

# The MIDDLE TENNESSEE Journal of Genealogy & History



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Volume XX, Number 3  
Winter 2007



## Middle Tennessee Counties

Bedford  
Cannon  
Cheatham  
Clay  
Coffee  
Davidson  
DeKalb  
Dickson  
Fentress  
Franklin  
Giles  
Grundy  
Hickman  
Houston  
Humphreys  
Jackson  
Lawrence  
Lewis  
Lincoln  
Macon  
Marshall  
Maury  
Montgomery  
Moore  
Overton  
Perry  
Pickett  
Putnam  
Robertson  
Rutherford  
Smith  
Stewart  
Sumner  
Trousdale  
VanBuren  
Warren  
Wayne  
White  
Williamson  
Wilson

## MARK YOUR CALENDAR

### NEW MEETING PLACE

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

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

January 20, 2007

Show and Tell

Hosted by Janet Hasson  
at the Knowles Senior Center  
1:00 p.m.

One of our most popular meetings, this provides an open forum for any one to bring in a favorite project, artifact, heirloom or photo and make a brief presentation. Presentation order based on first-come-first-served basis; time apportioned according to number of speakers and available time.

March 17, 2007

Identifying & Dating Old Photographs  
Presented by Amber Barfield  
at the Knowles Senior Center  
1:00 p.m.

Barfield is Documents Conservator at the Tenn. State Library & Archives. She will guide the audience in a fascinating study of old photographs, with emphasis on dating family photos and identifying the places and people featured in them.

May 19, 2007

MTGS 20<sup>th</sup> Birthday Celebration  
and Awards Banquet  
Featuring  
State Historian Walter Durham  
Details to be announced.

MTGS meets on the third Saturday of January,  
March, May, July, September and November,  
unless otherwise announced.

# Middle Tennessee

## Journal of Genealogy & History

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***From the Editor . . .***

Dear Readers,

Our biggest news is that the indexes to all past issues of the *Journal* are now posted and searchable on-line by visiting the MTGS web site: [www.mtgs.org](http://www.mtgs.org). We know this will help bring nuggets of family history to light for many genealogists who may not have been reading the *Journal* through its 20 years of publication. Thanks to Webmaster Kathryn Cowan for completing this Herculean task.

This issue features an article about John Collingsworth, an orphan from a prominent Nashville family who attended the Military Academy at West Point and later resigned from the U.S. Army to join the Army of the Republic of Texas in its fight for independence from Mexico.

Genealogists who had a doctor in the family will be interested in the list of medical students who graduated from the University of Nashville in 1855. And everyone will enjoy the list of thesis subjects from that area, evidence that while much has changed in medicine in 150 years, many mysteries remain unsolved.

We hope to see you at our upcoming meetings, and if you are one of many genealogists 'doing your thing' on the computer, don't forget to check out the workshops offered by our Computer Interest Group. Details are on the web site!

***Chuck Sherrill***

***MTGS Journal Editor***

[casherrill@bellsouth.net](mailto:casherrill@bellsouth.net)

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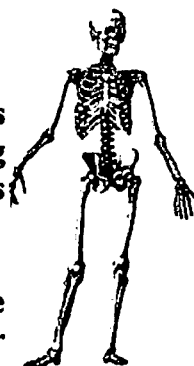
Yearly memberships include four issues of the *Middle Tennessee Journal of Genealogy & History*. Make check or money order payable to MTGS. Dues are \$25.00 per membership year, beginning of fiscal years on June 1. See back cover for details and application form.

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Our website: <http://www.mtgs.org/>

# Early Tennessee Physicians

## Medical School of the University of Nashville, 1855

A catalog from the Medical Department of the University of Nashville dated 1855 is found among the records of the Tennessee State Library and Archives. The catalog indicates that the school was founded in 1851, and in the four years since its beginning it had grown into a large institution.



There were 294 students in the Medical School in 1855. While the majority were Tennessee residents, they came from all over the nation. This chart shows their places of residence.

|             |    |                |     |
|-------------|----|----------------|-----|
| Alabama     | 27 | Missouri       | 1   |
| Arkansas    | 4  | South Carolina | 2   |
| Georgia     | 51 | Pennsylvania   | 1   |
| Illinois    | 1  | Tennessee      | 171 |
| Kentucky    | 12 | Texas          | 9   |
| Kansas      | 1  | Wisconsin      | 1   |
| Mississippi | 13 |                |     |

Student fees for a full course of Lectures amounted to \$105.00, with an additional charge of \$10 for the Practical Anatomy course (for the cadavers?). According to the promotional write-up, "Good board can be procured at \$3 per week."

*Annual Announcement and Catalogue of the Medical Department of the University of Nashville. Session 1855-56.*  
(Nashville: Cameron & Fall, 1855.)

### Trustees of the University

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**Graduates at the Commencement held Mar. 1, 1855**

| <b>Name</b>      | <b>Residence</b> | <b>Thesis</b>   |
|------------------|------------------|---|
| Daniel Abbey     | Georgia          | Remittent Fever   |
| Charles P. Banks | Alabama          | Pathological effects of Alcohol                           |
| D.P. Barclay     | Kentucky         | Dysentery of Warren and Simpson county, Kentucky, 1854    |
| A. McD. Baskin   | Mississippi      | Simple Intermitting Fever                                 |
| H.H. Bethshares  | Tennessee        | Insanity  |
| A.L. Black       | Arkansas         | Pneumonia, in its three semiological aspects              |
| G.A. Brown       | Tennessee        | Rubeola   |
| H.T. Brown       | Tennessee        | Emansio Mensium   |
| Pike Brown       | South Carolina   | Miansis   |
| E.E. Buchanan    | Tennessee        | The Positions and their effects upon the Physical System  |
| J.H. Buchanan    | Tennessee        | Inflammation  |
| J.M. Buchanan    | Tennessee        | Wounds  |
| G.T. Camp        | Georgia          | Leucorrhoea   |
| D.W. Carmack     | Tennessee        | Hemostatic Agents   |
| A.J. Charlton    | Tennessee        | Typhoid Fever   |
| T.E. Cleere      | Tennessee        | Photology & Physiology of Vision                          |
| J.H. Curtis      | Alabama          | Typhoid Fever   |
| J.W. Compton     | Tennessee        | Abortion  |
| T.T. Cotnam      | Tennessee        | Scarlatina  |
| E.G. Davis       | Kentucky         | The Signs of Pregnancy                                    |
| T.T. Dismukes    | Tennessee        | The Physician   |
| John Dorroh      | Alabama          | Respiration   |
| J.A. Duncan      | South Carolina   | Typhoid Fever   |
| A.H. Dunavant    | Tennessee        | Malaria   |
| J.R. Dunn        | Tennessee        | Acute Peritonitis   |
| C.S. Evans       | Georgia          | On Fractures  |
| J.A. Fowlkes     | Alabama          | Enteric Fever   |
| R.L. Galbraith   | Tennessee        | Menstruation  |
| H.W. Gill        | Tennessee        | Acute Dysentery   |
| E.T. Gray        | Tennessee        | Typhoid Fever   |
| A.W. Griggs      | Georgia          | Malaria   |
| T.L. Hale        | Tennessee        | Retroversio Uteri   |
| H.W. Hall        | Tennessee        | Anemia Gravidarum   |
| E.W. Herndon     | Tennessee        | Generation in reference to the theories of Superfoetation |
| D.G. Hodges      | Tennessee        | Cephalo Pelvic Adaptations                                |
| J.E. Hough       | Tennessee        | Typhoid Fever   |
| F.M. James       | Tennessee        | Febris Miasmatica   |
| J.L. Jarrell     | Tennessee        | Dysmenorrhoea   |
| W.F. Jones       | Tennessee        | Congestion  |

| Name            | Residence   | Thesis                             |
|-----------------|-------------|------------------------------------|
| W.. Jordan      | Mississippi | Inside Work of the Temple          |
| J.W. Kerr       | Tennessee   | Peritonitis                        |
| G.W. Key        | Alabama     | Inflammation                       |
| J.C. Lee        | Georgia     | Dysmenorrhoea                      |
| J. Logue        | Tennessee   | Veratrum Viride                    |
| J.A. Long       | Tennessee   | Report on 11 Years Practice        |
| G.A. Long       | Tennessee   | Typhoid Fever                      |
| T.J. Manning    | Georgia     | Menstruation                       |
| W.M. Mayfield   | Tennessee   | Fracture of the Patella            |
| J.T. McCaleb    | Mississippi | Acute Peritonitis                  |
| Thomas McCoy    | Mississippi | Rubeola                            |
| S.O. McDonald   | Tennessee   | Fractures                          |
| R.M. McNair     | Georgia     | Dysentery                          |
| E.L. McTyre     | Georgia     | Malaria                            |
| G.W. Menees     | Tennessee   | Dysentery                          |
| W.J. Miller     | Tennessee   | Diagnosis                          |
| J.J. Monroe     | Georgia     | Gonorrhoea                         |
| Wm. Montgomery  | Tennessee   | Hepatitis                          |
| T.T. Mounger    | Georgia     | Enteric Fever                      |
| W.A. Mulkey     | Arkansas    | Pneumonitis                        |
| G.W. Newsom     | Georgia     | Urethral Blenorrhagia              |
| M.H. Oliver     | Georgia     | Pneumonia                          |
| A.A. Padgett    | Tennessee   | Normal Digestion                   |
| J.A. Parks      | Tennessee   | Cholera Infantum                   |
| F.L. Patterson  | Tennessee   | Colic                              |
| E. Peacock      | Georgia     | Chlorosis                          |
| J.K. Phillips   | Tennessee   | Typhoid Fever                      |
| J.H. Price      | Texas       | Miasmatic Fever                    |
| W.D. Prior      | Georgia     | Hypertrophy of the Liver           |
| J.W. Quinn      | Tennessee   | Measles                            |
| G.C. Reynolds   | Georgia     | Typhoid Fever                      |
| T.S. Richardson | Tennessee   | Pneumonia, per se                  |
| W.T. Richardson | Tennessee   | Fecundation                        |
| J.B. Russell    | Alabama     | Hemorrhage                         |
| L.P. Sale       | Kentucky    | Report of Cases                    |
| E.L. Sanders    | Georgia     | Inflammation                       |
| T.F. Sienknecht | Tennessee   | Angina                             |
| R.A.I. Simmons  | Tennessee   | Congestive Fever                   |
| T.G. Shannon    | Tennessee   | Scarlatina                         |
| J.H. Sharber    | Tennessee   | Amenorrhoea                        |
| T.J. Shaw       | Tennessee   | Gossypium Herbaceum                |
| B.B. Smith      | Mississippi | Dysentery                          |
| T.S. Smith      | Tennessee   | Pneumonia                          |
| F.E.H. Steger   | Alabama     | Hereditary Transmission of Disease |
| G.W. Story      | Tennessee   | The Blood                          |
| T.B. Stroud     | Tennessee   | Typhoid Fever                      |
| G. Tennent      | Georgia     | Veratrum                           |

| Name             | Residence | Thesis                                 |
|------------------|-----------|--|
| H. Threadgill    | Alabama   | Rheumatic State of Fever               |
| T.J. Vanderville | Tennessee | Euthanasia                             |
| J.M. Vestal      | Tennessee | Colitis                                |
| L. Wynn          | Georgia   | Inflammation                           |
| I.P. Webb        | Georgia   | Fractures                              |
| T. Westmoreland  | Tennessee | Differences in Ethiopian and White Man |
| W.H. Wilkes      | Tennessee | Physiological Calorification           |

## Unionists in Maury & Giles Support N.W. McIntosh

Oct. 10, 1864

We the undersigned Union citizens of Maury and Giles Counties Tenn. do certify that we are personally acquainted with N.M. McIntosh and do certify that he is and has been all the time a true and devoted Union man in every sense of the word. We also certify that he has been active as such ever since the rebellion commenced and deserves favors [and] protection as much as any man [torn] our acquaintance. [torn] and that he grant him permission to buy and sell goods & etc. in Pulaski Giles County Tenn.

Respectfully,

[signed]

*N.W. Jones*  
*R. Luther Farris*  
*W.B. Wilson*  
*Wm. Sales[?]*  
*J.P. Baird*  
*John D. Moore*  
*J.C. Walker*  
*Edd[?] W. Rose*  
*David H. Parsons*

Columbia Tenn. Oct. 11 1864

I do hereby certify that I am personally acquainted with the most of the signers of this paper & that they are undoubted Union men.

[signed]

*J.C. Frankeberger, Major 1<sup>st</sup> Ohio, Pro Mar.*  
*J.C. Walker*  
*Edw. Rose*  
*David H. Parsons*

Recommended

[signed]

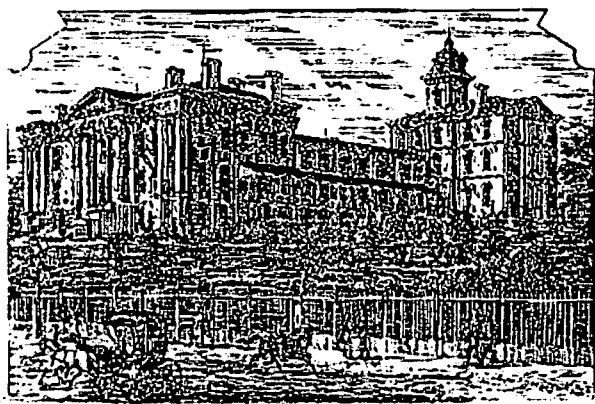
*R.W. Johnson, Brig. Genl. Cmdg.*

From the Southern Claims Commission file of Neil McIntosh of Giles County. National Archives Record Group 217, Entry 732, Box 271.

The file indicates that McIntosh was an itinerant minister with no settled place of residence during the war. Efforts to locate him in the 1860 and 1870 census have been unsuccessful.



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



## Davidson County Asylum

*Abstracted by*  
*Gale Williams Bamman, CG<sup>SM</sup>*  
Copyright © 2005

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

DDD, the census-takers were instructed to give an account of the location and condition of persons who met these descriptions:

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

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

Certain questions were repeated on all seven schedules:

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

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

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

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

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

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

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

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

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

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

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

### *Davidson County Asylum*

**Capps, Elizabeth:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; consumption; admitted 7, December 1879. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.16]

**Pop.Sch.:** age 52, widow; consumption; born Tenn.

**Capps, Martha:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted 9 December 1879. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.17]

**Pop.Sch.:** age 22, daughter, single; [in health column: "well"]; born Tenn.

**Haynes, Elizabeth:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; syphilis; admitted 13 January 1880. [s.d.3,e.d.77; see Pop.Sch.p.12, ln.18]

**Pop.Sch.:** age 25, single; syphilis; born Tenn.

**Williams, Fannie:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; rheumatism; admitted 16 February 1880. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.19]

**Pop.Sch.:** age 34, single; rheumatism; born Arkansas.

**Hollis, Rose:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident Switzerland; able-bodied; admitted 16 February 1880.

**Also:** Insane Schedule; not self-supporting; melancholia; duration of present attack, 26 mos.; age at first attack, 46; inmate, asylum, 26 mos. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.20]

**Pop.Sch.:** age 38, single; [in health column: "insane"]; born Germany.

**Haley, Elizabeth:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted 6 February 1880. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.21]

**Pop.Sch.:** age 19, single; [in health column: "well"]; born Tenn.

**Burke, Leana:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; able-bodied; admitted January 1876.

**Also:** Insane Schedule; not self-supporting; dementia; duration of present attack, 5 years; age at first attack, 55; inmate, asylum, 5 years. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.22]

**Pop.Sch.:** age 60, single; [in health column: "well"]; tick mark in insane column; born Ireland.

**Bryan, Nancy:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted 17 March 1879.

**Also:** Insane Schedule; not self-supporting; dementia; duration of present attack, 26 mos.; age at first attack, 42; inmate, asylum, 26 mos. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.23]

**Pop.Sch.:** age 42, single; [in health column: "well"]; tick mark in insane column; born Tenn.

**Reece, Polly:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted 28 March 1879. [s.d.3,e.d.77; see Pop.Sch.p.3,e.d.77; see Pop.Sch.p.12,ln.24]

**Pop.Sch.:** age 80, single; [in health column: "well"]; born Tenn.

**Hoffman, Miranda:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Shawnee Town, Illinois; syphilis; admitted 10 December 1878. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.25]

**Pop.Sch.:** age 31, single; syphilis; born Illinois

**Johnson, Cassandra:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; admitted 8 May 1879. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.26]

**Pop.Sch.:** age 76, single; [in health column: "well"]; born Tenn.

**Burns, Mary:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; able-bodied; admitted November 1878. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.27]

**Pop.Sch.:** Burne, Mary, age 21, single; [in health column: "well"]; born Ireland.

**Burns, Sarah:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted November 1878. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.28]

**Pop.Sch.:** Burne, Sarah, age 1; [in health column: "well"]; born Ireland.

**Burns, Sarah:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; Rheumatism; admitted November 1878. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.29]

**Pop.Sch.:** Burne, Sarah, age 60, widow; [in health column: "well"]; born Ireland.

**Garharte, Isabella:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; able-bodied; admitted January 1876. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.30]

**Pop.Sch.:** age 70, widow; [in health column: "well"]; born Ireland.

**McCaleb, Polly:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Kentucky; tumor. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.31]

**Pop.Sch.:** age 55, single; tumor; born Kentucky.

**Brooks, Lucy:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; epilepsy; admitted January 1876. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.32]

**Pop.Sch.:** age 23, single; epilepsy; born Tenn.

**Curly, Jane:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; diabetes; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.33]

**Pop.Sch.:** Curley, Jane, age 63, single; diabetes; born Virginia.

**Reeves Agnes:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; admitted 18 August 1876.

**Also:** Insane Schedule; not self-supporting; dementia; not restrained; inmate in insane asylum, 4 years. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.34]

**Pop.Sch.:** age 64, single; [in health column: "well"]; born Tenn.

**Sudekum, Kate:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; rheumatism; admitted May 1878.

**Also:** Insane Schedule; not self-supporting; dementia; inmate in insane asylum, 1 year. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.35]

**Pop.Sch.:** age 45, single; [in health column: "well"]; born Germany.

**Dale, Georgiana:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; rheumatism; admitted 14 May 1879. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.36]

**Pop.Sch.:** age 83, single; rheumatism; born Canada.

**Kirkpatrick, Mary:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; syphilis; admitted 13 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.37]

**Pop.Sch.:** age 25, single; syphilis; born Tenn.

**Benton, Anna:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.38]

**Pop.Sch.:** age 34, single; [in health column: "well"]; born Tenn.

**Benton, Daniel:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; paralysis; admitted January 1877. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.39]

**Pop.Sch.:** age 2, bastard; paralysis; born Tenn.

**Manlum[?], Betty:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted February 1878. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.40]

**Pop.Sch.:** age 81, single; [in health column: "well"]; born Tenn.

**Mason, Alicia:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; heart disease; admitted 26 January 1878. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.41]

**Pop.Sch.:** age 50, single, syphilis; born Ohio.

**Miller, Dora:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Russia; syphilis; admitted May 1878. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.42]

**Pop.Sch.:** age 60, single; [in health column: "well"]; born Russia.

**Smith, Mollie:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Toledo, Ohio; syphilis; admitted January 1876. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.43]

**Pop.Sch.:** age 40, single; syphilis; born Ohio.

**Miller, Charles:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Russia; admitted January 1876.

**Also:** Idiots Schedule; not self-supporting; natural imbecile; natural head. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.44]

**Pop.Sch.:** age 40, single; [in health column: "well"]; born Russia.

**Meadors, James:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Petersburg, Virginia; paralysis; admitted 25 January 1879. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.45]

**Pop.Sch.:** age 71, single; paralysis; born Virginia.

**Paradise, William:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; epileptic; admitted April 1877. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.46]

**Pop.Sch.:** age 55, single; epilepsy; born Tenn.

**McDonald, Thomas:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; injury; admitted 27 November 1877. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.47]

**Pop.Sch.:** age 64, single; injury; born Ireland.

**Bassett, John:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, England; able-bodied; admitted 20 January 1879. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.48]

**Pop.Sch.:** age, 50, single; [in health column: "well"]; born England.

**Regan, Dan:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; able-bodied; admitted 20 January 1879. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.49]

**Pop.Sch.:** age 65, single; injury; born Ireland.

**Burke, Nicholas:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; injury; admitted 13 January 1877. [s.d.3,e.d.77; see Pop.Sch.p.12,ln.50]

**Pop.Sch.:** age 65, single; ulcers; born Ireland.

**Curtin, William:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted 12 January 1876.

**Also:** Idiots Schedule; not self-supporting; natural imbecile; natural head. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.1]

**Pop.Sch.:** Curtin, William, age 25, single; [in health column: "well"]; born Tenn.

**Baynes, Stephen:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; syphilis; admitted November 1877. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.2]

**Pop.Sch.:** age 61, single; syphilis; born Ireland.

**Hammon[?], James:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; admitted March 1880. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.3]

**Pop.Sch.:** Hannan, James, 75, single; [in health column: "well"]; born Ireland.

**Kirkpatrick, William:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; epileptic; admitted March 1880. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.4]

**Pop.Sch.:** age 25, single; epilepsy; born Tenn.

**Edmonds, John:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, England; dyspepsia; admitted February 1878. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.5]



**Pop.Sch.:** age 66, single; dyspepsia; born England.

**Loomis, James:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Louisiana; paralysis; admitted January 1878. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.6]

**Pop.Sch.:** Lomis, James, age 39, single; paralysis; born Louisiana.

**Chartier, Emele:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Strasburg, Germany; supported at county cost; paralysis; admitted 13 January 1877. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.7]

**Pop.Sch.:** age 56, single; paralysis; born Germany.

**Dolin, Michael:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; supported at county cost; rheumatism; admitted 12 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.8]

**Pop.Sch.:** age 60, single; rheumatism; born Ireland.

**Harris, Joseph:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Lynchburg, Virginia; syphilis; admitted 12 January 1876. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.9]

**Pop.Sch.:** age 48, single; syphilis, maimed; born Virginia.

**Cuzzort, Buck:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; syphilis; admitted 12 January 1876; idiot. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.10]

**Pop.Sch.:** age 44, single; syphilis; born Tenn.

**Leech, John:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; admitted 12 January 1876.

**Also:** Insane Schedule; not self-supporting; mania; confined; inmate of insane asylum, 5 years. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.11]

**Pop.Sch.:** age 52, single; [in health column: "well"]; tick marks in idiotic and insane columns; born Ireland.

**McPherson, John B.:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Kentucky; able-bodied; admitted 13 December 1878. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.12]

**Pop.Sch.:** age 65, single; rheumatism; born Kentucky.

**McLeod, Norman:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Kentucky; admitted 12 December 1877. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.13]

**Pop.Sch.:** age 62, single; syphilis; born Canada.

**Brown, J. C.:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Pittsburg, Pennsylvania; admitted 8 March 1878. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.14]

**Pop.Sch.:** age 76, single; [in health column: "well"]; born Pennsylvania.

**Bester, Fred:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, France; able-bodied; admitted 20 May 1879. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.15]

**Pop.Sch.:** age 44, single; [in health column: "well"]; born France.

**Woodlift, Alexander:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; paralysis; admitted 25 May 1878. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.16]

**Pop.Sch.:** age 42, single; paralysis; born Tenn.

**Keeler, Jacob:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; rheumatism; admitted 26 August 1878. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.17]

**Pop.Sch.:** age 45, single; rheumatism; born Ireland.

**Simmons, William:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; deformity; admitted 6 July 1877.

**Also:** Idiots Schedule; not self-supporting; afflicted at birth; small head. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.18]

**Pop.Sch.:** age 9; [in health column: "well"]; tick mark in idiotic column; born Tenn.

**Nugent, Edward:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted 20 May 1879; idiot. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.19]

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

**Allen, J. W.:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup>

C.D.; resident, Virginia; hernia; admitted 3 June 1876. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.20]

**Pop.Sch.:** Allen, John W., age 74, single; hernia; born Virginia.

**Swan, Timothy:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; resident, Ireland; Davidson Co. Asylum for the Poor; consumption; admitted 24 May 1880. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.21]

**Pop.Sch.:** age 47, single; consumption; born Ireland.

**Payne, Buckner H.:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; admitted 12 December 1879. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.22]

**Pop.Sch.:** age 80, married; [in health column: "well"]; tick mark in blind column; born Kentucky.

**Doyle, John:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted 8 January 1880. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.23]

**Pop.Sch.:** Dale, John, age 68; single; [in health column: "well"]; tick mark in blind column; born Maryland

**Miller, Louis:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; rheumatism; admitted 4 December 1879. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.24]

**Pop.Sch.:** age 35, single; rheumatism; born Kentucky.

**Smithwick, John:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; able-bodied; admitted 16 February 1880. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.25]

**Pop.Sch.:** age 52, single; [in health column: "well"]; born Kentucky.

**Glasgow, James:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; admitted 12 April 1876.

**Also:** Insane Schedule; mania; confined; inmate, insane asylum, 5 years. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.26]

**Pop.Sch.:** age 52, single; [in health column: "well"]; tick mark in insane column; born Tenn.

**Campbell, Henry:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; admitted 13 January 1876.

**Also:** Insane Schedule; not self-supporting; mania; duration of present attack, 2 years; 6 attacks; confined; restrained with strait jacket; inmate, State Asylum, 6 years. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.27]

**Pop.Sch.:** age 58, single; [in health column: "well"]; tick mark in insane column; born Tenn.

**Darby, John:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; admitted 13 January 1876.

**Also:** Insane Schedule: not self-supporting; dementia; confined at night; inmate, State Asylum; 4 years. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.28]

**Pop.Sch.:** age 45, single; [in health column: "well"]; tick mark in insane column; born Switzerland.

**Davis, W. A.:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; admitted 13 January 1876.

**Also:** Insane Schedule; not self-supporting; dementia; duration of present attack, 18 months; age at first attack, 25; confined; restrained with strait jacket; inmate State Asylum, 4 years. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.29]

**Pop.Sch.:** age 45, single; [in health column: "well"]; born Tenn.

**Blair, John:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; admitted 20 February 1877.

**Also:** Idiots Schedule; not self-supporting; afflicted at birth; natural head. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.30]

**Pop.Sch.:** age 23, single, [in health column: "well"]; tick mark in insane column; born Tenn.

**Browder, Joseph:** Pauper and Indigent Schedule; enumerated Davidson Co. Asylum for the Poor, 18<sup>th</sup> C.D.; admitted 13 January 1879.

**Also:** Insane Schedule; not self-supporting; dementia; inmate, asylum, 18 months. [s.d.3,e.d.77; see Pop.Sch.p.13,ln.31]

**Pop.Sch.:** age 23, single, [in health column: "well"]; tick mark in insane column; born Ireland. ■

*To Be Continued*



# Union Pensioners of the 8<sup>th</sup> Tennessee Mounted Infantry

From Jackson, Macon and Smith  
counties

## Part II (concluded)

The following list is based on the National Archives microfilm publication titled *Organization index to pension files of veterans who served between 1861 and 1900*. This resource is held by the Tennessee State Library & Archives as microfilm #1536. It lists Union Civil War pensioners arranged by the unit in which they served.

The records abstracted here are for men who served in companies A, B and D, which were comprised of men from the Cumberland Plateau. According to *Tennesseans in the Civil War* (Nashville: Civil War Centennial Commission, 1964) the companies were organized at Nashville under Lt. Col. William J. Cleveland and Major Charles C. Shoyer.

- Company A. Captain Goldman G. Meador. Enrolled at Carthage, November 1864 to January 1865. Men from Macon and neighboring counties. Mustered out Aug. 17, 1865.
- Company B. Captain William S. Long. Enrolled at Carthage. Men from Jackson and neighboring counties. Mustered out Aug. 17, 1865.
- Company D. Captain Richard B. Freeman. Enrolled at Carthage. Men mainly from Smith, Jackson and Macon counties. Mustered out Aug. 17, 1865.

Adjutant General John B. Brownlow reported that the records of the regiment were incomplete, so it is likely that some of the pensioners may not appear in the service records. Records indicate that the men in this regiment were stationed at Carthage and did not see any fighting. Nonetheless, they were eligible for pensions from the Federal government. A few who were disabled as a result of their service began drawing pensions immediately after the war. (See, for instance, Jefferson C. Whitley who began drawing his pension in 1866. Apparently his wounds were not life-threatening, as he did not die until 1936!)

This chart shows the name of the pensioner, the year in which he first applied for a pension, the letter of the company in which he served, and information about his death, widow or other details where it was given in the index. Copies of the full pension record may be obtained from the National Archives. Since the records have not been microfilmed, it is necessary to contact the National Archives for a copy of the file. Orders can be placed online at [www.archives.gov/research/order](http://www.archives.gov/research/order) for \$14.75.

Another index to Union pensioners appears on the *Ancestry* subscription databases. That resource is apparently based on a different list of pensioners. Sometimes the *Ancestry* index will have more detail, at other times it has less information than is shown here. Researchers should consult both sources.

| Veteran               | Year Applied | Company | Notes  |
|-----------------------|--------------|---------|--|
| Law, Namon C.         | 1880         | A       | Died (year illegible) Troy TX  |
| Law, William C.       |              | A       | Died 1883 Gibson Co. TN. Widow and minor heir pensioned 1891.  |
| Lawson, William       | 1890         | B       | Widow also pensioned.  |
| Lawson, William B.    | 1902         | D       |  |
| Lee, A.S.S.           | 1890         | B       | Alias Sidney Lee. Widow also applied.  |
| Lee, John             | 1888         | B       | Widow was pension applicant.   |
| Lee, John W.          | 1881         | D       | Widow was pension applicant in 1881.   |
| Lee, Uriah            | 1887         | B       | Died Jan. 24, 1921, at Haydenburg, Tenn. Widow also pensioned.   |
| Livingston, Joseph R. | 1890         | D       | Died Apr. 27, 1932, Sapulpa, Oklahoma. Widow also pensioned.   |
| Loftis, Bailey P.     | 1890         | B       |  |
| Loftis, Logan         | 1890         | B       | Died Jan. 10, 1931, at Shawneetown, Ill.   |
| Lonas, James S.       | 1887         | A       | Widow also pensioned.  |
| Long, William S.      | 1883         | B       | Also served in Co. F, 1 <sup>st</sup> Tenn. Mtd. Inf. Widow also pensioned.  |
| Mabry, Jesse T.       | 1890         | B       |  |
| Marmon, James R       | 1890         | A       | Alias Richmond Marmon. Died 1922 at Sparta, Tenn. Widow and minor heir applied.  |
| Marsh, Joseph         | 1883         | A       |  |
| Marsh, Mitchel P.     | 1890         | A       | Died 1910 Bluff Creek Tenn. Widow and minor heir pensioned.  |
| Massa[?], Andrew R.   | 1887         | D       | Died Jan. 1918 at Cookeville, Tenn.  |
| McCarter, James E.    | 1886         | B       | Died 1914 at Red Boiling Springs, Tenn. Widow also pensioned.  |
| McCarter, John W.     | 1889         | B       | Widow also pensioned.  |
| McCoy, John           | 1886         | D       | Died Sept. 4, 1908. Widow also pensioned.  |
| McCoy, Turner         | 1896         | D       | Died Mar. 6, 1916, Scottsville, Kentucky.  |
| McDuffie, George W.   | 1890         | B       | Widow's pension. Also served in Co. K, 9 <sup>th</sup> Kentucky Inf.   |
| McKinney, Rufus       | 1890         | D       | Also served Co. B, 1 <sup>st</sup> Tenn. Mtd. Inf. Died July 31, 1914, at Lebanon, Tenn.   |
| McKinnis, George      | 1867         | A       | Died 1928, Phoenix AZ. Also served in Co. D, 9 <sup>th</sup> Ky. Inf.  |
| Meador, George W.     | 1890         | D       | Deid Nov. 30, 1928 in Kentucky. Widow also pensioned.  |
| Meador, Goldman G.    | 1890         | A       | Died 1899. Also served in Co. A, 9 <sup>th</sup> Ky. Inf. And in Co. E, 1 <sup>st</sup> Tenn. Mtd. Inf.  |
| Meador, James A.      | 1890         | D       | Died 1924 in Marion Co., Tenn. Widow also pensioned.   |
| Melvin, Charles W.    | 1904         | D       | See Charles W. Dutton.   |
| Melvin, Charles W.    | 1904         | D       | Alias Charles W.M. Dutton. Widow pensioned in 1910.  |
| Millsaps, Perry W.    | 1897         | D       | Died Dec. 21, 1923, Mt. Vernon, Ark. Widow also pensioned.   |
| Mitchell, Henry       | 1879         | A       | Also served in Co. D, 9 <sup>th</sup> Ky. Inf.   |
| Mitchell, Henry S.    | 1884         | D       | Also served Co. A., 1 <sup>st</sup> Tenn. Mtd. Inf.  |
| Mitchell, John        | 1876         | A       | Died 1911. Widow also pensioned. Also served in Co. D, 9 <sup>th</sup> Ky. Inf. And in 150 <sup>th</sup> Company, 2 <sup>nd</sup> Battn., VRC. |
| Mitchell, Mark        | 1884         | A       | Died 1911 Hunt Co. Texas. Also served in Co. E, 1 <sup>st</sup> Tenn.  |



|                         |       |   |  |
|-------------------------|-------|---|--|
|                         |       |   | Mtd. Inf.  |
| Murden, William H.      | 1889  | D | Also served Co. E, 1 <sup>st</sup> Tenn. Mtd. Inf. Widow also pensioned.   |
| Nash, Edmund            | 1882  | D |  |
| Pahrris, Hugh           | 1888  | B | Soldier's mother applied for pension.  |
| Parkhurst, Zachariah T. | 1895  | B | Soldier's father applied for pension.  |
| Parkison, William H.    | 1890  | D |  |
| Perry, Samuel           | 1882  | D |  |
| Phillips, Andrew J.     | 1899  | B | Widow also applied.  |
| Phillips, Thomas J.     | 1890  | A |  |
| Pipkin, Andrew J.       | 1896  | A | Also served in Co. A, 9 <sup>th</sup> Ky. Inf.   |
| Pipkin, John M.T.       | 1890? | A | Died 1924, Keller, Texas.  |
| Pirtle, Waman L.        | 1884  | A |  |
| Powell, Isaac           | 1898  | A |  |
| Powell, Paul C.         |       | A | Widow applied 1880.  |
| Queen, Robert H.        | 1913  | A |  |
| Ragland, William H.     | 1885  | D | Also served Co. E, 1 <sup>st</sup> Tenn. Mtd. Inf.   |
| Ragland, William P.     | 1886  | A | Died 1921 Cambria, Illinois. Also served in Co. E, 1 <sup>st</sup> Tenn. Mtd. Inf.                               |
| Randolph, Jephtha       | 1891  | B | Widow pensioned 1904; minor child pensioned 1909.  |
| Ray, Wade H.            | 1890  | B | Widow was pension applicant.   |
| Reed, Calvin            | 1890  | A | Widow also pensioned.  |
| Reese, Abraham          | 1880  | A | Widow also applied.  |
| Rhoads, James A.        | 1902  | A | Died July 30, 1928 at Vernon, Texas. Widow also pensioned. Also served in Co. E, 1 <sup>st</sup> Tenn. Mtd. Inf. |
| Rhoads, William T.J.    | 1870  | A | Died 1924 at Farneliel[?], Ky. Widow also pensioned.   |
| Richardson, Alamanda B. | 1890  | B | Died 1921. Farmington, Utah. Widow also pensioned.   |
| Richardson, Riley S.    | 1882  | B | Died Feb. 22, 1928, Difficult, Tenn. Widow also pensioned.   |
| Roberts, Squire L.      | 1883  | D | Died Feb. 6, 1921, Hillsdale, Tenn. Widow also pensioned.  |
| Robinson, Henry         | 1891  | A | Died Apr. 21, 1918 at Glasgow, Ky. Widow also pensioned. Also served in Co. D, 9 <sup>th</sup> Ky. Inf.          |
| Rush, James H.          | 1890  | B | Widow applied 1921. Minor child pensioned 1929.  |
| Russell, Harvey P.      | 1871  | B | Father was pension applicant. Mother later received pension.   |
| Russell, William        | 1885  | D | Died May 15, 1921, Difficult, Tenn. Widow also pensioned.  |
| Russell, William R.     | 1868  | D | Widow and minor heir applied for pension in 1868.  |
| Russell, Luther         | 1890  | B |  |
| Sells, Andrew J.        | 1890  | B |  |
| Shepherd, Thomas        | 1879  | A | Also served in Co. B, 37 <sup>th</sup> Ky. Inf.  |
| Short, Daniel A.        | 1891  | D | Died July 1916 at Grandview, Texas. Widow also pensioned.  |
| Sloan, Benjamin         | 1889  | B | Widow also applied.  |
| Sloan, John G.          | 1890  | B | Died Aug. 14, 1923, at Athens, Ala. Widow also pensioned.  |
| Smith, John             | 1891  | A | Died Jan. 9, 1925 at Red Boiling Springs, Tenn. Also   |

|                         |       |   |   |
|-------------------------|-------|---|---|
|                         |       |   | served in Co. D, 9 <sup>th</sup> Ky. Inf.   |
| Smith, Niel S.          | 1889  | B | Died May 27, 1924, Pleasant Shade, Tenn.  |
| Smith, William H.       | 1883  | D | Also served Co. B, 37 <sup>th</sup> Ky. Inf.  |
| Smith, William J.       | 1886  | D | Mother was pension applicant in 1886.   |
| Stafford, Anderson      | 1890  | B |   |
| Stout, George           | 1890  | B | Died Apr. 10, 1914, Jackson Co., Tenn. Widow also pensioned.  |
| Stout, William Jr.      | 1890  | B | Widow also pensioned.   |
| Tallent, William T.     | 1886  | D | Father was pension applicant in 1886.   |
| Thomas, Henry C.        | 1879  | B | Father and mother applied for pension.  |
| Thomas, Humphrey N.     | 1892  | A | Died Nov. 15 [no year, but after 1907] at Buford, Ark.  |
| Thomas, William C.      | 1890  | B | Died Oct. 23, 1917, Pleasant Shade, Tenn.   |
| Thomasson, Josephus     | 1890  | D | Minor child was pension applicant in 1890.  |
| Thompson, James O.      | 1897  | D | Died 1918[?], Franklin, Kentucky.   |
| Turley, John            | 1895  | B | Widow also applied.   |
| Vaughn, William H.      | 1887  | A | Died at Red Boiling Springs, Tenn. [no date].   |
| Wakefield, James S.     | 1879  | D | Died Feb. 1927, Oklahoma City, Oklahoma. Widow also pensioned.  |
| White, David F.         | 1886  | D |   |
| White, Herschel A.      | 1890  | D | Died July 24, 1928, Lafayette, Tenn. Widow also pensioned.  |
| White, James C.         | 1890  | D | Also served Co. F, 52 <sup>nd</sup> Ky. Inf. Died Mar. 1928[?] In Springfield, Ill.                                   |
| White, James H.         | 1882  | B | Also served in Co. A, 1 <sup>st</sup> Tenn. Mtd. Inf. Died Oct. 12, 1921, Hartsville, Tenn. Widow also pensioned.     |
| White, John W.          | 1883  | D | Died Aug. 29, 1917, Macon Co., Tenn. Widow also pensioned.  |
| White, Stephen L.       | 1887  | D | Also served Co. B, 37 Ky. Inf.  |
| Whitley, Jefferson C.   | 1866  | A | Died Apr. 12, 1936 at Red Boiling Springs, Tenn. Widow also pensioned. Also served in Co. D, 9 <sup>th</sup> Ky. Inf. |
| Wiggins, Legram         | 1900  | A | Died Mar. 26, 1922, at Eastland, Tenn.  |
| Williamson, Leighton F. | 1871  | D | Widow also pensioned.   |
| Wilson, Jefferson       | 1882  | B | Died 1924 at Haydenburg, Tenn. Minor child pensioned in 1924.   |
| Wix, Marcus             | 1887  | D | Died Jan. 5, 1929, Westmoreland, Tenn.  |
| Wood, Hiram J.          | 1873  | D | Widow also pensioned.   |
| Wood, Pleasant E.       | 1882  | B | Died May 31, 1911, Dycus, Tenn. Widow pensioned 1911; minor child pensioned 1928.                                     |
| Wooton, John S.         | 1890? | D | Also served Co. B, 37 Ky. Inf. Died Sept. 27, 1916, Lafayette, Tenn. Widow also pensioned.                            |
| York, Haywood           | 1889  | A |   |
| York, Hulet W.          | 1889  | A | Widow's pension.  |
| York, Marlin F.         | 1890  | A | Also served in Co. E., 1 <sup>st</sup> Tenn. Mtd. Inf.  |
| York, William           | 1879  | D | Widow also pensioned.   |
| Young, William          | 1890  | B |   |

# Death Notices from *The Clarion:* Nashville, 1801-1821

Part VI

*Contributed by Sarah Armistead*

The Editor of the Nashville *Clarion* was Thomas G. Bradford, whose office was "Next Door to the Talbot's Hotel." It was sometimes called *The Clarion and Gazette* and also *The Tennessee Gazette*. Issues of the newspaper are available on microfilm at the Tennessee State Library and Archives.



November 15, 1814

DEATH – Never did we discharge a more painful duty than falls to our lot this day. DR. L. B. ESTES, of Columbia, departed this life on Sunday last; the day he completed the 39<sup>th</sup> year of his age. As a husband, as a parent, as a citizen, as a public officer, as a Mason, and as a philanthropist, he was excelled by no man. In his death his numerous friends and acquaintance will long mourn the loss of this worth, and his family regret his premature and unexpected departure to the realms of bliss.



December 12, 1815

The funeral of JOHN DICKERSON will be preached by the REV. MR. HENDERSON at the Court House in Nashville on Sunday next.

October 17, 1817

DIED - Last week, JOHN GOODRICH, ESQ., a respective citizen of this county.

October 17, 1817

DIED – last week, MR. JOHN PHILLIPS of this county.

February 17, 1818

Died on the 13<sup>th</sup> inst., MRS. PEGGY KNIGHT, consort of CAPT.[?] JOHN KNIGHT of Rutherford Co. She was an affectionate wife, a kind and benevolent neighbor, a tender mother and a humane

mistress. Her death is lamented by all her relations and acquaintances.

March 10, 1818

Died last night, MRS. GORDON, wife of MR. JAMES GORDON, merchant. She was an affectionate wife, loving mother and indulgent mistress.

March 10, 1818

Died lately in Philadelphia, GEORGE POYZER, for many years a merchant of this town. He was a native of London, emigrated to the United States shortly after he came to years of maturity and for many years did business in Lexington, Ky., where he about 1803 removed to this town, where by uncommon industry, and prudently securing real property shortly after his arrival here he became of late years quite wealthy but it was ordered by a wise providence that he should not live or enjoy it. About two years ago in quick succession, he lost his reason, the power of speech and the use of his limbs. Every medical aid was obtained for him without the least relief, and as an attempt he was conveyed to Philadelphia in hopes some fortunate prescription might restore him to reason. It appears no sign of restoration appeared and all hopes of health or sanity of mind being lost.



And being himself bereft of every means of making his wants known and is insensible to everything, it must be a source of consolation to his friends that he is no more. He had his faults but he had many good habits.

August 11, 1818

On the 16<sup>th</sup> July, in Wilson County, MRS. SARAH PHILIPS, in the 82<sup>nd</sup> year of her age. Her death is regretted by all her acquaintances. She bore with Christian fortitude, the last moments of her illness.

August 11, 1818

DIED - At Murfreesborough, on Friday last, WILLIAM ALEXANDER, ESQ., secretary of state. He was raised in Rockbridge County, Virginia, was educated for the bar and removed to this state. During his residence here, his upright conduct, exemplary life, and talents, secured him the confidence of the public. He was chosen successively clerk to the house of representatives and three years ago was made secretary of state. His career has been short; but one that promised if he had been spared a brilliant close.

May 19, 1818

SHOCKING MURDER - We have learnt from a gentleman who resides in Hickman County, the following particulars of as shocking a murder, as we ever recorded. CAPTAIN JAMES ALSTON, of that county, on the 28<sup>th</sup> ult., in the evening, brought into his house, two axes; his wife became alarmed. He began to bar up the doors, and appeared to be in a very good humor, ordered his wife and children to bed. Probably apprehending some violence, she laid down without undressing. He noticed it and instantly with a hellish grin, charged her with keeping on her clothes, to be ready to keep some appointment as soon as he was asleep, and without waiting for a reply, he seized her by the hair of her head, drew her on the floor, struck her so as to stun her cries for mercy. He then deliberately struck her several times

with the axe, split open her skull, trampled on her body and committed other abuses.

Their children, the oldest one about 13 years old,



saw the whole transaction. When the fury of the monster was glutted, he betook himself to flight, carrying a loaded shot gun. A negro girl, who was also in the house at the time, ran to the neighbors, and gave the alarm. He returned, left the gun, made up the fire, put a handkerchief on the head of his wife, and again departed.

In the morning, a company of 10 men started in pursuit of him. He was found seated on a pile of rock. As they approached he gave battle; one of the party having his gun, shot three balls in his leg. He fell but soon rose and being an active stout man, drove them all off. They however reinforced and took him. When he was interrogated before a magistrate, he confessed the whole of his turpitude.

He was of a respectable family and considered a worthy man, when free from the baneful effects of ardent spirits; which on several occasions, have entirely destroyed the sanity of his mind for weeks together.

His wife was the daughter of ADAM WILSON, ESQ., and was universally pitied by all who knew her; having often been obliged to seek safety in flight, when her husband was in his deranged fits, and many has been the tempestuous and inclement night, she has wandered in the woods, with little covering for herself and an infant babe at the breast. She is however now out of her troubles, and her brutal husband is lying in irons, awaiting his doom. It is doubtful whether his counsel can plead with truth his insanity, but it no doubt will be the plea that will be attempted. However, we would be the last to excite the public sympathy for or against him, as he has a right to an impartial trial, and if not subject to the law, will not be punished.

September 8, 1818

By Friday's mail was announced the melancholy news of the death of WILLIAM PRIESTLY, son of DOCTOR JAMES PRIESTLY of this place. He departed this life at New Orleans last month, to which place he was on a visit. We are informed that, that fell destroyer (the yellow fever) which now and then visits the populous and commercial cities, was the cause of his death. He was only in his 24<sup>th</sup> year. Thus, in the very dawn and opening room of



manhood, with all its sweets and fragrance, blushing thick around him, expired this highly respected & worthy young man. He has left parents, relatives and friends to deplore their loss.

Such was the goodness of his heart – such the urbanity of his manners – such the sprightness of his mind – and such the amiableness of his life, that none ever knew him “living” but will lament him “dead,” and as long as real virtue, modest worth, unassuming wisdom can be relished, so long will the memory of this “departed worthy” be cherished – but

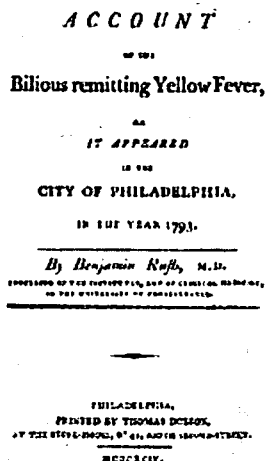
What can atone (o! ever injur'd shade;  
Thy fate unpitied and thy rites unpaid,  
No friend's complaint, no kind domestic tear,  
Pleas'd thy pale ghost, or graced thy mournful bier.  
By foreign hands thy dying eyes were clos'd,  
By foreign hands thy decent limbs compos'd,  
By foreign hands thy humble grave adorn'd,  
By strangers honor'd and by strangers mourn'd.

September 22, 1818

From the Chillicothe Supporter – Obituary  
**DEATH OF COLONEL DANIEL BOON**

As he lived, so he died, with his gun in his hand. We are informed by a gentleman direct from Boon's settlement on the Missouri, that early in last month Colonel Boon rode to a deer lick, seated himself within a blind raised to conceal him from the game. That while setting thus concealed with his old trusty rifle in his hand, pointed towards the lick, the muzzle resting on a log, his face to the breech of his gun, his rifle cocked, his finger on the trigger, one eye shut, the other looking along the barrel through the sights.

In this position, without struggle or motion and of course without pain, he breathed out his last so gently that he was found next day by his friends, although stiff and cold, he looked as if alive, with his gun in his hand, just in the act of firing. It is not altogether



certain, if a buck had came into the range of his gun, which had been the death of thousands, but it might have intuitively obeyed its old employer's mind and discharged itself. This hypothesis being novel, we leave the solution to the curious.

September 22, 1818

Died – On the 20<sup>th</sup> inst., MRS. NANCY DREWRY, of this county, [Davidson] who appeared perfectly willing to resign her soul to her Redeemer. She was an affectionate wife, a tender mother, and a good mistress. She has left a husband and four children to lament their loss.

October 6, 1818

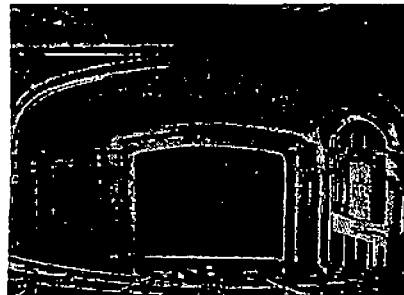
Died on the 26<sup>th</sup> ult., at Cincinnati, Ohio, JOHN ANDERSON, ESQ., late cashier of the Nashville Bank and for many years a respectable citizen of this place.

December 1, 1818

DIED – On Saturday evening last, MRS. MARCIA F. McLEAN, consort of MR. CHARLES D. McLEAN, senior editor of the “Nashville Whig.” She had not numbered 19 years; was a few days since in health blooming as a rose, had every flattering prospect of enjoying many years of felicity with an affectionate husband, lispig little one, a tender mother and a numerous circle of acquaintance – but – all human calculations are vain. MRS. McLEAN was a dutiful child, agreeable companion, affectionate wife and kind mistress. It is only a few months since she attended the remains of her father, JUDGE SEARCY, (of whom she was the only child) to the silent grave. And now, she is a tenant of the same mansion. “The ways of Heaven are inscrutable.”

Dec. 8, 1818

In this place, on the 25<sup>th</sup> ult., TRUEMAN CUTHRIE, musician, late of the Theatres Cincinnati and St. Louis, after a lingering illness.



December 8, 1818

On the 19<sup>th</sup> ult., COL. DANIEL McKISSICK of Bedford Co.

February 9, 1819

DIED – After a very short illness, on Thursday last, at Huntsville, A.T. (where he was on a visit) CAPTAIN JOSEPH COLEMAN, late district paymaster for the state of Tennessee. He was in the meridian of life, had lived many years in this town, was enterprising and liberal to a fault – as a public magistrate he was universally respected. He has left an amiable family to mourn the irreparable loss of a husband and father.

February 9, 1819

DIED – On Saturday evening, 30<sup>th</sup> January, MRS. NANCY MOORE, consort of MAJOR WILLIAM MOORE, and daughter of the REV. HARDY HOLEMAN, all of Lincoln county, Tennessee. She died in the 19<sup>th</sup> year of her age, after a severe conflict of seven days, with racking pains and scorching fevers, which she bore with uncommon fortitude and patience, apparently supported by a strong anticipation of a blessed immortality.

When about to expire (with an air of cheerfulness) she gave her hand, with an affectionate farewell, to her parents, husband, and relations, and being asked by her father where she was going? Her answer was "to heaven," and fell asleep (it is believed) in the embraces of Jesus Christ and left an affectionate husband, parents, child and relations to mourn the



untimely loss of an affectionate wife, an obedient child, a tender mother and a loving sister. In the loss of this female pattern of piety, society has felt a shock as her life, from her cradle to her grave, appeared to be a continual scene of morality, meekness and virtue; and what is not common (in this our day) she was never known to have an enemy; but all that passed her by appeared to call her blessed; but alas she is gone, and why should we weep. She has only paid the debt to nature that sin has involved us all in.



She was accompanied to the grave by a numerous train of friends and acquaintances, amongst the throng, was her grandfather and grandmother, to witness the departure of their granddaughter, and shed a tear of compassion over their little helpless great granddaughter, about one year old.

February 16, 1819

DIED – Last week at Clarksville, MR. BURRELL H. PEOPLES, editor of the Weekly Chronicle, published in that town. He was a fine young man, universally esteemed by all who knew him.

February 23, 1819

DIED – On the 15<sup>th</sup> inst. at his residence near the head of the west fork of Mill Creek, in the 70<sup>th</sup> year of his age, MR. NIMROD WILLIAMS; who resided in Davidson county about 30 years. He died as he lived, resigned to his fate – and it is believed did not owe mankind one cent. His whole life was a continued scene of morality and benevolence. He was a firm Republican from the commencement of the Revolutionary War, to the day of his death. When the enemies of our country had over run the southern states, and our country's cause was mostly gloomy – it had no other effect on his mind, but to make greater exertions in its defense.



*To Be Continued*



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

Part 3 of a Series

Part 2 was published in Jan. 2006 (vol. XIX, #3, p.115)

The following list indexes pardon and parole files available for research at the Tennessee State Library and Archives. It was prepared by former Archivist Julia Rather Hammers. Each file may contain a number of items relating to the imprisonment, or there may be very little. The typical file contains the inmate's discharge papers, including a copy of the pardon or parole document. Letters

from prison officials, government officials, and family members may also be found. A file often contains petitions sent by members of the inmate's community in order to help the prisoner obtain early release. Trial statements within the file give a summary of the crime committed and the reasoning behind the conviction and sentence. In many files there are newspaper clippings concerning that particular inmate's case. Newspaper clippings can particularly be found in the file of an inmate whose sentence was death.

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

These records have been microfilmed and can be viewed at the Tennessee State Library & Archives, or the microfilm can be borrowed on interlibrary loan. Additionally, the archives staff can provide copies by mail for a fee (Tennessee residents \$5, out-of-state \$10 per file). Refer to Record Group 261, Pardons & Paroles, and the box number given in the index.

| Name               | Pardon or Parole | Prisoner Number | County of Trial | Year Rec'd at Prison | Year of Pardon / Parole | Notes   |
|--------------------|------------------|-----------------|-----------------|----------------------|-------------------------|---|
| Fowler, Albert     | Parole           | 9262            | Dyer            | 1917                 | 1919                    | Box 12; conditionally pardoned; parole #1450; horse stealing  |
| Fowler, Irvin      | Parole           | 4620            | Hamilton        | 1909                 | 1918                    | Box 12; Murder; Parole #990                                   |
| Fowler, James      | Parole           | 4622            | Hamilton        | 1909                 | 1918                    | Box 12; Murder; Parole #995                                   |
| Fowler, Nell       | Parole           | 9187            | Fentress        | 1917                 | 1918                    | Box 12; Larceny; Parole #1146                                 |
| Fowlkes, Pearl Asa | Parole           | 1932            | Dyer            | 1917                 | 1918                    | Box 12; Asslt. to Commit voluntary manslaughter; Parole #1091 |
| Frank, R.E.        | Parole           | 11474           | Giles           | 1921                 | 1923                    | Box 12; Larceny from person                                   |
| Franklin, Charles  | Parole           | 8451            | Hamilton        | 1915                 | 1915                    | Box 12; Voluntary manslaughter; Parole #1516                  |
| Franklin, Clifford | Parole           | 9117            | Knox            | 1915                 | 1918                    | Box 12; Housebreaking & Larceny;                              |

| Name             | Pardon or Parole | Prisoner Number | County of Trial | Year Rec'd at Prison | Year of Pardon / Parole | Notes   |
|------------------|------------------|-----------------|-----------------|----------------------|-------------------------|---|
|                  |                  |                 |                 |                      |                         | Parole # 1336   |
| Forrester, W.H.  | Pardon           |                 | Obion           | 1920                 | 1920                    | Box 12; Selling cigarette paper; Fine \$50                                    |
| Foster, Sherman  |                  | 10064           | Shelby          | 1919                 | 1922                    | Box 12; Served out time; Petit larceny  |
| Foust, Fred      |                  |                 | Macon           | 1921                 |                         | Box 12; Lewdness  |
| Fowler, Albert   | Parole           | 9262            | Dyer            | 1917                 | 1919                    | Box 12; conditionally pardoned; parole # 1450; Horse stealing                 |
| Frasier, Pauline | Parole           | 8361            | Davidson        | 1915                 | 1920                    | Box 12; Murder 2; killed Ed Jacobs  |
| Frazier, Louis   | Parole           | 8386            | Cocke           | 1915                 | 1918                    | Box 12; Violated Age of consent; Parole # 1361; file contained green flag     |
| Freeman, Dave    | Parole           | 9221            | Obion           | 1917                 | 1922                    | Box 12; Murder 2  |
| Freeman, Herman  |                  |                 | Obion           | 1922                 |                         | Box 12; Petition  |
| Freeman, Jesse   | Parole           | 8778            | Hamilton        | 1916                 | 1924                    | Box 12; Violated parole twice; Robbery  |
| Freeman, Mary    | Pardon           | 10606           | Davidson        | 1920                 | 1923                    | Box 12; Murder 2; Petitions   |
| Freeman, Mary    | Parole           | 11220           | Davidson        | 1921                 |                         | Box 12; Received stolen property; died 1922                                   |
| Freeman, O.R.    |                  |                 | Polk            | 1921                 |                         | Box 12; Violated four-mile law.   |
| Freeman, Robert  | Parole           | 9017            | Obion           | 1916                 | 1918                    | Box 12; Petit Larceny; Parole # 1158  |
| Freeman, Roy     | Pardon           | 9960            | Dyer            | 1918                 | 1921                    | Box 12; Grand Larceny   |
| Friel, Clifford  | Parole           | 7568            | Davidson        | 1914                 | 1916                    | Box 12; Violated age of consent law   |
| Frierson, Doss   | Parole           | 8698            | Mauzy           | 1916                 | 1919                    | Box 12; Violated age of consent; parolee # 1146                               |
| Frisbie, Joe     | Parole           | 8498            | Hamilton        | 1915                 | 1917                    | Box 12; Larceny; Parole # 1158  |
| Frizzell, George |                  | 12687           | Sumner          | 1923                 | 1924                    | Box 12; served out time; Forgery; d.1924                                      |
| Fry, Clifford    | Parole           | 10481           | Crockett        | 1920                 | 1923                    | Box 12; petition; Forgery   |
| Fry, Elbert      | Pardon           |                 | Carter          | 1922                 |                         | Box 12; petition  |
| Fry, Will        |                  |                 | Chester         |                      |                         | Box 12; Larceny; Petitions; Ryman Auditorium Stationery                       |
| Fry, Will        | Parole           | 11433           | Hardin          | 1921                 | 1923                    | Box 12; Petit Larceny   |
| Fuller, Ben      | Parole           | 11052           | Giles           | 1920                 | 1924                    | Box 12; Assault to Murder 1   |
| Fuller, Parrish  | Parole           | 8785            | Shelby          | 1916                 | 1922                    | Box 12; Robbery   |
| Fulte, W.B.      |                  |                 | Claiborne       | 1922                 |                         | Box 12; poor health   |
| Fusse, Alfred    | Parole           | 7810            | Davidson        | 1914                 | 1918                    | Box 12; carnal knowledge of a female; parole # 1206; file contains a red flag |
| Fuston, Bass     | Pardon           |                 |                 |                      |                         | Box 12; Pardon petition; Public drunkenness                                   |
| Gage, Isaac      | Parole           | 9645            | Hamilton        | 1917                 | 1923                    | Box 15; Grand Larceny   |
| Gaines, Spencer  |                  | 9248            | Montgomery      | 1917                 | 1921                    | Box 15; Aiding & abetting to kill   |
| Gaines, Walter   | Pardon           | 11717           | Montgomery      | 1922                 | 1922                    | Box 15; Grand Larceny   |
| Gains, Damps     | Parole           | 9833            | Claiborne       | 1918                 | 1923                    | Box 15; Forgery & Larceny   |
| Galloway, John   | Parole           | 11543           | Shelby          | 1921                 | 1923                    | Box 15; Housebreaking & Larceny   |
| Gantt, Andrew    | Pardon           | 11970           | Henderson       | 1922                 | 1924                    | Box 15; Received stolen property  |
| Gantt, Henry     | Pardon           | 11917           | Henderson       | 1922                 | 1923                    | Box 15; Received stolen goods   |
| Gardner, Arthur  |                  |                 | Carroll         | 1922                 |                         | Box 15; Auto theft; Petitions   |
| Gardner, Arthur  | Pardon           | 11979           | Gibson          | 1922                 | 1923                    | Box 15; Grand Larceny; 2 files  |
| Gardner, Ben     | Parole           | 9113            | Hamilton        | 1915                 | 1920                    | Box 15; Carnal knowledge  |
| Garfield, Carter |                  | 9911            | Knox            | 1918                 |                         | Box 15; Robbery; Received stolen goods; died 1925                             |
| Garland, A.D.    | Parole           | 11270           | Dyer            | 1921                 | 1923                    | Box 15; Robbery   |
| Garland, Will    | Parole           | 4466            | Tipton          | 1908                 | 1921                    | Box 15; Murder  |



| Name                  | Pardon or Parole | Prisoner Number | County of Trial | Year Rec'd at Prison | Year of Pardon / Parole | Notes   |
|-----------------------|------------------|-----------------|-----------------|----------------------|-------------------------|---|
| Garmany, Julian James |                  |                 | Hamilton        |                      |                         | Box 15; larceny; petition                         |
| Garner, Les           | Parole           | 9432            | Shelby          | 1918                 | 1922                    | Box 15; Petit Larceny; served out time            |
| Garner, Luther        | Parole           | 8920            | Franklin        | 1916                 | 1921                    | Box 15; Arson                                     |
| Garner, Nelse         | Parole           | 8521            | Loudon          | 1915                 | 1918                    | Box 15; Larceny' Parole # 1042                    |
| Garner, Nelson        | Pardon           | 10395           | Blount          | 1919                 | 1920                    | Box 15; Transported liquor; 2 files               |
| Garner, Thelbert      | Parole           | 9525            | Davidson        | 1916                 | 1921                    | Box 15; Petit Larceny                             |
| Garner, Willie        |                  | 10846           | Davidson        | 1920                 | 1923                    | Box 15; Petit Larceny                             |
| Garret, J.W.          | Pardon           | 10633           | McMinn          | 1920                 | 1921                    | Box 15; Transporting whiskey                      |
| Garrett, Eck          | Parole           | 9443            | Pickett         | 1918                 | 1920                    | Box 15; Arson                                     |
| Garrett, Harrison     |                  | 7643            | Knox            | 1914                 | 1921                    | Box 15; Murder 1                                  |
| Garrett, James        |                  |                 | Sumner          | 1922                 |                         | Box 15; Making liquor                             |
| Garrett, John G.      | Pardon           | 10633           | McMinn          |                      | 1921                    | Box 15; Transporting liquor                       |
| Garrett, Johnny       | Pardon           |                 | Pickett         |                      | 1919                    | Box 15; misdemeanor                               |
| Garry, Luther         | Parole           | 11773           | Shelby          | 1922                 | 1923                    | Box 15; Petit larceny                             |
| Gatson, Morris        |                  | 9622            | Knox            | 1917                 |                         | Box 15; Rape; d.1923                              |
| Gayness, Robert       | Parole           | 8553            | Davidson        | 1916                 | 1918                    | Box 15; Housebreaking & Larceny; Parole # 1219    |
| Gentry, Will          | Parole           | 8518            | Knox            | 1915                 | 1918                    | Box 15; Petit Larceny; Parole # 913               |
| German, Lula          | Parole           | 7882            | Davidson        | 1914                 | 1918                    | Box 15; Voluntary manslaughter; Parole # 1167     |
| Gibbs, Tom            | Pardon           |                 | Smith           |                      | 1923                    | Box 15; petition                                  |
| Gibson, Major         |                  | 9656            | Hamilton        | 1913                 | 1920                    | Box 15; Voluntary manslaughter                    |
| Gibson, Pink          | Pardon           |                 | Sevier          |                      | 1921                    | Box 15; Making whiskey; petition                  |
| Gilbert, Roy          |                  |                 | White           | 1922                 |                         | Box 15; Assault & Battery; petition               |
| Gillard, Will         | Parole           | 9299            | Hamilton        | 1916                 | 1918                    | Box 15; Felonious Assault; Parole # 1058          |
| Gillette, James       | Parole           | 8962            | Montgomery      | 1916                 | 1922                    | Box 15; Arson                                     |
| Gillian, John         | Pardon           | 10151           | Hamilton        | 1920                 | 1922                    | Box 15; Grand Larceny                             |
| Gipson, Charlie       |                  |                 | Franklin        | 1922                 |                         | Box 15; Assault & Battery; petitions              |
| Givens, Marvin        | Parole           | 8671            | Grundy          | 1916                 | 1918                    | Box 15; Voluntary manslaughter                    |
| Gladish, Will         | Pardon           |                 |                 |                      | 1921                    | Box 15  |
| Glass, Dan            | Parole           | 9445            | Haywood         | 1918                 | 1922                    | Box 15; Violated age of consent                   |
| Glassner, Harold      | Parole           | 11143           | Shelby          | 1921                 | 1923                    | Box 15; Petty larceny                             |
| Gleaves, George       | Parole           | 11194           | Davidson        | 1921                 | 1924                    | Box 15; Voluntary manslaughter                    |
| Glenn, George         | Parole           | 6010            | Shelby          | 1911                 | 1920                    | Box 15; Murder 2                                  |
| Glenn, Gus            | Parole           | 8452            | Hamilton        | 1915                 | 1918                    | Box 15; Burglary                                  |
| Glenn, Joseph         | Parole           | 10006           |                 |                      |                         | Box 15; Forgery                                   |
| Glover, Hasel         | Pardon           |                 | Knox            | 1919                 | 1920                    | Box 15; Petit Larceny                             |
| Glover, Paul          | Pardon           | 11310           | Sullivan        | 1921                 | 1922                    | Box 15; Burglary & Larceny                        |
| Goff, Robert          |                  |                 | Giles           |                      |                         | Box 15; petition                                  |
| Golden, H.H.          | Pardon           |                 | Hickman         |                      | 1921                    | Box 15; Carrying a pistol; petition               |
| Goldstein, Herman     | Parole           | 8488            | Lake            | 1915                 | 1917                    | Box 15; Concealing stolen property                |
| Goldsten, A.P.        | Parole           | 9309            | Morgan          | 1916                 | 1917                    | Box 15; Assault to murder 2; Parole # 950         |
| Goodlake, Chas. W.    | Parole           | 7425            | Meigs           | 1913                 | 1919                    | Box 15; Murder 2                                  |
| Goodman, Jas. R.      | Pardon           | 11122           | Hardeman        | 1921                 | 1922                    | Box 15; Voluntary manslaughter; petitions         |
| Goodman, Tom          | Escape           | 6520            | Rutherford      | 1912                 | 1918                    | Box 15; Housebreaking                             |
| Goodpature, Anburn    | Pardon           |                 | Clay            |                      |                         | Box 15; letters                                   |
| Gordan, J.E.          | Parole           | 12192           | Shelby          | 1922                 | 1923                    | Box 15; Attempted Felony                          |
| Gordan, Mose          | Parole           | 8712            | Fayette         | 1916                 | 1919                    | Box 15; Attempt to commit Murder 2; Parole # 1539 |
| Gormany, Tookey       |                  |                 | Rhea            | 1917                 | 1920?                   | Box 15; Petit Larceny                             |
| Gose, James           | Parole           | 8510            | Union           | 1915                 | 1917                    | Box 15; Voluntary manslaughter                    |

| Name                | Pardon or Parole | Prisoner Number | County of Trial | Year Rec'd at Prison | Year of Pardon / Parole | Notes  |
|---------------------|------------------|-----------------|-----------------|----------------------|-------------------------|--|
| Goss, Mitchell      | Pardon           | 10827           | Dyer            | 1920                 | 1921                    | Box 15; Petit Larceny                            |
| Gossett, Bill       | Pardon           | 10104           | Hamilton        | 1919                 | 1922                    | Box 15; Murder 1; petition                       |
| Gossett, Will       | Pardon           |                 | Hamilton        |                      | 1922                    | Box 15; Murder 1                                 |
| Gouge, Warren       | Pardon           | 9651            | Unicoi          | 1916                 | 1920                    | Box 15 Burglary & Larceny                        |
| Graham, Albert      | Pardon           | 9451            | Campbell        | 1918                 | 1919                    | Box 15; Murder 1                                 |
| Graham, Bryon       | Parole           | 9452            | Campbell        | 1918                 | 1920                    | Box 15; Murder 1                                 |
| Graham, Frank       | Parole           | 10217           | Shelby          | 1919                 | 1922                    | Box 15; Breaking Car seals & larceny; 2 files    |
| Graham, Tol         | Comm             | 9527            | Dyer            | 1918                 | 1923                    | Box 15; Murder 1                                 |
| Grammer, Sam        | Parole           | 9105            | Meigs           | 1916                 | 1920                    | Box 15; Burglary                                 |
| Granberry, Eddie    |                  | 11793           | Tipton          | 1922                 |                         | Box 15; Involuntary manslaughter; died 1923      |
| Gratton, Joe        |                  | 9194            | Shelby          | 1917                 |                         | Box 15; Petit Larceny                            |
| Graves, Frank       |                  | 8600            | Madison         | 1916                 |                         | Box 15; Larceny                                  |
| Graves, George      | Parole           | 10862           | Shelby          | 1920                 | 1923                    | Box 15; Att to commit a felony                   |
| Graves, Leonard     | Parole           | 10100           | Lake            | 1919                 | 1923                    | Box 15; Grand Larceny                            |
| Graves, Ross        | Parole           | 10688           | Madison         | 1920                 | 1922                    | Box 15; Assault to commit murder 2               |
| Gray, Enoch         | Parole           | 7475            | Shelby          | 1914                 | 1919                    | Box 15; Robbery                                  |
| Gray, Harris        | Parole           | 11063           | Shelby          | 1921                 | 1924                    | Box 15; Housebreaking & Larceny                  |
| Gray, Jako          | Pardon           |                 | McNairy         | 1922                 | 1923                    | Box 15; Transporting whiskey                     |
| Gray, John          |                  |                 |                 |                      |                         | Box 15   |
| Gray, John          |                  | 10285           | Shelby          | 1919                 | 1922                    | Box 15; Petit Larceny                            |
| Gray, John          | Parole           | 10285           | Shelby          | 1919                 | 1920                    | Box 15; Petit Larceny                            |
| Gray, Lemons        | Parole           | 8166            | Putnam          | 1915                 | 1917                    | Box 15; Parole # 962; Grand Larceny              |
| Gray, Mose          | Parole           | 11060           | Shelby          | 1921                 | 1923                    | Box 15; Petit Larceny                            |
| Green, Archie       | Parole           | 9923            | Claiborne       | 1914                 | 1921                    | Box 15; Grand Larceny                            |
| Green, John         | Elect.           |                 | Washington      |                      | 1922                    | Box 15; Murder; Electrocuted 2/17/22; 2 files    |
| Green, Roy          | Parole           | 7753            | Shelby          | 1914                 | 1919                    | Box 15; Grand Larceny                            |
| Green, Sam          | Parole           | 7425            | Sullivan        | 1913                 | 1921                    | Box 15; Murder 2                                 |
| Green, Tom          | Parole           | 9216            | Davidson        | 1917                 | 1919                    | Box 15; Larceny                                  |
| Green, Will         | Parole           | 9654            | Hamilton        | 1916                 | 1920                    | Box 15; Burglary                                 |
| Green, Will         | Parole           | 9639            | Hamilton        | 1916                 | 1923                    | Box 15; Burglary                                 |
| Greenwood, Chas.    | Parole           | 11407           | Shelby          | 1921                 | 1922                    | Box 15; Petit Larceny                            |
| Greer, Jim          | Pardon           |                 | Davidson        | 1919                 | 1919                    | Box 15; Violated Bone Dry Law                    |
| Griffin, Sallie     | Pardon           | 8943            | Knox            | 1916                 | 1922                    | Box 15; Murder 2                                 |
| Griffin, W.H.       | Pardon           |                 | Davidson        | 1919                 | 1919                    | Box 15; Violated Bone Dry Law                    |
| Grindstoff, Bernice | Parole           | 9648            | Washington      | 1916                 | 1921                    | Box 15; Robbery                                  |
| Grizzard, Elizia    | Pardon           | 11182           | Carroll         | 1921                 | 1922                    | Box 15; Robbery from Person                      |
| Groves, Bennie      | Parole           | 10031           | Shelby          | 1919                 | 1920                    | Box 15; Petit Larceny                            |
| Gull, Arthur        | Pardon           |                 | Gibson          | 1918                 | 1919                    | Box 15; Violated 4-mile law; selling whiskey     |
| Hackett, T.J.       | Parole           | 10668           | Sumner          | 1920                 | 1922                    | Box 13; Petit Larceny                            |
| Hackworth, Kelly    | Parole           | 10469           | Roane           | 1919                 | 1921                    | Box 13; Murder                                   |
| Hadley, Lysondra    | Parole           | 10275           | Davidson        | 1919                 | 1921                    | Box 13; Petit Larceny                            |
| Hafford, Son        | Pardon           | 9440            | Haywood         | 1916                 | 1920                    | Box 13; Robbery                                  |
| Haggard, Nellie     | Pardon           |                 | Knox            | 1919                 | 1919                    | Box 13; Misdemeanor                              |
| Hahn, Louis         | Parole           | 8075            | Clay            | 1915                 | 1917                    | Box 13; Forgery; Parole # 870                    |
| Hale, John          | Pardon           | 11300           | Bledsoe         | 1921                 | 1921                    | Box 13; Murder 2                                 |
| Hale, John & Frank  | Pardon           | 11299           | Bledsoe         | 1922                 | 1922                    | Box 13; Voluntary manslaughter/murder 2; 2 files |
| Halfacre, Elias     | Parole           | 11136           | Lauderdale      | 1921                 | 1923                    | Box 13; Petit Larceny                            |

*To Be Continued*

# Lieut. John T. Collinsworth

1830 West Point Graduate from Tennessee



*Compiled by Charlotte Carpenter Johnson<sup>1</sup>*

Letters to the United States Military Academy at West Point include this one about John Collinsworth.<sup>2</sup> Finding it led to a fascinating trail of information about the course of his short life.

[to] *Honl. James Barbour, Secretary of War.*

*Nashville, Mar. 25, 1826*

*Having this day received a conditional appointment as a cadet in the U. States Military Academy requiring my immediate answer as to my acceptance or non acceptance it is with pleasure I signify my acceptance and hope to be able to comply with all its requisitions.*

*Respectfully,*

[signed] *John T. Collinsworth*

*The undersigned acting as guardian for John T. Collinsworth approves of his appointment as a cadet in the U. States Military Academy and hereby declares his assent to his signing such articles as are required by the rules and regulations of that institution.*

[signed] *Jas. Collinsworth*

The West Point student ledger gives a little more information about young John.<sup>3</sup> His age was "about 16" when he applied in February 1825. He lived in Nashville and was recommended by Andrew Jackson Donelson (nephew of presidential aspirant, Andrew Jackson) and by General Sam Houston (later Governor of Tennessee and Texas). Although his father was dead, young Collinsworth certainly had powerful men on his side. Comments in the ledger about his qualifications show that he was said to be "prepared, [with] moral[s] and habits steady."

According to a biographical sketch of John's brother, James Collinsworth (1806-1838), they were sons of Edmund and Alice (Thompson) Collinsworth of Nashville. James was older than John, and was a lawyer. He served as a United States District Attorney in Nashville while John was at West Point.<sup>4</sup> The mother of these young men was one of the members of James Robertson's party of settlers, having come from North Carolina with her parents, James and Elizabeth Thompson. Alice was captured by the Creek Indians on a raid of the settlement, and spent two years in captivity.<sup>5</sup>



Fort Nashboro

<sup>1</sup> Charlotte Carpenter Johnson of Allen, Texas, and Jim Collinsworth of Jackson, Tennessee, descendants in another part of the Collinsworth line, contributed the information for this article. Mrs. Johnson can be reached by email at [cacj1111@tx.rr.com](mailto:cacj1111@tx.rr.com) and Mr. Collinsworth's address is [jbdk0504@bellsouth.net](mailto:jbdk0504@bellsouth.net).

<sup>2</sup> National Archives Microfilm Publication M688A *U.S. Military Academy Cadet Application Papers, 1805-1865*. File #200/1825.

<sup>3</sup> National Archives Microfilm Publication M2037, *Register of Cadet Applicants, 1819-1867*.

<sup>4</sup> "James Collinsworth" in *Handbook of Texas Online*, <http://www.tsha.utexas.edu/handbook/online/articles/CC/fco97.html>

<sup>5</sup> Huggins, Gloria Newsom. "Alice Thompson Collinsworth: Intrepid Pioneer" <http://pages.prodigy.net/nhn.slate/nh00077.html>.

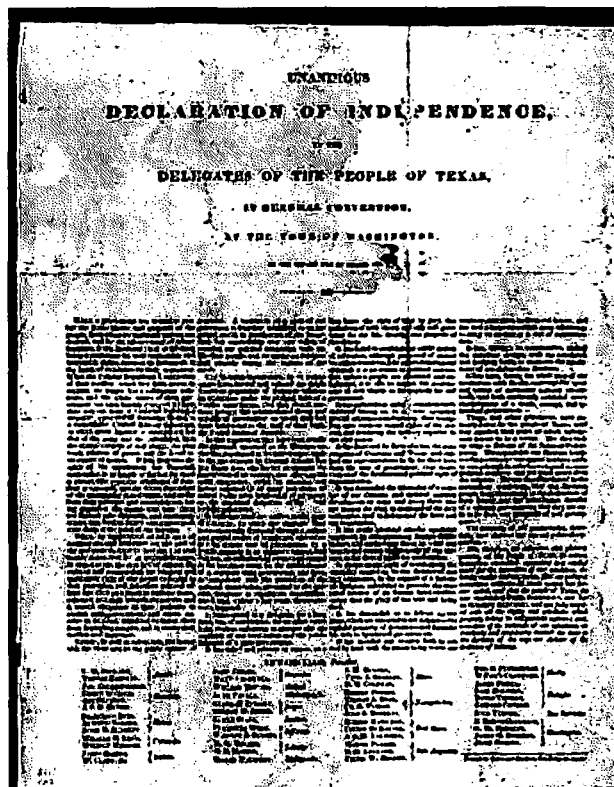
Most graduates of West Point planned to follow a career in the military, and Collinsworth was no exception. The best source of information about federal military officers is Heitman's *Register*.<sup>6</sup> That source tells us that John graduated solidly in the middle of his class, ranking 24<sup>th</sup> out of 41 members of the Class of 1830. Heitman's also provides a brief outline of Collinsworth's career.

On Dec. 17, 1830, Secretary of War John Eaton informed President Jackson that Cadet John T. Collinsworth (among others) had been appointed to the rank of 2<sup>nd</sup> Lieutenant in the 5<sup>th</sup> United States Infantry regiment.<sup>7</sup> He continued to serve in that capacity until July 31, 1836, when he resigned his commission.<sup>8</sup> The *Executive Journal* shows that Alexander Tappen was appointed to take his place.<sup>9</sup> The record shows that several officers of the 5<sup>th</sup> Infantry resigned around the same time, and one wonders whether Collinsworth may have been one of a group of men who left for the same reason.

Collinsworth's resignation resulted from his desire to take part in the exciting events going on in Texas at that time. In March of 1836 Texans had united in rebellion against Mexico and selected Sam Houston as Commander in Chief of their army. Perhaps Houston had written to Collinsworth and asked him to join the army in Texas. John's older brother, James, was already in Texas and was a signer of the Texas Declaration of Independence.<sup>10</sup> James may have been the one to encourage John to go west. Either way, we know that Lieut. Collinsworth left the U.S. army and headed for Texas.

Fighting at the Alamo and other battlefields in Texas continued throughout 1836, and it is likely that Collinsworth was involved in some of those battles. His friend and General Sam Houston was elected President of the Republic of Texas in September 1836. Land acquisition being a driving factor for all that happened in Texas during this period, it is not surprising to find that within a few short months of arriving there John Collinsworth had registered for 1,280 acres in land grants.<sup>11</sup>

On October 31 John Collinsworth was appointed adjutant Inspector General in the Army of the Republic of Texas, with responsibility for overseeing certain projects undertaken by the army, as well as drilling and leading soldiers in the field. Just a few months later, on Dec. 22<sup>nd</sup>, he was appointed a full Inspector General, apparently equivalent in rank to a colonel.<sup>12</sup> For a young man of 28 years, this was a major responsibility. However, Texas was a place where young men with energy and courage could make their way in a short time.



<sup>6</sup> Heitman, Francis B. *Historical Register and Dictionary of the United States Army*. (Washington: GPO, 1903).

<sup>7</sup> *Journal of the Executive Proceedings of the Senate ... 1829-1837*. Entry dated Dec. 17, 1830.

<sup>8</sup> Heitman, op cit.

<sup>9</sup> *Journal of the Executive Proceedings of the Senate ... 1829-1837*. Entry dated Dec. 27, 1836.

<sup>10</sup> "James Collinsworth" in *Handbook of Texas Online*, <http://www.tsha.utexas.edu/handbook/online/articles/CC/fco97.html>

<sup>11</sup> Information provided by Charlotte Carpenter Johnson (q.v.).

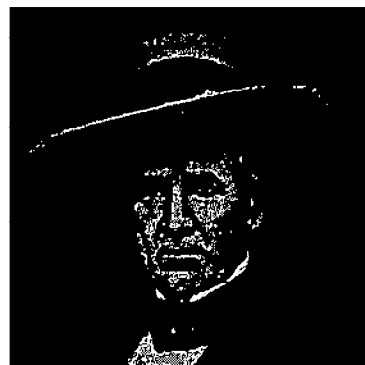
<sup>12</sup> <http://www2.tsl.state.tx.us/trail/RepublicSearch.jsp> search for John Collinsworth. The Texas State Library & Archives Commission web site includes digital images for "Republic Claims" dated 1835-1846.



Albert Sidney Johnston to travel with him. Collinsworth's military career came to an abrupt end on Jan. 29, 1837, when he died of what was called "congestion of the brain." This letter written to his brother, James, tells the sad story.

As the year 1837 began, Collinsworth was stationed at Camp Independence near the present site of Edna, Texas. Albert Sidney Johnston was an officer there. Collinsworth may have been previously acquainted with General Johnston, who graduated from West Point the same year Collinsworth entered the school. Johnston was slated to become the Commanding General of the Army of Texas, but was wounded in a duel with Sam Houston's brother, Felix, and was unable to take command. Johnston later went on to fame as a Confederate General in the Civil War, and was killed at Shiloh.

John T. Collinsworth's friendship with Sam Houston apparently deepened during his time in Texas. The letter below shows that Houston asked Collinsworth



Sam Houston

*Camp Independence  
February 1<sup>st</sup>, 1837*

*To the Hon. James Collinsworth:*

*It becomes my painful duty through this to give the intelligence of the great and irreparable misfortune that has befallen the Army as well as yourself through the dispensation of the Great Ruler of the Universe, of the death of your brother, Col. John T. Collinsworth, who died the 30<sup>th</sup> January at half past three a.m. of the congestion of the brain.*

*Your brother has been in ill health from the time of his arrival at the Army but at intervals he would appear to have recovered his health and attended to the instruction of the army in drilling to the day of the departure of the President for Columbia, was unpleasant and disagreeable raining more or less during the day. Yet believing that he was sufficiently able to undergo the fatigues of a ride of eight miles to the residence of a Mr. Manfifis on the Navidad where the President designed passing the night and having been solicited to accompany him, concluded to do so.*

*On our arrival at Manifis he appeared to feel somewhat indisposed which was attributed to the cold and disagreeable evening. The following morning he judged that he was sufficiently well to return to camp and was anxious to return as he could obtain the more ready assistance of a physician. Accordingly, after breakfast, we left Manifis and arrived in camp without much apparent inconvenience to your brother.*

*For some days afterwards he continued to move about, yet complaining. Dr. Fosgate, by his special request, gave him his professional attention up to the 26<sup>th</sup> of January when I called in Dr. Rogers and Reed to consult with Dr. Fosgate, and had their assistance and advice from that time up to his death. Every attention that was within the means of the camp was given your brother by the officers of the army.*

*Before I close, permit me to sympathize with you, the brother of the deceased, in the melancholy dispensation of Divine Providence which has called from us in the midst of life one who possessed that high chivalric character as a gentleman and officer—unblemished integrity and usefulness to his country.*

*I also enclose a copy of the proceedings of a meeting of the officers of the army paying a tribute of respect to the memory of their late worthy companion in arms.*

*With high respect and esteem, I am, [signed] E. Marchouse*

# Middle Tennessee Supreme Court Records

*Third Series*

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



Supreme Court Records, Box 78,  
Middle Tennessee, 1845

**John M. Lea, executor of  
William McNeill vs. William  
Hardin**

Original Bill heard in Williamson  
County Chancery Court

The Bill of Complaint filed 10<sup>th</sup> of April 1844 of John M. Lea, complainant, against William Hardin, defendant. Orator John M. Lee a citizen of Davidson County represents that at the last April term of the County Court of Davidson County he was legally qualified as executor of the last will and testament of William McNeill, deceased ... Orator believes testator during his lifetime was in the habit of lending defendant large sums of money for which defendant always executed his notes or bills single payable to the testator, and orator charges that a few days previous to the death of testator he had in his possession several notes or bills due him from defendant amounting altogether probably to the sum of from four to five thousand dollars ...

Your orator further represents that when he as executor took possession of all the valuable papers belonging to the estate of

testator, he could not find the notes or bills single due from defendant ... and he has since been informed that defendant now has the same in his possession claiming them as a gift from the testator to himself. Orator has no personal knowledge of any such gift ... and during his last illness, he made a will ... Said will includes no mention of said notes or bills, whilst there is a legacy of certain notes which testator held on another individual ....

Answer of William Hardin, defendant ... Respondent admits that Dr. McNeill did during his lifetime on several occasions lend him money for which respondent executed bills single or notes ... copies of which are hereto annexed ... Respondent further states that the large note ... for \$4000 was secured to the said McNeill by the conveyance to him of a tract of three hundred acres of land situated in Maury County ... Respondent now shows the following facts and circumstances as originating and perfecting his claim to these notes and barring the bill of the executor to any possession or account of them.

Dr. McNeill was a man of considerable wealth who

intermarried with the mother of this respondent and lived with her several years previous to her death ... Oftentimes previous to his [Dr. McNeill's] death he expressed his intention to respondent and others of never charging him with the repayment of the sums specified in the aforesaid note ... Respondent has no personal knowledge as he was absent from home at the time of his [McNeill's] death but he has been informed by his brother, Benjamin Hardin, that upon the day previous to the death of said McNeill and during the illness of which he died after he had executed his will ... a conversation occurred between said Benjamin Hardin and Dr. McNeill in regard to the notes before set out. That during the course of this conversation Dr. McNeill directed said Ben Hardin to take the key of his desk out of his pantaloons pocket and unlock a desk which sat in his room where he would find the note and a copy of the deed for the land before mentioned. Upon these papers being handed to said McNeill after examination of them he redelivered them to said Benj. Hardin with the injunction ... that in case of his death they were to be handed over by him to said William Hardin as a gift and he

would thus be exonerated from the payment of them....

Supreme Court Records, Box 78,  
Middle Tennessee, 1845

**Reuben M. Searcy, et al**

vs.

**Daniel A. McEachern, et al**

Original Bill heard in  
Smith County Chancery Court

The Bill of Complaint filed 2 March 1843 of Reuben M. Searcy and his wife Frances formerly Francis Alloway, James Alloway and Mary Alloway, Thomas Alloway and Agnes Alloway minors who sue by their guardian said Reuben M. Searcy against Daniel McEathan a citizen of Smith County and Zachariah Alvis a citizen of Gibson County ... Orators ... inform ... that their grandfather, Booker B. Bradford, departed his life in Smith County leaving a last will and testament which was duly proven and recorded in said county ... Among other provisions of this will, two negroes named Louis and Zuphea and a legacy of five hundred and eighteen dollars were bequeathed to orators and oratrixes. At the death of Louis Bradford orators and oratrixes were all minors in consequence of which their father Archelous Alloway was appointed their guardian at the August term of the Smith County Court in 1834. The said Archelous Alloway entered into a bond ... and defendants Daniel McEathan and Zachariah Alvis became his securities ... Orators and oratrixes were at very little expense to their guardian. They lived principally with their relatives, were supported

and educated partly by them without any charge in many instances, and they believe that hire of the negroes and the interest annually on said legacy would greatly overpay the amount expended on them ...

They believe that he [Archelous Alloway] would have done them ample justice had he not died ... that the said Archelous Alloway died in the month of August 1840 in the State of Mississippi and the defendant McEathan was appointed Administrator on his estate in said County of Smith ... Orator Reuben M. Searcy would state that he intermarried with the complainant Francis on 14<sup>th</sup> day of Feb. 1837 and has received a portion of the estate in right of his wife ... He was appointed guardian for the complainants, Thomas, Mary and Agnes at the January Term of the Wilson County Court 1841. For several years prior to his appointment as guardian he had supported said minors and furnished them with the greater part of their clothing ... No settlement has ever taken place ...

#### Exhibit A

At a Court Pleas and Quarter Session ... Smith County, 25<sup>th</sup> of August 1834 ... on motion of John Caplinger is relieved from the guardianship of Fanny, James, Mary, Thomas and Agnes Alloway and thereupon on motion Archelous Alloway is appointed guardian to the said minors, who came into court and together with Daniel A. McEachern and Z. Alvis ... entered into bond ...

The said A. Alloway, Gd<sup>n</sup>., made the following report, recorded in

Guardian Book B, page 78, to wit, A. Alloway guardian of the minor heirs (of Elisabeth Alloway) report[s] ... he has received of the executor of the estate of B. B. Bradford dec'd. the sum of five hundred and eighteen dollars ... also two negroes Lewis and Zilpha whose services I have appropriated to the use, boarding [of] said children Frances, James, Mary, Thomas and Agnes for the year 1835. [signed] A. Alloway, Gd<sup>n</sup>. 1<sup>st</sup> June 1835.

The answer of Dan'l A. McEachern filed 16<sup>th</sup> August 1843: ... that the grandfather of complts. died and he understands that he made a will, by which the two negroes and the sum of \$518 came into the hands of Archelous Alloway who was appointed guardian of his sd. children ... that the hire of the negroes and the money received was not sufficient to meet and pay off the expenses incurred in raising, boarding, clothing and schooling sd. complts ... The said A. Alloway died in the year 1840 and defendant qualified as his administrator and his estate is insolvent, not being enough to pay the expenses of the administration. The negro woman spoken of in the will of the grandfather was about seventy or eighty years of age ... and died in 1838. As to the man willed, he was between 50 and sixty years ...

He sent all five of them to school in 1835, 6 & 7 and a part of the year 1838 ... The guardian for that year [1837] boarded the three children at Thos. Gills ... The guardian fixed up James at considerable expense furnishing good clothing for two years and



permitted him to go to Texas ... The complt. Fanny was placed at Nashville to school for some time as he was informed by the father and at considerable expense, perhaps during the latter part of the life of her father. Fanny staid[sic] for some time on visits to her relations ... During his guardianship, the complt. Fanny intermarried with the complt. Searcy ...

The answer of Zachariah Alvis filed 31<sup>st</sup> July 1843: ...The allegation ... that he boarded, clothed and educated Agnes, Mary and Thomas for many years or partly done so for many years is untrue and false, for as to Thomas this respondent boarded clothed and educated him up to the 19<sup>th</sup> of December 1839, but as to Agnes or to Mary, respondent says he does not know but he does not believe thee allegation to be true and requires strict proof. Responde4nt cannot give any of the amounts received, any of the amounts expended, except what would be reasonable to Thomas ... this respondent living a distance of two hundred miles and would not be presumed to have any knowledge of his own of the transactions but refers to the answer of his co-defendant ...

State of Tennessee, Gibson County  
This day came before me Joshua D. Hill an acting Justice of the Peace for Gibson County Zachariah Alvis and made oath ... this 21<sup>st</sup> day of July 1843. [signed] J. D. Hill, J.P.

[Deposition of] Thomas Gill ... says he does not recollect exactly how long the wards boarded with

him but thinks Fanny boarded about six months at two dollars per month and Polly and Agnes, longer than Fanny at one dollar and fifty cents per month each ...

[Deposition of] Wm. C. Sweatt ... saith that Fanny lived with witness from sometime in 1835 to 1836 until she married on 14<sup>th</sup> Feb. 1837, free from any charge by witness ...

[Deposition of] John Tuggle ... saith that Thomas lived with Zachariah Alvis free of charge except his work ...

[Interrogation of] Samuel Fuller  
Answer 1<sup>st</sup> : ... I have been acquainted with Archelous Alloway from about 1818, was acquainted with him in 1834 when he became guardian for 5 of his children (to wit) Francis aged at that time about 17 years, James 15 years, Mary 12 years, Thomas 10 years, Agnes 7 or 8 years ... The 3 girls and Thomas went to school about 1 year in Smith County ... Fanny went to school to Mr. Moore a sum of 6 months and boarded at Joseph Bradford's ...

Question 7<sup>th</sup> : ... Did Mr. Alloway ever live in Wilson County...?  
Answer: Alloway moved to Wilson County in the fall of 1834 he had all the children with him, except Fanny was absent to school about 6 months and James was absent a part of the time. Alloway moved out of Wilson County in the Spring of 1836 ...

[Interrogations of] Samuel Pugh, Obadiah Parriss, Benjamin M. Davis, Jessee Fuller, Presly Askins, Elias Barber, Fleming

Merritt, Joseph Bradford, Mrs. Elisabeth Bradford.

Answer of Jessee Fuller ... Mr. Alloway paid for 3 of his children going to school to John Massey before he was appointed guardian ...

Answer of Presly Askins ... there was four went to a school taught by Mr. Alloway in the year 1834 ... two or three boarded at Mr. Thos. Gills and the others I think boarded at Mr. Bomers and A. McCowen and Cap. S. Masseys ...

[Question to] Joseph Bradford: ... Are you the uncle of the heirs of Elisabeth Alloway the plaintiff in this suit ... Answer: I am their uncle ...

Answer of Mrs. Elisabeth Bradford ... I don't recollect anything more than Joseph Bradford stated in his deposition more than Francis when she left here went to Wm. C. Sweatts & was no more expense to the guardian that I know of ...[signed] Elisabeth <sup>her</sup> x <sup>mark</sup> Bradford

Answer of Flemin Merritt ... The said negro woman Zilpha came to my house with her husband Lewis ...

[Deposition of] Jonathan L. Fare, witness: ...for many years before the death of Archibald Alloway, was intimate and well acquainted with him, who was the father and guardian of the complts. He was insolvent in the County of Smith for several years previous to the death of his wife and to the time of his death. The complts. were kept at school a part of every year and

boarded out every year except one while he was guardian or until he left this country in the Fall of '38

...

#### Bill of Costs

[lists the following as witnesses]: Samuel Fowler, Obadiah Parris, Jesse Fuller, Benj. M. Davis, Samuel Pugh, Presley Askins, Joseph Bradford, Elizabeth Bradford, Elias Barbee, John Tuggle, Thomas Gill, Wm. C. Sweat, Wm. Pruett (Const.) [for] summoning 6 witnesses. Perry B. Benson witness out of county 60 miles ... and Flemin Merit.

State of Tennessee, Wilson County Court, January Term 1847

Rueben M. Searcy who was heretofore appointed by this court guardian of Mary B. Alloway, Thomas Alloway, and Agness, J. W. Alloway minor heirs of Elizabeth Alloway dec'd. came into court and renewed his bond ... with his securities James B. Alloway and Reuben Searcy....

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Supreme Court Records, Box 78,  
Middle Tennessee, 1842

#### **David Dement & John Dement vs. Charles Dement, John Hoover & others**

Original Bill heard in Rutherford  
County Chancery Court

The Bill of Complaint filed 20<sup>th</sup> of December 1842 of David Dement and John Dement a minor who sues by his next friend David Dement, complainants, both of County of Rutherford, against Charles Dement, John Hoover, William N. Malone and Isaiah Robinson, all of County of

Rutherford, and William B. Dougherty of County of Wilson, defendants.

...Orators show that their father Abner Dement late of the County of Rutherford, departed this life about the fourth day of January 1825 intestate & shortly thereafter John Hoover and S. P. Hooskins obtained letters of Administration ... Orators charge that their said father left a considerable estate consisting of slaves, horses, cattle, sheep, hogs, farming utensils, household and kitchen furniture ... a considerable amount of money and securities for money, and that at the time of his death his debts were very inconsiderable in amount. The slaves which he left at his death were Joe, Caty, Big Jinney, Little Jinney, Elvira, Levi, Polly Jim and Cinda, which have since increased ... to a much larger number. At the time of his death, the said Abner Dement left a widow and seven children including your orators, his distributees, one of whom William Dement died when about ten years of age intestate and without issue.

Your orators charge that at the time of their father's death they were both very young, your orator David having arrived at majority on the 22<sup>nd</sup> of June last and your orator John being yet a minor. That on the 17<sup>th</sup> day of May 1830, the said defendant Charles Dement was appointed by the Rutherford County Court as guardian for your orators, and that he has continued to act nominally as such ever since; but in reality paying little or no attention to the wants and education of your orators and misusing their property and money

... Orators further charge, that when appointed guardian as aforesaid, he entered into bond, with his co-defendants Isaiah Robinson, William B. Dougherty and John Hoover his sureties ... and that afterwards, on the first of April 1841, the County Court made an order releasing the said Robinson who had petitioned for that purpose, from his said liability as surety for the said guardianship and accepted a bond from the said William H. Malone in his place ...

Orators are unable to state what amount of property, money and effects the said Charles Dement received from said administrators or whether he ever brought them to a full settlement and ascertained the amount due to orators as distributees of their father ... Orators, after diligent searches ... can find only the following traces of his acts as guardian, namely, that on the 12<sup>th</sup> of February 1832 he received from said administrators the sum of six hundred and ninety one 92/100 dollars of the monies of your orators and that on the 27<sup>th</sup> of April 1836, he received from them four notes on Elizabeth Murray for one hundred and seventy six dollars ...

Your orators charge ... that he has never made any settlement ... that he did receive or might have with ordinary diligence, received from said administrators a much larger amount of money & securities for money than that which he has returned as guardian and that the value of their distributive shares of said estate amounted to at least two thousand dollars.

Your orators further charge that he obtained possession in the year 1831, in the month of January, of two slaves named Joe and Catey conveyed to your orators by their mother by deed of gift ... and that in the year 1834 he obtained possession of another slave in like manner conveyed to your orators by their mother. The last named slave (Jinney) was also valuable.

Your orators charge that the said Dement ... has sold all three of said slaves and has applied the proceeds of their sale to his individual use without ever accounting for the same or any part of it ... that their said father, the said Abner Dement, died seized of a valuable tract of land containing two hundred & twenty acres, that said land was afterwards divided among his heirs and that the said Charles Dement has rented out and received the rents & profits of the portion allotted to your orators for a number of years, which amounted to a considerable sum, the amount of which they have however never yet been able to ascertain from their said guardian ... that they have been at little or no charge to their said guardian, who has paid no attention to their education and that they have been brought up by their mother and have been engaged at hard work almost continually ever since they were large enough to perform any kind of labor ... Your orator John Dement who sues by his next friend David Dement charges that the said Charles Dement ... is now wholly insolvent ...

Answer of Charles Dement filed 21<sup>st</sup> October 1843. This respondent says ... on the 12<sup>th</sup> day of February

1832 respondent received six hundred and ninety one 92/100 dollars on the account of complainants, his wards, for which he holds himself accountable and is at any time ready to account as the court shall direct. He also received from said administrators at the time stated in the bill, four notes on Elizabeth Dement (now Elizabeth Murray) the widow of Abner Dement dec'd., forty four dollars each, making the aggregate of one hundred and seventy six dollars, which he has never collected because of the entire insolvency of the said Elizabeth, which notes he now has ready to produce to the Court.

... that on the 1<sup>st</sup> day of October 1842 he made a settlement with the said clerk as guardian of complainant, John ... He did not make then any return or settlement in regard to his guardianship of the other complainant because he had become of age and the defendant supposed he could as legally and as well settle with him in person ...

Depositions, 27<sup>th</sup> day of December 1843, by Cader Dement aged about 60 years, Thomas A. Cotter aged about 50 years, S. H., Carney aged about 35 years, and Elizabeth Murray aged about 45 years.

Deposition of Cader Dement. Question: Please state what you know about the estate of Abner Dement at the time of his death. Answer: I knew that he had the following negroes, to wit, Deaf Jenny, Old Jenny, Joe, and Kate, Levi, Eliza. He had a negro man in mortgage to him by the name of Sam for a sum of money the negro

belonged to Charles Davis and I do not know whether the negro was redeemed from Abner Dement by Davis or not. Old Jenny had two or three children ... I do not know their names. Deaf Jinny was about thirty two years at the death of Abner Dement, Old Jinny was about forty years of age at his death and Joe was about thirty five years of age, Kate was about thirty one years old, Eliza was about twelve or thirteen years old and Livey about the same age or a year or two younger ...

I was his brother and lived four or five miles from him ... I understood that Elizabeth Murray, the widow of Abner Dement, bought Joe and Katy and I saw them in her possession before she married Murray. He had a still & kept a distillery before he died, but I think he sold them out before he died they were sold on a credit at public sale. I do not recollect who bought it, it sold low, my impression is that Charles Dement was the purchaser.

Deposition of Elizabeth Murray: ... the boys (complainants) have lived with me ever since Charles Dement was appointed guardian for them. Mr. Dement left four children by his first wife and two by myself ... The dower 25 acres was rented by me one year to Capt. Osburn ... The boys have lived with me and I claim nothing for their board and clothing. [signed] Elizabeth x Murray. Teste: G.D. Crosthwait ....

# Franklin County Civil War Claims

## *Allowed for Payment by the Southern Claims Commission*

### Part III of a Series

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

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

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

#### **Gillespie, John H.**

Age 60; filed in 1873; file consists of 46 pp.; claimed \$1,421 for bacon, cattle, hogs, sheep 2 horses, wheat, corn.

#### **Commissioners' Remarks:**

"The claimant lived on his farm in Franklin Co. during the war. Farm was of 285 acres, of which 175 were cleared. He voted against secession and did not vote on separation. He took the oath of allegiance in 1863. The rebels threatened to burn his house and kill him. He had to lie out in the woods for four months until the Union army came. His son was conscripted into the Rebel army, deserted after one month and enlisted in the Union army and served till the close of the war. Three of his neighbors testify to his loyalty. We find him loyal. Item 1: 32 pieces of bacon taken. Bacon was then worth 6 cents per pound. It was the summer of 1862. Item 2: cattle taken in '62, allowed at \$20 each. Item 3: much of the taking of the hogs was wanton and lawless depredations. Claimant's testimony shows this. We allow \$100. Items 4 & 5 [sheep and a mare] are fairly proved. Item 6: claimant says that the charge for the stallion was erroneously inserted and wishes to erase it and insert two mules. This request made in Aug. '73 and too late for such amendment. The stallion was

stolen. Item 7: the wheat was cut and shocked up in a field, said to contain 15 acres, was taken for forage for the cavalry. We allow \$100. We allow \$458.80."

The local examiner wrote, "The claimant [was] ... recognized as a union man ... but there was such terrorism that union men scarce dared to think their own thoughts.... I was rather impressed with the seeming candor and frankness of the claimant and with the intelligence of his witnesses...."

#### **Notes:**

Gillespie lived six miles below Winchester, farming his 285 acres. Soldiers were camped at Decherd in summer of 1862, 12 or 15 of them came to his farm one evening and took all the bacon from his smokehouse, about 640 lbs., and four head of cattle. He told the captain he was a Union man but "he replied he had heard that I was the worst rebel in the country and that they had come out to rob me, and he refused to pay me or give me any receipt." About 7 July 1863 part of Gen. Stanley's cavalry camped about a mile from him, and began to kill his hogs and drive off his sheep. Four days later a large group of soldiers took his mare, mules, corn and wheat. His own family and Mrs. Johnston and some of her step-children were present.

**Witnesses:**

- Jesse F. Merritt, 45, of Winchester, saddler. First met Gillespie in 1861, they knew each other were Union men but could not speak of it in public.
- William Simmons, 33, of Winchester, farmer. Conversed with claimant nearly every day during the war.
- Isaac Gray, 57, farmer.
- T.C. Merrell, 42, of Winchester, physician. Was passing claimant's house when the bacon was taken. Lived on an adjoining farm in 1863.
- Mary E. Gillespie, 40, lives with her father, the claimant. Miss Johnston who is now sick was there when the property was taken.
- C.E. Gillespie, 22, farmer, son of the claimant.



**Gray, George L.**

Age 47; filed in 1874; file consists of 55 pp.; claimed \$1,360 for 8 mares and 3 mules.

**Commissioners' Remarks:**

"The claimant is a farmer a little over 50 years of age. He resided on his own farm near Winchester during the entire war. The case was submitted on the usual proofs. Mr. Gray swore ... that he opposed secession, gave no aid to the Confederacy, sympathized throughout with the Union cause, was severely threatened by the secessionists for speaking his sentiments and twice came near being mobbed. The Confederates denounced him as a Yankee and threatened to shoot him. He is sustained by two or three witnesses in all his material statements. Our agent Mr. Avery examined the claimant under oath and has made an inconclusive report. We think Mr. Avery's conclusions of "neutrality" and etc. are drawn rather too strongly against the claimant. He says Mr. Russey "swears" that claimant was a "submissionist." We find no testimony of that kind. Mr. Avery says claimant is regarded among his neighbors as "half-witted" and is now under the care of a brother. His signature shows fine penmanship, too fine for a half-witted man. We think from all the testimony that Mr. Ramsey the Special Commissioner in his remarks, gives the truest description of Mr. Gray. Mr. Ramsey describes him as slender, nervous and excitable and thinks he is tending towards insanity. Mr. Ramsey adds,

"his loyalty does not seem to be questioned." We find him loyal. Mr. Gray owned a large farm, 175 acres under cultivation. In July 1863 the army of Gen. Rosecrans took from him the first two items of his claim, seven mares and three mules. No voucher was given or payment made. The brown mare, item 3, is not proved. It is probably that the federal troops took her, but no witness can testify to the fact. We recommend the payment of \$1,130."

In 1873, examiner Ramsey wrote, in part, that Gray "... is a peculiar man, a very quiet man generally but at the same time a slender, nervous and excitable man. This I could see. I was told that when he drank spirits, which he sometimes does, though not often, he will speak out his views so as greatly to offend the old secessionists of his vicinity, and his friends even yet at times [are] anxious for his safety. I noticed an absent mindedness about him that I think is tending towards insanity."

A letter in the file dated Feb. 5, 1875 states that this petition was considered in 1872 but the wrong testimony was attached. It was then reported to Congress as disallowed. The mistake having been found, the claim is to be reconsidered. Additional evidence relating to this claim may be found in file #14,900.

**Notes:**

Gray lives a mile and a half from Winchester. He has lived at this place since his youth and has always been a farmer. He had some cousins in the Union army. His nephews George and Frank Gray were in the Confederate Army; he tried to get them to desert. Union officers sometimes stayed with him during the war and gave him protection orders. Union men in the neighborhood were George S. Weddington, E.L. Best, J.M. Glover and James D. Brazelton. He was arrested by Rebels and taken to a conscript camp at Fayetteville

but was released on telling them he had kidney and spinal disease. "I made all the excuses I could to the old doctor. He said I was strong enough to wait on the sick. I said I would die." At another time he was ordered to report but laid out around his farm until Rosecrans' army arrived. He owned 500 or 600 acres at the time of the war. Col. Brownlow's troops came and ordered him to get behind one of them on a horse and show them where his horses were. He had sent a colored boy to the mill on his bay mare so she was not taken. On another occasion he had loaned a mare to Elizabeth Franks[?] and the soldiers took it from her.

Gray was examined again in 1877, at which time he was about 49 and living at his brother's. The examiner was Mr. Avery. Gray said his neighbors wanted him to take his slaves and livestock south, but he told Old Aaron Thompson and Mr. Baker that he was a Union man "and if my niggers was freed I could stand it. If I was to drop dead, I could say I never done anything for the Confederacy."

**Witnesses:**

- James M. Glover, 37, farmer, has known Gray for 17 years. Names John Gillaspie, Allen Johnson and John Weddington as other Union men of the area.
- Elias L. Best, 63, farmer, lives a mile from Decherd. Has known Gray since 1860. Gray sometimes took a little too much spirits and then expressed himself firmly for the Union, which caused him to be threatened by the Rebels.
- Harry Johnson (colored), 37, farmer, has known Gray all his life but was not his slave. Lived near Gray until he went into the Federal army as a teamster. Gray "had a good many colored people and I was often at his house and heard him talk about the war.... His colored folks all knew he was a union man.... He never ran his colored people south as many of the rebels did when he found the Federal army was coming, but they staid on his farm to the last."
- James D. Brazelton, 27, farmer, has lived within a mile of Gray all his life and heard him express Union sentiments. "I was a sort of a rebel but being young I said but little about it." Often worked for claimant, helping break some of his horses and mules in 1863.

- Henry Johnson (colored), age not given, was at home on an adjoining farm when the federal army came in 1863. He was a slave of Dudley Johnson. Clem Johnson, Robin Johnson and Steve Johnson were also slaves of Dudley.

**Hessey, John H.**

Age 55; claim filed in 1873; file consists of 90 pp.; claimed \$4,491 for mules, horses, hogs, sheep, cattle, wheat, rye, oats, corn, grass, hay, potatoes, blacksmith tools, fence rails.

**Commissioners' Remarks:**

"Claimant is 53 years old. He swears to his loyal sympathies and sentiments. He did not vote on separation, being afraid to do so on account of the excitement at the time against Union men. His son run away and joined the Rebel army before he was 18; claimant succeeded in getting him to return home and secured him employment with the US QM. Two reliable Union men testify to the loyal conversation and reputation of claimant. We find him loyal in accordance with the testimony and certificate of Special Com. Ramsey. The supplies were taken by Gen. Palmer's command in the early part of July 1863. The General told claimant his supply trains were behind and they needed these supplies. The cattle, hogs, sheep & etc. were driven into pens and slaughtered, and the corn and other grain was fed out, and the stock of the army was turned on the grass. Elk River was high and Gen. Palmer's command remained a week. The potatoes were in the patch and dug by soldiers; at that season of



the year we cannot consider them as supplies. There is no proof of the value of the blacksmith's tools or that they were taken by authority. Other items are satisfactorily proved to have been taken to

the value indicated. We allow the sum of \$3,159."

Special Commissioner Ramsey wrote that Hessey was "an amiable and kindhearted minister of the gospel who by the care and economy of himself and family had accumulated a nice little property, that was nearly all swept away by the army. ... The claimant's witnesses are persons of intelligence and seeming honesty. I am

satisfied that they have tried to detail the facts just as they remember them, and as they understood them."

Testimony from W.M. Murray of Nashville and E.M. Earnest of Wilson Co. is in this file but does not appear to relate to this claim.

**Notes:**

Hessey's farm was on the old stage road between Winchester and McMinnville, about seven miles from Decherd. He had 300 acres, half in cultivation. He was arrested in his home one night in Spring 1862 by Gen. Lyon's men and taken to Elk River. "My family were in bed but my second daughter would go with me to see what became of me, for they were cursing me and hurrying to get me off. She did not have time to put on her shoes, but got on this sore-backed horse behind me and never left me till I was released before day. She stood on the bank of the river barefooted till the command passed over when I was released." In Spring 1864 he was arrested and taken to Tullahoma to see Gen. Payne. In Spring 1862 his son was induced to go to Estill Springs to take the train and join the Rebels. The father went to get him but the troops concealed the boy. At the end of 12 months enlistment Hessey went to Corinth Miss. to bring the boy home. Every week while the Federal hospital was at Tullahoma he sent his wagon with provisions and vegetables for the sick and wounded soldiers. Had a nephew in the CSA who lived elsewhere.

**Witnesses:**

- Former slave George Hessey says the farm was on the banks of the Elk River about 7 miles from Estill Springs.
- James M. Darwin, 46, farmer, has known Hessey since before 1861. They were both preachers and frequently conversed.
- S.D. Mather[?], 31, U.S. Storekeeper, met Hessey in 1865 while witness was in charge of railroad property
- R.A. Matthews, 32, housekeeper and daughter of claimant. Gen. Palmer's division camped on the farm from 1<sup>st</sup> to 7<sup>th</sup> July until all the supplies of the farm were exhausted. George, Hatton and Ashley Hessey were also present, along with the colored people.
- Ashley F. Hessey, 27, farmer and son of claimant.

- George Hessey (colored), 28, of Winchester, farmer. The soldiers took the black mule from him while he was out plowing. Claimant had a wagon and blacksmith's shop. Gen. Palmer's army used the wagon shop as a commissary building. "The slaughter pen was just back of the wagon shop and when the hogs, sheep and cattle were killed the meat was cut and hung up there and from there it was regularly distributed to the army. They used the other shop to shoe horses and when they went off they took the tools with them." When Palmer's men came it had been raining for several days, "and they had to use the best wood they could get to dry their clothes. They had no supply trains with them, they told me they had made a forced march for 3 or 4 days when they got to the river it was too high to cross." Says claimant, his sons and his son-in-law were all Union boys but the one.
- William T. Hart, 49, farmer, met Hessey in 1859.

**Patrick Curtis and Jennie Horton**

**Administrators of the estate of Elmore R. Horton**

Claim filed in 1874; file consists of 132 pp.; claimed \$5,690 for 10 horses, mules, corn, oats, fodder, hogs, sheep, bacon, salt, potatoes.

**Commissioners' Remarks:**

"The petition in this case was filed by Elmore R. Horton of Franklin Co. who was subsequently in Sept. 1871 waylaid, shot and killed. He left a will giving to his wife Jennie E. Horton all his property. They had no children. Patrick R. Curtis is administrator of the estate 'with the will annexed.' Horton was unquestionably a thorough going Union man. ...His loyalty was of that marked and decided character that leaves no room for doubt. It brought upon him threats and persecution. He was at one time arrested in the night time and his life threatened, a rope put about his neck to hang him. With the aid of his wife and a negro he escaped and after that lay out in the woods for a long time and finally went to Nashville where he remained until near the close of the war, when he returned to Decherd and went into the mercantile business for a short time and then returned to his farm, which is represented as one of the finest farms in Franklin Co. about 13 miles from Winchester near the foot of the mountain. Horton opposed secession, voted against, gave no aid to the Confederacy and his



wife sympathized with him in his political views. The loyalty witnesses are Union men whose claims have been allowed by this Commission. The claim is for property alleged to have been taken in 1863, part in July and the remainder in the autumn. So much of it as is for QM stores was filed with the QM Genl., who has sent the papers to us. 13 mules were charged for in those papers and it is intimated that there was a fraudulent alteration of the papers, but the claimant Horton was in no way implicated. An investigation of the claim was made by an officer of the QM Dept. and from his report herewith returned there was taken from Horton for the use of the army 10 horses ... 3 mules ... 500 bushels shelled corn ... 1,500 bushels corn in the field ... 900 bushels oats ... 10 tons of fodder.... The evidence produced sustains this report. In addition some commissary stores were taken such as hogs, sheep, bacon, salt and potatoes.... We recommend the payment of \$4,276."

#### Notes:

Jennie E. Horton, 39, born in Franklin Co., now of Nashville (in 1876), widow of Elmore R. Horton who resided 13 miles below Winchester. She married him in Jan. 1857; neither had any children. "We had a little girl to raise but she was not regularly adopted and since my husband's death I have found a good home for her." Husband died in Sept. 1872, he had no children and she is his sole heir. She dissented from the will, took her dower portion, and the rest went to creditors. His administrator, P.R. Curtis, has settled the estate and Jennie has been appointed administrator in Davidson Co. for the purpose of pressing this claim. She and her husband were compelled to take refuge in Nashville for five months during the war. Strong Union men of the neighborhood were Allen Johnson (dec'd), Wm. Simmons (dec'd), John P. Heffner, Lark Willis (dec'd). Her brother was a civil engineer for the CSA, he died in the war. Their farm included 400 cultivated acres and with mountain land totaled 6,000 acres. Gen. McCook told her and her husband that they had been represented to him as the worst rebels in the country "and for this reason they came upon us especially."

A copy of Horton's will is in the file.

#### Witnesses:

- James M. Darwin, age 50, farmer, has been engaged in the U.S. Revenue dept. since 1872 or '73. Had known Horton for 25 years but was

not intimate until he came to Winchester to merchandize about 1856. The rebels ostracized him "and I am satisfied that the rebels rejoiced at his death since the war."

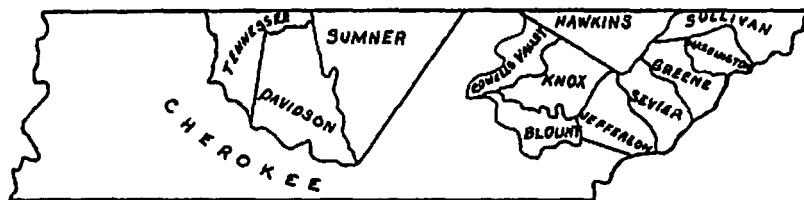
- John F. Anderson, 68, farmer, resides at Anderson's Station. Knew Horton for 30 years before his death. During the war Horton spent a month at his house after the Rebels tried to hang him.
- Benjamin Horton (colored), 51, farmer, lives at John Kessamin's four miles from Winchester. Had belonged to Horton nearly all his life, and lived with him until he was killed. Witness woke one night to hear the Rebels trying to take Horton and hang him, but his wife intervened and Horton "ran to the mountains next to Alabama and lay out till Gen. Rosecrans' army came." The adopted child was named Jane and she was 8 or 10 years old when the war was over.
- Elias L. Best, 66, farmer, had known Horton intimately since 1858. He was one of the most outspoken Union men. "As a friend I advised him again and again, that he had better be more careful and prudent or the rebels would kill him. He was so high strung and reckless that he could not hold it in very long till he would speak right out again."
- Patrick R. Curtis, 27, lawyer, of Winchester. Knew Horton as a businessman of truth and standing with one of the finest farms in the county.
- Manoah Horton, 63, farmer. Elmore was his youngest brother. Elmore was in his 30s when the war came. They voted together at Salem against secession. When the rebels tried to hang him, his wife interfered and in the scuffle he slipped the rope off his neck and escaped into the dark. After the war he was waylaid and killed on his own farm.
- Pleasant R. Hill, 47, farmer. Elmore was waylaid and shot going home from court. ■

*To Be Continued*



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

By Patricia Gilliam Daley  
(ducstop@aol.com) Part IV of a Series  
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Tennessee in 1795

The following is a continuation of an exact transcription and analysis of the earliest statute establishing the judicial system in the Territory of the United States South of the River Ohio. The series began in the Winter 2006 issue (vol. XIX, #3).

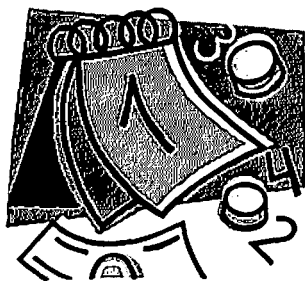
Known as Territory South of the River Ohio.  
(Courtesy of Sharon McCormack,  
McMinn County Rootsweb site.)

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

## Legal Procedure

Sec. 26. *And be it enacted*, That the following rules and methods shall be observed in the said courts, viz.

That every plaintiff, or his attorney, when employed in any suit, in any of the courts of this government, shall file his declaration in the clerk's office any time within the first three days of the term to which the writ is made returnable, and on failure thereof such suit shall be dismissed by the court, at the cost of the plaintiff ; which cost being paid by said plaintiff to the clerk of the said court, he or they paying such costs in consequence of a declaration not being filed in due time as aforesaid, may warrant such attorney for all such costs by him paid as aforesaid ; and the receipt of the clerk shall and may be given in evidence in support of such claim ; and the justice before whom such warrant shall be tried may give judgment and issue execution thereon ; and such attorney shall be further liable to the action of such plaintiff, for such damages as he or they may have sustained in consequence of such declaration not having been filed as aforesaid.



The defendant shall appear and plead or demur within the first three days after the time allowed for filing the declaration, otherwise the plaintiff may have judgment by default, which in actions of debt shall be final, unless where damages are suggested on the roll ; and in that case, and in all others not herein specially provided for, where the recovery shall be in damages, a writ of enquiry shall be executed at the next succeeding term : *Provided* that where the tenure of the action requires special pleading, the time for pleading may be enlarged.

Where the defendant pleads specially, the plaintiff shall reply or demur within three days after the time allowed for filing the declaration, or a *non pros* may be entered by the defendant ; and if the plaintiff replies, and in his replication tenders an issue, the defendant shall join issue, or demur in three days, otherwise the plaintiff may have judgment ; and where the defendant rejoins to the plaintiff's replication, he shall file his rejoinder within three days, or judgment shall go against him, unless the time for pleading shall be enlarged as aforesaid; and the same time shall be given, and

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rules observed through the whole course of the proceedings.

Where a special verdict shall be found, a case agreed, a demurer filed, or a bill of exceptions to the evidence tendered, time shall be allowed, upon motion of either party, to the next term to argue the same.

For the better preservation of the records of the court, when any cause is finally determined, the clerk of each court shall enter all the proceedings therein in a book well bound, and an entire and perfect record make thereof.



All jury causes shall be first tried.

All motions in arrest of judgment shall be argued within the three last days of the term in which the issue shall be tried, the defendant's attorney first serving the plaintiff's attorney with a copy of the reasons in arrest of judgment, the day immediately following that on which such motion shall be made.

Arguments on writs of error, special verdicts, cases agreed, demurders, petitions for legacies, and distributions of intestates' estates, shall be heard upon the four last days of the term.

[p. 11] No plea in abatement shall be received in any of the said courts unless the party offering the same shall by affidavit or otherwise prove the truth of such plea.

Where a plea in abatement shall be pleaded, and upon argument the same shall be adjudged insufficient, the plaintiff shall recover against the defendant full costs to the time of over-ruling such plea, including the costs of court ; and the plaintiff in replevin or defendant in any other action may plead as many several matters as may be necessary for his defence, so that he be not admitted to plead and demur to the whole.

The "declaration" which the plaintiff or his attorney was required to file within three days of the beginning of the court's term (time the court was in session) was a statement designed to give the defendant and the court information about the plaintiff's claim, similar to the modern complaint. It included a heading that named the location and the court in which the action was brought (such as "Superior Court for the Territory of the United States South of the River Ohio, Washington District"), and the term of the court to which the sheriff was required to return the original writ showing that the defendant had been served with process (such as "October term, 1794.") Also included were the names of the plaintiff, his attorney, and the defendant as well as the manner by which the defendant was brought into court (such as by writ or attachment--see Summer and Fall 2006 installments.) The form of action (such as debt, trespass on the case, etc.--see Spring 2006 installment) was also included. A statement showing that the court had jurisdiction over the case (such as indicating the location where the cause of action arose or where the parties resided) as well as allegations supporting the plaintiff's claim were also contained in the declaration.

If, for example, the defendant owed the plaintiff money—one of the most common causes of action in 1794—and had failed to pay it when due, the declaration would consist of information about the debt, including the manner it was incurred (such as by promissory note). If the debt arose by promissory note, the declaration included information such as the date of the note, whether it was under seal, that it was due and had been presented to the defendant for

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payment, that the defendant did not pay it, and any other important details. The declaration also prayed for damages, if appropriate, and it was signed by either the plaintiff's attorney or by the plaintiff himself if he had no attorney. Prosecution bonds were also in use at this time; they provided for costs in case the plaintiff did not proceed with the case.

Readers will recollect from earlier installments that the courts were in session infrequently by today's standards and that delay was very detrimental to the party who was entitled to recover. For those reasons, strict rules requiring



prompt action were essential. If the plaintiff or his attorney did not file the declaration within the first three days of the term at which the writ summoning the defendant to court was returnable, the defendant or his attorney asked the court to dismiss the case, with costs awarded against the plaintiff. Since the plaintiff's attorney was usually the person who was responsible for drafting and filing the declaration, provision was made for the plaintiff to recover those costs against an attorney who failed to timely file the declaration, an indication that the early law held attorneys responsible for acts (or the lack thereof) detrimental to their clients. Additionally, the attorney was also liable for other damages the plaintiff incurred by the dismissal of his case.

The defendant had three days (following the three days allowed the plaintiff for filing his declaration) to appear and either plead or demur. In the example of the promissory note given above, the defendant could, for example, claim he had already paid the note (a pleading), admit he had not paid and give reason(s) why he had not done so (also a pleading), or assert that the facts in the declaration were true but that they were insufficient for the plaintiff to proceed upon and therefore required no answer (a demurrer). He also demanded a jury trial, if he wanted one, by stating that he "put himself on the country."

If the defendant failed to appear and plead or demur, he had defaulted, and the plaintiff was entitled to a judgment against him. A default judgment gave the plaintiff what he had asked for in the declaration and, in many situations, precluded the defendant from any further action. In a simple situation such as default on a promissory note, justice could be had swiftly. Many matters were more complicated, however, making it unfair to the defendant not to allow him more time to respond. If, for example, the plaintiff asked for damages, and the damages were unliquidated (amount of damages not agreed upon in advance), the court issued a writ of inquiry to be executed at the next term of court, directing the sheriff to assemble a jury to inquire into what damages were fair, even though the plaintiff had already obtained a default judgment. Additionally, if special pleading were required (when the defendant had a more complicated defense in which he would allege more and new facts), the court could give the defendant more time to file his response.

Once the defendant had filed a special pleading, the plaintiff had to file his replication (answer to the defendant's plea) quickly, as well. If he failed to do it in time, the defendant asked the court for judgment against the plaintiff for his failure to timely prosecute (a "*non pros.*") If, on the other hand, the plaintiff filed a replication, tendering additional facts or issues, the defendant had three days to answer, in a pleading called a "rejoinder." Pleading continued in a similar timely fashion until the parties "joined issue." Issue was joined when one party claimed the truth of a fact and the other party denied it. At that time the case was ready for trial.

Upon a party's motion (formal request to the court) in cases where there was a special verdict, an agreed case, a demurrer, or a bill of exceptions, the case was continued until the next term of court so that argument (a reasoned debate about specific issues) could be carefully prepared. A "special verdict" was a jury's finding of facts submitted to them, leaving the court to apply the law to the facts the jury had found. A "bill of exceptions" was a

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list of a party's objections to the judge's rulings or instructions, including facts involved in the rulings. It was prepared in anticipation of an appeal and was required to be signed by the judge in order to authenticate it.

In contrast to today's procedure, jury cases were heard first. Perhaps it was an effort to minimize the expense of paying jurors. Early Tennessee courts were very cognizant of the universal desire for the lowest taxes possible, and they were careful to conserve the public's dollars.

A motion in arrest of judgment was a formal request directed to the court to halt post-trial remedies. A judgment had already been rendered in the case, but the court was asked to stop execution proceedings because of something in the record that would render an enforcement of the judgment to be erroneous or reversible (such as lack of jurisdiction, for example.) The motion was heard during the last three days of the term in which the case was tried. The party making the motion had to give written notice to opposing counsel of the reasons for the motion so he could prepare for argument.

A writ of error was issued by an appellate court and directed to a trial judge, requiring him to send the record of a case which had been decided so that the appellate court could examine the record and determine whether or not error had been committed by the trial level court. Writs of error, in addition to other matters enumerated in the statute, were heard the last four days of the term.

A plea in abatement was an objection to jurisdiction, to incorrect form of a pleading, or a claim that a lawsuit was being brought or heard at an improper time, praying that the case be dismissed. It did not go to the merits of the case or prevent a plaintiff from bringing the case again at a proper place or time or in correct form. The statute required that the plea in abatement be sworn to or that the truth of the plea be proven. It also provided that full costs be assessed against the mover if the plea were judged to be insufficient. These requirements indicate that there was concern that the plea could be used in an abusive manner, such as unwarranted delay.

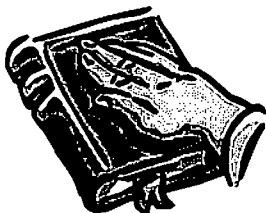
### Correcting Errors in Pleading

Sec. 27. *And be it enacted*, That all the statutes of England and Great Britain, for the amendment of the law, commonly called *Statutes of Jeoffails*, and which were heretofore enforced in this government by any act or acts of the General Assembly under the late government, are hereby declared to have continued and to be now in full force in this government, and shall be duly observed by all judges and justices of the several courts of record within the same, according to the true intent and meaning of the said statutes, unless where the same are or may be altered by this or any other act.

The statutes of *jeoffails* ("I have failed; I am in error") allowed a party who had made a mistake in pleading and who acknowledged the error to amend his pleading. The concept is so firmly entrenched in modern law that it is difficult for one who does not know the history of the common law to understand the necessity of having a statute authorizing the correction of mistakes. The common law was very intolerant of mistakes in a litigant's pleadings. What we would today deem to be an easily corrected, minor mistake--or no mistake at all--could result in the dismissing of a person's case with no opportunity to correct the error, a situation which resulted in great injustice. The authors of a relatively modern first year textbook on legal procedure called the common law "[so] filled with special instances, inexplicable exceptions, arbitrary rules and untraversable fictions...[that it resulted in] one of the most complex and snare-ridden creations ever devised by man."<sup>1</sup> Justice needed to be as straightforward and uncomplicated as was reasonably possible.

### Witnesses and Subpoenas

Sec. 28. *And be it further enacted*, That for taking the testimony of witnesses, in all causes which may be depending in the superior and county courts the following rules shall be observed and put in practice viz,



In all suits where witnesses are to appear at any of the said courts, the clerk, at the request of the party shall issue a *subpœna*, directed to the sheriff or other officer or the county where the witness or witnesses are said to reside, mentioning the time and place for his, her or their appearance, the names of the parties to the suit wherein the testimony is to be given, and the party at whose instance such witness of [sic] witnesses is or are summoned.

Every *subpœna*, made returnable immediately, shall be issued only in term time, and shall be personally served on the witness or witnesses therein named.

A copy of every *subpœna* issued by the clerk in the vacation, in case the witness or witnesses therein named is or are not to be found, may be left at their usual places of residence ; and such copy certified by the sheriff or other officer, left as aforesaid shall be deemed a legal summons, and the person or persons therein named shall be bound to appear in the same manner as if personally summoned.

A subpoena is a document that requires a witness to appear at a certain place and time and testify. It was the clerk's job to issue subpoenas. Like writs, they were served by the sheriff of the county where the witness lived. Witnesses who were subpoenaed during the court's term and required to appear at that term had to be served personally, but subpoenas issued while the court was not in session requiring appearance at the next term could be left at the witness's residence.

### Witnesses Failing to Attend

Sec. 29. *Be it enacted*, That every witness being summoned to appear in any of the said courts, in manner as herein before directed, shall appear accordingly, and continue to attend from term to term, until discharged by the court, or the party at whose instance such witness shall be summoned ; and in default thereof shall forfeit and pay to the party at whose instance the *subpœna* issued, the sum of one hundred and twenty five dollars, and shall be further liable to the action of such party for the full damages which may be sustained for want of such witness's testimony, who shall recover the same by *Scire Facias*, with costs. *Provided always*, That if it shall so happen that



the suit depending shall in the vacation be accommodated and settled between the parties, and the party at whose instance such witness was summoned, should neglect or omit to discharge him or her from further attendance, and he or she, for want of such discharge, should attend at the next term, then and in that case the witness, upon oath made of the facts, shall be entitled to a ticket from the clerk in the same manner as other witnesses, and shall recover from the party at whose instance he was summoned ; the same allowance which by this act is given to witnesses for their attendance at the said court with costs *Provided also* That if any witness shall hereafter swear falsely, in order to obtain a ticket, he shall upon conviction be adjudged guilty of perjury, and suffer as in cases of corrupt and wilful perjury. *And provided further*, That if sufficient cause be shewn by the person so summoned and failing to appear, of his or her incapacity to attend at the time and

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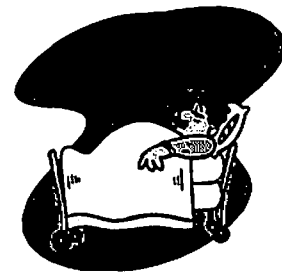
place mentioned in the *subpœna*, then no forfeiture or penalty shall be incurred by such failure ; but if on notice given by the court sufficient cause be not shewn at the next succeeding term after such failure, it shall and may be lawful for such court, on motion to grant judgment and award execution for the forfeiture before mentioned, against the person so summoned and failing to appear as aforesaid.

Witnesses who were under subpoena had to attend court, including subsequent terms if necessary, until they were discharged by the court or by the party who had obtained the subpoena. They were fined a very substantial sum of money and became liable for damages attributable to their failure to appear and testify. These rigorous penalties may indicate that, in a time when roads were few and rough, it could be quite difficult to secure personal attendance and testimony of witnesses. If a summoned witness were unable to attend for cause deemed to be just at the next court term, he was not penalized. However, the court could both grant judgment and award execution (enforcement of the judgment) against the witness if he did not appear at the next term to present sufficient reasons for his failure to appear.

If the lawsuit were settled while the court was not in session but the party subpoenaing a witness failed to release him from attendance, the witness who attended the session of court to which he had been summoned obtained proof from the clerk that he had been present and available to testify. That proof ("ticket") gave him the right to recover the usual witness fee, as well as costs, from the party who had summoned him but failed to release him. Witnesses falsely claiming not to be released were guilty of willful and corrupt perjury. The North Carolina statute dealing with perjury in effect in the Southwest Territory required that, after conviction, both the offender's ears be nailed to the pillory for one hour and then be severed, leaving them nailed to the pillory until sunset. Additionally, the offender was permanently barred from giving sworn testimony in court.<sup>2</sup>

#### Witnesses Unable to Attend

Sec. 30. *And be it enacted*, That when any person who may be a witness in any cause in any of the said courts shall reside out of this Territory, or shall by reason of age, bodily infirmity, or any other cause, be incapable of attending to give his testimony in court, oath thereof being made, or the truth of the matter otherwise appearing, the judge or judges of the court wherein such suit is depending, shall and may, by commission, empower such and so many persons as may be thought necessary to take and receive the deposition of such witness ; which being duly taken and returned as hereinafter is directed, shall be received as legal testimony – *Provided always*, That the party praying such commission, shall give such notice to the adverse party of the time and place when and where such commission is to be executed, as the court shall think proper ; and the adverse party shall have power to cross examine any witness whose deposition shall be so taken. And all depositions otherwise taken than as herein is directed, unless by consent of parties, shall be void to all intents and purposes.



Testimony in person is very important in court. Jurors and the judge can observe the witness's demeanor, facial expressions, tone and emphasis of voice, and other visual and auditory clues that aid them in finding the facts. Inevitably, however, some witnesses were unable to travel to court or lived at such a distance that it was very impracticable for them to attend court in person. In the early days, women particularly did not travel to attend court. In those situations justice went to the witness, once the court was satisfied that the witness's excuse was legitimate. The adverse party and his attorney had the right to be present and had the opportunity to cross examine the witness, just as if the testimony were given in court. The witness's testimony was later read into evidence in the



court proceeding, and a written copy was filed with the loose records. The notice given to the adverse party included the place and time for taking the deposition, and the court set or approved the length of notice given the opposing party that the deposition was to be taken. The parties could agree to different circumstances for taking a deposition, but a deposition could not be introduced in court unless it was done either by agreement or according to the terms of the statute. A person empowered by the court to take testimony was often a justice of the peace or notary public, since they were already qualified and accustomed to swearing witnesses and regulating judicial matters.

Sec. 31. *And be it enacted*, That if any person who may be a witness in any cause depending in any of the said courts, shall be under the necessity of leaving this government before such cause is to be tried or even before such cause shall be at issue, upon oath thereof made before any of the justices of said courts. Such justice is hereby empowered to order the clerk of the court where such cause is depending, to issue a commission to one or more persons to take the deposition of such witness, notice being first given to the adverse party of the time and place where and when such a deposition is to be taken, at least ten days previous to the time of executing such commission : which deposition, when returned, taken in manner aforesaid, shall be received as legal evidence.

#### Persons Refusing to Give Testimony

32. *And be it enacted*, That if any person, who shall be summoned as a witness in any of the said courts, or before any person appointed to take depositions as aforesaid, shall refuse to give testimony on oath, such person so refusing, shall by the court, or by the commissioner before whom he shall be summoned, be committed to the common prison, there to remain without bail or mainprize, until he shall be willing to give testimony in such manner as the law doth or may direct – *Provided* The people called Quakers shall have the liberty of giving their testimony by way of solemn affirmation, in all causes whatsoever, cri-[p. 13]minal as well as civil – *And provided also*, That all Negroes, Indians, Mulattoes, and all persons of mixed blood, descended from Negro and



Indian ancestors, to the third generation inclusive (though one ancestor of each generation may have been a white person) whether bond or free, shall be taken and deemed to be incapable in law to be witness in any case whatever, except against each other. *And provided further*, That no person of mixed blood in any degree whatsoever, who has been liberated within twelve months previously, shall be admitted as a witness against a white person.



Then, as now, a court had the power to compel testimony or to imprison a person who refused to testify until he decided to comply. Mainprize was an ancient concept not in practice today. Similar to bail, mainpernors had to produce the defendant for all charges against him--not just on one certain day, as was required of a bail.

Readers should consider how damaging it was to “Negroes, Indians, Mulattoes, and persons of mixed blood” to be incapable of giving testimony against whites. If, for example, they were sued by a white person, they essentially could not defend themselves, since they could not dispute by their own testimony evidence given by the white plaintiff and his white witnesses. Nor could they present as witnesses their neighbors, relatives, and business associates whose testimony against whites was also barred. The white person’s evidence would stand uncontroverted unless the person who was not legally competent to give testimony could produce white witnesses who were willing to testify in the case. (Although their testimony can be compelled, persons who are unwilling to testify rarely make good witnesses.) Additionally, persons barred from testifying against whites were without

redress of wrongs done to them if the injustice were caused by a white person or if white witnesses were called to testify for a white defendant.

#### Immunity for Witnesses

Sec. 34. *And be it enacted*, That during the attendance of any person summoned as a witness to any court whatsoever, and during the time that such person is going to, and returning from the place of such attendance, allowing one day for every twenty five miles such witness hath to travel to and from his place of residence, no sheriff or other officer shall serve or execute on any person so attending, going to, or returning from such court, any writ or process, warrant, order, judgment or decree in any cause, (summons for witnesses excepted) and if any such shall be executed, the same shall be, and is hereby declared null and void.

#### Compensation for Witnesses

Sec. 35. *And be it enacted*, That each person who shall attend any of the said superior courts as a witness, shall be allowed for each and every day's attendance, and for every thirty miles he or she shall travel going to and returning from the said court, the sum of one dollar—And that each person who shall attend any county court, shall be allowed for each and every day's attendance, fifty cents, and for every thirty miles he or she shall travel going to and returning from the said court, the sum of one dollar— *Provided*, this allowance for milage shall not be made to persons attending as witnesses in the county in which they reside.



Sec. 36. *And be it enacted*, That the clerks of the said courts are hereby empowered and directed to take probate of all evidence tickets, and certify the same[.]

*To Be Continued*

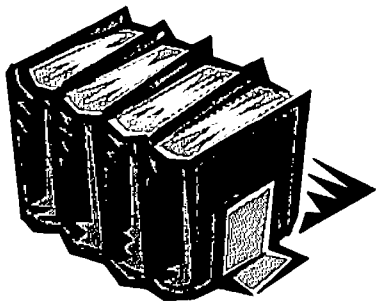
<sup>1</sup>. John J. Cound, Jack H. Friedenthal, and Arthur R. Miller, *Civil Procedure Cases and Materials*, (St. Paul, 1968), p. 280.

<sup>2</sup>. *Laws of North Carolina*, 1777. Ch. V, ¶ II.

## Perry County Petitions 1820-1823

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

|      |   |
|------|---|
| 1820 | Petition asking that the south line of Humphreys Co. not be changed. #57  |
| 1821 | Petition to fix the County seat. #77                                      |
| 1821 | Petition asking permission to lay off the Town of Shannonsville. #78      |
| 1821 | Petition regarding line between Humphreys and Perry Co. #79               |
| 1821 | Petition asking that settlers may obtain land grants on James Island. #80 |
| 1822 | Petition asking to change name of Perryville to Jarman. #2                |
| 1822 | Petition concerning the location of the county seat. #45                  |
| 1823 | Petition of Wm. King or Wm. Kinney regarding land in Perry Co. #20        |
| 1823 | John Essary's petition regarding land claim. #90                          |
| 1823 | Joseph Durham's petition regarding a land entry. #91                      |
| 1823 | Stanley Johnson petition asking relief for fine. #105                     |
| 1823 | Mary Hooper petition asking for a divorce. #129                           |



## Book Reviews

by Shirley Wilson

***Beechville – Then, Now and In Between***, by Sara R. Lee. 306 pp., illustrations, index, maps, photographs, 2006. \$20 from the Heritage Foundation, 510 Columbia Avenue, Franklin, TN 37064.

Technically, this is a history of the Beechville community located in northern Williamson County south of Old Hickory Boulevard. In reality, it is a beautifully rendered story of the people, the places they loved, and the area where they lived. As is typical of histories, it includes information on the churches, schools, roads, and the professional men of the community (doctors, lawyers and educators).

Where it particularly shines is in its treatment of detailed information on the descendants of the families who lived in the area. They include Samuel McCutchen, Samuel Edmiston, William Scruggs, Pleasant Clardy, and the Byrns and Ballow families along with many others.

Illustrations include such treasures as family Bibles, newspaper clippings, signatures, and maps along with wonderful photographs interspersed throughout the book of people, places, tombstones, buildings and homes. Anyone who has lived in this area will want to own this lovely remembrance of people and places.

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***Historic Presbyterian Churches of Tennessee*** by Jovanna Emerson and Mary Ann Van Osdell. 173 pp., photographs, 2006. \$30 plus \$2.75 tax (Tennessee residents only) from Evergreen Presbyterian Ministries, 466 Metroplex Drive, Suite A-224, Nashville, TN 37211.

Thirty-four churches built before 1850 are featured

in this beautiful keepsake book. Listed chronologically with addresses, the churches are pictured in attractive, color photographs. Several pages of history accompany each church listing.

Tidbits of interest include the fact that the First Presbyterian Church in Lewisburg, Tennessee, only had five ministers in sixty-seven years and that the First Presbyterian Church on Franklin Road in Nashville was the first church of any denomination in that city.

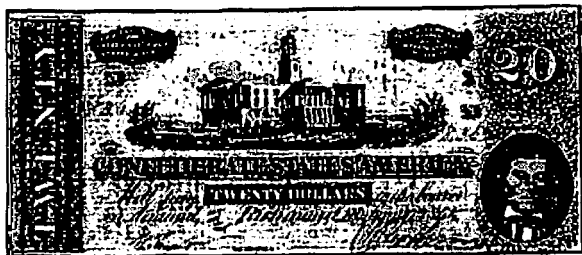
Historians and genealogists alike will enjoy and cherish this book, although both would have welcomed the addition of an index to this lovely collection of church information.

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***The Confederate Twenty-Dollar Irony and Other Essays from the Nashville Historical Newsletter*** compiled and edited by Mike Slate and Kathy Lauder. 72 pp., illustrations, index, photographs, 2004. \$8 including tax plus \$3 shipping from Nashville Historical Newsletter, 4240 Nepal Drive, Hermitage, TN 37076. Also available in local bookstores.

This is Volume 1 in a series of essays from the Nashville Historical Newsletter which was published from 1997 through 2002 and continued thereafter by email.

The book includes fascinating essays on such topics as the Davidson County Courthouse, the Tennessee State Library and Archives, Metro Archives, and Remembering Nashville's Daughters which highlights some of the city's most unusual women.



Lest MTGS members think the focus is entirely on history, be sure to read the interesting tale of how Joshua Burnett Ross, born in Clermont County, Ohio, came to be buried in Nashville.

The illustrations and photographs are unique and skillfully enhance the various essays, producing a book that both genealogists and historians who are interested in the Nashville area will be proud to include in their library collections.

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*From Knickers to Body Stockings and Other Essays from the Nashville Historical Newsletter* compiled and edited by Kathy Lauder and Mike Slate. 88 pp., illustrations, index, photographs, 2006. \$8 including tax plus \$3 shipping from Nashville Historical Newsletter, 4240 Nepal Drive, Hermitage, TN 37076. Also available in local bookstores.

Volume 2 of the series described in the above review is another delightful offering from the Nashville Historical Newsletter.

An essay on Robert "Black Bob" Renfro details how he went from slave to entrepreneur. Another tells of the ancestry and life of John Dillahunty, a Baptist preacher who married a Quaker. An 1889 document describes a banquet at the Hotel Duncan in Nashville, complete with a menu and list of those in attendance along with their positions in the community.

Once again the rare and unusual illustrations and photographs add value to what is already a real treasure.

NOTE: The Nashville Historical Newsletter is now available at their website which serves as a "bank" for items formerly published in the newsletter - <http://pages.prodigy.net/nhn.slate>

To join the list or to propose or submit an essay (300-700 words) write [NHN.slate@prodigy.net](mailto:NHN.slate@prodigy.net)

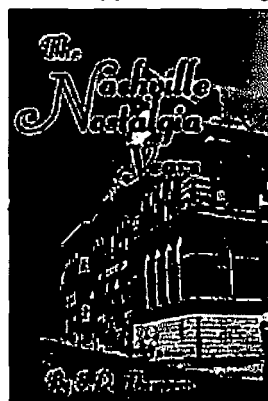
*Practices in Oral History*, by Linda Barnickel. 69 pp., appendices, glossary, 2006. \$15, including postage, from Oral History Association, Dickinson College, P.O. Box 1773, Carlisle, PA 17013-2896.

Designed to aide the interviewer/researcher in avoiding common mistakes, this publication provides practical guidance to the novice who plans to conduct oral history interviews. It includes an extensive list of sample questions, a legal release form, and suggested resources.

Barnickel is well qualified to author this book in that she is an archivist who currently oversees a project to record oral histories with veterans. It is based on the guidelines established by the Oral History Association, the organization for professional oral historians in the U.S., which appear in Appendix D of the book. It is excellent reading for anyone considering oral interviews and will eliminate many of the numerous, inherent pitfalls in such an undertaking.

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*The Nashville Nostalgia Years*, by E. D. Thompson. 430 pp., bibliography, illustrations, index, photographs. \$8 including tax plus \$3 shipping (up to two books) from Nashville Historical Newsletter, 4240 Nepal Drive, Hermitage, TN 37076.

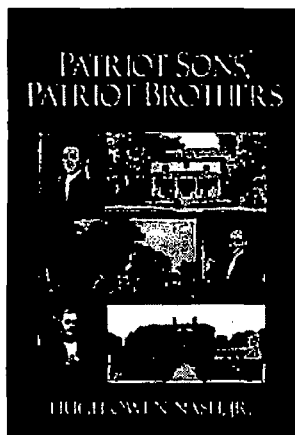


This is a timeline to Nashville's history from 1742 when the city's founder, James Robertson, was born, until 2005. In the early years, the timeline is by year, but in later years daily events are recorded. It is an excellent collection, chock full of interesting facts and trivia about Nashville and its people and places. Old photographs enhance the book and are fascinating to view.

Essays and stories are interspersed throughout. There is a separate index to them, but it does not begin to index all of the excellent information to be found in this publication. Nashvillians and those

with roots in the city will definitely want to add this book to their library collection.

**Patriot Sons, Patriot Brothers**, by Hugh Owen Nash, Jr. 399 pp., appendices, bibliography,



footnotes, index, photographs, 2006. \$29.95 plus shipping from Westview Publishing Co., Inc., 8120 Sawyer Brown Road, Suite 107, Nashville, TN 37221 or [www.westviewpublishing.com](http://www.westviewpublishing.com).

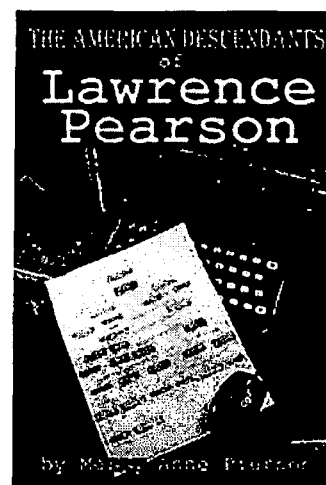
The story of a Prince Edward County, Virginia, family, this book follows the lives of two of the

sons of John and Anna (Owen) Nash. Francis Nash, born in 1742, gave his life for his country and his name to Nashville, Tennessee, among other cities. His older brother, Abner, born in 1740, was a Revolutionary leader, war time governor of North Carolina and a member of the Second Continental Congress.

Extremely well documented, the book includes numerous footnotes and an extensive bibliography as well as a small, but interesting, photograph collection. Interesting reading for most anyone, the book will have special appeal to those with Nash ancestry and/or those living in the Nashville area.

**The American Descendants of Lawrence Pearson**, by Merry Anne Pierson. 705 pp., appendices, footnotes, index, photographs, 2005. \$65 plus shipping from Westview Publishing, Inc., as listed in the previous review.

Born in Rotherham, Yorkshire, England, in 1642, Lawrence Pearson, married Patience Arnold on 8 February 1679/1680 at the Balby Monthly Meeting in Yorkshire. Their son, Benjamin, married Susannah Burbeck and the two immigrated to Pennsylvania, in what is today Delaware County,



between 1712 and 1714 among a large contingency of Quakers. The book is chock full of information on Pearsons and other allied family lines. It also includes material on Lawrence's ancestry, all thoroughly documented with scholarly preparation and a large number of footnotes

A complete and apparently thorough every-name index largely compensates for the lack of an overall numbering system, although one would have facilitated usage for those attempting a quick study of the book. If you have Pearson ancestry, this book is a must-buy for you.

## Search On-Line For Tennessee Library Holdings

Are you looking for an elusive title? Search on-line for books in Tennessee libraries. Hard-to-find and out-of-print books can often be found this way. Some are available via Interlibrary Loan.

To search the holdings of all public libraries in Tennessee, use this url and select *Tennessee Public Library Catalog*: <http://state.tn.us/tsla/>

To search the holdings of major Nashville area libraries, including the universities, use this url and follow the link to *Athena*: <http://www.library.vanderbilt.edu/nala/>

Ask your librarian for assistance in borrowing a book via Interlibrary Loan.



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## *The Journal*

### Policy and Information

Members of the Society are encouraged to submit *unpublished* primary source material of Middle Tennessee genealogical and historical importance to be considered for inclusion in the *Journal*. Data can be in the form of transcribed records, "how-to" articles of broad interest, or historical facts. Family histories that are well documented and pertain to the region will also be considered. Photographs and other illustrations can accompany the article and are encouraged. Sources used should be cited in the submitted material. References or footnotes should be in the form of end notes and placed at the end of the article. *Material should be limited to a published length of approximately five typeset pages.*

Materials should be submitted electronically, and most file formats can be accommodated. Original documents should be transcribed by the submitter. Include your name, address, and phone number or e-mail address on the manuscript. The right to edit material for presentation, grammar, length and form is reserved by the Editor, and all material submitted becomes the property of the society.

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Journal articles are to be sent directly to the Journal editor at the address given under *Journal Submissions* on this page.

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Contact MTGS Journal, c/o Charles Sherrill, Editor, 914 Sunny Hill Rd., Brentwood, TN 37027. E-mail to [casherrill@bellsouth.net](mailto:casherrill@bellsouth.net). *It is important that the instructions contained on this page are read prior to submitting an article.*

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