A History of Madison County
and Incidentally of
North Alabama
1732-1840

By
Judge Thomas Jones Taylor
(1829-1894)

Edited with an Introduction

By
W. Stanley Hoole and Addie S. Hoole
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Thomas Jones Taylor, author of the history which appears verbatim below, was born in Talladega, Alabama on July 2, 1829. When a small boy, he moved with his parents, Mai and Ann Johnston (McCartney) Taylor, to Madison County. In 1850 he married Miss Lockey Thompson Douglass, daughter of John and Catherine Augusta (Nowlin) Douglass, and after teaching school for a few years was in 1858 elected surveyor of Madison County. In January, 1862 he enlisted in the Confederate States Army as a second lieutenant (later captain) of Co. K, Forty-ninth Alabama Infantry Regiment. He was captured at Port Hudson, Louisiana and held prisoner until the end of the war. Upon his return to Huntsville, Madison County, he again served as county surveyor, 1868-1871, and was afterwards elected to the positions of tax collector, clerk of the County Court, and in 1886 probate judge, a post he held until his death on November 12, 1894.1

Judge Taylor’s original manuscript of approximately sixty-five thousand words, written in the early 1880’s, was poorly organized, replete with hand-drawn surveyor’s maps and field notes, and obviously unsuitable for publication.2 Entitled “The History of Madison County,” it rather fully brought the narrative to 1840, then sketchily to about 1870, and concluded with a wordy, rambling autobiography. For publication purposes the manuscript was skillfully edited, reduced to about fifty thousand words, divided into chapters and two parts, and re-titled “Early History...” (twelve chapters) and “Later History of Madison County, and, Incidentally of North Alabama” (seventeen chapters). It was wisely concluded with the events of 1840.3 Whether Judge Taylor alone was responsible for these significant revisions is not known—but it is quite likely that W. P. Newman, the experienced editor of the Huntsville Weekly Independent, was involved. In any case, the shorter and muchly improved version—the one here published in book form for the first time—appeared in that newspaper in weekly installments between August 31, 1883 and May 22, 1884.

Locating and assembling the twenty-nine chapters has in itself been an interesting experience. Unfortunately, there is no complete file of the Weekly Independent for 1883-1884.4 The partial files in the Elbert H. Parsons Public Law Library, an affiliate of the Huntsville Public Library, and The University of Alabama Library yielded only twenty-three chapters. The other six were come upon in a somewhat curious and circuitous manner.

Several years ago the editors secured from Miss Ida Hamner of Attalla,
Alabama, now deceased, a miscellaneous collection of handwritten notebooks formerly owned by her brother, the late Dr. George W. Hamner, a long-time friend and aide of Dr. Thomas M. Owen, first director of the Alabama State Department of Archives and History. Hamner, an ardent collector of Alabamiana, apparently unable to acquire a complete file of copies of the *Weekly Independent* containing Judge Taylor's history, borrowed the papers and meticulously copied each of the chapters in long-hand in one of his notebooks. Had it not been for his labors in thus saving the six missing chapters, this complete version of Judge Taylor's history could never have been published in its entirety.\(^5\)

In his *Bibliography of Alabama* (Washington, 1898) Dr. Owen not only gave credit to Dr. Hamner for his assistance, but also confirmed the fact that the author of the history (which had been published in the *Weekly Independent* as having been written "'By a Reliable Scribe'") was indeed Judge Thomas Jones Taylor. Then he added:

> A native of Madison, being a grandson of an emigrant of 1809 (four years after the first permanent white settlement), a teacher and public official, the writer [Judge Taylor] was eminently qualified for this work. In its preparation he made use of traditions, books, and public records. The style is dignified and philosophical, and the arrangement and method of treatment evidence careful preparation. . . .

> These chapters deserve a better place than the files of a newspaper, and ought to be reprinted.

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2. A typescript of the original manuscript (owned by Judge Taylor's granddaughters [see n. 5, below]) was made in 1940 by WPA workers for the Huntsville Public Library.
3. In editing the newspaper version it was found that Chapters 13-15 of the "Early History..." were reprinted in the "Later History..." Inasmuch as they obviously belong, chronologically, in the latter, they have been deleted from the former, reducing the "Early History..." from its original fifteen to twelve chapters.
4. Rhoda C. Ellison, *History and Bibliography of Alabama Newspapers*... (University, 1954), 85-86. Ellison also suggested that W. P. Newman was editor, although his name does not appear on the masthead of the paper in 1883-1884.
5. The editors are grateful to Mr. Eibert Watson, director of the Huntsville Public Library; Mr. William Sanford, librarian of the Elbert H. Parsons Public Law Library; Mr. James Record, chairman of the Madison County Commission; Mr. Milo B. Howard, director of the Alabama State Department of Archives and History; Mrs. Grace T. Powell and Miss Frances Taylor, granddaughters of Judge Taylor, of Huntsville; Mr. Shelby P. Taylor, grandson, Tarrant, Ala.; Robert G. Jones, great-grandson, Huntsville; and Mrs. Betty Taylor Benson, Madison, Ala., great-great-niece, for their generous assistance in the making of this book. (Four other surviving grandchildren of Judge Taylor are Mrs. B. B. Clarkson, Lexington, Va.; Mrs. C. K. Clarke, Madison, Ga.; Douglass P. Wingo, Birmingham Ala.; and Mr. Gus Wingo, address unavailable.)
Needless to say, the writers consider themselves fortunate in being able to fulfill Dr. Owens' seventy-eight-year-old wish by making available in a single volume Judge Taylor's valuable ninety-three-year-old history. In so doing they have taken the editorial liberty of entitling the work *A History of Madison County and Incidentally of North Alabama, 1732-1840* and of adding as an appendix an entirely separate essay, written by Thomas W. Jones (but believed to have been based on Judge Taylor's work) and published in the Huntsville *Weekly Mercury* on March 27, 1901.

University, Alabama

W. Stanley Hoole and Addie S. Hoole
Judge Thomas Jones Taylor
(1829—1894)
The States of Alabama and Mississippi south of the thirty-first parallel of latitude were included in the charter of General Oglethorpe and others granted in the year 1732. This charter was surrendered to the crown in the year 1752, and the government of the whole was regal until the revolutionary war. In the treaty of 1783 this territory was formally ceded by Great Britain to the United States, and was claimed by the State of Georgia until the year 1802, when it was ceded to the General Government. The United States while claiming the supervision and control of the Indian tribes that occupied this territory, yet acknowledged their claim to the territory occupied by them and ultimately extinguished their title by treaty and purchase. But before the Indian titles were extinguished and before the cession by the State of Georgia, corporations were formed that induced the Legislature of the State of Georgia, during the session of 1795-96, to sell them nearly all of the State of Alabama and Mississippi. As this purchase included Madison county and as the first white persons who claimed a large portion of old Madison county, including the present city of Huntsville, derived their title from one of these corporations, I propose to give a brief sketch of this interesting episode of our early history. There were three of these great land companies and the land purchased had an area of thirty-five million acres, and was the most gigantic land speculation on record. This transaction, known at that day as "The Great Yazoo Fraud," created great excitement and indignation throughout the State of Georgia, and was repudiated and declared null and void by the Legislature of 1796-7. These corporations were known as the Yazoo or Lower Mississippi, the Georgia, and the Tennessee Land Companies, and the whole transactions is set forth in full in the first volume of the laws of the United States. The act of the Georgia Legislature making this grant to the land companies sets forth the right of the State of Georgia to this territory and declares the purpose of this sale to be for the payment of the State troops and for other purposes, and for the better protection of the frontier and for other purposes. The passage of this act was denounced by the people of
the State as an outrage, and the next Legislature was elected to pledge to investigate the great fraud. One of the first acts of the Legislature of 1796-7 was the appointing of a committee of investigation with James Jackson as chairman. This committee obtained ample proof of the wholesale bribery and corruption resorted to in obtaining the passage of the bill by the preceding Legislature, which is as severe a rebuke as was ever given by a Legislative body to its immediate predecessor:

"Resolved That all such proof relating to the fraud and corruption practiced to obtain the act for the disposal of the western territory of the State be entered by the clerk on the journal of the House in order that the testimony so taken may be perpetuated, as well as for the satisfaction of the Legislature and to show grounds on which they proceeded, as to hand down to future Legislatures the base means by which the rights of the people were attempted to be bartered away."

The Tennessee Land Company received a deed over the seal of the State of Georgia and sign manuel of Governor Matthews to a part of North Alabama, including Madison county, with the following boundaries: "From the Tennessee line extending south to the latitude thirty-four degrees and ten minutes and with Bear Creek as its western boundary, thence running east one hundred and twenty miles." It included North Alabama for a distance south of sixty miles and contained over seven million of acres, and in agricultural and mineral resources is among the richest on the continent. Although this transaction was repudiated by the people of Georgia and the sale declared null and void by their Legislature, yet the land companies did not relinquish their purchase, but sold and conveyed these lands even after they had been surveyed by the General Government and patents issued to many purchasers, and the first deeds recorded in Madison county were purchases made from the attorney of the Tennessee Land Company. When Georgia ceded its western territory to the United States in 1802, these companies submitted their claim of title to James Madison, Albert Gallatin and Levi Lincoln, who were the commissioners to consummate the bargain with the State of Georgia for these lands, and asked for relief, and this dispute was not finally settled until the year 1815. In March, 1803 the Secretary of State and Attorney General were appointed a committee of adjustment. The State of Georgia refunded the purchase money to many of the purchasers on the release of their claims to the lands purchased. And by the act of 1803 proof of their purchase was required to be filed in the land offices, except to the claim of parties to lands where the Indian titles had not been extinguished, but the time of filing was extended until March, 1814, when an act of Congress appropriated six hundred thousand dollars of script known as "Mississippi Stock," which was receivable in payment of public lands in the territory purchased by the Tennessee Land Company, which stock was distributed pro rata among the claimants under the land company, and the act declared all claims not filed by the first of
January, 1815, null and void. This stock was receivable in the proportion of ninety-five per centum on the dollar—the five per cent for expenses of surveys being paid in coin. After the year 1815 the few who had not adjusted or filed their claims and refused to vacate their lands were ejected by U. S. Troops, and the government had undisputed title to the lands. While these land companies failed in their magnificent scheme for wealth and power, yet they probably lost nothing pecuniarily, although they suffered in reputation, and that session of the Georgia Legislature terminated the public career of many of the State’s hitherto prominent statesmen and politicians.

The question of ownership of the Mississippi Territory was fully discussed in the volume of land laws compiled by act of Congress of April 27th, 1810. The settlement of these questions involved the extent of States' rights, and these questions were not decided as the United States obtained from the State of Virginia, North and South Carolina and Georgia the cession of all the land from the western boundary of these States to the Mississippi river. But while the claim of Georgia to Mississippi Territory was amicably arranged, yet the Yazoo land claims rendered it important that the Government should set out its title to that territory. A portion of this territory was claimed as a part of the cession of West Florida to the United States. The portion embracing North Alabama was purchased from the State of Georgia. The Indian tribes were recognized as independent communities and their right to remain in possession of their lands, and sell them when they pleased, acknowledged. Then it was a just and equitable provision that all sales of such lands to foreign nations or individuals was null and void—a provision as necessary for protection of the Indians as for the public domain. This principle seems to have been acknowledged by the Indians in their several treaties with the general government, nor was it disputed that, if the right of the Indians to sell was entire, the United States still had the right to forbid any one to purchase. This, however, made all sales of lands in territory where the Indian titles was not extinguished null and void, and hence the decision of the Government to disallow all claims of parties to lands occupied by the Indians, and after the said lands were ceded by the Indians the parties had no claim except occupancy and pre-emption, the same as other settlers at time of survey of the public domain. On question of title the Government decided that its equitable right to these lands was derived from cession by treaty with the Indian tribes. This decision seems right and just, and there appears to have been no instance when the Government has attempted to survey and dispose of any land prior to its purchase from the original owners, who were Indian tribes. In detailing the occupancy and settlement of Madison county this sketch of the transactions of the Tennessee Land Company is deemed essential to explain the first deeds on record in the county, and brings us down to the cession by the Cherokees and Chickasaws, in the year 1807, when Old
Madison was ceded to the general Government, it being the first land in
North Alabama surveyed and sold by the United States and the origin of all
lands tilled in the old county.

Chapter 2 — Indian Cessions

When Mississippi Territory was ceded to the United States in 1802, Madis­
on county was claimed by the Cherokee and Chickasaw tribes. Territorial
limits among Indian tribes were rather indefinite, and while the Chickasaw
settlements were west and the Cherokees east of an indefinite line running
through the present county, yet the old county was a property held in
common—the hunting ground of both tribes and settled by neither. The
relations of the English settlers to these two tribes had been very different
in character. They were both powerful and warlike tribes, and the Chero­
kees stubbornly resisted the encroachments of the whites from the first
settlement of the country until the Revolutionary war. From the settle­
ment of Georgia until that period there was continual trouble with them.
In 1763, Gen. Grant in command of South Carolina militia defeated them in
a hard contested battle, laid waste to their fields, burnt their villages and
compelled them to sue for peace. During the Revolutionary war they sided
with the British and committed many depredations, and in the year 1781
they were defeated by an army under General Williamson. They waged
continual war on the settlers in Middle Tennessee, with whom they fought
many bloody battles, that resulted in their defeat and the capture of their
stronghold at Nickajack (now in Jackson county), and a permanent peace
by the treaty at Hopewell in 1785. The Chickasaws and Cherokees were of
the finest type of their race, and the Cherokees ceased hostilities when they
saw that resistance would result in their extermination. The Chickasaws
were never defeated in battle. Hernando De Soto found it easier in his
march to the Mississippi to go round them than to conquer them and the
French settlers in the Mississippi valley tried in vain to subdue them.
After the French subdued the Natchez tribe, they undertook to punish the
Chickasaws for sheltering and protecting the fugitives that survived. A
strong force under Bienville, the father of Louisiana, and the brave, young
and chivalrous De Artaguette invaded their territory, and De Artaguette,
ailing to form a junction with Bienville, attacked and destroyed two of their
towns, but in an attack on the third was wounded and captured and burned
Indian Cessions

at the stake, and his army nearly exterminated. Bienville was compelled to retreat with severe loss, and in the following year again invaded them with a large army, but instead of defeating them and avenging the death of his comrade, he was compelled to resort to diplomacy and saved his army by a treaty of peace. But while the Chickasaws were the inveterate foes of the French they were faithful friends to the English colonists, and finally relinquished their territory by treaty and emigrated west of the Mississippi. They formerly occupied all the country between the Mississippi and the Tennessee and the Ohio south to the Choctaw country and the country west of a direct line from near the source of Elk river to Chickasaw now Hobbs Island; but in 1807 they ceded to the United States their claim to the territory from said line, which is the east boundary of Old Madison, to a line running from the lower part of Chickasaw Old Fields N. 36 degrees 30 minutes W. to the mouth of Duck river, which was the west boundary of the old county. The Cherokees about the same time ceded to the United States all claim they had to all the territory north of the Tennessee and east of the old county. This territory so ceded by these tribes was triangular in shape with the southern apex east of the southern point of Chickasaw, now Hobbs Island. The western or Chickasaw boundary ran N. 36 deg. 30 min. W., crossing the river twice and cutting off a small slip of Morgan county and coming to the north side of the river one mile below Whitesburg, and from there to the Tennessee line and to Tennessee river somewhere between the mouths of Elk and Duck river. It is a straight line run by a United States surveyor and once plainly marked by blazes on the trees. This line does not appear on modern maps, and for that reason I give a description of its locality. From below Whitesburg it ran N. 36 deg. 30 min. W., running through Lacy's, Wall's, Burton's, Donegan's, Ward's, Matthews's, Langford's, Dublins', Pike's, Pettus' and Davis' plantations, intersecting the present county line north of D. C. Davis's home place and striking the Tennessee line about five or six miles west of the present county line near Pettusville, in Limestone county, including a small portion of the northeastern portion of Limestone county. The eastern boundary of Old Madison commenced at the intersection of the Cherokee and Chickasaw boundaries on I. H. Hobbs's plantation on east side of Tennessee river nearly opposite the southern extremity of Hobbs' Island, running N. 48 deg. 30 min. E. through Dr. Logan's, J. D. W. Smith's and Jackson Lee's plantations, across the mountains, thence through the plantations of Samuel Green and W. O. Carpenter, crossing Flint river at the corner of W. O. Carpenter's farm; thence it continued the same course through Fleming's, McClung's, Debow's and Grayson's to Keel's Mountain and cornered north of Guildford Bennett's. From that point the line is very irregular, but the general direction is a little northeast, passing up
Hurricane creek and running one mile east of Maysville and New Market, running from the latter place N. 16 W. on a straight line to the Tennessee boundary. The county was about twenty-five miles wide on the Tennessee line, about thirty in length, north and south, and, when Tennessee river was made the county line, about three miles wide on the river. It contained an area of 322,000 acres, or a little over five hundred square miles, and was the first land surveyed and offered for sale in North Alabama. In the year 1817 the Chickasaws relinquished, with other lands ceded by them, the southwestern portion of the county west of the Chickasaw boundary, and in 1818 the Territorial Legislature formed the county of Limestone and established the present boundary of the two counties on the western line of range two west, which cut off the northwestern part of the old county of Limestone. About the same time the Cherokees ceded all their territory north of the Tennessee river in this State to the United States, and in 1819 it was formed into Jackson county, having its boundary on the old Madison line to Flint river, which was the line between the two counties down to the Tennessee. In the year 1821 Decatur county was created out of part of Jackson county. This county was very irregular in form, extending from the Tennessee line to the Tennessee river, over forty miles in length and with a breadth of about five miles on the State line, being in some places not more than three miles wide and at its greatest extent not more than twenty-five miles. The county site was at Woodville, but as soon as the State was able to calculate the area of this many-sided county it was ascertained that it did not have the constitutional area in square miles, and it was abolished by the Legislature of 1823-4 and the present line between Madison and Jackson established. This line was to begin where the Indian reservation or the twelve mile square line intersects Paint Rock river, thence it run northwest with the reservation line to the range line on east side of range two east, which it followed to the main ridge between the waters of Flint and Paint Rock, and then followed the dividing ridge between these streams to the dividing line. The county line leaves the range line on the top of the mountain north of the Gurley plantation, and from that time until 1848 the settlers on the mountains voted in the county into which their branches ran, that is, in Madison if the waters went towards Flint, and in Jackson if they went into Paint Rock. In the year 1848 an act was passed by the Legislature for establishing the line, which was done that year by John L. Jones, County Surveyor of Madison, and Walker McCutchen, County Surveyor of Jackson, and plats and descriptions of the survey filed in Montgomery, Huntsville and Bellefonte. The copy for Madison county was lost during the war and the line cannot be traced except by a resurvey, but as the county tract books, furnished by the State in 1852, were made on the basis of the line of 1848, they are recognized as
official authority on the question of the county boundary. In following the dividing ridge in township one, range three east, it makes a curve to the east of nearly five miles, taking in what is known as King’s Cove at the head of the waters of Hurricane creek. This little settlement is completely isolated by the mountain ridges from the rest of the county, and it would be more convenient to them if the line run straight from the ridge east of New Market, making the curve in Jackson instead of Madison. As far as my observation extends, this portion of the boundary is not correctly delineated on any map except Mayhew’s late map of Madison county.

Chapter 3 — First Settlers in the County

It is fashionable to-day, as it has been through the world’s history, to deplore the degeneracy of the present age and to extol the virtues of our forefathers. It is an acknowledged truth that war among other attendant evils lowers the standard of morality, and that civilization and science introduce vices and follies not known to preceding generations. But the transactions of the Yazoo Land Companies involving the reputations of some of the most distinguished men of that day—the ancestors of congressmen, governors and senators—furnish a striking illustration of the truth that the men of a century or centuries ago were swayed and controlled by the same influences as the men of to-day, and that the standard of vice and virtue has neither been elevated or lowered by the lapse of time. History teaches that in all ages of the world there have been men with genius to conceive and energy to execute great and important undertakings, and that they received praise or blame according to the measure of their success. Where the efforts of such men were successful in the development of the world’s progress, they have been classed as public benefactors. But when a lust for riches and power was the selfish motive, then the few flourished at the expense of the many; and it is true that no monopoly or prescription of right ever becomes so strong and sacred as to withstand the opposition of a people when they resolve to repress an evil that has been oppressive and odious. The people of Georgia repudiated the Yazoo land purchase and frustrated the scheme but it took nearly twenty years to eliminate these great corporations and make final settlement of their claims. The motives that controlled the men who figured in this scheme are shrouded in mystery, but while there were doubtless many shrewd,
unscrupulous men among them who embarked in the enterprise as a spec-
ulation, there were also men in the enterprise of high character, men who
had fought gallantly against the English and Indians and were no doubt
honorable men and true patriots. These old veterans were of heroic mould,
many of whom had suffered much from Indian depredations and had wit-
tnessed the atrocities of Indian warfare and had but little conception of an
Indian’s rights, and an enterprise involving the driving of the Indians west
of the Mississippi and the relieving of their native States from future en-
croachments, by pushing the white settlements westward, had great
attraction for them. The idea of the sovereignty of the States in that day
was paramount and but little power conceded to the general government.
If the enterprise had not been repudiated by the people of the State of
Georgia, serious complication with the Federal Government might have
arisen. But when Georgia ceded these lands to the United States both
State and Federal authority were arrayed against these corporations and
they had to submit to terms.

While we have no record accessible of exploration and survey of the
“great bend of the Tennessee” by the Tennessee company, yet soon after
their purchase from the State of Georgia and at the beginning of the pres-
tent century, while the Indians still claimed the country and occupied it they
divided it into townships and sections or lots and placed it in the market.
The sections or lots contained one thousand acres each, but I cannot ascer-
tain how many of these sections were in a township. It is said that the
company sold these lands on credit of one, two, three and four years, equal
installments of the purchase money being paid annually to time of last pay-
ment without interest. It is probable that the sales made in this county
were about the year 1805 or 1807, as the deeds were recorded in the years
of 1810-11, and are the first records of deeds that appear on our deed
books, antedating all titles except the first patents issued to a few of the
earliest purchasers of the public lands. The oldest of these deeds is to
Martin Beatty in the year 1808, for one thousand acres in a square and in-
cluding the Huntsville Spring and nearly all of the city, the consideration
being one thousand dollars. Conveyances were likewise made to Freeman
Jones 450 acres, William Campbell 640 acres, Gideon Harrison 200 acres,
Daniel and Joseph Harrison 200 acres, and to Henry L. Sheffey ten thou-
sand acres, all of which sales were made at the rate of one dollar per acre.
The last of these deeds bears date of record in 1811, and is recorded after
the survey and sale of part of the land described by the United States. This
last sale was to Martin Beatty and Benjamin Estell and included an area of
forty thousand acres, from which however, were excepted the tracts first
above mentioned and some others, involving an area of over thirty-four
thousand acres, at the rate of one dollar per acre. This tract commenced
First Settlers in the County

one and a quarter miles west of the mouth of Flint river at the corner of a township, ran north passing one mile east of Huntsville up to near the south boundary of township three east, thence westward nearly four miles, thence south to a point west of Huntsville, thence east one and a quarter miles, thence south to Tennessee river, and was one of the finest bodies of land in the South, and the claim to this land under this deed was settled by the general government as the titles of other claimants were adjusted.

Who first settled in Madison county is a debatable question. It is generally conceded that John Hunt first came to Huntsville Spring in 1805 and brought his family here in that or early the next year, and that he made the first settlement at the Spring is not doubted. But it is not clear that the first settlement in the county was at Huntsville, and it has been disputed by good authority. It is claimed that old man Ditto was at Ditto's Landing, or Chickasaw Old Fields, among the Indians a year or two before that time. I once had in my possession a pass to John McCartney from Alexander McGilvary, son of the famous Creek chief of that name, dated in the year 1805, permitting him to pass through the Creek nation from the north boundary of Alabama to Florida, and it is said that he had come from Georgia to this county and was living in it near the Tennessee line when this permit was given. His family and the McGilvary's were old neighbors in Scotland and were on very friendly terms, and there does not seem to be any doubt that he was living in the county at that time. Old John McCartney died on Briar Fork some forty years ago, but his two daughters, both well advanced in years, occupy his old homestead. Joseph and Isaac Criner and Stephen McBroom explored the northern portion of the county in 1804, and the Criners built a house near Criner's Big Spring on Mountain Fork, which they claim was built in the spring of the year 1805, and before John Hunt built at Huntsville. Isaac Criner died at his home on Mountain Fork six or seven years ago at the age of ninety-two. He was a man of high character and of undoubted veracity, and his story of the first settlement of the county that I heard him tell many times is in substance as follows:

He says that in the early part of the year 1805 he and his brother Joseph came to Mountain Fork and put up a cabin for Joseph Criner's family and then one for himself. Shortly after they had erected the first cabin John Hunt and a man named Bean came to their house and spent the night and stated they were in search of the Big Spring, and that night his brother's wife baked bread for them and the next morning they continued their journey. In a week or two Bean returned and stated that he preferred the country on what is now known as Bean Creek near Salem, Tennessee, and would locate there, but Hunt was going to locate at the Big Spring and would go to East Tennessee for his family. Mr. Criner said he did not know at what
time Hunt brought his family to the Big Spring, but thought it was during that year. At that time the whites had extended settlements from Nashville south to the neighborhood of Winchester, and his recollection was that during the year 1805 several families north of New Market came into Alabama, among whom were the Walkers, Davises, McBrooms and Reeses. It appears that several settlements were made in the county during the year 1805, and as far as Mr. Criner knew his brother’s cabin was the first built in the county and it was built several weeks before a settlement was made at the Huntsville Spring. In the absence of dates it cannot be ascertained in what order of time these settlements were made. The whole county was an unbroken wilderness, the settlements were many miles apart and the pioneers seldom saw each other and took no trouble to ascertain the precise time of each other’s coming. The first explorers of this region pronounced it a goodly land, and by the year 1806 the emigrants began to come in large numbers from Middle and East Tennessee and Georgia.

The first settlers were typical pioneers, men trained to battle with the wilderness and pave the way for civilization. Between the years 1805 and 1809 a large emigration set in from Virginia and Georgia of a class wealthy and cultured, who came here with their slaves and made large purchases of lands at the land sales in 1809, and this class of settlers soon outnumbered all others and furnished the leading element in the new county. When Madison county was created in 1808 by proclamation of Robert Williams, Governor of Mississippi Territory, the population was near five thousand; by the census of 1816 it was ten thousand whites and four thousand slaves, and when the State of Alabama was admitted into the Union, in 1819, the population was near twenty thousand—over half as many as are in the county at the present time.

Chapter 4
Settlement by Pioneers, 1805 to 1809

The “great bend of the Tennessee” includes the counties of Madison, Jackson, Lauderdale and Limestone. The Tennessee river crosses the thirty-fifth parallel of latitude about ten miles northeast of Bridgeport and turns southwest, reaching its extreme southern point near Guntersville, at a point about forty-two miles due south of the Tennessee line, and then
turning northeast again enters Tennessee at the northwest corner of the State some ten miles down the river from Eastport. The distance from the Huntsville meridian along the Tennessee line to Mississippi is about ninety miles, and from the meridian westward to the river is about fifty miles, and from the river to the Georgia line, at the corner of Jackson and DeKalb counties, ten miles. The great bend on the Tennessee line is one hundred and forty miles wide from entrance to exit of the river and its greatest extent southward is forty-two miles. Madison and Limestone counties occupy the middle portion of this territory, extending from the river to the State line. The early settlers of North Alabama were men who had fought the Indians in Western Georgia and Middle Tennessee and were inured to the danger, privation and suffering of pioneer life, but when they came to Alabama they found a land of peace. Though nearly surrounded by savage tribes; yet there was never any war or disturbance in Madison county. While there are vestiges showing the occupation of the county centuries ago by a people probably coeval with the moundbuilders of the Mississippi and Ohio, yet the testimony of the first explorers of this region proves that, with the exception of settlements on the Tennessee river, Madison county when occupied by the whites was not inhabited by the Indians. Though the line of the hunting grounds of two powerful Indian tribes ran through the county, yet neither history nor tradition shows that any battle was ever fought on this territory. The white settlers that came here in 1805-6 were never molested by the Indians, except sometimes they drove off horses they found in the canebrakes, and I have heard Mr. Isaac Criner say that in 1806 the Indians carried off the horses belonging to him and his brother, and they made a journey through the wilderness to Gunter's Village, now Guntersville, and their property was found and restored to them.

The Chickasaw cession extended the dominion of the whites from the Tennessee settlements on Duck river to the Tennessee river, but southwest and east of the old county lay the Indian territory. South of the mountains were the creeks—always hostile and troublesome; but it was the middle and southern portions of the State that suffered from their encroachments. In the Indian war, instigated by Tecumseh and his prophet brother, considerable apprehension was felt that proved groundless, as our near neighbors, the Chickasaws and Cherokees who did not remain neutral, took part with the whites. The early settlers say that the county was an Indian hunting ground, that the Indians visited it in autumn and returned laden with game to their settlements on the Tennessee as winter set in. Their narrow trails could be plainly traced from the upper valleys of Flint and Hurricane to the Tennessee, and when the hunting season arrived they could see the smoke from their camp fires rising down the valleys, and to the present time their camping ground can be located by the stone arrowheads and hatchets scattered over the fields.
The pioneers who first settled the county originally came from North Carolina and Virginia, and moved along the borders of civilization into Western Georgia and Middle Tennessee, and when they finally crossed the Tennessee line into the great bend of the Tennessee in North Alabama, they were enthusiastic in their praises of the beauty and fertility of the country; and those who were attracted to it by the glowing account of its wonders said the half had not been told them. We of to-day appreciate the beauty of our mountains and valleys, our clear and sparkling streams and the magnificence of our primeval forests, but we can form but a faint conception of this region before its beauties were marred by the encroachment of civilization. Our forests have been so despoiled and disfigured that we seldom see anything that gives us an idea of their splendor at the time when they were unbroken, from the Tennessee line to the great river. In the cool and secluded valleys along the county line mountain ridge we see the forests in their native splendor, and can imagine the appearance of our mountains and valleys when covered by those giants of the woods. Our ancestors believed it to be the finest region ever trodden by the foot of man, and, judging from what we know of the county to-day, we can understand and appreciate their love and admiration of the land where many of them were content to cease their wandering, in the belief that they had at last reached their land of promise. Though considerable allowance is generally made for old settlers' and hunters' stories, yet to those who have studied the topography of the Tennessee valley and have calculated the wear and tear of seventy years' occupation and tillage, their accounts of the wonderful beauty and fertility of the country will not appear exaggerated. The early settlers said there was a great quantity of fish and game. Our water courses, clear as crystal, teemed with trout, bream, red-horse and salmon. Great droves of stately, bronze-breasted turkeys roamed in the forests; vast flocks of pigeons, feeding on the abundant mast, darkened the air, and the trees were alive with gray and red squirrels; deer were abundant on our mountains, bears inhabited the canebrakes in the river bottoms; wild geese and wild ducks of a dozen varieties haunted our streams and ponds during the winter season. The lands, once cleared and fenced, with little labor yielded a generous support to man and beast. The winters were so mild and forest food so abundant that cattle and hogs required but little care and multiplied rapidly. The air was salubrious and the country healthy, water was abundant and pure. Like most well timbered regions the seasons were regular. Drought nor blight never visited the crops, and at the beginning of each successive season the farmers felt reasonably certain of an abundant harvest, because experience had taught them that a good crop could be safely calculated upon.

From the year 1805 to 1809 the settlers as a general rule were men of
moderate means, who came here to win a home and shelter for their families, where lands were cheap and the soil fertile, and up to 1809, when the public lands were surveyed and offered for sale, they were what has since been known as squatters on the public lands. When the public lands were surveyed, many of these pioneers were able to purchase their homes, and before the close of 1809 the ancestors of a large number of the best of our citizens were permanently settled on lands now occupied by their descendants. The pioneer period of the history of the county extends from 1805 to 1810, just five years, and in the chapter on survey and sale of the public lands the records will enable me to give the names and location of many of the early settlers.

Up to the close of the year 1809 a population of nearly five thousand was in the old county limits, but with few exceptions the population was of the pioneer type, generally a poor and honest race, simple in their manners, living peacefully, without government or laws. But the stories of the beauty and fertility of the county began to attract a more cultured and wealthy population from the old States who developed the luxury and refinement of their former homes. The tide of emigration flowed steadily in this direction. Slaves were brought here in considerable numbers, the lands were opened for cultivation, good houses were erected, money became plentiful, and with it its accompanying wants and luxuries. The simple pioneer either accumulated property and was transformed into the wealthy and progressive citizen, or became disgusted with the smoke of his neighbor’s chimney and moved westward in the front of civilization. It is to be regretted that the chronicles of pioneer life within our borders are so meagre, and that we know so little of the habits and characters of our ancestors. Many of them had led lives full of adventure and peril; first fighting in the revolutionary war, then battling with the savages on the frontiers, and finally resting free from toil and danger in the peaceful valley of the Tennessee.

The children of half a century ago have probably heard their ancestors relate their thrilling stories of frontier life, the march across the mountains into Tennessee, their daily conflicts with a subtle, savage and merciless foe, the tilling of their fields with guns in easy reach, the warning of danger, the retreat to their block houses, and the defeat and driving away of their herds from the meadows and rushing to their burning cabins, they would hasten to the rescue and find the mutilated bodies of kindred and friends, and then came the rapid pursuit of the wary foe, the surprise, the rescue of captives and slaughter of the savage plunderers and murderers. It was a fitting recompense for their toils to have reached at last this haven of peace and looked upon it in its primeval beauty, to have owned and occupied it in a contented old age, and to have left the wilderness, which they
made to blossom as the rose, a heritage to their children and their children’s children forever.

Chapter 5 — Pioneer Life

Before taking up the survey and settlement of the county in the year 1809 I propose to notice briefly the life of the settlers previous to that period. Living as we do in an age abounding in the comforts and conveniences of modern civilization, it is difficult to form an adequate conception of the privations and hardship encountered by our fathers who colonized Madison county. When we consider how much of their time was occupied in obtaining many of the absolute necessities of life, we cannot but wonder how they accomplished the work of clearing the lands and improving them. From the year 1805 to 1809 cultivation of cotton had but just commenced; there was but little money in circulation and transportation of supplies of all kinds laborious and difficult, and the relation of their difficulties in obtaining articles of common use and necessity would form a long and interesting article.

In settling a new country it readily occurs to us that bread and salt, powder and lead and clothing of some kind would be indispensable. During the first year, when far from other white and Indian settlements, they had to bring corn and salt on pack horses through the wilderness. The first settlers near Winchester went to the mill near Shelbyville for bread the first year, and the first settlers in Madison county had no mills nearer than the neighborhood of Winchester. In those days this involved a tedious journey, and frequently the settlers would be without bread or salt for many days—subsisting on jerked venison. But they made it an object the first year to plant and cultivate a corn patch and raise corn for bread. But there were no mills convenient for the first two or three years, and each well regulated family constructed a hominy mortar by burning or digging out a large bowl in the end of a large stick of hard, tough timber, in which they pounded their corn by the use of a large pestle worked by a sweep, and many families inconvenient to mills subsisted for many years on bread pounded in these mortars. Clean wood ashes were easily procured, and after they raised a corn crop lye-hominy was a favorite substitute for bread, to the excellence of which as an article of food many of the present generation will give willing testimony. Bread from wheat flour was seldom seen,
as the roads to Tennessee and Virginia were not yet opened. For many years little or no wheat was raised in the country and when the county had largely increased in population flour was brought down Tennessee river in considerable quantity, and Ditto’s Landing was the rendezvous for the flat boats that supplied the county, and a flour inspector was appointed at port of entry to inspect grade and stamp the flour offered for sale. Parched corn was the portable food of the explorer and hunter, on which, with the game found in the forest, they were content to subsist on their hunting and exploring excursions. Of meat, they had great abundance and a variety of fish, flesh or fowl, but were frequently troubled about salt, which first was brought from Nashville on pack horses, then from Virginia in wagons, and finally down the Tennessee on flat boats, thence over the county in wagons. After boats were used in carrying cotton down Paint Rock and Flint rivers salt was frequently brought back, though it was hard work propelling the loaded boats against the current.

Iron was scarce and dear, and many of the first houses built did not have a particle of iron used in their construction. The doors swung on wooden hinges and were fastened, if fastened at all, with wooden locks. The floors of the rooms were dirt or made of puncheons; the boards were laid on the roof and held fast by weight poles laid on each course, the lowest pole pegged down and the others separated and kept in position by timber pieces between them. They dug their breadtrays and turned bowls and tableware out of the buckeye, basswood and other soft timber, but some more pretentious made a display of pewter table service. China and delphware was not in use, and the neat housewives scoured their pewter plates until they shone like silver and set them edgewise on shelves across which a slat was pegged against which they leaned, where, when tastefully arranged, they made quite a showy display. The tinkers, a profession now obsolete, traveled from house to house, repaired and mended the family pewter and received in payment a little money and a great deal of barter in the way of family supplies. At first they depended on game for a supply of meat which was shot or trapped, and in every family were two or three good steel traps. In hunting the old-fashioned long rifle with flint lock was the universal weapon, shot guns or shot were not in use, and as lead was essential they never wasted it and generally managed to keep a supply. Powder was also scarce and dear, but the settlers when they could not buy it were equal to the emergency. Sulphur was easily procured and they constructed hoppers in the mountain caves and made saltpetre. They burned willow for charcoal and made gunpowder. Though it may not have been as good and reliable as that made at the present time, yet it answered their purpose. These men were very expert in the use of the rifle, and it was not considered an extraordinary feat to bring down a deer at full speed at a
distance of seventy-five or eighty yards. And these same men, without discipline or military experience, drove back with immense slaughter at New Orleans the veterans fresh from their victories over the French in Spain and Portugal.

When our forefathers located in this county they depended largely on dressed buckskin for clothing. From it they made covering for their beds, garments of every description, moccasins, sacks and hunting pouches, and it was cut into thongs for sewing purposes and twisted into ropes. Many of the families had their little flax wheels—now so seldom seen—and sowed flax that grew finely, and made cloth from it of excellent quality, and we occasionally see now table and bed linen of fine texture and snowy whiteness made by these women seventy years ago. Cotton was soon introduced, patches were planted for spinning purposes and the old spinning-wheel and cards, the loom and winding-blades and reel were soon after common in every settler’s house. As there were no gins to clean the cotton, the family in the long winter evenings would pile it before the fire and all hands would clear it of the seed by picking them out with their fingers, and in this way they would prepare enough of the snowy fabric for a year’s supply for the wheels and looms of the family. Suspended from pegs inserted in the walls of the room were usually to be seen great festoons or bunches of “hanks” of homespun thread ready for warping, bars and loom, and the cloth made from this material was heavy in body and almost impervious to the assault of the bushes and brambles with which the wearers came in daily contact. From the bark of various forest trees and by the use of copperas and indigo and madder this cloth was dyed in a variety of colors. Calico was almost unknown and was worth fifty cents a yard, so common folks did not wear it, but the young ladies wore homespun dresses and buckskin moccasins, and it is currently reported that they looked as charming and attractive in their plain and homely garb as their lovely descendants of the present day in their elegant silk and satin costumes.

House furniture was of the rudest character. Shelves were used for presses and cupboards, their dining tables were made of puncheons, their cabins were without glass in the windows, their cooking utensils were few in number; tallow and rosin and beeswax furnished them light. First they used bear’s grease in their lamps which were home made, but when cattle became common they had moulded or dipped tallow candles with a cotton wick. In summer they retired early and seldom used a light except in sickness. In some places they would construct a cotton wick fifteen or twenty feet long, dip it in beeswax and rosin, wind it round a corn cob and draw the wick through the aperture made by burning out the pith of the cob and pull it up as it burned, making a taper that lasted for a long time. In these primitive times houses were generally small and families generally large,
Pioneer Life

Chapter 6
Survey and Sale of Public Lands in 1809

In the year 1807 the general surveyor for Mississippi Territory was authorized to contract for the survey of public lands in his jurisdiction to which the Indian title had been extinguished. A small portion of the State in the county of Washington, including the old town of St. Stephens, had already been surveyed and offered for sale, but Madison county was the first land surveyed in North Alabama. The survey of old Madison was reported to the Land Office in the month of May, 1809, and the lands were offered for sale in August of the same year. The first work done was the survey of Huntsville meridian from the State line to Tennessee river. With the exception of the lands in range two east, surveyed by Pharoah Roach, the old county was surveyed by Thomas Freeman, of Nashville, Tenn., and considering that he used the ordinary vernier compass, his work was well performed. The point of beginning was where the rude trail from the Tennessee settlement on Elk river crossed into Alabama, and the basis meridian crossed the mountain spurs only in two places, one five miles north of Huntsville and the other eight miles south. There was a small settlement along this line at old Hazel Green, Meridianville and Huntsville. There was a considerable settlement on Flint river, extending from the Three
Forks down to old Brownsboro, and there were many settlers in the Hickory Flat region from the State line down to New Market. Of the four or five thousand people in the county, not a man had a title to a foot of land and many of them had been anxiously awaiting an opportunity to secure the homes they had located in the new country. To give the names and location of these old pioneers will be the subject of a future chapter. I have been strongly impressed, in the work of obtaining the annals of these pioneers, with the number of the forefathers of the present citizens of the county who came here at an early date, and whose families down to the present generation have remained on the same lands purchased by their fathers from the year 1809 to 1812. But the names are so numerous that to give a full list of these early settlers and their location would exceed the limit of these sketches, and I propose to confine myself to the first year of the land sales. Many eminent men who figured prominently in our State history came here some years later and will be mentioned in the biographical portion of this history. Many of these early settlements had come here previous to the year 1809; while others came from Georgia, Tennessee and Virginia and other states in 1809, purchased lands and brought their families to the new territory.

The great bend of the Tennessee had a wide reputation in the older States, and the lands of old Madison being the first offered for sale were eagerly sought for and rapidly taken up and occupied by a class of settlers who were in intellect, enterprise and energy the peers of any on the continent. While a large number of them were content to settle permanently in the county others sought new fields of enterprise, and as other parts of the State were surveyed and offered for sale pushed southward, or sent their children to seek their fortunes in newer portions of the State. And these young men, worthy representatives of their ancestors, furnished all portions of the State with material from which were developed many of its most distinguished representatives in its legislative halls, in the pulpit and the forum.

I have stated that all the lands owned in the county were purchased from the government, and I will now state the manner in which the lands were bought and the government deed or land patent obtained. Most of us have seen these old parchments among our grandfathers papers or stowed away in the Land Office, ornamented by the United States seal and bearing the names of the old Presidents from Madison down to Andrew Jackson. The older of these patents generally certify that a certain person therein named had paid for a quarter or half section of land to which the United States gave a fee simple title. When the lands were sold the purchaser who could pay cash got eight percent discount on deferred payments, but they could be purchased by paying down three dollars for each quarter section and
five dollars for each section, one-fourth in sixty days and the balance in one, two and three years with interest at six per cent., and an additional year was allowed them to complete the payment of the purchase money. At the end of the year of grace if the land was not paid for it was forfeited to the government, and the purchaser lost the money already paid. Two dollars was the minimum price, and the cash purchaser at this rate got his land at about one dollar and seventy-five cents per acre, while those who purchased on credit paid about two dollars and twenty cents. While many tracts brought a much larger price, yet the larger portion of the lands at the sales in 1809 were sold at the rate of two dollars per acre, and large tracts were sold to speculators at this rate. A considerable number of the purchasers were not able to make the payments, and either relinquished their lands or made terms with capitalists and assigned their claims, retaining a portion equaling in value the money they paid on their purchases. The Land Office was at Nashville, Tenn., with Gen. John Brahan register, and the settlers had to make a journey to that place to buy the land, and as the journey had to be made on horseback traveling was lively, and inn-keepers along the line of travel drove a thriving trade, and a well defined highway was soon made from Nashville to Tennessee river. This road ran through this county near its present location, and as it passed through an exceptionally good region of country the lands were soon taken up on each side of this road, and there was at the beginning of the year 1810 a chain of settlers from Barren Fork of Flint river nearly down to the river at Whitesburg. Out west of Huntsville there were but few settlements, but east towards the Cherokee line out to the boundary and down the old Cherokee trail, now known as the Deposit road, between the waters of Flint and Hurricane from near the State line to Brownsboro was the most thickly populated portion of the county, as the pioneers had been moving south from the neighborhood of Winchester from the year 1805. This settlement was connected with the Huntsville and Meridianville colonies by a line of settlers both sides of the Winchester road from Connally to the Three Forks of Flint and along the old Bellefonte road from Brownsboro to the McHam place, and the mountain separated them from the settlements in Powers Cove, which was nearly all taken up in the year 1809. Across the mountain and about the Big Cove and Cobb’s ford, old David Cobb, at Cobb’s ford, and John Grayson, on the present James Grayson place, were the only persons who, in the year 1809, located land east of the mountains.

The year 1809 was, in many respects, a remarkable era in the history of the county. Besides the survey and sale of the public lands during that year and the location of many citizens who for over a quarter of a century were prominent in our State and national assemblies, by an act of the territorial legislature the laws of Mississippi Territory were extended over the
new county, and from that year we date the establishment of organic law. Though our people were peaceable and orderly, yet up to that time there was no recognized government, and the different settlements had taken measures sanctioned by the people for their protection against lawless and unprincipled men who are always found in new countries. For the enforcement of law there was in every community an organization known as "Captain Slicks' company (I have been unable to ascertain where the name originated) who were the conservators of the peace. Whenever a man became notorious as a counterfeiter or a horse thief he received a notice signed by "Captain Slick" to leave the country in a certain number of days, which order was usually promptly obeyed, because he knew from experience that if found in the territory after the time stipulated he would first receive thirty-nine lashes on his bare back well laid on, and in case he still proved refractory that he would probably have both ears cropped and a brand applied to his cheek or the palm of his hand.

The settlers by the rigid enforcement of their back-woods criminal code had been able to afford adequate protection to person and property, but were naturally desirous to turn over this unpleasant responsibility to regular officers of the law, and the extension of the Territorial laws into the county was not only gratifying to the people, but also offered an additional inducement to emigration from the other States, where regular law was in force. At this time the Governor appointed nearly all officers, and under this act justices of the peace and constables were appointed for the county also five justices of the quorum, an office now represented by the county commissioners, clerks of the superior and county court, a sheriff, recorder, treasurer and revenue officers, and all of our courts were regularly organized in the year 1810. The history of the organization and development of our courts of law is very interesting and will probably form the material for several chapters of this history.

While from the first settlement in 1805 to 1809 there was but little written about the county and its history is taken from oral traditions handed down from generation to generation, yet from the latter date we have a copious source of information from the county records, and from that time the main difficulty is in making a judicious selection from the great variety of material presented. From the year 1809 we deal with facts attested by written evidence, and generally of matters of local interest to our people. I have in my preceding articles traced the progress of the county up to the purchase of its lands and the organization of the county under the territorial laws, and I propose in my next article to take up its history as a county regularly organized and governed by municipal law.
The emigration to the county to 1809, and for sometime afterward, came in from the direction of Winchester, crossed into the county, near its north-east corner, and followed the Cherokee line down Flint river, to Brownsboro. The fine water power at Flint bridge attracted many settlers, and Bennett Wood entered the lands from the Three Forks down to the Bell Factory, with the intention of erecting a mill thereon. Though John Hunt had made his way from the New Market country, through the wilderness to the Huntsville Spring, and many had followed the path marked out, yet the larger settlement was along the general line of travel, by way of New Market, to Flint-bridge, and thence down the old Deposit road to the Brownsboro neighborhood. The emigration was not diffused from Huntsville, to other settlements. Huntsville was reached by two lateral lines of travel, one diverging at Flint Bridge, and the other from Brownsboro. North of Connally’s to the Tennessee line was in the wilderness, when the old Winchester road was opened and generally traveled and settlements frequent on both sides. The strong tide of emigration down the Meridian road commenced at the land sales in 1809, when the citizens of Williamson, Bedford, and Maury counties made purchases in the new territory, and sought a direct route to their new homes via Fayetteville, which resulted in establishing that route as the road from the new county to Nashville, until 1811, and this, carrying many of our people thither from Huntsville laid the foundation of the close business relations between the two places, which to-day remain unbroken. But the important highway at this time was the “Natchez Trace,” afterwards known as the military road; it is known in this county as the Limestone road, and the right of way had been conceded by the Chickasaw, and Choctaw Tribes, in 1805, when the Capital of Mississippi Territory was at Natchez. It was the National road from the Tennessee to the lower Mississippi Colonies, and the troops from Tennessee, and Alabama, traveled it when they went to the defence of New Orleans. Crossing the basis meridian at old Hazel Green, that place, at an early day became the site of a flourishing settlement. In the year 1809, Wallace Estill entered the quarter section of land where Cumming’s Mill now stands, and soon afterwards built the first mill at that place. From Estill’s down to the Limestone road, Samuel Allen entered the land on both sides of the road, extending eastward across Barren Fork, taking up about two thousand acres of the best land in that fertile region. Charles Cabaness located at the Power’s Spring, now Underwood’s, but he, also, with other purchases, entered the old Tate place, west, above Hazel Green, and built the first cotton factory in the county, on Barren Fork, in section eight. Near the Limestone road, eastward, Stephen Griffith, entered the Sulphur Spring, and Nathaniel Power the Superier Goodner place, and in the same
neighborhood, Reuben Ellis and Daniel Childress located. Hezekiah Ford entered the land near the Junction of Mountain Fork and Barren Fork, and built a cotton factory at an early date. Thomas Freeman entered the Sledge Farm, and across Hesters Creek were James Walker, at the Spragins Place, Samuel Davis, at the Old Word Place, and Elijah Franklin, on the lands now occupied by Wilson Reeves, and Joseph Mason. There was a line of settlers along the Limestone Road from Old Hazel Green, east to the Winchester Road, and the settlements along that road, extended from New Market southward. At, and near New Market, were Garland Miller, and Wm. Stidman, west of the main street, and George Smith, east of it, with Laban Rice on John P. Whitman’s place, and Jacob Broyles, near where W. N. Davis now resides, and Hezekiah Bayless, at Jno. A. Fanning’s. Bennett Wood, Wm. Haughton, and Charles Kennedy, occupied the lands from Flint Bridge to the Bell Factory. James Douglass entered J. M. Jones’ place, and the Wilsons, the Fariss and Jourdon places. Stephen Kennemore entered the Geron place to the Jordon line, and on the John Rigney place was James Hamilton, who commanded a company in the war of 1812. Levi Hinds entered the Old Rigney Place, still owned by his descendants. John Derrick, and Ebenezer Byran entered the land at Maysville, Charles McCarrey, where Brownsboro depot now stands. Jehu Lawler, and George Taylor, located near the bridge, on the Bellefonte Road, and John Lamberson, Alfred and Solomon Massengale, John and Nathaniel Moon, and Sam Wilson, and John W. Hewlett, west of the river, from Brownsboro, and Levi Byram, the southern limit, on Allen Sanfords place. Coming south from the Limestone Road, along the Old Hazel Green Deposit route, Thomas McCrary, John Wright, Charles Sullivan, and James Christian located, and Jacob Pruitt entered a large body of land, reaching from Moose’s Mills, nearly to Meridianville. From Flint Bridge, towards Huntsville, Wm. Moore, Nathan Strong, James Roper, Matthew Weaver, and John R. B. Eldridge lived. Down the Meridian Road, the land was taken up in large bodies. Robert Thompson, and Thomas Bibb entered nearly all the land in sections west of the road, from Brier Fork to Meridianville, and James Manning and B. S. Pope, south to the Strong Homestead, and on the east of the road was John Lowry and John and William Watkins. Out along the line of the western road from Pope’s, J. T. Powell, Richard Harris, and Rowland, Cornelius, and others settled. From Strongs to Huntsville, John Connally, David Humphrey, Peyton Cox, John W. Walker, Chas. Cabaness and Hugh McVay, entered. Out towards Russell Hill, George Delworth, Edward Ward, and John Allison, located lands; and east of Huntsville, in Power’s Cove, Charles Cabinless, Moses Vincent, and Allen Christian lived. Parrot Steger, entered B. F. Wiley’s place, Frank Harris, Henry Harris, and William Rountree, McMahan’s, and Moore’s
plantations, and John, William and Jacob Derrick, entered large bodies of land, scattered along from R. J. Kelly's, to Hurricane Bridge, on Belle Fonte Road. South and west of Huntsville, many purchases were made in 1809, by ancestors of our present people, among whom were Dr. David Moore, Andrew, and Jacob Sibley, Joseph and Samuel Acklin, Robert Lanford, John Withers, William Lanier, Archie McDonnell, Daniel Carmichael, James and Andrew Drake, Presley McLemore, John and Wm. Blevins, William Simpson, Wm. Robertson, Henry Haynes, and the Turners, many of whom are still remembered, and their old homesteads known. Large bodies of land were entered for speculation, and Petersburg, Georgia, is remarkable for having been the former residence of a large number of the heaviest purchasers of public land. James Manning, Robert Thompson, Leroy Pope, John W. Walker, Thomas Bibb, and William Bibb, and Peyton Cox, were all from that town, and probably purchased nearly one half of the lands sold in the year 1809, and all were for a long period of time prominent men in the county. Of other heavy purchasers Charles Kennedy was from Pendleton District, South Carolina; Bernet Wood, from Williamson county, Tenn., Charles Cabaniss, from Laurensburg county, Virginia; Samuel Allen, and Jacob Pruitt, and William Robertson, were living in the county before the land sales. David Cobb, at Cobb's Ford, and John Grayson were the only settlers in the Big Cove, who purchased lands in the year 1809; but the Wrights, Brazeltons, DeBows, and Childresses, and Peeveys were living in that country before that date. The settlement of the South-western portion of the county, west of the Chickasaw line in 1818, and of New Madison, east of the Cherokee line, in 1830, will be taken up in their regular order of time. During the year 1810, there was but little land located in the county. Among the familiar names who entered lands in 1810, were Joseph Burrus, and James Copeland, who entered the Shelby and Davie plantations, on Copeland's creek, and also Robert, and William Hancock, Nathaniel Wyche, John Seay, Ransom Fowlkes, Wm. Petty, James Poor, and Robert Walton, John Bayless entered the Sanford-Bayless homestead on Flint River and Fleming Jordon, the Russell J. Kelly homestead. Thomas Brandon, and Nicholas Reedy entered Henry Motz's farm, and John Baker, the Holding brick house tract, below McDonalds, on Baker's creek. In this year J. H. Posey, C. C. Clay, and Gabriel Moore made their first purchases of land in Madison county; Gabriel Moore locating the old Moore homestead, west of the brick school house, Judge Posey, north of Huntsville, and C. C. Clay, a quarter section of land, south of Andrew Drake's, in Drake's Cove. Another act of the Territorial Legislature, dated Dec. 23, 1809, appropriately closes the chapter of events for that year. It is in substance as follows:

"That William Dickson, Edward Ward, Louis Winston, Alexander
Gilbreath, and Peter Perkins, of Madison county, be appointed Commissioners for the purpose of fixing on the most convenient place for establishing the public buildings in the said county and they or a majority of them shall have power to procure by purchase, or otherwise, not less than thirty, nor more than one hundred acres of land, at the most convenient, and suitable place, for the erection of the public buildings aforesaid, which tract of land, when obtained, by purchase or otherwise, as aforesaid, shall be laid out in half-acre lots, by the Commissioners aforesaid, reserving three acres, upon which the public buildings shall be erected and be sold at public auction on twelve months credit, and the money arising therefrom, (after paying for the land aforesaid, if the same shall be purchased,) shall be applied by said Commissioners towards defraying the expenses of erecting the public buildings of said county."

Section 2, says, "That the town so laid out shall be called, and known by the name of Twickenham & c. & c.

How and when this thirty acres of land was selected, and is now part of Huntsville, and how the three acres to be reserved, is now Court House Square; and more important, still, how we escaped the awful fate of being known to the world as Twickenham, and were finally christened Huntsville, after the town's grand-father, John Hunts, (Leroy Pope is recognized as its father,) we will narrate to the best of our ability in our next article.

Chapter 8 — Founding of Huntsville

The geographical center of old Madison was nearer Meridianville than Huntsville, and the location of the town is due to the Big Spring. Though the Indians were not settled in this vicinity, yet the existence of this remarkable spring was well known over the Indian country before the white people settled the country. The Yazoo land companies knew its locality and some of their agents may have visited it. John Hunt had doubtless learned its location and came from East Tennessee with the express purpose of finding the way to it from the Winchester country, and settling near it. I have not learned whether the Acklens came with his family here or not but it is said that many settlers came here in the year following, among whom were Stephen Neal, Wm. McBroom, Wm. Winston and the Harrisons. Martin Beatty had purchased one thousand acres of land from the Tennessee Land Co., including the spring, but he had relinquished his title by compromise with the United States, and entered other lands at the land sales in 1809.
There was sharp competition for the spring quarter section at the land sales and Leroy Pope had to pay over $23 per acre for the prize, being about four times as much as was paid for any other land in the county, the adjoining, quarter sections bringing from two to four dollars per acre. There were in 1809 some two or three hundred inhabitants scattered promiscuously over the present city limits. Leroy Pope bought the land with the intention of locating the county site here, and the Territorial Legislature by the enactment of December, 1809, in which five Commissioners who lived in or about the Big Spring were appointed, virtually located the county site at Huntsville. It is probable that some of the parties were in the Legislature and that Leroy Pope suggested the name of Twickenham, that being the name of the home of Alexander Pope, the English poet, which Leroy Pope wished to perpetuate in the city he founded. The original city was laid out early in the year 1810, and its plan was probably agreed on between Pope and the Commissioners, who followed the enactment in laying it out in half-acres in each block, and contained an area of about sixty acres. It was fortunate for the town that Leroy Pope was a wise and liberal man, as to the generous donation of ground for our broad streets the city owes the beauty and regularity for, which it is justly celebrated. The Spring bluff determined the angle of the streets which are thirty-four degrees from the true meridian, this being the angle that would leave the spring in a square with least encroachment on suitable building lots adjoining. The first survey of the town was probably the work of John W. Leake, as there are occasional references made to surveys made by him about this time, and he appears to have been surveyor for this part of the county until Hunter Peel came here in the year 1816. The original plan of the town for some reason was not recorded and is not extant, and the plot of the town erroneously considered the original plan was drawn by Hunter Peel by order of the trustees in the year 1821. The old town was bounded North by Holmes street, East by Lincoln, South by Williams, and West by Henry and Gallatin streets, and contained twenty squares, that is five squares long and four wide. The spring and Court house squares were not numbered, so there were seventy-two half-acre lots in the town. The lots were numbered from the north-west corner of the town at the corner of Holmes and Gallatin, and ran east, and when No. 8 was reached at the corner of Holmes and Lincoln No. 9 was located on west side under No. 1, and the numbers ran east, and on the same plan for all other lots. The Public Square is bounded North by lots No. 27 and 28, on the East by lots No. 33 and 37, on the South by No. 44 and 43, and on the West by Spring Square. After the town was laid out the Commissioners purchased thirty acres, more or less, of the ground from Leroy Pope, for which they paid him the nominal price of seventy-five dollars, but for some unexplained reason the deed was not recorded until the year 1815. The Commissioners selected the South half of the town, the dividing line beginning at the center
of the Calhoun Block and running through the middle of the Calhoun, Holding and Courthouse blocks Westward to the center of the East boundary of the Spring Square, thence southwardly to South side of Fountain Row, thence westwardly leaving Fountain Row on Spring Square to Henry Street. Leroy Pope donated the north half of the Courthouse square and lot No. 14, which is the jail lot, to the city, and reserved on the south part lots No. 71 and 72 where R. H. Wilson lives, and lots No. 37 and 38 being the south half of the Holding Square. The southern portion of the town was sold rapidly in half-acre lots and brought from two to five hundred dollars each, aggregating about ten thousand dollars which was applied to the erection of public buildings in accordance with law. Leroy Pope was in no hurry to sell, he cut his eligible lots into smaller parts and realized for the northern portion of the town more than double the amount for which the south half of the town was sold.

The names of our streets indicate that our fathers were a patriotic people, as we have Washington, Henry, Jefferson, Franklin, Gallatin, Madison, Green, Lincoln, Gates and Williams, in and around the original city. But the citizens were dissatisfied with the name of the city. English names were not popular with our people at that time. The Spring at that time had been known to the county as Hunt's Spring. John Hunt, like many other famous pioneers, was careless in his financial affairs, and at the land sales was not able to purchase the land on which he located, and could not make the payments on the quarter section which he did purchase at the land sales, and it reverted to the government. The people generally objected to the name of the county site and thought that in justice to John Hunt the town should bear his name. Col. Pope and the trustees in justice to John Hunt and in deference to the wishes of the people of the county in their petition for a charter, asked that the name of the town be changed from Twickenham to Huntsville; and in December, 1811, when the town was incorporated by the Territorial Legislature the city received its present name. Under this charter of incorporation five trustees were appointed to be a body politic, under the name and style of "The Board of Trustees for the Town of Huntsville." These trustees elected a town constable and some other city officers and were authorized to raise a revenue for municipal purposes by taxation not to exceed the sum of two hundred dollars. The first amendment to the city charter was by the legislature of 1815, under which a board of trustees, a town constable, city treasurer, assessor and collector were elected by the qualified voters in the corporation for a term of one year. It provided that on the day after the election the trustees should meet and elect a president, and the name and style of the body was "The President and Board of Trustees of Huntsville." The Board had a common seal and were empowered to raise a tax limited to twelve and a half cents on the hundred dollars, unless
increased by a vote of property holders. They were also authorized to levy a tax on all wagons and drays run for hire, and appoint a clerk of the corporation and of the market. By an Act of 1818 the lots of Elisha B. Clark, Alexander Campbell, Wm. Harris, Francis Newman, Fleming Ward, Daniel and Jere. Murphy, Nicholas Sheffield, Wm. Clark, Adam Cross, Wm. Steilman and Thornton Cook, living on the extension of Green and Meridian streets north of the corporation were embraced in the same. In 1821 the corporation was extended in a square, extending a quarter of a mile from the court-house, from which was excepted Thomas and William Brandon's negro quarters on the western road, and at same time John Read, Jesse Searcy and Henry Stokes were appointed town commissioners to fill vacancies made since the year 1809 in that body. The Legislature of the State at its session of 1843-4 granted a new charter to the city, by which the city was divided into four wards and a mayor and eight aldermen elected, and the limits of the city extended to half a mile from the court-house; the name and style of the corporation changed to "Mayor and Aldermen of the City of Huntsville," which corporation remained without any material change until the war. My information is that Joseph S. Clark was mayor for several years and the first under the new act of incorporation, and there are many citizens of the town who remember him.

I have devoted the greater part of this chapter to the history of Huntsville as a municipality, because it is the only way a clear and concise account of the city government can be made intelligible, and of disposing finally of this part of my subject to 1844. Through the kindness of Mr. Simpson Walker, grandson of John W. Walker, I have been permitted the use of an article in which he gives a short account of the development of the city and county in 1817. From this article I make some extracts and will probably make further use of it in the future. John W. Walker was licensed to practice law in the county at the first court in 1810, and of the brilliant and promising young lawyers of Huntsville who rose to eminence, he was the most talented and popular. Unfortunately for his State and for the nation he was suddenly cut off in the prime of his manhood, and at the outset of a public career that would have soon placed him in the front rank with the able and gifted Southern men whose intellects shaped and controlled the destinies of the whole country for nearly half a century. I propose to sketch his life and character in a future article. Here is what he says of Huntsville and the county: "Huntsville is situated about ten miles from Tennessee River, immediately round one of the finest springs in the world, issuing from a fine perpendicular cliff fifty feet high, in a sheet of water one hundred feet wide in a semicircle forming instantly a fine bold creek, which it is now confidently believed can at a trivial expense be rendered navigable for bateaux to the Tennessee. Each square contains two acres divided into
half acre lots, so that every lot is a corner lot. The public square contains about three and a half acres, lying immediately back of the spring cliff. On this are a court house, and market of brick and a small wooden jail. The first lot was sold on the 4th of July, so that the whole town is the growth of six years. In the suburbs are five cotton gins.'" Speaking of the county he says: "'The latitude of 35 degrees, which is the southern boundary of the State of Tennessee, bounds it on the north, on the other sides it is surrounded by Indian lands claimed by the Cherokee and Chicasaw tribes. The public land sales commenced in August, 1804. Its settlement and improvement have been rapid almost beyond parallel, and the price of land has advanced amazingly. The soil is for the most part excellent and admirably adapted to the culture of cotton, corn, wheat and tobacco. Cotton is the staple, of which the average product is one thousand pounds per acre. Upwards of five thousand bales were shipped down the river last season besides a considerable quantity sent to Kentucky and elsewhere by wagons. The seat of justice is Huntsville. The face of the country is the most beautiful in the world, being in the main a level plain yet affording many mountain prospects and much romantic scenery. Its water courses are permanent and afford many sites for important machinery. There are upwards of twenty already. The county possesses upwards of twenty cotton gins besides those in Huntsville, and many more will be erected in the fall. The climate is healthful and in a high degree pleasant. Nowhere do you see more children with ruddy faces. There are even now about thirty stores in Huntsville, and the crop of cotton for the present year will not be less than eight thousand bales.'" Unfortunately the draft in procession of his descendents did not have the numbers filed in giving the population of the city, the number of families, the number of brick and frame houses, &c., and if the communication addressed to Mr. H. Crawford, Secretary of the Treasury, in which the blanks were filed up was accessible much valuable statistical information would be obtained, but without this it is a most interesting and valuable paper, showing what one of the county’s most prominent citizens thought of the country, sixty-six years ago.

Chapter 9 — Early Settlers in Huntsville

Before the land sales Huntsville was a straggling village of squatters, living on government land and in the rude log cabins. The settlement was
scattered along the table lands from Pope's Hill to the big spring, and there was nothing to show where the village commenced or ended. Alexander Gilbreath had a trading-house or store near the spring, about the corner of Gates and Henry streets. He appears to have been the first merchant in the new settlement, and after the city was laid out he and James White went into partnership and did a large business about the year 1811-12. A rough country road came in from Holmes street through a miry pond near Struve's corner, wound around the rough knoll, now the Public Square, climbed a steep hill east of the Square and worked its way round to Gilbreath's store and then went down Madison street. There was a path cut out and blazed a mile or two northward, and one going west towards George Dilworth's, beyond Russell's Hill. A sinuous mountain ridge covered with a heavy growth of cedar came nearly to Lincoln street. The beautiful table land along Williams street, where the wealthier citizens afterwards bought large lots outside of the corporation and erected fine buildings, was a fine-grove of huge oak and poplar; along Maiden Lane was a low valley, south of which were rough cliffs with caverns and sink holes at their base. The first lot in the new town was sold on the 4th of July, 1810, and the first court-house was commenced soon afterwards. The court-house was sufficiently advanced for holding court in the Fall of 1811, and was finally finished under a contract with John H. Hickman in the year 1816. By this contract he agreed for the sum of six hundred and fifty dollars to finish the inside wood work of the court-rooms, to paint and renovate the windows and cupola, and on the latter to place on rods a large gilded ball surmounted by an eagle with outstretched wings not less than two feet across, and there was a proviso that if the commissioners of public buildings concluded to have an eagle of copper Hickman was to have extra pay for procuring and putting up same. The old wooden jail stood northeast from the court-house in corner of the Square, and its site is probably outside of the railing. The pond beyond it sometime spread its waters under the jail, and this circumstance caused it to be removed to its present site. The market was first attached to the court-house, either in its basement or in stalls adjoining, and was first removed to the Holding square, where it remained until the lot on which the market-house now stands was purchased. The roads leading northward were the only outlets to older settlements; the paths south, west and east extended a few miles to the outer settlements and ended in narrow trails going into the Indian territory. The old settlers' cabins were scattered irregularly from Pope's Hill down to Madison street, but there were no buildings erected fronting the public square until after the sale of the town lots. John Brown purchased fifty feet front on Exchange Row and erected two store houses, the first erected on that side of the Square, on the site of the store-houses occupied now by Duncan & Rand and Scruggs, Matthews & Co. James O.
Crump also built a house on the ground occupied by the eastern portion of the Donegan block, separated from Brown's house by an alley ten feet wide. Neal B. Rose and Pope and Hickman built the first stores on the east side of the public square, and the first hotel erected on the Square was built by Clayton Talbot. John Reed had been a clerk in the land office at Nashville, but came here in 1810; he purchased the half-acre lot including the west half of Commercial Row and also the lot at Schaudies's corner. He invested extensively in town property, and at one time owned nearly all the land south of Williams street, between Franklin, and a continuation of Green street southwardly to Fagan's creek. He was a prosperous and popular merchant for nearly half a century, retiring from business about the year 1856. The first house he built was at Schaudies's corner, which he sold to Andrew Jamison who kept a hotel there, which passed at an early date to Allen Cooper who lived there for many years. Among the earlier merchants who purchased lots from Reed on Commercial Row and put up store-houses, were Joshua Falconer, James Clemens and Stephen Ewing, and Taylor & Foote, Stephen Neal, one of the earliest settlers and sheriff of the county from 1809 to 1822, purchased the lot embracing the east end of Commercial Row and sold it to different parties, who built store-houses there. Among these were Luther and Calvin Morgan at the corner, Clement C. Clay, whose law-office fronted on Franklin street, William Patton and Andrew Beirne, long and favorably known to our people under the firm name of Patton & Beirne. They purchased one-half of the front of Neal’s lot, were eminently prosperous in business and accumulated large property in the county. Samuel Hazard and William and Andrew Veitch carried on an extensive business, but finally sold out and transferred their business to Philadelphia and Hartford, their native cities. Among the old hotel-keepers in the city were Christopher Cheatham on Huntsville Hotel square and Archibald Maderra on the Callahan lot, now Chris. McDonald’s; which last establishment was the headquarters of the convention of 1819, where they frequently met and where they had their committee rooms. When Christopher Cheatham erected his hotel no street was open from the Square to Gallatin street, and he deeded an alley ten feet wide on the south side of the hotel square, to which Col. Pope added forty feet when he sold the lots around the spring. This street, fifty feet wide, was called Pendleton Row, a name which it seems, was forgotten or changed and should be restored. The beautiful level table land gently descending westward from Lincoln to Madison and south of Williams street, just south of the original city limits, early attracted the attention of citizens seeking large lots on which to build their more pretentious homesteads. East of Lincoln street and north of Maiden Lane John K. Lile and Richard Pryor bought lots, on which they settled. Elijah Boardman bought twenty-seven acres of land
Early Settlers in Huntsville

extending from the Matthews residence on both sides of Adams Avenue beyond Fagan's Creek; C. C. Clay purchased the lot where W. B. Leedy now lives; Jno. M. Taylor and afterwards Gov. Thomas Bibb owned the Beirne homestead; Henry Minor the Fletcher homestead, and John Reed the lots westward and southward to Franklin street and to the creek. Pope's first gin-house was immediately in the rear of the Beirne homestead. While much of the city property frequently changed hands, the property owned by Dr. David Moore forms an exception. He came here in 1809, rapidly accumulated property and made judicious investments. Besides his vast landed estate in this and adjoining counties, he owned valuable city property. Land was his favorite investment, and while he bought large farms he seldom speculated in or sold real estate; a large portion of his land was purchased at the land sales in 1809, and afterwards, still remaining in possession of his descendants to the present time.

South of the tier of lots below Williams street Leroy Pope cleared the first farm on his purchase, running south to the quarter section line and north to Pope's Hill. David Moore cleared several hundred acres on the Rhett place and built his old brick residence on Whitesburg Pike that stood until just before the war. On his town property north of Holmes street, between Meridian Pike and Washington street, he built the first gin-house in the city and also put up a horse-mill just north of the oaks in the triangle between Meridian and Washington streets. He built a fine residence on Holmes street, which was destroyed by the great fire. John and William Badlum had a bake-shop and flour-store east of Madison, and as far as I can ascertain they put up the first water mill adjoining the city near Clinton street, near where Adam Hall's old mill stood. James Barclay, who was Hunter Keel's partner in erecting the water-works in 1823, built a mill on the Pulaski road where Henderson Brandon's mill now stands. Leroy Pope deeded to Willis Pope the land west of Whitesburg turnpike in section one, from the township line to the Rhett plantation, and he first located on the Davis Grove property. As far as I can ascertain I have given the location of some of the early settlers in the city from the year 1810 to 1815, at which latter date the city built up very rapidly. The town did not grow much until the year 1815. Although the agricultural interests of the country flourished, yet the times were unpropitious for commerce and trade that build up cities and towns. European wars had ruined foreign commerce, and then came the war of 1812 that paralyzed business for three years. Our people were remote from the scene of actual warfare and did not feel the calamities of invasion, but it interfered seriously with the trade in and cultivation of cotton, and there was but little money in circulation. After the close of the war of 1812 cotton culture was rapidly developed and our people entered upon a career of unexampled prosperity.
The fall of Napoleon gave peace to Europe and new life to commerce. Cotton was in great demand and brought a high price, and the fresh, fertile lands of the Tennessee valley produced enormous crops of the staple. I have given John W. Walker's statement regarding the crop in the year 1817, and it had risen to that amount from the year 1815, after peace was made. Thomas and William Brandon, the builders of the city, had come here in 1810 with no property except their trowels and great skill in their trade, and from a straggling wooden village they made a city of stone and brick. The court-house was finished, but before it was completed there were elegant brick buildings erected on all sides of the Public Square and not less than thirty merchants in business in the city, and a large number of elegant residences completed or in progress of erection in all parts of the city. At the time of the State Convention, in 1819, Huntsville was the metropolis of the State, and had such a reputation that in spite of its locality the idea was seriously entertained of making it the capitol of the State. The survey and sale and occupation of the Tennessee valley lands in the southeast portion of the county, in the year 1818, added largely to the prosperity of the city. The lands offered for sale that year were the finest in the State, and our people who had knowledge of the immense profit in the cultivation of cotton on such lands were ready to buy at ruinously extravagant prices. The value of real estate in the city and county had rapidly increased, and by the year 1818-19 reached its maximum. Real estate reached a point of valuation far above any price attained prior or subsequent to that date. In the year 1818 the county line was extended to its present western limit, and this year was the date of the first settlement of the county around Triana and Madison.

Chapter 10

Madison County in the War of 1812

I have stated that Madison County had always been a land of peace and there had never been a hostile conflict in its borders. While the War of 1812 retarded emigration and delayed for some time the general cultivation, yet our people in these years of trouble made perceptible progress. While there was but little money in circulation, provisions and labor were
cheap and the farmers were busy clearing their lands and preparing for a prosperous future. It is even probable that fear of invasion, on the seaboard, may have increased the available labor in the territory. The County was a place of perfect security, for slave property, as there was no longer [danger] of foreign interference or invasion, and the negro stood in mortal dread of the Indians and very seldom took refuge among them. The friendly tribes restored them to their masters, and although the hostile Indians—they did not murder the slaves but kept them in a state of servitude—they fell into their possession but the negro greatly preferred a white master. While the people of Middle Tennessee and North Alabama took no active part in the war during the year 1812, it was not for lack of interest in the contest or want of military spirit. In the year 1812 the war—and but little was heard about it in our remote section of country. But in the Spring of 1813 there was a prevailing rumor of an invasion of New Orleans, and Andrew Jackson, then a Major General of Tennessee Militia, raised a brigade and marched it to Natches, and two companies, commanded by Captains Gray and Mosely, raised in Madison County, belonged to the expedition. The danger passed and Gen. Jackson was ordered by the War department to disband the troops at Natches and leave them to reach their homes as best they could. Gen. Jackson disregarded the order, pledged his credit for transportation and supplies, marched the troops back to Tennessee and discharged them near their homes. This made him exceedingly popular and enabled him to appeal so effectively in the Creek War. The invasion of Canada was a favorite project with our people and Gen. Jackson offered to raise an army for that purpose, an offer that was not accepted. He was destined to earn his laurels on other and more glorious fields of conflict. The massacre at Fort Mims occurred on the 30th of August, 1813, and Gen. Jackson appealed to the militia of his division to rally to his standard, and met with so ready a response that he soon found a considerable army at his disposal. Among those were the companies of Captains Gray and Mosely that had kept up their organization and two new Companies under Captains Eldridge and Hamilton. Capt. Eldridge raised a company in the settlement of Huntsville and Meridianville, while Capt. Hamilton's company was organized in the settlements of the mountains, on Flint river. In the latter part of September, General Jackson came down to Fayetteville and organized his army; he established a supply depot at Deposit Ferry on Tennessee river and opened the Deposit road from New Market by way of New Hope to Tennessee river, and this route was long known as “Jackson's Trace.” The Tennesseans came pouring into the county via of Fayetteville and Winchester, and so great was the enthusiasm that high prices were paid for the privilege of taking the place of men
already enrolled in the ranks. So the companies from Madison shouldered their muskets and marched away with the others, and were placed with some Tennessee companies in a regiment commanded by Jackson's intimate friend, Col. James Carroll. Winter was approaching, roads had to be opened and provision wagon-trains conveyed as they progressed towards the Indian country. A company of picked men were detailed from the whole regiment to act as Scouts, and also to protect the provision trains and watch the movements of the Indians. Capt. Mosely was detailed for this arduous but honorable service, and his mounted men saw much hard service and received the commendations of General Jackson when their term of service expired. It is unfortunate that we have no written account of the part taken by the Madison Companies and have to depend on statements made by the veterans many years ago. A fort had been erected at Talladega and the troops had barely crossed the Sand Mountains when news came that the fort was invested and General Jackson and General Coffee marched from different points to its relief. Jackson's force in the last six hours of their march travelled a distance of thirty-two miles, meeting the Indian outposts some two miles from the fort and driving them step by step almost to the walls of the fort when General Coffee's force and the beleaguered garrison attacked them in the rear and they were defeated with great slaughter. In this battle the Madison Companies suffered but little as other troops led the advance and so steadily drove the Indians before them that our Companies barely succeeded in getting in reach of the foe during the battle. The troops were eager for an advance, but the state of the roads delayed their supplies and it was in December before the campaign was renewed. The army marched in the direction of the famous Creek village of Tehepoka, at the great bend of the Tallapoosa. It was now winter, the time of some of the troops had expired reducing the available force about one thousand men, and keeping open communication with the depot of supply daily becoming more difficult. Anyone who is familiar with the Coosa river country can form some idea of what a winter campaign involved when that country was a wilderness infested with hostile Indians. Yet, General Jackson determined to carry the war into the heart of the Indian country. So, on the morning of the 2nd day December, 1813, about an hour before daylight at a place called Emuckfau, the Indians attacked the troops in Camp, and some of the troops giving way disaster and defeat threatened the whole army. Their only piece of artillery was saved by the heroism of Constantine Perkins and Lieut. Armstrong, who was severely wounded. Here our Companies were in the brunt of the battle, and though they suffered severely, yet they stubbornly held their ground until day break when the enemy was driven back. I regret that the names of the killed and wounded in the Madison Companies have not been preserved.
I have frequently heard it stated that Capt. Hamilton’s Company had six men killed in the fight, and that the reason why they suffered so severely was that they were on the exposed flank of the regiment, and in forming the line of battle from some unexplained reason Capt. Hamilton’s Company formed between the Camp fire and the Indians and lost four men at the first onset of the foe. Wm. McCartney was mortally wounded at the Camp fire, and Grant Taylor shot through the lungs in driving back the Indians at daybreak. Their fathers were neighbors near Brownsboro, and on receipt of the news went to Fort Deposit on Coosa river, but Wm. McCartney had died of his wounds and Grant Taylor was brought home and after twenty year’s suffering finally died from his wounds. I have not been able to get the names of the others killed and wounded in the battle. The members of Hamilton’s Company that I can recollect were John Wright, John Tabor, Bryson Hinds and George Sharp, who were in the battle, and old John Wright once so well known in New Madison, was slightly wounded while carrying Grant Taylor out of reach of the bullets. These companies were also in the fight at Entichopco Creek and at the battle of Tohopeka, on bend of the Tallapoosa. At this last fight they were with Russell’s spies in the rear of the fort, and taking no part in the direct assault they suffered no loss. Captains Mosely’s and Gray’s commands were discharged soon afterwards on expiration of their term of service, but the other two companies before their discharge were at Mobile and at the taking of Pensacola.

I have given to the best of my ability this short sketch of the part taken by the county in the war of 1812, the remembrance of which has nearly passed away. Having to depend to a considerable extent on my recollection of statements heard from these veterans many years ago, I cannot give the full and accurate account of this episode in our early history that it deserves. After the year 1815 trade revived, cotton was in great demand and commanded a high price, a large area of our fertile lands had been prepared for its cultivation and agriculture with slave labor became the most profitable of all occupations. A large number of slaves were brought into the County and they soon were equal in number of the whites, and the slave owners made money rapidly. With lands making a hundred dollars worth of cotton to the acre, with the cheapest system of labor in the world, no part of the Union offered a better investment of capital than Madison County; and when the magnificent lands of the Tennessee Valley westward came into market, in 1818, speculation in land became a mania and most extravagant values were placed upon them. Lands purchased in the old county in 1809 at two dollars per acre sold freely at from ten to twenty dollars per acre, and the lucky parties who had purchased them on speculation realized immense profits on their investments. I give a few instances out
of many that could be adduced. In 1817 Robert Thompson sold six hundred and forty acres of the land he entered above Meridianville to Thomas G. Percy for ten thousand eight hundred dollars; Jacob Pruit sold John Vining one hundred and thirty-seven acres worth of Moore’s Mill for twenty dollars per acre; James Manning sold the Battle place, where Dr. Hampton now resides, at eighteen dollars per acre. These lands were considered cheap bargains and shrewd business men, like Charles Cabiness, Dr. David Moore, John Brahan and Samuel Allen, who had purchased large bodies of land in 1809 considered their land worth more, and found more profit in cotton planting than in land speculation.

The value of town property kept pace with that of farming lands. John Reed paid the Commissioners seven hundred and fifteen dollars for lot No. 42, now Schandie’s Corner, and sold it out in the year 1815-16 for seven thousand and five hundred dollars. This lot brought the highest price of any lot sold by the Commissioners. John Read and Stephen Neal paid five hundred dollars each for the lots on Commercial Row. Stephen Neal sold his lot to C. C. Clay, Allen Baker, David Munro, Luther Morgan, James Clemens and Patton & Beirne for an aggregate of eight thousand four hundred dollars, and Leroy Pope realized over ten thousand dollars for the Holding Square, including the store-house of Pope and Hickman, which they built on this lot. The mania in land speculation attained its height when the Tennessee Valley lands were placed in the market in 1818. The transactions of this date involve the history of the whole Tennessee Valley and are more like romance than reality.

As the people of this county were prominent in the great speculations and gigantic enterprises of that remarkable era, it will require a separate chapter to give a brief outline of this portion of our history.

Chapter 11 — *Land Sales in 1818*

When North Alabama was settled the fine tobacco lands of Virginia were becoming worn and exhausted, and the time for enormous profits on that staple had passed, and the State was beginning to be over populated with slaves whose labor had wasted or destroyed the productive power of the land. The introduction of cotton and the profits accruing in its cultivation in the new territory created as great excitement all things considered as the California gold fever in 1848-9.

When the Tennessee lands were surveyed and offered for sale in 1818
most wonderful accounts of their fertility were circulated in the older States. Farmers on their worn tobacco plantations, whose slaves were increasing so rapidly as to make them a burden to their owners, found an El Dorado in a country where a good farm hand could make five or six hundred dollars worth of cotton annually. It appeared as if all Virginia was moving Southward. It was said that old Virginia was worn out, that its slaves would be carried to more fertile lands, that its plantations would be deserted, and grass grow up in the streets of its deserted towns. But experience has shown the fallacy of such predictions. Nearly seventy years has passed since the tide of emigration set out Southward. Virginia sent slaves to the cotton region by thousands and capital amounting to millions. War converted the finest portion of the State into a desert and prostrated her industrial enterprises. Yet these old Virginia fields are now in cultivation, yielding more than ever before, her towns are thriving and prosperous, the old State has renewed her youth, and holds a front rank in the progress of the age. The population of Old Madison was eager to break over the obstacles that Indian treaties and United States statutes had hitherto interposed, and spread over the fertile lands of the Tennessee Valley. Huntsville was the great rendezvous of emigrants and land speculators, and while the surveyors in the year 1817 were busy surveying the public lands for the sales of the ensuing year, a horde of eager speculators hovered round them, taking notes of the quality of the different subdivisions as they were located and placed a value on them.

Not only was the land office located in Huntsville, but the Planters and Merchants Bank had been chartered in the year 1817, being the first bank established in the State of Alabama. In the year 1818 Alabama was organized into the Territory of Alabama and William W. Bibb appointed Territorial Governor. The sales of public lands commenced on the second day of February 1818, and the competition for the best land was spirited, and some of these lands brought enormously high prices. The land on the Matthews plantation, west of the Indian line sold for $27. per acre. The Denegan plantation sold for $20. per acre, and the fine body of lands now known as the Mullens "Flat lands," averaged about $30. per acre. Below Madison Sta. the Bradford plantation sold for $30. per acre, the Clemens plantation at about the same rate, while the Patton and Stevens land were bid off at from $50 to $54. per acre, this being the highest price bid for any land in Madison County.

But farther west the rich Tennessee river bottom lands brought much higher figures than any of these, one quarter section in the Tuscumbia region being bidden off, at over $100 per acre. So great was the demand for these lands, that in the year 1818 nearly all the desirable lands in the valley of the Tennessee were taken up and occupied. North Alabama was full of
slaves, brought here by their owners from Old Virginia to occupy their new fields of labor and no sooner had the impatient slave owner received his certificate of purchase than his train of wagons took up the line of march for his new purchase, and the year 1818 was the busiest year and the one most fruitful in industrial development ever known. While Madison County received considerable accession of territory, yet her increase of population did not compare with the new counties. Her new territory was generally taken up by citizens of the county, who transferred their energy and enterprise to newer lands. Large numbers of our prominent citizens at this time, located lands further down the Tennessee Valley, and many of them became the representative men of the new counties in which they located. But many leading men in our county came here about this time, and more than compensated us for the loss we sustained in the great diffusion of our population in 1818. There is no doubt that the year 1818 was the most remarkable in the early history of the State, but its results were quite different from other important eras that preceded it, in this respect.

Heretofore Old Madison had been North Alabama, as it included the settled portion of the State, and in dealing with influences that gave direction to white enterprise and development, Madison County meant North Alabama. But in 1818 the events that turned the accumulating population and capital of our little triangular county into the whole Tennessee Valley, while they greatly widened the area of the annalist, also merged the identity of Madison with a score of other counties and we no longer have a separate and distinct theme. What was once the history of Madison County, now became the common history of the whole Tennessee Valley and the formation of these new counties and the admission of the State of Alabama into the Union will form an appropriate conclusion to my articles on the early history of the county.

The first great influence wrought by the land sales of 1818 was the impetus given to speculation. It is difficult to tell precisely what our forefathers expected of the new country but it appears among other things, they expected a great development in the production of cotton, and at the same time expected the staple to hold its high price, from 20c to 25c per pound. People today would not make such mistakes, if the problem of supply and demand would form part of their calculations. In a little over one years time from the land sales, instead of Madison County alone we find that Cotaco, now Morgan, Franklin, Limestone, Jackson, Lawrence, Lauderdale and Blount counties had been organized, and flourishing villages established as their county sites and a large and prosperous population within their borders. Our people having purchased all the available lands in their reach at ruinously extravagant prices were looking for new worlds to conquer, and it suddenly occurred to them that Tennessee river
must be opened and towns built on its banks to become great emporiums of trade, and speculation took the form of a mania for city building. The U.S. Government in the survey of 1818 laid off not less than three sites of cities, which were entered in one acre lots and government patents issued, and it is said that the present owners of some of these government towns have nearly half bushel of government patents representing their titles to three or four hundred acres of land. The names of these towns laid off by the government were York Bluff, Cold Water and Marathon. I have not located the two first names (would be glad of some information about them), but accidentally happened on Marathon, and as it was a favorite investment with the Huntsville people (Dr. David Moore entered about one half the lots in the town) I will here state that it was located in Sec. 31 T.3 R. 7 W, which would locate it south of Rogersville, in Lauderdale County and a short distance below the mouth of Elk river on the south side of the river. About five hundred lots were laid off here and taken up by government patents, at prices ranging from two to fifty dollars per lot, and about the same proceedings were had with regard to those other two towns, which were laid off about the same size as Marathon. But our people were destined to get up the great town speculation of the day nearer home, and when they began to talk Indian Creek Canal for the construction of which a Company was already incorporated as the “Indian Creek Navigation Company,” and the building of a great cotton city on the beautiful triangular promotory where Triana now stands, our people most enthusiastically favored the new project. There is no doubt that a great deal could be said in favor of the enterprise. People knew nothing of railroads, and naturally looked to the river as their great highway to commerce. I doubt if a more beautiful river location for a city could be found in the South and Old Triana's highlands and bluffs, could the plans of our fathers have been carried out, would to day be the site of one of the finest cities of the South. It was confidently believed that a canal navigable for bateaux could be kept open from Huntsville and a larger part of the county's crop of cotton would find its port of debarkation at Triana, and that as soon as Tennessee river was opened, large steamers would take up their cargoes at her wharves. On all sides of the new city was an unrivalled cotton area, rapidly being cleared up, and soon these huge steamers, when they came up the river, would bring up and place in the ware houses of the city, the necessities and luxuries demanded by our great farming population. So a company was formed, the land entered, from the government a charter of incorporation obtained, a city surveyed, and the lots placed on the market. The size of a regular lot was 66 ft. front and 198 ft. to the center of the block, and about three tenths of an acre to the lot. Some of these lots brought enormous prices, especially those fronting the river, favorable for warehouse
purposes. A large number of the old citizens made investments there, and in several instances, removed to the new city. Among other lots purchased, Dr. David Moore paid fifteen hundred dollars for a sixty six foot lot and one thousand dollars for another, which is about a fair example of the prices of the best of these lots. It is said that at the first sale of town lots, the trustees realized ninety thousand dollars with many lots unsold. The men engaged in this enterprise, deserved success, and fifty years earlier would have made Triana a great city, but unfortunately modern science came in and revolutionized the carrying trade of the world, and Triana succumbed to inexorable fate, but we hope she will rise again, and that the opening of the Tennessee will yet make a future for the ancient city.

Chapter 12

Tennessee Valley from 1818 to 1820

The early history of Madison County from the year 1818 to 1820 embraces the history of the Tennessee Valley, and a short recital of the wonderful development of this region will form an appropriate conclusion of these sketches of our early history. I have stated that the year 1818 was in many respects the most remarkable in our early history. From that year dates the settlement of the Tennessee Valley, a transaction which in rapidity of execution and great development of industrial pursuits in a time not exceeding two years, has never been paralleled in this or any other country.

At the beginning of the year 1818, when the land sales commenced, there was but one county in Tennessee Valley—Old Madison, comprising then about three fourths of its present area, in whose territory was a population of near twenty thousand. The census of 1816 gave us a population of 4,200, which had increased very fast to the year 1818. Huntsville was the only town in the valley and out side our County limits not a man owned an acre of soil. It had belonged to the Indians and was now owned by the Government, that had surveyed it, and advertised the sales to begin on the 2nd day of February 1818. There was but little interest taken in the squatters or settlers on these lands, as the extravagant values placed upon them made it a hopeless undertaking for a man with out money to expect to buy
and pay for his home. This class of settlers waited until the great sales of 1832, when wise laws gave them protection against the speculation and made that year the beginning of a series of just enactments, that guaranteed to all actual settlers an opportunity to obtain permanent homes in the new country. The bank and the land office made Huntsville the centre of the gigantic speculation of the years 1818 and 1819 and we can well imagine the bustle and stir that pervaded our little city during this eventful period. The town was literally crammed with people, the hotel keepers were coining money; our bank could not with its limitations do a tenth part of the discount or accommodation desired. Every body was so eager to invest, that their investments absorbed their available capital, and the country became full of currency in the shape of promissory notes based on droves of Negroes, and Virginia land; and bill discounters, known at that time as shavers, reaped a golden harvest and built up large fortunes in an incredibly short period of time. The land sales was a battle of giants, corporation against corporation, and capital against capital. In February 1818, I have stated there was one little county, and one town, and near twenty thousand people in the valley. How was it in the beginning of this year 1820, a period of two years? Morgan, Blount, St. Clair, Jackson, Limestone, Lauderdale, Lawrence and Franklin counties had been occupied and organized and the towns of Bellefonte, Somerville, Moulton, Athens, Tuscumbia, Florence, Blountsville, Ashville, and Russellville founded and nearly all of them incorporated. Tennessee Valley and the region adjoining, was all settled up, formed into eight counties with many flourishing towns, and fifty thousand people settled in its limits in a period of two years. There are probably instances of military occupation or of unusual excitement in mining regions, in which temporary settlements of an uninhabited region would compare in proportion with the occupation of Tennessee Valley, but never in history, as far as I can ascertain, in times of peace, has the settlement of any agricultural region solely for farming purposes, in any respect compared with the occupation and development of this fine and fertile region. It was a simultaneous out pouring of the people.

At the beginning of the year a wilderness without an owner, surrounded us on all sides; at the end of the year the Tennessee river from its entrance into the State near the Georgia line, to its exit near the Mississippi line, had a continuous farming settlement on both sides with a teeming population. The great highway from Virginia to Alabama during the years 1818-1819 was more like the route of an army of occupation than an ordinary public highway, and travellers Northward asserted that they would sometimes journey for many days with out being out of sight of emigrant wagons, accompanied by long files of Negro slaves steadily tramping
southward. Alabama had been made a territory in 1818, and the emigration was increasing its population at so wonderful a rate that early in the year 1819, the new territory was knocking at the door for admission as a State, and as it had the population required by the Constitution, Congress called a Convention to meet in Huntsville on the first Monday in July 1819 to form a State Constitution. The following are the names of the delegates from Madison County to the Convention of 1819. John W. Walker, President of the Convention, Clement C. Clay, John Leigh Lewis, Henry Chambers, Lemuel Mead, Henry Minor, Gabrial Moore, John M. Taylor. Madison certainly had a very able delegation to this Convention. John W. Walker was our first U.S. Senator from North Alabama, with W. R. King from South Alabama as his colleague. Clement C. Clay the most successful politician and the most popular leader of his period, was first Circuit Judge of the District, then member of Congress, then Governor, then U.S. Senator, and having attained in the prime of his life, the highest attainable point in a politicians career in a new State, he retired to private life and was never a candidate for a public position from the expiration of his term as U.S. Senator in 1842. By request he codified the laws of the State and attended some bank interests of the State; the rest of his time he devoted to his private affairs. There was no man in his day that in any degree possessed the confidence and esteem of the people as Governor Clay did. There were many reasons for this. In the first place he was the great expounder of Democratic principles, and his convictions seemed so strong and his explanations so clear and logical that his ideas prevailed the Masses and he was the great political teacher of his day. Then the people believed as strong in his political honesty as they did in that of old Andrew Jackson. While in Congress he strenuously exerted himself to obtain the passage preemption laws protecting actual settlers on the public lands, and the passage of wise and just laws on preemption mainly through his persistent efforts gave him a hold on the people of Alabama that nothing could shake off. He only had to indicate what office he would accept and the people gave it to him. Lemuel Mead was elected Clerk of the Circuit Court in 1819 and held the office for sixteen years. John L. Towns was a planter and never mingled in politics, and settled and died in Tusculumia Valley. Henry Chambers was U.S. Senator, Gabrial Moore was second Governor of the State and also United States Senator; Henry Minor succeeded C. C. Clay as Judge of our Circuit Court and was for many years reporter of the Supreme Court. John M. Taylor succeeded Henry Minor as Judge of our Circuit Court, and was afterwards a Justice of the Supreme Court of the State. This is certainly a remarkable record, and shows the character of men who formed our first State Constitution. The whole list of delegates from the State is comprised mosely of men who were afterwards U.S.
Senators, members of Congress, Judges of the Supreme Court and Governors of the State.

After the formation of the State Constitution the Governors election and election of members of the Legislature followed. There is a remarkable circumstance shown by the record of the States votes for Governor in the county, that Wm. W. Bibb received 1,229 votes in this county and Marmaduke Williams 1,244, making 2,473 votes cast in this election. When we keep in view the fact, that more than half of East Madison was not then in the county, and compare the white vote of the county as it then stood with its white vote of to day, we find that before nor since the year 1819 has the vote of the same area of Madison County been as heavy as the vote of 1819. Marmaduke Williams was a brother of Robert Williams, late Governor of Mississippi Territory. He was a member of Congress in North Carolina from 1803 to 1809, came to Huntsville and was admitted to the bar in 1810, and a few years afterwards went to Tuscumbia. He was a clever amiable gentleman, but far inferior to Governor Bibb in talents. Yet he beat Governor Bibb in all of North Alabama except Bibb’s home, Limestone County. This was on account of a question of seat of government, Governor Bibb being in favor of Cahaba and Williams in favor of Tuscaloosa. The first Legislature of the State, by ordinance of the Convention, convened in Huntsville in November, 1819, and held its first session, in which Samuel Walker, Gabriel Moore, Epps Moody, James G. Birney, Griffin Lampkin, Samuel Chapman, John L. Towns, Frederick Weeden, and Isaac Welborn, represented Madison County. This brings our record up to the year 1820 and closes the early history of the county. The United States census of 1820 shows the population and resources of Madison County at that date, and also some interesting statistics of the Tennessee Valley, showing the growth and development of that region. The changes made in our judicial system of 1819 abolished the Superior Court and Inferior or Court of Justices, of the Quorum, and as these courts were peculiar to Madison County alone in North Alabama, I propose as a matter of history, to devote an article to each of these courts, as concluding chapters to this history.
PART II
The Later History of Madison County
And Incidentally of North Alabama

Chapter 1 — Madison County in 1820

In the Early History of the county I gave a brief account of its origin, progress and development, to the formation of the State Constitution and the meeting of the first State Legislature, in Huntsville in the year 1819. My sources of information in regard to the first settlement of the county were meager, but as far as they went were, I believe, reliable. Many of the facts were traditions handed down by our fathers, but they are so recent in regard to time that there is but little difficulty in tracing them back through credible witnesses and testing their authenticity. Besides the light thrown about them by records of the county, there is but little written testimony extant in regard to the subject I have treated. This is a matter of regret, and to one who is interested in the past history of the Tennessee Valley, it appears surprising, that so inviting a field for the historian has been so completely neglected. No chronicler of that period has given us an inside picture of the intercourse between the whites and the Cherokees and Chickasaws, when they were near neighbors; generally on friendly terms and trading with each other, as is customary on the boundary line of separate nationalities. We have had volumes written on the wars of the whites and Indians, but in the heroic struggle of the Creeks for their hunting grounds where their fathers were buried, when they fought against a superior race until they were nearly exterminated, no written record tells the wonderful tale of their devotion and patriotism. Their history lives only in tradition, and written history leaves so much untold that its details appear only as meager and barren outlines. Also, when in the development of our county's history we approach the period of the expansion and distribution of the population throughout the Tennessee Valley, there is a strong temptation to pursue the interesting theme, and I regret that the history of the valley had not been written by some of the gifted men who were prominent actors in those stirring scenes. With so inviting a field before us, we enter upon the annals of a single county with diffidence and with a doubt
as to our ability of imparting interest to a recital of events in its narrow limits. We are constrained to discuss matters that generally possess only a local or personal interest, and as the field of labor narrows and the material grows abundant the selection of the subject matter for these chapters becomes perplexing and difficult.

I now propose to take up the history of the county in the beginning of the year 1820 and bring it down to and include the survey and settlement of new Madison in the year 1830, and probably to a still later period, if I find on investigation I can make my narration of sufficient interest for publication. In the year 1820 the western boundary of the county had been changed to its present location and has never been disturbed. The Triana region had just been surveyed and sold, and the fertile lands of that fine country were being rapidly cleared for cultivation. A large population was pouring into that region and its development was keeping pace with the progress of the rest of the valley. New Madison had been ceded by the Indians and was in Jackson county, but not yet surveyed and sold. The only change in boundary was that made in organizing Jackson county, by which the territory from the point where the Cherokee line crossed Flint river near W. C. Carpenter's, lying west of Flint, to its mouth was made part of Madison county, and this has never been part of any other county. But this triangle now so thickly settled was at that time without inhabitants, and there were no settlements along the Tennessee until we reached the beginning of what was known as the Chickasaw Old Fields extending from Dr. A. L. Logan's to Whitesburg. Thence up Flint river and all east of the old Cherokee boundary was one vast wilderness, with the settlements extending close along said boundary on the west side from the Tennessee line to the Tennessee river. The settled portion of the county included about five hundred square miles, and it is a remarkable fact that, with an estimated population in 1819 of twenty thousand, the settled portion of the county at that time had nearly the same number of inhabitants to the square mile as at the present day. It is said that there was a temporary decrease in population compared with two years previous, caused by emigration of settlers with their slaves to the fertile fields along the Tennessee Valley. In the year 1820 the population of the county was 17,481, of whom about seven thousand were slaves; but after 1820 our population rapidly increased. The population of the county was also differently distributed. West of Huntsville and northward to the Tennessee line was a large white population, and also along the waters of Flint and in the Big Cove down to the Indian line. Around Whitesburg and down towards Triana along the river the country was as yet sparsely settled. In the year 1809 John Grayson was the only purchaser of land in the Big Cove, but in a few years there was a continuous settlement from his place to the
Madison County in 1820

Huntsville mountain. Many of the ancestors of the present citizens of New Madison were settlers in that region; among whom were the Millers, Bufords, Brazletons, Ledbetters, Carpenters, DeBows, Wrights, Jenkins, Colliers and Auyans, many of whom lived within the recollection of the present generation. The county in 1820 was nearly thirty miles long and an average of about twenty wide, and the only mountain range of importance was the Monte Sano range, running nearly south from near Huntsville to the Tennessee river near Chickasaw Island. The county, as then constituted, contained a large proportion of level, fertile lands, of which a large area was in a high state of cultivation, and there was but little land then cultivated that did not yield an abundant return. The year 1819 witnessed a great change in the political status of our people. After the State Constitution was formed, the Legislature had convened at Huntsville and formulated a code of laws in conformity with that instrument, and the most important event in the year 1819 was the general State election for State and county officers. It sounds strange to people who live in this age of elections, that men who had lived here from ten to fifteen years had never voted except for militia officers at their company and regimental musters and members of the legislature, but it was not less strange than true. We may well imagine the bustle and excitement attending our first general election, and how awkward the candidates must have been in the electioneering business. The judges of the circuit and county courts were elected by the Legislature. The Constitution provided for a general election of State and county officers in September 1819. At this election William Bibb then Governor of Alabama Territory, was elected Governor for a two years term, but dying on the 10th of July, 1820, he was succeeded by his brother Thomas Bibb, President of the Senate. They were both early settlers in Madison county. At this election the people voted for members of the State legislature, sheriffs and clerks of the courts. The election lasted for two days; the first day to receive votes, the second to count the vote and make returns. There was an election of members of the legislature, except senator, on the first Monday in August, 1820. Judges of the circuit and county courts were appointed by the legislature. The following is a list of the first officers under the Constitution: Governor, Wm. W. Bibb; U. S. Senators, John W. Walker and Wm. R. King; member of Congress, John Crowell; Judge of the 5th Judicial Circuit, composed of the counties of Madison, Jackson, Cotaco, Blount, Shelby and St. Clair, Clement C. Clay; members of the General Assembly, Gabriel Moore, Senator; Frederic Weeden, Samuel Chapman, John McKinley, John Vining, John M. Leake, David Moore and Samuel Walker for the lower house; Justices of the Quorum, Leroy Pope, chief justice, David Moore, John Withers, Abner Tatum and Edward Ward, associates; Stephen Neal,
Sheriff; Lemuel Mead, Clerk of the Circuit Court, and Thomas Brandon, Clerk of the County Court. I have given the names of the members of the General Assembly in 1819 in a former article. The above members were elected in 1820. Many of them have been mentioned in the Early History of the County; but Dr. David Moore deserves more extended notice, as he was in many respects the most prominent man of that period. Dr. David Moore was of an old Virginia family of Irish descent and a graduate of the Philadelphia Medical College. He came here quite a young man in 1809, when he invested exclusively in the public lands and entered into a successful practice of his profession. He was a justice of the quorum from 1815 until the office was abolished, and represented Madison county, with the exception of a few terms, in one or the other branch of the legislature until he retired from public service. In the year 1841 he was a candidate for the United States Senate, and was beaten by Governor Bagby seven votes. In this contest, although an avowed Democrat, he received the vote of the opposition, and was reelected by a Democratic constituency a member of the legislature in 1842. He was Speaker of the House of Representatives in 1841, and his financial ability, sagacity and prudence gave him a potent influence in our legislative bodies. He was usually chairman of the committee on finance, and did efficient service in the shaping and controlling of the financial policy of the State. He manifested the same financial ability in the management of his private business. He was a progressive and successful planter, and was at his death the largest land owner in North Alabama, his cotton crop being one thousand bales annually. His health failed under the enormous pressure of public and private business and he died in the year 1844 at the age of fifty-five, and his vast landed estate but little diminished in area is still owned by his children, David L. Moore, Gen. Samuel H. Moore and Mrs. R. Barnwell Rhett.

Chapter 2

County and State Officers to 1823

At the period of which I am now writing, during the peaceful administration of James Monroe, there was but little political strife and the issues made by opposing candidates were more of a local and personal character than national. Consequently, while our legislators were enacting many
laws, yet their enactments were local in character, and in alluding to them in the history of a single county I only mention those necessary to explain matters connected with the history of our own county. In mentioning the names of those who held offices in our county in its earlier days, there often appear the names of men who were holding county offices at the time they were members of the legislature. Although a strict construction of the State Constitution of 1819 prohibited the holding of more than one office of honor, trust or profit, yet for many years county officers served in the State legislature without any question as to their eligibility, and this circumstance accounts for the fact that David Moore, Samuel Walker, Lemuel Mead, Samuel Chapman and perhaps others were members of that body while they were holding county offices. This usage held until the year 1840, when a committee of investigation appointed by the legislature declared all county officers who were members of the legislature ineligible, and their seats were vacated. Green P. Rice, of Morgan county, President of the Senate and judge of the county court, was of the number, but in deference to his position the legislature did not vacate his seat until the day before adjournment. Among the old citizens of Madison, who thus lost their seats, were Robert T. Scott, clerk of the circuit court of Jackson county, Marmaduke Williams, of Tuscaloosa, judge of circuit court, and Percy Walker, of Mobile County, Bank Director. At the election in 1821 Samuel Chapman was elected chief justice of the quorum, and Gross Scruggs, Samuel Walker, Charles Betts and James Manning associates; but in the year 1823 this office was abolished and a judge of the county court and four commissioners of roads and revenue substituted. Samuel Chapman was the first judge of the county court, and Samuel Walker, Nathan Smith, James Mauldin and Ezekiel Craft first county commissioners. At first the commissioners were elected annually, then for two years, and finally for three years. It would doubtless be for the interest of the people if the term of the county commissioners was extended to the same period as the judges of the probate court, thereby avoiding the embarrassment of a change of revenue officers in the term of the presiding officer of this court. From the creation of the office, it appears to have been an established usage to select the county commissioners from different portions of the county, as James Mauldin and Samuel Walker were residents of the northern portion of the county, Nathan Smith of the southern, and Ezekiel Craft of the eastern. The judge of the county court had sole jurisdiction in the county court sessions and in the orphans’ court, while pretty much the same duties as at present devolved on the commissioners’ court. However, there were many matters under the jurisdiction of the commissioners’ court at that time which changes in our laws have taken from their control. The laws regulating taverns, to which I have already alluded, required the
commissioners annually to regulate the schedule of charges to be made by public houses, and this was one of the first duties performed by our first commissioners' court in 1823. As a matter of curiosity I give the tariff of charges for the year 1823, which all tavern keepers were required to keep posted up in a public place: Dinner 50 cents; breakfast 37½ cents; supper 37½ cents; lodging 12½ cents; keeping a horse per night, 50 cents; single feed 25 cents; a quart of wine, $1.50; ½ pint of Jamaica rum, 50 cents; ¼ pint of French brandy, 50 cents; ½ pint of whiskey, 12½ cents. Auctioneers were recommended by the commissioners' court, and on giving bond in the sum of two thousand dollars were appointed and commissioned by the Governor. It appears that an auctioneer's business was a lucrative one, for, notwithstanding these restrictions and a tax of two per cent. levied on the gross amount of their sales, we find that Daniel B. Turner, George H. Malone, George W. Lee and James G. Carroll were appointed auctioneers in the year 1823. All county officers not elected by the people were appointed by the commissioners' court. Under this law they appointed an assessor and collector for the county, coroner, county treasurer and county surveyor. In February, 1823, these offices were filled by the appointment of Littleberry Mauldin, brother of James Mauldin, assessor and collector, Commissioner Ezekiel Craft county treasurer, who appears to have held both offices at the same time, Daniel Rather continued as coroner, and Hunter Peel county surveyor. Bennett Wood, a Baptist minister and original owner of the Bell Factory property on Flint river, who had been county treasurer since 1819, filed his accounts and vouchers for settlement at this term, which showed a balance of $46.15 of county funds in his hands, which was paid into court and a discharge from the duties of his office put on record.

While a reference to the acts of the legislature of 1823 gives the reader an idea of the revenue laws of that period, yet as copies of those laws are becoming rare and inaccessible to the public, I hope a few words on taxation not be amiss in this connection. The rate of taxation on real estate at that time was ten cents on the hundred dollars, and land was divided into four grades for taxation, and all the assessor had to do was to decide to what class or grade it belonged. First grade lands were valued by law at sixteen dollars per acre, second grade at ten dollars, and third grade at four dollars, and fourth grade at two dollars. Town property was valued by the assessor as at the present time. The county levee was fixed in 1823 at one-eighth of the State tax, making the tax levy for State and county twelve and a half cents on the hundred dollars. A considerable portion of the land in the county was government land and was tax free, and a large portion of the land purchased at the land sales in 1818 had not been paid for. These last mentioned lands were taxed on the amount of the purchase money that
had been paid on them, and consequently paid on a fractional part only of
their valuation. The tax on real estate then was not more than one-tenth
part of the levy made at present, and yielded an insignificant part of the
State and county revenue. To the people of the present time the old
revenue laws of the State would be objectionable on account of the in-
equality of taxation, and the present ad valorem system of taxation is a
great improvement on the revenue legislation of our ancestors. Merchants
paid thirty cents in the hundred dollars on the amount of their stock for the
preceding year, money at interest twenty-five per cent, and banks fifty
cents, carriages one per cent on their value, riding horses one dollar each,
race horses five dollars each, race-courses twenty dollars per annum, and
billiard tables one thousand dollars per annum. Slave property contributed
a large proportion of the revenue, as they were all, to the age of sixty,
subject to a tax of from twenty-five cents to one dollar each according to
age, and all white males between the ages of twenty-one and forty-five paid
a poll tax of fifty cents each.

There were but few changes in the legislature from 1819 to 1823, during
which time Dr. David Moore continued in the State senate. In the year
1821 Major William Fleming was first elected to the State legislature.
Major Fleming and his amiable and accomplished wife will long live in the
memory of our people, and they lived so long in Huntsville and were so well
known to its citizens that it is unnecessary for me to say anything regarding
their many excellent traits of character. Major Fleming was a Virginian by
birth, chivalric by nature, and generous and sincere to his friends and
courteous and forebearing to his enemies. His want of oratorical powers
and deficiency in literary attainments were more than counterbalanced by
his eminent social qualities and his convivial proclivities, and for more than
thirty years he had a strong hold on the democratic voters of our county.
A few years after he entered public life he bought property on Flint river
near the New Madison line, and in the southeastern portion of the county
he usually got nearly a unanimous vote, and the rapid increase of the vote
in that part of the county soon made him invincible in a county contest. In
his speeches to the people of that section he gave southeast Madison the
appellation of "the tall timbers," which it retains to the present day. With
a harsh and discordant voice and an imperfect enunciation, yet the fund of
humor characterizing his oratory and anecdote prevailing his public
speeches gave them a keen relish, while his rigid honesty and sound
common sense made him an exceedingly formidable competitor before the
people. After the retiring of Gross Scruggs from the position of justice of
the quorum, in 1822, he served several terms as county commissioner.
Like Major Fleming he was an old Virginia gentleman by birth and breeding,
and was the last survivor of the board with which he served. He lived
to a good old age on what is now known as the Gus. Mastin plantation near Cedar Gap. He never sought public office, was a man of sincere piety and strict integrity, and was considered one of the purest and best men of his time. In the year 1822 Stephen Neal, sheriff of the county, was succeeded by William McBroom. Stephen Neal served as sheriff from 1809 to 1822, when he retired because constitutionally ineligible for another term. But a few weeks ago, Mrs. Frances Neal, his widow, died, aged 96 years. For a score of years she was the last of that remarkable generation of pioneers that settled Huntsville, and but few people ever lived to witness the remarkable and startling changes that transpired and which she saw during her residence of seventy-five years in our city.

Chapter 3 — Roads and Transportation

It is an old adage that a country about which little is written is generally in a peaceful and prosperous condition. This accounts for the dearth of the written history of events transpiring in our borders from the year 1820 to 1830, and may also justify us in the conclusion that during that decade our people were in a highly prosperous condition and that nothing disturbed the tranquility that pervaded our country, in common with the whole Tennessee valley. This period of our history was also remarkably free from political excitement, and party lines as yet had not sufficient divergence to identify the powerful political parties that afterwards divided the country and sought to shape and control the destinies of our republic. Madison County, in the full sense of the term, was an agricultural community. Our fresh and fertile fields yielded immense crops of corn and cotton, and it was the ambition of men in every profession to own and cultivate farms. The number of owners of small farms was also rapidly increasing, which materially contributed to the general prosperity of our people. In the northern and north-eastern parts of the county, where the population is now sparse and where the wornout fields are unfenced and grown over with sedge and undergrowth, there were communities of small farmers, many of them owning no slaves, and the slaveholders usually working in the fields with their slaves. The farming interests of our people naturally awakened an interest in the question of transporting our products to market. The country was new, the few public highways but newly opened, our streams unbridged, and intercourse of the people with the county site was subject
to many drawbacks and obstructions. The transportation of our heavy cotton crop to market at the lowest cost was a problem difficult of solution, and enlisted the serious attention of business men. While salt, lumber, flour, fruit and other imported articles were readily floated down Tennessee river from its upper waters to Whitesburg and Triana, yet the carrying of cotton, our great export, to market was expensive and difficult. A considerable quantity of this staple was hauled in wagons to Nashville, and the wagons returned laden with goods and merchandise for our people. But New Orleans soon became the great center of the cotton trade, where the larger portion of the cotton crop was conveyed on flatboats down the Tennessee, Ohio and the Mississippi rivers by a long and tedious route to its destination. Below the Muscle Shoals there was but little trouble except in the long voyage, but here cotton shipping was attended with many vexatious delays and difficulties. The people had to haul their cotton to Tennessee river or some boatable stream emptying into it, and after their cotton was safely stowed in the large flatboats that were riding safe on the broad current of the Tennessee, they had to wait for a high tide that would carry them safely over the shoals, and sometimes the Spring season was nearly passed before it came. To the man who wanted to make money cotton was everything, because there was no other product that would bear transportation as it then existed. This question originated many important enterprises, having for their object the improvement of facilities of transportation and the cheapening of the rates of carrying our enormous cotton crop to a ready market. The first of these enterprises was the formation and incorporation of the "Indian Creek Navigation Company," under the auspices of Leroy Pope, Thomas Fearn and others, to construct a canal from Huntsville Spring down Indian creek to Triana, and the "Flint River Navigation Company," whose object was to render Flint river navigable for flatboats and keel-boats from Scott's Mill (now Brownsboro) to the Tennessee. There was also an earnest effort to obtain the aid of the general government in opening the Muscle Shoals, and there was a considerable amount of money spent by the general government for that purpose. Yet, while the Indian Creek Navigation Company persevered in their undertaking and many of the original corporators were nearly reduced to bankruptcy before the enterprise was finally abandoned, and the Flint River Navigation Company kept up cotton shipments for a long time, none of these enterprises were successful, and water transportation down the Tennessee with all its old drawbacks was our great highway, until the advent of railroads revolutionized the carrying trade of the whole country.

Some of the cotton was laden on steamboats at the foot of the shoals from the flatboats, or "broad horns," as they were formerly called; but many of these flatboats were built and received their freight on the banks of Paint
Roads and Transportation

Rock and Flint and were unloaded at the levees of New Orleans. These boats would carry three or four hundred bales of cotton, and, the shoals once passed, they generally floated leisurely and safely down the current to their destination. The magnificent poplars of Madison and Jackson counties furnished excellent material for gunwales, or in boatman's phraseology "boat-gunnels;" many of these trees being from eighty to ninety feet to the limbs, and growing as straight as if adjusted by a plumb line, and when cut down and split open furnished excellent material for the foundation of a flatboat. These gunwales were trimmed to a proper shape and framed on strong timber levers projecting beyond over a steep bank, and when the great frame had been well floored and caked it was moved out to the projecting ends of the levers, generally working on rollers, where it was turned over into the stream, bailed out, finished off, equipped with its rowing and steering apparatus, loaded and launched on its long voyage. If its crew were so fortunate as to pass out with a shoal tide, a licensed shoal's pilot was taken on board at Whitesburg or Decatur, and in a short time they were shooting rapidly down the tumbling shoals; now dodging a dangerous obstruction and now rounding an abrupt point, where for an instant they would appear to be rushing headlong against the frowning rocks, but at a word from the pilot an oar would dip on this side or that side, the steering oar gently touched the water, and the boat would lightly glide round the point of danger and dash at headlong speed down the raging current. The skillful and keen-sighted pilot and experienced oarsmen, with every faculty intent and alert, would finally draw a sigh of relief, as with muscles relaxed they passed into smoother waters, and finally cabled to the bank at the old city of Eastport, once a place of high renown among the river navigators, where the shoal pilot resigned his place to the river pilot. He, before untying his cable and launching on his long voyage, inspected his craft, repaired damages, and not unfrequently took a farewell spree, as the river code prohibited drunkenness while in command of a broad horn and in charge of its valuable cargo. While cotton was worth from twenty to twenty-five cents a pound, the river pilot received from one hundred and seventy-five to two hundred dollars each trip, and as the pilot in the early times frequently walked from New Orleans to Decatur and Whitesburg, and at best never made more than two trips during the freighting season, his charge was certainly not exorbitant. The expense of carrying down a boat of four hundred bales was from five to six hundred dollars, and the freight charge was from four to five dollars per bale. The trouble of transportation was not so much the expense as the delay and uncertainty, as it was not uncommon for nearly half the summer to pass before the planter could get an account of his sales from his commission merchant at New Orleans.
Cotton freighting was a lucrative business, and many of our citizens found in it the road to fortune. They sometimes built boats for shipment to Tennessee river, but they generally bought good East Tennessee boats for the shipment of cotton delivered on the Tennessee river, and employed many men in the business who made corn crops in the summer and spent the fall and winter on the river. Of the old class of cotton-freighters, Richard W. Anderson was one of the best known and one of the last survivors. He was in this business from somewhere about the year 1820 and accumulated money, which being invested judiciously at the land sales of 1830 made him a wealthy man. He was a man of excellent judgment, was a good surveyor and made good investments in real estate. The Andersons were descendants of a prominent family in Maryland, and there were five brothers and two sisters of the family who came here at an early day. Dr. William Anderson, a well known physician who settled at Brownsboro, was of the number. He afterwards moved to Holly Springs, Miss., and for a long time was a prominent citizen of that place, where his descendants still reside. Richard W. Anderson was a noted pedestrian, and some marvelous stories of his pedestrian feats were formerly current in the county. It was said that he would frequently walk down to Whitesburg and back to Huntsville for exercise before breakfast. There was also a story in circulation that when he first embarked in the freighting business he always walked from New Orleans back to Huntsville and always came in three or four days ahead of the crowd, who never undertook to keep up with him, and that on one occasion being disgusted at the extremely low price offered him for one of his boat cables he coiled it up and stalked home on foot with it on his shoulders. After he retired from business he generally made his home in Huntsville, where he was as much noted for his eccentricities as he was respected for his benevolence. The monument erected by him in memory of the deceased members of his family and to mark the Huntsville meridian is likely also to perpetuate his memory for many generations. Wm. B. Taber, for a long time identified with our manufacturing interests as superintendent of the Bell Factory, in which he was a stockholder, married a sister of Richard W. Anderson, and dying at Nashville, last fall, he was brought to Huntsville and buried by the side of his wife, who for nearly forty years has slept under the shadow of the Anderson monument. Richard W. Anderson died in Huntsville at a ripe old age just before the beginning of the civil war.
Chapter 4

Election Districts and Muster Grounds

While Alabama was a Territory the people first voted for members of the Territorial Legislature at the county site. Justices of the peace and constables were elected at the company muster-grounds, and the captains of the companies with two freeholders selected by him held the election. This law prevailed for many years after the State government was organized, and these old mustering places were the original location of many of our present voting places in the different precincts. Thus it will be seen that the division of the county into election districts originated in the old militia organization of the county, and the law of 1852 defining the boundaries of the election districts was really nothing more than locating by written law what had for a long time already been located by common consent as the limits of the different company beats. The first voting place established after Huntsville was at Horton's Mill on Barren Fork of Flint river, nearly a mile above the bridge at the forks of the river, and for several years this place and Huntsville were the only general voting places in the county; and this did not interfere with the old district muster-grounds where justices and constables were elected. The war of 1812 and the rumor of wars after that period kept up a thorough military organization among our people, and the captain of a company was quite a prominent personage in his little principality, and there were generally many aspirants for military preferment at the election of military officers. In the course of time voting places were established in the larger number of these old muster beats for the convenience of the people in general elections, and finally, in the year 1852, the whole county was divided into regular election districts whose boundaries were accurately defined and made a matter of record, and each designated by a permanent name instead of being known as the beat of whoever happened to be captain of the company in that district. The sixteenth sections were made the basis of these divisions, and many of the old precincts still have their old boundaries.

The largely increasing population of North Alabama made it necessary for our State Legislature to establish new voting places in different parts of the county. Our first legislature, in 1819, established six voting places in Madison county, to wit: At Henry Brazelton's in the Big Cove, at Mayor Griffin's above Maysville, one at Major Cottrel's at Hazel Green, one at Hillsboro on Hester creek, and one at Captain Leonard's above Wood's Mill on Flint river. In the year 1821 voting places were established at the house of Mr. Farley near Cluttsville, and at Capt. Jacob's near Whites-
Election Districts and Muster Grounds

burg, and one at the house of Drury Connally near Meridianville. This made eleven voting places in the county, including Huntsville and Horton's Mill, and they were well distributed for the convenience of the people of the county. Although in general elections the people could vote at any voting place in the county, yet in elections the vote was pretty well distributed among these voting places, and the large vote hitherto polled in Huntsville steadily decreased until its vote was but slightly different in proportion to the vote now cast under the law restricting the voter to his own election district.

The old muster-grounds where the justices, constables and militia officers were elected, possessed great attraction to our fathers, and the battalion and regimental muster-grounds of sixty years ago, the one muster being in the spring and the other in the fall, were anxiously looked forward to as the time of reunion among old neighbors who had separated by moving to different parts of the county. They were accustomed to meet on these occasions, exchange greetings and discuss the news of the day. In fact, it was a very common practice in trade to make notes due and payable on muster day and there was a great deal of business transacted on such occasions, even when there was no election on hand. The business, too, was of a varied character; for instance it was customary on this day to settle feuds of the past year in a fair, stand-up fight, and a muster rarely passed without several breaches of the peace, which generally ended with but little damage to any one. The inevitable peddler of ginger-bread was on hand generally in the form of some son of Ham, who managed to coax or hire a holiday from his master and who had generally set up the entire night before in the business of baking up a cart load of good ginger-bread for the crowd on the next day. Elections in those days were of frequent occurrence, and as a consequence these old muster-grounds were much infested by candidates and whiskey flowed freely. To the little boys the muster-ground had all the attraction that the circus offers to the boys of to-day. The moving, animated crowd, formed of the flower of the chivalry of half a county like Madison, was of itself a sight worth seeing. The brigadier or major-general in his stylish new uniform, with three-cornered hat and dangling plume, reviewed the troops on his prancing steed, escorted by his brilliant, well-mounted staff in holiday attire, and the farce of a drill was soon over, as there seemed to be a tacit agreement to hurry through that part of the business as rapidly as possible and devote the greater part of the day to other business. It was at these musters that the alert, supple-jointed candidate was in his native element, and when he belonged to another regiment did not hesitate to take advantage of an unfortunate rival who, being subject to military duty, meekly marched in the ranks, by fascinating the fathers of the regiment by anecdote and humorous talk and
frequent proffer of an exhaustless whiskey-flask to those of a thirsty temperament. The eighth of January, long commemorated by our fathers, the fourth of July and regimental muster day were long the great holidays of our fathers. There were two regiments in Madison county, the Second Regiment being formed long before the State was admitted into the Union, and, as well as I can ascertain, its muster-ground was near old Blue Spring camp-ground. The other regiment (number not remembered) had its muster-ground at Henry Brazelton’s in the Big Cove, and was the rallying point for the brave boys of New Madison. There were so many of these old companies that it is hard to locate the company muster-grounds, but I would fain preserve from oblivion the name of as many of these old captains of companies and their location as I have been able to gather from the meagre records on the subject. In the northern portion of the county were Captains Wm. G. Barton, Pitman Pitts, Allen Walls, Joseph Taylor, Wm. Kirkland and Jesse Bendall. From Meridianville westward to Madison and east to Flint river, were Captains W. Graves Bouldin, Wm. M. Roper, Dudley Sale, Friley Jones, Alfred Haggard, R. B. Armestead and James Johnston, Captains John Williams, John McDougall and George Kelly commanded companies from Hickory Flat to Bragg’s; Nicholas Ware, J. J. Simmons and R. G. Hewlett commanded companies including Cedar Gap, Maysville and Brownsboro; David Lacey at McNulbytown, John B. Turner at Whitesburg, Jason L. Jordan near Lanier’s, Jonathan Collier and William Sutton near Collier’s and Vienna, John Hill in the Big Cove, another Benjamin Clark on the Dug Hill road, and Frederick Elgin, John Harrison and Joseph Dunn around and in Huntsville.

One of the most noted military characters of that day was John K. Dunn, for a long time commander of the Madison Light Infantry Company, a roysterling blade who gave himself the sobriquet of “H-l and K Dunn.” Thus it will be seen that at this time there was nearly thirty military companies, each forming a muster-beat entitled to two justices of the peace and a constable; but this number was gradually pruned down to about fourteen.

I have given the names of these old officers as a reminiscence of the olden time, and also to show that in those days the office of captain of a military company was considered an honorable and prominent position, as the older citizen will readily recognize in this list the names of many of our once prominent and respected citizens. For instance the names of the ancestors of the Wares, Hills, Taylors, Colliers, Kellys, Williamses and others, forming a large and most respectable number of the present citizens of Madison county. Of this number Dr. William Kirkland, who was a soldier of the war of 1812, was one of the latest survivors. Capt. Fred. Elgin, an old and respectable citizen of Huntsville, died some three years ago, but the latest survivor was Capt. Wm. M. Roper, who died at his
residence on the Winchester road at an advanced age during the past year. He lived so long in our community and was so well known by our people and so highly respected for his many excellent Christian traits of character, that I can say nothing in regard to him that is not already known to the people of the county. Capt. Joseph Taylor and Capt. Allen Walls were prominent and influential citizens; both were for many years commissioners of roads and revenue for the county and both emigrated to Arkansas, where they died after the close of the civil war. John T. Harrison was an uncle of our townsman Perry L. Harrison and the father of Dr. Wm. Harrison, once a prominent physician of Guntersville, Alabama.

I find but little allusion to the regimental officers. Among our old militia generals were D. M. Bradford, a veteran of 1812, John Brahan and B. T. Patterson, long U. S. Marshal of this district. Of the old militia officers there are but few survivors, and if the question of seniority were to arise Gen. John M. Humphrey would claim the higher rank, but Col. Wm. C. McBroom, of Gurleysville, would probably be ranking officer by date of his commission as Colonel of the gallant old militia regiment of East Madison, if not by superiority in rank.

Chapter 5 — Clearing the Lands

When our fathers came to this county it was everywhere covered with a magnificent growth of timber. Except the Chickasaw Old Fields around Whitesburg and the one solitary prairie on the Rice plantation north of Triana, which did not cover half a section of land, the forests were in their primeval state; and in order to prepare and fit the soil for farming purposes it was necessary that the land should be cleared of the gigantic forest trees that shut out the life-giving rays of the sun from the surface of the soil. In the first settlement, and until capital and slave-labor from the older States made this a possible task, the work had proceeded slowly, and a few acres here and there indicated the different settlements of the earlier pioneers in the county; and even when labor had become cheap and abundant in some parts of the county, the destruction of the timber in the new grounds required many years of serious work. Girdling the timber on the new grounds was almost the universal practice and was called deadening, and a tract of land where the trees were girpled and the land not fenced or cultivated was known as a "deadening." Trees deadened in August and
September did not put forth any more leaves, and by the following spring cultivation of the land might commence with a prospect of a partial crop, though cultivating such land was generally rough work, as the roots of the trees, so thickly interwoven in the soil, made thorough cultivation and a fair return for the labor performed impossible. The timber was very seldom cut and hauled off the land, as most farmers were of the opinion that land was better on which the forest growth was allowed to remain and gradually decay. In old Madison, where large tracts of land were taken up and clearing was undertaken on a large scale, the land-owners with their stalwart slaves and strong oxen and horses were able to girdle and fence large tracts in comparatively a short period of time, but the work awaiting a solitary laborer with his forty or eighty acres of virgin lands covered with giant forest growth, involving the labor of clearing and fencing enough land to support his family, was a task at once arduous and laborious. At the time of which I write, especially east of the mountains, a large number of small farmers were clearing lands—afterwards consolidated into larger farms, and their labor fitted for cultivation many of the clean, fertile fields on which, to-day, can be seen not the least vestige of the primeval forest that once thickly covered them. After the first year’s cultivation, the tall poplars and sturdy oaks, in process of decay, began to drop their smaller branches, and by the opening of spring the earth was covered with their debris, that must be gathered and burnt before plowing began. In the course of another season the winds of winter prostrated the less durable and the smaller trees, and log-rolling commenced. At first this labor was not so heavy, as the logs were small and easily managed, and in a few years the taller and more durable trees, divested of bark and smaller limbs, the skeletons of the once living forest, remained. But the timber was so dense that there were immense numbers of these dead trees standing, and when, in course of time, the winds prostrated their huge trunks, their removal was a herculean task, requiring from one to two months’ hard labor in the beginning of the farming season. Among the settlements of smaller farmers during log-rolling time, there was by common consent a community of labor. Every family was expected to furnish at least one good hand for a month’s or six weeks’ labor, and when his log-rolling day came round he expected his neighbors in person or by proxy to be on hand for business. The oak and poplar timber was notched at intervals of ten or twelve feet on the logs and fire kindled on them, which being built up morning and evening, soon gnawed its way through and severed the prostrate trunk into convenient lengths for rolling. Hickories of large size were very heavy, but fortunately when partly seasoned and once ignited they were generally consumed entirely. Just before log-rolling day, the farmer with his sharp axe inspected his new ground and severed all cuts not
entirely cut off by the fire, as it was considered bad management to delay a score of men in chopping up logs on log-rolling day. It was wonderful to behold how a force of stalwart, experienced farmers would pile up the logs over acre after acre of fallen timber. They would approach the severed cuts of a log, oak or poplar, stretching out for sixty or seventy feet on the ground, inspect it a moment divide into squads, turn a cut here and there into proper position, and almost as quick as thought two or three large log heaps would take the place of the prostrate timbers. From sunrise until sunset, with a single hour’s rest at noon, the work would go on, or until the job was completed, and every man was expected to dine and sup with his neighbor who was furnishing the day’s work.

There were giants in those days, the loads the men carried with their long dogwood hand-spikes were wonderful; sometimes the logs were so large that when raised the men on either side could scarcely see over them, and to the bystander it presented the novel spectacle of a big log moving off with a row of men on one side. In this business, by long practice, our ancestors acquired a peculiar sleight in grasping the unwieldly burden. From this branch of labor originated the phrase of “toting fair,” as between men of nearly equal strength an inch or two difference in the divide of a stick gave great advantage, and where a strong man matched a weaker one it was expected to neutralize the difference in dividing the leverage of the hand-spike. The old settlers made the use of fire a valuable auxiliary in clearing up the lands in the spring, but sometimes it turned to a dangerous foe. In the spring, which in those days was generally early and warm, the logs in the fields would be piled, and through an entire settlement the logs would be fired nearly at the same time, and at night the face of the whole country would be illuminated by the blazing heaps. If the season was unusually dry, the sap of the standing timber would ignite and burn like tinder. Sometimes the wind would rise and the flying sparks would set the dead forest on fire, and the farmers would have to fight for their fences and fodder stacks through the entire night among the fire and smoke and blazing and falling branches and trunks of the burning trees. A blazing fire-brand would fall on the dry fence, the watchful farmer would come to the rescue and the rails would be scattered to the right and left out of the reach of the flames, and the danger would hardly be averted before he would have to hasten to some other point of danger. These conflagrations would sometimes spread from field to field and the whole neighborhood would come to the rescue. During the winter the dark forests would drop a thick covering of leaves over the surface of the earth, and they, becoming dry in the spring, would accidentally or designedly be set on fire. The fire would probably start on the mountains, and night after night the bright fiery circles would increase in area until a rise or change in the wind would send
them speeding down the valleys, and when they got among the canebrakes
the popping of the cane would be like the collision of the skirmish lines of
opposing armies. As the flames approached their fields the owners would
clear long paths round their enclosures and fire would fight fire, the slower
line of flame would meet the faster and with a brilliant glare on meeting
would die out along the whole opposing line and the danger would be over
for a season. From the first fencing of the lands until the disappearance of
the original forest growth was a period of many years, and involved an im-
mensely amount of manual labor. Timber at that time was of little value and
to our fathers the supply seemed inexhaustible, and the amount wantonly
destroyed on lands of but little agricultural value was enormous. A large
area of land was cleared by non-land owners, who would take leases on
forty or eighty tracts which they would clear and fence and on which they
would erect cabins, for the use and occupancy of the lands for from five to
seven years. I can recollect many wealthy and prosperous farmers of the
olden time who started in business on such leases of land, of which by,
years of industry and thrift, they finally become owners. From long ex-
perience and labor in making rails to fence these lands and building their
tenements the early settlers attained wonderful dexterity in the use of the
maul and axe, and we have authentic evidence of a single laborer splitting
one thousand rails between sunrise and sunset. With a heavy Collins’ axe
with a helve four feet long of strong white hickory, they tackled the im-
mense forest trees, and in an incredibly short period of time they would fell
and chop them into convenient lengths for rails or boards. While it was
necessary for agricultural purposes that the forest growth should be
removed, yet it was a great calamity that the timber should have been wan-
tonly destroyed on lands comparatively barren, on which the timber would
finally have been incalculably of more value than all the land ever pro-
duced. It is possible that denuding the land of its forest growth has made
the country healthier, by removing decayed vegetable matter that was once
a fruitful source of disease, and in causing the filling up and placing in cul-
tivation of what were once in summer stagnant ponds and lagoons, and in
removing the causes of obstructions in our creeks and rivers and thus im-
proving the drainage. Yet aside from the immense pecuniary loss to our
people the wholesale destruction of our forests has in many other respects
inflicted serious injury upon our county. As a consequence of the destruc-
tion of our forests, the seasons are more uncertain, springs that once fur-
nished an abundance of water throughout the year have failed, the annual
rainfall diminished and drought is more frequent. When we see the sett-
lers on the western prairies, by judicious timber culture, restoring the
forest growth and know the success of their efforts in that direction, we are
convinced that the time has arrived for our people to attend to the preserva-
tion of the remnants of our once magnificent forests, and also to restore the forest growth on their worn and useless land by the planting and culture of forest trees.

Chapter 6

Madison County, 1823 to 1828

From the year 1823 to 1828, there was but little change in the condition of affairs within our borders. Our people were quietly engaged in developing the agricultural resources of the county and gradually extending the area of their farming lands, by clearing and fencing new fields. The tide of emigration that tended westward after the land sales of 1818 had reached its flood, and the decrease in the price of cotton, the great staple of the Tennessee Valley, together with depression resulting from wild speculation in public land, began to exert a depressing influence on our people. A large element in our population, consisting of small farmers seeking cheap homes, was rapidly filling up the eastern and southeastern portion of the county, and many of them were clamoring for the final extinguishment of the title of the Cherokees to the eastern part of Madison, and the placing of the same upon the market. The old Indian line stretching across the county to the Tennessee line, northeast of New Market to Flint River above Wood's Mill, was a barrier that could not be passed until removed by act of Congress, and the hardy pioneers who were crowding along this line looked with lingering eyes on the beautiful and fertile valleys of Flint and Hurricane, but various obstacles intervened and delayed the opportunity of possession for several years. Until the year 1822 or 23, the people east of the mountains had no public roads, and about this time a road was reviewed from Wofford's section by way of Brownsboro to meet a road coming from Woodville, the then capital of Decatur County, at the county line, which was then at the fork of the Bellefonte and Clear Creek roads west of Joe Criner's, now the Isbell place. When Decatur county was abolished, this became the great thoroughfare of travel between the counties, and the prominent attorneys of Madison county traveled over the route at least twice a year, on horseback, to attend the Jackson county courts, and then a stage route was established, and for many years transported the mails and passengers to and fro between the county sites.—About the same time
John Grayson, John Webster, John Fortner, Henry Brazleton and others were appointed to view and mark out a road from Huntsville across the mountain by way of what was then known as "Webster's Gap" to Henry Brazleton's, where there was an election precinct and a regimental muster guard. Shortly afterwards, Joseph Pickens and others, as commissioners, extended this road to meet a road to be opened in Decatur county to the county line, which was near the old Cobb ford.

The Madison and Whitesburg road had already been opened from the Tennessee line to Tennessee river, which was crossed by the Limestone road forming part of the old military road from Winchester to Natchez by Hazle Green. This road was also tapped at Connally by the old Winchester road running from that point by the old town of Hillsboro, the then voting place of the New Market people. Below Huntsville a road had been opened through Blevin's Gap to the Big Cove, and also one from the Whitesburg road to Leemon's Ferry. The only bridges the county had built was one across Fagan's, now Dry Creek, near the site of the present bridge in the city limits on the Whitesburg pike, and a long wooden bridge across Flint river at site of old bridge at the mouth of Briar Fork, which was constructed by Bennett Wood, who then lived just beyond the river and was at that time County Treasurer. The bridge was insured for many years by the builder, who not only contracted to construct it but also gave bond to keep it in good repair for that period of time at his own expense.— The records of the day show that during these years much was done in the way of facilitating communication throughout the county, and the opening of the great county thoroughfares greatly assisted in developing the business interests of our county site, and many of our merchants were building up a county trade that laid the foundation of their future prosperity. In the year 1825, William McBroom, sheriff, retired under constitutional enactment, and was succeeded by John P. Neal, who was sheriff until 1828.

In State and national politics our county still retained its prominence and the county furnished a large quota of the State's representatives in congress and in the senate. As regards United States Senators, it is a remarkable fact that Madison county furnished a senator from the year 1819 to the civil war, with the exception of the term from 1842 to 1848, when Arthur P. Bagby and Dixon H. Lewis were in the senate from Middle and Southern Alabama, Dr. David Moore having been defeated by Gov. Bagby in consequence of an unfortunate division among the Democracy in the northern part of the State on local issues. As a matter of interest I give a list of our citizens either at the time or originally citizens of the county who have been United States Senators: John W. Walker, from 1819 to 1822; William Kelly, from 1822 to 1825; Henry Chambers, 1825 to 1826; John McKenley, 1826 to 1831; Gabriel Moore, 1831 to 1837; C. C. Clay,
1837 to 1843; Jere Clemens, 1849 to 1858, and C. C. Clay from 1853 to 1861. Thus we see that but for the defeat of Dr. Moore in 1842 by the opposition of some Democrats from the northern portion of the State this county would have had an unbroken line of State Senators from the formation of the State Constitution in 1819 to the beginning of the civil war.

During this period there was much complaint about the court house and jail. The old square yellow brick court house that stood a little east of the present building and which had been finished about the year 1817, though a large and imposing edifice for a new county at that time, began to get out of repair, and was deemed by many unsafe on account of the size of the rooms and the want of sufficient thickness of the walls. In the north western part of the present court house yard was the pillory, stocks and whipping post, nearly due west from the old jail that stood just outside of the railing round the court house square, in the northeast corner of the square. The steep declivity on which the court house stood descended abruptly in the direction of the jail, which stood on nearly level ground in a kind of basin that sometimes in winter turned to a pond. The following letter from Joseph Caruthers, the jailor, and John McBroom, sheriff, will give some idea of our jail comforts at that time. This letter is dated February 7, 1825:

"To the Hon. Judge of the County Court and County Commissioners of Roads and Revenues: It becomes my duty, as the Jailor of Madison County, to inform you that the jail of said county is insufficient for the safekeeping of the prisoners committed thereto and has been so for a number of years. Owing to the frequent attempts to break through the windows they have become insecure, and the floors of the several rooms have become quite decayed and are falling through. The roof is so bad that whenever there comes a heavy rain almost everything within the walls become entirely wet. I therefore pray you to review the same, as I believe you are by act of the legislature required to do, have the necessary repairs done, so there may not be so great a responsibility on my part for escapes.

(Signed)
Robert Caruthers,
Jailor.

John McBroom,
Sheriff."

In the month of August, 1825, John P. Neal succeeded Mr. McBroom as sheriff, and soon after he went into office he wrote to the commissioners, and in his letter he says: "I call the earnest attention of the court to the insecure condition of the jail, and hereby enter my protest against it." But it was many years before the old jail and market house were torn down and a new jail built on the site of the present jail. This was owing, doubtless, to pecuniary troubles, as a committee to audit the treasurer's books from the
year 1825 to 1828 reported the amount of outstanding claims against the county treasury over and above available assets at forty-four hundred and thirty-eight dollars, which claims were cut in the form of county scrip and were at a heavy discount. About the year 1825, the old jail bounds that heretofore extended over an area of ten acres, were extended one mile in every direction from the jail, thus giving prisoners for debt who could give bond not to try to escape the liberty of the whole city.

From the year 1823 to 1828 there was but little change in county officers, Samuel Chapman continued Judge of the County Court and Thos. Brandon Clerk, and Lemuel Mead Clerk of the Circuit Court. The Court of County Commissioners, being elected every two years, underwent some changes. Gross Scruggs served as commissioner for the greater portion of this period, and the office also filled by Thomas McGee, Joseph Pickens, Stephen Biles, Samuel Walker, James McCartney and Geo. T. Jones—all of whom are well remembered by the old citizens of the county. Thomas McGee was then getting to be an old man, and lived near what is now known as the old Driskell place, on the Tennessee line. Joseph Pickens lived in the Big Cove, and was long one of the most popular and influential men in New Madison, noted for his kindness of heart and unstinted hospitality. Geo. T. Jones, who lived on Mountain Fork, was a man of more than ordinary talent, who frequently represented our county in the legislature, where his good sense and sound judgment made him prominent. He was a progressive and successful planter, and aside from public duties, by thrift and industry, accumulated a handsome property. But of the body of able men who served as commissioners during this period James McCartney was by far the most prominent. Coming here about the year 1810, without capital, he entered on a career of successful speculation in which he distanced all competitors, and had his years been prolonged he would doubtless have been one of the wealthiest men in the State. When about nineteen years old he married Eliza Allen, a most estimable lady, and the sister of the Rev. John Allen, who for a period of many years was the venerated pastor of the Presbyterian Church of this city. In the land sale of 1830 James McCartney invested heavily, and had he lived to reap the fruit of his investments would have realized an immense profit from his ventures. He was also an extensive and progressive farmer, and was far ahead of public sentiment on the erection of cotton factories, and at the time of his death, in 1833, before he had reached his fiftieth year, he was devising plans for the erection of an extensive cotton factory on Flint river, which, under his management, would doubtless have greatly added to the material prosperity of our county.

During this period North Alabama still held the supremacy in the counsels of the State. Nich. Davis, of Limestone, who became the leader
of the old Whig party in North Alabama, was President of the State Senate from 1823 to 1827, and during the same period Samuel Walker, William Kelly and C. C. Clay, of Madison, were speakers in the Lower House, except for the years 1826 and 1827, when the Speaker's chair was filled by Samuel W. Oliver, of Conecuh county. James J. Pleasants was Secretary of State from 1821 to 1824. Henry Minor was first Circuit Judge of this District, and then reporter for the Supreme Court. In 1825 Jno. M. Taylor succeeded him as Circuit Judge, Jno. M. Taylor was a man of versatile talents, being at one and the same time merchant, preacher and lawyer. As a merchant he was a failure, but he was an eloquent preacher and a brilliant lawyer. From the year 1823 to 1827, James G. Birney was solicitor for our judicial district, and was then a popular and talented lawyer, and when he sold out his property and went north, to become a leader in the old Abolition party and its first candidate for the Presidency, he voluntarily abandoned a career that promised him a brilliant political and professional future in our State.

Chapter 7

Merchants of Madison County
1820 to 1830

The decade in our history of which I am now writing witnessed a great development of the mercantile business of the county. Many of the successful and prosperous merchants of the time had commenced business here at an early period, and from small beginnings were now fairly launched in successful and profitable business. — During the prosperous era in the Tennessee Valley from the war of 1812 to the period of which I write, they had kept pace with the country's progress and established their business on a sure foundation. While some of the pioneer merchants had retired from business, and others had sought new fields of enterprise, an unusually large proportion of them were here actively engaged in business, and for many years were prominent business men in our community, and are well remembered by our old citizens. Of the number who came here at the first settlement of the country, Alexander Gilbreath, the first of the number who commenced business in Huntsville, had removed south of the
river where many of his family still reside. Luther and Calvin Morgan and Samuel Morgan went to Nashville, and if I mistake not one of them was the ancestor of Gen. John H. Morgan, so famous as a cavalry officer during the civil war. Samuel Morgan engaged in business in Nashville, Tennessee, and was for nearly a quarter of a century a prominent and successful merchant in that city. Concerning Joshua Falconer, John P. Hickman, Neal B. Rose and Philip Foote, well known merchants in Huntsville before Alabama was a State, I have but little information, and I believe there are no representatives of their names now in the county.

But many of these old merchants lived and prospered and died at an advanced age in this community, and their families are largely represented in our county. I propose to devote this article to their memory. I regret that my sources of information are so meagre, as a recital of their struggles and trials and final success would be an interesting theme. Before the State was organized and when the Cherokees were east of us and the Chickasaws were west, the traffic with the Indians was an important part of the city's trade, and it was nothing uncommon for forty or fifty Indians from Tennessee river to march into the city and spend a day or two trafficking and bartering with the merchants. I can recollect many of the old merchants, and their tales of the olden time, when they travelled to Philadelphia and New York on horseback and by stage, were of the most thrilling character. They swam their horses across the swollen and unbridged watercourses, and traversed the Cumberland ridge in parties, as a precaution against robberies that sometimes occurred in the mountain solitudes.— Some of them actually loaded wagons with their goods in the northern cities and conveyed them over the long and tedious journey to Huntsville. They were a most remarkable race of men, wise, prudent and courageous, never discouraged by difficulties nor dismayed by toil or danger. I have in previous articles briefly referred to some of them, and at the risk of repetition I again return to them. Among the early settlers, Stephen Ewing, James White, James Clemons, Andrew Beirne, William Patton, John Read and D. N. Bradford commenced business here at an early date, and were long well known and successful merchants. Among the number who commenced business from 1820 to 1830 and became prominent in our mercantile community, were Frank T. Mastin, Wm. H. Powers, B. M. Lowe and O. D. Sledge. Stephen Ewing was one of the earliest of our merchants, and was for a long time engaged in an extensive business. He belonged to the old and distinguished family of Ewings that has since furnished so many prominent men in the States of Tennessee, Kentucky and Ohio, and was an honorable representative of a remarkable family. With but little capital, he commenced business in a small way, trading in salt and flour between Whitesburg and Huntsville, and won his
Merchants of Madison County, 1820 to 1830

way to fortune by untiring industry, sound common sense and unswerving integrity. James Clemens was also an early settler and a successful merchant. A man of sound judgment, fine business capacity and imposing appearance, though somewhat reserved in manner, his success was due more to native talent and thrift than to personal popularity. He was the father of Jere Clemens, one of the most brilliant, eloquent and popular politicians of his time. James White and Andrew Beirne were Virginia gentlemen of the old school, both scions of old and influential families of the Old Dominion, with many of the virtues and few of the vices of that splendid type of the Anglo American known as the Old Virginia cavalier stock. James White was for a time in partnership with Alexander Gilbreath, the pioneer merchant in the county. — James White was a man of considerable means and invested largely in real estate, owning with other property a fine body of land on both sides of Tennessee river near Whitesburg, which town received its name from him. He was blessed with a large family, of which Thomas W. White and Gen'l. Ad. White are the representatives in Alabama, many of his descendants living in Virginia, where the family owned a large property. Of the family of Andrew Beirne, Col. Geo. P. Beirne was the only male representative, and at his death the name became extinct in our county. Col. Geo. P. Beirne was a worthy representative of a noble race, and will long live in the memory of our people, and in connection with this allusion to his father I take the liberty of quoting the following eloquent portrayal of his character from an address to the Huntsville bar in August, 1881, by one who knew him well: "He was as marked and distinguished among his fellow men for his personal appearance as for the attributes of his mind. He was a man of striking personal appearance. A tall and commanding figure, indicative of great strength, and a face of finely marked and manly features, with a broad forehead, a heavy brow and a large and lustrous eye. His face was an index of his character and frankness as a man. In its expression was reflected as distinctly the varied emotions of his nature as the mirror reflects the features of the face. In all the walks of life he exemplified in a high degree that order of refinement and that type of civilization of which we are so justly proud, and by precept and example he exerted an influence rarely felt. A more touching and eloquent tribute could not be paid to any man than to say what can truthfully be said of him, that he will be missed, and his memory cherished sacredly by those who most need an unselfish friend, the widow and orphan."

William Patton, the other member of the old firm of Beirne and Patton, was of Irish descent, and he possessed in a high degree the rare business endowments that form the character of the model merchant. He was at once merchant, manufacturer and farmer combined, and was remarkably
Successful in whatever he undertook. His cotton gin was one of the first erected in the city, if not the first, and it is said that his son, ex-Governor R. M. Patton, now a man advanced in years, is wont to boast that he was the pioneer gin driver of Madison county. William Patton's first gin stood south of Walker street and east of Meridian Pike, and the motive power is said to have been an old-fashioned one-horse tread-wheel power, and it was the business of the future Governor to keep the old horse that furnished the power to his work. William Patton had a natural turn for machinery, and owned several mill sites on which he experimented more or less. At length he became associated in business with J. J. Donegan, an Irishman also, who became one of the leading merchants of the period. Patton, Donegan & Co. finally became sole owners of the excellent water power at and above the Bell Factory on Flint river, which was for a long time the site of the most important cotton factory in North Alabama. It is my impression that James Manning was also in the mercantile business, though he was also an opulent planter. He belonged to the celebrated colony from Petersburg, Georgia. These colonists had come from Virginia to Georgia, and named their new place of settlement Petersburg, after the old Virginia home, and a large number of them came from Georgia to Alabama about the year 1809 or '10. Among the number were the Popes, Walkers, Bibbs, Mannings and Coxs, all of whom became more or less prominent in the new country. James Manning is said to have been a man of high culture, and his talent was inherited by his descendants, among whom were the Lowes and Congressman Van Manning, of Mississippi. His son, R. J. Manning, commenced business here and rose like a rocket, but lacking the judgment of the older merchants, he made a disastrous failure. In his palmy-days of prosperity he placed the well-known "Manning money" in circulation, at one time as current as a modern national bank note, and erected one of the most costly residences in the city, on the north of Holmes street, which afterwards became the residence of Dr. David Moore. John Read, one of the oldest merchants in the city, was clerk in the land office when it was removed to Huntsville in 1811, and he was for over forty years a merchant in the town. Francis T. Mastin was from an old and respectable Maryland family, and after living in Virginia for many years, came to this county about the year 1826. He was a man of fine business capacity; he accumulated a large property and enjoyed an enviable reputation in the community, which his descendants have maintained down to the third generation. He was the last survivor of the noble paternity who left the indelible impress of their high character on the citizens of this town. B. M. Lowe also came here during this period, and was rapidly advancing to the foremost position among our merchants that he held for ten years. He became exceedingly popular, and among other offices he was
elected Major-General of the militia of that time, considered an exalted and honorable position. Gen'l. Lowe married a daughter of James Manning and raised a family noted for culture and refinement. His daughters were intellectual and accomplished. Robert J. Lowe, one of the most brilliant of our young men, died during the first year of the civil war, and the intellectual power and magnetic influence over the people of our late Congressman, Wm. M. Lowe, the youngest of the family, was freely conceded by his most bitter political opponents, and at the time of his sudden death his reputation had become national. William H. Powers, long a conspicuous figure in business circles, also commenced business here before the year 1830. He labored under the then disadvantage of northern birth and under a reserved manner and brusque speech and deportment he concealed a liberal and benevolent nature. He was an old line Whig and a strong Union man, but when the war commenced he warmly sympathized with the cause of the South. During the war he went north to his native State, and many unfortunate Confederates immured in Northern prisons were recipients of his bounty, and he is held in grateful remembrance by many survivors of the war who doubtless owed their lives to his prompt and judicious aid. After the war closed he returned to the city to which he was bound by so many ties of confidence and friendship, and died at an advanced age, honored and respected by our people.

In closing these sketches of our old merchants, I can but express regret that I know so little of them, and the little that I do know of them has mostly been handed down to the present time by tradition.

Chapter 8 — Removal of the Indians

Before entering into the history of New Madison, dating from the great land sales of 1830, I hope that an article upon our first neighbors, the original owners as far as we know of the beautiful valley of the Tennessee, will not be inappropriate. I refer to the Cherokees and Chickasaws, who while they did not actually occupy any of the county away from the river, yet by agreement as far into the past as tradition reaches made the line between the two nations to meet somewhere near the present Cherokee or New Madison line, and as I have already stated, Old Madison was a debatable ground that the government obtained by treaty with both nations. Our people came but little in contact with the Chickasaws after the year 1817.
Removal of the Indians

This tribe, once powerful and warlike, at the beginning of the century owned all the territory between the waters of the Ohio and the Tennessee and the Mississippi southward to the great bend of the Tennessee and South of the Tennessee from about Chickasaw Island to the Creek line, and thence westward to the Mississippi above Natchez. The treaty of 1817 gave the United States all their territory in Alabama, except Colbert's reservation and some smaller reservations on the Tennessee, and they soon afterwards removed beyond the limits of Alabama, so that in the year 1830 the Tennessee valley west of Madison county had been occupied by white settlers, formed into counties, and was a flourishing portion of the State. In the year 1836 the remaining portion of this once flourishing tribe, with the exception of a few scattering settlements in Mississippi, crossed the Mississippi and occupied their present domain. At first, they occupied that territory in common with the Choctaws, a nation of the same origin and speaking the same language, but the two tribes finally separated into two distinct nations, and both tribes have made great advance in civilization and prosperity.

When the English first came to the Carolinas the Cherokees were one of the most prosperous and powerful tribes on the continent. In the year 1730, just one century before the sale of their remaining lands in the State of Alabama, they acknowledged allegiance to and made a treaty of peace with the English. This treaty was often broken by both sides, and hostilities between the whites and Indians were frequent. The Cherokees occupied the Alleghany ridge and as far Eastward as the head waters of Flint and Savannah rivers, their territory including portions of Tennessee, the Carolinas, Georgia and Alabama, and their geographical position, in itself, gave them but little hope of permanent possession. The Cherokees were a superior race of aborigines, and before the beginning of the present century their sagacious leaders were looking westward for a land of promise. About the year 1800 three thousand of them went west of the Mississippi and formed the nucleus of the future nation on the head waters of the Washita. The Indians on the head waters of the Flint and Savannah made great advances in civilization, and when Madison county was ceded some of them were large slave owners, and extensive planters. Many white men had intermarried in the tribe and settled among them, schools had been established, and great interest was manifested in education. But the Indians among the mountains had an intense love for their native valleys and steadily opposed all projects for removal, and discountenanced all departures from the old hunting life of their fathers. Thus originated the two parties whose feuds afterwards resulted in the violent death of some of the wisest and best of their leaders.

In the year 1818 another large body of the tribe went west of the Mis-
sissippi, and the question of removal was continually agitated until their emigration was finally consummated in the year 1836. Soon after the settlement of Charleston, South Carolina, a large number of Scotch emigrants came to the State on account of religious persecution and political dissensions in the old country. Many of this colony became Indian traders and married Indian wives, and became influential men in their councils. Of this number, Alexander McGilvary, the great chief of the Creeks, became most famous, and he was in many respects the most remarkable man of the time. But many of less fame pushed their way towards the bend of the Tennessee and came into Madison county with the early settlers, and located on the Indian side of the boundary line. Among these were Capt. John Woods, the Wilsons, Stephens, McDuffs, McNairys and McNuttys who, from a desire to live among civilized people, came and settled in Madison and the adjoining counties on the reservations that still bear their names. Conalesky, an Indian chief, also located in the county, and when he became civilized he called himself John Challenge, and lived for a long time on Challenge reservation, in Sharp's Cove. When the Creek war of 1813 broke out the Creeks tried very hard to persuade the Cherokees to join in a coalition against the whites, but in vain. The Cherokees were too well acquainted with the power of the whites, and when they found the Creeks would not allow them to remain neutral, they declared war against the Creeks and took part in Jackson's victorious campaign. By the treaty of 1818, that made the cession of their lands in New Madison, each Indian or half-breed who wished to remain within the limits of the ceded territory was allowed to retain one section of land with his house as near the centre of the track as practicable, and reservations of this character were retained by the Indians and half-breeds already mentioned. But as the Indians gradually disappeared from our proximity these parties also became dissatisfied, and all of them in Madison county, holding these reservations, disposed of their lands by sale or relinquishment, and crossed the Mississippi with the remainder of the tribe in 1836. By treaty, the Indians also reserved a track twelve miles square, to be disposed of on the same terms as government lands, and the proceeds of sale to go to their educational fund. This track comprised all of New Madison south of Keel's Mountain, and also parts of Jackson and Marshall counties. There remains unsold about ten thousand acres of this land which belongs to the Cherokees, and is the last remnant of the vast and rich domain which they once possessed East of the Mississippi. The Cherokees moved southwardly until they all had gone South of the river, and occupied a small portion of north eastern Alabama.

The larger proportion of the tribe East of the Mississippi was concentrated in the State of Georgia. This portion of the tribe was divided into
two factions, the party headed by Ross, who opposed removal, and the party of Ridge and Boudinot, who favored it, and their differences delayed the question for many years. There had never been any great cordiality between these Indians and the Georgia people, and the Georgians were very anxious for their removal from their borders, and persecuted them with a great deal of unfriendly legislation. While the State declined to recognize their rights as citizens, yet it extended the laws of the State over their territory. While it claimed the right to try them in court, yet it denied them the right to testify, and their condition was becoming desperate. They sent a deputation to Washington, and while they received many expressions of sympathy from those in power, yet they were informed that the government had no power to right their wrongs. As a consequence removal became inevitable, and even John Ross, the ablest and wisest of their leaders, was impelled by the circumstances to sign the treaty of removal. The government appropriated one million dollars for indemnity and expenses of removal and furnished each family with one year’s subsistence in the new territory. We can but sympathize with this remnant of a brave and high-spirited nation, who reluctantly bade final farewell to their native mountain home and turned their faces westward towards the level lands of Western Arkansas. How they must have missed the mountain craigs and beautiful coves of the Tennessee!

In the year 1836 General Scott, with two thousand troops, was detailed to remove them, and on a beautiful morning of spring all Madison county was in motion to see the Indians. Hundreds of children born in the county had never seen an Indian, and in their line of travel from one end of the county to the other an eager throng awaited them. And presently the melancholy procession appeared. There were carriages and wagons of every kind, horses, mules, donkeys, and dogs, all turned into beasts of burden. Besides the numerous vehicles loaded with travellers, there was a long procession of men, women and children bearing all kinds of burdens peculiar to a household. When they came to Flint river above Brownsboro, they rested two or three days, and the place can still be pointed out where they buried some of their number who fell by the wayside. Of all processions that ever passed through our midst this was the most tragic, and I have heard many spectators aver that the expression of the silent sorrow of their heart, depicted in their movements and faces, haunted them for months. They marched on towards the setting sun and the pageant was over, and when they crossed the Chickasaw boundary, six miles West of Huntsville, they bid a final farewell to their ancient domain, and entered into a land of strangers.

There were many wealthy men and large slave-holders both among the Cherokees and Chickasaws, and both sides sympathized with the South.
But after the war commenced the Ross party returned to its allegiance, while the Ridge party fought through the war in the Southern armies. Their country was subject to all the evils of partisan warfare and the tribe suffered severely. The war closed, their slaves were free, and while the government interposed in behalf of the Ridge party that adhered to the South, to prevent their banishment and the confiscation of their property, yet it compelled the Cherokees to cede to the general government about seven million acres of land, at the rate of four and a half cents an acre, which purchase money they gave them the alternative of seeing donated to their former slaves, or receiving for the whole tribe an admission of their former slaves to citizenship, and the Indians took the latter alternative.

Having made this brief diversion, I now propose to take up the history of the settlement of New Madison from 1830, the year of the land sales.

Chapter 9 — New Madison

The name of Old Madison, as used by our fathers, applied both to the original county formed in 1808 and to the southwest or Triana portion added from the Chickasaw nation in 1818. The Indians owned New Madison until 1819. Though it had been ceded a year or two before, yet it was not until 1818 that the United States entered formally into possession of the New Territory and surveyed out the Indian reservations and the twelve miles square line, and several years elapsed before even this was all accomplished. The history of the settlement of New Madison and the characteristics of the settlers differed as much from the settlement of Old Madison as the physical features of the two sections were dissimilar. A large proportion of the area of the old county consisted of level, fertile lands, offering an inviting field for the location of large plantations, while New Madison was broken, and there were but few locations suitable for the opening of extensive farms. The ranges of mountains extending through it from north to south, with lateral ridges or spurs dividing a great portion of its area into valleys and coves, through which generally ran streams of pure water tributary to Flint river, made it eminently fitted in every respect for the location of small farms and these peculiar characteristics made it essentially a region settled by a white, non-slaveholding population. During the settlement of Old Madison cotton commanded a high price, and farming with slave labor was highly remunerative, and the lands were sold
New Madison

at exhorbitant rates. But cotton had steadily declined in value, and after
the flush times and the wild speculation of 1818 and '19 a reaction had
taken place and prices had steadily tended downward. A large proportion
of the capital that had come into Old Madison had been invested in land at
ruinous rates, and men who had invested extensively had lived to see their
dreams of a golden future dissipated by the decline in price of their great
staple, and many of them were involved in financial difficulties from which
they were not extricated until federal legislation afforded them relief.
There were a few men who had weathered the storm, and were wise
enough to foresee that if they could obtain the public lands at reasonably
low rates in the future they would reap a golden harvest, and they
organized into a ring of speculators against whom the body of actual
settlers in the new county were pitted in purchasing their lands.— Many
small farmers came into the county at this time from Tennessee and
Georgia prospecting for permanent homes, and there were a large number
of old citizens of the county who, by thrift and industry, had accumulated a
small capital that they wished to invest in permanent homes in the new
territory. At the land sales of 1809 and 1818 persons of this class had been
outbidden by speculators, and many of them had lost their homes because
they were not able to pay the exhorbitant prices paid for the land by the
capitalists, and while from the conformation of the country and difference
in its financial condition the evil would not have been so serious if New
Madison had been put on the market in a more prosperous era, yet the
tendency of federal legislation and of public opinion rendered it impossible
that the early settlers on these lands should be treated with the injustice
that deprived John Hunt and others of their homesteads at the sales of
1809. While no blame can attach to the early settlers who saw proper to
bid high prices for valuable government lands, and while it was a great
misfortune to many that they were too poor to compete with the capitalists
for lands they had settled and improved, yet the many cases of hardship it
entailed were calculated to create a prejudice against the wealthy and array
the poor against the rich.

Before the year 1829 the administration had been composed of men
principally from the Atlantic coast, who although wise and patriotic yet
were not so fully in sympathy with the masses as their successors. The tide
of emigration south and west and the admission of many new and
prosperous States into the Union placed the reins of government under the
control of men who had lived and moved and prospered with the people of
the new States, and the movement took the form and spirit that resulted in
the wise legislation that has done so much to prevent monopoly in control
of the public domain and to guarantee cheap homes to actual settlers.
Thomas H. Benton was the first great champion of pre-emption in the halls
of congress. From his election to the United States Senate he devoted his attention to effecting a change in the land laws, by which the actual settler on the public domain could have the privilege of retaining his lands at the minimum price fixed by the government, and also to procure the passage of a law graduating the price of public lands, so that their price should be reduced in proportion to the time they had been on the market without a purchaser. The elevation of General Jackson to the presidency in the year 1829 placed a ruler in power who was in full sympathy with him, and soon after his inaugural General Jackson earnestly recommended the passage of the preemption law to congress, and the law was enacted.

In the year 1829 C. C. Clay was elected to congress from this district, and no man in congress worked more actively and zealously in pressing this law to its passage. He was recognized by the people of North Alabama as the uncompromising enemy of monopoly and the champion of the people, and his course in congress made him the most popular man of his period and placed at his command the highest offices that the people of his State could bestow.

The Cherokee cessions made at different periods from the year 1819 to 1830 had placed the greater portions of the lands in North Alabama in the market, and the great land sales at Huntsville in the year 1830 was the most remarkable event of the time, and an examination of the census reports from the year 1830 to 1840 will show a remarkable increase in our population during that decade. The old Cherokee line of 1809 was resurveyed in the year 1819, and soon after the work of dividing the lands in New Madison into subdivisions was commenced on the Tennessee line. Capt. Joseph Rice, a pioneer of New Market, deceased but a few months ago, was probably the last survivor of the men who participated in this work. He was one of the surveying party in the capacity of chain carrier, and used to tell in his inimitable style many anecdotes of the trip. A little south east of New Market there is a remarkable deviation in the line, of which he gives the following explanation: Benjamin Clements in his survey, coming near a settler's house, sent the occupant for a jug of buttermilk, which was somewhat curtly refused him, whereon he deflected his line and put the settler out of Old Madison into the unsurveyed territory, and it required some years' time and a special order from the general surveyor to straighten the line. As the present maps of Madison county do not show the old Cherokee line it is difficult to convey an idea of the form of the territory added to the county and sold at the land sales of 1840. From the State line to its extreme southern limit at the mouth of Paint Rock is about thirty-five miles, being the maximum extent of the county north and south. The east and west boundaries, the first following the dividing ridge between Flint and Paint Rock and the last being the old Cherokee line, while both tend nearly a
south course, are very crooked, and there can scarcely be found any two points in the whole extent of the same width, the widest portion being from Ashburn's Ford, on Flint River to Paint Rock, east of Mt. Nebo Church, being about twelve miles on an air line. The narrowest part, from the township corner east of Thos. P. Gurley's to the Old Madison line near site of the old Gurley mill, is about two miles wide, from McNulty town to the State line the average is about eight miles, and it added to the county an area of about three hundred square miles.

At the time of the land sales the largest body of level fertile lands offered in New Madison was the lands around the present town of Gurleysville, where the lands known as Ashburne's Cove breaks the connection between the more northern range and Keel's Mountain, and leaves the latter entirely isolated and interposing a solid barrier between the northern and southern portion of New Madison, around which we must skirt Flint on the western side or Paint Rock on the eastern by nearly equal routes to the southern portion of the new county. This level table land, but little broken by mountain spurs, extends from Hurricane Creek to Paint Rock, and includes in its limits the Gurley, Robertson, Clay and Coles plantations east of Gurleysville and partly in Jackson county, and the plantations skirting the northern base of Keel's Mountain west of Gurleysville to Flint river, at John W. Grayson's. South of Keel's Mountain there are many mountain spurs and detached ridges interspersed over an otherwise level country between the waters of Paint Rock and Flint, giving great diversity of soil, including the pine flats west of New Hope, the rich alluvial lands on the banks of the rivers, the black, fertile lands of the cedar ridges, and the dark clay soil of the Cedar Ridge and Paint Rock, once covered with the magnificent poplar growth from which Poplar Ridge precinct derives its name. The northern portion of New Madison is mostly in the coves and valleys of Mountain Fork and Upper Hurricane, comprising some of the finest lands in many respects in the county. The region known as New Madison was formed by nature for the home of small farmers, and but little over half a century has elapsed since its permanent settlement. In no other portion of North Alabama has the population been more permanent or the original settlers as largely represented by their descendants on the homesteads of their fathers. A large number of these old pioneers have passed away in the memory of the present generation, and a few here and there still survive and live on their old homesteads purchased in 1830, and I propose before proceeding in the history of the county to devote one or more chapters to the memory of the pioneers of New Madison, who were here at the time of the land sales, and give their location.
Chapter 10
Land Sales of July, 1830

The preemption law was enacted in May, 1830. This act gave to all parties who were in actual occupancy or who had cultivated or improved any public lands in the year 1829 the privilege of filing a preemption claim on their lands and obtaining a patent at the minimum price fixed on government lands. The act of 1820 had abolished the credit system in sale of public lands, and fixed the minimum price at one dollar and twenty-five cents per acre, and reduced the minimum of quantity from one hundred and sixty acres down to eighty, except for fractions ranging over eighty acres and less than one hundred and sixty. This was a valuable concession to actual settlers wanting small homes, as each settler who could command one hundred dollars could secure his home. On lands on which there was no preemption the field was still open for speculators, and a stringent law had been enacted forbidding any one under penalty of imprisonment and a fine of one thousand dollars from offering any inducement to any one to refrain from bidding on public lands and from agreeing for a consideration to refrain from bidding. Notwithstanding these regulations and from other causes, the greater part of these lands sold at low prices and were bought by actual occupants.

The lands offered for sale in 1830 embraced New Madison and also Jackson county and a portion of the present counties of DeKalb and Marshall. The first sale of public lands for that year was in July, and embraced the upper portions of Jackson and New Madison. The second sale commenced on the first Monday in October, and at that time Huntsville was thronged with an eager crowd of purchasers, some of them speculators but the large body of them small farmers with the means to purchase a home, or here endeavoring to raise money for that purpose.—Prominent among capitalists buying lands on speculation were James McCartney, Wm. H. Moore, Richard W. Anderson, John Gilchrist and Terry Bradley, all of whom invested largely and realized handsome profits from their purchases. At the land sales of 1830, and in the course of a few months thereafter, a large number of the old citizens of New Madison, whose descendants still reside in the county, purchased homes. At the July sales many old citizens of the northern part of the county, who at the land sales of 1809 had bought lands on the old county line, made considerable purchases in the new territory. Isaac Criner, the pioneer farmer, with his brother Granville as partner, purchased, with other lands, the fine farm near where he built his first cabin, on which he lived for over half a century. The Walkers, Davises and
Land Sales of July, 1830

Rices, whom he preceded but a few months, also made considerable additions to their already fertile and flourishing farms. While the Walker family in the Hickory Flat region was not so fully represented as at the present time, yet there were not less than three represented in the July land sales, as we find the names of James and Samuel and William Walker among the purchasers of the beautiful region largely occupied to-day by the family. Moses Power and Sarah Williamson and Hawley Williamson and John Campbell, Robert and William Davis, Theo Pennington, John Green and James Moore are largely represented in our county.—But the families of Thomas Dorgan, James Gillespie, James Carroll and Nancy McDougall no longer are numbered among citizens of Hickory Flat, neither do any of the Griggs or Wilkins family now live on lower Mountain Fork. Upper Mountain Fork, after passing the rich basin of land purchased by William Davis, was vacant until about the year 1832, when the greater proportion of the rich but narrow valley was taken up by Joseph Hudson, Wm. Clunn and William Petty, the former of whom has many descendants living in that region.—Shortly afterwards came Abner Moore, now the patriarch of the valley, who when long past his fourscore years was still able to clamber over his mountain lands and point out the old landmarks of sixty years ago. I believe he is the last survivor of the old and vigorous race who opened these fertile valleys to cultivation.

George Tannehill Jones, whom I have frequently mentioned, purchased a considerable portion of his large farm at the land sales, and Thomas and John Miller added large acres to their fine lands in the old county. John Howard and Baldwin Howard and Jacob Scisco located east of New Market near Grimmett’s and Terry’s, and Samuel Yarbrough at the old homestead. George Smith, who was an early settler from the Hiwassee valley and the pioneer merchant and principal owner of the present town of New Market, and who already ran one mile along the Indian line, squared his lands by purchase of a fraction east of the boundary.

About the head of Hurricane Wm. Baker purchased several hundred acres of land which formed the nucleus of the large plantation afterwards owned by him. In a few years a large settlement grew up around him, and during election times candidates frequently resorted thither to frolics and merry-makings so much in vogue at that time, and also to seek the influence of the old gentleman and aunt Hannah Baker, his wife, a lady endowed with an unusual portion of good, strong common sense and a judgment on which it is said many of her voting neighbors were wont to rely in determining for whom their ballots should be cast. Uncle William Baker’s neighbor and friend, Joseph Hambrick, who like him purchased his first home at the land sales and accumulated a large portion of this world’s goods, was in some respects more fortunate than he. While the
Baker name is now represented in the Hurricane region by Allison W. Baker alone, Joseph Hambrick left a large family of the name, many of whom of the third generation he lived to see attain the age of manhood. Col. J. M. Hambrick, the youngest son, was long a prominent man in the county, and is too well remembered by our people to require any notice on my part. The Rices, Baylesses and Braggs were among the earliest settlers, and were several of them in the war of 1812 under their kinsman, the gallant Captain James Hamilton. The older members of these families having already purchased at the land sales of 1809, purchased but little of the new lands, but the younger members of the families sought homes in the new purchase, and Thomas and Benjamin and Joseph and Luna Bragg located near what is now known as Bragg's church, and no family in the county has preserved through three generations a better character for industry, sobriety and sound, practical common sense. Joseph Rice and Othniel Rice, the old representatives of a remarkable family, both long past their fourscore years, have recently passed away, leaving many worthy representatives of the old name, foremost among whom in talent and purity of character is Dr. Francisco Rice, well and favorably known to a large portion of the citizens of our county.

Among the old citizens of New Market Dr. Geo. D. Norris and Isaac Cook have probably survived the entire generation who lived in that vicinity where they first located in that town. Dr. Norris has for near half a century practiced his profession in that vicinity. A man of talent and culture and a close observer of men and manners, he is doubtless the best informed man on our early history in North Alabama. He is Past Grand Master of the Grand Masonic Lodge of the State of Alabama, and enjoys the honor of representing the Grand Lodge of England under a commission bearing the signature of the Prince of Wales, Grand Master of the Lodge of Great Britain.

From New Market southward to McNulty town the old Madison line ran on or near the mountain ridge dividing the waters of Hurricane and Flint. The long and narrow Hurricane valley, including the coves formed by the mountain ridges, included as fertile a body of land as can be found in North Alabama. These lands were taken up in small tracts by a large body of settlers, some of whom still occupy these lands, while others are largely represented by their posterity. Their number is so large that it is impossible to give all their names. South of Joseph Hambrick's and occupying lands east of New Market to Hurricane valley, I can name William Jackson, John and James Robinson, James and Levi Methvin and Eli Woodward whose descendants have sought other homes. Eldridge Bailes and Robert Hall still live on their old homesteads. Joel and Jesse Stone, James Cochran, A. J. Fowler, Wm. Wells, George Howard, Abram Miller, Jno.
W. Irby, the Braggs and Rogers are familiar names and largely represented in that part of the county. Out in Sharp’s Cove, round a network of Indian reservations, purchased by James McCartney, and extending up the cove as far as the soil was tillable, was congregated a colony of the Sharp family, who as purchasers at the land sales of 1830 furnish us the names of John, Joe, William, George, Leroy and Patsey Sharp, and also Henry Scott, whose wife belonged to the Sharp family, all living in a body on an area of fertile land in the cove.

Old McNulty-town was a place of considerable importance at this time. It was near the centre of McNulty’s reservation, near Mrs. Maria Giles’ residence, on Hurricane, and at one time there was a mill, a dry goods store and grocery at this point. And here Wm. Robinson, afterwards sheriff of the county and a man of wealth, commenced his successful career selling good and groceries. Just below McNulty town, on Wilson’s reservation, James McCartney built the present “Bone homestead,” the first brick house built in that part of the new county, and with the Indian reservations and adjoining small tracts purchased from the original owners located a plantation of two thousand acres. John Derrick owned the south half of Wilson’s reservation, on which he lived for a long time.

In Killenworth’s Cove and east of Maysville nearly all of the available lands were purchased at the land sales, and I believe that Caswell B. Derrick is the only survivor of the original purchasers. In this vicinity were settled in 1830 David Poekrus, Sampson Province, Vincent Derrick, Samuel and John and Jonathan Tipton, Robert Light and Richard Bowhanan, many of whom died on their original homesteads. The lands from the Tennessee line down to Gurleysville were nearly all taken up at the land sales in July. The country from John Gurley’s south to Paint Rock and Tennessee rivers was offered for sale in October, 1830, and will be taken up in another chapter.

Chapter 11

Land Sales of October, 1830

Gurleysville and Collier’s

From the point of the ridge forming the limit of Killinsworth Cove Hurricane Creek is deflected westwardly by the low cedar ridge known fifty
years ago as Gurley's Mountain. Crossing the low gap commencing at the Steger place and ending at John Gurley’s old homestead we come to the splendid body of land to which I have already alluded, reaching from Gurley’s to Keel’s Mountain and from the waters of Hurricane to those of Paint Rock, and divided nearly equally by the line of Madison and Jackson running due south on the range line. The greater number of the purchasers of these lands were among the earliest settlers in the county, and their names are on our records back to the extension of organic law into the county. The McBrooms and Criners were related, and Stephen McBroom came here with Joe and Isaac Criner and one or two others on an exploring tour about the year 1804, and they were the first white men of whom there is any authentic record who visited Mountain Fork and Hurricane valleys. At the time of the land sales these men, with the McCartys, Rountrees, Reagans, Peeveys, Cromers, Stegers, Keels, Thomas M. King and others, were old citizens of the county, living along the line of Old Madison, and in 1830 purchased the greater portion of the territory in New Madison above mentioned. The fertile red clay lands were covered with a forest of towering poplars and the river bottoms and low lands were a thick canebrake with narrow paths traversing them to the rivers. The country was full of game and was a favorite hunting ground for the sportsmen from the older portion of the county. John Gurley and Thomas M. King had settled near the big spring, south of the Vincent place, then a clear, lasting and large basin of water, and their hospitable home was a favorite resort of Thomas Brandon and other lovers of field sports during the hunting season.

At the land sales Thomas McBroom located the present Gurley homestead, and Caswell B. Derrick was just north of him near the Steger spring. John Gurley purchased and built at his old homestead, and west of him, extending down to the corporation line of Gurleysville, John and Charles McCartney purchased half a section of land, and out west near the cedar ridge were the homes of George Land and Thomas Ferguson. Robert Rountree lived at the present homestead of Wm. R. Gurley. For many years thereafter the land round Gurleysville was in the woods with no public road except the old Belle Fonte road on the east, running near the county line. The settlement along the base of Keel’s Mountain consisted of a few small clearings, isolated from each other by a heavy forest growth. But the country improved very fast, and the industrious farmers, with abundance of fine building material in easy reach, constructed many substantial dwellings of hewn poplar that still remain in good condition. The old Gurley homestead, the McBroom and McCartney homesteads have been destroyed by fire, the two first during the war, the last since, but the houses built by Robert Reagan, Mai Taylor and David Cromer still remain in a good state of preservation. John Gurley became the owner of the
greater portion of the lands east and north of Gurleysville, and there were but few better plantations in the county than the body of land he possessed. The Taylor place was entered by Wm. Keel, who sold to Mai Taylor in 1832 and settled on the mountain at the Chalybeate Spring, where he lived for a long time and gave the mountain its present name. Wherey Whittaker also settled at the base of the mountain, afterwards removed to the top, and thence to the neighborhood of New Hope, where he is now living. He and Mai Taylor are the only survivors of the old settlers of the land in Ashburn’s Cove.

David Cromer and John Gurley built the first mills on lower Hurricane, both of which were kept up for a long time. Robert W. Peevey purchased the lands now owned by John W. Grayson at the spring, and Peevey’s spring was the muster ground of the old militia battalion for over a quarter of a century. Just west of Gurleysville lived Samuel Barron, a school teacher of the olden time. He was of Irish birth, a man of will and varied information, with old orthodox ideas of training and discipline, and for the best of reasons is well remembered by scores of the old citizens of New Madison, who were boys when he was in the prime of his physical and intellectual strength. He left two sons, Dr. Wm. J. Barron, of Huntsville, and Samuel B. Barron, a lawyer, and present Clerk of the County Court of Cherokee County, Texas. Thomas M. King, one of the oldest citizens in the county, was a Methodist minister widely known and highly respected in his time.

On the old Deposit road from Allen Sanford’s to Peevey’s spring there was no settlement for many years, and this whole country around to Gurleysville was a vast cattle and hog range for the people near the mountain. Sometimes the traveller would meet a drove of one or two hundred hogs roaming the woods, and their owners generally let them run in the woods until they were two or three years old before they were penned, fattened on corn and then made into bacon. These droves of porkers, when interrupted by dogs, were sometimes quite formidable, and hunters on foot sometimes had to take to trees and logs for safety, while their dogs had to run for their lives. On one occasion Thomas Brandon with a small hunting party was enjoying the hospitality of old brother King, and while on a hunting expedition had a severe battle with a drove of hogs that resented the intrusion of the hounds on their domain. After a lively skirmish their porcine antagonists were routed, but two or three of their best dogs were badly cut up in the encounter. They put their dogs in a wagon and carried them to Parson King’s. As was usual in slave times the kitchen was some distance from the house, and after supper while the Parson’s cook, Manda, a full-blooded African, full of the superstition of her race, was getting the dishes together to carry to the kitchen to wash, the party went out to see
about their dogs. A chilly, drizzling rain had set in, and the dogs were shivering from cold and loss of blood. Parson King suggested that the dogs should be wrapped in their bright-colored saddle blankets and carried into the kitchen and laid round the wide fireplace to dry, and his suggestions were promptly carried out. The more pretentious of our county people at this time were discarding the old-fashioned pewter and were beginning to make a display of delf ware and China on special occasions.—Therefore it so happened that Manda started to the kitchen with the whole precious lot of her mistress’s finest table ware, and just before she reached the door she saw the pile of dogs in ghostly garb, and with an unearthly yell she dropped her precious burden on the ground and breaking it in pieces she fled to the house, and could not be induced to go back until the dogs were unveiled.

John McCartney was a keen sportsman and a celebrated bee hunter, and as bee trees were abundant he would go out and locate the course of the swarms, blaze a few trees to indicate the converging directions from different points, and then with a company prepared with axes, old rags, pails and pans he would unerringly ferret out the hiding-places of the wild swarms, and the party would return laden with the rich deposit of the despoiled hives.

About this time the rough canebrakes about Cole’s spring were the resort of a gang of rogues and counterfeeters that gave considerable trouble to honest citizens, and there is a tradition that, under pretense of manufacturing saltpetre, they carried on their counterfeiting operations in the saltpetre cave on the Cole place. This gang was broken up through the potent influence of Captain Slick, whose name was at that time the terror of evil doers. A considerable amount of saltpetre was manufactured in this cave by the citizens to use in making gunpowder, and the remains of their old hoppers are still being seen. Keel’s Mountain is about six miles across, and by the roads it is about eighteen miles round the mountain, and on it there are coal deposits that may prove at some day to be valuable.

From the corner of the Cherokee cession south of Guilford Bennett’s the old Indian line runs on an air line to the Tennessee river, skirting Flint river from the McClung place to where it crosses above Wood’s mill, and from that point all the country between Flint and Paint Rock is in the twelve miles square reserved by the Indians for educational purposes. From near Maysville to the old Larne Ferry on Paint Rock below New Hope there were but few settlements prior to 1830. There was an old settlement at the Cave Spring, and George Russell and David Lemly located on public land at Vienna, now New Hope, at an early day. Among the purchasers in 1830 in the neighborhood of Collier’s Store and Cave Spring were Clement Baldwin, Jonathan Collier, Thomas Ellison, Bryant and R. W. Cobb,
Josiah Cook and William and Richard Glover and George Eason. Jonathan Collier, an old militia captain, settled the old Wm. Wright place, and has many descendants still living in Collier's precinct, and Thomas Ellison was a prominent and influential man at that time. His son-in-law, Joseph Collier, a son of Jonathan Collier, is the oldest living representative of these families. David Cobb settled at an early day near Cobb's ford. His sons, Bryant and W. R. W. Cobb, were both prominent men in their time. Bryant Cobb was in the mercantile business for some time, in which he met disasters that seriously effected his business enterprises, but for half a century he was a prominent figure in that country, and died some two or three years ago at an advanced age. W. R. W. Cobb was raised in that neighborhood, and commencing life as a plow boy he became successively clock peddler, general trader and merchant. Removing to Jackson county he was elected to the legislature and then to congress, in which he served for fourteen years, and being invincible before the people would, but for the war, have remained there until he thought proper to retire from the field. His natural shrewdness and intimate knowledge of human nature obtained by a wide experience made him the most formidable opponent ever encountered by an aspirant for congressional honors, and the utter rout, at the polls, of such men as William Acklen, Jere Clemens, C. C. Clay and Jas. M. Adams, all far his superior in educational advantages, was to him but child's play. The Cobbs, with their other remarkable characteristics, were Titans in stature, towering several inches above ordinary men. During the days of W. R. W. Cobb's supremacy, when he mingled among his constituents at their political gatherings, he was the observed of all observers. The suavity of his address, his towering stature, the reach of his arms, his coolness, self-possession and undaunted courage and perseverance more than counterbalanced his lack of early educational facilities, and extended his popularity with the people of his district. The Cobb family is still numerous and influential in the county, and Dickson Cobb, now the oldest representative of the family, has served many terms as county commissioner. John Allison, a man of Irish descent and brother-in-law of Bryant and W. R. W. Cobb, was for a long time county commissioner, and was an early settler near Cave Spring, where from an humble beginning he by industry and economy accumulated a fine property, which is still owned by his heirs, of which there are many, he having left no direct descendants.

The lands thrown open to purchasers in 1830, which lie along the Deposit road from John W. Grayson's to the Cave Spring were taken up rapidly, and the whole region soon became thickly populated by a moral, intelligent and industrious community, whose descendants still form the best element of the lower Flint river country.
South of Collier's Store Keel's Mountain and a low detached ridge extending westwardly from Cave Spring to the Fleming Place, reaching nearly to the old boundary line, before the county districts were divided with reference to the sixteen sections formed a geographical as well as legal division between Collier's Store and the large district south of it, all of which was originally in the Vienna precinct. This country now includes four voting precincts, to-wit: New Hope, Owen's X Roads, Poplar Ridge and Cloud's Cove, of which Poplar Ridge was formed many years before the civil war.— Among citizens of the older part of the county who were here with the first settlers and selling out lands in Old Madison permanently located in this part of this county were Jabez L. Drake, George Dilworth, George and Robert Woody, the Middletons, Brazletons, Ledbetter's, Joseph and Isham Collier and Jason L. Jordan, and the Whitakers.

Around Bethel Church, at the southern base of Keel's Mountain, was a body of fine poplar land that was located at the land sales of October, 1830. In what is now known as Manning's Cove the upper portion was entered by Wm. Honea, who made his first improvement at the head of the Cove, and the part including the Big Spring was entered by Wm. Babb, who built the houses still standing near the spring. This spring is the head of what is known as Trimble's creek that meanders southward four or five miles over some fine lands to Paint Rock. Francis Flippen, who purchased his first quarter section at the land sales to which by subsequent purchases he made considerable additions, came here from Virginia about the year 1819 or '20, and settled the place now belonging to the heirs of Dr. Isaac Sullivan, who was one of the pioneer Methodist ministers of that period and was afterwards a physician of high repute in New Madison.

The largest purchaser of land in that neighborhood was Edward Maples, who not only entered all the lands on the original homestead now owned by F. T. Butler, one of his descendants, but likewise made some purchases apart and separated from his homestead, among which was what is known as the “Cole eighty,” north of "Bethel Cemetery." The Maples family have probably contributed a larger quota of pioneer population to the southern and western country than any other family in the State. The family came here from East Tennessee a short time before the year 1830,
and their immediate ancestor, Noah Maples, was a soldier of the revolution­
ary war, and one of my first recollections of him was the prominent
position assigned him at fourth of July celebrations and on public occasions
as the surviving representative of the revolutionary war in his community.
To the best of my recollection he was but once married, and he and his wife
raised a family of nineteen or twenty children, the large majority of whom
were boys, nearly all of whom reared large families in Madison and
Jackson counties. The family generally had many of the old pioneer traits
characteristic of their ancestry and also their pluck and enterprise, and as
they grew up sought new homes in the west, where they, as a general rule,
were prosperous. Although the family have numerous representatives in
Madison and Jackson counties, yet in many counties of Missouri, Northern
Arkansas and Texas we find them as fully represented as here in their
original home. Of the sons of old Noah Maples, Ed, Peter, George, Josiah
and James settled in New Madison, and several of the family, among
whom were Moses and William, in Jackson county. Josiah Maples entered
eighty acres of land east of Gurleysville, but I think he soon sold out and
moved westward. Peter Maples now lives on the lands he purchased at the
land sales in the house built by him nearly fifty years ago. He has been
pastor of the Primitive Baptist Church for nearly forty years, and being well
known to every old citizen of New Madison and still living in the enjoyment
of health and with but little impairing of mental or physical vigor, I will not
shock his modesty by paying that tribute to his sterling qualities of head
and heart that my long and intimate acquaintance would justify.

Thomas Woodall and Wm. Barclay purchased lands near Bethel Church,
and Barclay’s place was afterwards purchased by John C. Grayson, a man
full of energy and enterprise, who put up a mill and cotton gin that ran all
winter by the waters of the falling spring that during the large part of the
season forms a romantic and beautiful little waterfall in the heart of the
mountain above Bethel. Thos. Woodall established a hemp factory on his
place, and but for the hard times of 1830-40 coming on them in the begin­
ning of their enterprises they would have succeeded in making the Bethel
neighborhood a considerable industrial center. From Bethel towards Paint
Rock, Thomas Riddles, Joseph Manning and Job Wilhelms and Abe Atch­
ley were the only purchasers of the land sales of 1830—the Woodalls and
Kennemurs and Bryant Cobb at Cobb’s mill making their entries a year or
two later. From Bethel towards New Hope was an unbroken wilderness
down to old Jimmy Taylor’s place, where there was a settlement occupied
by James Taylor, James G. Holmes, the Woodys, George Dilworth,
Henry Stammers, John Harless and others, on which lands there were but
little improvements made and but few houses built.

What is now known as the big bend of Paint Rock remained vacant for
some years longer, when it was occupied by the Whittakers, Staples, Vanns, Ikards and others, many of whom still live on their old homesteads. In fact both on Paint Rock and Flint but little of what is known as river bank land in this region was cleared until after the year 1865. At that time there was hardly a break in the timber along Paint Rock from Cobb's mill to the mouth of Cedar Creek, but now it is almost one continuous field of cleared land of as fine corn land as can be found in the county. Jason L. Jordan, of Old Madison, purchased land near Vienna. I believe it was the lands afterwards owned by Dr. David Moore. Thomas Vann, Sr., located the lands north of the town. The quarter section on which the town is located was purchased at the land sales by James McCartney and Robert Owen, and the town was laid off into lots for Robert Owen by Wm. B. Fant shortly afterwards.

The Deposit road was opened in time of the Creek war by General Jackson from New Market to Deposit Ferry, and was long called Jackson's trace. I do not know when Geo. Russell settled at Vienna, but I think he was keeping a hotel there for several years before the land sales. Aaron Harrison and Wm. Allison entered the lands south of the quarter section line and lived there for many years. Wm. Cloud was the first merchant there, and the town was first called Cloud Town, but in the year 1832 it was incorporated under the name of Vienna, but under the post-office regulations forbidding two post-offices of the same name in a State, and there being another Vienna in Alabama, the post-office was called New Hope, from the Methodist Church in the town, and the town was recently incorporated under that name. John Kennibrugh commenced the mercantile business there in the early days of the town, and was successful and prosperous in business. William Stone established a tan-yard there, and was long one of its most influential and prosperous citizens, and just before the war he emigrated to Talladega. It is said that his brother, George W. Stone, now Justice of the Supreme Court of the State, lived there a short time before he went south in pursuit of fame and fortune.

There was but little of the public lands sold in 1830 east of New Hope in the bend of Paint Rock, Joseph Stapler and one or two others being all who located their lands that year.— West of New Hope on Paint Rock and along the Cedar Ridge there was a considerable settlement, the ancestors of the Hamers, Vanns and Hannahs being among the number who settled there. Reuben Lemley and Benjamin Inman entered the lands on the Phipp's place near the old fish trap. Many of the Lemley family are still citizens of the county, but there are but few representatives of the old Inman family remaining in the county.— There are but few people aware of the fact that the Inmans, some of whom are bankers in Georgia and others merchant princes in New York and Philadelphia, who were pro-
prietors of the famous Inman line of ocean steamers plying between New
York and Liverpool, a little over forty years ago, were poor boys living on
Flint river. Benjamin Inman entered land on Flint in 1830, and the elder
sons of the family shortly afterwards sought their fortunes in the older
States. The last of the family who went northward to join his brothers
about the year 1838 left Vienna on a sorry pony, and he is now one of the
richest merchants in the city of Philadelphia.

Out towards Ashburne’s Ford John D. Wylie and Elisha Bell entered
large and valuable tracts of lands, and west of the river John Ashburn, the
Gardners, Stephen Richards, Sol. Spence and John Hobbs, all locating
large bodies of lands, occupied nearly all the fine fertile lands from the
mouth of Flint to the Cherokee line at John Logan’s, including Chickasaw,
now Hobbs’ Island. A small portion of the Big Cove was in New Madison,
and Burgess and Robert McGaha, Francis Worley and John Neal came
across the old boundary line and settled west of the river near Woods’ Mill.
The mill, now owned by Walter O. Carpenter, was put up by Thomas D.
Leonard and John C. Grayson, and is one of the old landmarks of New
Madison. The land on which the mill is located was a fraction entered in
1830 by Dickson Cobb, and he and Azariah Cobb and Nancy Cobb owned
the land west of the public road for two miles.

It was in the year 1830 that Major Fleming made his first purchase in the
“Tall Timbers,” as he named this region, and for over a quarter of a
century was the most popular and influential man in that region. Before
the war he had purchased a large plantation in that region, that is now cut
into smaller farms, with many settlers. A large number of old citizens who
came into the county many years before this period located in this country
and bought homes within a few years after the land sales, among whom
may be mentioned the Elletts, Greens, Ledbetters, Carpenters and Millers,
whose descendants form a numerous and influential element of their com­

ument at the present day. The Ledbetters were among the oldest settlers
in the county, some of them being here in the year 1809 or ’10, and many of
them were prominent citizens, of whom John W. Ledbetter was the first tax
collector elected by the people from the south-eastern part of the county.
He was afterwards a prosperous merchant at New Hope, since the war a
member of our State legislature, and now lives at Weaver’s Station, in
Calhoun county.

New Madison increased in population very rapidly, and soon became an
important and influential section, as in the days of exclusively white suf­
frage its almost solid white population gave it the balance of power in our
local elections.

I have now detailed the occupation and settlement of the last addition to
our county limits, and in future articles my history will relate to the county
with its present boundaries, which have not been materially altered since the land sales of 1830.

Chapter 13
Public Men from 1830 to 1835

From the year 1820 to 1830 the population of Madison County increased from 17,481 to 27,990 or a little over ten thousand in ten years. In the south-western portion of the county the occupation of the fertile and valuable farming lands of that region had largely increased the slave population which out numbered the whites until the advent of a large white population of small farmers in New Madison, just before the land sales, restored the balance, so that, by the census of 1830, the white and slave population were nearly equal. In the year 1830, the ante-bellum population of the county attained its maximum, as from reasons to be given here-after, there was a decrease of over two thousand in our population from 1830 to 1840, and but little difference in that number up to the census of 1860.

From the year 1830 all the lands in our present limits have been open to entry and settlement, and for many years after the land sales many of the best farming tracts in New Madison remained vacant. An act of Congress had appropriated four hundred thousand acres of the unsold land in and adjoining the Tennessee Valley to the State of Alabama, to be sold by the State and the proceeds applied to the opening of the Muscle Shoals. This land was sold in lots from twenty acres upwards, and the greater portion sold in Madison County under this act was purchased by speculators, as there was but little demand for this class of lands for purchasers. The swamp lands, as they were called, sold under this act, were generally in the river bottoms and covered with cane, and the portion purchased by landowners generally consisted of small tracts adjoining their farm, to prevent future intrusion or for the timber where their original purchases included land, all of which was susceptible of profitable cultivation.

From the settlement of New Madison until the advent of railroads the intercourse between the people in the eastern and western portions of the county was restricted, and the greater portion of the trade of small farmers was with merchants in their own localities. There was but little cotton raised east of the mountains, and that little was generally bought by the
country merchants, who either sent it to Nashville in wagons that returned laden with goods, or they consigned it to commission merchants, who advanced them money on it and sent it down Tennessee river to New Orleans, and except those peddling to Huntsville, very few of our small farmers living at a distance from the county site ever had occasion to come here on business.

The roads across the mountains towards Maysville and the Big Cove were newly opened and rough and difficult in winter, and Flint river, without bridges, frequently interposed a serious obstacle to travel. There are many citizens of New Madison who now visit Huntsville every week, raised in the county, who, until they attained their majority, had not visited the county site half a dozen times.

The older portions of the county occupied by opulent slaveholders making cotton bales by hundreds, gave Huntsville its original prosperity, and while there is doubtless a great increase in the mercantile business of the town, yet it is of quite a different character from that of 1830 to 1840. At that time a large majority of our planters raised their supplies at home and corn or meat was seldom if ever seen on sale at the stores. But luxury and extravagance among the wealthier classes became the order of the day, and the merchants found their profit in the sale of goods, wares and merchandise pertaining to well ordered households and to customers who did not haggle over prices but turned over their cotton to their merchants at the close of the year with the simple direction "Take my account out of it, and keep the rest until I call for it." In those days suspicion or distrust seldom arose between merchant and customer, and the long and intimate business relations subsisting between these parties, some of them for over a quarter of a century, is unquestionable evidence of the honesty and fair dealing of the merchants of that period.

But the yearly elections did more than anything else to extend the acquaintance of the two sections. As have before stated, the voting population rapidly increased in the new sections, and as Old Madison, for some twelve or fifteen years after the land sales furnished all the candidates, it is reasonable to suppose that they lost no time in making acquaintance with the new section that persisted in staying at home and attending to its own business.

From 1830 to 1835 witnessed radical changes in county officers and the retirement from office of the men who came in with the State Constitution and had served continuously with the approbation of their constituents until the time above mentioned. Most of these officers retired voluntarily to spend their old age free from public cares, and one or two of them were beaten on the clamor for rotation in office. The younger generation were more in sympathy with the spirit and progress of the age, and this period
witnessed the advent into public life a class of men who for a long period of years were prominent figures in our county affairs. C. C. Clay was on his first term in Congress, and Gabriel Moore in the United States Senate. John Vining was State Senator from 1830 to 1835, and in addition to several of the representatives already mentioned the names of Henry King, James G. Carroll, Samuel Peete, George T. Jones, Jabez Leftwich, John D. Phelan, and Wm. H. Glasscock, all of whom are favorably known to the older men of the present day, appear in the list of our members of the lower house. The county did not endorse rotation in office, as regarded political offices, but elected, year after year until they voluntarily retired, such men as Dr. Thomas Fearn, Samuel Walker, James W. McClung and James Penn, the latter of whom was speaker of the house in the years 1830 to 1831.

In the year 1833, Arthur F. Hopkins, one of the most brilliant and popular men of his time, and afterwards leader of the Whigs in the State of Alabama, made his debut in politics as a member of the legislature from the county of Madison. Hon. Samuel Chapman, Judge of Madison County Court, had gone into office on the creation of the county court in the year 1823, and retired from the office in the year 1832, having been elected at that time judge of the seventh judicial circuit where he occupied the judicial bench until the year 1849, making over a quarter of a century holding a judicial office, in our State. John C. Thompson, a man well known to the old citizens of Huntsville, succeeded him and held the office for twelve years.

Thomas Brandon, who held the office of clerk of the county court while Alabama was a territory, and afterwards, by successive elections by the people, to 1832, was in that year succeeded by Richard C. Purdew, who had served a term as assessor and collector for the county from 1829 to 1832, and who now entered on the duties of clerk of the county court, which he performed acceptably for a period of twelve years. Lemuel Mead, who was deputy clerk in the Superior Court under Francis E. Harris, and a member of our State Convention, was elected clerk on the organization of the courts in 1820, and was the only old officer who held over after the general election in 1832, resigning his office in 1836, when Wm. H. L. Brown succeeded him. Many of the books of these old clerks are models in chirography and accuracy with few erasures or blots, and must have represented a vast expenditure of clerical labor, as many of the books, from beginning to end, are but little inferior to copper plate and will compare favorably with the records of any age or country.

The constitution enforced rotation in the Sheriff's office, which had become a lucrative one, and in 1830 was filled by Jeff. Mills, long a prominent and influential citizen of Madison county and son-in-law of Thomas
Brandon. He was succeeded by J. R. H. Acklen in 1831, and he by Daniel B. Turner in 1834, who on the expiration of his term of office served three years in the State Senate. He also served a term as postmaster of Huntsville, and was one of the most popular and influential of our public men. He died in the year 1866, and living through our Civil War, in addition to the wreck of fortune and the usual calamities attending that disastrous period, experienced the saddest affliction in the death of his only son, James Camp Turner, one of the most promising young men of his time who fell in the first battle of Manassas.

James McCartney, Gross Scruggs, Stephen Biles and George T. Jones served as county commissioners for the greater portion of this time, and the county never had an abler or better board. On the death of James McCartney the vacancy was filled by Thomas McCrary, a man of fine business qualifications, who remained as member of the board until 1854, being the longest term of service in our county on record.

In the election of officers to the time of which I write our county was peculiarly fortunate, as they were without exception, selected from the best of our citizens, and were so acceptable to the citizens of the county that there was but little disposition to change. There was but little of the political element in the selection of county officers, and when the old officers chosen on the formation of the Constitution retired to private life they were succeeded by younger men full of energy and imbued with the progressive ideas of the period, who gave to the county prosperity at home and an enviable reputation abroad.

Chapter 14

Madison County, 1835 and 1836

The Texas Revolution

In a former chapter I gave a brief sketch of the old militia organization in the county and the names of some of the old company commanders. For many years prior to the period of which I now write there had been a military organization under different names in the city of Huntsville. In the year 1816, John W. Walker, in a letter to the Secretary of the Treasury, asking that the Old Planters and Merchant’s Bank at Huntsville be made a bank of deposit for government bonds, after detailing the wonderful pros-
perity of the new county and city, states that there are two regiments of militia in the county besides a company of light infantry in the city. In the militia law of the legislature of 1821 the light infantry company of Capt. Jno. K. Dunn is exempted from its provisions, and this was probably the first company in the State regularly enrolled as "State Troops." But in the year 1829 the old "Huntsville Guards" was organized, and for many years comprised in its ranks many of our best citizens and earned a reputation for tone and discipline. This company organized under the auspices of John K. Dunn & Payton S. Wyatt, both men of military predilections, who, if they had not lived in a peaceful era, might have gone down to posterity with heroes who lived in later days. It numbered among its officers men like John C. Spotswood, Judge John C. Thomas and John W. Otey. In 1832 Payton S. Wyatt was elected Colonel of militia and was succeeded by Capt. John C. Spotswood, under whom the company was in its highest state of efficiency, and on his removal from Huntsville to practice his profession in Athens, John W. Otey was elected to succeed him and was an able and zealous officer of the company for many years. This company and its successor, the famous "Huntsville Rifles," the larger portion of whose members died on the battlefields of civil war, were the training schools many of the officers of the Madison County companies who made a lasting reputation during that eventful period. Dr. John C. Spotswood as far as I know, is the last surviving officer of the old Huntsville Guards, and there are but few of its old members now living.

Between the years 1830 and 1836 emigration from Madison County to Texas commenced. From the year 1803, when Louisiana was ceded by Spain to France, this has been debatable land with a disputed boundary, and when the United States with its restless border population, obtained possession of the lower Mississippi valley there were a series of battles around San Antonio and the old Alamo, the most serious of which was the defeat and wholesale massacre of a revolutionary army, 2500 strong, near San Antonio in 1836. But when Mexico formed a Republic and Moses and Stephen Austin had planted a flourishing American colony in the heart of Texas, there was a large emigration in that direction. The emigrants from Madison County went to New Orleans in flat-boats and thence on shipboard to Galveston. The first large body of emigrants from this county who went down the Mississippi and across the gulf in the early autumn of 1832 were most unfortunate. Before the vessel on which they embarked reached the mouth of the Mississippi the Asiatic cholera, that had gradually crept down the Mississippi from Canada & the great lakes, broke out on board of the vessel.—The officers of the panic stricken ship concluded to make a push for Galveston, but a storm arose and delayed their voyage for three days, and the storm raging without and the cholera
preying on the panic-stricken passengers shut up in the hold of the vessel intensified the horror of the situation. Before the ship reached the land, out of one hundred and thirty passengers over sixty had died and had been buried in the sea, and many others died after they reached the land. The Nimmos and Davises were among the sufferers, three brothers of the Nimmo family dying on the voyage; but the survivors of this unexpected calamity pushed on into the upper country and performed their part in the stirring military events that were soon to follow.

At the commencement of the Texas revolution the emigrant population of twenty thousand in that State had come principally from the Southern States of Missouri, Kentucky, Tennessee, Alabama and Mississippi, and the news of the bloody tragedies at the Alamo and Goliad, in February and March, 1836, aroused the whole Southern country to arms. There were in every county friends of the murdered heroes, and at the time of the battle of San Jacinto and the sudden termination of the invasion of Texas, thousands were en route for the theatre of the war. I have already mentioned Capt. Peyton S. Wyatt. He was a brother-in-law of B. S. Pope and uncle of Mrs. Frank Mastin, and raised a company in Madison county in the Spring of 1836 and marched them into Texas. He arrived there much to his chagrin too late for the battle of San Jacinto, but participated in the closing scene of the war and then came back with many of his command. He married a daughter of Col. Routt, an old citizen of Madison county, and returned to Texas a few years afterwards, where he died a victim of consumption. George D. Spotswood, a brother of Dr. J. C. Spotswood, was a member of his company, a promising young man, who died shortly after his return. The other members of the company that I can remember were Green Hamlet, Jno. C. Grayson, Wm. Wilson, brother of Mrs. Jack Fariss, Jas. V. A. Hinds, the last known survivor of the company, and Peter Daniels their fifer. Jas. V. A. Hinds, for a long time our county surveyor and a man well known to our people, spent several years in Texas. William Wilson, who never married, died about two years ago, and was an old, well known citizen of the county. Peter Daniels, was a freedman of color, a barber, and the most famous fifer of the day. If his history as I have heard it authentic—and I do not doubt it—he was a hero of the Texas revolution deserving a monument for courage and fidelity. It appears that Peter Daniels' reputation as a musician had spread over in Mexico, and when Wyatt's company disbanded he remained in the Texan service, and the desultory warfare following the battle of San Jacinto was captured by a band of Mexican troops. They gave him the alternative of immediate death or enlisting in their service as fifer. He scorned their offer, told them he would die before he would play them a single note, and refusing even when confronted with his executioners he was riddled with bullets. This is a
striking illustration of the intense hatred of the Texan soldiery against their Mexican invaders and of the cold blooded barbarity of the latter, which was retaliated by the Texans, at and after the victory of San Jacinto. Several of our old citizens lost friends and relatives either at the Alamo or Goliad, and even the school-boys were ready to march to the rescue. Circulars were distributed asking contributions in money and the names of volunteers, and there was doubtless a considerable sum raised for the cause. I have seen one of these old documents in the handwriting of Capt. Joseph Rice, of New Market, dated May 18, 1836. The battle of San Jacinto had been fought on the 21st day of April, and in those slow-moving days our people probably had not heard full details of its glorious results. The document pledges the parties whose names are subscribed to contribute the amount opposite their names to the support of the cause of Texas, if needed, and Joseph Rice, Elkanah Echols, Reuben Shotwell, Thomas Miller, Wm. B. Miller and Parhem N. Baker subscribed twenty dollars each, and many other sums from one to ten, the whole amount pledged being one hundred and eighty-one dollars. The name of Wm. Smith is recorded as a volunteer, but the triumph of the Texans rendered any further material aid unnecessary.

While our county enjoyed profound peace during this period, yet there was considerable excitement about Indian troubles, in the central portion of the State, and they became so serious that Hon. C. C. Clay, in 1836, as Governor and Commander-in-Chief of the Alabama militia, ordered out the State Troops and took the field in person in co-operation with General Scott and Jesup. Several companies were organized in Madison county and their services tendered to the governor and they were enrolled, but the troubles were soon ended by the submission of the Indians, and our troops were engaged in no active services.

During the period of which I now write Byrd Brandon was United States Attorney for the northern district of Alabama and actively co-operated with Gov. Clay and General Jesup in organizing the militia of the northern district for a war that seemed inevitable. Col. Brandon was a young brother of Thomas and William Brandon, whose names have so often appeared in this history, and superior to either of them in native talent. He studied law under Governor Clay, and had hardly attained his majority, when admitted to practice, and when he was thirty years of age, had been associated as partner with such men as Judges Taylor, White and Silas Parsons, had been commissioned as aid of Governor Israel Pickens with rank of lieutenant-colonel, and on General Jackson’s accession to the presidency received the appointment of Attorney General, which office he held through General Jackson’s administration. The state of his health requiring a change of climate, he was appointed by President Van Buren consul to Campeachy
and died in that country in 1838, at the age of thirty-eight. His career was a short and brilliant one, and by his death Madison county lost one of the most promising of a brilliant array of statesmen that gave us the prestige we enjoyed in our State and national councils. Jno. D. Brandon, of our city, is a son of Col. Byrd Brandon, a worthy son of a distinguished father, who being well known throughout the State as one of the leaders of the bar of North Alabama and being intimately acquainted with the people of our county, requires no eulogy from my pen.

Chapter 15—Madison County to 1840

The period in our county’s history of which I now write was an uneventful one. Except the rumor of Indian troubles, to which I alluded in the last chapter, and in which companies under command of Capt. John W. Otey, Capt. Rob’t. W. Peevey and others not remembered, were enrolled for service, there were no wars nor rumors of war. Our people had gone on in the even tenor of their way and were devoting their energies to the cause of education and internal improvement. Green Academy had, until within a few years of this period, stood without rival in North Alabama, and was the nursery in which were trained many eminent citizens scattered throughout the State, who were now on the threshold of a brilliant future. On the 15th of January, 1831, under the auspices of the Presbyterian Church, the Huntsville Female Seminary was duly incorporated, with Arthur F. Hopkins, John M. Taylor, J. J. Pleasants, Wm. Clark, Thomas Fearn, B. S. Pope, James G. Birney, John Mastin and Harry I. Thornton trustees, and launching out under the control of such an array of able and distinguished names it is not strange that its reputation became national. It would be interesting, if possible so to do, to detail the long list of names of talented and cultured women who have been trained within its precincts during its more than half a century’s existence. Throughout the whole Tennessee valley its students are dispersed the mothers and wives of the older school of divines, lawyers, statesmen and politicians.

While our educational facilities were improving, our work of internal improvement, commenced under favorable auspices, experienced the disasters of the financial crisis covering the decade in our whole country’s history from 1836. The causes of these disasters belong to national history, and I shall not attempt to discuss them, interesting as the subject would be.
I shall merely note their influence on the local interests of our county, and detail not the cause but the effect upon our county's welfare. One good effect produced by the financial crisis was the abolition of imprisonment for debt in 1836, an old law which, separate and apart from a humanitarian view, would soon have been imperative, as in the course of a year or two the debtors outnumbered the creditors.

The old Planters' and Merchants' Bank of Huntsville, the oldest in the State on expiration of its charter, was succeeded by a branch of the State bank, and taxation was so light that when the State Tax was abolished in 1836 the expense of the State government being paid out of the State bank, it was considered hardly worthy of mention; and when on account of financial disaster to the banks, the legislature of 1843 levied a State tax—the first in seven years—there was no opposition and very little discussion of the matter.

Roads and turnpikes were considered as important by our fathers as by the present generation, and but for the financial crisis of 1836, our roads of the present day would be on quite a different basis. During this period the Decatur and Tuscumbia railroad, the oldest in the State, was constructed. The works of internal improvement that our fathers contemplated were the following: First, the opening of the Muscle Shoals, in which Madison county, on account of its enormous cotton crop, was most vitally interested. This failed on account of the inadequacy of the proceeds of the swamp lands donated to the purpose and the straightlaced opposition of the Democratic party, then in power, to appropriations for internal improvement, though some of the work on the Muscle Shoals was permanent and excellent in its character and the money not entirely thrown away. In connection with this was also the incorporation of the Madison Turnpike Company, in 1834, and the building of the turnpike from Huntsville to Whitesburg, which has been of lasting benefit to our people. This work was undertaken and completed when the favorite project of a canal from Huntsville to Triana was abandoned as impracticable, though persisted in by the projectors until the undertaking threatened them with bankruptcy. It was the intention of our people to construct a turnpike from the Tennessee line to Tennessee river, and if the enterprise had been undertaken ten years earlier the project would doubtless have been accomplished.

In the year 1838 the Meridianville and Hazel Green Turnpike Company, under the auspices of Rodah Horton, Valentine Pruit, Dr. Wyche and other public spirited citizens of Meridianville and Hazel Green, was incorporated. They were authorized to establish a stock company with a capital of one hundred thousand dollars to construct a turnpike from the terminus of the Whitesburg turnpike at the Green Bottom inn to the Tennessee line. The line of this road lay through a region of wonderful fertility, the greater
portion of which had been purchased at the land sales of 1809, and a large portion of the lands had been cleared and was in a high state of cultivation, yielding enormous crops. But while a few of the incorporators tided over the financial difficulties of the times many of the citizens along the route were seriously embarrassed by the financial disasters of the period and a large number utterly ruined and the enterprise was abandoned. The financial pressure prevailed so long that the people did not recover sufficiently to renew the undertaking until just before the war, the blighting effect of which laid our industries prostrate and our people lost the opportunity of carrying out an enterprise that would have been a nucleus to an improved system of roads that would have proved of incalculable benefit to our people.

In opening Tennessee river to navigation it was thought that Flint river, traversing the eastern portion of the county, and Paint Rock, skirting our South-eastern portion could be opened to navigation, and it was conceded that a portion of the two and three per cent fund could be legitimately appropriated to that purpose. A slight appropriation had been made for the improvement of Flint that was of but little benefit to the people. The Flint River Navigation Company, incorporated at an early day, had been able with a favorable tide to freight cotton to the Tennessee in bateaux or keel-boats, but neither they nor the State government made it a navigable stream. Paint Rock being a narrower but deeper stream was considered more available. In the year 1839 the State legislature appropriated ten thousand dollars to the improvement of the navigation of Paint Rock. The counties interested in the work were Madison, Jackson and Marshall. Three commissioners were appointed, to wit: W. B. Robinson, of Marshall county, Eldred W. Williams of Jackson, and Dr. Alfred Moore of Madison, with authority to employ competent persons to examine the river and make estimates of the costs. Then they were to let the work out to contractors, make all payments, receive vouchers and make returns of their work to the legislature, embodying a full report of all proceedings under the law. This proved to be an ill-advised and unfortunate expenditure. The commissioners faithfully performed the duties enjoined by law in having the river examined, estimated and contracts assigned, and scrupulously disbursed the appropriation for the work done; but the great mistake made was in attempting to open the stream for navigation by the expenditure of so small a sum. The river was lined to the waters edge by a luxuriant growth of white oak and other heavy timber, and it was decided to begin the work by clearing the stream of all timber likely to fall into it and obstruct its navigation. The contractors concluded to cut down all such timber into the river on the theory that the high floods of winter would float it into the Tennessee and clear the river of all obstructions of that character. The work was done in
summer when the trees were full of sap and covered with foliage. The river for nearly half a century has sent its annual floods to the broad Tennessee, yet the trunks of the prostrate giants of the forests lie buried in sand and drift in the bed of the river, in many instances not a dozen yards from their first resting place, and as for aught we know may lie there buried for ages to come. When winter came the logs refused to float, and so many were there that, unless at high tide, upper Paint Rock became the most unnavigable stream in the State. Nearly all the fords were obstructed and had to be cleared out, the boys dared not take a header into the tempting waters unless by close examination of the theatre of operations they were satisfied there was no danger of a flattening out by contact with a hidden log or impalement on a treacherous snag, and seining in these waters was unheard of.

More than all the disappointment and chagrin attending the failure of the enterprise and the wasting of the money was the sickness that followed. The people along and near the river who had hitherto enjoyed average health with other portions of the county were for several seasons scourged by miasmatic diseases which they reasonably attributed to the obstructions in the course of the stream and the decay of so much vegetable matter, the lighter portion of which was on account of the obstructions in the current thrown into the sloughs and ponds to generate miasma during the summer months. The lapse of time has improved the stream and restored health to the country, but Paint Rock would now be better adapted to navigation if not a dollar had ever been appropriated to improve it.

During the time of which I treat the old jail was taken off the square and a new one erected on the present site and the present courthouse commenced.

Chapter 16
Representative Men from 1830 to 1840

This chapter will be partly retrospective. In past articles I have had frequent inquiries concerning certain of our older public men, which I propose to answer. Men like John Hunt, Leroy Pope, David and Alfred Moore, John W. Linter, Governor Clay and some others who spent their lives among our people do not require any further mention, as their whole
history is familiar to our people. But a few of our earlier statesmen died before the memory of the present generation and many at the time or soon after the rapid settlement of the Tennessee valley in 1818 and '19 followed the tide of emigration and became leaders and pioneers in their settlements.

Many of the great statesmen of the South, born and raised in the county, went southward on the settlement of the Creek lands, and at the time of which I write were entering on a brilliant career. Many of the younger men of this latter class still survive, and wherever their lot is cast they are trusted and honored leaders among the southern people.

Dr. Henry Chambers was one of the most distinguished of the early politicians. He was a Virginian by birth and a member of our first constitutional convention. He was a man of ability, of high literary attainments, in easy circumstances and one of the most popular men in North Alabama. He was twice beaten for Governor by Israel Pickins, one of the most popular and influential men of his time and in the year 1825 was elected to the U.S. Senate over Judge Wm. Kelly, also a Madison county man, but died in Virginia in February, 1826, before taking his seat. His family emigrated to Mississippi, where his sons became prominent, one of them representing that State in Congress. The good old county of Chambers was named in honor of him. Jonas Titus is said to have been the oldest member of the bar in North Alabama, having been admitted to practice long before Madison county was organized. He was a member of the territorial legislature for several terms, and when Alabama was formed into a territory, in 1818, was elected a member of the council, as the upper house was called. It so happened that he was the only member of that august body, was of course president, opened and adjourned and did all the voting, and enjoys the honor of being the only man who ever held the office of member of the council of Alabama territory.

Judge Wm. Kelly, who came here from Tennessee about the year 1817, was then in the prime of life and had been judge of the circuit court, brought with him a high reputation which he fully sustained. He was elected to Congress in 1821, when the whole State was his district, succeeding John Crowell or first member of Congress. He was soon after elected U.S. Senator and served until succeeded by Dr. Chambers in 1825. He was a member of the legislature of 1827, and soon afterwards removed to New Orleans, where he died about the year 1835.

Wm. J. Adair, nephew of Gov. Adair, of Kentucky, and a distinguished lawyer, came here about the time of the land sales of 1818, served in the legislature in 1823 and '24, was elected circuit judge in 1832, and died in office in 1835. The brothers, Harry I. and Jas. I. Thornton, were raised in Madison county. Harry I. Thornton was district attorney during the term
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of John Quincy Adams, and was elected judge of the supreme court in 1833. He resided for many years in Greene county, which he represented in the State senate, was afterwards appointed to the lucrative office of land commissioner of California, and died in San Francisco in the year 1862. Jas. I. Thornton read law in Huntsville and was the law partner for a short time of Judge Henry W. Collier, who, after a short residence of two years in Huntsville settled in Tuscaloosa. Jas. I. Thornton removed to Greene county, was Secretary of State from 1824 to 1834, and a prominent and influential man in Greene county.

Neither must I omit to mention Judge Jno. E. Moore and Col. Sydenham Moore, sons of Dr. Alfred Moore, noble scions of distinguished family. They both read law and were licensed to practice in Huntsville. John E. Moore, the elder brother, removed to Florence and entered on the successful practice of his profession. He represented Lauderdale county in the legislature of 1847, and was elected judge of the fourth district in 1852, and remained in office until the war, and upon the occupation of North Alabama by the federals he removed to Greene county, where he died in 1864, Col. Sydenham Moore settled in Eutaw about the year 1833, after Capt. Otey's company of volunteers, of which he was a member, disbanded. He was judge of the county court of Greene, served a year in the Mexican war, was appointed judge of the circuit court in 1857, was soon afterwards elected to Congress by a large majority, from which he withdrew on the secession of the State of Alabama, was elected Colonel of the Eleventh Alabama, and was mortally wounded in the battle of Seven Pines. He was a veritable chevalier Bayard, gentle and courteous in behavior, of graceful demeanor and of undaunted courage, a man without fear and without reproach.

Judge Richard Ellis, of Franklin, was an old resident of Madison county, coming here at an early date, was delegate to the Constitutional Convention, from Franklin in 1819, was first circuit judge of the fourth circuit, serving from 1819 to 1825, was a prominent actor in the Texan revolution and president of the convention that declared its independence. He was related by marriage to the Garths, then of Morgan county.

John D. Phelan, one of Alabama's distinguished jurists and the father of Major Ellis Phelan, our present Secretary of State, was born in New Jersey but raised in Madison. He was for a time editor of the Democrat, and in 1836 was elected State's attorney. He represented Madison county in the legislature in 1834 and '35 and Tuscaloosa county in 1839 and was speaker of the house. He was circuit judge of that district from the year 1841 to 1852, when he was elected judge of the supreme court and was clerk of the supreme court until the war, and after the war was professor of law in Sewanee University. His brother, James Phelan, was born in Madison county, learned the printer's trade under Philip Woodson, was State
printer in the year 1841, afterwards removed to Aberdeen, Mississippi, and was Confederate States Senator from 1862 to the close of the war. Jas. Phelan was an able journalist and as an orator had few if any superiors in the south. He married a daughter of Dr. Alfred Moore.

John McKinley came to Huntsville in 1818. At that time he was about forty years of age and a distinguished lawyer. In 1826 he was elected to the U.S. Senate, and about that time settled in Lauderdale county, and was again elected in 1836, but before taking his seat he was appointed associate justice of the supreme court, which office he held until his death in 1852. The old war horse of Democracy, David Hubbard of Lawrence, settled in Huntsville about the time he attained his majority 1814 or '15, working here as a carpenter. Young as he was he had served in the war of 1812 and was wounded at the battle of New Orleans. He read law here and about the year 1819 or '20 opened a law office at Moulton. He was a man of strong common sense, a shrewd politician and popular with the masses. During a public life of over forty years he was solicitor, member of the legislature, either in the senate or lower house for several terms, was member of congress in 1839 and 1849, but was thrice defeated by General Geo. S. Houston, who was invincible in his district. Maj. Hubbard lived many years after the war, and I believe died at an advanced age in Tennessee, his native State. Wm. L. and Dr. David Hubbard McLain, two worthy citizens of our county, are his lineal descendants.

Madison county has furnished so many eminent men who became prominent throughout the south that it is impossible to enumerate them. Among them were Dr. J. P. Coman and Luke Pryor, of Athens, Gov. A. E. O’Neal, of Colbert, Gov. John J. Petrus, of Mississippi, Gen. Jones M. Withers, Judge A. R. Manning and Dr. Claude Mastin and Hon. Percy Walker, of Mobile, Wm. B. Modawell, of Perry, and A. J. Hamilton and Morgan Hamilton and chief justice Wm. Moore, of Texas. Many of them, at the time of which I write, were in the prime of life and at the Meridian of fame, while others, many of whom are still living, were just entering on a successful and honorable career and belong to a later era.

Gov. Reuben Chapman, one of the most noted men of his time, was an old citizen of Morgan county, coming to Madison about the year 1850, when he retired to private life and was a citizen of this county until his death in 1882. He was a native of Virginia. He came to Huntsville in the year 1824, read law with his brother, Judge Samuel Chapman, and was admitted to practice in Huntsville, but about the year 1825 removed to Somerville. In 1832 he was elected State senator from Morgan county, and remained in office until 1835, when he was elected to congress, defeating Robert T. Scott, of Jackson, and William H. Glascock, of Madison. In 1837 he was elected over ex Gov. Gabriel Moore by a large majority, after which
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he was re-elected four successive terms with but little opposition. In the year 1845 Joshua W. Martin, an independent candidate, had defeated Col. Nat. Terry, the regular nominee of the Democratic party, for Governor by near six thousand majority.—This was owing to divisions in the party on local questions, and the Whigs were very hopeful of electing Col. Nich. Davis in 1847 and obtaining control of the State. The Democratic convention, in 1847 nominated Gov. Chapman without any solicitation or effort on his part, and he was elected by a handsome majority, and his wise prudent and economical administration relieved the State from its embarassing financial position and restored confidence in and gave permanent control of the State to his party. But Joshua L. Martin resented his exclusion from a second term and united with the supporters of Hon. Henry W. Collier in opposition to Gov. Chapman’s renomination. In this crisis Gov. Chapman set an example that later politicians could well imitate. A majority of the convention were favorable to him, but under the two-thirds’ rule, though his success was quite probable, yet there was danger to the party in a heated contest for the nomination, and Gov. Chapman, for the sake of harmony, voluntarily retired from the contest and gave his influence and support to his distinguished successor. Gov. Chapman, at the earnest solicitation of our people, became a member of the legislature in 1855, but served only a single term and filled no public position since that date, except presidential elector in 1860. Gov. Chapman was largely gifted with practical sense, eminent tact and farseeing political sagacity, and as an active, vigilant and resolute public officer had but few equals and no superior. He did not shine as an orator, possessing but little personal magnetism, boasted of none of the arts of the demagogue, and his deportment rather repelled than invited undue familiarity. Yet with all these serious obstacles to popularity his endowments were of a character to give him a strong and lasting influence with the people. His financial ability was of the highest order and gave him a prominent place on the congressional committees. His mind was a storehouse of useful knowledge and his fine colloquial powers enabled him to give his sound practical convictions on the issues of the day in an intelligible and impressive manner that edified and enlightened his hearers and gave him an enviable reputation for honesty, sincerity and sagacity. In his old age he was the Nestor of our younger politicians, a wise and disinterested counsellor, eminently liberal and conservative and deeply solicitous of the welfare of his adopted State.

During this decade the most distinguished emigrant to our county was Judge Wm. Smith, who came here about the year 1834. He had already been supreme judge and U.S. State senator in South Carolina and the political antagonist of John C. Calhoun, and left South Carolina on account of his disapproval of the nullification tendencies of his people. When he
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came here he had passed his seventieth year and had already made a national reputation. He served in our State legislature from 1836 to just before his death in 1840, when he left an immense estate, and his descendants of the fourth generation still own considerable property in Huntsville and vicinity.

Chapter 17 — Huntsville, 1830 to 1840

I have brought up the history of the whole county to the year 1840, but I have not for a considerable period of time alluded to the city of Huntsville. I heretofore endeavored to picture the appearance of the city in the days when, by the building of the store-houses of the old merchants, the public square, with the old brick court-house on an eminence in its centre, began to take form and shape, and the substantial brick residences south of Williams street formed an elegant suburb rather than a part of the city. In the year 1830, with the exception of the comfortable brick tenements embowered in native forests, scattered around the city and generally environed by fertile fields in a high state of tillage, the town was compactly clustered round the three sides of the square east of the spring. The water works, commenced by Hunter Peel and James Barclay in 1823, were in successful operation, and the old breast-wheel in its ceaseless round was furnishing the city with an ample supply of pure water. The greater portion of the city was included in the old corporation between Lincoln, Williams, Gallatin and Holmes streets and much of the city beyond these limits was then in cultivation, with old-fashioned worm fences reaching the streets on either side. Old Green Academy stood nearly isolated and embowered in a grove of primitive forest trees with open fields on the north, west and south. From the junction of Green and Holmes streets Levin Sheperd, Major Fleming, James Neely, Jere Murphy and some others had built north of Holmes street, with no settlements south. The residence and the lots, negro quarters and outbuildings of Thomas and William Brandon were located near the junction of Jefferson and Holmes, and there was a burial ground a little north of this point, through which Jefferson street now extends, and it is probable that beneath this busy thoroughfare are the last resting-places of some of the forgotten dead of the early city.

Martin Miller lived in a substantial log house on the site of Mr. Weil's present residence, and at the foot of the hill the old tan-yard was in successful
operation, and through its open gates there was a constant throng carrying in hides and returning loaded with the leather, that was distributed through out the farms of the county and made into shoes by itinerant cobblers who traversed the county with their kit of tools and made up the shoes for the farmers. On a large number of these plantations they made shoes both for black and white, and there was but little difference in the style and finish of the work, except that the farmers laid in the leather for negro shoes of the russet shade, as it came from the tannery, and bought a side or two of finished black leather for the family supply.

The road to Whitesburg was much traveled, and in the winter season became almost impracticable, and outside of the old city limits there was not a hundred feet of McAdamized road in the whole county.

The population of the city in 1830 was about two thousand, and the Methodists, Presbyterians and Primitive Baptists had erected houses of worship and were supported by large and liberal congregations. From the year 1830 to 1840, though embracing a period of great financial distress, yet was included a period of great improvement in the city and vicinity. The corporation extended one quarter of a mile from the court-house to each side of the 160 acres of land in its bounds, from which was excepted the negro quarter of Thomas and William Brandon on Holmes street, then called the western road. The old jail was built on the present jail lot in the year 1832, and the market house on the public square had been taken away and the market place removed to the Holding Block. The old brick court-house on the public square had become dilapidated and insecure, and after discussing ways and means for several years the commissioners finally let out the contract for the building of a new one. George Steele, a fine mechanic and a scientific architect, planned the building and drew up its specifications. Geo. Steele had come here from Virginia young and poor, but by his energy and mechanical skill contributed largely to the development of architectural taste among our people and soon made a wide reputation and acquired wealth. He married a daughter of Col. Matthew Weaver and raised a large family, among whom were the accomplished wife of the lamented General E. D. Tracy, Matthew W. Steele, the well-known architect, and Col. Jno. F. Steele, a celebrated civil engineer. But one of the men who constructed the court-house from corner-stone to minaret still lives in our midst, one of the last survivors of the celebrated mechanics of that era, whose finished and skillful workmanship gave both elegance and stability to our public and private edifices. Our fellow-citizen William Wilson and James Mitchell were awarded the entire contract, and broke ground for the new building in the month of July, 1836, and the first court was held in the new court-house in the fall of 1838. The excellent blue limestone of the foundation was quarried on Russell Hill. The whiter
limestone of the steps into the hall and of the upper stone work was quarried on the spurs of Monte Sano, and the paving material from "Round Top." Messrs. Wilson and Mitchell's contract included grading the site of the new court-house and removing the old one, and the workmen, in grading the square and digging the foundation, excavated a considerable quantity of loose flat rocks, which they used in covering fissures in the rocks of unknown depths across which the foundation walls were carried. To look upon the level green sward of the public square and the substantial basement of the court-house would make it difficult to realize that underneath are yawning caverns reaching down to the hidden waters of Huntsville Spring, with arches cleft by fissures extending up to the foundation walls of the court-house. Yet so sure and solid was the foundation laid that there was not on its completion nor has there since ever been any perceptible change or difference in level, except a slight depression of its north-east corner. The bricks for the court-house were made by Messrs. Wilson and Mitchell on the lots now occupied by George M. Neely and Fred A. Howe, which were afterwards graded to the street level and sold for building lots. The court-house cost about fifty-two thousand dollars, and when finished it was considered one of the finest edifices of the kind in the Southern States. Messrs. Wilson and Mitchell quarried the stone in the mountains, made the brick, superintended hauling and transportation of all the material, and also directed and managed the inside work and plastering, and when they delivered the keys of the completed building to the county authorities they left to future generations a lasting testimony of their skill and fidelity as master builders.

While the court-house was in progress of construction George Steele was building the bank edifice, now occupied by the National bank, which is another monument to the skill and fidelity of the builders of that time.

Bartley M. Lowe, at that time in the meridian of his prosperity, contributed greatly to the improvement of the city by erecting store-houses near the court-house square. Andrew Beirne erected the present Post Office building. Robert J. Manning built the present Bell Factory store and also the costly residence north of Holmes street afterwards occupied by Dr. David Moore, and Judge Wm. Smith built the substantial and costly establishment covering what is now known as the "Calhoun block" or United States court-house.

Although the banks had suspended and a large proportion of its paper currency was worthless and nearly all at a heavy discount, yet the town was steadily improving, and the period from 1830 to 1840 was remarkable not only for the erection of our public buildings and many private residences that have contributed to the reputation of the city, but also for a vast amount of work in extending and grading the streets and improving the
drainage. The completion of the Whitesburg turnpike was of great benefit to the people of the city and entire county in facilitating the transportation of our large cotton crop to Tennessee river.

I have now brought this history down to the year 1840. Here I propose to conclude my work for the present. Should time and opportunity be afforded to resume the subject in the future I will write of men who still survive or live in the memory of the older citizens now living. Since entering on this work I have obtained much valuable information from our old citizens, both verbally and by reference to many interesting papers they have kindly placed at my disposal, and should I ever revise my work by the information so obtained I will be able to correct some errors in former articles and also to add materially to the subject matter. While from county records and other resources I have been able to give short biographical sketches of public men who were prominent in their several vocations, I have been able to glean but little of the history of our periodicals and journalists or of our pioneer churches and ministers who came here with our ancestors and built up our religious denominations as the country progressed. The abundance of the material available for the chronicler of events from 1850 to the present time and the necessity of careful and judicious selection demands more time and attention than I can, at the present time, bestow. Should it be my good fortune to collate and properly arrange material for the continuation of these articles to later times, I will then undertake the task of completing the history of the county to the present time.
Appendix

Early History of Huntsville

They Were Honest Settlers and Were Not Troubled by Indians—LeRoy Pope Once Owned the Section of Land Containing the Spring—Center of Culture and Wealth.

At a recent meeting of the Epworth League Mr. Thos. W. Jones read the following original and highly interesting history of Huntsville in its early days.

Alabama formed a part of the state of Georgia until the year 1802, when the territory was ceded to the general government, and from that time to 1817 it remained a part of the Mississippi territory, and in December, 1819, was admitted to the union.

In January, 1795, a company of bold speculators, under the name of the Tennessee Land Co., secured from the legislature of Georgia, by fraud and bribery, the country then known as the "Great Bend of the Tennessee River," and now called North Alabama. But when the people saw how their servants had betrayed their trust, they rose in their indignation and compelled the next legislature to annul its charter and repudiate the sale.

In the meantime, this company was busy selling off large blocks of the land, and amongst their sales in 1808 were those to Martin Beatty and others for 40,000 acres, comprising all the land from Normal to the Tennessee River, at the price of $1 per acre, but all this land reverted to the government, as his title was worthless, being from the land company, but he was compensated by the government. This is the first deed on record and is found on Page 1 of Book "A" of the deed records.

It is a debatable question as to who first settled in Madison county. A popular impression prevails that John Hunt who camped on the spring bluff. Isaac Criner, one of the old pioneers who died about 20 years ago, at his home near New Market, claims that his cabin was built early in 1805 and that John Hunt stopped with him on his way looking for the big spring. The existence of this wonderful spring was widely known among the Indians and the whites soon heard of it from them and began to search for it. It is well established, however, that John Hunt found the spring in 1805 and moved his family to it.

This part of the country was the dividing line and favorite hunting grounds of the powerful and warlike Chickasaws on the west and the Cherokees on the east. It was used solely as a hunting ground by these tribes and neither had settlements here, and as far as is known, there was
never any fighting in it. In those days the country was a magnificent un-borken forest, traversed by many swift running streams. The Indians came here to hunt in autumn and returned in winter, laden with game and crossed the river at Hobbs’ Island on their return to the settlements. The flint hatchets and arrow heads found on our hillsides betray the location of their hunting camps. These tribes were the very finest specimens of their race, and it is said that the Chickasaws were never defeated in battle and De Soto found it easier to march around them than to fight them. They were the superiors of the other tribes in valor, intellect, honor and cunning, and I firmly believe that the elements of local influence that contributed to making this tribe the noblest of their race, remained with their Anglo-Saxon successors and the bright pages of our history confirm this belief.

The settlers who came to this country up to 1809 were plain, honest homeseekers, who had fought the Indians in Tennessee and Kentucky, and now learned of the country in the great bend of the Tennessee River, a land of peace and the most beautiful and fertile country trodden by the foot of man. They came to the country with nothing to build their houses with but a few simple tools and most of the early houses were built without any nails. Those that did not bring seed and salt with them had to go back across the mountains for it on pack mules. They had to live chiefly on jerked venison until their first crop of corn came in and after they got the corn they had to grind it by hand, but this was so slow that most of them went to mill to Winchester, Tenn. The girls wore homespun dresses and buckskin moccasins shod their dainty feet, and it is said they were as charming and attractive as their stylish descendants before me tonight. This talk is all right for a man that wore a coon-skin cap, but I daresay that Mr. B——— would decide in your favor. On long winter nights parties of young people would get together and gin cotton by hand. At this time there were about 250 people located around the spring.

Henry Gilbreath had a store near the spring, at a place about where the corner of Gates and Henry streets now is, and leading to it was a rough country road, coming up Holmes street through a miry pond near the Struve corner, winding its way around the rough knoll where the courthouse now stands. The mountain ridge of cedars came down to where the Presbyterian Church now stands.

In 1808, Madison county was created by proclamation of Robert Williams, Governor of Mississippi territory. Up to this time the inhabitants, numbering about 5,000, were living quietly and peaceably on land belonging to the United States, without law or government.

In 1809 the United States sold the lands in Madison county at auction. By this time the beauty and fertility of the country had attracted a class of wealthy cultured people from Virginia, Georgia and North Carolina, who
bought large tracts of land at this sale for the purpose of moving here and booming the town. One of the largest purchasers was Leroy Pope, called "the father of Huntsville," and who contributed more than any one person to its rapid upbuilding. At the land sale there was sharp bidding to get the spring quarter section, and finally it was bid off to Pope for $23 per acre, about five times the price paid for the adjoining land. It must have been a sad reflection for John Hunt to sit and see the spring that he had come so far to find pass from his hands to his wealthy neighbor, Mr. Pope, for the mere lack of money to pay for it. Yet it was best for the future city that it was this way, for Pope was a wealthy, liberal minded man and bought the land for the purpose of locating the town on it. If sentiment and sympathy for Hunt had prevailed, and he had been allowed to buy the land without competition, this beautiful spring might have this day adorned the farm of some of the young Hunts and our city would have been called Twickenham yet and located no telling where. Mr. Pope afterwards mollified the feelings of Hunt by naming the village after him. Hunt was unable to pay for the cheap piece of land that he did buy and had to give it back to the government, and it seems he left here and went back to Tennessee. The next time the name appears in history is in the military achievements of his distinguished grandson, John Hunt Morgan, the famous confederate cavalry leader.

In December, 1809, the territorial legislature appointed five commissioners to locate a site for the public buildings for the county and directed that the place chosen be called Twickenham. This name was suggested under the influence of Mr. Leroy Pope. He was a great admirer of his ancestor, the poet Alexander Pope, and sought in this act to perpetuate the name of the poet's home in England—Twickenham. The hand of Pope is seen in every move that was made toward locating the town. Thirty acres of his land were selected, including of course the spring, and laid off in 2 acre blocks and these into 4 lots, each on a corner. In laying off these blocks, the direction of the spring bluff was considered, instead of the point of the needle and that is the reason why the courthouse and other houses in Huntsville face 34 degrees west of north and the arrow on the courthouse points to the northeast, when the wind is coming straight from the north.

Mr. Pope gave certain lots on the south side of the square to the county, who sold them for about $10,000 and built the court house and jail with the money. The town was laid off in streets bound by Holmes, Lincoln, Williams and Gallatin. The first lot was sold on July 4, 1810. The court house was built in 1811 and a wooden jail was built in the north east corner. Later the water was found to get under the jail from the pond near Struve corner and it was moved. The market house was attached to the court house, either in the basement or around it and our dignified officials were,
no doubt, annoyed by the noise of the electric sausage grinder at nights and the continual rumble of drays bringing in Kansas City hindquarters from the refrigerator cars at the depot. Anyway, they had the market moved to where the Holding block now stands, for some good reason.

The town was incorporated in December, 1811, and the name changed to Huntsville. The Board of Trustees were authorized to raise a sum not exceeding $200 for municipal purposes.

Superior Court was held on Oct. 1, 1810, and the Judge, Obadiah Jones, entered the court room with great ceremony, clad in a Judge’s gown, a cocked hat, with long plumes and a sword at his side. He was preceded by Sheriff Stephen Neal, who advanced to the bench with a drawn sword. Peter Perkins presented his credentials as clerk and Louis Winston his as solicitor. John C. Hamilton, George Coulter, James Rodgers, Gabriel Moore, Marmaduke Williams and John W. Walker were admitted to the bar.

On May 11, 1811, the bonds of matrimony were dissolved between John and Catherine Carter. On the first Monday in December Eli Newman was tried for murder and was convicted on Wednesday; on Thursday the motion of his attorney, John W. Walker, for a new trial was overruled and on Saturday he was hanged by the neck until dead. It follows from this summary and business like way of upholding the majesty of the law left no need for lynch law.

Green Academy was incorporated in 1812 and the same site is now occupied by the city school. In 1816 and 1818 there was a land boom and values rose to a high point. The Shaudies corner that had sold for $715 seven years before now sold for $7,500. In 1821 the corporation line was extended to one fourth mile each way from the square, not including the slave quarters of Thomas and William Brandon from the Bernstein corner to the depot.

When the state was admitted to the Union in 1819, Huntsville was the first town in the state in population, political, prestige, wealth and culture.

On Tuesday, June 1, 1819, the quiet village was very much upset by the arrival at the inn of three gentlemen on horseback—President Monroe and two companions. A visit from the Chief executive, without any notice in these days, would abash a small village as Huntsville, but not so with the cultured and aristocratic village of this day. It soon got over the fright and proceeded to entertain the President in approved style. A committee of distinguished citizens, headed by Mr. C. C. Clay, called on the President at the inn and gave him a formal welcome. The following day Capt. Toby Jones had the President and a hundred prominent people from the county to take dinner with him. Numerous toasts were offered by Mr. Leroy Pope and responded to by well known orators of the city. The President left for
Nashville on Thursday, accompanied several miles by a cavalcade of citizens on horseback. Huntsville was one of the places visited by him on his tour through the country soon after his election, the political result of which marked his administration as the era of good feeling. The account of this visit is found in the Huntsville Republican of Saturday, June 5, 1819.

The contract for the present court house was awarded to Wm. Wilson and James Mitchell, and they tore down the old court house and began the new one in 1836. In grading and excavating, the workmen found fissures that opened into the yawning caverns that lie under the square, and placed flat rocks over the crevices and laid the foundation of the court house on them. The brick for the court house were made at the back of the jail on the present Howe lot. The white limestone was quarried from Monte Sano and the bluestone from Russell’s Hill.

Wilson & Mitchell’s shop was on Green street near Mr. Cross’ property, and while the building was going on, the shop with all the sash, doors, blinds and window frames, was burnt. This loss almost bankrupted these men and postponed the completion of the court house.

The court house cost $52,000, and was at that time the handsomest building in the south. About the same time George Steele was working on the First National Bank, another monument of the skill and fidelity of the old time builders.