Most titles with the snippet view feature are still in print, and *Google Books* provides options for purchasing a copy (and guess what? – that’s where the funding for all this comes from!).

Some copyrighted titles are not available for searching and viewing at all – you can only learn that they do exist and how to purchase them. Others, particularly newer titles, may be available for purchase digitally; in such cases you can download a copy directly onto your computer for a fee.

A very helpful feature titled “Find in a Library” allows the user who has found a title of interest to search a worldwide catalog of library holdings to determine what libraries own copies of that book. Using your ZIP code, the site determines which of those libraries are closest to you. While not all libraries participate, nearly all academic and most large public library catalogs are searchable in this way.

Google Books has created a fabulous resource for genealogists and historians. Right now, it is open to all and ready to explore. Whether it will remain as free and accessible into the future is a matter of conjecture. ■

1805 Davidson County Tax List, Annotated

Part 9 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 the 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).

		Free White Males	Taxable Slaves	Notes from “Tennesseans Before 1800” and 1811/1812 Davidson County Tax List
Phipps	Richardson	1	1	In the 1812 militia list this name is shown in the company commanded by Capt. Boyd.
Parish	Hannah	1		Hannah Parish appears in County Court Minutes in 1798.
Pennington	Graves	1	2	Graves Pennington is listed in Capt. Thomas’ militia company in 1812.
Pinkley	Frederick, Jacob & Joseph	3		Frederick and Joseph Pinkley appear in County Court Minutes in 1799. Jacob Pinkley appears in County Court minutes in 1793. Frederick is listed in Capt. Criel’s militia in 1812.
Page	James	1		In the 1812 militia list this name is shown in the company commanded by Capt. Benning.
Phipps	Joshua	3		
Prock	Matthias	1		In the 1812 militia list this name is shown in the company commanded by Capt. McCormack.
Pemberton	James	1		
Philips	Joseph	1	1	Joseph Philips appears in County Court Minutes in 1793.
Pope	John	1		
Parker	James	1		
Payne	George	2		George Payne appears in County Court Minutes in 1787
Payton	Y[?] George	2	2	
Pilly	John	2		John Pelly appears in County Court Minutes in 1792.
Philips	Joseph Esq.	2	16	Joseph Philips appears in County Court Minutes in 1793. In the 1812 militia list this name is shown in the company commanded by Capt. Cloyd
Pill	John	1		
Pipkins	Philips	1	1	Philip Pipkins appears in County Court Minutes in 1793. In 1812 Philip Pipkin is listed in Capt. Campbell’s militia company.
Pipkin	Zeneas	1		
Pipkins	Mark	1		
Pipkins	William	1		
Total in the Letter P		112	110	
In Letter R To Wit				
Rice	John	3		John Rice appears in the Register’s Book in 1785.
Ragan	Michael	1		
Reed	William	1		William Reed appears in County Court Minutes in 1799.
Rains	William	1	1	William Rains appears in County Court Minutes in 1792. In 1812 this name is found in the militia company of Capt. Barnheart.
Read	Jacob	1		Jacob Reed appears in County Court Minutes in 1798.
Roberts	Isaac	1	4	Isaac Roberts appears in Court of Pleas Minutes in 1787

		Free White Males	Taxable Slaves	Notes from "Tennesseans Before 1800" and 1811/1812 Davidson County Tax List
Rickman	Joshua	2	1	Joshua Richman is mentioned in an 1800 bill of sale.
Reed	Joel	3	7	
Reams	Bolin	1		
Robertson	Samuel	4	4	
Reed	William	1	2	William Reed is mentioned in an estate inventory in 1791.
Reed	Elisha	2		
Roach	Stephen	1	2	
Reaves	Jordan & Danl.	2		Daniel Reaves appears in the Register's Book in 1796. Jordan Reeves appears in County Court Minutes in 1797. In 1812 Daniel Reaves was in Capt. Morris' militia company.
Reaves	James, Jordan Sr. & Burwill	3		James Reaves appears in an estate inventory in 1799. In 1812 a James Reaves was listed in Capt. Boyd's and Capt. Morris' militia companies. Burwell Reaves was listed in Capt. Boyd's company.
Reave	Geo. & Drury	2		George Reeves appears in Marriage Records in 1799.
Reaves	Wm. & Edmond	2		William appears in County Court Minutes in 1797. Edmond appears in County Court Minutes in 1800. In 1812 William Reaves was listed in Capt. Boyd's and Capt. Stringfellow's militia companies; Edmond was listed in Capt. Williamson's company.
Reaves	Robt.	1	2	Robert Reaves appears in County Court Minutes in 1798. In 1812 Robert C. Reeves was listed in Capt. Williamson's militia company.
Robertson	Charles	2	3	Charles Robertson appears in County Court Minutes in 1786.
Russell	James & Wm.	2	2	James Russell appears in Court of Pleas Minutes in 1798. William appears in the Register's Book in 1799. In 1812 William Russell and James Russell Jr. and Sr. were all listed in Capt. Hail's militia company.
Rowland	William, Balam & Jordan	3		William Rollins appears in appears in County Court Minutes in 1799. In 1812 all three of these men were listed in Capt. Morris' militia company, but the name was spelled "Roland."
Roger	Christian	1		In 1812 a Christian Razer was listed in Capt. Rogers' militia company and a Christian Razier in Capt. Birdwell's.
Ray	William	2		This name appears in Court of Pleas Minutes in 1787.
Robertson	David	2	1	This name appears in a bill of sale in 1800.
Robertson	David	1	1	
Reed	Alexander	1	2	This name appears in Court of Pleas Minutes in 1784
Robertson	James	1	1	This name appears in County Court Minutes in 1783. In 1812 this name is found in the militia company of Capt. Liles.
Reed	Jones	1	9	This name appears in County Court Minutes in 1800.
Richardson	Wm. [and] Henry [and]	3		Wm. Richardson appears in the Register's Book in 1790.

		Free White Males	Taxable Slaves	Notes from “Tennesseans Before 1800” and 1811/1812 Davidson County Tax List
	Elijah			
Roach	Simon	1		
Rankin	David	1		
Rumage	Daniel	2		
Ramsey	William	3	1	This name appears in County Court Minutes in 1784. In 1812 Wm. Ramsey and Wm. Ramsey Sr. are found in the militia company of Capt. Williamson.
Riley	Robert	1		
Robertson	Duncan	2	1	In 1812 this name is found in the militia list of E.S. Hall, J.P.
Raymond	Nicholas	1	1	In 1812 this name is found in the militia company of Capt. Butler.
Ridley	Bevaley [sic]	1	2	Ridley Beverly appears in County Court Minutes in 1791.
Ridley	George	3	10	This name appears in County Court Minutes in 1790. In 1812 this name is found in the militia company of Capt. Barnheart.
Rains[?]	John Sr.	2	2	John Rains Sr. is mentioned in a Will Book 1793. In 1812 John Rains Sr. is found in the militia company of Capt. Barnheart.
Rains	John Jr.	1		John Rains Jr. appears in County Court Minutes in 1799. In 1812 John Rains Jr. is found in the militia company of Capt. Williamson.
Robertson	James	4	13	This famous name appears in County Court Minutes in 1783. In 1812 a man of this name is found in the militia company of Capt. Liles.
Rutherford	Thomas	2	3	This name is found in an Estate Inventory in 1794.
Rhoads	Elisha	1		In 1812 Elisha Roads is found in the militia company of Capt. Henry.
Roach	William	1		William Roach appears in appears in County Court Minutes in 1796. In 1812 this name is found in the militia company of Capt. Henry.
Rhoads	John	2	1	This name appears in County Court Minutes in 1794.
Randal	Anne	3		
Ragan	Benjn. & Thomas	2		In 1812 these two names are found in the militia company of Capt. McAdams.
Russell	Thomas	1		This name appears in County Court Minutes in 1785. In 1812 this name is found in the militia company of Capt. Hall.
Razzel	Peter	1	2	
Rice	Ebenezer	2		
Reader	John	1		John Reeder appears in an estate inventory in 1795.
Robertson	F. Jonathan	1	5	Jonathan F. Robertson appears in the Register’s Book in 1790. In 1812 Jonathan F. Robertson is found in the militia company of Capt. Liles.
Ross	Daniel	1	5	This name appears in County Court Minutes in 1784. In 1812 this name is found in the militia company of Capt. Morris.
Robertson	Sarah	1	5	

		Free White Males	Taxable Slaves	Notes from "Tennesseans Before 1800" and 1811/1812 Davidson County Tax List
Roach	Bryant	1		Brian Roach appears in a Marriage Record in 1799.
Richardson	James	1		This name appears in the Register's Book in 1792.
Renn[?]	David	1	3	
Rapier	John	1	2	
Rice	John	1		This name appears in County Court Minutes in 1785.
Reard	William	1		
Robertson	John	1		This name appears in County Court Minutes in 1783.
Rankin	Robert	1		
Right	Francis	1		This name appears in the Register's Book in 1795.
Raymond	Eliakim	2		
Right	David	1	1	This name appears in an Estate Inventory in 1799
Right	Thomas	2	1	
Right	James	2		In 1812 James Wright is found in the militia company of Capt. Williamson and Capt. Bell.
Russell	James	1	2	This name appears in Court of Pleas Minutes in 1785. In 1812 James Russell Jr. and Sr. are found in the militia company of Capt. Hail.
Richardson	Edward	1		
Reading	Robert	3		In 1812 Robert Redding is found in the militia company of Capt. Birdwell.
Reynolds	Elisha	1		
Ricketts	Francis	1		
Roberts	William	1		In 1812 this name is found in the militia company of Capt. Barnheart.
Roberts	James	1		This name appears in Court of Pleas Minutes in 1783.
Richardson	Elijah	1		
Total in the Letter R		118	107	
In the Letter S To Wit				
Stewart	William	1	1	A William <i>Stuart</i> appears in County Court Minutes in 1784, and in the 1812 militia company of Capt. Criel.
Stewart	William Sr.	1	1	A William <i>Stuart</i> appears in County Court Minutes in 1784, and in the 1812 militia company of Capt. Criel.
Smothers	William	1		William Smother is named in an estate inventory in 1791.
Shand	Harris	1		In 1812 a Harris <u>Sanders</u> is found in the militia company of Capt. Criel.
Scott	Francis	1		
Sullivan	Uriah	1		
Stephen	Roberts	1	2	
Stephens	Jonathan	1		A John Stephens is listed in an estate inventory in 1799.
Smith	William	1		This name appears in the Register's Book in 1786. In 1812 this name is found in the militia list of E.S. Hall, J.P.
Smith	Martin	1		
Smith	Benjamin	1	2	This name appears in the Register's Book in 1786. In 1812 this name is found in the militia company of Capt. Rogers.

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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Tennessee Hospital for the Insane
from AsylumProjects.org

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.

These questions were asked of Insane Inhabitants, including this list of inmates in the State Hospital for the Insane: 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.

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 or on-line. If any mistakes are noted, please contact the compiler with that information.

Davidson County

Inmates in the Tennessee Hospital for the Insane (continued)

Grisham, Frances: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 41, married; chronic mania; duration of present attack, 7 years, 1 attack, age at first attack, 30; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.38]

Woods, Nancy: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 39, single;

chronic mania; duration of present attack, 7 years, 1 attack, age at first attack, 32; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.39]

Morris, Jane: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 36, married; chronic mania; duration of present attack, 7 years, 1 attacks, age at first attack, 34 [sic]; not confined, not

restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.40]

Latimer, Mary A.: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 41, widowed [or] divorced; chronic mania; duration of present attack, 8 years, 2 attacks, age at first attack, 38 [sic]; confined, restrained in crib bed, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.41]

Atkinson, Frances: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 32, single; chronic mania; duration of present attack, 8 years, 1 attack, age at first attack, 24; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.42]

Hart, Sabrina: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 40, widowed [or] divorced; chronic mania; duration of present attack, 5 years, 1 attack, age at first attack, 30; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.43]

Williams, Kate: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 38, single; chronic mania; duration of present attack, 4 years, 1 attack, age at first attack, 28; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.44]

Warber, Julia: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 42, widowed [or] divorced; chronic mania; duration of present attack, 2 years, 1 attack, age at first attack, 34; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.45]

Latimer, A. H.: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 40, married; acute mania; duration of present attack, 2 years, 1 attack, age at first attack, 30; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.46]

Hinson, Elizabeth: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 50, widowed [or] divorced; chronic mania; duration of present attack, 7 years, 1 attack, age at first attack, 33; not confined, not restrained, inmate of Tennessee

Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.47]

Sparkman, Sarah: Insane Schedule; enumerated Davidson Co., resident Van Buren Co.; white, female, 40, widowed [or] divorced; chronic mania; duration of present attack, 13 years, 1 attack, age at first attack, 25; confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.48]

Nance, Polly: Insane Schedule; enumerated Davidson Co., resident Bedford Co.; white, female, 68, single; chronic mania; duration of present attack, 14 years, 1 attack, age at first attack, 48; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.49]

Frazier, Mary A.: Insane Schedule; enumerated Davidson Co., resident Weakley Co.; white, female, 37, married; chronic mania; duration of present attack, 3 years, 1 attack, age at first attack, 30; confined, restrained by strait jacket, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.34,ln.50]

Lawson, Georgia: Insane Schedule; enumerated Davidson Co., resident Franklin Co.; white, female, 40, married; acute mania; duration of present attack, 2 years, 1 attack, age at first attack, 28; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.1]

Laxton, Samantha: Insane Schedule; enumerated Davidson Co., resident Scott Co.; white, female, 31, married; acute mania; duration of present attack, 4 years, 1 attack, age at first attack, 27; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.2]

Shapley, Emily: Insane Schedule; enumerated Davidson Co., resident Washington Co.; white, female, 39, single; chronic mania; duration of present attack, 5 years, 1 attack, age at first attack, 32; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.3]

Brindle, Montana A.: Insane Schedule; enumerated Davidson Co., resident McMinn Co.; white, female, 31, single; acute mania; duration of present attack, 3 years, 2 attacks, age at first attack, 28; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.4]

McGill, Drusilla: Insane Schedule; enumerated Davidson Co., resident Benton Co.; white, female, 55; widowed [or] divorced; duration of present attack, 1 year, 1 attack, age at first attack, 42; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.5]

Webber, P. A.: Insane Schedule; enumerated Davidson Co., resident Shelby Co.; white, female, 61, widowed [or] divorced; chronic mania; duration of present attack, 5 years, 1 attack, age at first attack, 41; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.6]

Wells, Louisa: Insane Schedule; enumerated Davidson Co., resident Shelby Co.; white, female, 64, widowed [or] divorced; chronic mania; duration of present attack, 12 years, 1 attack, age at first attack, 48; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.7]

Moore, Louisa: Insane Schedule; enumerated Davidson Co., resident Washington Co.; white, female, 48, married; chronic mania; duration of present attack, 6 years, 1 attack, age at first attack, 31; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.8]

Hudson, Mahala: Insane Schedule; enumerated Davidson Co., resident Meigs Co.; white, female, 70, widowed [or] divorced; chronic mania; duration of present attack, 12 years, 1 attack, age at first attack, 58; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.9]

Turk, Nancy: Insane Schedule; enumerated Davidson Co., resident Bradley Co.; white, female, 45, single; chronic mania; duration of present attack, 14 years, 1 attack, age at first attack, 30; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.10]

Lancaster, Matilda: Insane Schedule; enumerated Davidson Co., resident Marion Co.; white, female, 44, single; chronic mania; duration of present attack, 14 years, 1 attack, age at first attack, 28; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.11]

Wilson, Mary C.: Insane Schedule; enumerated Davidson Co., resident Gibson Co.; white, female, 39, single; chronic mania; duration of present attack, 6 years, 1 attack, age at first attack, 27; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.12]

Spriggs, Mary: Insane Schedule; enumerated Davidson Co., resident Shelby Co.; white, female, 34, single; chronic mania; duration of present attack, 11 years, 1 attack, age at first attack, 24 [sic]; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.13]

Mathis, Virginia: Insane Schedule; enumerated Davidson Co., resident [illegible]; white, female, 31, single; chronic mania; duration of present attack, 3 years, 1 attack, age at first attack, 25; confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.14]

Culberson, M: Insane Schedule; enumerated Davidson Co., resident Marshall Co.; white, female, 37, married; chronic mania; duration of present attack, 5 years, 1 attack, age at first attack, 32; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.15]

Wooten, Ann E.: Insane Schedule; enumerated Davidson Co., resident Tipton Co.; white, female, 58, widowed [or] divorced; chronic mania; duration of present attack, 14 years, 1 attack, age at first attack, 46; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.16]

Brewer, Mary: Insane Schedule; enumerated Davidson Co., resident Hawkins Co.; white, female, 65, widowed [or] divorced; chronic mania; duration of present attack, 16 years, 1 attack, age at first attack, 49; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.17]

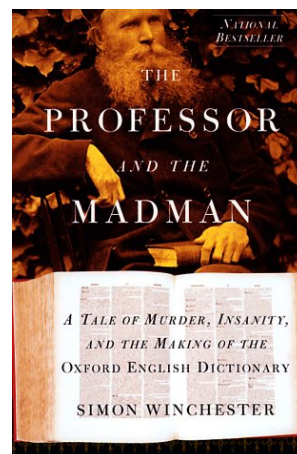
Black, M. C.: Insane Schedule; enumerated Davidson Co., resident Fayette Co.; white, female, 63, widowed [or] divorced; chronic mania; duration of present attack, 20 years, 1 attack, age at first attack, 40; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.18]

DID YOU KNOW...

... that one of the greatest contributors to the study of the English language did his work from a cell in an insane asylum?

Dr. William Chester Minor, a Yale graduate and surgeon during the Civil War, was incarcerated in a British asylum in 1872 after committing a cold-blooded murder. A schizophrenic by today's standards, Minor channeled his mania into a study of old English literature and helped compile the *Oxford English Dictionary*.

This fascinating story is told in "The Professor and the Madman" by Simon Winchester.



Seiber, Emily: Insane Schedule; enumerated Davidson Co., resident Roane Co.; white, female, 37, single; chronic mania; duration of present attack, 9 years, 1 attack, age at first attack, 23; confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.19]

Hanner, Matilda C.: Insane Schedule; enumerated Davidson Co., resident Davidson Co.; white, female, 63, married; chronic mania; duration of present attack, 21 years, 1 attack, age at first attack, 24; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.25,ln.20]

Tidwell, Hester: Insane Schedule; enumerated Davidson Co., resident McNairy Co.; white, female, 35, widowed [or] divorced; chronic mania; duration of present attack, 2 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.21]

McCrohan, Mary M.: Insane Schedule; enumerated Davidson Co., resident Davidson Co.; white, female, 72, widowed [or] divorced; chronic mania; duration of present attack, 25 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.22]

McIntosh, Lizzie: Insane Schedule; enumerated Davidson Co., resident Giles Co.; black, female, 40, single; chronic mania; not confined, not restrained,

inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.23]

Bliss, Flora: Insane Schedule; enumerated Davidson Co., resident Giles Co.; black, female, 32, single; chronic mania; duration of present attack, 14 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.24]

Tipton, Catherine: Insane Schedule; enumerated Davidson Co., resident Roane Co.; black, female, 38, single; chronic mania; duration of present attack, 8 years, not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.25]

Bauzellin, Mary: Insane Schedule; enumerated Davidson Co., resident Franklin Co. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.26]

Isbell, Amanda: Insane Schedule; enumerated Davidson Co., resident McMinn Co.; black, female, 34, single; chronic mania; duration of present attack, 3 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.27]

Ward, Mollie: Insane Schedule; enumerated Davidson Co., resident Rutherford Co.; black, female, 26, single; chronic mania; duration of present attack, 8 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.28]

Rountree, Henrietta: Insane Schedule; enumerated Davidson Co., resident Williamson Co.; black, female, 27, single; acute mania; duration of present attack, 6 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.29]

Amos, Ann Mariah: Insane Schedule; enumerated Davidson Co., resident Maury Co.; black, female, 19, married; acute mania; duration of present attack, 6 months; not confined, restrained with strait jacket, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.30]

Payne, Matilda: Insane Schedule; enumerated Davidson Co., resident Sumner Co.; black, female, 34, single acute mania; duration of present attack, 8 months; not confined, restrained with strait jacket, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.31]



Nurses at a Maryland asylum, 1897

Miller, Amanda: Insane Schedule; enumerated Davidson Co., resident Claiborne Co.; black, female, 40, married; acute mania; duration of present attack, 1 year; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.32]

Day, Cynthia: Insane Schedule; enumerated Davidson Co., resident Bradley Co.; black, female, 60, married; acute mania; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.33]

Irons, Filmer: Insane Schedule; enumerated Davidson Co., resident Fayette Co.; black, female, 41, married; chronic mania; duration of present attack, 7 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.34]

Holly, Lucinda: Insane Schedule; enumerated Davidson Co., resident [illegible]; black, female, 34, single; chronic mania; duration of present attack, 12 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.35]

Bond, Tempy: Insane Schedule; enumerated Davidson Co., resident Tipton Co.; black, female, 48, single; acute mania; duration of present attack, 3 months; not confined, restrained with strait jacket, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.36]

Jordan, Netty: Insane Schedule; enumerated Davidson Co., resident Houston Co.; black, female, 31, married; chronic mania; duration of present attack, 6 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.37]

Ridley, Sarah: Insane Schedule; enumerated Davidson Co., resident Carroll Co.; white, female, 60, married; chronic mania: duration of present attack, 6 months; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.38]

Vanpelt, Israel: Insane Schedule; enumerated Davidson Co., resident Fayette Co.; black, male, 30, single; acute mania; duration of present attack, 3 months; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.39]

Wheeler, Robert: Insane Schedule; enumerated Davidson Co., resident Knox Co.; black, male, 41, married; acute mania; duration of present attack, 6 months; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.40]

Lewis, George: Insane Schedule; enumerated Davidson Co., resident [not stated]; black, male, 26, married; chronic mania; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.41]

Bell, J. T.: Insane Schedule; enumerated Davidson Co., resident Davidson Co.; black, male, 30, single; acute mania; inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.42]

Henderson, Lewis: Insane Schedule; enumerated Davidson Co., resident [not stated]; black, male, 41, single; acute mania; duration of present attack, 6 years; confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.43]

Jenkins, Stepney: Insane Schedule; enumerated Davidson Co., resident [not stated]; black, male, 42, married; chronic mania; duration of present attack, 10 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.44]

Smith, Alex: Insane Schedule; enumerated Davidson Co., resident Smith Co.; black, male, 50, married; chronic mania; duration of present attack, 4 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.45]

Fort, Isaac: Insane Schedule; enumerated Davidson Co., resident Montgomery Co.; black, male, 50, single; chronic mania; duration of present attack, 10 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.46]

Quarles, Edward: Insane Schedule; enumerated Davidson Co., resident Jackson Co.; black, male, 49, single; acute mania; duration of present attack, 9 years; confined, restrained with handcuffs, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.47]



Marsh, Thomas: Insane Schedule; enumerated Davidson Co., resident Davidson Co.; black, male, 30, single; acute mania; duration of present attack, 3 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.48]

Tomlin, Willis: Insane Schedule; enumerated Davidson Co., resident Madison Co.; black, male, 35, single; chronic mania; duration of present attack, 4 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.49]

Lowe, Thornton: Insane Schedule; enumerated Davidson Co., resident Davidson Co.; black, male, 31, single; acute mania; duration of present attack, 3 years; confined, restrained with handcuffs, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.35,ln.50]

Hilliard, Jas.: Insane Schedule; enumerated Davidson Co., resident Fayette Co.; black, male, 27, married; acute mania; duration of present attack, 7 months; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.36,ln.1]

King, Anthony: Insane Schedule; enumerated Davidson Co., resident Dickson Co.; black, male, 31, married; chronic mania, duration of present attack, 2 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.36,ln.2]

Owens, Jacob: Insane Schedule; enumerated Davidson Co., resident Knox Co.; black, male, 50, married; chronic mania; duration of present attack, 1 year; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.36,ln.3]

Jones, John: Insane Schedule; enumerated Davidson Co., resident [not stated]; black, male, 29, married; acute mania; duration of present attack, 3 years; confined, restrained with handcuffs, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.36,ln.4]

Baker, Houston: Insane Schedule; enumerated Davidson Co., resident [not stated]; black, male, 40, married; chronic mania; duration of present attack, 2 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.36,ln.5]

Johnson, Benj.: Insane Schedule; enumerated Davidson Co., resident Greene Co.; black, male, 38, single; chronic mania; duration of present attack, 9 years; not confined, not restrained, inmate of Tennessee Hospital for Insane. [s.d.3,e.d.65; see Pop.Sch.p.36,ln.6]

To Be Continued

Early Attorneys of Davidson County

by Gale Williams Bamman, CGSM

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Part 3 of a series

In Davidson County's earliest years a lack of attorneys made it common for cases to be heard without counsel before the Court of Pleas and Quarter Sessions, or at best by persons appointed as attorneys in fact.¹ For example, one William Gubbins, at the April Term 1785, was "admitted to appear and plead as an attorney in fact for such as may chuse to employ him and empower him by a special power of attorney for that purpose but shall not appear for any person as an attorney at law." Gubbins was also to "as soon as possible endeavour to obtain license as an attorney at law."²



The first attorney admitted to practice in Davidson County was a John Brown, who in 1785 "produced his Licence And Took the Oath of an Attorney."³ He was followed in 1788 by Josiah Love and Andrew Jackson,⁴ both of whom would take on large caseloads in the time period prior to statehood.⁵ By June 1796, nineteen attorneys had been admitted, with several of those being men who, in addition to Love and Jackson, would become prominent in the Middle Tennessee area. For biographical data on most of those, see Ely & Brown's *Legal Papers of Andrew Jackson*, especially the section, "Jackson's Legal Colleagues in Western North Carolina, the Territory South of the River Ohio, and Tennessee, 1787-1804."⁶

For a person desiring to enter the legal profession, there were a limited number of ways by which he could learn about legal matters:⁷

- Attend a university (which few could afford to do);
- Learn by self-study, if one had access to books or libraries (another path seldom available);
- Serve as a scribe or deputy in the office of a clerk of one of the courts, reading on the side whatever legal papers or books were at his disposal;

¹ Theodore Brown, Jr., "The Tennessee County Courts Under the North Carolina and Territorial Governments: the Davidson County Court of Pleas and Quarter Sessions, 1783—1796, as a Case Study," *Vanderbilt Law Review*, 32 (1979): 390.

² Carol Wells, *Davidson County, Tennessee County Court Minutes 1783—1792* (Bowie, Md.: Heritage Books, 1990), 26 (orig. p. 113).

³ Wells, *Davidson County, Tennessee County Court Minutes 1783—1792*, 36 (orig. p. 139).

⁴ U.S. Works Progress Administration [WPA], *Minutes, Superior Court of North Carolina, including Mero District, 1788—1803*. (Nashville: WPA, 1938), typescript, TSLA, p. 2 (orig. p. 2).

⁵ Brown, "The Tennessee County Courts," *Vandy Law Review*, 32 (1979): Table 17, p. 412.

⁶ James W. Ely, Jr., and Theodore Brown, Jr., editors, *Legal Papers of Andrew Jackson* (Knoxville: University of Tennessee Press, 1987), 353—93.

⁷ Anton-Hermann Chroust, *The Rise of the Legal Profession in America, Vol. 1: The Colonial Experience* (Norman, Okla.: University of Oklahoma Press, 1965), 30.

- Apprentice himself to work as a clerk in an attorney's office, reading law books there when there was time, and also learning firsthand from the lawyer if that lawyer was willing to mentor him.

A law enacted by North Carolina in 1777 had stipulated that "all persons ... who shall hereafter apply for admission to practice as an attorney, shall undergo an examination before two or more judges of the superior courts of this state, and if such person shall be found to possess a competent share of law knowledge, and be a person of upright character, such judges shall give him a certificate ... to practice in any court of this state for which they may judge him qualified."⁸ The State of Tennessee reiterated the North Carolina requirements in its Act of 1798,⁹ and an Act in 1815 extended the privilege of interrogation to any two of the judges of the newly formed Supreme Court of Errors and Appeals.¹⁰



Prior to 1817, an attorney who removed to this state had only to submit a voucher stating he was of an unexceptional moral character and to take the following oath: "I, A. B., do swear, that I will truly and honestly demean myself in the practice of an attorney, according to the best of my knowledge and ability."¹¹

A brief summary of the type of oral questioning given by judges is described by Josephus Conn Guild, in his book, *Old Times in Tennessee*. The year was 1822 and the judge was Supreme Court Judge John Haywood. The examination included "a wide range of civil and criminal law..." and, as well "the difficult and abstruse law of contingent remainders, executory devises, the statute of uses, called the statute of *de donis*, fines and recoveries, entails, the laws of primogeniture, and the feudal system."¹² Guild

successfully passed the interrogation and Judge Haywood signed his license.¹³

The following table lists men who qualified to practice law in the courts of Davidson County from 1783—1840. Their names were found in a study of:

- Davidson County Court of Pleas and Quarter Sessions 1783—1840¹⁴
- Mero District Superior Court of Law and Equity Minutes for Davidson and Sumner Counties, 1788—1803¹⁵

⁸ James Iredell, *The Public Acts of the General Assembly of North Carolina* (Newbern: Martin & Ogden, 1804), Ch.2, Section 7, November Session 1777.

⁹ "An Act respecting the admission and licence of persons to practice as attornies in the several courts in this state." *Acts of Tennessee, 1798* (Knoxville: Roulstone & Parrington, 1798), p. 22, Ch. 2, Sections 1–3. 20 December 1798.

¹⁰ *Acts of Tennessee, 1815* (Nashville: T. G. Bradford, 1815) pp. 244-45, Ch.166, Sections 3–8.

¹¹ *Acts of Tennessee, 1817*, Chapter 134, Sec. 2. This Act reversed the portion of the 1777 North Carolina Act that required only a voucher of good character. See *Acts of North Carolina, 1777*, Ch 2, Section 8, November Session 1777.

¹² Josephus C. Guild, *Old Times in Tennessee, with historical, personal, and political scraps and sketches*, (1878; reprint, Knoxville: Tenase, 1971), p. 79.

¹³ Guild, *Old Times in Tennessee*, p.80.

¹⁴ Davidson County's County Court Minutes, 1783—1840, called the Inferior Court of Pleas and Quarter Sessions), using Carol Wells' published abstracts for the period of 1783-1803, and the original records on microfilm for the years 1804—1840 (Davidson County microfilm numbers 1602—1612).

- Davidson County Circuit Court Minutes 1803--1840.¹⁶

The list below does not contain names of attorneys commissioned by the early governors of Tennessee unless their names were also recorded in the court minutes. It proved to be too difficult to determine which of those men were from the Davidson County area. The commissions can be found in:

- Papers of the Territorial Governor, William Blount, 1790-1796.¹⁷
- Papers of the first governor of the State of Tennessee, John Sevier, 1796--1801 ¹⁸
- Tennessee Civil and Military Commissions 1796—1801.¹⁹

Attorneys licensed in Davidson County Courts

Continued from previous issue

Name	Term of Court	Abstracts and Transcriptions	Davidson County Records	Page number
Lodge, Matthew, Gent.	May 1803	Produced a license to practice as an attorney at law in the several courts of law and equity within this state and having taken the oaths required ...admitted to practice as an attorney at law in this court	Circuit Court Minutes, Vol. A, May 1803 – May 1805	4
Burton, Hutchins G.	July 1803	Produced his license in court and was admitted to practice as an attorney at law.	County Court Minutes, 1799 –1803	174 (456)
White, Robert, Gent.	November 1803	Took the oaths ... and admitted to practice as an attorney in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	59
Davidge, Rezin, Gent.	November 1803	Took the oaths ... and admitted to practice as an attorney in this court	Circuit Court Minutes, Vol. A, May 1803 – May 1805	89
Hannum, Washington L., Gent.	November 1803	Took oaths ... and admitted to practice as an attorney or counselor in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	89
McNairey, Nathaniel A., Gent.	November 1803	Licensed to practice law in the several courts within this state took the oaths required ... therefore admitted to practice as an attorney or counselor in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	102
Trimble, David, Gent.	November 1803	Produced his license in court and was admitted to practice as an attorney at law.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	109
White, Robert, Esq.	January 1804	Admitted to practice as attorney at law in Davidson County court having first taken the requisite oaths.	County Court Minutes 1804-1809	4
Overton, Thomas, Esq.	January 1804	Admitted to practice as attorney at law in Davidson County court having first taken the requisite oaths.	County Court Minutes 1804-1809	4

¹⁵ U.S. Works Progress Administration [WPA], *Minutes, Superior Court of North Carolina, including Mero District, 1788—1803*. (Nashville: WPA, 1938), typescript, TSLA.

¹⁶ Davidson County Circuit Court Minutes, Vols. A—L, microfilm numbers 522—527.

¹⁷ Governor William Blount Papers 1790-1796, TSLA, Group 1, Box 1, folder 7, microfilm.

¹⁸ Governor John Sevier Papers 1796—1801, TSLA, Group 2, Box 4, Folder 1, microfilm.

¹⁹ Tennessee Civil and Military Commissions 1796—1796, TSLA; Record Group 195, Vol. 1, 1796—1801.

Name	Term of Court	Abstracts and Transcriptions	Davidson County Records	Page number
Hannum, Wm. L., Esq.	January 1804	Admitted to practice as attorney at law in Davidson County court having first taken the requisite oaths.	County Court Minutes 1804-1809	4
Burton, William	January 1804	Admitted to practice as attorney at law in this county until he can have an opportunity to obtain a license for that purpose of the judge of the superior court.	County Court Minutes 1804-1809	4
Smith, William, Gent.	May 1804	Produced a license to practice as an attorney in the several courts within this state and having taken the oaths required ... admitted to practice as an attorney in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	229
Burton, William	November 1804	Took the oaths ... therefore admitted to practice as an attorney or counselor in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	265
Henderson, Bennet H.	November 1804	Took the oaths ... therefore admitted to practice as an attorney or counselor in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	265
Williams, Nathaniel Washington, Gent.	November 1804	Took the oaths ... therefore admitted to practice as an attorney or counselor in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	265
Marr, George L., Gent.	November 1804	Took oaths ... admitted to practice as an attorney in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	301
Smith, Robert F. N., Gent.	November 1804	Took oaths ... admitted to practice as an attorney in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	307
Smith, Robert F. N.	January 1805	Produced his license, was qualified and admitted to practice as an attorney at law in Davidson County court.	County Court Minutes 1804-1809	130
Mars, George W. L.	January 1805	Produced his license, was qualified and admitted to practice as an attorney at law in Davidson County court.	County Court Minutes 1804-1809	130
Burton, William, Esq.	January 1805	Produced his license, was qualified and admitted to practice as an attorney at law in this court.	County Court Minutes 1804-1809	140
Reynolds, James B., Gent.	May 1805	Took oaths ... admitted to practice as an attorney in this court.	Circuit Court Minutes, Vol. A, May 1803 – May 1805	389
Renolds, James B.	October 1805	Admitted to practice as attorney at law having first taken the necessary oaths required for his qualification as such.	County Court Minutes 1804-1809	264
Beck, John E., Esq.,	January 1806	Produced his license and was admitted to practice as an attorney at law and qualified accordingly.	County Court Minutes 1804-1809	308
Swan, Thomas, Esq.,	January 1806	Produced his license and was admitted to practice as an attorney at law and qualified accordingly.	County Court Minutes 1804-1809	308
Harris, Thomas K., Esq.	January 1806	Produced license and was admitted to practice as an attorney at law and qualified accordingly.	County Court Minutes 1804-1809	308
Whitesides, Jenkins, Esq.	January 1806	Sworn and admitted to practice as an attorney at law.	County Court Minutes 1804-1809	311

Name	Term of Court	Abstracts and Transcriptions	Davidson County Records	Page number
Robertson, William Blount, Esq.	January 1806	Produced his license as an attorney and it appearing to this court that he had been qualified and admitted to practice as an attorney in the Superior Court of Law; therefore admitted to practice as an attorney in this court.	County Court Minutes 1804-1809	402
Benton, Thomas H., Esq.	July 1806	Produced his license as an attorney and qualified as such and is permitted to practice as an attorney in this court.	County Court Minutes 1804-1809	402
Powel, Leven D., Gent.	July 1807	Produced his license and is admitted to practice as an attorney or council at law on taking the required oaths which he did accordingly.	County Court Minutes 1804-1809	560
Grundy, Felix, Esq.	January 1808	Took the several oaths required to be thereby attorney at law and is admitted to practice in Davidson County court as such.	County Court Minutes 1804-1809	607
Turnbull, Thomas E., Esq.	January 1808	Takes the several oaths required to be taken by attorneys at law and is admitted to practice as such in this court.	County Court Minutes 1804-1809	626
Talbott, Eli[?]	October 1808	Having taken the requisite oaths ... is admitted to practice as an attorney at law in the county court of Davidson.	County Court Minutes 1804-1809	778
Thomas, Alfred, Esq.	January 1809	Takes the several oaths by law required to be taken by attorneys and is admitted to practice as such in this court.	County Court Minutes 1804-1809	804
Moore, Gabriel, Esq.	April 1809	Takes the several oaths by law required to be taken by attorneys and is admitted to practice as such in this court	County Court Minutes 1804-1809	830
Bridges, John L.	April 1809	Permitted to practice as an attorney in this court during the present session.	County Court Minutes 1804-1809	834
Payne, Ephraim Thompson, Esq.	January 1811	Admitted to practice as an attorney at law, having taken the necessary oaths.	County Court Minutes 1809 –1812	372
Mark, Robert, Esq.	July 1812	Qualified as an attorney at law and is admitted to practice as such in this court.	County Court Minutes, 1809 –1812	798
Quarles, William	January 1813	Qualified as an attorney at law and is admitted to practice as such in this court.	County Court Minutes, 1809 –1812	943
Trimble, James, Esq.	May 1813	Licensed to practice the law in the several courts within this state, took oaths and is therefore admitted to practice as an attorney in this court	Circuit Court Minutes Vol. B. 1812 –1817	80
Sims, John G., Esq.	June 1813	Licensed to practice ... took oaths ... admitted.	County Court Minutes, 1809 –1812	145
Orme, Henry, Esq.	November 1813	Licensed to practice ... took oaths ... admitted.	County Court Minutes, 1809 –1812	175
Donnison, William, Esq.	April 1814	Admitted to practice as an attorney at law, was sworn ... admitted to practice in this court.	County Court Minutes 1814 –1816	60
Gaines, William S.	May 1814	Licensed to practice ... took oaths ... admitted.	County Court Minutes, 1809 –1812	247

To Be Continued

Tony Sudekum, a Self-Made Nashville Businessman, 1913¹

“TONY SUDEKUM deserves the title of a successful young business man. His enterprise enabled him to start on the proverbial nothing, and in a few years become the head of half a dozen companies with an aggregate capital of several hundred thousand dollars, and supplying service and commodities not to the occasionally but to the daily wants of many thousands of people.

The Sudekum Planetarium

Originally a gift to the Nashville Children’s Museum in 1952, the planetarium was given in memory of Tony Sudekum by his family.

In 2003, the family provided \$1.7 million for a fabulous new planetarium at the Adventure Science Center. From Tony Sudekum’s initial investment in theatres to this high-tech planetarium, the Sudekum name has been “up in lights” for more than 100 years.



“Tony Sudekum was born in Nashville, August 21, 1880. His parents were Henry and Sarah (Eggensperger) Sudekum. The father was a native of Pittsburgh, and the mother of Nashville. The grandparents were born in Europe but spent their last years in Nashville. The father came to Nashville when a child, and was a baker by trade. For some time he worked as a journeyman in that occupation, and then engaged in business for himself in east Nashville, where he remained for twenty-five years, his plant being located on Cherry and Mulberry streets. He had nothing to start on, but did well financially, and is now living retired. He had little advantage of education, but mastered the fundamentals necessary for a business career, and did well by his children. He and his wife had seven children, all of whom are living, Tony being the oldest. His parents are members of the German Lutheran church, and the father is affiliated with Masonry, being a Knight Templar and a member of Claiborn Lodge. In politics he is a Democrat.

“Tony Sudekum, as a boy, attended the Howard School at Nashville, and began his practical career in his father’s bakery. He has always continued in the bakery business, although his varied interests in other fields have in recent years occupied much of his time. His actual start on the road to prosperity and in the larger fields of business occurred in 1905 when he established in Nashville a moving picture show. Since then he has built up and extended his interests in this line, and has incorporated the Crescent Amusement Company, and now controls the Elite, the Alhambra, the Fifth Avenue, and the Princess theaters in Nashville, and in other towns of the state he is owner and has the controlling interest in ten other amusement houses.... Mr. Sudekum is president and general manager of these companies and they all are directly the result of his keen foresight and business enterprise since he had not capital to speak of when he started eight years ago. Mr. Sudekum is a very busy man, giving all his time to his bakery, and to his other enterprises. He has larger interests in the Union Ice Cream Company of Nashville, and is president of the New Southern Milk Condensing Company of Nashville, Illinois, where the company has a large plant and ships its products throughout the southern states.

“Mr. Sudekum was married in 1904 to Miss Nettie E. Fesler, a daughter of John Fesler, and a native of Nashville. Her father is a market gardener in this city. Mr. and Mrs. Sudekum have four children, namely: Viola, in school; Elizabeth, in school; Marie and Sarah. The family are communicants of the Lutheran church, and Mr. Sudekum is affiliated with the Corinthian Lodge of Masons, the Woodmen of the World, the Golden Cross, and the Junior Order of United American Mechanics. Politically he is a Democrat.”

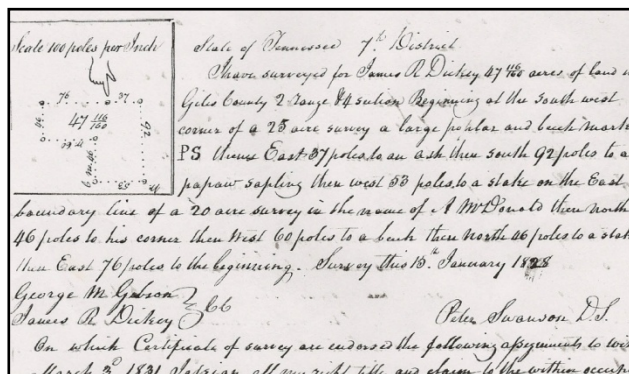
¹ Hale, Will and Dixon Merritt, *A history of Tennessee and Tennesseans* (Chicago/NY: Lewis Pub. Co., 1913), vol. 5, pp. 1491-92. Google Books, <http://books.google.com/books?id=g2wUAAAAAYAAJ&pg=PA1207>.

Joshua Baker's Land Dispute

Giles County, 1835

As Tennessee historian James Phelan wrote in 1888, “the history of public land in this State is the history of confusion.”¹ That fact is made evident by the many court cases filed over land boundary disputes. One such example is *Baker v. Thompson & Gibson*, which was heard by the Tennessee Supreme Court in 1837.

Baker's suit arose over the title to a tract of land in Giles County. From the description of the tract given in the court records, we can ascertain that the property was located northwest of Pulaski, near where the village of Campbellsville appears on modern maps. Situated in a beautiful valley surrounded by rolling hills, this tract caused a great deal of conversation and more than a few hard feelings during the 1830s.



The value of a close study of this Supreme Court case file is three-fold. First, it provides the genealogist with the names of many of the neighbors in this isolated part of Middle Tennessee, and helps us understand the relationships among them as relatives, employers and workers, and property owners. Secondly, it provides us with a picture of life in this Giles County community, resembling so many others in Tennessee, where settlers were pouring in, scrambling to acquire land, and then migrating further west. Third, this case can help the reader understand how Tennessee's land laws worked (and didn't work) to provide the early settlers who were living illegally on Indian lands with the right to purchase their land or be paid for the improvements they had made upon it.

One fascinating aspect of the case is that much of the activity of buying and selling the tract in dispute, which changed hands many times and involved a large number of owners, took place outside the courthouse. Most of the transactions were between individuals who traded notes and promises, never reaching the point where a deed was officially registered.

Notes from the Supreme Court Case File *Baker v. Thompson & Gibson*²

This suit was filed by Joshua Baker in January 1835 and heard before the Giles County Chancery Court in the town of Pulaski, beginning on the 7th day of March, 1836. The Chancery District at that time included the counties of Giles and Lawrence. The Chancellor (judge) was Lunsford M. Bramblett.³

Joshua Baker, the plaintiff, had previously brought suit in the Giles County Circuit Court in 1835. The case was transferred at some point to the Chancery Court. At issue was Baker's claim to a tract of land which he had purchased from John Goodnight. William Thompson and George M. Gibson had conflicting claims, and Baker sued them.

¹ James Phelan, *History of Tennessee: the making of a state* (Boston: Houghton, Mifflin, 1888), p.233.

² *Baker v. Thompson & Gibson*, 1837. Middle Tennessee Supreme Court Case Files, box 55, Manuscripts Division, Tennessee State Library & Archives.

³ *Sketches of the Bench and Bar of Tennessee*, Joshua W. Caldwell (Knoxville: Ogden Bros., 1898), pp. 102-03. For more information on the Chancellor, see the article, “Not Brilliant, Not Eloquent, Not Great: A Peculiar Tribute to Lunsford Bramblett” at the end of this article.

Baker, in his Bill of Complaint, provided a history of the land. It lay in fractional section 5 of range 2 of the 7th district, and was bounded on the north by the line between the 7th and 8th Surveyor's Districts. In 1835 Alexander McDonald owned a 30-acre grant on the west side, and Matthew Shepherd owned 2,000 acres on the east side of Baker's tract.

The Baker Claim

Sometime prior to 1 Sept. 1819 (when the land was opened for settlement by a treaty with the Chickasaw Indians), John Goodnight settled illegally on the tract, building a house to live in. Goodnight marked out a tract of 160 acres for which he later claimed an "occupant grant" under the laws of the State of Tennessee.⁴

Goodnight did not go to the expense of having a survey of the land made, and thus did not receive a grant. But in April 1825 he sold his rights to the land to Thomas Baker. Thomas later sold the same to his brother, Joshua Baker. At that time Thomas also owned an adjoining tract of 40 acres, which he sold in 1826 to James R. Dickey, who sold it to Elisha Oglesby in 1831, who sold it to Joshua Baker in 1834. Joshua Baker thus owned a tract of 200 acres in total. These frequent sales indicate a lot of speculation in land must have been occurring in this area during those years when settlers flowed westward through Tennessee in such great numbers.

Olive Baker Scott, a sister of Joshua Baker who was evidently involved in some controversy about her morals, moved out of Baker's house and built a cabin on a portion of the disputed land in 1828. In 1831 Olive sold her house to William Cockrell for \$8. Cockrell then sold it, some time prior to 1834, to George M. Gibson. Cockrell and Gibson's claim was very shaky because Olive Scott had never actually purchased the land from her brother.

The Inman Claim

John Inman claimed that he owned a portion of the land claimed by Baker, by right of occupancy. Inman's claims to the land as an occupant dated back only to Oct. 1831, at which time either he or his brother Andrew Inman lived on the land in question. Andrew Inman built a house there in 1832 and lived there until John Inman sold the tract to William Thompson.

Ignorant of (or disregarding) the claims of the Bakers and the others who had purchased land from them, John Inman, Jr., began the process of obtaining a State grant for the land in 1832. Before the District Surveyor could plat the boundaries, Inman sold his rights to William Thompson.

It was Thompson who finally paid for a survey of the land.

⁴ See the sidebar on this page for information about occupant entries.

THE OCCUPANT LAND LAW OF 1819

Acts of a public or general nature passed at the first session of the thirteenth General Assembly of the State of Tennessee, begun and held at Murfreesborough... (Nashville: George Wilson, 1819).

Chapter 1.

"An Act making provision for the adjudication of North Carolina land claims, and for satisfying the same, by an appropriation of the vacant soil south and west of the Congressional reservation line, and for other purposes."

Dated Oct. 23, 1819.

Manner of Occupant Entries

Section 9

"... in all cases where any person shall ... produce to the surveyor of the district ... a good and legal warrant or certificate ... equal to the quantity of land proposed by such person to be entered, or for any greater number of acres, and shall at the same time, file the same with said surveyor, and also produce to said surveyor the depositions of two respectable persons, taken in the county where such person resides ... setting forth that they the deponents are acquainted with the spot or piece of ground intended to be entered ... and that they are also acquainted with the person or persons claiming said warrant; and that such person ... resided on the same spot or piece of land on the first day of September one thousand eight hundred and nineteen; and that they believe the same to be ungranted and unappropriated land; then ... it shall be the duty of such surveyor to permit such person or persons to make an entry for one hundred and sixty acres in a square or oblong, including his, or their improvement as near the centre as may be...."

CONTINUED ON NEXT PAGE

THE OCCUPANT LAND LAW OF 1819 (CONTINUED)

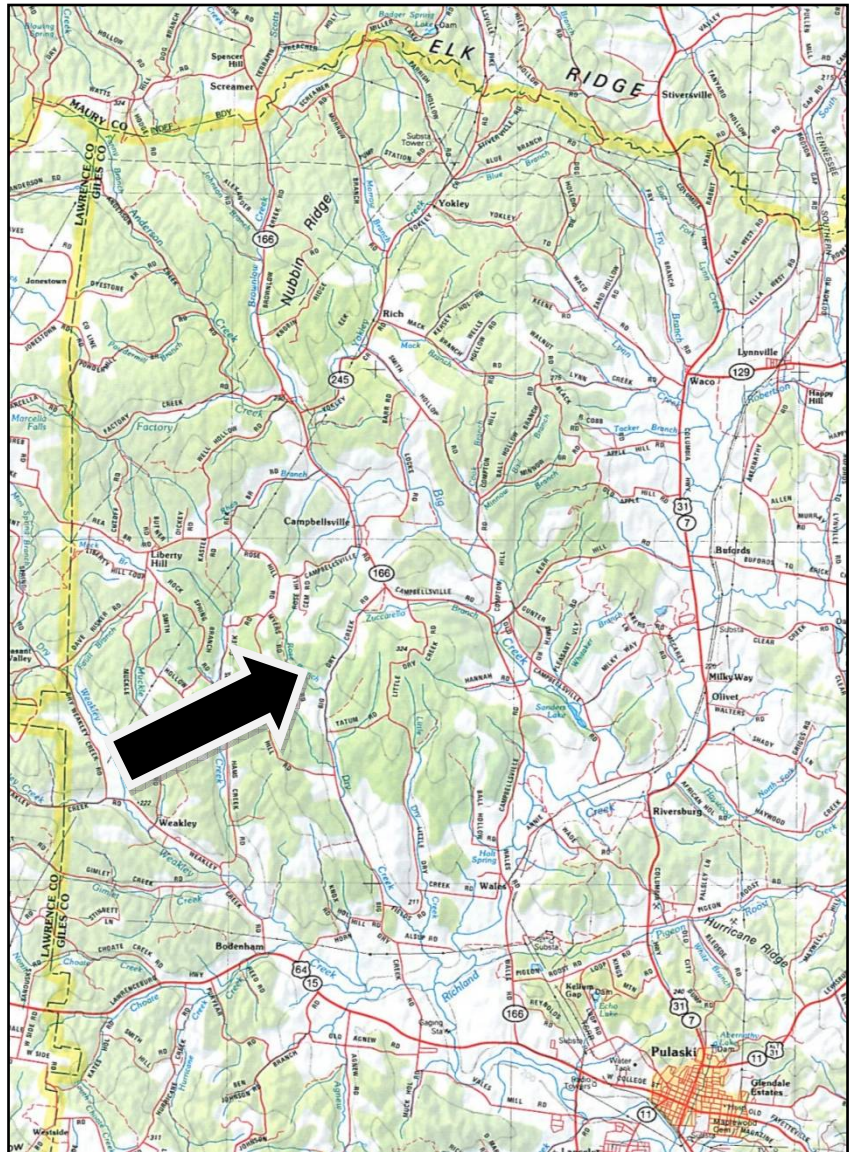
Section 11

“... And because it may happen that the settlers aforesaid, from their poverty or from some other cause or causes may not be able to procure a warrant by the time appointed by this act for drawing preference of entry whereby they will be liable to have their improvements entered by others, and because it is manifestly unjust that persons should reap where they have not sown, for remedy whereof:

“Section 12

Be it enacted, That where any person ... shall have been actually settled upon any vacant and unappropriated land ... and shall have made valuable improvements thereon, and shall not enter the same [by the date specified] ... the said surveyors are hereby prohibited ... from surveying the same for any other than such settler until the value of such improvements is paid for, or tendered by such enterer.”

Acts of a public or general nature passed at the first session of the thirteenth General Assembly of the State of Tennessee, begun and held at Murfreesborough...
(Nashville: George Wilson, 1819).



The disputed land was located south of the current village of Campbellsville; the area is marked with an arrow on this current map of Giles County.

Thompson then filed a claim for 61 acres in the Entry Taker's office in Dec. 1834.

The Dispute

At about the same time in 1834 Joshua Baker decided to purchase a small tract adjoining the one he got from Goodnight. He ordered the Goodnight land surveyed so that he could proceed to file for a grant. The surveyor discovered that John Inman had already begun the process of obtaining a grant for a portion of the same land.

Thompson (who owned Inman's claim) and George Gibson (who owned Olive Scott's house) joined together and resisted Joshua Baker's efforts to claim ownership of the land. The portions they wanted, Baker said in his bill of complaint against Gibson and Thompson, comprised the most valuable part of his lands.

George M. Gibson and William Thompson responded separately to Baker's claims in the spring of 1835. Gibson stated that he had become acquainted with John Goodnight around 1827, at which time Goodnight was living on land since purchased by Maj. John H. Rivers, several miles from the disputed land. Goodnight "left this country" in

about 1830 and never gave any indication of holding an occupant claim to the land in question. Gibson charged that Goodnight only lived for one year near that place and not actually on the disputed part of the land at all. He further stated that neither James Dickey nor Elisha Oglesby ever had a legal claim to own the land, and that he had heard Dickey say so.

Exhibits

The following exhibits were copied verbatim into the record:

1. Survey made 15 Jan. 1828 for George M. Gibson by Peter Swanson, District Surveyor, for an unspecified number of acres adjoining Martha Shepherd on the west and Joseph D. Baker on the east.
2. Survey dated 15 Jan. 1828, 7th District. Peter Swanson surveyed 47 and 116/160 acres in Giles County for James R. Dickey, located in range 2, section 4, adjoining A. McDonald. Dickey assigned his interest in the tract to Elisha Oglesby on 3 Mar 1831. Oglesby assigned his interest to Joshua Baker 4 Nov. 1834.
3. Agreement dated 23 Dec. 1831. William Cockrell sold his occupant claim to George M. Gibson for \$8.
4. Affidavit dated 30 Dec. 1831, Lawrence County. David Inman and Andrew Inman testified before B. Harford[?], J.P., attest that John Inman was residing on the "same spot" for which he claims an occupant grant prior to the 31st day of October, 1831.
5. Three surveys made 7 March 1832 by District Surveyor John W. Bodenhamer:
 - a. For John Inman, Jr., for 61 and 1/5 acres in Giles County on the headwaters of Dry Creek. Adjoining tracts owned by Shepherd, George M. Gibson and Joseph D. Baker. Land was located for Inman by Nathan McClendon in Jan. 1832.
 - b. For William Cockrell, for 88 and 102/160 acres in Giles County under the provisions of the occupant law of 1831. On headwaters of Dry Creek, adjoining tracts owned by William Roberts, Thomas Brown, Alexander McDonald, Joseph D. Baker, John Inman, David Goodnight, and Thomas Baker.
 - c. For William Cockrell, for 88 and 102/160 acres in Giles County under the provisions of the occupant law of 1831. Same adjoining owners as (b) above but not the same calls.
6. Agreement dated 29 Mar. 1832. George M. Gibson sold his interest in a parcel on Dry Creek to John Inman for \$50.
7. Affidavit dated 18 Dec. 1834, Tennessee 7th District. John W. Brodenhamer stated that in March 1832 he located and surveyed a tract of 61 acres for William Thompson, by virtue of warrant #3180, which allowed Thompson a total of 640 acres. The land was located in range 2, 5th fractional section, adjoining George M. Gibson and Joseph D. Baker.
8. Affidavit dated 26 Dec. 1831, Giles County. George M. Gibson and David B. Cockrell testified before John Dickey, J.P., that they know William Cockerell to have been resident on his occupant claim prior to the date required by the Act of Assembly passed 31 Oct. 1831.
9. Affidavit dated 28 Dec. 1831, 7th District. William Cockerell entered 200 acres under the provisions of the 1831 occupant law. Adjoining William Roberts, Joseph D. Baker, District line, Martha Shephard, David Goodnight and Thomas Baker. Signed by J.R. Dickey, Locator.
10. Statement dated 27 Jan. 1835. George M. Gibson attested that he sold part the occupant claim he bought of William Cockrell in 1831 to John Inman, relinquishing all claim to the land where William Thompson, Inman's assignee, "now lives."
11. State of Tennessee, Giles County, 7th Surveyors District. Joshua Baker enters 166 2/3 acres by warrant #3149 issued to Benjamin G. Cray [Gray?] by the Commissioners for West Tennessee. Adjoining Alexander McDaniel, district line, Mathew Shepard. [not dated]

Depositions

Depositions taken as directed by the Giles County Circuit Court.

Thomas Riddle, of Lawrence County, testimony given July 6, 1835, at the tavern house of Mr. Casey in the town of Lawrenceburg. Riddle, aged about 43, stated he was acquainted with the property in dispute and knew that Thomas Baker had purchased it from John Goodnight. Asked how Olive Baker came to live on the place, he answered, "Sometime in March or April 1824 or 1825 the neighbors concluded to build a house for Oliver Baker to live in and it was proposed that the house should be built near a spring on the same occupant [claim] which Thomas Baker purchased from John Goodnight. To this Thomas Baker objected but finally consented ... [on the condition that she] conduct herself well, but Thomas Baker expressly reserved to himself the right to turn her away whenever she misbehaved, and the house was accordingly built ... and Olive Baker lived in it ... until I left that settlement which was sometime in 1828 or 1829."



The first residents on that site, to Riddle's knowledge, were Benjamin Tull and Rowley Tankersly, who were there in 1817 or 1818. Riddle himself then left for Illinois and returned in 1822 to find Goodnight living where Tull and Tankersly had been. Riddle did not know how many acres were in the tract Goodnight sold to Baker. He considered it a remnant of Goodnight's occupant claim after taking away the 20 acres "which was saved by Alexander McDonald." When McDonald took this 20 acres [which evidently included the house], Goodnight built a little house about 20 feet from the new line of division and lived in it. Goodnight moved away in 1823 or 1824. He hauled the little house away and sold it to Zachariah Parker. He then sold the land to Thomas Baker, who gave him a note for the purchase price. Riddle and John Colman were witnesses on the note. Riddle could not say whether Thomas Baker ever lived on the place. Sworn before William A. Edmiston, J.P.

Depositions of John W. Bodenhamer and Thomas Baker, Giles County, 21 July 1835. Sworn before Benjamin Williams, J.P., at Williams' home. Baker, Gibson and Thompson and their attorneys were present.



Typical Tennessee pioneer cabin

John Bodenhamer stated he was acquainted with the property in dispute and swore that John Inman never lived there. At the time the occupant law passed, John and Andrew Inman were living about five miles away. On March 7, 1835, John Inman hired witness to make a survey of the tract. Inman told Bodenhamer that "he never had lived there but that he had in the year 1831 slept there, deadened some trees, and marked some trees, and ... he then intended to hold the land if he could." Witness went to the land and saw Andrew Inman living in a cabin on the place, "but from appearances he had not been there long." Andrew knew that the surveyor was there at John Inman's request but made no objection or claim of his own.

According to Bodenhamer, John Goodnight lived in that area in 1819-1820, but may not have lived on the disputed tract at that time. Goodnight may have lived on the 20 acres joining on the south side, which was afterward granted to Alexander McDonald. Goodnight moved to land owned by Tyree Rhodes and left the country in 1828 or 1829. Thomas Baker then lived on the disputed land and was there in 1827. Joshua Baker's house lies about 40 or 50

poles from the boundary of the place in question. William Thompson's house is about a mile away. George M. Gibson's house is about $\frac{3}{4}$ of a mile away.

Thomas Baker stated that he purchased occupant rights to the land from Goodnight in 1825 but lived on an adjoining tract which he had sold to Alexander McDonald in the same year. Olive Scott lived with him. He cut and hauled logs and had a house built on the vacant land about 100 yards north of McDonald's line. He later allowed a house to be built for Olive Scott, but she did not own any part of the land. She lived there for about a year. Baker told William Cockrell that Olive had no right to sell the house, but Cockrell moved in when Olive left. Thomas Baker sold his occupant rights to Joshua Baker. He also sold to James R. Dickey a "supposed occupant claim ... I had made with my ax but had never lived upon it." Asked whether he had ever lived on "any vacant land in the State of Tennessee since you were married," Thomas Baker stated that he married in 1822 and had not lived on any vacant land since, "unless the land I now live upon about 8 or ten miles from the land in controversy is vacant."

Depositions of James L. Hendry, Elisha Oglesby, Abia Parsons, James H. Pickens [or Madison?], Joseph Morris, Archibald M. Jordan and John G. Riddle, Giles County, 20 July 1835, Sworn before S.H. Lester, Clerk, in his office.

James L. Hendry rented land to John Inman in 1831. Inman's father lived on a tract adjoining the small farm rented out by Hendry. The farm was about three miles from Joshua Baker's. Andrew Inman, brother of John, lived with his wife and children near Joshua Baker's. "Sometime last spring having stopped at Joshua Baker's to converse a few minutes and hearing someone hammering ... I inquired who it was, and was told by Baker that it was Billy Thompson nailing on shingles on his new house. I then enquired if that was the place where Andrew Inman formerly lived and was answered it was." Thompson had taken possession of the place the previous winter and had "built a very good log house on that place and that he (Baker) assisted him in building it as one neighbor to another." This new house was about a mile from the place William Cockerell procured of Mrs. Olive Scott. Hendry was not sure where Andrew Inman lived in 1831, whether it was at his father's house or near Baker's.

Elisha Oglesby stated that he had purchased a part of the property in dispute from James Dickey, who told Oglesby that he had purchased it from Thomas Baker. Oglesby paid Dickey \$100 for "25 acres of deeded land and 47 $\frac{1}{2}$ acres of occupant claim." The cabin which Olive Scott sold to William Cockerell stood on this land. He saw Olive Scott working the land there with her brother Thomas Baker. Oglesby offered to sell Cockerell that portion, but Cockerell claimed he had purchased his occupant right from Olive Scott. Cockerell and his family moved to the house in the spring of 1831, but left in the winter, when James Rogers moved in.

Oglesby sold his claim to the place to Joshua Baker in exchange for "the picking out of five hundred pounds of cotton." Oglesby said that he could not read writing or write his own name. Dickey told him at the time of the purchase that the claim was a good one, but since then Dickey has told Oglesby in the presence of George Gibson that Oglesby's "claim was dead and no account."

Abia Parsons testified that he was employed in Oct. 1831 "making the running gears for a gin for Joshua Baker." At the same time, John Inman was also working on the project, "getting timbers for the Ginhouse" which was being built near William Thompson's house.



Cotton Picking: cotton was packed into 500-pound bales.
A worker could pick about 150-200 pounds in a day.

Parsons, John Inman and Andrew Inman all boarded with Joshua Baker and slept in his house, but usually went home to their families each Saturday evening. Parsons was told by the two Inmans that they lived four or five miles from Baker's on Capt. Hendry's land. On one occasion, a son of John Inman's came for him because a member of the family was sick, and John Inman went home. Parsons left the job but was on the place occasionally afterwards, and in 1832 he "went up on the hill on the land in controversy and there found a hut in which Andrew Inman and his wife lived." Signed "A.B. Parsons.

James H. Pickens swore that neither Andrew nor John Inman lived on the land on controversy in 1831. He thinks Andrew moved there early in 1832. In the latter part of 1831 "deponent lived near to and worked for Joshua Baker.... [signed] James H. Madison." [It is unclear whether the witness' name was Pickens or Madison. One name or the other was evidently a clerk's error.]



Joseph L. Morris testified that he was frequently on the land in question in 1831 and swore that neither John Inman nor Andrew Inman lived there.

Archibald M. Jordan said that in 1830 Alexander McDonald bought an occupant grant from Thomas Baker, joining Baker's 20-acre residence on the south. The land in question lay north of Baker's 20-acre tract. Jordan swore that Thomas Baker never lived on either of these tracts north and south of his 20 acres. On 1 Jan. 1830 Thomas Baker moved to Joshua Baker's, a mile and a half away. At that time Jordan moved into the house left by Baker and lived there four years. During those years Thomas Baker "exercised no acts of ownership over the land either to the north or south." Thomas Baker once offered to sell 100 acres "in the occupancy but he [Parsons] thinks the writing names only 65."

John G. Riddle stated that during all of 1831 John and Andrew Inman lived on Weakley's Creek four or five miles from the land in dispute. The Inmans passed by Riddle's house when they were on their way to work at Baker's.

Depositions of **John D. Riddell, Thomas Cook, David Riddell and William Riddell** dated 22 Jan. 1836. Each stated that he was acquainted with John Goodnight, formerly of Giles County "but now supposed to reside in Illinois," and said they would not believe Goodnight's statements on oath in a court of law.

Deposition of Augustin W. Bumpass, 27 Feb. 1836, Lawrence County. Sworn before Enoch Tucker, J.P., in the Circuit Court Clerk's office at Lawrenceburg.

Augustin W. Bumpass stated that Joshua Baker filed a location for 166 2/3 acres on 4 Nov. 1834. The land Baker filed for conflicted with an occupant entry in the name of John Inman which William Thompson had entered in 1832. Bumpass could not issue Baker's warrant because of the conflict, and it was because of this that the dispute arose.

Depositions of **Joseph McDonel and Elijah Goodnight** dated 10 Nov. 1834, Giles County. Each testified that John Goodnight was living on his occupant claim prior to the occupant law of 1819.

Depositions of John W. Bodenhamer, Charles Long, Spencer Bevers, David Bodenhamer and Isaac Mayfield, Giles County, 16 Jan. 1836. Sworn before S.H. Lester, Clerk.

John Bodenhamer stated that he was acquainted with John Goodnight, formerly of Giles County, and had heard that Goodnight "now lives" in Illinois. The witness stated that he would not believe Goodnight's statements on oath in a court of law.

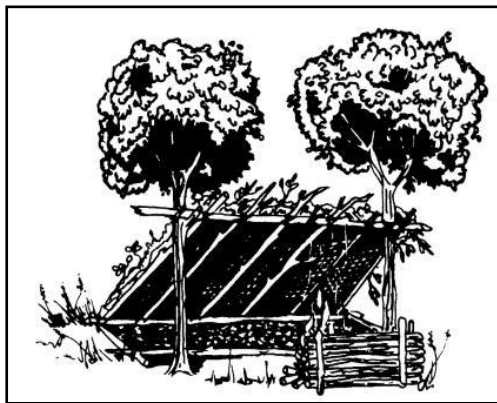
Charles Long stated that he was acquainted with John Goodnight in 1831 and a few years prior to that. He would not trust Goodnight's testimony in court if Goodnight had an interest in the outcome, "but if not I think it probable he might tell the truth." When asked why he would not trust Goodnight, Long further stated, "From the circumstances mentioned by John W. Bodenhamer of his [Goodnight] having put his son into the still house of old Col. Bodenhamer and from a report that on the 4th of July 1826 at a festival on Pigeon Roost Creek he had filled a bottle with spirits and attempted to take it off but was prevented... These are my only reasons for not believing Goodnight.... His word was considered doubtful in his promises especially in his neighbourhood transactions and contracts."

Spencer Bevers stated he was acquainted with John Goodnight who "lived in my neighborhood a good while." He thought Goodnight "might swear the truth surely if he were at himself, but it would run me hard to believe him...."

David Bodenhamer was acquainted with John Goodnight "from the circumstance of his frequent visits to my father's still house; but cannot say that I am acquainted with his general character."

Isaac Mayfield swore that he was not acquainted with John Goodnight's character.

Deposition of Andrew Inman, dated 4 Mar. 1835, sworn before S.H. Lester, Clerk of the Circuit Court of Giles County.



Typical lean-to shelter

Andrew Inman testified that John Inman lived four or five miles away from the land in question in July of 1831, when he was hired by Joshua Baker to cut timber for a gin house. He continued in this work until Feb. 1832, during which time John's family stayed at their other residence. While John was working for Baker, he sometimes boarded at Baker's and sometimes went home to his family, and sometimes stayed on the land in dispute, along with his oldest son, a 13-year-old. At that time John Inman's family consisted of his wife, three sons and three daughters.

Andrew claimed that John Inman filed an occupant claim for the disputed land on Baker's invitation. Baker told Inman he would support the claim, because Baker did not think he "could save it as such himself." He said that Baker went along to the surveyor's office

with John Inman when Inman filed his occupant claim for the land. On the way home Baker remarked that George Gibson "would not be well pleased but that the sign seemed to be right."

When asked who cooked and washed for John Inman when he stayed on the occupant claim, Andrew replied, "He cooked for himself and washed for himself all the washing he done ... but he does not know of any washing he did except to wash his cooking vessels." His only cookware was a small skillet. John had no house on the property and no cleared land, but he had a camp "made of plank scaffold over a large log, by the side of which we built our fire."

In Feb. 1832 John asked Andrew to settle on the premises and "keep possession for him." When Andrew arrived to live there, "There was a house put up on the place the day before I moved, but it was not covered and my family went to Baker's and staid all night." Andrew remained there until shortly before Christmas, when he "gave possession" to William Thompson.

Depositions of William Cockerell, David Goodnight, Zachariah Parker, Thomas Brown, David Inman, James R. Dickey, Alexander McDonald, and John Inman, dated 23 – 27 July, 1835, sworn before S.H. Lester, Clerk of the Circuit Court of Giles County.

William Cockerell stated that on 11 Dec. 1830 he purchased 25 acres of “deeded land” from James R. Dickey, and at that time he met Mrs. Olive Scott who lived on an adjoining tract. At the time, Cockerell thought there was an occupant claim attached to the deeded land, and he thought he had purchased that as well. Cockerell moved his family to the neighborhood “expecting to get possession of her house there being none on the deeded land. I applied to her for possession and she refused to give it unless I would pay her for it. In consequence of that refusal I declined taking the land I had bought of Dickey and settled at another place.” Dickey then sold his 25 acres to Elisha Oglesby.

The following spring Cockerell decided to buy the land from Oglesby and pay Olive Scott \$8 for her claim. He understood that he had “not only bought the house but also my claim to the soil.” However he and Mrs. Scott made no written agreement. He knew that there were other claimants to the land, but believed that Olive Scott’s was the valid one.

Cockerell and his family lived in Olive Scott’s former house until Christmas of that same year. Cockerell built a smokehouse and stable, fenced in a small plot and planted apple trees. Just before Christmas he changed his mind about getting a grant for the place, and, instead, sold his rights to George Gibson.

David Goodnight stated he was present when the house was built for Olive Scott about 1827. It was raised by her neighbors but he does not know who cut the logs and made the boards.

Zachariah Parker said that in early 1825 John Goodnight came to him and offered to sell him a house. Goodnight said he had built the house on “some vacant land adjoining 20 acres of deeded land that he had purchased of--and afterwards given up to--Alexander McDonald. Goodnight said that McDonald had refused to pay him for the house and he “did not intend he should have it for nothing.” Parker agreed to buy the house for about \$29, including delivery to Parker’s plantation about a mile and a half away. Parker was asked by Olive Scott to come to her house-raising, and he did go and helped. The neighbors who were helping took their dinner at the home of her brother, Thomas Baker. At that time Baker lived on A. McDonald’s 20-acre tract, about a mile from Olive’s house.



A “gin house” for processing raw cotton

Thomas Brown stated he purchased 50 acres of deeded land and 50 acres of vacant land from Joseph McDonald in Jan. 1832. These tracts adjoined the place where John Goodnight built his house, which he afterwards sold to Zachariah Parker. In 1834 Brown hired John Bodenhamer to survey the Goodnight tract, with a view toward obtaining a title to it eventually.

David Inman stated that he and his brothers John and Andrew all worked for Joshua Baker in gathering timber for his gin house. Baker told them to go onto the disputed tract, which was vacant, and cut trees. Baker told them that he planned to secure an occupant claim for the tract, but after two trips to Lawrenceburg to see Mr. Bumpass, Baker said that he was not going to be able to save the land, “that he was completely whipped, that Gibson had whipped him out of it.” Baker then encouraged John Inman to “take some steps to get it in order to cut Moore Gibson out of it...”

In the fall of 1831 John Inman built “a small comfortable little cabin, [and] enclosed his house and two small lots ... with the view of making it his home.” The day after the house was finished Andrew Inman moved into it. On detailed questioning, David admitted that he was not sure John Inman and his son had ever spent a whole night on the place during their occupancy.

David lived in Lawrence County 8 or 9 miles from the disputed tract, between Baker's and Lawrenceburg. Joshua Baker and John Inman stopped at his home and asked them to go to Lawrenceburg with them, but due to "the condition of my family" David did not go. Baker urged him to go and help John prove his occupancy, since John "was a stranger and might get into some difficulty with Gibson." Baker said he had relinquished all right to the claim and did not care who got it, so long as Gibson was cut out.



Hard cash was rare in rural Tennessee, but silver dollars with the Seated Liberty were minted starting in 1836.

James R. Dickey stated that he and Peter Swanson paid the expenses to survey and file an occupant entry of 25 acres for Thomas Baker in 1825 or 1826. Dickey held the entry papers pending Baker's payment of \$50. When the payment came due in 1827, Baker was unable to pay and signed the occupant claim over to Dickey. During the interval, Olive Scott's house was built on the property. Dickey asked Baker to remove Olive from the property, but "she would not give up her house." About 1830 Dickey sold his interest to William Cockerell and his brother-in-law, Elisha Oglesby.

Dickey believes that Joshua Baker owned 260 acres by deed in 1829, along with two or three occupant surveys. Gibson came to Dickey expressing his anger that Baker had filed a claim on the disputed land while Gibson was away. Dickey tried to mediate in the matter but did not take any money from Gibson for his efforts.

Alexander McDonald stated that he contracted with Thomas Baker, who lived on a tract of land McDonald owned, and that Baker had the choice of paying rent or purchasing the land at the end of the year. Baker did not purchase or pay the rent, instead signing over his occupant rights to an adjoining tract. McDonald stated, "my purchase was for the whole of the occupant [tract] but the part I had in view as the main object was on the south of the 20 acres."

John Inman said he was hired in Aug. 1831 by Joshua Baker to get timbers for a gin house which Baker was about to build. "I employed my brothers David & Andrew Inman to assist me in that business, and about the same time Joshua Baker showed us a piece of land on a ridge which he said was vacant and off of which he directed us to get the timbers. He stated ... that the land to about the top of the ridge was his. We went to work and shortly we concluded to ascertain what part of the land was vacant[. We] became tolerably well satisfied from what lines and corners we could discover that Baker's deeded land left out some of the bottom and all the ridge."

One day the Inmans went back to Baker's house for a meal and reported that someone had "deadened" some trees on part of the tract. Baker said that it was probably Mr. Finley or Mr. Gibson, and that the land was not within his boundary. John asked Baker if he "would consent to my saving that land without its hurting his feelings; to which he replied that he did not expect he could save the land himself as he had too much already, and that he would rather I would save it than any other man; and I understood him to say at the same time that he had already about 640 acres of land and could not therefore be entitled to an occupancy on vacant land." Inman went to Lawrenceburg to see Nathan McClendon, and asked him to survey the land for an occupant entry on Inman's behalf, for which McClendon charged \$10.

"I marked my name on a tree on the land and deadened some timber and piled some brush; and at leisure hours afterwards I continued to improve said land by building fires, clearing out a place for a house & cut some logs and I was regularly at work on said land nearly every day until I built a cabin. ... My object was to make it a home for my family."

Inman built a shelter on the place to protect himself and the others who worked with him there. "The first shelter was made of bark but afterwards ... made a shelter by covering over the end of the sawpit with plank that

afterwards was used for the floor of the house.” He slept some nights under the shelter, and cooked some there, but “he only had a tin cup, a Johnny cake board, and one night a Coffee pot.”

The house was partly built before he proved his occupant claim, and finished up shortly thereafter. He moved Andrew Inman into the house and paid him \$100 to live there and make improvements, establishing John’s occupant claim. George M. Gibson also claimed the land, and a surveyor and jurors were called out to settle the dispute, but Inman and Gibson agreed on a division line without the aid of the Jury in 1832.

On further questioning, John Inman admitted that Baker had asked him and his brothers to file an occupant claim on the land for Baker’s benefit, “that he might afterward save it.” But they did not agree to do so.

Deposition of John Goodnight taken 17 Nov. 1835 at the home of John T. Davis, Justice of the Peace, in Franklin County, Illinois.

John Goodnight stated that he never “bargained, sold or conveyed to Thomas Baker any occupant [claim] in Giles County ... on the waters of Dry Creek, nor any right of occupancy.” All the occupant rights he ever held were saved by Alexander McDonald. Goodnight further claims that the house he built on the land was not intended to establish an occupant claim. He gave Olive Scott “leave to build on said land and gave her a turnip patch place” of about ¼ acre.



**Olive Scott’s turnip patch
was a point of contention
in the Baker case.**

Depositions of Hamilton C. Campbell, John Dickey, James R. Dickey, Zachariah Parker taken 21 Jan. 1836 before John P. Taylor, Justice of the Peace, at his home.

Hamilton C. Campbell testified that he lived three or four miles from John Goodnight for 20 years and would trust his sworn statements. Campbell had never heard of Goodnight’s stealing whiskey until “after the commencement of this suit.”

John Dickey testified that he would believe John Goodnight’s word in court. Dickey lived about three miles from Goodnight from 1809 until Goodnight moved to Maury County. Dickey considered Goodnight “an honest poor man, that sometimes he was hard run to comply with his contracts having a large family to support and frequently had to work by day’s works, that he liked his dram a little too well.”

James R. Dickey testified that he would believe John Goodnight’s word in court. He had first met Goodnight 25 or 30 years earlier. When asked his age, Dickey replied, “From the record of the man that my mother has always told me was my father I was born on the 26th day of April 1797.”

Zachariah Parker testified that he had lived near John Goodnight for two or three years and would trust his word in court. He stated that Olive Scott’s house was built after Goodnight left the land in question, but Goodnight still lived in the county at that time.

Joseph Inman stated that he met John Goodnight “nine or ten years ago” and would trust his word on oath.

James L. Hendry stated that he knew John Goodnight for ten years or more, until he left this county some five years ago. Hendry would believe Goodnight’s word in a court of law.

Thomas Brown stated that he had known John Goodnight for 18 or 20 years, including the time he moved away to Maury County and then returned, and would trust his word on oath.

John Wall lived as neighbor to John Goodnight for three or four years and would trust his word given in court.

Stephen Gardiner testified that Joshua Baker said to him “that he thought he was finally outdone in trying the way he had been trying” to get the land in dispute. “He said he meant to have said land if he laid a United States warrant on it. Then he said he granted Andrew Inman and John Inman the privilege of saving it.” Gardiner was John Goodnight’s neighbor for five years and would believe his sworn testimony. When asked whether Goodnight had run away from the neighborhood or left openly, Gardiner merely said that he had “heard one or two people say that Goodnight left at noon.”

Decree of Chancery Court

The case was decided by Chancellor Bramblett in March of 1836. Baker’s complaint was dismissed and he was ordered to reimburse the defendants for their costs. Baker requested an appeal to the Supreme Court, which was granted. Baker and his security, John Bodenhamer, signed an appeal bond.

Decree of the Tennessee Supreme Court

Baker’s appeal was heard by justices William B. Turley and William B. Reese of the Supreme Court in January 1837. The minutes of the court record it briefly, “... after the argument of Counsel on both sides [was] heard thereon, the Court is of the Opinion that the decree of the Chancellor is correct.” The defendants were to recover their costs from Joshua Baker and John Bodenhammer.⁵ ■

Not Brilliant, Not Eloquent, Not Great **A Peculiar Tribute to Lunsford Bramblett**

From Sketches of the Bench and Bar of Tennessee, Joshua W. Caldwell (Knoxville: Ogden Bros., 1898), pp.102-03.

“Among the Tennesseans of former times who were once prominent, who performed valuable public service, and whose names are all but unknown to the present generation, is Lunsford M. Bramblett.

“He was, like many others, whose names belong to our history, a native of North Carolina. He was born in Surry County, but exactly when, it is impossible to say. Conflicting accounts of the descent of his father are given, some saying that he was of English origin, and others that he was of Huguenot or Scotch-Irish stock. It is certain that his mother was of the Virginia family of Taylors, and was remotely akin to Zachary Taylor.

“The future Chancellor probably was born in the last decade of the last century. It appears that soon after his birth the family went to Wilkes County, Georgia, where he was reared. In 1813 he came to Tennessee, and on March 7, 1841, was admitted to the bar at Pulaski. He was a diligent and persevering student of the law, zealous in behalf of his clients and more than ordinarily prone to enter into their feelings. That he was a successful lawyer, and was esteemed by the public and by the profession, is proved by his elevation to the bench at a time when judicial office was carefully bestowed. He became Chancellor in 1836, and served until 1844. He died in 1854. After retiring from the bench he endured the hard fortune that waits on retired Judges, and was unable to regain his practice.

“In his life he was devoted to the law, and after his death the settlement of his estate seems to have occupied surviving members of the profession for some time.

“As Chancellor he was distinguished not for brilliancy or readiness of decision, but for careful and conscientious investigation, and an earnest desire to be just. At the bar he was not an eloquent speaker, but a painstaking and zealous advocate, who by fair means made the best of every case.

“This is the record, not of a great man, but of an excellent and worthy one, a good lawyer, and a competent and upright Judge.”

⁵ Middle Tennessee Supreme Court, *Minute Book, 1834-1836*, p. 282,. Record Group 191, Tennessee State Library & Archives.

Giles County Civil War Claims

Allowed for Payment by the Southern Claims Commission

Part II



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.

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

JOHN H. MARSHALL

Resided in Pulaski. Age 40; filed 1871; file consists of 13 pp. Claimed \$140 for a horse.

Commissioners' Remarks:

“The claimant was much molested by the rebels, was arrested by them and kept in prison some time. Finally he made his escape and enlisted in the Federal army. Was a corporal in Co. H, 10th Tenn. Cav. and honorably discharged in '65. He was with his company at New Orleans in May '65 and by direction of his Capt. John Q.A. Bryant turned over his horse to the 2nd [Tenn.] Mounted Infantry. He and a comrade present at the time testify to the facts. We allow \$100.”

Notes:

In 1861 John Marshall returned from Texas to Mississippi where his father lived. In 1864 he recruited 30 men to join the Federal army. He was captured by

the rebels and imprisoned for 11 days at Yallabusha Co., Miss., and taken to Atlanta where he escaped with two others.

Witness:

- R.M. Osborne, age 30, of Giles County, met claimant in New Orleans where they served together.

DANGERFIELD RHODES

Resided in Giles County. Age 59; filed in 1872; file consists of 55 pp. Claimed \$825 for six mules and a horse.

Commissioners' Remarks:

“Claimant was a slave during the war. His loyalty is established by the law and the testimony. It is in evidence that he was a brick maker and mason, and that he hired his time of his master and made his own

contracts and accumulated some property and amongst the rest the livestock for which he claims compensation of the Government. Two or three witnesses testify to his ownership of the property and that it was taken in 1864 and 1865 by soldiers of Gen. Dodge's command at Pulaski and by soldiers of the Army in Nashville. We allow for five animals regarding the others as unfit for service and probably not taken for use of the Army. We allow \$500."

Notes:

Claimant was sometimes referred to as 'Danger' Rhodes. He had lived in Pulaski since 1829, and was formerly a slave of Tyro Rhodes. "For many years before the war I had bought my time of my master, worked where I pleased...." He paid his master \$300 per year for his time, and ran his own masonry business. His son John Carter was engaged at Post Headquarters in Nashville. Claimant let his son have a wagon and team to move his family to Nashville when Gen. Hood's army was approaching Pulaski. The mules were taken away from him by men from the 9th Indiana Cavalry. During Hood's raid the rebels robbed claimant's house and took all his household goods and clothing. He acted as a scout for the federals in 1864. Dr. Lannon of the 9th Illinois and others occupied his house for six months. Rhodes was renting land and making a cotton crop at the time the livestock was taken.

Witnesses:

- Tunstall Carter, age 55, has known claimant for 40 years and lived on the same premises with him most of that time. He was Dr. Carter's slave and knew Rhodes, whose wife and children also belonged to Dr. Carter.
- John Carter, age 34, son of claimant. His father was a contractor and builder of houses, chimneys and other things with the brick he made. Witness worked as a servant in Post Headquarters for five years, and when Hood was approaching he used his father's wagon and team to fall back to Nashville with the headquarters.
- Calvin Rodes, age 26, son of claimant, was driving his father's team in Pulaski and the 66th Indiana, which was camped surrounding his father's house, took the team from him.
- J.H. Morris, attorney, of Pulaski, wrote the Treasury Dept. in 1878 to complain that Rhodes' check should have been issued to him. "R[h]odes

is whol[l]y insolvent and I am constrained to believe that there has been some collusion ... with Geo. C. Rounds & Co. for the purpose of defrauding me out of my fee...."

- James Carter, age 48, son of claimant, testified in 1880. James was a slave of Dr. Carter before the war. During the war he worked with the Engineer Corps replacing railroad bridges. In spring 1864 his father rented Dr. Carter's plantation. "We boys had an interest in it and furnished stock to cultivate the farm. I put in four mules and worked on the place until the federal army left in Nov. 1864. A great many colored people followed the army, and so did I and three of my brothers.... When we got to Nashville we encamped near the Franklin Pike on the right of Fort Negley." On the second day of fighting Lieut. Pylon or Paylon of the 9th Indiana took their livestock. "I knew him well, my wife used to cook for him while his regiment was camped close to our farm.... I begged the Lieut. not to take my mules. He said 'Good bye, Jim, I will see you again.'" The Quartermaster gave them transportation back to Pulaski.



Nashville's Fort Negley

WILLIAM C. SANERS

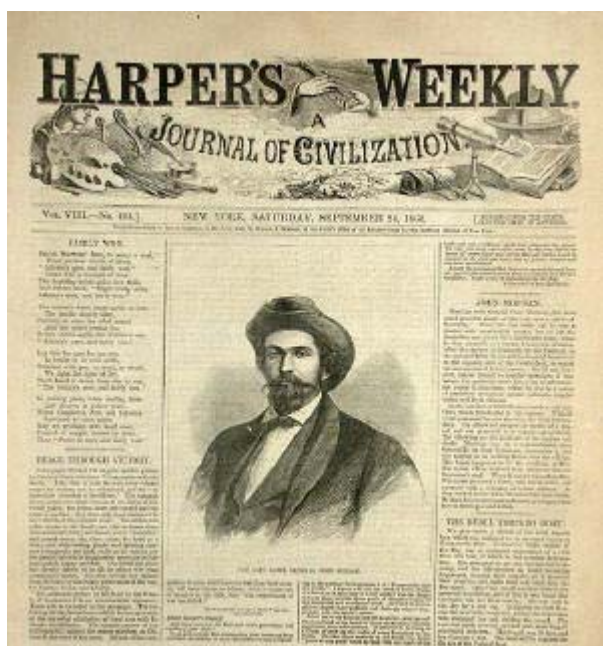
Resided in Giles County. Age 53; filed in 1871; file consists of 15 pp. Claimed \$165 for a horse, saddle, bridle and blanket.

Commissioners' Remarks:

"Claimant testifies that he voted against separation and adhered to the Union. A neighbor also testifies that he voted against secession. Two witnesses testify to his loyal conversation and reputation and at the same time testify to their own loyalty. Nothing appears to the contrary and although the evidence is meager we find claimant loyal. The horse was taken by Union troops under command of Col. Miller in 1863. We allow \$120."

Notes:

Sanders was a farmer and had lived in Giles County



**Confederate General John Hunt Morgan
was famed for his skills as a raider.**

for 20 years. His horse was taken in Cornersville by the 18th Missouri Mounted Infantry while on a scouting expedition.

Witnesses:

- William Hardeman, age 57, farmer, has known claimant for 25 years.
- James D. Terry, age 58, blacksmith, lived near Cornersville during the war. Claimant came to his shop to have his horse shod and while there the Missouri troops came and took it.

LOVEDY J. D. SHAW

Resided in Pulaski; age 60; filed in 1875; file consists of 23 pp. Claimed \$200 for a mule.

Commissioners' Remarks:

"Claimant is the widow and only heir of Ebenezer Shaw who was shot in his own house and fatally wounded by rebel bushwhackers in 1864. The claimant and several witnesses testify to the loyalty of claimant and her deceased husband. And the Special Commissioner made inquiry in the vicinity of their residence and reports that they were universally regarded as loyal to the United States government. The mule was taken by a detachment of Col. Meisner's regiment of Union soldiers stationed at Columbia at the

time, some 12 miles from claimant's residence. The proof of the taking is by a negro who was riding the mare and by claimant and a neighbor who went to camp and saw the officers in reference to the matter. We allow \$150."

[Special Commissioner D.G. Anderson's note:] "I would simply say that I went to Maury Co. Tenn. in company with claimant, went from witness to witness to take each one's statement, spent three days in getting up her testimony, saw and heard her old neighbors and acquaintances talk about them, and both Loyal and Rebels stated that they were loyal and that she had the mule taken ... and that W.J. Hill being acquainted with her proposed to get up her claim for her and charge her nothing for his services. He is now in the Asylum. She therefore wishes you to examine her claim right away, if possible, and if you think she is entitled to anything to inform her of the fact, and if not be good enough to address her at Pulaski, Giles Co., Tenn., and oblige her & etc."

Notes:

Shaw's residence during the war was near Mt. Pleasant in Maury Co. Her husband was born in Maine and died in Shelby Co. Tenn. on Sept. 9, 1867. Their servant boy, Lee, was on his way to a mill when the "fine carriage mule" was taken. Shaw's husband was in bed sick and Mr. Ridley took Mrs. Shaw to Columbia to look for the mule and the boy.

Witnesses:

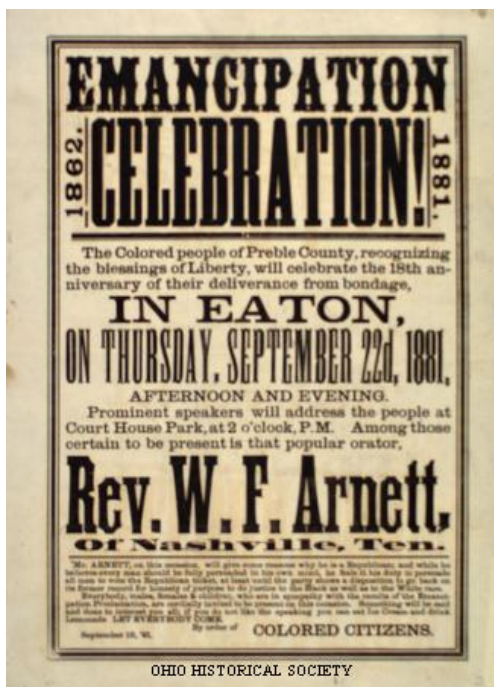
- J.W. Ridley, age 50, of Maury Co. Talked with Capt. Garrett at the camp in Columbia.
- Lee McMillion, age 38, of Maury Co., was returning home from the mill when soldiers ordered him to turn around and go with them. Mr. Shaw had been shot by bushwhackers about a week before.
- James H. Hoge, age 40, of Maury Co., saw the troops pass his place with Shaw's mule. One of the bushwhackers "told me .. that the old Yanky Son of a Bitch ought to have been killed." Hoge lived 10 miles from the Shaws.
- Aaron McManus, age 64, of Maury Co., farmer, has known claimants 20 years, lived three miles from them. "Mr. Shaw was a northern man and had to say but little for fear of having to leave the country."

HENRY M. URBAN

Resided in Alabama; age 45; filed in 1875; file consists of 30 pp. Claimed \$180 for corn, beef and pork.

Commissioners' Remarks:

"Claimant was a carpenter in a factory at Florence, Alabama, till 1864, when he went to Pulaski County, Tenn., to keep out of the Rebel army. Several officers of the Union army sign a letter of recommendation as a loyal man in 1864. Prior to that time he was exempt from service on account of his employment... His wife was a weaver in the factory till it was burned. Three witnesses testify to claimant's loyalty while he lived in Alabama till 1864, and that he left there with the Union army to avoid conscription. The claimant's wife and a neighbor testify to the taking of the corn from the field and the cow from the farm by soldiers of Gen. Croxton's command in 1864. The hogs were taken in the night if at all and there is no witness who saw them taken, we therefore place them to account of depredation. We find claimant loyal and allow the sum of \$120."



Broadside announcing that Nashville orator W.F. Arnett would speak on Emancipation in Ohio.

Notes:

Claimant lived in Lauderdale Co., Alabama, on Shoal Creek and has lived there all his life. He worked in a factory nine miles north of Florence. The owners of the factory had given bond to Gen. Negley that they would not work for the Confederacy. A sick soldier named Jack Willis, of the 6th Indiana Cavalry, stayed at Urban's house for a month while his regiment was in Pulaski.

Witnesses:

- Irvin Ross, age 52, shoemaker, of Lauderdale Co. Alabama. Urban married Ross' step-daughter. Has known Urban since he was a little boy.
- J. Calvin Myrick, age 49, of near Florence, Alabama. Has known Urban 15 years. He avoided rebel conscription due to his health. "If I had been a man that could a walked they would have killed me long ago. I wouldn't a bin here."
- Mary Ann Urban, age 46, wife of claimant, of Lauderdale Co. Alabama. Lived at the factory during the war. She went to the camp and got vouchers for some of what was taken. The guerillas were on the road and she was afraid to let her husband go.

HENRY WEBB

Resided in Giles Co. Age 49; filed in 1871; file consists of 30 pp. Claimed \$303 for corn and two horses.

Commissioners' Remarks:

"Claimant was a slave until the 'Emancipation Proclamation.' He was employed in a livery stable, owned some property of his own, bought corn and had it ground and supplied his customers with meal. He testifies that he owned two horses, describes them particularly. He states that he was in the habit of hiring them to couriers of Gen. Dodge's command, and that they were eventually taken for the use of the command on different occasions in 1864. His employers, the livery stable keepers Lewis & Alexander, both confirm his statements and testify to his good character, to his ownership of the horses and to their knowledge of his habit of hiring them to couriers. But neither of them testify to the actual taking of the horses for the use of the army as they would have been very likely to have done had they been testifying falsely and in their own

interests. We find the claimant [loyal] and allow \$250."

Notes:

Webb had resided in Pulaski for 17 years. He was formerly the slave of Mrs. McKnight. The meal mentioned in the claim was taken by Col. Haggard's 5th Kentucky Cavalry when they came to Pulaski in pursuit of rebel Gen. Morgan.

Witnesses:

- William G. Lewis, age 43, employed Webb in the livery stable. Has known Webb for 20 years "... for truth and veracity, honor and sobriety claimant has a most enviable reputation among the people of this community."
- W.F. Alexander, age 43, co-owner of the livery stable in Pulaski, has known Webb for 20 years. "... the claimant is a man, though colored, [who] is entitled to full credit and belief... he has exercised much influence among his race ... has a most enviable reputation in this community irrespective of race or color."

ESTATE OF SAMUEL A. WEST

Resided in Lynnville. Claim was filed in 1878 and consists of 18 pp. Claimed \$200 for 1,000 lbs. of salt pork.

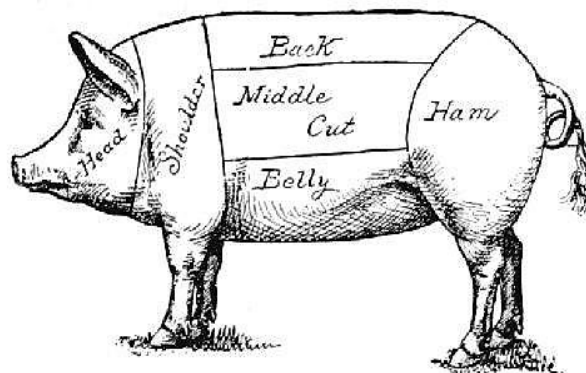
Commissioners' Remarks:

"Several witnesses testify to the loyalty of the deceased. His oath of allegiance certificate of the proper officer that he was a qualified (loyal) voter in 1865, protection papers and passes are filed establishing the loyalty of deceased. By his will his brother is made executor and his personal property is all left to his widow. Her loyalty is established by the testimony of the witnesses, and the taking of the park for the use of the army is proved by the receipt of Watkins, an officer of an Iowa regiment, and by the testimony of witnesses. The port was taken in Dec. 1864. We allow \$200."

Notes:

Walter O. West, executor of the estate, was 61 years old at the time of the claim. Walter had lived in Giles Co. all his life, except for eight years, and was a farmer. His father Samuel West died in 1867. Walter had known Minerva West, the widow, for 45 years. He

lived 10 miles away from his father and step-mother and saw them six or eight times a year. Minerva supported her husband's Union sympathies. "She is a woman who does not talk much but was positive and emphatic in what she had to say." Samuel's will gave all his property to the widow, except one small tract to a son who was dead at the time of the claim.



Butchering and salting pork was a major activity on nearly every Tennessee farm. Soldiers were glad to supplement their rations with food from local smokehouses.

Witnesses:

- Minerva West, age 61, has lived in Giles Co. all her life. Married in 1833. Her husband left 10 children, six now living. Rebel soldiers took her husband off and threatened him. Rebels on Wheeler's raid took their horses and corn. She has two sons who were conscripted into the CSA. The pork had been in salt about three weeks, was taken from the work house. "I remarked to the officer that it was very hard as my children would suffer from it. The officer spoke very kindly about it and said he would fix it so we could get pay for it, and asked for a pen and ink to write a receipt."
- S.M. West, age 25, son of Samuel West, saw the pork taken from the smoke house.
- James M. Shields, age 66, has lived whole life in Giles Co., is a notary public, knew Samuel West for 30 years before his death.
- Robert S. Montgomery, age 63, tailor and postmaster, has lived in Giles Co. 40 years, knew Samuel West for 25 years before his death.
- R.A. Mitchell, age 38, merchant, has lived in Lynnville most of his life, was a captain in the Rebel army. In 1863 or 1864 "while we were south my father came home to get us some clothing, and in coming to

Lynnville passed by claimant's house. The federal troops were at the time stationed at Lynnville. My father was reported to these troops and was caused a great deal of trouble. It was always understood that Saml. A. West reported him, and if we could have gotten hold of him at the time, we would have made it the most unhealthy act of his life. He and all his kin except one were strong Union people and have been so recognized up to this day. We soldiers in discussing who the Union men at home were always put him down as one of the rankest." Wiley Foster and Mr. McGehee were also Union neighbors.

CARR B. WHITE

Resided in Giles Co. Age 55; filed in 1871; file consists of 41 pp. Claimed \$890 for horses, salt pork, hogs, corn and fodder.

Commissioners' Remarks:

"Mr. Carr B. White lived on his farm in Tenn. He was threatened, notices to quit sent him, once arrested by Forrest, rebel General, gave information to Union forces, voted for Union ticket in '61. Major Genl. B.W. Johnson says, 'He was a truly loyal man throughout the rebellion.' Four other witnesses confirm his loyalty. One of his sons acted as a Union scout. We find him loyal. The proof of taking is chiefly by himself and his two sons. The property taken in Dec. '64 was by soldiers under Genl. Wood. A considerable force camped near his premises while building a bridge across Elk River. The pork, corn and fodder are wholly 'by estimation' and no data given as basis of estimate. We think not over 1,200 lbs. of pork was taken. Hogs, number not fully proven, much of testimony as to hogs guess work." White was allowed \$472.

Notes:

Claimant resided in Limestone Co. Alabama when the property was taken and all during the war except for trips to Nashville and Giles County. A document in the file dated 1873 certified that White and his sons were truthful and of good character; it was signed by about 20 neighbors and officials of Giles County.

Witnesses:

- S.C. Moffett, age 33, has known White since 1861.

- J.G. Marbut, age 42, has known White since the fall of 1861.
- D.G. Anderson, age 66, has known White since the war.
- James M. White, age 27, nephew of claimant.
- S.M. White, age 35, son of claimant. Stated that soldiers were building a bridge at Brick Island Ford.
- W.W. White, age 30, son of claimant.
- Philander M. White, age 25, of Giles Co., farmer, son of claimant

DYONITIA WHITE

Resided in Pulaski. Age 39; filed in 1878; file consists of 42 pp. Claimed \$685 for beef and pork.

Commissioners' Remarks:

"Dr. Thos. C. White died in 1868 and his widow presents this claim. He was a physician and farmer. He appears to have practiced among the Union soldiers and to have had a pass to go in and out of the camp as he pleased. He took several sick soldiers to his house and took care of them. Three or four witnesses testify to his and his wife's loyal reputation. The children were all under 16 at the close of the war. We find him loyal. The number of hogs and cattle taken depends on the testimony of two colored witnesses (slaves) and on the statement of Mrs. White. As she is interested and the colored witnesses are very unreliable as to quantities, amounts and numbers, when no special data for remembering are given, we receive the evidence with some mistrust. The ages of the cattle and swine are not given. The estimate of the weights is in round numbers and looks like wild guess work – cattle average 400 lbs. and swine 250 lbs. each! No allowance for pigs. Pork and cattle were very low in price at the dates given. We allow \$318."

Comment of Special Commissioner C.W. Herrell.

"Mrs. White is a high-toned honorable lady and well worthy of credit in anything she may say."

Notes:

Claimant had lived in Giles Co. all her life. In June 1862 they moved from Pulaski out to their farm one mile south, where she still lives. Among the sick soldiers she cared for at home during the war were

Roark, Garrett, Capt. Ricard and Col. Brown. Her cousin Joe Moore was a surgeon in the 10th & 12th Tenn. Infantry and she had other relatives in the U.S. Army. Drs. Ole, Moore and Mitchell, Union Army surgeons, visited her home when the family was sick and furnished her husband with medicines. Union men of the neighborhood were Daniel Green Anderson (dead), Rev. Robert Cardwell, Wm. Beasley (has left the country), Joe Anthony, W.G. McCord and Rev. Robert Cardwell. She had four brothers and other relatives in the Confederate Army. She was married 11 Dec. 1855 and has four children: Gordon, age 21; Lizzie, 18; Thomas, 11; and Mary, 9. Her husband died 14 Apr. 1868, leaving five children, one of whom has since died. Col. Heath of the 5th Ohio Cavalry took the property for which she claims reimbursement.

Witnesses:

- Rev. Robert Caldwell, age 70, has resided in Pulaski for 38 years; preacher of the Gospel; has known claimant 30 years. He was postmaster from 1865-69.
- Oceola White, age 39, farmer; has known claimant all his life, was her slave and lived with her during the war. Claimant gave Union soldiers 12 stalls in her stables to use for their horses and furnished them with milk, butter and eggs.
- Andrew White, age 38, carpenter; has known Mrs. White 21 years, was her slave and lived with her during the war. She had as many as seven sick Union soldiers at a time in her house.
- Wm. J. Craig, age 59 or 60, of Giles Co., miller, neighbor.
- Wm. G. McCord, farmer, has lived in Giles Co. 40 years, has known Mrs. White 35 years, neighbor.
- R.M. Baldwin, of Dickson Co., was Quartermaster of 12th Tenn. Cavalry while camped at Pulaski in the summer and fall of 1864. While there the 10th & 12th Tenn. regiments used a great deal of corn and hay belonging to Dr. Thomas C. White. He and others were assigned to issue receipts for what was taken, but never completed their duties because they left Pulaski during Hood's raid.
- A.A. Jackson, of Winfield, Kansas, wrote in 1870 to say his unit of the 12th Illinois Infantry was camped near the White place during the winter of 1863 and 1864 and he knew Dr. White to be a loyal man.
- Edward W. Rose and Daniel C. Anderson testified in 1870 to Dr. White's loyalty.

- S.C. Moffett, Deputy Collector for the US Internal Revenue, certified in 1870 that he knew Dr. White before and during the war to be a perfect gentleman and loyal to the Government.



Sick and wounded soldiers were often nursed in private homes, if they were fortunate.

- Justice D. Towner, of Marshall Co., Tenn., was captain in 12th Illinois Infantry and knew Dr. White to be loyal.
- George E. Judd, 2nd Lieut., U.S. Army, was Bureau Agent in Pulaski and became acquainted with Dr. White in 1866 and 1867 and up to the time of his death, and knew him to be a thorough loyal man.

ESTATE OF WILLIAM C. WHITE

Resided at Minor Hill; claim filed in 1871; file consists of 66 pp. Claimed \$2,095 for a horse, five mules, a wagon and 56 hogs.

Commissioners' Remarks:

"William C. White was a resident of Giles Co. Tenn. He was a Union man loyal to the cause and the Govt. of the United States. Was murdered by the rebels on account of his Unionism. The petitioner is his oldest son and was for a time in the federal service. The testimony is satisfactory that the entire family was loyal, most of the children being quite young during the war. The claim is very irregularly and artificially drawn. It is filed by James M. White as guardian for his brothers and sisters, naming them. The widow of decedent is living and several of the heirs are now of full age. The proofs disclose the names and ages of all the parties interested. The property was taken from

decedent and after the taking of the testimony the claimant took out letters of administration on the estate. For item 1 [horse] an army receipt is given fixing the value of the horse. It is proved also that a receipt was given for items 3 and 4 [mule & wagon] but has been lost. Item 2 [mule] is proved by the value we think not over \$130. Item 6 [mule] is not proved. Items 7 & 8 [mules] are proved. The hogs were fattening hogs taken from a pen "at the still house" and driven to the camp, the number is uncertain. They were taken in the fall of 1863 when bacon brought but 7 cents per pound. We recommend payment of \$1,235."

Comment by Special Commissioner Daniel G. Anderson. "From the reputation of the White family I have no hesitation in saying that if there are any loyal men in Giles Co. Tennessee, they are strictly so, and this family in particular. The father was shot down in his own yard for his Union sentiments, by a Rebel soldier."

Notes:

James M. White, age 30 on 12 Feb. 1874, was the claimant. He was a son of the deceased William White and serves as guardian of the minor heirs of his father's estate. His siblings: Charlotte J. White age 29 on 21 Oct. 1874; Lewis White age 27 on 20 Dec. 1874; Jno. W. White age 23 on 17 Jan. 1874; William K. White age 22 on 22 Aug. 1874; George W. White age 20 on 28 Dec. 1874; Crawford L. White age 17 on 15 May 1874; Caledonia White age 14 on 20 Nov. 1874; Thomas B. White age 12 on 20 Nov. 1874; W.C. White age 10 on 26 Dec. 1874. James cites the family Bible in his mother's possession as the source of these dates. A letter in the file dated 10 May 1865 at Pulaski gives James M. White permission to go to Decatur to arrest a bushwhacker who had been implicated in the murder of his father. The man's name is Frank Heren but he was thought to have enlisted in the Union army under a false name.

Witnesses:

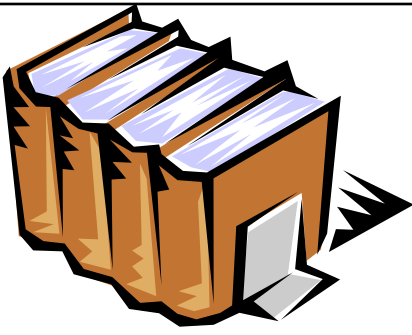
- John L. Tennison, age 37, of Limestone Co. Alabama, knew that W.C. White had a wagon before Gen. Sherman passed through the country on his march from Vicksburg to Chattanooga, and that it was gone after they left. The oldest son, J.M. White, was about 17 at the time and was employed as a scout for the army stationed at Pulaski. He knew the old lady, Eliza White, along with James

M., Lewis, Charlotte and John W. White, to be unconditional Unionists.

- John Morrison, age 40, of Giles Co., blacksmith, saw the hogs taken by a group of 300 soldiers on the march to Chattanooga.
- David B. Dollins, age 51, of Giles Co., saw White's wagon being used by the army "to haul a barrel of whiskey for medical purposes."
- Eliza White, age 50, widow of claimant. "I rode into the command of Col. Longs while on his raid after Gen. Wheeler. My son was with me riding the said mule. A squad of soldiers rode up and ordered my son to light [sic]. He refused, the Capt. told him to light, they was compelled to have the mule. I told the Capt. my husband was a Union man. The Capt. said they were after Reb Wheeler and was compelled to have it...."
- George Hogan (colored), age 45, of Giles Co., farmer, saw about 100 soldiers lay down the fence and take off the hogs and horse.
- James A. Warren, age 50, of Giles Co., blacksmith, neighbor.
- Asa T. Foster, age 34, of Giles Co., occupation "W.S. gauger." He first met James M. White in 1863 and they scouted together as employees of the Union Army.
- Lewis White, age 24, son of William C. White.
- John Y. Jackson, age 31, was employed by W.C. White in fall of 1864 when the soldiers took a mule from witness.
- James A. Warren, age 48, neighbor, saw White's hogs driven past his house by the army.
- C.B. White, age 55, brother of W.C. White. ■



View of Chattanooga during the Civil War



Book Reviews

by Shirley Wilson

minute books and pre-1838 marriages from other sources. The bulk of the book is arranged alphabetically and the source information is included. Bride and groom are listed as well as the license-issued date and the solemnized date and the name of the person who performed the marriage.

Long states that the dates for solemnizing the marriages have never before been published. He also demonstrates how the left pages (containing the names and license dates) and right pages (containing the solemnized dates) in one book were incorrectly rebound and then microfilmed, leaving the impression that some couples married when in fact they did not.

The author has taken great pains to record these marriages with accuracy, some with annotations, and has created an excellent and well researched book. It both deserves and needs a complete name index for brides, grooms, and officials instead of just a surname index to brides and grooms.

That said, the book is well worth its modest price tag and all profits go to the Stewart County Archives, so it is money well spent.

Gone But Not Forgotten, researched and compiled by Jo Ann Williams McClellan, 324 pp., 2009, soft cover, illustrations, full name index, map, photographs. \$45 from Author's Corner, LLC, 7978 Coley Davis Road, Suite 1010, Nashville, TN 37221, www.authors-corner.com

Two different databases are included in this compilation: African American Cemeteries and 1908 to 1930 death records of Maury County, Tennessee, but the author also used personal interviews and other databases to augment her research.

The death records are arranged alphabetically and all names within them are indexed. The tombstone

Rutherford County Illustrated Leaders in Progress by Barry Lamb, 188 pp., 2009, hard cover, bibliography, illustrations, index, photographs. \$45 plus \$5 shipping from Familystoriesj-4-U, 8072 Sunrise Circle, Franklin, TN 37067, jetaulman@comcast.net.

This publication is comprised of photographs of prominent Rutherford County homes and businesses and the men and their women who owned and operated them. A biographical sketch accompanies each photo. A business letterhead or a receipt from the company is also frequently included with the photograph.

The men were bankers, planters, doctors, lawyers, soldiers, merchants, politicians and church leaders. The women included were primarily wives of these men.

The business photographs include stores, colleges, schoolhouses, hotels, and public buildings such as the courthouse and the jail.

If you are fortunate enough to find one of your ancestors in this well organized and carefully researched book, you will have located a truly delightful treasure.

Stewart County, Tennessee, Marriages Revisited, 1804-1881 compiled by Jim Long, 145 pp., 2009, soft cover, surname index. \$20 including shipping from Stewart County Archives, PO Box 367, Dover, TN 37058.

Included in this comprehensive publication are Marriage Books 1-4, black marriages 1865-1881 and missing white marriages 1876-1881, plus 1804 to 1805 marriages taken from the county court

inscriptions are arranged alphabetically within the cemetery.

This was obviously a labor of love for McClellan, who has added a number of helpful tools to aid the researcher. There is a list of tombstone abbreviations as well as a lengthy list of surname variations and male and female nicknames.

African American researchers in Maury County will want to add this exceptionally helpful collection of material to their libraries.

Winn – Daniel and His Nine Sons, Second Edition, Volume 1 by Warner Winn, Stephanie Miller, Naomi Chadwick and Nancy Winn, 467 pp., 2009, soft cover, illustrations, full name index, maps, photographs. \$35 from Author's Corner. [See address above.]

Daniel Winn was born about 1715 and lived most of his life in Lunenburg County, Virginia, where he died by 1789. Some of his sons remained in Lunenburg County while others migrated to Tennessee, specifically to Bedford and Maury Counties, and on westward to Texas and Oklahoma.

This is a huge publication chock full of Winn information and should be very valuable to Winn

searchers. A numbering system would have been a helpful addition, but a thorough every-name index and table of contents allow the reader to navigate this massive collection.

A Southern Saga, by Linda Gupton, 166 pp., 2008, soft cover, illustrations. \$24.95 from Author's Corner, LLC. [See address above.]

This is the story of Franklin Gillette Smith and the founding of the Columbia Athenaeum, a Maury County, Tennessee, school for girls that operated from 1838 to 1932, flourishing during the years 1852 to 1904.

Smith was born in Vermont in 1797 and was educated at Middleburg College in Vermont. He became an educator and also a pastor in the Protestant Episcopal Church. In 1838 the Smiths moved to Columbia, Tennessee, and he began teaching in the newly opened Female Institute, as it was then known.

The story of the establishment and growth of Columbia Athenaeum makes interesting reading, especially for those with Maury County ancestry.

A list of graduates is included at the back of the book with names, dates of graduation and places of residence listed. ■

Queries

Spencer

I would like to confirm that William L. Spencer was born in Tennessee. His date of birth was Dec. 24, 1804. He was known to have lived in Williamson County, TN, where four of his children, Hiksey, Sarah, Matthew and William, were born between 1831 and 1837. William was married to Rebecca **Jones**. Georgia Spencer Downey, P.O. Box 955, Lorena, TX 76655.

Blalock/Blaylock

Seeking information about Logon (or Logan) Blalock (or Blaylock) and his parents and siblings. Logon was born 1817 in TN; left TN between 1835–1843. He married Elizabeth Louisa Lewis 20 Feb. 1843 in Winston Co., MS. He may have died in Anderson Co., TX between 1880–1900. Any information about this family will be much appreciated. Contact Kathy Tibbitts, 2010 Old Hwy. 20, Marshall, NC 28753; phone 828-683-3746.

Waite

Seeking information about James Waite, born in Coffee Co. TN in 1844 and his brother Archibald Waite born there in 1848. Parents were George and Jerusha C. (**Barton**) Waite, listed in the 1850 census of Coffee Co. Would like to hear from any relatives of this family. Contact Dwight L. Alford, 294 Rock Rd., Morrison, TN 37357-3450.

News from the State Library & Archives



by Trent Hanner and Stephanie Sutton,
Reference Librarians

Although things tend to get a little slow at the Tennessee State Library and Archives around the holidays, TSLA staff continue to work diligently to bring a variety of helpful resources to our patrons. This time, we outpaced ourselves with the completion of two online death indexes within a matter of a few months. The death indexes for 1929 and 1930 have been added to the online death index collection. These death indexes continue to be extremely popular with genealogical researchers, and many anxiously await the debut of each year. To check out the death record indexes, see <http://www.tn.gov/tsla/history/vital/tndeath.htm>.

TSLA's Exhibits Committee has outdone itself once again. If you haven't been able to catch the exhibits lately, be sure not to miss this one. *Tennessee Myth and Legend* is one that is sure not to disappoint. From Davy Crockett to the Bell Witch, and everything in between, this exhibit offers an exploration of some of Tennessee's most unbelievable stories. On display in the main lobby at TSLA, *Tennessee Myth and Legend* is expected to run through April 29, 2010.

TSLA's Public Services staff have developed guides to various resources. Many visitors find these to be helpful research tools. Although by no means comprehensive, these guides are assembled in an effort to provide information and access to many materials in our vast collection. Two new guides have been added: "Guide to African American Related Documents Prior to 1865 in the Collections of TSLA" and "Tennessee in World War II: A Guide to Collections at TSLA." These can be found in any one of the research rooms at TSLA, or at the following location on our website: <http://tn.gov/tsla/history/guides/index.htm>.

At long last, we are pleased to announce that TSLA has a Friends of the Library group officially in the works. TSLA Friends filed its charter and was incorporated in September 2009, and is currently in the process of filing for 501(c)(3) exempt status as a public charity. The purpose of the group is to:

- Work closely with the State Librarian and Archivist to promote activities that complement Tennessee State Library and Archive's (TSLA's) missions and programs;
- Increase public awareness and encourage the broadest possible use of TSLA facilities, materials, and services;
- Identify and recruit volunteers for special projects that will augment TSLA services and activities;
- Engage in fundraising for the purchase of special collections, publications and equipment not included in the TSLA budget;
- Sponsor cultural and educational programs and special promotional events that highlight TSLA and its collections.

The following officers have agreed to serve the new organization:

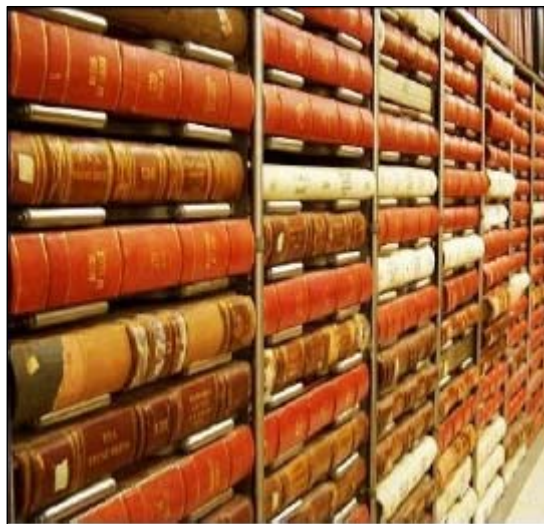
- President, R. Stephen Richards (Steve)--Steve is the president of Richards and Richards Records Management.
- President-Elect, Ellen Myrick--Ellen previously worked for Ingram. She is now an independent marketing executive in the publishing industry.

- Treasurer, Gordon Belt--Gordon is the Library Manager for the Freedom Forum First Amendment Center Library
- Secretary, Mary Helms--Mary is the Head of Special Collections at the Chattanooga-Hamilton County Bicentennial Library and is also a member of the Tennessee Historical Records Advisory Board.

A Board of Directors will work with these officers to fulfill the group's mission. They will soon issue information about how you can join. In the meantime, donations are graciously accepted and may be made to "TSLAFriends" and sent to: Gordon T. Belt, TSLAFriends, c/o Freedom Forum First Amendment Center Library, 1207 18th Avenue South, Nashville, TN 37212.

State Librarian and Archivist, Jeanne C. Sugg, has announced her upcoming retirement. In her announcement to the staff, she wrote "... for twenty years I have been privileged to work with a wonderful group of people at the Tennessee State Library and Archives. The work of our staff is superior to that of any institution. Thanks for the support you provide to us in so many diverse areas." We wish Jeanne the best, and will miss her terribly. A reception in her honor will be held at 3:00 on January 29th.

As always, you can stay abreast of the latest news under "News and Updates" at tn.gov/tsla. We hope to see you soon!



Tennessee State Library & Archives Workshop Series Deeds & Land Transactions in Genealogical Research

Presented by Paul R. White
Sat. Feb. 20th 9-11 a.m.

Deeds are often the key to connecting generations of a family. It can be frustrating when you know an ancestor owned land, but you cannot find a deed. Sometimes the deed simply was not filed, and you're out of luck. There could be other reasons why tracking these transactions is more

difficult – the land was sold to satisfy a debt, to pay delinquent taxes, it was partitioned among heirs, or the deed was never transferred. This workshop will address the history of owning property, explore property transactions and property rights, and the associated terminology.

Paul R. White is a Nashville attorney who also researches and writes on genealogical and historical topics. He is the author of *Taproots: a Virginia Carolina Legacy* and the article, *George Washington: America's Man for All Seasons*."

Seating is limited! Register by sending an e-mail to workshop.tslda@tn.gov or call TSLA Public Services at 741-2764.