

**EARLY JACKSON COUNTY,
ALABAMA BOOKS**

Volume

VI

By

Lewis Wendell Page, Sr.

Probate Minutes
Book B
Part I

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Introduction

Only two public record books are extant that tells the story of the operations of the government of the Jackson County during the Civil War years. One is this book of Probate Court Minutes, 1858--1865. The other one is the minutes of the Commissioner's Court, Road Book 3, 1853--1868. Both of these books have been indexed. These indexes have become a valuable tool for the genealogist and historian.

Some of the elected and appointed public officials for the county are indicated by the following abbreviations:

CCC Clerk Of Circuit Court
JDC Judge Of District Court
JCC Judge Of County Court
JP Justice Of The Peace
JPC Judge Of Probate Court
RCC Register In Chancery Court
SH Sheriff

The following abbreviations are also found in the index:

FPC Free Person Of Color
KCA Killed In The Service Of The Confederate Army

The following attorneys were also considered officers of the court:

Jasper J. Jones
Hugh Lawson Parks
William D. Parks

The index of slaves will follow the regular index. There are two parts to this index. Part one includes an alphabetical list of all names from page one through page 380. Part two includes the names alphabetically listed from pages 381 to the end.

Lewis Wendell Page Sr.
June 6, 1995

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April 10, 1862. Probate Court met Thursday morning. "Due to excitement of the county there was no business transacted. Late on Saturday evening, it was ordered that court adjourn until Monday at 10:00 A.M." signed James M.	

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- Hodgens Judge Probate Court. *Editor's Note: The excitement in the county was the arrival of Union Troops by rail from Huntsville. The town of Stevenson, along with railroad equipment and supplies, was captured. The vital line of transportation between Richmond and Memphis would be controlled, off and on, by both Union and Confederate forces throughout the conflict—Wendell Page.* 269
- April 28, 1862. Probate Court met, but “in case of Allen vs. Rigney to be heard today—neither party appeared owing to the excitement of the county.” *Editor's Note: This excitement continued during the Summer of 1862. The Confederate States of America closed the niter work at Sauta Cave. My Great Grandfather William Lewis Page was in Captain Young's Company that moved the equipment to Rome, Georgia. The Confederate Army controlled the South and East side of the Tennessee River. From this position numerous raids were launched against the entrench Union Army defending the Memphis and Charleston Railroad. Sublett's Ferry, across the river near Bellefonte, and Larkin's Landing Ferry at Coffeetown were vital routes for this Confederate army endeavor. The road from Bellefonte Depot (Hollywood) to Sublett's Ferry passed through the county seat of Bellefonte—Wendell Page.* 271
- August 12, 1862. The executor of the estate of James B. Ligon reported that his estate was due \$75.00 from the Confederate Government 276
- October 18, 1862. The executor of the estate of Henry A. Adams filed his will with a notation. “...died in service of the Confederate Army.” 290
- 1862-1863. For more details of the Conflict as related to Jackson County, see The Story of Stevenson, by Eliza B. Woodall. Pages 93-146. 301
- November 14, 1862. The executor of the estate of John Fondren reported to Probate Court that “he died in Mississippi in the Military Service of the Confederate States.” 301
- April 7, 1862. Before this date all legal notices approved by the court were published in the “Bellefonte Era.” After this date the Court ruled that such notices be published in the “Huntsville Democrat” or posted on the courthouse door at Bellefonte. During the latter part of 1862, legal notices of a regional scope were ordered posted in the “Huntsville Confederate.” The “Bellefonte Era” ceased publication in late Spring of 1862. 312
- December 29, 1862. Thomas Crosgrove, a British subject takes the Oath of Allegiance to become a citizen of the Confederate States of America. The oath was given before Milton P. Brown, Judge of Probate Court for Jackson County. 328
- January 3, 1863. William H. Robinson administrator of the estate of Nelson Robinson petitioned the Court, “..said property is mostly perishable or liable to waste and that it will be beneficial to the interent of the said estate to sell to the highest bidder for cash in current bank notes or Confederate Currency.” List of perishables.
6 Head of Mules
3 Head of Horses

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4 Yoke of Oxen
15 Head of Stock Cattle
100 Head of Stock Hogs
213 Head of Pork Hogs
8 Head of Jackson Jennets
One Gin Head

- Note: Both the Union and Confederate armies sent foraging parties into Paint Rock Valley.* 333
- March 3, 1863. The administrator of the will of David P. Shelton petitioned the court for a probate due to "...killed in military service of the Confederate army." 357
- March 4, 1863. The administrator of the estate of George S. Scruggs reported that he was "killed several months ago at the Battle of Richmond." *Note: The ink used in recording the minutes of Probate Court must have been of poor quality. Several pages of the book cannot be read due to dimness. These Indentures were recorded during the summer of 1863. At the same time, the Confederate and Union armies were stripping the county of Livestock and Forage. (The Armstrong Letters. By Velma Armstrong Cansler—See Copy in Addendum.)* 358
- November 12, 1862. Value of Slaves \$5960 369
- January 3, 1863. Stephen E. Kennamore is Sheriff of Jackson County 373
- July 7, 1863. A writ of habius corpus for a Slave, Silas, held in the Bellefonte Jail was granted. Filed by the administrator of the estate of C.M. Williams, deceased. 411
- Provost Marshall Lt. Colonel Van Tassell of the 34th Illinois Vol. Reg., and his staff established headquarters in the office of the courthouse formerly occupied by the Circuit Court Clerk--See Widney Letter 412
- September 22, 1863. Robert J. Hodges, Administrator of the Estate of Pleasant Hodges, deceased, petitioned the Court to issue and order for the sale (privately) of 3 head of horses, 4 cows, small lot of hogs, 25 bushels of wheat, a lot of farming tools and a wheat fan. "...The property is liable to be lost to said estate.....privately by reason of the danger which threaten all species of property in our county..." 412
- August 21, 1863. The 34th Illinois Volunteer Regiment of the Union Army occupied Bellefonte according to a letter written by Sergeant Major Lyman S. Widney to his parents from Bellefonte date August 23. Copy of letter in addendum 412
- November 3, 1863. The administrator of the estate of David Larkin, deceased, was given the following instructions by the Probate Judge with respect to the heir of the estate, "...whereas the records of this Court have been removed to a place of security by reason of the invasion of the county by the Public Enemy. It is ordered that this cause shall be heard and determined at the residence of George Sublett on the south side of the Tennessee River in said Jackson County on the 4th day of January 1864." 414

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- November 3, 1863. The estate of Mary Parks, deceased special term Probate Court of Jackson County. "It appearing to the satisfaction of the Court that Mary Parks, wife of John W. Parks, has departed this life intestate possessed of personal property and entitled to a distributive share of the estate of her father, David Larkin, late of said County, deceased. It is ordered by the Court that her brother, George R. Larkin of said county is a suitable person, upon his entering into bond of \$5000.00 to be the executor of the estate of Mary Parks, deceased." 414
- January 4, 1864. There are no minutes for the Probate Court during December 1864. W.R. Larkin appeared at court as directed for a partial settlement of the David Larkin estate. George Sublett lived near Riley's Creek in Jones Cove about a mile west of the J.J. Sublett Ferry and Store. See Addendum or Appendix. 414
- August 11, 1863. William Stocton, administrator of the estate of Samuel Cunningham, report to the Probate Court that he had invested \$100 of the estate's assets in Confederate bonds. 414
- March 23, 1862. Jennie Armstrong of Bellefonte wrote to her cousin Mattie in Cass County, Texas, that "They (the Union Army) are getting in rather close quarters as the emigrate South fast."
- Note: As previously noted, General Mitchell had control of the M. & C. Railroad from Huntsville to Stevenson. This occurred in early April of 1862. During the remainder of 1862 and until mid-summer of 1863, life in Bellefonte continued at the usual pace. Shortages of some foodstuffs were experienced. Substitutes for sugar and coffee were developed. Mail service was uncertain. The farmer's continued to grow food for their families. The offices of the courthouse were open. Deeds, wills, and other governmental activities were carried on and recorded. There are few references to wartime conditions found in public records of this time. This changed greatly during the summer of 1863.* 414
- October 11, 1864. Robert C. Gill came "this day and made application to be appointed administrator for the estate of his wife Agnus E. Gill, deceased." "And the said Gill also presents to the Court a written certification signed by the military commander of the Post at Stevenson in said county to the effect that he as commander will approve the action and doing of this court" ".the county being under martial" and with certified approval of the court, appointed Robert C. Gill as administrator of his wife's estate. On the same date, the court approved the sale of 30 head of hogs, 2 cows with calves, one gin head, one wagon, farming tools and some household furniture. The court further ordered a quick sale "upon the grounds that the same is liable to be destroyed during the existence of the present state of affairs in our county." On December 29, 1864, a committee composed of John Holland, Thomas Wilson, and Preston Brown reported that they had appraised the property. Robert Gill reported the sale of the property. The court approved both reports. 432
- August 14, 1865. A permit was given to Holmes and Trammel to sell(retail) "vinous spirits in Scottsboro." 432

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- August 21, 1865. A permit was given to John J. Moody to retail "vinous and spirituous liquors at Larkin's Landing." 432
- August 25, 1865. On this date the Court granted three different merchant permits to sell(etail)liquor in Stevenson. *Note: The granting of these five permits and the probating of wills indicate that the Union Army had relaxed the martial law status in the county. Also the Probate Court offices had been reestablished in Bellefonte.* 432
- October 4, 1865. The court heard the petition for and granted licenses to the sale of vinous and spirituous liquors at Bellefonte Station and in Stevenson *Editor's note: Even though times were hard, the government of the county began to function. During August of 1865, Probate Court heard some 50 cases involving wills, administration of estates, guardian ships, dower, etc. During October the court heard 71 such cases. This backlog of cases was caused by the Martial Law imposed on the county by the military.* 440 to 520
- January—October 1864. There were no minutes of proceeding in Probate Court for approximately 10 months. The purpose for the occupation of Bellefonte by the Union Army was to eliminate one of the vital routes used by Confederate forces in their raids on the Union forces guarding the M. & C. Railroad. Sublett's Ferry and the roads on the south side of the river—Sand Mountain Side—must be controlled by the Union Forces at Bellefonte. In his letter, Sergeant Major Lyman Widney told of seeing "plenty of rebels" across the river. Along with Sgt. Widney's letter, attached, see the map of the Bellefonte area drawn by Captain Shearer of Company B. (Cav.) 34 Regt. Illinois Volunteer. Within three weeks of his arrival Post Prevost Marshall Lt. Col. Tassell had Picket Post at all roads leading into Bellefonte. These posts were established on both banks of the river at Sublett's Ferry and along the road to the top of Sand Mountain. The encampment was about a mile south of the town. The residents of Bellefonte who had moved south of the river as the Union Army approached Bellefonte in mid-July, could not return to their homes, crops, or businesses without permission. Those residents who chose to stay in Bellefonte could not leave. There are several residences south of the Tennessee River at Sublett's Ferry. One of these residences belonged to George Sublett. A store is shown on both sides of the river. The Probate Judge, Milton P. Brown, lived at Bellefonte. Did he move his family south of the river or was he allowed to cross the river to conduct his official business? How did William R. Larkin get from Larkinsville on January 4, 1864? Note that pickets were posted at Bellefonte Station, Fackler Station and Martintown. The map was provided by Garry Morgan. 418 to 430
- January 1, 1864. William R. Larkin, Administrator for the Estate of David Larkin, deceased, appeared before Probate Judge, Milton P. Brown at the home of George Sublett on the South Side of the Tennessee River, with his accounts and reports. He hoped for a complete settlement of the estate. Judge Brown approved his report of assets \$170, 946.39 and liabilities \$120, 000.00 in excess assets must be divided among the heirs. 418 to 430

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September 2, 1865. Thomas Benton Province was appointed administrator of the estate of Thomas V. Province, deceased. The estate was worth \$5000 or more. The surety bond for \$10.00 was signed by Benjamin Snodgrass. Caleb St.Clair and J.J. St.Clair. The court granted to said administrator an order to sell 4 head of horses, a lot of cattle farming and household items to raise funds to pay the debts of the estate. *Note: Benjamin Snodgrass was appointed Sheriff replacing Stephen E. Kennamer who had been elected during the war. This document had been approved by Milton P. Brown, the elected Probate Judge for the county. He was replaced by Lawson C. Coulson. Leroy H. Brown, the elected Clerk of Circuit Court, was appointed to the clerk's office. These appointments were made by the Provisional Governor of Alabama, his Honor Lewis E. Parsons. Carpetbagger policies? The brief respite of normal activity would radically change as the wartime condition gave way to the Reconstruction Laws passed by the National Congress.*

438 to 475

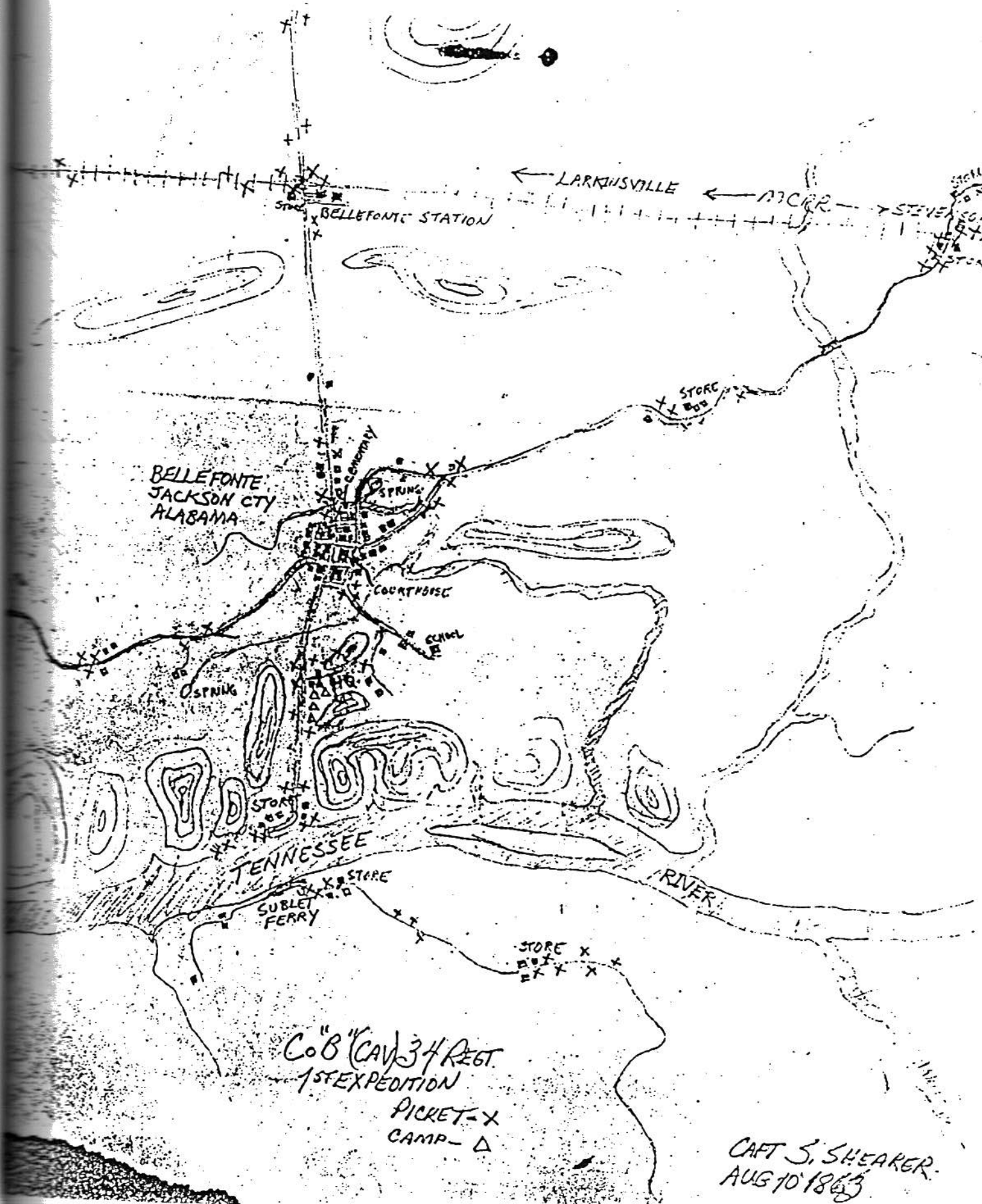
October 14, 1865. Charles Whitney, a Yankee carpetbagger, seeks a permit to sell spirits in Scottsboro. In a separate petition the firm of Whitney Newcomer and Shelton seek a permit to operate a restaurant in Stevenson. *Editor's Note: Scottsboro Postal Records state that James K. Newcomer and Charles O. Whitney were postmasters during 1866. In 1868, Charles Whitney was elected state senator for Jackson County.*

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End of abstracts for Probate Court Minutes, Book B, 1858-1865.

Wendell Page
June 6, 1995

BELLEFONTE, ALABAMA



Head Quarters 4th Army Corps
Chattanooga Tenn Nov 10, 1864

Captain:

You will march your Company from Stevenson
to this point, without delay, selecting the most practicable route; and
upon your arrival here, you will report in person at these Head Quarters
for duty.

You will bring with you as large a supply of forage
and rations as you can transport.

By Command of Major General Gordon Granger
J. Hillerton
Major of Artillery

Capt. Samuel Shearer

Co. B. (Cavalry) 34th Regt Ill. Inf.,
Eufrasia Ala.

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P.O. Box 53
Scottsboro, Alabama 35768

June 23, 1995

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