

**EARLY JACKSON COUNTY,
ALABAMA BOOKS**

Volume V

**By
Lewis Wendell Page, Sr.**

Index
Jackson County Deed Record Book

C

September 1854 - March 30, 1855

Index prepared by

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Edited by

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**Property of
Scottsboro Jackson Heritage Center
P.O. Box 53
Scottsboro, Alabama 35768**

December 27, 1994

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Introduction

The first one hundred and seventy-six pages are missing.

As the deeds were read to collect the names for this index, It became apparent the important role out-of-state officials had in the transfer of land titles in Jackson County. See the following list for a few of these officials.

1. H.F. Hall, Judge of County Court, Bedford Co., TN.
2. John Oncal, Clerk of County Court, Bedford Co., TN.
3. A.M. Short, Clerk of County Court, Coffee Co., TN.
4. James A. Brantley, Judge of County Court, Coffee Co., TN.
5. H.N. Teague, JP Madison Co., AL.
6. John H. White, Clerk of County Court, Williamson Co., TN.
7. Joseph F. Page, JP, Williamson Co., TN.
8. William Tubbs, JP, Perry Co., AL.
9. James F. Bailey, Judge of County Court, Perry Co., AL.
10. John F. Boner, JP, White Co., Arkansas.
11. Samuel Morgan, Clerk-Recorder, White Co., Arkansas.
12. R.L. Bell, Clerk of Circuit Court, White Co., Arkansas.

The three most often named officials in Jackson County during the time span of this book were:

1. Joseph G. Dixon, Judge of Probate Court.
2. John H. Norwood, Sheriff
3. T. Boyd Foster, Surveyor.

The names of the individuals who, as a Justice of the Peace, served their communities in preparing deeds, wills, contracts, and in certifying the signatures to these documents are followed by the initials JP.

Also, as the deeds were read, the compiler became aware of some of the social and political conditions in the county. He could not ignore the lessons in history and geography. Some of these lessons are reflected in the Appendix to this Index. The compiler has included an abstract of several of the indentures found in Deed Book C.

The compiler wishes to express his sincere thanks to Elizabeth Page and Jan Boyd Roberts for their assistance.

Wendell Page
Archivist
Scottsboro--Jackson Heritage Center
Tuesday, May 23, 1995

Metes and Bounds

In 1785, the Continental Congress of the thirteen colonies adopted the Northwest Ordinance. There was included in this document a plan for the disposition of any public lands acquired as a result of the War for Independence. The plan was the township-range system based on longitude and latitude. Prior to that time the land allotted to the settlers was identified by the English "metes and bounds" or the French-Spanish "long lot" system.

The public land in Jackson County was surveyed during the 1820's using the range-township grid system. All the public land sold at Huntsville or Lebanon Land Offices was identified by quarters, sections, townships, and ranges. However, many land owners wanted to see the bounds of their land. In most of the early deeds recorded in Jackson County the grid system is used. Also many deeds included a metes and bounds system of visual boundaries. The following examples are presented.

1. "...lying south of a branch (stream) known as the Devil's Race Track." P. 193.
2. "Beginning at a stake near the east end of the school house to theside of the Cumberland Mountains." P. 207.
3. "Beginning a little north of a certain walnut tree...one-half pole west of a certain mill." P. 209.
4. "...on the waters of Larkin Fork." P. 213.
5. ^{Ginnie}~~Mary~~ Shumake and son, John A. Shumake, Grantors, George W. White of Lincoln County, Tennessee, grantee. The undivided half of "...land in Jackson County, Alabama, on Little Crow Creek, formerly known as the West Fork of Crow Creek. Said land laid off to John Shumake...as a reservation by virtue of a treaty concluded at the Cherokee Agency on the eight day of July 1817. And at a treaty concluded at the City of Washington on the twenty seventh of February, 1819, between the United States and the Cherokee Nation of Indians. Said reservation laid off to John Shumake in right of his wife Ann Shumake." The reservation of 640 acres is further described by a detailed plan of metes and bounds. This plan is located on page 177.

Deeds Issued by the Sheriff

There were no banks in Jackson County, Alabama, during the 1850's. The nearest lending agency was the Huntsville Branch of the Bank of Alabama. Arrangements for unpaid store accounts and cash loans were made with a local merchant by signing a promissory note. In most cases, the note(s) required collateral. Some notes were used as a medium of exchange.

In situations where the grantor was unable or unwilling to pay the obligation, the bearer of the instrument could seek relief in Circuit Court. A ruling in favor of the plaintiff(s) would include an order for the sheriff to sell the collateral. After due process, a public auction would be held "before the courthouse door in the town of Bellefonte." The

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collateral would be "struck off to the best and highest bidder" for the cash. The sheriff would prepare a deed for the purchaser. The Court would "give relief" to the plaintiff(s).

There are many examples of these sheriff sales in Deed Book C. See pages 256, 350, and 358.

Contracts and Agreements

1. H.H. Hurt consents for the Nashville and Chattanooga Railroad to have 200 feet of right-of-way "in consideration of eight hundred dollars in hand paid for rights to stone, timber, chert, and earth in perpetuity." Page 248.
2. Agreement between land owner and tenant for annual rent of one and one-half barrels of corn per acre. Page 254.

Unusual Chattel

1. Mortgage on eight acres of cotton and twenty acres of corn. Loan of \$60 in "lawful money of the state (Alabama). P. 216.
2. Blacksmith shop and complete set of tools. P. 259.
3. Set of blacksmith tools and one brass clock. P. 264.
4. One ball faced sorrel horse, one ball faced bay mare, and three jennetts. P. 270.
5. A silver mounted rifle gun. P. 395.
6. Four feather beds, all household and kitchen furniture. P. 415.
7. One yoke of red oxen, one yoke of black oxen, one yoke of black and red oxen, and one chestnut sorrel horse. P. 300.
8. Six milch cows, three steer, three heifers, two yoke of oxen, one white horse, twenty head of hogs. P. 307.
9. One Negro boy named John, age 15. P. 393.

Surveys, Maps and Plats

Under some circumstances, the grantee of a deed would require of the grantor a survey and plat of the real estate. T. Boyd Foster was the official surveyor of Jackson County. Deed Book C contains several of Foster's surveys and plats (pictographs). Examples of these surveys are found on pages 204, 205, 206, 282, 284, and 296.

Lots in the Town of Bellefonte

1. Lot No. 9. Southeast corner of the public square. William Rorax, grantor. Hamlin Caldwell and Harris, Shelton, and Company, grantees. P. 372.

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2. Lots No. 161, 162, 163, 164, 165, and 166. John R. Cook, grantor, Hamlin Caldwell and Harris, Shelton, and Company, grantees. P. 386.
3. Lot No. 154. John R. Cook, grantor, Joseph McCaleb, grantee. P. 388.
4. Lot No. 10. John R. Cook, grantor, Hamlin Caldwell and Harris, Shelton, and Company, grantees. P. 385.
5. Lots No. 159, 160, 161, 162, 163, 164, 165, and 166. John H. Norwood, Sheriff, grantor, Joseph Kennerly, grantee. P. 350.
6. Business in Bellefonte.
 - a. Harris, Shelton and Company, Owners: G.M. Harris and W.L. Shelton. P.355.
 - b. McCravey and Company, Owner: R.H. McCravey. P. 398.
 - c. The Jackson County Independent Democrat. A newspaper published on Nov. 1854 in Bellefonte. P. 220.

Towns in Jackson County

1. Lot No. 23. Larkinsville. P. 243.
2. Fowler Lot. Woodville. P. 259.
3. Lot in Larkinsville at the intersection of the Larkin's Landing Road and the Bellefonte-Huntsville Road. P. 271.
4. Lot in Larkinsville on Bellefonte Road. P. 368.
5. Lots in Larkinsville. P. 421.

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