

**EARLY JACKSON COUNTY,
ALABAMA BOOKS**

Volume V

**By
Lewis Wendell Page, Sr.**

Index

Jackson County Deed Record Book

G

April 2, 1855 - April 7, 1857

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Introduction

One of the important officials in any community was the Justice of the Peace. Special Care has been taken to identify them in this index. The initials JP following a name indicates this position. This individual was authorized to serve his community in several ways. He could produce many kinds of legal documents, that is, wills, deeds, contracts, and power of attorney. Usually he was a notary Public. Since he knew by name most of the people in the community, he could certify their signature or mark to a document. He could conduct wedding ceremonies. In reality, he was in the front line of the "officers of the court." The office was by appointment. The salary consist of small fees he would charge for his services.

The name of Joseph G. Dixon appears on almost every document in Book G. As Judge of Probate Court, he served as registrar of deeds, wills, contracts, etc., for the county. John H. Norwood, Sheriff of Jackson County, signed several deeds where the Probate Court sold land to settle an estate. T. Boyd Foster was the county surveyor. See Page 562. William H. Robinson was the Register in Chancery Court. (Page 227.)

The slaves are included in this Index by using their first name. The owner of the slave could be found on the same page as the slave.

Several items of interest are included at the end of the Index.

I am deeply grateful for the assistance of Jan Boyd Roberts in preparing this index.

Lewis W. Page Sr.
November 1994

Execution of a Deed of Conveyance

A deed of this kind required three documents. First the drawing up of the deed, which included the date, name of the grantor and grantee, the money involved, the description or location of the land, and the warranty signed by the grantor. Second, the signing of the deed was usually done in the presence of a Justice of the Peace. The JP would prepare a certification of the signature of the grantor. This certification is dated and signed by the JP. In most cases, the JP prepared the deed for the grantor to sign. Therefore, the deed of conveyance and the certification would have the same date. The third party of this process would be the responsibility of the grantee. Upon paying for the property, the grantor would deliver the deed to the grantee. In order for the term of the deed to be fully legal, the deed should be recorded or registered with the authorized public official. In most cases, this would be the elected Probate Judge. Before 1850, the registrar of the deed was the Judge or Clerk of County Court.

In the rural areas of the County, the grantee would not always register the deed immediately after receiving it. An example of this is a deed executed and signed on March 28, 1845. It was registered September 19, 1855, page 22. Other examples are found on page 66, where a deed executed on February 26, 1851 was registered January 18, 1856, and a deed executed March 20, 1846, was registered January 18, 1856. Many deeds were never recorded. This has created serious legal problems over the years to the present time.

If the grantor lived out of Jackson County, this process could take much more time and effort. An attorney or Justice of the Peace, preparing a deed for land in Jackson County, had to get the description of the land and other information for the grantor. The grantor would sign before the proper local official in another county or state. Then the deed and the certification must be certified and registered in the home county or state of the grantor. The financial arrangements had to be transacted from Jackson County by the grantee, and then the grantor sent the deed to the grantee. The grantee had the responsibility for registration of the deed with the appropriate official in Jackson County.

An example of this is found on page 67.

March 20, 1846. Deed executed in Talladega County, Alabama
January 18, 1856. Registered in Jackson County.

Another example is found on page 304.

February 13, 1856. Deed executed Franklin County, Tennessee.
February 18, 1856. Signed and certified, Franklin County, Tennessee.
February 18, 1856. Recorded, Franklin, TN, County Court.
February 23, 1856. Recording Certified in Franklin County Court.
August 20, 1856. Recorded in Jackson County, Alabama.

Also see page 13.

April 10, 1855. Deed executed in Dade County, Georgia
April 10, 1855. Signature certified by JP in Dade County, Georgia
April 13, 1855. Certification registered in Dade County, Georgia.
October 11, 1855. Deed recorded in Jackson County, Alabama.

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Also see page 57.

March 10, 1848. Deed executed in Arkansas.

March 11, 1848. Signatures certified in Arkansas.

September 28, 1855. Deed recorded by Probate Judge in Jackson County, Alabama.

All of the above deeds were for land in Jackson County. There are many other similar deeds which indicate landowners moving to another county or state before disposing of their land. All of these deeds acknowledged satisfactory cash payments.

Deeds of Trust--Mortgages

When a deed of trust was executed, the conditions were such that the grantee could not pay cash. In such cases, the grantor required a mortgage on the purchases land, or on some other assets of the grantee. In addition, the grantor could require a trustee. The responsibility of the trustee was to assure the payment of the obligation by selling any assets designated for the purpose. Examples of this type of deed are described below.

Page 290. August 12, 1856. Robert T. Scott gives mortgage for \$1300 on land purchased from John Edds for \$2300. Mortgage secured by promissory note from W.L. Shelton.

Page 382. September 8, 1856. Samuel and Frances Mead give mortgage on land purchased from H.C. Cowan. James M. Greene was the trustee or surety for the payment of the mortgage.

In cases or situations where small sums of money were involved, the grantor or lender would require chattel as surety. No trustee would be involved. The following examples are a few of the many mortgages recorded in Deed Book G.

Page 53. September 15, 1855. Mattox and Snodgrass of Bellefonte hold a \$1300 mortgage on John Caperton. A trustee was not involved since Caperton gave as surety 520 acres of land and two slaves.

Page 49. September 1, 1855. Samuel Mead draws a bill of exchange on Bradley Wilson and Company of New Orleans, Louisiana. As surety, Mead puts up five slaves.

Comment: This bill of exchange on a New Orleans business may be used as a medium of exchange through many transactions before it is redeemed by the giver. In the mean time, Samuel Mead may have paid the debt or forfeited the slaves to Bradley Wilson and Company. In the absence of a stable national currency in the 1850s and state bank notes not acceptable out of the producer state, bills of exchange drawn by reputable business in Nashville, Memphis, and New Orleans served as a medium of exchange throughout the South.

Page 88. January 7, 1856. A \$35 mortgage was secured by 30 barrels of corn.

Page 289. To secure a mortgage, John S. Subblett gave a slave named Henry, age 6, and two horses.

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- Page 301. August 21, 1855. George Kelly gives mortgage to the business house of Harris and Shelton located in Bellefonte with a new two horse wagon as surety. The account book of Harris and Shelton, with George Kelly as a charge customer, is in the archives of the Scottsboro--Jackson Heritage Center. The original book and an index are available for research.
- Page 341. August 5, 1856. Branch Tucker gives \$58 mortgage with a gray horse as collateral.
- Page 435. October 15, 1856. James Cox, grantee, was given mortgage on one steam engine, one sawmill with tram, one boiler and fixtures, two wagons, one yoke oxen, two milk cows, and 200 cord of wood, by Henry Beaver.
- Page 441. February 24, 1857. Henry Beaver makes deed to James Cox for the above named chattel.

Deed issued by the Sheriff of Jackson County.

In situations where the giver of a Deed of Trust--mortgage--refuses to surrender the surety or collateral promised, the holder of the mortgage may sue in Circuit Court. If the court give relief to the Plaintiff, then the court will order the Sheriff to sell the collateral to the best and highest bidder. The following examples will show the Sheriff selling collateral from the front door of the Courthouse in Bellefonte.

- Page 93. August 6, 1855. Deed from John H. Norwood, Sheriff, to E.R. Stoddard and Company of Charleston, South Carolina. Grantee held mortgage on estate of James Caperton in sum of \$145.30. E.R. Stoddard and Company being the best and highest bidder.
- Page 95. March 3, 1855. Deed on John H. Norwood, Sheriff, to recover judgment in Circuit Court, against James M. Greene. Grantee was John Snodgrass who was best and highest bidder offering \$525 for a law office and lot on East side of the public square in town of Bellefonte.
- Page 314. March 3, 1856. Sheriff Joseph J. Subblett sold land of John J. Ford on order from the Circuit Court.
- Page 407. February 2, 1857. On order of Circuit Court, Sheriff J.J. Subblett sells land of T.A. Ford at public auction. Hamlin Caldwell was best and highest bidder. Also see sale September 15, 1856, and see page 7.

Other Documents of Interest

- Page 18. November 1, 1855. Copy of the diploma granted to David Sterne from the Nashville School of Medicine.
- Page 19. May 1855. Reference to Devil's Racetrack, a branch of Lick Fork of the Paint Rock River.
- Page 33. October 18, 1855. Furman Fowler buys land in Fowler's Cove. Comment: The name Fowler's Cove is found on present day maps of the upper Paint Rock River Valley.
- Page 53. June 1, 1839. Deed from John Williams to the Baptist Church of Christ for --part of SE1/4, NE1/4. Section 20 T2. Range 4E. The deed had a restriction, "...forever, if following doctrines taught: Baptism by Emersion, Predestination of the soul, and final

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perseverance of the Saints." Note: This land is about halfway between Princeton and Swaim on Alabama Highway 65. The minutes of this religious body have survived until 1995.

Page 107. January 3, 1856. L.D. Boshart sold land in Jackson County. Section 6 T.6. R5. The deed was first recorded in Marshall County and later recorded in Jackson County.

Page 98. February 18, 1854. Land near Mount Carmel. S1/2, SE1/4. Sec. 22. T1. R8. East. 78 acres was also described by metes and bounds as "...beginning at a small hole made in the rock at the head of the spring..."

Page 284. May 30, 1856. Deed to Baptist Graveyard at Larkinsville.

Page 28. May 20, 1856. Deed with restrictive clause. "Said land is forever free and exempt of all debts, contracts, and liabilities of her present husband and any future husband."

Page 292. December 6, 1855. "...On the waters of the Paint Rock River.." S25. T2.R3E.

Page 315. March 8, 1856. "Land...lying in the forks of Crow Creek."

Page 380. December 16, 1856. A statement by the father of a bastard child that he recognized the child as his daughter. He further stated that her last name would be changed to his and that she was eligible to inherit his estate as if she had been born in lawful wedlock.

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2. Bill	49	43. Tap	604
3. Cap	470	44. Thomas	333
4. Cascer	333	45. Vine	141
5. Catherine	604	46. Vina	604
6. Charles	604	47. Vinn	476
7. Clint	416	48. Willie	470
8. Dand	604	49. Winey	333
9. Dave	476		
10. Dela	141		
11. Dicey	141		
12. Dred	141		
13. Edmonia	470		
14. Eliza	283		
15. Elizabeth	604		
16. George	238		
17. George	470		
18. Harnett	476		
19. Henry	335		
20. Henry	470		
21. Herad	604		
22. Hester	470		
23. Jeff	49		
24. Jerry	333		
25. Jet	283		
26. Jim	49		
27. Jimmy	283		
28. Kate	283		
29. Kitty	333		
30. Malinda	470		
31. Malinda	570		
32. Maria	176		
33. Mariah	333		
34. Mariah	416		
35. Marsell	476		
36. Martha	141		
37. Mary	141		
38. Matilda	470		
39. Oliver	49		
40. Setbee	533		
41. Seth	333		

Appendix

Beech Grove

Page 25. December 29, 1855. Reference to Lot Number 2 in town of Beech Grove. SE1/4 Sec. 7. T 1. R7E.

Bellefonte, Town of

- Page 95. On March 3, 1855, a judgment in Circuit Court was levied against James M. Green. The sheriff of Jackson County sold, at public auction at the courthouse in Bellefonte, the "Law Office of James M. Green on the East side of the Public Square." This judgment was in favor of John Snodgrass who held a note from Green in sum of \$525.00.
- Page 100. November 5, 1855. Deed for lot and Dickey's old blacksmith shop and complete set of tools owned by M.J. Crumper
- Page 227. April 4, 1856. Land at Bellefonte Landing
- Page 389. June 15, 1854. Deed to lot where Betsy Willis, late, died and where her family is now living. Lots 47 and 49. Contain one acre and may be vested to Phillip D. Swink.
- Page 419. August 1, 1857. Daniel M. Martin and wife, Eliza, convey to Henry C. Bradford and wife Ann. Lot Number 105 and 106 in Town of Bellefonte in exchange for Lot Number 144 on Beaver Street.
- Page 430. February 3, 1857. Elisha and Nancy Bryant convey to John Snodgrass 25 feet off of the North end of Robinson and Carden's Lot in Bellefonte. Said Lot has 42 feet front fronting on the public square. Bryant now has a livery stable on lot.
- Page 255. April 12, 1856. Reference to "Alabama Register" published in Bellefonte.
- Page 479. January 7, 1857. Robert and Elizabeth Massingill, grantors, to William C. Armstrong Lots 87, 88, and 90. Containing two acres. The entire block surrounded by Jackson, Spring, Steele, Beaver and Green Streets.
- Page 564. June 3, 1857. Lots 14 and 15 fronting on Adam Street lying between Boundry Alley and Indian Corn Alley. W.R. Cobb, grantor, to Daniel M. Martin.
- Page 565. December 28, 1856. One acre lot on east side of town of Bellefonte and between two streets that run from each side of the public square toward Bellefonte Landing. G. M. Harris, grantor, to W.R.W. Cobb.
- Page 589. July 8, 1857. J.J. and Nancy Sample, grantor, to James H. Gurley, a tract of land bound on the north by the Bellefonte Road leading from Bellefonte Station to Bellefonte. On the West by the Memphis and Charleston Railroad and on the South by a reservation owned by Dr. Taylor of Chattanooga, Tennessee.
- Page 605. July 15, 1857. A deed refers to the "Bellefonte Democrat" published in the town of Bellefonte.

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Deed Record Book G

Bolivar

Page 502. September 15, 1856. Thomas Snodgrass and his wife Caroline, grantors, to Thomas E. McMahan, the Caulfield Lot with dwelling and store house on one acre, in town of Bolivar.

Coffetown

Page 276. July 24, 1856. E.A. Floyd and his wife Martha, deed to the Trustees of Bethel Church, Coffetown Valley, Town Creek Mission, Alabama Conference of the Methodist Episcopal Church, South. Church Building in Langston, Alabama.

Lebanon

After the removal of the Cherokee Indians from Northeast Alabama in 1836, a land office was opened at Lebanon, Alabama. The counties of Dekalb, Marshall, and Cherokee were established at that time. This office would sell the public land in these three counties as well as the Sand Mountain part of Jackson County. All of the deeds made to this newly acquired area will state that the land was purchased from the Lebanon land office. The office was located in the Big Wills Creek Valley about six miles south of Fort Payne, Alabama. Sec. pages 44, 83, and 323.

Page 347. September 30, 1856. William Jenkins, grantor, to John Gordon Parks, land on south side of Riley's Creek. See 36, T4, R6E. Subject to sale of land at Lebanon, Alabama.

Page 350. October 6, 1856. John G. Parks, grantee, for land subject to sale of land at Lebanon, Alabama. Sec. 30. T4. R7E.

Page 562. October 27, 1854. Survey and plat of land, subject to the land sale at Lebanon, on south side of the Tennessee River. T. Boyd Foster, County Surveyor.

Meadville

The location of Meadville is not known. The town is thought to have been located North of the present town of Paint Rock, Alabama.

Page 120. June 4, 1855. F.W. Thompson, grantor, to Samuel Mead. Lots 1, 2, 3, 4, 5 and 6 in Section 12 of town of Meadville, Jackson County, Alabama.

Page 183. November 5, 1855. Samuel Mead, grantor, to Frances Mead Lot 17 in Section 1, and Lot 30 on Main Street, Town of Meadville, Alabama. Certification of signature John P. Smith JP. Registered in Probate Court March 20, 1856.

Page 285. July 30, 1856. Frances and Samuel Mead, grantors, to Joseph Kirkpatrick. Lot 5, Section 1 running back 40 feet with 20 feet front. Town of Meadville on M&C Railroad.

Page 328. January 12, 1856. Samuel Mead and wife, grantors, to Stephen P. Kennamore and Presley J. Woodall. Lot 3, Section 1. Front 20 feet, depth 50 feet. On the Memphis and Charleston Railroad in Meadville, Alabama.

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Deed Record Book G

Scottsville

Page 442. December 2, 1856. Robert T. Scott, grantor, to Joseph Phillips and John H. Brooks, deed to Lot 3 in Scottsville, Alabama, immediately on the railroad.

Stevenson

Page 15. June 12, 1855. Vernon K. Stevenson and J.F. Anderson grant to Memphis and Charleston Railroad:

- a. Right to secure water from springs
- b. Right of way for pipe line to M&C Railroad property provided no infringement on existing Nashville and Chattanooga Railroad right of way. Deed signed and signature certified in Nashville, June 12 and 13, 1855. Registered with Probate Judge of Jackson County, September 18, 1855. (*Editor's note: Notice the three month time span.*)

Page 414. February 10, 1857. Charter or Incorporation papers of North Alabama Mining, Manufacturing, Quarrying and Lumber Company. Major stockholders - James Cox and John B. Tally. Signature certified at Stevenson by John Caulfield, JP.

Page 255. January 19, 1856. Deed to merchantable lumber delivered to Nashville and Chattanooga Railroad in Stevenson at one dollar per hundred board feet.

Page 590. April 1, 1855. Reference is made to Lots 52 and 53 fronting on Cross Street in town of Stevenson.