

## MARK YOUR CALENDAR

### OUR MEETINGS

Meetings are held the third Saturday of the month in Jan., Mar., May, July and Sept.

Meetings begin at 1:00.

There is no charge.

Members and visitors are always welcome.

Check our website for last-minute changes:  
[www.mtgs.org](http://www.mtgs.org)

### Saturday, March 18<sup>th</sup>

Andrew Jackson's Kinship Networks

Dr. Mark Cheatham

1:00 p.m. at the

Tenn. State Library & Archives

Dr. Cheatham, of Cumberland University in Lebanon, is the author of *Andrew Jackson, Southerner* (2013) and other works. He will speak about the influences of Jackson's genetic kin in South Carolina, his marital kin in Tennessee, and his fictive kin in the U.S. military.

### Saturday, May 19<sup>th</sup>

Melissa Barker, Houston County Archivist

1:00 p.m. at the

Brentwood Library

### Saturday, July 21<sup>st</sup>

1:00 p.m. at the

Brentwood Library

For more information about events, visit  
the MTGS web site [mtgs.org](http://mtgs.org)  
or contact

Virginia Watson at [ginnyology@comcast.net](mailto:ginnyology@comcast.net)

# Middle Tennessee

## Journal of Genealogy & History

Volume XXXI, Number 4, Spring 2018

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### **Contributors in this issue**

Gale Williams Bamman  
Dr. Mitzi Freeman  
Jim Long  
Peggie Sides  
Shirley Wilson

### *From the Editor. . .*

The April issue features our annual every-name index, an invaluable tool that every genealogical publication needs. Mary Lawrence has retired after generously serving as Indexer for the past five years, and Past-President Jim Long has taken up the challenge

The opening article announces the beginning of construction for our new Tennessee State Library and Archives. The groundbreaking was a celebratory day at which genealogists, historians and government officials joined with the Library & Archives staff to launch this long-awaited building project.

Included in this issue is a very early legislative petition, discovered by Peggie Sides. In this petition, some of the most prominent early pioneers of Nashville combined to help one of their comrades secure a land grant.

Our series on marriage laws in Tennessee continues with an article about prenuptial contracts – one of the very few ways a married woman could have some control over her property in the 19<sup>th</sup> century.

The final segment of “The Last Stage Coach Robbery” appears here, but Mitzi Freeman promises she has a new topic and series coming up for our readers.

***Chuck Sherrill***  
***M.T.G.S Journal Editor***

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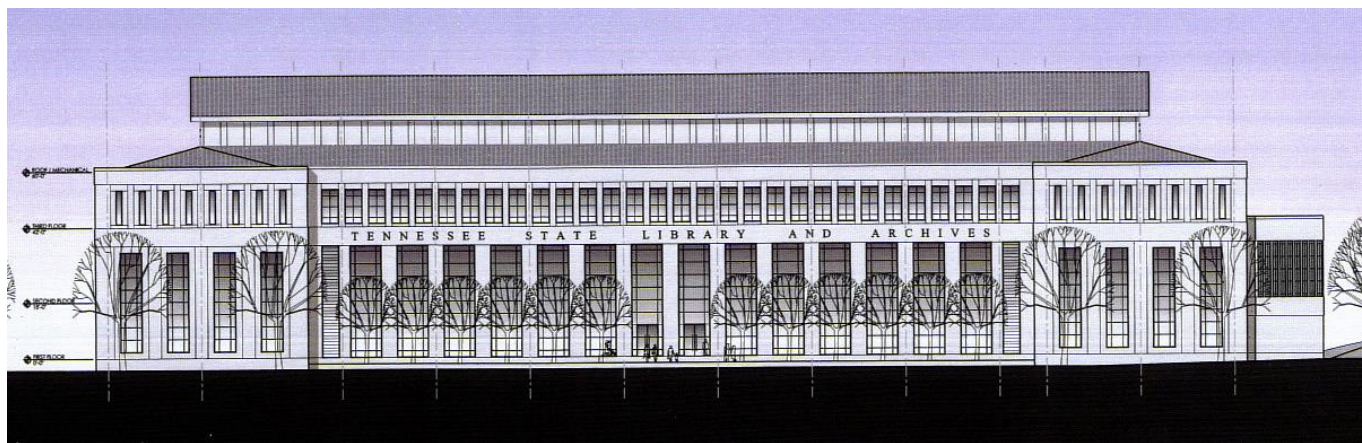
Yearly memberships include four issues of the *Middle Tennessee Journal of Genealogy & History*. Make check or money order payable to MTGS. Annual dues are \$25.00 beginning June 1 of each year. See back cover for details and application form.

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# New State Library & Archives Building a Reality

## Groundbreaking Ceremonies Held in December



View of the Library & Archives from the Bicentennial Mall.

MTGS Board members joined Tennessee Secretary of State Tre Hargett, Gov. Bill Haslam, Tennessee State Librarian and Archivist Chuck Sherrill and other state leaders on December 11, 2017, to officially break ground for the new home of the Tennessee State Library and Archives in Nashville. Completion will occur late in 2019.

The new 165,000 square foot facility will feature a grand reading room seating 100 scholars and visitors, combining library, microfilm and manuscript services. It will contain a climate-controlled chamber for safely storing the historic collections in a state-of-the-art robotic retrieval system. There will also be classrooms for teaching students and meeting space for training librarians and archivists and programs for the public. An underground parking garage will make public access much easier than at the current facility.

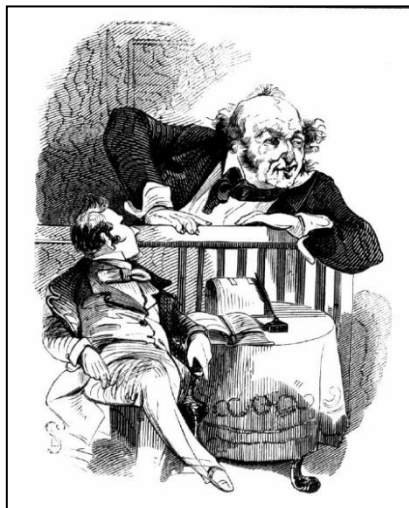
"Tennessee has a strong and rich history and it is important to preserve our past to pass on to future generations," Gov. Haslam said. "We have significantly outgrown the space that currently houses Tennessee's most significant and historic documents and vital records."

The site is on Bicentennial Mall at the intersection of Sixth Avenue North and Jefferson Street. The facility will be a major upgrade in capacity, preservation and public access from the current 1950s era building which sits directly west of the State Capitol. The Tennessee State Museum is moving to a nearby location across the Mall.

The \$123.8 million project, which has been in the planning for more than a decade, received substantial funding in 2017 after being included in the governor's budget and approved by the General Assembly. To date, roughly half of the project is funded and the remainder will be recommended in the 2018 budget voted on this spring.

"The new building ensures Tennessee's history will be preserved for generations while making it more accessible. This world-class facility will blend the necessity of historic preservation with the ever-increasing demand for digital access. I applaud Gov. Haslam and the entire General Assembly for making this a reality so we can better serve Tennesseans," Secretary Hargett said.

The new building will also feature a conservation lab for the treatment and restoration of books, photographs and documents. There will also be dedicated exhibit spaces to feature special collections. Other features include a vault for storing photographic negatives, an early literacy center designed specifically for children with a visual disability and a recording lab to produce oral histories and audio books on Tennessee history.



# To The Honorable... Petitions to the State Legislature by Peggie Sides

## Edward Lucas requests a Pre-Emption Grant, 1813

Based on Petition Number 4-2,  
Legislative Records of 1813  
Record Group 60, Tennessee State Library & Archives

To the Honourable the General assembly of the State of Tennessee now sitting-----

Your petitioner being one of those men who first settled this Cuntry and under went all the dangers and fatigues of the indian war and never have Received any Compensation for my services: when many others who never rendered the Cuntry any services but was nearly here at the time that the law of North Carolina made provision for them and afterward went out of the Cuntry and never returned untill all danger was over and thay obtained Each a preemption of land[.]

[A]nd I who have remained here Ever since Except a short time I went to the bigby[?] Cuntry and under went all the dangers incident to the settling of the Cuntry was rejected by the Commissioners of preemption Claims because I was not quite twenty ---- [illegible, torn] though I was obliged to do duty as other men did and often Cal[le]d on by the authority of the Cuntry[.]

[Y]our petitioner further states that a number of young men who was in his situation petitioned the Legislature of North Carolina by General James Robertson their representative for relief which relief was granted them as I have been informed by granting them preemptions of land[.]

[N]ow your petitioner prays your Honourable body to take his Case into Consideration and grant him such relief as others have had that were in the same situation[.]  
A]nd your petitioner as in duty bound will ever pray --  
-----

4-2-1813-10  
To the Honourable the General assembly of the State of Tennessee now sitting  
your petitioner being one of those men who first settled this Cuntry and under went all the dangers and fatigues of the indian war and never have Received any Compensation for my services: when many others who never rendered the Cuntry any services but was nearly here at the time that the law of North Carolina made provision for them and afterward went out of the Cuntry and never returned untill all danger was over and thay obtained Each a preemption of land, and I who have remained here Ever since Except a short time I went to the bigby Cuntry and under went all the dangers incident to the settling of the Cuntry was rejected by the Commissioners of preemption Claims because I was not quite twenty men did and often Cal[le]d on by the authority of the Cuntry your petitioner further states that a number of young men who was in his situation petitioned the legislature of North Carolina by General James Robertson their representative for relief which relief was granted them as I have been informed by granting them preemptions of land, now your petitioner prays your Honourable body to take his Case into Consideration and grant him such relief as others have had that were in the same situation and your petitioner as in duty bound will ever pray  
The above was I sworn to and subscribed before me the 26<sup>th</sup> day of octo 1813  
Brewer Edward Lucas

Petition of Edward Lucas



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*The above was sworn to and subscribed before me the 26<sup>th</sup> day of Octr 1813*

*[T?] Brewer, J.P.*

*Edward Lucas*

*We the undersigned, having been well acquainted with the within petitioner for many years -- do believe him to be a good Citizen and hope that you in your wisdom, will grant his pray[er] – so far as shall be consistent with Justice & the good of our Country-----*

*R. Weakley  
John Buchanan  
S. Williams  
John Ranes*

This petition was presented to the Tenn. House of Representatives on Nov. 3, 1813, and referred to the Land Committee. The Senate reviewed it on the same day and also referred it to the committee. No record of any further action was found, indicating the petition was not granted.

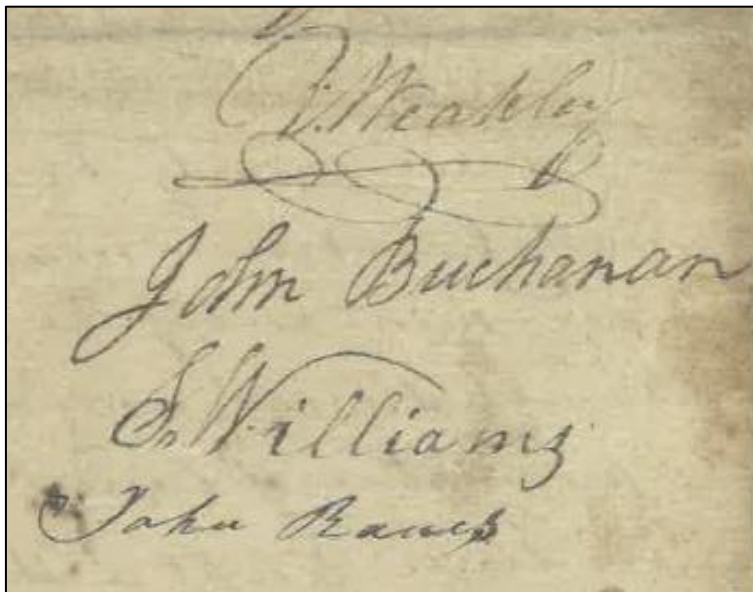
Many petitions to the legislature included dozens, sometimes hundreds, of signatures of supporters. But in this case only four supporters signed on behalf of Edward Lucas. A closer look at those names tells us why. These men were all known as pioneer settlers of Fort Nashboro, brave men who endured hardship and loss in the founding of the settlement. They had the respect and admiration of the community all their lives. Information about them is readily available in many sources.

### *The Signers*

**Robert Weakley** (1764-1845), came to the Cumberland settlement in 1783 and participated in the defenses against the Indians. In 1800 he established his plantation at Lockeland, now a Nashville neighborhood. He was elected to the state's first House of Representatives in 1796, and as representative to Congress in 1809.

**John Buchanan** brought his young family to Nashville in the winter of 1779-80. His brother Andrew was killed at Ft. Nashboro's Battle of the Bluffs. In 1784 he established Buchanan's Station, on today's Elm Hill Pike. A major Indian raid on the station occurred in 1792, and Buchanan's young wife Sallie melted down her dinnerware to make bullets for the defenders.

**John Rains** (c.1753-1834) was a pioneer settler, arriving with his family in 1779. He built Rains Station, near the Fairgrounds today. His 1834 obituary in the *National Banner* stated that Rains "bore an honorable and conspicuous share of all the toils and privations incident to the early settlement of the country."<sup>1</sup>



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<sup>1</sup> Capt. John Rains obituary, *National Banner & Nashville Daily Advertiser*, March 28, 1834.

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**Sampson Williams** (1762-1841) came to Middle Tennessee with his father in 1779 and became a famous Indian fighter. He was elected sheriff of Nashville in 1800, and later went to Ft. Blount where he was a merchant and Indian trader. He was a state senator in 1813 when he signed the Lucas petition.

### ***Pre-Emption Grants***

When the new State of North Carolina decided to grant land around Fort Nashborough as payment for its Revolutionary War soldiers, the settlers who were already carving out homes there were alarmed. James Robertson and other leaders negotiated with the land commissioners, and North Carolina agreed to provide “each head of family and each single male over the age of twenty-one and living on the land before the first day of June 1780” a grant of 640 acres.<sup>2</sup>

Edward Lucas is not listed as the recipient of a Pre-Emption grant. Andrew Lucas received a grant, as did the heirs of Robert Lucas who was killed in the attack on Freeland’s Station.<sup>3</sup> Records show that in 1808 he was assigned (purchased or inherited) 640 acres on the Harpeth River which had originally been a military grant to one Matthew Lucas.<sup>4</sup>

### ***Edward Lucas***

The Cumberland Compact, the famous agreement which served as the basis of law on the Nashville frontier, was signed on May 18, 1780, by 256 settlers. Among them were Andrew and Edward Lucas. The Lucas family probably came to Nashville from the Watauga settlements in East Tennessee. In 1775 an Edward Lucas of Watauga purchased 300 acres on the Holston River from Charles Robeson.<sup>5</sup>

The Compact would have been the most critical document in determining who was eligible for a Pre-Emption grant. However, many settlers who were present to sign the Compact were forced to give up their land in Tennessee due to violent raids by the Indians along with crop failures and other tribulations. Some fled to Kentucky, while others went back over the mountains to the east. As Edward’s petition pointed out, he stayed to defend the settlement during this time, while others who later qualified for Pre-Emption grants did not.

The 640 acres which Edward Lucas received from the heirs of Matthew Lucas was evidently on the Harpeth River in Dickson County, as he is listed there in the 1820 census. The household includes 11 people, including a male and a female over 45 years old.<sup>6</sup> If this is the same Edward Lucas who purchased land in Watauga in 1775, he must have been born about 1755, making him about 25 at the time of the Cumberland Compact, and 65 when the 1820 census was taken.

We can’t be certain why Edward Lucas didn’t receive a Pre-Emption grant, not in the 1780s and not when he tried again in 1813. It may be that he was not a head of household in 1780, as required by the act establishing the grants. As one online genealogist posits, he may have been a son of Andrew Lucas who did receive a Pre-Emption grant.<sup>7</sup> Regardless, he should be remembered by history as one of the brave and hearty founders of Nashville.

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<sup>2</sup> Irene M. Griffey, *The Pre-Emptors: Tennessee’s First Settlers* (Clarksville: I.M. Griffey, c. 1989).

<sup>3</sup> Griffey, p. \_\_\_\_\_. Also Paul Clements, *Chronicles of the Cumberland Settlements* (Nashville, 2012), p. \_\_\_\_\_.

<sup>4</sup> Tennessee General Grants, Book 3, page 85, grant #340, 8 Aug. 1808, digital image *Ancestry.com*. Edward held this land by virtue of assignment from the heirs of Matthew Lucas.

<sup>5</sup> **Source?**

<sup>6</sup> 1820 U.S. Census, Dickson Co., Tenn., p. 4, digital image *HeritageQuest.com*.

<sup>7</sup> “Edward Lucas (1762-aft. 1820)” *WikiTree*, ([www.wikitree.com/wiki/Lucas-6134](http://www.wikitree.com/wiki/Lucas-6134)).

# The Ragsdale Family of Williamson County

## And the historic Hill – Fly – Ragsdale House

The following information is from an article in the *Nashville Tennessean*, Dec. 14, 1949, p. 15.

It was written by staff correspondent Gordon H. Turner  
and published along with this photograph and caption.



### Ex-Conductor Recalls Stop He Made for Future Wife

BRENTWOOD, Tenn. — “The luckiest stop I ever made was on Christmas Eve, 1889,” said James Matthew Ragsdale, 87-year-old farmer near here as he recalled his job as a conductor on one of Nashville’s first electric street cars.

He had left his Hickman county home near Little Lot in

Duck river’s Anderson bend, when his mother died in 1887, to seek work in the capital city, and after a year as driver of old No. 16, mule-drawn street car, he had been promoted to conductor on one of the electric cars which replaced the mules during the winter of 1888-89.

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## **Race to Park**

On that fateful day nearly 60 years ago, Walter Layne, his motorman stopped in front of the Maxwell House to pick up his sweet-heart for a ride on their run to West Side (now Centennial) park and back, and with her was Laura Fly, her girl friend from near here whom Ragsdale “managed to meet” and picked out then and there as his future wife.

The motorman and conductor double-dated the two girls that night and , each couple in a hired one-horse buggy, drove 17 miles to a Christmas party at old Hebron church near here and then back to Nashville where the girls spent the remainder of the night with friends. Ragsdale says he and Laura “went steady” from then on and next year, on Nov. 13, 1889, they were married in the parlor of her pretty house eight miles southeast of here in the Liberty community, which has been “their home” ever since. All of which goes to explain his high evaluation of the Maxwell House stop!

## **Graduates in Medicine**

Ragsdale’s father, Dr. Matthew W. Ragsdale, from the Flat Creek section of Williamson county, had graduated in medicine in Nashville, married Ophelia Anderson from Little Lot in Hickman county, and began practice at Holt’s corner in Marshall county before the War Between the States. Entering the Confederate army in 1862, he was captured soon after, stayed in prison till the war’s end, and came back to Little Lot where his wife was staying with relatives, where he saw his 3-year old son for the first time.

The family moved to Dyer county in 1874. There Dr. Ragsdale died soon after and six years later the widow and son came back to Little Lot where she died in 1887. It was the next year that James Matthew Ragsdale went to Nashville armed with a recommendation written by himself and signed by 17 of his neighbors. After a few rebuffs, he got the job driving the mule-drawn street car.

## **Receives Promotion**

After his marriage and working for a while on an electric car, he got a promotion to cashier and the couple maintained a temporary residence on old Haslam St. in North Nashville. But in 1892 he gave up “street carring” and took over the operation of his father-in-law’s farm

where they have worked and continued to live ever since.

The Ragsdales are widely known for what their neighbors call their “three devotions” – their home, their farm, and the Methodist church. There are few modest old homes more beautifully situated than theirs, with orchards in the rear, farming land down front, smokehouse full of meat, cellar packed with dried and preserved food, and both a big spring and cistern for the water supply.

## **Remained with Parents**

A son, Walter Denzil Ragsdale and his wife, the former Mattie Sue Vernon, have remained with his parents to help operate the farm which specializes in tobacco, sheep, wheat, dairying, and poultry, and the family of four are all known as craftsmen at all its jobs and in their happy and hospitable good living at home. The farm has been in Mrs. Ragsdale’s family for more than 100 years. Though the home has been modernized, part of it is the original log house. Long a master gardener, the elder Ragsdale was a prize winner in the Nashville Tennessean’s 1946, 1947 and 1948 garden competition, and came out with second highest Williamson county honors in this year’s Rural Home Life improvement contest, being nosed out of top place by his neighbor friends, the J.W. Littles.

Ragsdale has been a devout Methodist all his life, and after a long active life with the old Hebron congregation, he and his wife moved their membership in 1903 to Liberty nearer their home, where they still worship. He served as treasurer of the Nolensville circuit for 35 years until 1935 when his son, Walter D., took over the job which he still does in addition to heading the 25-student Sunday school. The elder Ragsdale never misses a quarterly conference of his church and at last year’s session in Columbia he was elected honorary district steward and conference delegate from his circuit for life.

The Ragsdales are planning a big time on their diamond wedding anniversary next year when several hundred kinfolks, neighbors and friends are expected to visit them. The other children are Albert M., a Nolensville pike dairyman, and Sunday school superintendent of Thompson’s Chapel Methodist church; Evan T., an



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employee of Wherry's furniture store in Nashville; and Mrs. Eugene Bugg, wife of a Vanderbilt professor.

**Neighborhood Notes:**<sup>1</sup> Ragsdale recalled that his father and Dr. James D. and William Ragsdale were brothers who were his cousins from Maury County, all married sisters, Ophelia, Matilda and Sarah Anderson, respectively, of Little Lot . . . When he drove mule street car in Nashville for McGavock and Mount Vernon company, there were two other concerns serving other sections of the city, the South Nashville and Edgefield companies. When electric cars came the three merged to form United Electric Railway Co. . . . W.M. Vaughan, Ragsdale's pastor at Liberty, also serves Hebron, Kedron and Nolensville ME churches in Nolensville circuit . . . Livewire 19-family Liberty community club has H.J. Edmondson and Walter D. Ragsdale as president and secretary-treasurer, respectively and was a prize winner

in 1919 improvement contest. Picturesque Ragsdale-Rush road which connects the Split-log and Sunset roads in the country which has stock gaps of poles connecting cross fences to prevent stock passing over and for which peculiar construction permission was granted by highway officials . . . Split-log road from Wilson pike near here to Nelsonville took [its] name from old school-house on [the] route, made of split logs but now unused. Children now go from Liberty community by bus to pretty new Lipscomb school . . . Mail goes from here by RFDer Marion Oden . . . Nearest groceries to Liberty citizens are here and at Nolensville five miles east of them . . . Ragsdale says most of his formal education came about 65 years ago when he studied under J.W. Patton at Santa Fe institute in Maury county, and friends like to hear him explain his age by saying, "If I live till May 15, 1963, I'll be 100 years old."

### Hill-Ragsdale House

This material is from a file prepared by Leadership Brentwood in 2008.<sup>2</sup>

The Hill-Ragsdale House is one of the oldest houses still standing at this writing in Williamson County. At least a part of it was built around 1800 by Spencer Hill. He had bought 180 acres from Elisha Fly in 1796.

The property was part of a 4,000 North Carolina land grant to Dr. James Fergus as compensation for his services as a surgeon in the Continental Army of North Carolina in the Revolutionary War. It was one of the largest North Carolina land grants in Williamson County.

It apparently was a tradition in the Hill family that Spencer Hill had received his land for service in the Revolutionary War. The origin of that tradition was explained in a 1901 affidavit of George W. Fly, a great nephew by marriage of Spencer Hill. He said that he had always heard that James Fergus received the land grant but in turn had doled out parcels of the land to some of the men who fought in his unit during the Revolutionary War. It makes a good story even though the chain of title as evidenced by the deeds does not verify the family tradition.

The property remained in the hands of the Hill and Ragsdale families until the death of Mattie Sue (Mrs. Walter D.) Ragsdale, August 5, 2000.

At the death of Spencer Hill his house and 80 acres passed to his son Hezekiah Hill, who had married Matilda Fly. They never had children. At her death in 1874 Hezekiah Hill invited his wife's nephew George W. Fly and his wife Edline Stephens Fly to come and live with him. They did so and remained there until his death in 1892. At his death Hezekiah Hill left the place to George and Edline Fly.

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<sup>1</sup> Editor's note: The ellipses in this section of Neighborhood Notes are from the original. No text was omitted by this editor.

<sup>2</sup> "Hill-Ragsdale House" article appears in the Brentwood Homes and Buildings portion of the Brentwood History web

site found at [www.brentwoodtn.gov/departments/library](http://www.brentwoodtn.gov/departments/library). It was compiled by members of the Leadership Brentwood Class of 2008 from a variety of sources, including unpublished articles by Betsy Ragsdale and T. Vance Little.



**Ragsdale House in Brentwood, 2008**  
(Brentwood Public Library, [www.brentwood.tn.gov](http://www.brentwood.tn.gov))

George and Edline Fly were the parents of [Laura] Fly, who married James Matthew Ragsdale. The place passed to them at the death of George W. Fly and his wife. Mr. and Mrs. Ragsdale were the parents of Walter D. Ragsdale. After their deaths Walter and his wife Mattie Sue bought out the shares of his brothers and sister. They lived there for the balance of their lives.

The home was originally a two-story log house that was added on to through the years. The two-story part is still standing. The house is in a fair condition, but the barn is in mint condition. It is of extraordinary construction. It is built on five different levels. It is built of solid poplar. There is also a blacksmith shop on the premises, which is one of the only ones remaining in Williamson County.

One of the most outstanding features of the Hill-Ragsdale House is the stone work. It is very fine and extensive. There are some 35 acres remaining in the place.

Spencer Hill, the builder of the house, was born about 1760. In 1790 he was in Northampton County, North Carolina. In 1796 he witnessed a deed to Elisha Fly of Northampton County, for land in Tennessee. This same tract of land was later sold by Elisha Fly to Spencer Hill, and eventually became the Ragsdale property. Spencer Hill was one of the founders of the Liberty United Methodist Church. He was one of the original trustees when land was deeded to build the church in 1806. By 1797 he appears in Davidson County, and is on the first 1800 tax list of



**The 5-level Ragsdale Barn, made of solid poplar (2008).**  
(Brentwood Public Library, [www.brentwood.tn.gov](http://www.brentwood.tn.gov))

Williamson County with 180 acres of land. Spencer Hill died in 1816, leaving land in Bedford County to his four sons and daughter. The “plantation I now live on” was left to Penelope, his wife, and at her death to their sons Jonathan, Jeremiah and Hezekiah. Elisha Fly and Lawrence Fly witnessed the will. Spencer and Penelope Hill are buried in a cemetery on the Ragsdale place.

George W. Fly was born in 1844, the son of Sterling Brown Fly. His grandparents were Lawrence Fly and Catherine Mayberry. He served in the Confederate army and later settled in Plano, Texas. He returned to Williamson County to marry Edline Stevens, who lived near his old home. They resided on what would become the Ragsdale farm, which then belonged to George Fly’s uncle, Jeremiah Hill.

The Ragsdales and Hills were excellent stewards of the land. They raised sheep, cattle and other livestock. In addition to small grains and vegetables, they raised tobacco and had extensive orchards. They were well known for the vinegars they made there.

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## More Ragsdale Ancestors

from the Vertical File of the Tenn. State Library and Archives

### **P.H. Ragsdale Family Record**

Taken from the back of an Old General History book in possession of Mrs. Jack Caperton of Stevenson, Alabama, as typed from handwritten copy on Mar. 6, 1963.

P.H. Ragsdale was b. 4-23-1783

Jane Ragsdale formerly Jane Bruce was b. 1-5-1795

David A.B. Ragsdale was b. 21 May 1812

Henry M. Ragsdale was b. 1-7-1814

Francis Ann Ragsdale was b. 1-27-1816

Kitty Ragsdale was b. 5-30-1818

James B.W. Ragsdale was b. [9?]-8-1822

Thomas A. Ragsdale was b. 8-1828 [1823?]

Barbara A. Ragsdale was b. 8-1828

Wm. D. Ragsdale was b. 31 May 1831

Edward Ridley Lafayette Ragsdale b. 12-10-1832, d. 23 Mar. 1833<sup>3</sup>

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<sup>3</sup> This family can be found in the 1850 U.S. census of Bedford County, Tenn. David Ragsdale, age 31, farmer, born in Virginia, and his family including his mother, Jane Ragsdale age 53. (Civil Dist. 24, stamped p. 255B, family #32).



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### **R.H. Ragsdale Family of Giles County**

Another document in the file is the family Bible record of R.H. Ragsdale of Logan County, Kentucky, who married Annie L. Howard of Giles County, Ten. On 25 Dec. 1867.

R.H. Ragsdale was born 1 Jan. 1847 and died 6 Mar. 1913.

Annie Howard Ragsdale was born 11 Nov. 1849 and died 7 Mar. 1905.

Their children were:

- James Henry, born 16 Feb. 1870, married Lizzie Bull at Elkton 3 July 1894
- Eunice, born 27 Oct. 1875, married Frank Levi Lester at Aspen Hill M.E. Church 20 Jan. 1897. Eunice died 7 Mar. 1942 at Aspen Hill.
- Jerry, born 10 Jan. 1879
- Gray Hopkins, born 11 April 1882, married Sadie Carter Hill at Columbia Tenn. 23 Sept. 1908

### **Bedford County Ragsdales**

A letter in the file dated 1966 from Mrs. Blake VanLeer of Atlanta to a Miss Williams regarding a Revolutionary War soldier named Baxter Ragsdale. She states that Baxter H. Ragsdale of Bedford County was a nephew of the soldier. The younger Baxter, born in 1801, was the son of John Ragsdale who married Mary Peace in Granville Co., North Carolina, in 1800, and later lived in Rutherford Co., Tenn. Baxter H. was a minister and schoolteacher, and married his pupil Mary Rucker in 1827. They had no children. He died in "Yankee Prison" in Nashville in 1862 and was the first person buried at Spring Hill Cemetery on Gallatin Pike.

John W. Ragsdale (1800-1846) is buried at Fairfield Baptist Church in Bedford Co. He was the son of Edward Ragsdale, another brother of Baxter Ragsdale the Revolutionary soldier. John W.'s estate was administered in Bedford County by Frances H. Ragsdale, presumably his widow. The relationship between Edward and John W. is proved in and 1822 Bedford County deed involving debts of Claiborne Ragsdale. Carbon copies of typed notes of Ragsdale records from Bedford County and elsewhere are appended to the letter.

Another letter concerning Baxter Ragsdale was written in 1976 to Kathleen Hartman at the Library & Archives by Maud Wallace of California. She sent a document from Lafayette Co., Missouri, proving that Baxter Ragsdale died there in 1838. She said that this was the Revolutionary soldier.

### **William Ragsdale and Sarah Campbell**

Two letters in the file were written to the Tenn. Historical Commission by Mrs. J.R. Bradford of Dallas, Texas in 1924. She wished to find information about her grandfather, James Campbell Ragsdale, born in Tenn. 7 Jan. 1802. She knew only that his parents were William Ragsdale and Sarah Campbell, and that they lived in Fayette County, Tenn., prior to moving to Arkansas about 1819. They settled in Miller County near the Texas border and the Red River, where William died shortly thereafter. In addition to James Campbell Ragsdale, they had the following children: John; Mart; Tom; William; Robert; Elizabeth; Mary; Petty and Charles Campbell Ragsdale.

### **Robert O. Ragsdale, World War I**

An article from the *Nashville Banner* dated 13 Oct. 1919 tells of Maj. Robert O. Ragsdale, an officer in the regular army, visiting his old home in Maury County. He had previously served in the First Tennessee regiment in the Philippines during the Spanish American War, had invaded Mexico with Gen. Pershing, served as a recruiter in Augusta, Georgia, and then with the expeditionary forces in France. At the time of his visit home he had just returned from a tour of duty in the Panama Canal Zone.

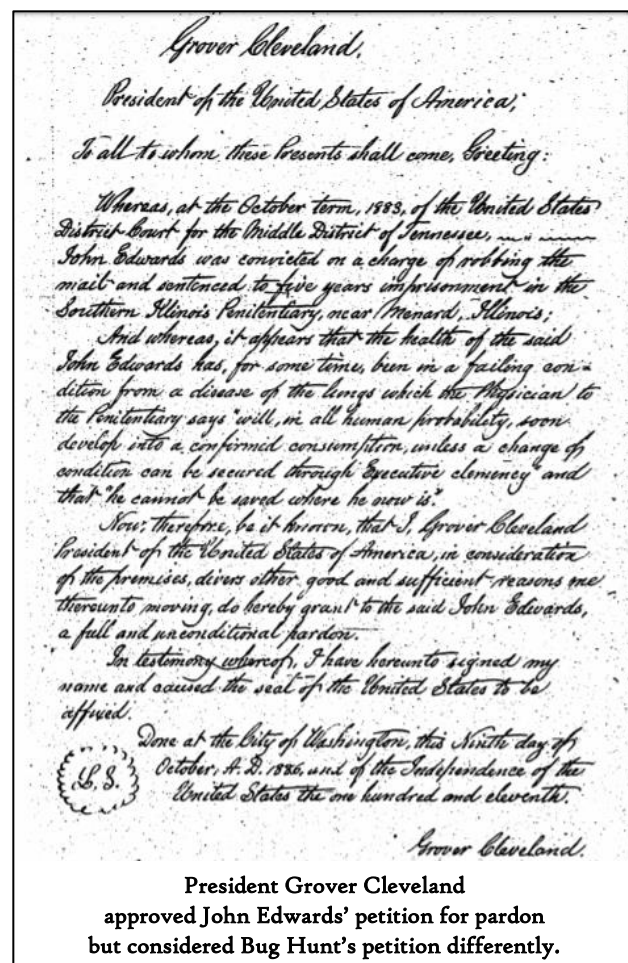
# The Last Stagecoach Robbery, part III

by Mitzi Freeman

## APPLICATION FOR PRESIDENTIAL PARDON FOR BUG HUNT

While John's application for Presidential pardon was being processed by the federal government, Daniel Hunt heard about it and decided to apply for one for his son. He obtained 300 signatures of men living in Smith and Putnam counties.

The petition and a copy of the US Circuit Court Minutes were submitted 24 September 1886 to the Office of the Pardon Attorney.



President Grover Cleveland  
approved John Edwards' petition for pardon  
but considered Bug Hunt's petition differently.

The preamble to the Pardon Petition reads thus:

To the President of the United States.

The undersigned citizens of the State of Tennessee respectfully represent and show your Excellency that at the October Term of the Circuit Court of the United States, for the Middle District of Tennessee, held at the City of Nashville Bug alias H. G. Hunt was jointly indicted with John Edwards upon a charge of Robbing a United State mail coach near Cookeville in Putnam County and that a severance was had upon said indictment and said Bug Hut was tried at said term of said Court and convicted & sentenced to five years imprisonment in prison at Chester Ill. Petitioners further represent that said Bug Hunt was a man of no means and after his arrest & imprisonment was unable to hunt up person by whom he believed he could prove that at the time of said robbery, he was not there but distant from the scene of the robbery several miles and as the result of his inability to procure said evidence he was convicted and sentenced as aforesaid.

They show that said Bug Hunt was arrested and confined in prison for about one year before he was tried and has now been confined before & since his conviction for about four years and that he has a

helpless family at home in Smith County and believing that he has been sufficiently punished, they respectfully petition the President to pardon & revert?? the remainder of his term of imprisonment. They respectfully refer your Excellency to the Hon. D. M. Key Judge who tried the cause & to the record in the case for the facts connected therewith. <sup>1</sup>

<sup>1</sup> "Petition for Pardon of A. G. Hunt alias Bugg Hunt, Tennessee, 1886." August - October 1886. File #K-268, Box 189. Records of the Office of the Pardon Attorney; Record Group 204; National Archives; College Park, Maryland.



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On 15 October 1886, the application was officially referred to the US District Attorney Augustus H. Garland.

District Attorney Garland instructed Ernest Pillow, the US Attorney for Middle Tennessee to consider the matter and report back. District Attorney Pillow wrote to Judge David M. Key for additional details of the case. On 4 November 1886, Judge Key responded with the following letter.

MIDDLE DISTRICT OF TENNESSEE  
Office of ERNEST PILLOW  
UNITED STATES ATTORNEY

Nashville, Tenn. Novr 4 1886

Ernest Pillow Esq.  
District Attorney

Sir:

H. G. Hunt, generally known as Bug Hunt, was tried and convicted of assailing a mail coach and rifling the mail. He, at the same time, robbed its passenger. He had two confederates. His guilt was clearly established and he was ably defended. He, at the time of trial, was a convict in the state penitentiary, undergoing a sentence of imprisonment for perjury, two years of which sentence were expired. I sentenced him to the penitentiary for five years, but directed that he remain in the custody of the state of Tennessee until the expiration of his sentence under the state court and that his sentence of five years be credited with the time he should remain in the state penitentiary. This virtually gave him three years under the sentence I pronounced. In my opinion, his sentence was lenient, under the circumstances of his case and we fact has transpired, so far as I know or have heard, to indicate that he is deserving of pardon.

His father is an old gentleman of very respectable reputation, and I presume that the application for pardon is signed and forwarded largely out of sympathy with the old gentleman who feels his son's disgrace and confinement very keenly.

Very respectfully,  
D. M. Key<sup>2</sup>

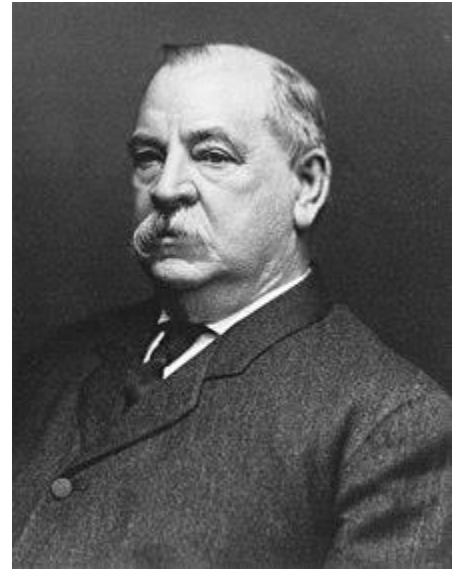
After reading Judge Key's opinion, consulting the trial Docket entries, and inquiring about the details of the case, District Attorney Pillow offered the following opinion.

MIDDLE DISTRICT OF TENNESSEE  
Office of ERNEST PILLOW  
UNITED STATES ATTORNEY

Nashville, Tenn. 22 Nov 1886

Hon. A. H. Garland  
Washington D. C.

Sir



**President Grover Cleveland**

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<sup>2</sup> Ibid.

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I have the honor to reply to your letter of the 18 Oct 1886 relative to the petition for pardon of "Bug" Hunt that I have consulted Judge D. M. Key who presided at the trial, and whose communication herewith enclosed, that I have also looked to the Docket entries in the case are abstract of which is herewith enclosed that

I have made due and diligent inquiry with the facts of the case and while the case tried & prosecuted by my predecessor, and before I came to the office, I learn that the character of the Defendant is that of a fearless and desperate man, that he has been the terror of his neighborhood, and that if released the apprehension is that he would immediately return to his habits of deprivation on the innocent citizenship of the country.

I have failed to find or even hear suggestion from any source a single reason why he should be pardoned but the rather that he should be forced to undergo the punishment which has been meted out to him so mercifully by Judge Key who has given expression to the sentiment that no reasons appear to him why the Executive clemency should be exercised in Defendants behalf and we shall not presume to differ from him in this Judgment.

With Greatest Respect

Ernest Pillow

United States Attorney<sup>3</sup>

After reviewing all the documents, President Cleveland denied Hunt's petition for pardon. He remained in the Illinois Southern Prison until he had finished serving his time. He was released 4 May 1888 and returned to his home in Smith County; he lived for nearly 40 more years.

### *EPILOGUE*

**Bug Hunt** - When he returned home, he was destitute and needed a means to support his family. His brother, William Joseph "Joe" Hunt proposed that they go into business together. They began by trading horses and stock under the name "Hunt Brothers & Co". To this partnership, Bug brought a mare given to him by Tom Trammel; and Joe brought two horses that he currently owned and two more that he purchased on credit.

About 1890, the brothers purchased a Steam Saw Mill on the Bowling Branch. In May 1891, P. Campbell Heflin purchased a 1/3 interest in the sawmill. They divided the duties as follows: Bug would continue trading horses and stock in Nashville, Joe would run the saw mill, and Heflin would be the bookkeeper.

Due to allegations of mismanagement of money and assets – with most of the accusations levied against Bug – Bug and Joe had a falling out. Throughout the rest of the 1890s and early 1900s, Bug, Joe and Heflin engaged in a series of lawsuits. These four lawsuits were prosecuted in the Smith County Court: *P. C. Heflin vs H. G. Hunt and W. J. Hunt* (1892),<sup>4</sup> *W. J. Hunt vs H. G. Hunt* (1894),<sup>5</sup> *H. G. Hunt vs W. J. Hunt* (1896),<sup>6</sup> and *W. J. Hunt vs J. D. Fisher* (1902).<sup>7</sup>

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<sup>3</sup> Ibid.

<sup>4</sup> "Heflin, P. C. vs H. G. & W. J. Hunt," Folder #1375, Year 1892, *Loose Records File, Smith County, Tennessee*. Folders 1373 – 1422, Microfilm Roll 274.

<sup>5</sup> "Hunt, W. J. vs H. G. Hunt," Folder #3019, Year 1894, *Loose Records File, Smith County, Tennessee*. Folders 2996 – 3031, Microfilm Roll 304.

<sup>6</sup> "Hunt, H. G. vs W. J. Hunt," Folder #3055, Year 1896, *Loose Records File, Smith County, Tennessee*. Folders 3032-3072, Microfilm Roll 305.

<sup>7</sup> "Hunt, W. J. vs J. D. Fisher," Folder #3020, Year 1902, *Loose Records File, Smith County, Tennessee*. Folders 2996-3031, Microfilm Roll 304.

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By 1902, Bug and Joe, no longer on speaking terms, completely dissolved their partnership. Due to the death of their father in 1903 and the animosity between the brothers, Bug and his wife Ciotha moved to Warren County between the years 1905-1910. By 1920, they returned to New Middleton.

Bug died on 23 March 1928 of heart disease. Ciotha died on 21 November 1933 of a cerebral hemorrhage. Both were buried in a public cemetery in New Middleton. Bug's son, Oscar, died before 1900. His daughter, Lillian, married and raised a family.

**Tom Edwards** - The last official record of Tom occurred when John was captured at the Cookeville Jail on 4 November 1882<sup>8</sup>.

Every six months, the US Circuit Court in Nashville would issue a new warrant for the arrest of Tom. Finally, on 26 October 1888, the Prosecution declined to pursue the case further.

Since Tom was on the run from the Texas authorities for his escape from the Hunt Prison in June 1882 and from the Federal authorities for the Stagecoach Robbery, the most likely scenario is that he moved to another state and changed his name. He *probably* lived past 1910.

The 1900 and 1910 censuses record how many children a mother has given birth to and how many of these children are still living. In the 1900 census, Eliza Edwards, Tom's mother, stated that she gave birth to eight children, of which six were still living. John died in 1887 shortly after release from Federal Prison; and Mary (Edwards) Owen died in Young County, Texas in 1897. In the 1910 census, Eliza stated that she gave birth to ten children, of which six were still living. This time, she included the twins, Sarah and Jacob, who were born and died in 1868. Whether Eliza knew the status of her son, Tom, or just wishful thinking; we will never know. Each time, she included Tom in her count of living children.

**Coley Randolph** - It is not known for how long Coley remained as a stagecoach driver after the robbery. However, by 1883, he returned to Viola. His activities were reported in the *Southern Standard* numerous times throughout the latter half of the 1880s. Two of the more interesting reports include

Colie Randolph says he has terrible "heart disease" and wants some body to prescribe for him.<sup>9</sup>

Coley Randolph says if his heart trouble does not improve he will start on a tour to "England" very soon.<sup>10</sup>

The "England" in the second reference refers to his future wife, Eva England. He married Eva on 27 July 1894 in Warren County. In the later part of 1910, the Randolphs moved to Boonville, Cooper County, Missouri where they became prominent citizens in the community. Coley earned a living as a housing contractor. He served on the Board of Public Works for 25 years and was Chairman of the Board for many years. At his retirement, he became Chairman Emeritus.

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<sup>8</sup> Newspaper accounts at the time of John's arrest do not mention that Tom Edwards was present at the jail. They state only that George Hunt and John Edwards were present. Another report published in *The Daily American* on 8 September 1885 - a full three years after the robbery - details the extraordinary story of Tom's escape from the authorities at the Cookeville jail using two Texas ponies. According to this version, Tom would switch between the two ponies every mile as authorities gave chase. As he was racing away, he would shoot round after round from his Winchester rifle at his pursuers. Tom successfully eluded authorities after a fifteen-mile chase.

<sup>9</sup> "Colie Randolph." *Southern Standard*. [McMinnville, Tenn.], 06 Feb. 1886. *Chronicling America: Historic American Newspapers*. Lib. of Congress. < <http://chroniclingamerica.loc.gov/lccn/sn86090474/1886-02-06/ed-1/seq-8/>>

<sup>10</sup> "Coley Randolph." *Southern Standard*. [McMinnville, Tenn.], 20 Feb. 1886. *Chronicling America: Historic American Newspapers*. Lib. of Congress. < <http://chroniclingamerica.loc.gov/lccn/sn86090474/1886-02-20/ed-1/seq-8/>>

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Coley and Eva had five children: an infant that died before 1900; a daughter, Beulah M.; and three sons, Hugh L. or Jack, Frank O., and Coleman Lafayette Jr.

Eva died 19 February 1947 of acute colitis at the Alex Van Ravenswaay Hospital and was buried in the Walnut Grove Cemetery.

Coley lived another twelve years and died at the ripe old age of 97 on 23 September 1959. He was buried next to his wife. Obituaries were posted in the *Boonville Daily News* and the *Boonville Advertiser*.

### **C. L. Randolph Dies at Age 97**

C. L. Randolph, age 97, died at the home of his daughter, Mrs. Albin J. Schmidt, at 8:30 a.m. Wednesday.

Mr. Randolph was born at Petersburg, Tenn. on Dec. 21, 1861, the son of C. L. and Levina Moore Randolph. He was married to Miss Eva England on July 27, 1892. Mrs. Randolph preceded him in death in 1947.

The family moved to Boonville in 1910, where Mr. Randolph was engaged in the contracting business until his retirement 12 years ago.

He is survived by one daughter, Mrs. Schmidt, of Boonville; two sons, Coleman Randolph of Kansas City, and Frank Randolph, of Pontiac, Mich., four grandchildren and six great-grandchildren.

Mr. Randolph serves on the board of public works here for 25 years. He was chairman of the board, being appointed chairman emeritus following his retirement.

He was the oldest living member of the Christian church and was an elder of the church; Mr. Randolph was a member of the I. O. O. F. lodge for 72 years and served as secretary of the Far West Lodge No. 4 for many years.<sup>11</sup>

**Fate Boyd** - Fate was on the stagecoach that fateful morning, because he was traveling to Texas to look for opportunities to support his growing family. It is unknown whether he continued onto Texas or if he traveled there later. He did, however, remain in Cookeville and raise his family there. In addition to his two daughters, Fate and Elizabeth added four sons to the family: Vinnie, Muncy Luther, Benton, and Jasper Lafayette.

Fate died 29 October 1914 of pellagra<sup>12</sup> and was buried in the Cookeville City Cemetery. His obituary appeared in the 29 October 1914 issue of the *Putnam County Herald*.



**A. L. Boyd Dies** - Mr. A. L. Boyd died at his home a mile west of town this (Thursday) afternoon, after a lingering illness of several months duration. Mr. Boyd had resided in Cookeville for several years. He is survived by his wife and four children. Mrs. S. Hayden Young. Mrs. Bedford Johnson, Benton and Jasper Boyd, all of this city. The bereaved ones have the heartfelt sympathy of the whole community in the loss of their husband and father.<sup>13</sup>

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<sup>11</sup> "C. L. Randolph Dies at Age 97." *The Boonville Advertiser*. [Boonville, Missouri], 25 Sep 1959: 1. Print.

<sup>12</sup> Pellagra is a disease caused when a person fails to get enough niacin in his diet.

<sup>13</sup> *Putnam County Herald*. (Cookeville, Tenn.), 29 Oct. 1914. *Chronicling America: Historic American Newspapers*. Lib. of Congress. <<http://chroniclingamerica.loc.gov/lccn/sn89058133/1914-10-29/ed-1/seq-3/>>

His wife, Elizabeth, died 2 March 1920 and was buried next to her husband.



**Et Martin** - Et was the youngest member of the party traveling on the stagecoach, being only 19 at the time. During the late 1880s, Et became a pharmacist in Cookeville. He and his father, Dr. John Preston Martin, opened a pharmacy named "Dr. J. P. Martin & Son" on the north side of the Public Square. On 23 April 1893, he married Minerva "Minnie" Thompson. In 1894, Et and Minnie had their first child, which would live for only one year.

The year old baby of Mr. and Mrs. Et Martin, died Saturday night after a lingering illness. It was buried

Sunday in the cemetery. It was a beautiful child, and the parents are much grieved over their loss.<sup>14</sup>

They had a second child, a son named Van Clair Martin, who was born on the 19 February 1896. Late Friday evening on 1 June 1900 (the designated census day), Et Martin died. He is probably buried in an unmarked grave in the Cookeville City Cemetery. His obituary appeared in the 7 June 1900 issue of the *Cookeville Press*.

Last Friday night, Et Martin died at his home in Cookeville, after a lingering illness. He had been in poor health for years, in fact he was never stout, which was to a large degree responsible for his retiring disposition. Mr. Martin was the youngest son of the late Dr. J. P. Martin, and was a pharmacist by profession. He was a first class prescriptionist, but on account of ill health, has done but little work for a long period. He leaves a wife and little son, mother, sister, brother and numerous friends to mourn his loss. He was buried Saturday in the cemetery.<sup>15</sup>

**Zee Martin** - Zee never married. She lived most of her life in Cookeville with another brother, John Ballard Springs Martin. She worked as a music teacher. She died 12 January 1939 and was buried in the Cookeville City Cemetery. Her obituary appeared in the 12 January 1939 issue of the *Putnam County Herald*.



Zee Martin, a victim of the robbery, lived a long life in Cookeville, where she was a music teacher.

**Miss Z. Martin Dies After Long Illness** - Miss Z. Martin, about 78, died this morning at the home of Mr. and Mrs. Will Phillips of Cookeville, at 5:15 o'clock after a long illness. Funeral services will be held tomorrow afternoon at 2 o'clock at the Church of Christ. Burial will be in the City cemetery. She is survived by a brother, Dr. Henry Martin of Cookeville and a number of nieces and nephews. She had been a member of the Church of Christ since girlhood. She was one of Cookeville's oldest families and had lived here practically all her life.<sup>16</sup>

**Mary Amanda Harper** - Mary and her son, William were traveling on the stagecoach that fateful morning, because they had been visiting family in Putnam County and were on their way to Texas. History does not record whether they were able to continue onto to Texas or if they simply went back to Illinois. Neither Mary nor

<sup>14</sup> "Baby of Mr. and Mrs. Et Martin." *The Cookeville Press*. [Cookeville, Tennessee], 1 Aug. 1895: 5. Print.

<sup>15</sup> "Et Martin." *The Cookeville Press*. [Cookeville, Tennessee], 7 June 1900: 3. Print.

<sup>16</sup> "Miss Z Martin." *Putnam County Herald*. [Cookeville, Tennessee], 12 Jan. 1938: 1. Print.



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William were called to testify at the trials. Mary died 27 October 1886 and was buried in the Ten Mile Cemetery in McLeansboro, Hamilton County, Illinois.

**William David Harper** – Prior to 1887, William lost his wife Sarah Jennie. On 5 January 1888, he married Mary Elizabeth "Bettie" Thomas. They had one daughter, Eliza Elleo, who was born and died between 1888-1900. William lost two more daughters, Mary Mollie Harper and Maude L. (Harper) Clark, in 1903 and 1909, respectively. William died 15 August 1918 and was buried in the Ten Mile Cemetery. His obituary appeared in the 29 August 1918 issue of *The McLeansboro Times*.

**W. D. HARPER** - William David Harper was born in Putnam county, Tennessee, April 17, 1843, and died at his home in McLeansboro, August 15, 1918, aged 75 years. 3 months and 28 days.

April, 1868, he was united in marriage to Jennie Lewis; to this union five children were born -- Mollie, Oscar, Maude, Fannie and Jennie; his wife and three daughters having preceded him to the Great Beyond.

January 5, 1888, he was again married to Bettie Thomas; to this union one daughter was born – Eliza Elleo, who had also preceded him.

He professed faith in Christ in 1858 and united with the Ten Mile Baptist Church since which time he has been a pillar of the church, a regular and faithful attendant of all the services, giving the best within him to its support; exercising judicious control over his children, shaping their lives for good. It can be truthfully be said of him, "he was a good man, full of faith and the Holy Ghost."

He spent 3 years in the civil war, joining the Union Army in 1861. He spent several years teaching in the common schools in Illinois, Tennessee and Teas. Four years ago his eye sight failed him, later he had a stroke of paralysis which left him an invalid for the past two years. His faithful wife, affectionate daughter and obedient son did all in human power to relieve his suffering and prolong his stay on earth.<sup>17</sup>

*The End*

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## Nashville Stagecoach Lines, 1847

"A new line of four-horse coaches, three times a week from Nashville to the terminus of the Western and Atlantic Railroad (Dalton, Ga.) 170 miles through in 48 hours. Leaving Nashville Mondays, Wednesdays and Fridays at 7 ½ P.M., via Murfreesboro, Manchester, Hillsboro, Jasper and Chattanooga. Leaves Dalton Tuesdays, Thursdays and Saturdays at 6 P.M.

This now being the most speedy route from Nashville to Washington City, the whole time required being only 5 ½ days . . . The proprietor now has on this route new Troy built coaches, good teams, careful and attentive drivers, and can recommend his line as being inferior to none in Tennessee. Fare from Nashville to Dalton, \$12. . . Stage office at the Nashville Inn. I have a line of stages from Knoxville to Dalton; one three times a week from Sparta to Huntsville, Alabama; and one from Shelbyville to Winchester. – PAUL HERRIFORD"

(From the *Nashville Republican Banner*, Oct. 22, 1847)

### Important to Travellers.



FARE REDUCED AND SPEED INCREASED!!

**A** NEW line of four-horse coaches, three times a week from Nashville to the terminus of the Western and Atlantic Railroad (Dalton, Ga.) 170

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<sup>17</sup> "W. D. Harper" *The McLeansboro Times*. [McLeansboro, Ill.], 29 Aug 1918: 5.

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



## Williamson County (continued)

Abstracted by Gale Williams Bamman  
Certified Genealogist Emeritus<sup>SM</sup> Copyright © 2018

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
- County and district where enumerated in population schedule
- County of residence when at home

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

**Insane Inhabitants:** form of disease; duration of current attack; age at first attack; if requires restraint; if ever institutionalized and for how long; if additional features, such as epileptic, suicidal, or homicidal.

Distinction was to be made between persons with deterioration of mental power, such as dementia and those born defective; the latter were to be classified as Idiots.

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

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

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

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

**Inhabitants in Prisons:** place of imprisonment; whether awaiting trial, serving a term, or serving out a fine; if awaiting execution, or transfer to higher prison, or if held as a witness; if imprisoned for debt, or for insanity; date incarcerated; alleged offense; fine; number of days in jail or workhouse, or years in penitentiary; whether at hard labor, and if so, whether contracted out. Enumerators were also to ask these questions of wardens or keepers of any prison, "station-house, or lock-up in their respective districts."

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

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

## Williamson County (cont.)

**Rice, Mima:** Insane Schedule; enumerated Williamson Co.; mania, duration of present attack, 16 [number not defined], confined at times; inmate, Tennessee Asylum. [s.d.3,e.d.236; see Pop.Sch.p.21,ln.21] **Pop.Sch.:** age 35, black, female, in household of Belle Hunter.

**Merritt, Annie:** Insane Schedule; enumerated Williamson Co.; form, dementia, 7 years; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.37,ln.25] **Pop.Sch.:** Anny Merrett, age 18, black, female, daughter, in household of Jake Merrett.

**German, Johnie:** Idiots Schedule; enumerated Williamson Co.; not self-supporting, afflicted at birth; natural head; never an inmate of an institution. **Also:** Deaf-mutes Schedule. [s.d.3,e.d.236; see Pop.Sch.p.3,ln.2]

**Chin, Marshal:** Idiots Schedule; enumerated Williamson Co.; not self-supporting, afflicted at birth; natural head; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.29,ln.18]

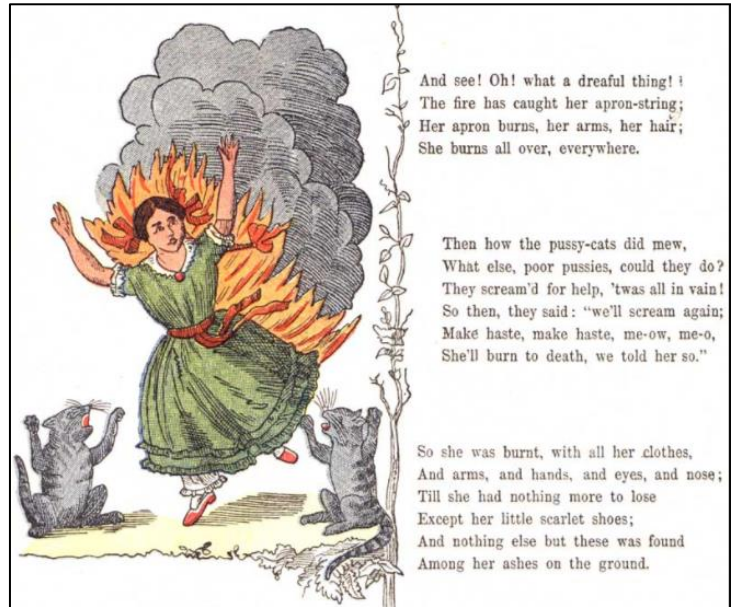
**Perkins, Luly:** Idiots Schedule; enumerated Williamson Co.; not self-supporting, afflicted at birth, very large head; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.27,ln.37]

**Brown, Florence:** Deaf-Mutes Schedule; enumerated Williamson Co.; not self-supporting, afflicted at age 4; cause, from sickness; semi-mute, semi-deaf; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.4,ln.49]

**Blackburn, Nettie:** Deaf-Mutes Schedule; enumerated Williamson Co.; not self-supporting, afflicted at age 3; supposed cause, typhoid fever; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.42,ln.6]

**House, Ami:** Blind Schedule; enumerated Williamson Co.; not self-supporting, afflicted at age 11, cause unknown; semi-blind; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.3,ln.29] **Pop.Sch.:** age 16, black, female, daughter, in household of Sol House.

**Rountree, Dick:** Blind Schedule; enumerated Williamson Co.; not self-supporting, afflicted at age 41; cause, rheumatism; semi-blind; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.19,ln.6]



**Bedtime story, 1842, designed to frighten children  
and prevent playing with fire.**

**Pop.Sch.:** age 61, black, male, in household of Jack Brown.

**Brown, Jack:** Blind Schedule; enumerated Williamson Co.; not self-supporting, afflicted at age 7; cause, from burns; semi-blind; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.19,ln.1] **Pop.Sch.:** age 53, black, male, head of household.

**Buck, Matt:** Blind Schedule; enumerated Williamson Co.; self-supporting, afflicted at age 25; cause, burns from blasting, totally blind; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.37,ln.47] **Pop.Sch.:** age 59, black, male, servant, in household of John T. Andrews.

**Ewing, Johnie:** Blind Schedule; enumerated Williamson Co.; not self-supporting, afflicted at age 3; supposed cause, scrofula; semi-blind; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.39,ln.12] **Pop.Sch.:** age 5, black, male, grandson, in household of William Johnson.

**Patton, Annie:** Blind Schedule; enumerated Williamson Co.; not self-supporting, afflicted at age 82; supposed cause, neuralgia; totally blind; never an inmate of an institution. [s.d.3,e.d.236; see



The use of child labor in mines was not uncommon. Matt Buck, listed here, had been blinded by blasting.

Pop.Sch.p.39,ln.16] **Pop.Sch.:** age 85, black, female, mother, in household of Andrew Patton.

**Blackburn, Robert:** Blind Schedule; enumerated Williamson Co.; not self-supporting; supposed cause, partial paralysis; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.42,ln.2] **Pop.Sch.:** age 49, white, male, head of household.

**Miller, Louis:** Blind Schedule; enumerated Williamson Co.; not self-supporting, afflicted at age 4; supposed cause, scrofula; semi-blind; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.12,ln.8] **Pop.Sch.:** age 19, black, male, servant, in household of Mary Miller.

**James, Geo. N.:** Blind Schedule; enumerated Williamson Co.; not self-supporting; form, amaurosis; semi-blind; never an inmate of an institution. [s.d.3,e.d.236; see Pop.Sch.p.53,ln.9] **Pop.Sch.:** age 53, white, male, head of household.

**Pope, Jeff:** Blind Schedule; enumerated Williamson Co. [s.d.3,e.d.236; see Pop.Sch.p.32,ln.6] **Pop.Sch.:** age 52, black, male, head of household.

**Allison, Nelson:** Prisoners Schedule; enumerated Williamson Co.; county jail, awaiting trial, incarcerated 11 October 1879[?]; alleged offense, misdemeanor; 40 days in jail or workhouse. [s.d.3,e.d.236; see

Pop.Sch.p.24,ln.50] **Pop.Sch.:** age 20, black, male, prisoner, in county jail.

**Thompson, Harry:** Prisoners Schedule; enumerated Williamson Co.; residence, Maury Co.; in county jail; awaiting trial, incarcerated 10 February 1880; alleged offense, malicious stabbing; 120 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.1] **Pop.Sch.:** age 22, black, male, prisoner, in county jail.

**Pointer, Ed:** Prisoners Schedule; enumerated Williamson Co.; county jail; awaiting trial; incarcerated 10 February 1880; alleged offense, malicious stabbing; 120 days in jail or work house.[s.d.3,e.d.236; see Pop.Sch.p.25,ln.2] **Pop.Sch.:** age 18, black, male, prisoner, in county jail.

**Taylor, Bill:** Prisoners Schedule; enumerated Williamson Co.; county jail, awaiting trial; incarcerated 18 March 1880; alleged offense, house breaking; 84 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.3] **Pop.Sch.:** age 45, black, male, prisoner, in county jail.

**Johnson, Ed:** Prisoners Schedule; enumerated Williamson Co.; county jail, awaiting trial; incarcerated 20 Apr.[?] 1880; alleged offense, house breaking; 48 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.4] **Pop.Sch.:** age 18, black, male, prisoner, in county jail.

**Crucher [sic], Ellick:** Prisoners Schedule; enumerated Williamson Co.; county jail, awaiting trial; incarcerated 20 \_\_[illegible] 1880; alleged offense, larceny; 18 days in jail or workhouse.[s.d.3,e.d.236; see Pop.Sch.p.25,ln.5] **Pop.Sch.:** Ellick Crucher [sic], age 38, black, male, prisoner, in county jail.

**Gibson, William:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Putnam Co., U.S. prisoner, serving a term; incarcerated 1 May 1880; alleged offense, illicit distilling, 42 days in jail or workhouse; larceny; 18 days in workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.6] **Pop.Sch.:** age 37, black, male, prisoner, in county jail.

**Beasley, Joseph:** Prisoners Schedule; enumerated Williamson Co.; county jail, residence, Putnam Co.; U.S. prisoner, serving a term; incarcerated 1 May 1880; alleged offense, illicit distilling; 42 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.7] **Pop.Sch.:** age 26, black, male, prisoner, in county jail.

**Coldwell, Sy:** Prisoners Schedule; enumerated Williamson Co.; county jail, awaiting trial; incarcerated

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1 May 1880; alleged offence, larceny; 11 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.8] **Pop.Sch.:** age 14, black, male, prisoner, in county jail.

**Kirby, C. M.:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Bledsoe Co.; U.S. prisoner, serving a term; incarcerated 1 May 1880; alleged offense, illicit distilling; 42 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.9] **Pop.Sch.:** age 24, white, male, prisoner, in county jail.

**Bryant, John:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Cumberland Co.; U.S. prisoner, serving a term; incarcerated 1 May 1880; alleged offense, illicit distilling; 42 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.10] **Pop.Sch.:** age 69, white, male, prisoner, in county jail.

**Stokes, Hannon:** Prisoners Schedule; enumerated Williamson Co.; county jail, residence, Smith Co.; U.S. prisoner, serving a term; incarcerated 1 May 1880; alleged offense, illicit distilling, 42 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.11] **Pop.Sch.:** age 22, white, male, prisoner, in county jail.

**Johnson, Carroll:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, DeKalb Co.; U.S. prisoner, serving a term; incarcerated May 1880; alleged offense, illicit distilling, 42 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.12] **Pop.Sch.:** age 28, white, male, prisoner, in county jail.

**Pleasant, John:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Van Buren Co.; U.S. prisoner, serving a term; incarcerated May 1880; alleged offense, illicit distilling, 42 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.13] **Pop.Sch.:** age 30, white, male, prisoner, in county jail.

**Pleasant, W. F.:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, White Co.; U.S. prisoner, serving a term; incarcerated May 1880; alleged offense, illicit distilling; 42 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.14] **Pop.Sch.:** age 20, white, male, prisoner, in county jail.

**Walden, W. M.:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Macon Co.; U.S. prisoner, serving a term; incarcerated 26 April 1880; alleged offense, illicit distilling, 4\_[] days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.15] **Pop.Sch.:** age 29, white, male, prisoner, in county jail.

**Thompkins, \_\_\_\_ [illegible] W.:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence,

Sumner Co.; U.S. prisoner, serving a term; incarcerated 26 April 1880; alleged offense, illicit distilling, 42 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.16] **Pop.Sch.:** Sam Thompkins, age 61, white, male, prisoner, in county jail.

**Wiggins, John H.:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Louisville, Ky.; awaiting trial; incarcerated 22 Jan.[] 1878[]; alleged offense, forgery; \_\_\_\_ [] days in the jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.17] **Pop.Sch.:** age 38, white, male, prisoner, in county jail.

**Wiggins, Finis E.:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Louisville, Missouri [*sic*]; awaiting trial; 22 Jan.[] 1878[]; alleged offense, forgery; 869[] days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.18] **Pop.Sch.:** age 28, white, male, prisoner, in county jail.

**Grace, John:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Jackson Co.; U.S. prisoner, serving a term; incarcerated 26 Apr. 1880, alleged offense, illicit distilling; 42 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.19] **Pop.Sch.:** John Grace, age 21, white, male, prisoner, in county jail.

**Allen, Leander:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Jackson Co.; U.S. prisoner, serving a term; incarcerated 26 Apr. 1880; alleged offense, illicit distilling; 47 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.20] **Pop.Sch.:** age 24, white, male, prisoner, in county jail.

**Allen, Clint:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Jackson Co.; U.S. prisoner, serving a term; incarcerated 26 Apr. 1880; alleged offense, illicit distilling; 47 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.21] **Pop.Sch.:** age 23, white, male, prisoner, in county jail.

**Neal, John:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Putnam Co.; U.S. prisoner, serving a term; incarcerated 26 Apr. 1880; alleged offense, illicit distilling; 47 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.22] **Pop.Sch.:** age 65, white, male, prisoner, in county jail.

**Waggoner, R.M.:** Prisoners Schedule; enumerated Williamson Co.; county jail; residence, Putnam Co.; U.S. prisoner, serving a term; incarcerated 26 Apr. 1880; alleged offense, illicit distilling; 47 days in jail or



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workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.23]  
**Pop.Sch.:** age 20, white, male, prisoner, in county jail.

**Dyer, James:** Prisoners Schedule; enumerated Williamson Co.; county jail, residence, Putnam Co.; U.S. prisoner, serving a term; incarcerated 26 Apr. 1880; alleged offense, illicit distilling; 47 days in jail or workhouse. [s.d.3,e.d.236; see Pop.Sch.p.25,ln.24]  
**Pop.Sch.:** James P. Dyer, age 36, white, male, prisoner, in county jail.

**McLemore, Nathan:** Pauper and Indigent Schedule; enumerated Williamson Co.; supported at cost of county; old age. [s.d.3,e.d.236; see Pop.Sch.p.2,ln.23]  
**Pop.Sch.:** age 80, black, male, boarder, in household of Manerva German.

**Vaughan, Susan:** Insane Schedule; enumerated Williamson Co.; form, dementia; duration of present attack, 3 months; total number of attacks, 1; age at first attack, 67; never an inmate of an institution. [s.d.3,e.d.235; see Pop.Sch.p.10,ln.44] **Pop.Sch.:** age 67, white female, head of household.

**Stanley, Fannie:** Insane Schedule; enumerated Williamson Co.; form, mania; duration of present attack, 1 month; total number of attacks, 1; age at first attack, 34; requires attendant; never an inmate of an institution. [s.d.3,e.d.235; see Pop.Sch.p.7,ln.45]  
**Pop.Sch.:** age 45, white, female, wife, in household of J. Newton Stanley.

**Pinkerton, Saml.:** Idiots Schedule; enumerated Williamson Co.; partly self-supporting, afflicted at birth, natural head; never an inmate of an institution. [s.d.3,e.d.235; see Pop.Sch.p.1,ln.21]

**Hodge, M. J.:** Idiots Schedule; enumerated Williamson Co.; not self-supporting, self-supporting, afflicted at birth, small head; never an inmate of an institution. [s.d.3,e.d.235; see Pop.Sch.p.14,ln.32]

**Young, Nancy:** Blind Schedule; enumerated Williamson Co.; partly self-supporting, afflicted at birth; totally blind; never an inmate of an institution. [s.d.3,e.d.235; see Pop.Sch.p.22,ln.43] **Pop.Sch.:** age 70, white, female, aunt, in household of Lizzie Young.

**McEwen, Harry:** Blind Schedule; enumerated Williamson Co.; not self-supporting, afflicted at birth; totally blind; never an inmate of an institution. [s.d.3,e.d.235; see Pop.Sch.p.23,ln.44] **Pop.Sch.:** age 17, black, male, son, in household of Amanda McEwen.

**Dobson, Lavinia:** Insane Schedule; enumerated Williamson Co.; duration of present attack, 21 years; age at first attack, 36; requires attendant; inmate, Nashville Insane Asylum, 16 months, discharged 1873. [s.d.3,e.d.234; see Pop.Sch.p.5,ln.14] **Pop.Sch.:** age 47, white, female, sister-in-law, in household of Isaac Taylor.

**Taylor, Hessey:** Insane Schedule; enumerated Williamson Co.; duration of present attack, 25 years; age at first attack, 75; inmate, Nashville Insane Asylum, 6 months, discharged 1878. [s.d.3,e.d.234; see Pop.Sch.p.5,ln.15] **Pop.Sch.:** age 100 [*sic* ], white, female, sister, in household of Isaac Taylor.

*To Be Continued*

### **CORRECTIONS** **to DDDs published in the previous issue,** **from White and Williamson counties**

**Bandy, Greenbery:** add “not confined.”

**Clark, John:** afflicted at age 21, not 62.

**Cluck, George:** afflicted at age 43, not 84; cause, catarrh on eye; in household of B. F. White.

**Davis, Martha M.:** age 21, not 25; and a granddaughter in the household of Reuben Davis.

**Denton, Nancy:** should be in the household of Hightower Denton (not Denton Hightower).

**Hall, Phoeby:** Phoeby Hall was head of household, not in household of Peter Stuarne.

**Horton, Mary:** add data from Pop.Sch. age 60, white, sister-in-law, in household of W. J. Lockridge.

**Horton, Susan:** add data from Pop.Sch. age 45, white, sister-in-law, in household of W. J. Lockridge.

**Johnson, Mary:** delete “afflicted at age 69.”

**Shelburn, Catherine:** afflicted at age 11, not age 18.

**Underwood, Bryce:** age 58, not 57.

# Prenuptial Contracts Not just for Movie Stars

## Marriage and the Law in Tennessee

This series examines the laws and court cases which shaped marriage law and practice in Tennessee. It reveals not only what the law said, but the stories of the people whose lives went awry in some way, landing them in court. Where the cases cited involved Middle Tennessee families, those stories are told here as well. For more information, see the introduction to the first article in the series, which appeared in volume XXXI, number 3, Winter 2018.

### Introduction

Today we think of prenuptial contracts, or “prenups”, mainly in terms of the rich and famous. But even our early Tennessee ancestors got involved in such agreements. In 1785 North Carolina amended its laws to require that marriage contracts be registered promptly, because they “have been frequently made and kept secret” from creditors. (NC Laws of 1785, ch. XII).

But when the Tennessee courts were confronted with several cases in which such contracts had not been registered correctly, judges were reluctant to declare the contracts void. This may have been in part because the contracts were usually for the benefit of the wife, and voiding them would have done great injury to women already struggling to live with a spendthrift husband.

Tennessee courts found refuge in an 1817 law which made contracts valid no matter how long a time had lapsed between their creation and registration (citation below). With some evident relief, judges were able to restore these agreements and help protect the property of the women involved.

Under Tennessee law a contract made in contemplation of marriage was given great weight. The power of such contracts was tested in several state Supreme Court cases. From the original case files and the published Supreme Court opinions we learn interesting stories behind these lawsuits.

### Cains & wife v. Jones<sup>1</sup>

Nancy Williams, a young woman of about 25 years, took a fancy to John Wright and agreed to marry him. Wright was “an old dotard and drunken man” residing in Smith County, and the owner of several valuable slaves along with livestock and other property. In June of 1821 John Wright deeded his property to his fiancée Nancy. They were married in August, but the deed was not registered until 1824.<sup>2</sup>

John Wright had been previously married and had at least one adult child, James Wright. In 1812 James had fathered an illegitimate child with Lydia Jones, a boy named Henry Hollingsworth Jones.<sup>3</sup> Wright apparently thought very highly of this grandson, because in the same month in which Wright married Nancy, he wrote a document deeding his slaves to young Henry upon his death. Henry and his advisors were wise enough to have this deed recorded immediately.

<sup>1</sup> *Cains v. Jones* 13 Tenn. 249 (1826); *Cains v. Marley*, Tenn. Supreme Court Case Files, Record Group 191, Middle Tenn., box 375. Tenn. State Library & Archives.

<sup>2</sup> No marriage record has been found. Smith County marriage records prior to 1838 were lost or destroyed.

<sup>3</sup> Thomas E. Partlow, *Smith County, Tennessee, Deed Books B-M, 1800-1835* (n.p., 1986), p.177. References deed book G, pp. 490-491, in which widow Nancy Wright deeds property to Henry Hollingsworth Wright “illegitimate son of James Wright who was born 29<sup>th</sup> October 1812 as appears in the large home bible of the said James Wright.”

By 1826, John Wright was dead and his widow and grandson were embroiled in a lawsuit. Which took precedence, the prenuptial contract or the other document, which could be construed as a will? The widow Nancy remarried to Tarlton M. Caines [also Cains]. Adam Marley was appointed guardian for Henry. The court called many witnesses on both sides of the case to provide details. Unfortunately, none of the testimony appears in the Supreme Court case file.



The Smith County Circuit Court decided that the marriage contract took precedence. Although it had not been registered until after the deed to Henry Jones, the attorneys cited an 1817 law which made deeds and certain other documents valid no matter how long a time had lapsed between their creation and registration.<sup>4</sup>

Much debate was had around whether Nancy's promise to marry could be considered "valuable consideration," and in the end both the Circuit Court and the Supreme Court ruled that it was. However, the Supreme Court ordered that the case be re-tried and the jury asked to consider whether Nancy "and her friends" had used fraud to get Wright to make the contract in the first place.

The case is styled "Cains v. Jones" but the paperwork sometimes refers to "Cains v. Marley" or "Cains v. Owens." This is because the charges were originally brought by Adam

Marley on behalf of Henry Jones. However, Adam Marley died before the case was concluded, and the guardianship was taken over by William Owens. Although it is not indicated in the record, Henry Jones may have come to adulthood by the time the case reached the Supreme Court, and could then have been a defendant in his own right.

The case file includes a bill of costs with information about those who were called to testify, including the number of miles they traveled to court, and indicating whether or not they had to cross the river on the ferry. Some of the testimony was taken in White County and some in Smith. The following witnesses and others are mentioned in the bill of costs:

Wm. Allen  
Jane Anderson  
John Anderson  
H. Ballard  
David Barford, Sheriff  
Arch G. Braswell  
Wison Cage  
James Carr  
J.W. Clanghorn  
John Chambers  
Nicholas Cook  
J. Deikins  
David Douglass  
Andrew Ferrill

Boaz Ford  
Asa Glasgow  
-- Goodall, Sheriff  
William Hart, Clerk  
Charles Hicks  
Sterling Hylton  
David Hynes  
Mary Hynes  
Boaz Mathews  
Luke T. Mathews  
Wm. McClain  
James McDaniel  
Wm. T. McDaniel, Sheriff  
Wm. McDonald

D.L. Mitchell, Deputy  
Wm. Pettay  
Henderson Parmer  
Stephen Robinson  
David Rowland  
Reb [Rob?] Rowland  
Robert Rowland  
John W. Simpson  
Wm. Simpson  
Judd Strother  
Henry Turney  
Wm. Walton

<sup>4</sup> Edward Scott, *Laws of the State of Tennessee ... 1715 to the year 1820 ...* (Knoxville: Heiskell & Brown, 1821), 1817 ch. 45, p.338.

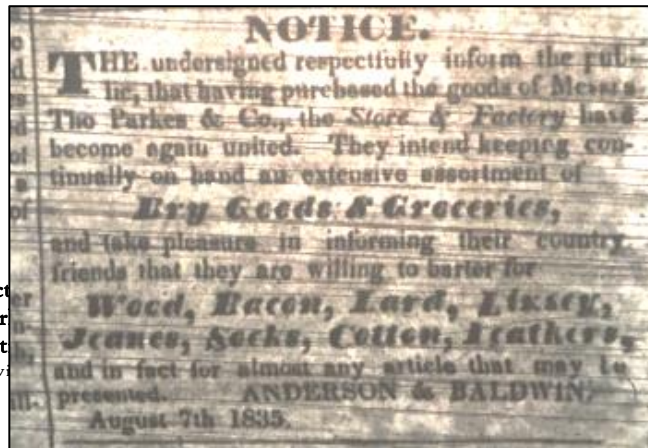
## Baldwin v. Baldwin<sup>5</sup>

In 1830 Mary Florida Dixon of Davidson County had property worth \$15,000 or more, including 35 slaves. By the standards of the time, she probably was among the rich and famous, so perhaps it is not surprising that she entered into a prenuptial contract.

Mary Florida was contemplating marriage to Henry Baldwin, a Pennsylvania-born lawyer. She conveyed her



fact  
Par  
part  
Rev



property to James W. Hoggatt in trust, so that he could hold it for her use. Henry Baldwin consented to the arrangement. The deed of trust was not registered with the county. Shortly after creating the trust, Mary Florida and Henry were married in November 1830.

Three years later Mr. Baldwin invested in a cotton spinning and weaving business in Franklin, and lost his shirt. His wife's slaves were going to be sold to pay the debt. Mary Florida sued her husband and his creditors, saying that the property was hers and not her husband's. The creditors claimed that since the marriage contract had not been registered it was invalid.

Once again, the court said that prenuptial contracts were valid even if not immediately registered. As a measure to protect a woman's property, the contract was seen as a binding and forceful tool. Mary Florida retained her property, and her husband's creditors had to look elsewhere for compensation.

Mary could not so easily get rid of the feckless Mr. Baldwin. They were living in South Nashville in 1850 with five children. Times were evidently hard, as Baldwin reported owning no real estate, and only five of Mary's 35 slaves were still with them.<sup>6</sup>

## Morgan v. Elam<sup>7</sup>

Elizabeth Stokes, the widow of Allen Stokes, lived in Virginia and owned extensive lands, many slaves and bank stocks. In 1820 she conveyed all her property to her friend William Brown Hamblin in trust, just prior to her marriage to Maj. Samuel Elam. The deed was not recorded.

Soon after the marriage Elam began persuading his wife to let him have \$10,000 worth of bank stock. He claimed to own Bell's Tavern in Nashville, a valuable property, which would be her collateral. With \$10,300 in cash, he said, he could very nearly get out of debt. Elizabeth relented and wrote to Hamblin instructing him to cancel the trusteeship because she was now "willing to blend our fates completely" with her new husband. After some resistance, Hamblin cut his signature off the original trust document, and returned it and the stock shares to Elam.

<sup>5</sup> *Baldwin v. Baldwin* 21 Tenn., 473 (1841)

<sup>6</sup> 1850 U.S. Census, Davidson Co. Tenn., South Nashville, p.244B (stamped), household 1020 shows Henry Baldwin, age 45, lawyer born in Pennsylvania, Mary F. Baldwin 40, born in Tenn. and children Ann W., Henry, Wm. H., Mary and Clara, ranging in age from 19 to 8 years. The corresponding Slave Schedule shows they owned five slaves.

<sup>7</sup> *Morgan v. Elam* 12 Tenn. 375 (1833)



**WASHINGTON HOTEL.**  
**E. BENOIT,**  
**T**AKES this opportunity of returning his most grateful thanks to his friends, and the public generally, for the great encouragement he received from them during the time he occupied the Nashville Inn, and now begs leave to inform them, that he has resumed the same line of business, in the house formerly occupied by Thos. Childress, and E. Baker, known by the name of the Bell Tavern, situated on the north west side of the public square, next door to the Branch Bank of the state of Tennessee in Nashville—where he has at very considerable expense made such alterations and improvements on this establishment as renders it perfectly comfortable; and hopes from his unremitting attention, to merit a share of that patronage which he formerly experienced from those travelling to the western country. And for the better accommodation of Gentlemen who travel with their families, he has taken that large three story brick house of Mr. D. McGavock's, adjoining the establishment, where private rooms can be obtained much to their satisfaction. His friends and the public may rest assured that no exertions on his part will be wanting to render agreeable the situation.  
 NASHVILLE, May 2d, 1821.—tf.

Major Elam defrauded his new wife by claiming to own Bell's Tavern in Nashville. This advertisement shows that the tavern was on the public square a lucrative spot indeed. (Nashville Whig, 15 Aug. 1821)

Not long after this the Elams decided to move to Tennessee. When they arrived at Knoxville the husband's

creditors seized their property, claiming they had fled the state (Virginia) to avoid his debts. The property consisted of a male slave (who died prior to the court case), a wagon and horses, household goods and even Mrs. Elam's clothing.

The court decided the case on two major points. First, the trusteeship established by Elizabeth and Hamblin was in effect, even though it was never registered. He took possession of the property and was responsible for it.

Second, Elizabeth did not have the right to dissolve the trusteeship after she married. As a *feme covert* she had no power to dispose of her own property, except as stipulated in the prenuptial agreement. This decision was made even though several cases and statutes confused the issue, and one justice dissented.

The court did not have a very high opinion of the minds of women, as it wrote "Those who have the least acquaintance with the relations which exist between husband and wife cannot fail to know, that he will be able, almost universally, to obtain from her everything she has power to bestow."

On the other hand, the court didn't think much of husbands, either. "Undue means will be resorted to . . . which can scarcely be defeated. The influences . . . are most apt to come in the guise of extreme fondness . . . counterfeited by the husband, under the influence of his cupidity for her estate." However, the outcome here favored Elizabeth, as the court insisted that the trusteeship, once established, could not be surrendered.

## Smith v. Greer

Another legal wrinkle involving marriage contracts arose in a West Tennessee case from Fayette County. Ann Lea inherited slaves under the 1804 will of her father, Joseph Lea, of Chatham Co. North Carolina. She married Thomas H. Smith before 1816. After the marriage Thomas and his brother, Robert Smith, made a deed to Ann and her brother, Joseph Lea, providing Ann with a life estate in the property she had inherited. They moved to Tennessee where Mr. Smith fell into debt. The court ruled that Ann's inheritance could be sold to pay her husband's debts, because the agreement was not a contract based on an exchange of "valuable consideration." In other words, since Ann was already married, she couldn't sell herself to Smith in exchange for her property. Fortunately, Ann was able to protect her inherited slave, Ursula, due to another legal issue.<sup>8</sup>

*"A married woman's separate estate was a creation of equity, devised for her protection and to evade the harsh and unjust dogmas of the law with respect to the rights of her husband over her property. . . . Property settled upon the wife for her sole and separate use, either before or after the marriage . . . would be jealously guarded by a court of equity."* (Tennessee Jurisprudence, 2016.)

<sup>8</sup> Smith v. Greer 22 Tenn. 118 (1842)



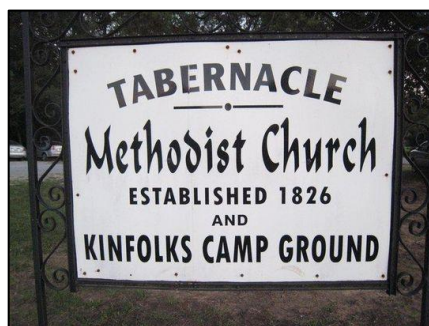
# New Books at the Tennessee State Library & Archives

Selected titles added to the  
library, Winter 2017-2018

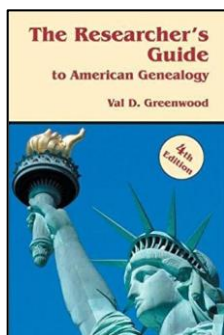
The State Library and Archives in Nashville holds more than 300,000 volumes of Tennessee history and related topics. Donations are received almost daily, and a small budget helps keep the collection current. These new titles may be of interest to Middle Tennessee genealogists.



"New" Reading Room of the Tennessee State Library, ca. 1954



The *Taylors of Tabernacle* is the story of descendants of Rev. Howell Taylor of Haywood County, Tenn.



In the early 1970s, Greenwood's *Researcher's Guide to Genealogy* was the only reputable guide for new genealogists.

## Family Genealogies

*McNeeley: Our Roots in Virginia and East Tennessee*  
*The Levan Family of Middle Tennessee Book 1: James Benjamin Levan II*  
*The Levan Family of Middle Tennessee Book 2: Jane Levan*  
*The Taylors of Tabernacle: The History of a Family*  
*Our Parks Family in America: Joseph and Ruth Parks of East Tennessee and Their Descendants*

## Genealogy How-To

*Getting Started in Jewish Genealogy*  
*The Genealogist's Google Toolbox (2nd edition)*  
*Unpuzzling Your Past*  
*Mobile Genealogy: How to Use Your Tablet and Smartphone for Family History Research*  
*The Researcher's Guide to American Genealogy, 4<sup>th</sup> ed.*

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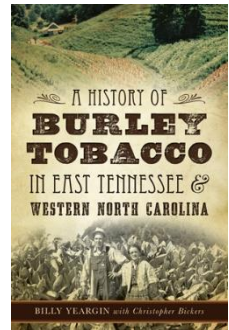
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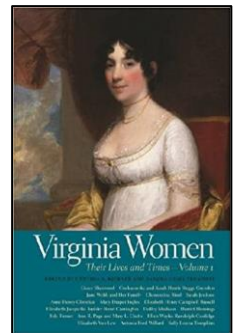
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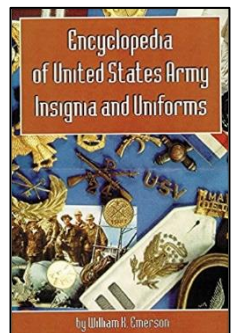
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*Indian Wars of the American South, 1610-1858: A Guide for Genealogists and  
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*The Confederate Homefront: A History in Documents*

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## Southern History and Culture

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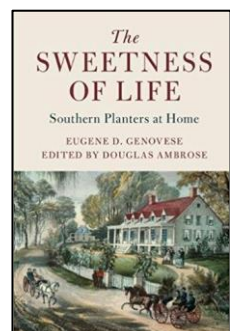
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*The Boys' War: Confederate and Union Soldiers Talk about the Civil War*

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*Indian Wars of the American South, 1610-1858: A Guide for Genealogists and  
Historians*



# Obituary for a Dog, 1863

*From the Journal of Nimrod Porter of Maury County*

March 5. The faithful old Setter Slut commonly called Mat departed this life on this day Thursday the 5<sup>th</sup> day of March 1863. She was black and the Mother of some fine setters her self [and] was unequaled in the field in setting birds. She was a greate favourate & her loss was truly regretted by the whole family White & black. She is buried in the peach Orchard with Appropriate head and foot stones to Mark her resting place. May she rest in peace – She belonged to Thomas L. Porter. She came to her death by the kick of a horse (Jim), lived about one hour after the fatal blow – She was about 14 years old and had lost her hearing. Went by signs.

## **Nimrod Porter's Diaries and Papers Available Online**

The sweet obituary above, and many other interesting comments on life in Maury County during the Civil War are now readily available to researchers, thanks to a digitization project at the University of North Carolina. The papers of Nimrod Porter (1792-1872), a well-to-do farmer who lived just south of Columbia, are available for research online. The collection is described as follows:

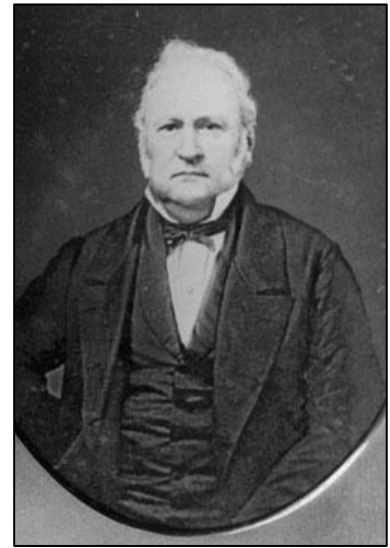
This is the diary and other records of a Maury County sheriff and farmer, Nimrod Porter (1792-1872). Porter writes of life during the Civil War and Reconstruction, describing guerrilla activities, devastation by the Union and Confederate armies, activities of slaves and freedmen, and the Battle of Franklin, 1864. He also has notes on the weather, household and farm accounts, and descriptions of his campaigns for sheriff during the period 1819-43. Porter's is a vivid and descriptive firsthand account of Middle Tennessee during the Civil War and Reconstruction.

Porter's diaries form the bulk of the collection. They were written from 1861 to 1871 with frequent entries and include far more than the usual comments about weather and crops that tend to fill the diaries of farmers. Porter's entries are not usually very lengthy, but Porter was good at expressing himself and describing his reality. The 1860 agricultural census schedule shows that Porter lived in the 9<sup>th</sup> District of Maury County on a farm of 400 acres, valued at \$40,000. His home still stands off Campbellsville Pike.

No slaves are recorded in the slave census schedule of 1860, but other Porters in the neighborhood were slave-owners and may have been family members. We know that there were enslaved people living on Porter's farm during the war, as he mentions them in the diaries. For example, he wrote this in 1864:

*[The soldiers] broke the weatherboarding off the house for fires, burnt the yard fence, went in our smoke house and took the meat. They cooked the last old gobbler. They even took the boots off the blacks. Considerable fuss over that. They should not rob the blacks. Last night, they took all black Sukey's money, all my corn, and what little oats I had left.*

The Porter papers are part of the Southern Historical Collection at the University of North Carolina. The originals, including typed transcripts of the diaries, are available online at [Finding-aids.lib.unc.edu/01094/#transv\\_1#1](http://Finding-aids.lib.unc.edu/01094/#transv_1#1).



**Nimrod Porter (1792-1872)**  
(ourcoop.com)

# Every-Name Index

MTGS Journal  
Volume XXXI, 2016-2017  
*Indexed by Jim Long*

## Introduction to the Index

We believe that every genealogical work requires a complete index, and to that end provide an every-name index in the fourth and final issue of each volume of the Journal. This index includes names, places and miscellaneous. Pagination of Volume XXXI began with page 1 in the Summer 2017 issue and continued through this issue. The following notes prepared during the indexing process will be helpful to the reader.

Individuals identified in the text as *slaves/former slaves* are indexed with (slaves) entered before their name.

If the maiden name of a female is known, she is listed under both her married and maiden names.

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