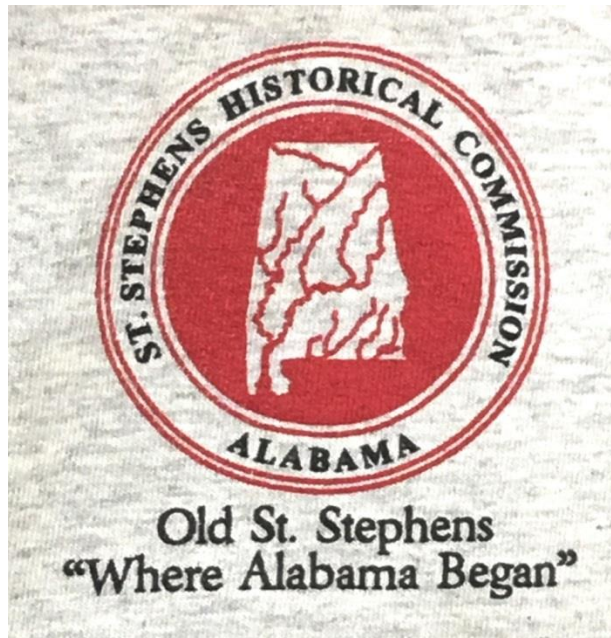


OLD ST. STEPHENS: WHERE ALABAMA BEGAN

**Explorers Club Flag Expedition
Flag Number 25**

by

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October 2018 – May 2019

FLAG PHOTOS



Archaeological volunteers at the site of the Globe Hotel in Old St. Stephens (OSS) in January 2019



Lew Toulmin, FN '04 (right) and George Shorter RPA (left) with TEC Flag 25 at the archaeological site of the Douglas Hotel in Old St. Stephens (OSS), January 2019. This hotel was “where Alabama began,” with the first meeting of the Alabama Territorial Legislature in 1817. OSS is where the US flag (with fifteen stars, as shown here) was first raised in Alabama, in 1799. The brick floor and collapsed brick wall construction of this site makes it difficult to excavate.



Lew Toulmin, FN '04 (right) and George Shorter RPA (left) with TEC Flag 25 at Lot 142 in Old St. Stephens, January 2019. This lot was once owned by Judge Harry Toulmin, a distinguished resident of the town.



Lew Toulmin, FN '04 (top left), Frank Vogtner (right) and George Shorter RPA (lower left, holding an Old St. Stephens artifact, and assembling OSS pottery) with TEC Flag 25 at the University of South Alabama Archaeology Lab, November 2018



Jennifer Faith, Director of the Old St. Stephens Historical Museum, at the excavation site (right) of the Globe Hotel, with the structural outline of the Hotel behind her



Larry Faith, Col., USAF (Ret.), left, landowner of part of the Old St. Stephens (OSS) property, and Lew Toulmin, FN '04, right, in the Crawford graveyard near OSS

EXPEDITION INTRODUCTION

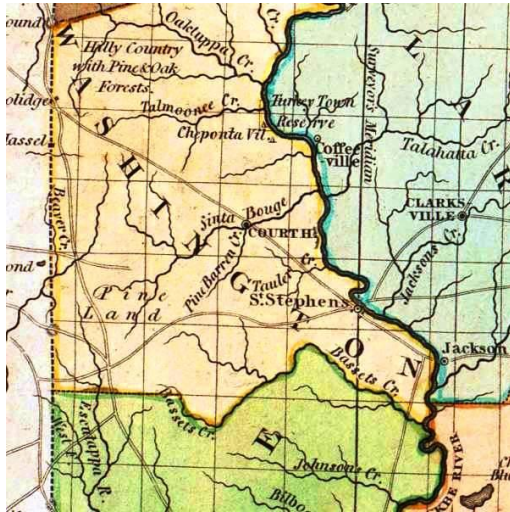
St. Stephens, Alabama was a Spanish outpost and fort in 1789 at the head of navigation of the Tombigbee River. Under the Treaty of San Lorenzo in 1799, the fort and small settlement was turned over to the United States, which incorporated the area into the Mississippi Territory. The location became a key crossroads in the Mississippi Territory when the Old Federal Road was built from Georgia to Natchez between 1806 and 1811. St. Stephens became the site of an important Federal public lands office, a Choctaw Trading House, the first seat of government for the Mobile District of the Mississippi Territory, and then was made the first capital of the Alabama Territory in 1817.

St. Stephens was the site of the first American flag raising (in 1799) in what is now Alabama, the site of the first meeting of the Territorial legislature, and the site of Alabama's first bank, first public school, first brick home, one of the state's first theaters, and Alabama's first county, namely Washington County.

In 1804 St. Stephens was also the site of one of the first residences in Alabama of Judge Harry Toulmin (my fourth great-grandfather). He was a founding father of Alabama, the first resident Federal judge in southern Alabama, and a member of the first state Constitutional Convention. He created *Toulmin's Digest*, the first compilation of the laws of the Mississippi/Alabama Territory, still in use. At the direction of President Thomas Jefferson, who had appointed him, Judge Toulmin prevented war with Spain, by arresting "filibusterers" who wanted to forcibly seize the port of Mobile from the Spanish.



Seal of the Alabama Territory and State from 1817 to 1868. Note "St. Stephens" in the lower left and the Indian tribes in the upper right



St. Stephens in an 1824 Map of Alabama

As a result of all this, St. Stephens¹ is considered “the place where Alabama began,” and has substantial historic and archaeological significance. The site was gradually abandoned beginning in the 1820s, was defunct by the Civil War, and fortunately has not been re-built on. Hence it is archaeologically pristine, except for a quarry and quarry lake which have destroyed a portion of the site. The University of South Alabama Department of Archaeology and Social Work has undertaken excavations at the site, mainly at the Globe Hotel, for over 20 years.

This Explorers Club Flag Expedition assisted these archaeological activities by undertaking historical research, performing excavations, and analyzing artifacts found at Old St. Stephens (OSS). Specific activities and findings of the Expedition are discussed immediately below. Other sections presented later include the following:

- History of Flag # 25
- Participants
- Logistics and Actions
- Future Plans
- Annexes:
 1. Research on Key Persons Who Migrated from OSS to Mobile
 2. Findings Re the Original Manuscript of “Reminiscences of Old St. Stephens”
 3. List of Persons Who Found “Estrayed” Animals in OSS or Washington County
 4. Copy of an article on Old St. Stephens by George Shorter
 5. Various Photos from the Expedition
 6. Biography of the Author

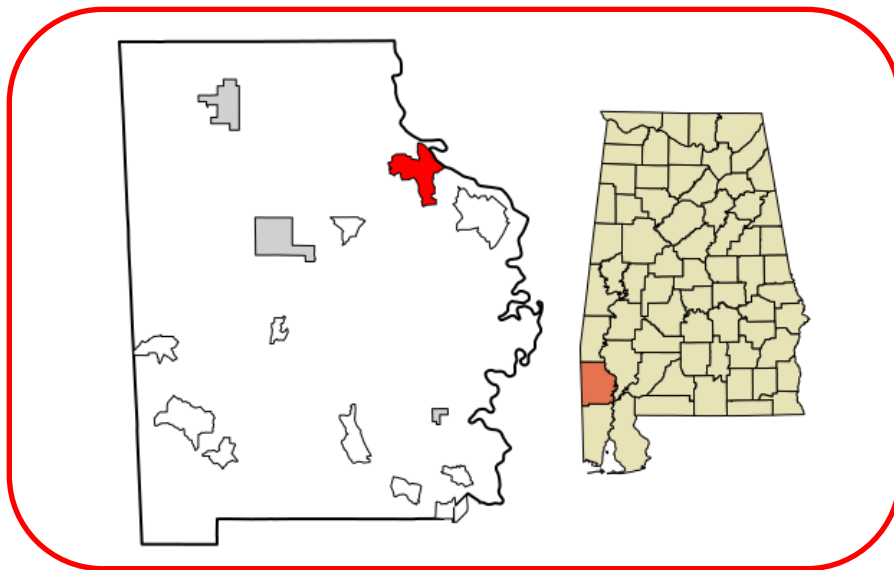
¹ What its residents always called “St. Stephens” is now often called “Old St. Stephens” (OSS) since the town became a historical and archaeological site. In this report both terms will refer to the original town, and any reference to the new, current town one mile away will use the term “New St. Stephens.”

ACTIVITIES AND FINDINGS

Activities undertaken as part of the Flag Expedition fell into the following categories:

- Original historical research on key persons who migrated from OSS to Mobile, Alabama
- Examination of original courthouse documents from OSS
- Analysis of the original manuscript of “Reminiscences of Old St. Stephens”
- Attempt to locate the properties of Judge Harry Toulmin
- Excavations at Old St. Stephens
- Processing of artifacts from OSS
- Donations to the Museum of Old St. Stephens
- Research re *The Halcyon*.

Each of these is discussed below, after the map showing the location of Old St. Stephens.



Modern map of Alabama (right) with Washington County in brownish red, and of Washington County (left) with Saint Stephens Historic Park shown in bright red in the upper right of the county map

Original Historical Research on Key Persons Who Migrated from OSS to Mobile

The town of St. Stephens was authorized in 1807 and grew substantially to about 2000 residents, especially while serving as the territorial capital from 1817 to 1819. But by 1822 it was already in substantial decline, with only about 250-300 residents, several elegant houses

untenanted, and only three active stores.² Many of the original maximum of 2000 residents had decamped en masse, mostly to Mobile, and some to Washington Court House or Tuscaloosa. This exodus was a major impetus to the successful growth of Mobile, which went from a village of only about 90 houses in 1812³ to a thriving town and seaport by the mid-1820s.

George Shorter, RPA, of the University of South Alabama, the lead archaeologist and historian for OSS, felt that an important area of historical inquiry that had never been pursued was to determine what happened to key figures from OSS after they migrated to growing Mobile as OSS declined. This was an additional task added to the Expedition, but a welcome and interesting effort.

Key persons identified were:

- Brigadier General Theophilus Lindsay Toulmin (son of Judge Harry Toulmin)
- Reuben Chamberlain (son-in-law of Judge Toulmin)
- Hannah Lindsey Toulmin (daughter of Judge Harry Toulmin and wife of Reuben Chamberlain)
- Benjamin Smoot, a Sheriff of Old St. Stephens
- Henry Hitchcock, businessman, philanthropic builder in Mobile, eventually rated as the wealthiest man in Alabama.

Findings and mini-biographies by Lew Toulmin on these persons are presented in an Annex. In summary, previously unpublished material was found for the Toulmin relatives above (and their descendants, on occasion down to the 20th Century) and for Smoot, while existing secondary source material was located on Hitchcock, supplemented by original genealogical research on his descendants. All this information is of historical interest, and information on current or recent descendants might be useful in attempting to track down currently existing documents, artifacts and stories relating to the original OSS residents.

² Jacqueline Matte, et al., *Old St. Stephens, Historical Records Survey* (St. Stephens, AL: St. Stephens Historical Commission, Bicentennial Edition 2017) p. 63.

³ Michael Tomason, *Mobile: A New History of Alabama's First City* (Tuscaloosa: University of Alabama Press, 2001) p. 60.

Examination of Original Courthouse Documents from OSS

Two original documents from OSS were examined during the Expedition, as follows:

1. Washington County Sheriff's Ledger of Returns [Receipts], 1805-18: This manuscript of over 100 pages had not previously been studied or examined. It is in good condition. It had been saved in 1900 by a young girl who saw it being thrown out the back window of the new St. Stephens Courthouse, after the Courthouse was sold to the local Masonic Lodge. It is now held by the University of South Alabama, Department of Archaeology.

The Ledger gives information on the sources of receipts for the Washington County Sheriff and Constable, which were usually derived from court fees paid by the litigious local residents filing lawsuits against each other. Unfortunately these interesting lawsuits are almost never described, but the persons involved or the consequences are sometimes helpful in understanding the history of the town. In general, no other documents are present for these early cases, since the relevant documents have disappeared.

Debt Name	Writ	Doll	Cent	County	Sheriff's Returns
John Mills	Fi. Fa.	27	75	Washington	Satisfies Tho ^s Brightwell Sh ^{ff} Constable Smith fee paid for Ret ⁿ on Execution.
John Keenan	Fi. Fa.	29	29	Washington	Satisfies Tho ^s Brightwell Sh ^{ff} Att ^o R. Knox fee paid Constable Smith fee paid for Ret ⁿ on Execution Re my fee of \$4 - 5 th Decem ^r 1805 (viz) Day ^o King
George Watten Spigues George Goldwin	Fi. Fa.	690	700.50	4 Washington	Satisfies Tho ^s Brightwell Sh ^{ff} The Debt was paid to the plaintiff all as per Ret ⁿ filed with the Execution Att ^o fee paid for Ret ⁿ on the Execution James Patton attorney Sheriff \$3.50 cents per ret ⁿ filed with the Execution Constable Smith fee paid for Ret ⁿ on Execution
John Ransom	Fi. Fa.	50	82	Washington	Satisfies Tho ^s Brightwell Sh ^{ff} Constable Smith fee paid for Ret ⁿ on Execution Paid C. Lewis a W ^o ship \$5.25 each for Certificates filed received my fee Nicholas Perkins

The first page of the Sheriff's Returns Book, starting in 1805

The manuscript was studied by Lew Toulmin, with the following conclusions and highlights:

- The Ledger covers a very early period in the history of the town, and hence is useful and interesting.

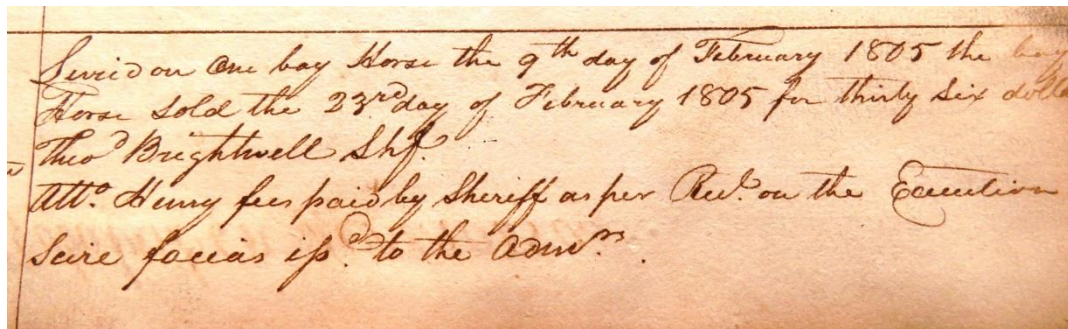
- The residents are in fact litigious, as alleged by the first judge in the Territory, Ephraim Kirby, who served only six months, but in that short time concluded that the residents were "illiterate, wild and savage, of depraved morals, unworthy of public confidence or private esteems, litigious, disunited, and knowing each other, universally distrustful of each other." In 1806, the first full year of the Ledger, 122 cases of civil litigation are recorded! This is a huge number for such a small area, composed mainly of wilderness, with only a few hundred American residents at the time. Over the course of the 12 years of the Ledger, over 1000 civil cases are recorded.
- Some residents were much more litigious than others. The most frequent litigants were the members of the infamous Caller family, who were generally listed as plaintiffs, but were often named as defendants also. Another resident frequently named as a defendant was Rolly Green, who was regularly civilly sued successfully, but when the Sheriff arrived to seize property or cash to pay for the judgement, the Sheriff almost always said, "No property found." Why people kept getting involved with Rolly Green, when he appeared to always default on his debts, is a mystery.
- Two cases were found involving Judge Harry Toulmin, who was sued by James Caller in about 1810-11 (the case is not dated) for \$16.12 and one half cent. This case was resolved with "bond of surety given agreeably" – a very unusual phrase in this book. But perhaps the amity was not so real, and Toulmin wanted some revenge, because he and another party successfully sued Caller on 6 March 1811 for \$17.11! Unfortunately, it appeared that the sheriff could find "nothing to levy." See below for the first case.

Case No.	Plaintiff	Defendant	Date	Location	Notes
49	James Caller & Benjamin	See entry of John Green	18. 12. 22	Washington	Bond & duty given agreeably to an act of the Legislature M. G. Mock Sheriff
50	James Caller	H. Toulmin & William Lewis & Co. of A. Hollingsworth	18. 12.	Washington	Bond & duty given agreeably to an act of the Legislature M. G. Mock Sheriff

- Other families frequently involved in litigation included the Hollinger family and the Christmas clan, the latter usually as a defendant.
- Most cases involve residents suing each other, but a substantial minority of the cases involve the Mississippi Territory or its Governor versus a resident, and there is at least

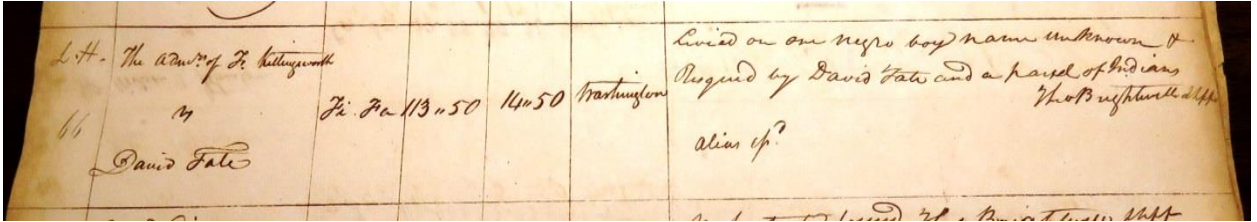
one case of the United States versus a resident. Such cases are likely suits to recover unpaid taxes.

- The amounts involved in the cases vary from \$3 up to \$4000 – the latter a huge amount for the time. Most are in the range of \$20 to \$150.
- Fees charged per case by each attorney were usually about \$5.
- Often the Sheriff would seize horses or other property. See the item below, in which the Sheriff seized a “bay horse.” In one case the Sheriff seized 640 acres of land lying on the Mobile River.

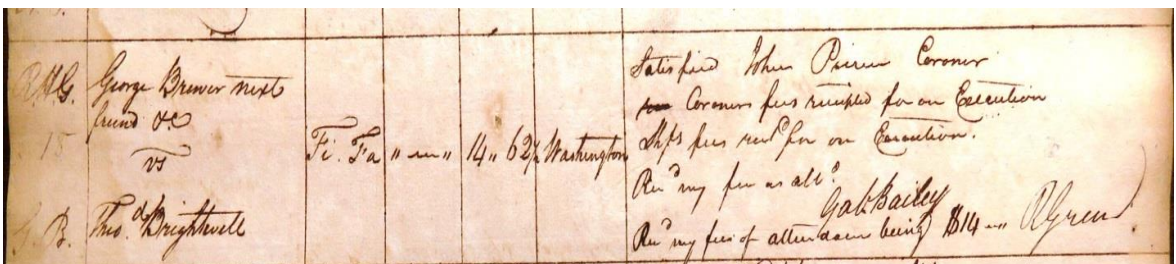


A handwritten ledger entry on aged paper. The text is written in cursive and reads: "Seized on one bay horse the 9th day of February 1805 the bay horse sold the 23rd day of February 1805 for thirty six dollars Tho^s Brightwell Sh^{eriff}. Att^o: Henry fees paid by Sheriff as per Act^o on the Execution Seize facias ip^s to the Court^o."

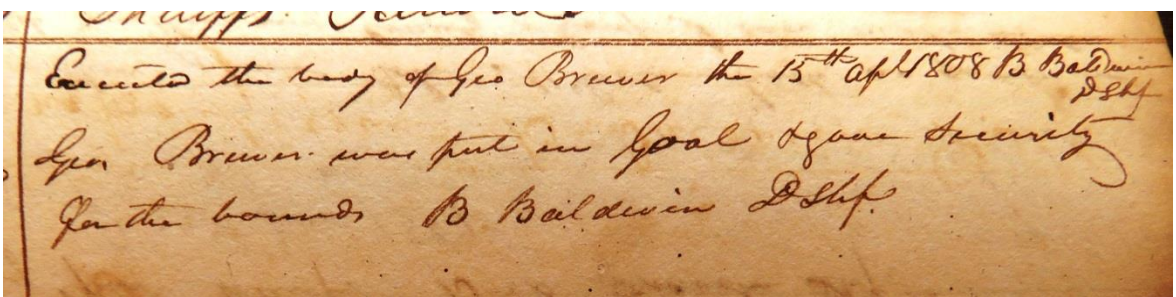
- A very sad aspect of the Ledger involves the effects of many of these cases on the slaves in the Territory. It was the Sheriff’s duty to recover judgments against defendants, and often those defendants (like most residents) had little or no cash. Therefore the Sheriff would seize land, wagons, horses, cattle or other property. Unfortunately, some of the most valuable, portable and thus seizable assets of many residents were enslaved persons. Thus the Sheriff would often seize and immediately sell these persons. So because of the poor business judgment of slave owners, or their unreliability in paying their debts, some or all of their slaves could be sold away, thus breaking up the enslaved families, through no fault of their own.
- Examples of slave seizures include the following: an amount “levied on a negro boy name unknown” (see below); an 1807 levy of \$103.83 “on a negro girl named Hannah”; and an 1811 levy against six slaves to satisfy a debt of \$1293. There are many other such seizures.



- Some cases are puzzling, such as the 1806 case in which the Sheriff appears to be reimbursing the Coroner for attending or organizing “an execution” – see below.



- Most cases involve liens levied “fi. fa.” – fieri facias – Latin for “that you cause to be made,” meaning a writ of execution after judgment obtained in a legal action for debt or damages that the Sheriff would levy on the goods of the judgment debtor. (See the photo above.) This is a term derived from and used in English common law.
- In at least one case in 1808 the Sheriff executed a writ of “casa” or “ca. sa.” – capias ad satisfaciendum – a writ in this case in which the defendant in a civil case was jailed, apparently because he failed to pay a judgment against him; see below. Here Sheriff Baldwin is putting George Brewer “in Gaol” as a surety, over a debt of \$23.



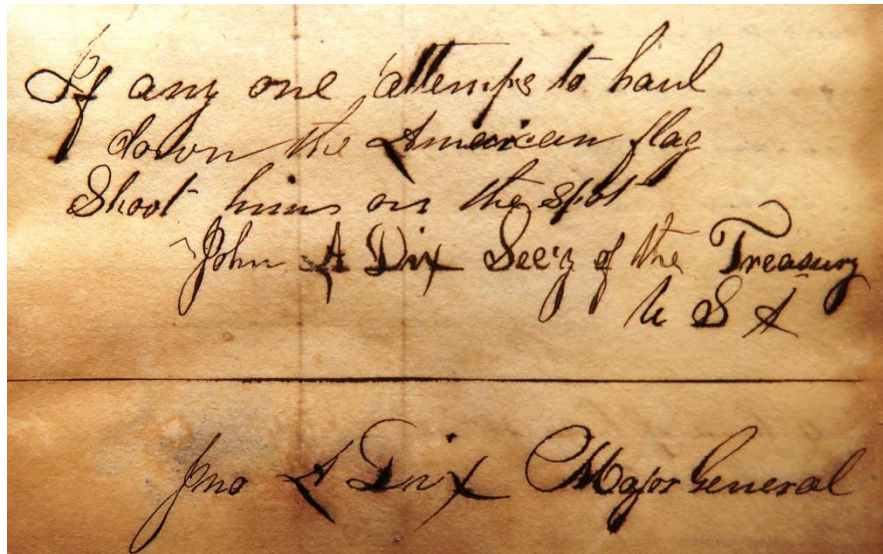
- The book shows that “B.S. Smoot” began serving as Sheriff in 1809; with the earliest reference being May 1809. In June of that year he “committed the body” of Rick Lee “to

Gaol" under a "ca. sa." writ. By 1811 Smoot was no longer sheriff, and was replaced by Sheriff B. Baldwin.

2. Washington County Estrayed Book, 1822 to 1866: This book of only about 45 un-numbered pages is in poor condition, and was also saved from the Masons. It had not previously been studied. It was the official book listing all strayed (legally called "estrayed") or stolen horses, cattle, goats and other livestock. Persons who found unknown livestock were required to report this fact to the county clerk and declare them as "estrayed." The book lists the species of animal, date of finding, the person who found the animal, the description of the animal, the appraised value, any security posted, and "other remarks," which might include the resolution of the case, if any.

The manuscript was studied by Lew Toulmin, and the most surprising item found was apparently dated after September 25, 1860, and was this statement in bold writing:

***If any one attempts to haul
down the American flag,
Shoot him on the spot.
John A. Dix, Sec'y of the Treasury, USA
Jno A. Dix, Major General.***



The image shows a piece of aged, yellowed paper with handwritten text in cursive. The text is arranged in two sections. The top section contains the following text: "If any one attempts to haul down the American flag Shoot him on the spot John A Dix Sec'y of the Treasury U S A". The bottom section contains the signature "Jno A Dix Major General".

John A. Dix was appointed Secretary of the US Treasury in January 1861, was later also appointed a Major General in the New York Militia, and in May 1861 was appointed Major

General in the US Army in charge of volunteers. He was a vigorous anti-secessionist, and was famous for arresting and imprisoning six pro-secession members of the Maryland Assembly, thereby preventing it from meeting and voting to secede from the Union.

It seems very unlikely that General Dix came in person in 1861 to tiny New St. Stephens to write this message. He reportedly sent a telegram in April 1861 to Federal agents and officers in New Orleans with this same quote. The quote became famous, was printed in the press, and even was reproduced on Union tokens created during the war.

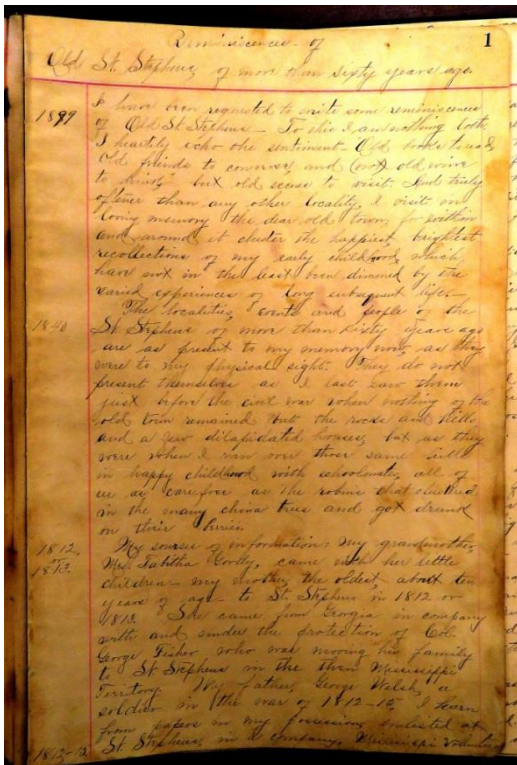
Hence it appears most likely that this statement was written into the Estrayed Book by a local official or resident, soon after the telegram was made public. This raises various questions: Who wrote it? Was the intent of writing it here, in the lowly Estrayed Book, to make fun of this statement? Or to declare it to be the serious and stated policy of Washington County, Alabama? Were there Union sympathizers in the County? These questions are not answerable from the OSS records examined.

Other items and conclusions drawn from the Estrayed Book and research on this topic are as follows:

- The finder of the stray would declare the finding to the County Clerk or Registrar, who would hire two or three disinterested appraisers to value the find. The Registrar would publish the description of the find in the newspaper or via posters, and give the person who lost the animal about two months to come forward. The fee for printing, publishing or posting was sometimes listed, and usually was in the range of \$2-3. If someone came forward, that person would have to prove via affidavit, oath and description of the brand or other means that he was the owner. In that case he would pay the Registrar or clerk a fee of fifty cents and reclaim the animal.
- If no-one came forward to claim the animal within about two months, the finder could keep the animal by paying the Registrar half the appraised value, and the fifty cent fee. The half of the appraised value money would be paid by the Registrar “into the Treasury” (apparently the County Treasury).
- If the animal was of great value, the finder might be required to post a bond while holding the beast. This was hardly ever required, however. After 1836, other persons were often listed as standing surety for the animal.

- Under the current (2019) Alabama Code, Section 3-2-4, “Animals,” a very similar process to that described above is undertaken, although the finder may make a claim for the cost of housing and feeding the animal, the Department of Agriculture and Industries is responsible for initially searching for the owner, this Department posts the “estrayed” notices, and the owner has only 15 days to claim the animal after the newspaper publication of the estrayed notice.
- Typical values found in the old Estrayed Book are: “dark brown horse, 10 years old, value \$30”; “bay mare, 7 years old, value \$55”; “2 hogs, value \$5.50” (for the pair); “12 hogs, value \$35” (for the lot); “two steers, value \$30” (for the pair); etc.
- “Wm. Grimes” is the clerk for most of the period through about 1842 who managed the process, when clerk H.S.B.(?) Moss (?) took over.

Names of persons who found and “estrayed” animals during the period 1822 to 1866 are shown in an Annex, as well as the names of some later clerks identified.



Analysis of the Original Manuscript of “Reminiscences of Old St. Stephens”

This manuscript was published in 1899 by “Miss Mary Welsh” during the founding of the Old St. Stephens Historical Society. However, it was suspected by George Shorter that the published version was edited and did not include all the material from the original hand-written version, which is in the possession of the University of South Alabama, Department of Archaeology.

The original manuscript (the first page of which is shown to the left) was examined by Lew Toulmin, with the following findings:

- In general, the original handwritten manuscript is identical to or similar to the version printed in the 1899 Alabama Historical Society Proceedings. There are some minor editorial changes and biographical additions

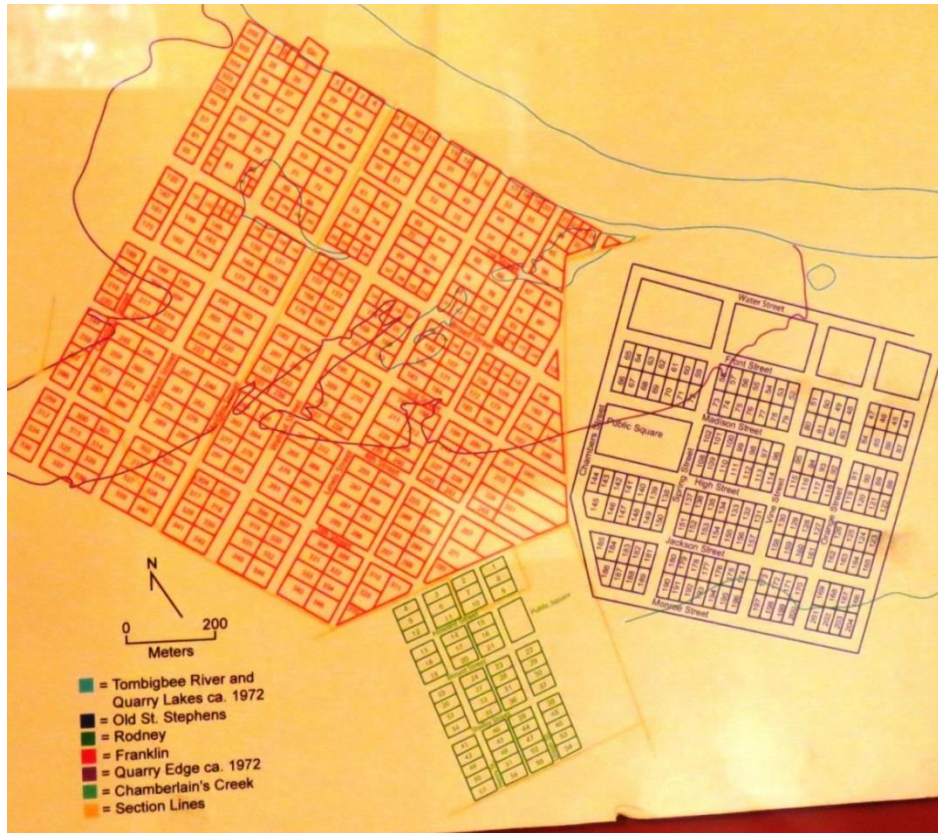
of a phrase or sentence each, in the printed version, to many of the individuals mentioned in the manuscript.

- There is one section in the handwritten version which was cut out of the printed version. This section is rather confusing, and has racial and gender comments by the author which would have been controversial in 1899. An Annex presents more information on this section.
- Also, there is a section at the end of the handwritten version, in which Welsh expresses the hope that a novelist will write a book about the town and its inhabitants. This section was omitted from the printed version.
- A section was added editorially to the end of the printed version that is not present in the handwritten version. This added section is called “R. H. Gilmer’s Assault on William Crawford and His Subsequent Suicide.” This section was clearly written by an editor, not by Welsh, although this is not immediately clear when reading the printed version.

More details are provided below in an Annex.

Attempt to Locate the Properties of Judge Harry Toulmin

The map below shows the three adjoining towns of St. Stephens, Franklin and Rodney.



The towns of St. Stephens (in blue), Rodney (green) and Franklin (red). Toulmin's 1804 rental property was in lots 1, 2, 7, 8, 9, or 10 (outlined in yellow) of Rodney (green), and he owned lot 142 in St. Stephens (blue) just below the Public Square. The current quarry lake is shown in an outline form just below the river. NB: according to George Shorter, this map contains many estimates and is somewhat notional.

One of the goals of the Expedition was to attempt to locate the homes, property or offices of Judge Harry Toulmin at Old St. Stephens. No other researcher has focused on this issue, and no excavation of a site associated with the Judge has been undertaken at OSS – although extensive efforts were done previously under a different Flag Expedition to locate the town and grave of Judge Toulmin at Washington Court House, northwest of OSS. (The missing town was found, but the grave is still lost.) The best source located for this information was the compilation of records put together by Jacqueline Matte, et al. in *Old St. Stephens, Historical Records Survey* (St. Stephens, AL: St. Stephens Historical Commission, Bicentennial Edition 2017; hereinafter called JM). This extensive and comprehensive compilation, and other research, shows the following re a Toulmin rental property, a Toulmin lot, and Toulmin's possible law office.

Judge Toulmin's Rental Property. The town of St. Stephens really consisted of three adjoining small towns: St. Stephens, Rodney and Franklin, with the latter being the oldest, authorized by the General Assembly of the Mississippi Territory in 1807 "on the lands of Edwin Lewis, near Fort St. Stephens" (JM, p. 101). Part of Franklin was a small rectangular protuberance that

jutted out of south side of Section 33 in Franklin into Section 46 (JM, map, Figure 2, p. 111a) in the town of Rodney (JM, map, Figure 8, p. 114b), which had been the site of Lewis' home and store prior to 1804, before any of the three towns were authorized or platted.

In 1804, Lewis' house "was occupied by Judge Harry Toulmin," (JM, p. 102), apparently on a rental basis. By 1807 that house and "store had burned" (JM, pp. 29, 102). The Toulmin rental house was apparently in what was later platted as lot 1, 2, 7, 8, 9 or 10, in the northeast corner of the Rodney plat (JM, map, Figure 8, p. 114b). These lots were arranged in blocks of three (1, 8, 9; and 2, 7, 10), with the former block being "north of the public square" and a N-S length of "177.99 feet" and an E-W width of "337.26 feet" (JM, p. 115). It appears that the entire block (including Union Street) was about 450 feet wide (JM, map, Figure 8, p. 114b). From the map of all three towns (JM, map, Figure 9, p. 116a) it can be seen that the block containing the Toulmin rental house is in the protuberance into Rodney (note that the author of this section, surveyor Jack D. Elliot, Jr., notes that he not positive about the exact location of Rodney).

This protuberance is near a triple corner where St. Stephens, Rodney and Franklin come together near Lot 350 in Franklin, and this triple corner was and is called "Malone's Corner" (JM, map, Figure 9, p. 116a, and George Shorter interview, 11 December 2018). This corner and the border between Rodney and Franklin are now marked by a "line of pine trees" and are "near the Caroline Crawford Monument" (Shorter, *ibid.*; for monument plaque, see photo). Examining the Figures 8 and 9 maps shows that the distance from Malone's Corner to the nearest corner of the protuberance is about 450-500 feet – about the width of the protuberance.



Another way to locate the protuberance is in relation to the Crawford house site, if this can be identified, since this house site was reportedly at the "corner of Union and Shelby streets" in Rodney (JM, p. 114), and it appears from Figure 8 (JM, p. 114b) that the intersection of Union and Shelby streets are about 900 feet south of the center of the protuberance.



The arrow points to the “protuberance” box as shown on an aerial map and land boundary map at the Old St. Stephens store.

Another indicator of the location of the protuberance block is shown on an aerial map (located in the OSS store) of the Old St. Stephens area, which has an overlay of the land boundaries. (See photo.) From this it appears that:

- The protuberance is where the current Crawford Monument is located
- This monument (erected to William Crawford’s daughter) is beside the modern entry road
- The site of the Crawford house is likely to the SE of the Monument, on the protuberance block
- It appears from this map and other sources that the protuberance is under the control of the University of South Alabama, in terms of the ability to excavate and explore the property.

With all this information in hand, it should be possible to locate the protuberance block, at least approximately, where Judge Toulmin lived. Unfortunately, it is not clear which of the six lots in that protuberance (or Union Street) represents the site of the prior Edwin Lewis/Judge Toulmin house. So in a search of the site for this house, the approximate location would be an area of about 177 feet by 337 feet, with that area located about 400-500 feet northwest of Malone’s Corner. (Recall that none of these streets or other markers are readily apparent, since much of the site is just a pine forest at present, and that the map of OSS and the other town plats contains many estimates and is not entirely certain.)

Assuming that the above analysis is correct -- that the Judge Toulmin rental property is at or near the Crawford Monument -- then from a review of Google Earth, the Toulmin property is located at or in the close vicinity of the following lat/long:

31.554267, -88.038934

Judge Toulmin's Lots. The Judge owned lot number 142 in OSS, fronting on High Street, and he subdivided it into two parcels, and eventually sold them as half lots, with no building on them, to George and Mary Caskadin, and Seth Stodder (sic, may be "Stoddert") (JM pp. 24, 98-D). This lot is shown as a corner lot on Map #3 on JM p. 98-D, but the cross street is not named. This cross street may be West Street, per JM, p. 24. But on JM, p. 111c (map, Figure 4), the Toulmin lot 142 does face High Street, faces the "Public Square," and is not a corner lot, but rather is between Chambers Street and Spring Street. From the scale on that map, Lot 142 is about 300 feet east of Chambers Street and is on High Street. (For High Street as it is now, see the photo.)

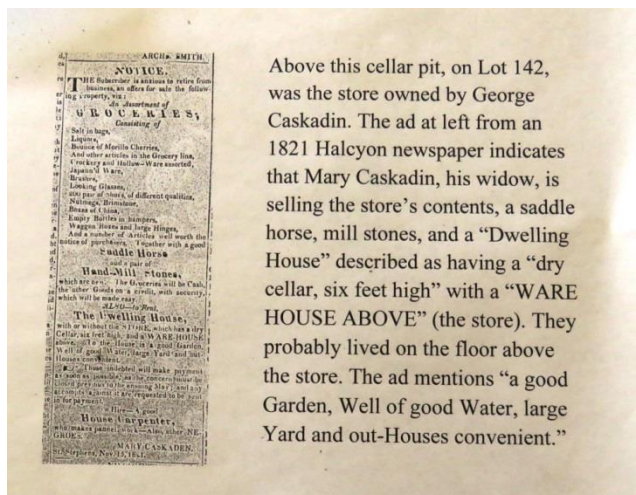


Page 109 of JM also shows Lot 142 as not being a corner lot, and it is located between lots 143 and 141, between Spring Street and Chambers Street. Page 119 states that Lot 142 is on the west side of High Street.

Currently the location of High Street is approximately known, and the only access road into the OSS site winds its way between the High Street limits, which are about 99 or 100 feet wide. Some lots and the Globe Hotel have already been identified on High Street, including the estimated location of Lot 142.

The Toulmin lot is intact, and was not affected by the quarrying which created the Quarry Lake (JM, map, Figure 6, p. 111e). The lot appears to be about 500 feet south of the Quarry Lake cliff, and about 225 feet SW of the knoll in the middle of the Public Square area the area (JM, map, Figure 6, p. 111e). The estimated location of the #142 lot has a marker and a plaque describing the Caskadin store.

Note that since Lot 142 was sold by Toulmin as two half-lots, and not as a building, there will unfortunately not be any Toulmin artifacts on the site, even if it is ever excavated. Any artifacts would come from later buildings and residents.



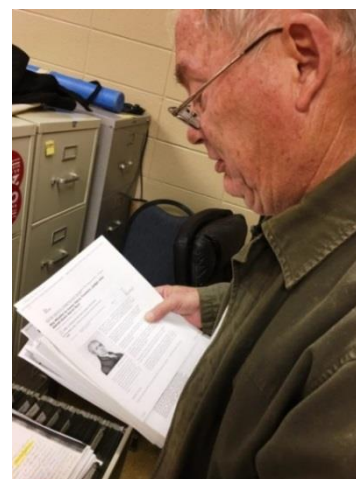
Above this cellar pit, on Lot 142, was the store owned by George Caskadin. The ad at left from an 1821 Halcyon newspaper indicates that Mary Caskadin, his widow, is selling the store's contents, a saddle horse, mill stones, and a "Dwelling House" described as having a "dry cellar, six feet high" with a "WARE HOUSE ABOVE" (the store). They probably lived on the floor above the store. The ad mentions "a good Garden, Well of good Water, large Yard and out-Houses convenient."

As mentioned above, one of the half lots was sold to George and Mary Caskadin, who dug a basement (rare in Alabama) and above it built a store. They also dug a well and planted a "good garden." See the photo.

Judge Toulmin's Office. The OSS *Halcyon* newspaper of 8 December 1821 listed the "dissolution of the partnership of H. Toulmin and Geo. F. Salle, Attorneys" (JM, p. 62). It would be of interest to locate their office,

which was apparently in OSS. Unfortunately, there are no references to this office in the records compiled by Mattie or in other sources examined, and no other locational references to George F. Salle were found.

George F. Salle is listed in the 1830 and 1850 Alabama Census for Washington County, but his address or other location is not. (He apparently was living in Mobile in the 1840 Census period.) Find-a-Grave lists a tombstone for Salle found in Washington County, now in the Bowling Family Cemetery, and lists his dates as born 4 June 1791 in Chesterfield County, VA and died 28 January 1873 in Washington County, AL. A list of attorneys admitted to practice before the Supreme Court of Alabama in 1820-22 including George F. Salles (sic), doubtless the same person (Ancestry.com).



George Shorter examines a biographical report with a notional portrait of Judge Toulmin

George F. Salle reportedly married Julia Brewer, who is listed on pp. 57 and 58 of Matte's book as a student in oratory at the St. Stephens Academy in August 1820. According to one family genealogist, his "ggg-grandmother was Julia Brewer who married George F. Salle', attorney, born Chesterfield Co., VA. According to [the] Salle Bible, Julia Brewer was born 7/19/1805 – died St. Stephens 1/3/1883, married George F. Salle' 2/8/1821."⁴

⁴ See: <https://www.genealogy.com/forum/surnames/topics/brewer/457/>, written in 1998 about relatives of John Brewer III.

George F. Salle became one of the many OSS residents who decamped to Mobile as OSS declined. He bought the Mobile Hotel on Royal Street on 30 January 1826 from Littleton Lecatte for the hefty sum of \$5,000.⁵

Excavations at Old St. Stephens

Excavations at Old St. Stephens have been undertaken for almost 20 years, and continued during the life of the Expedition. Due to extremely heavy rains during all of December 2018, no excavations were undertaken in that month (it is not practical to excavate and screen mud). And during the holiday season no volunteers were available. But a window between rains and cold weather was found in late January, and about 15 volunteers undertook excavations in the rear of the Globe Hotel on January 26, 2019.

This effort involved the following activities, all done under the supervision of George Shorter, RPA:

- Removing plastic sheeting covering the site
- Marking one-meter-square units
- Training volunteers in proper techniques
- Excavating about eight units using trowels, extracting initial finds
- Screening dirt removed from each unit in ¼ inch screen sifters
- Extracting additional finds
- Placing all finds and remaining unidentified items in a find bucket, for later washing and identification
- Closing up the site at the end of the day, using large plastic sheets to keep out as much rain as possible.



Some of the January 2019 volunteers at the Globe Hotel excavation site at OSS

⁵ Mobile Probate Court, Deed Book G, O.S., p. 232.

Numerous items were found, mostly broken sherds of Blue Willow and other porcelain, generally from the 1820s-30s. One notable item found was a piece of a heavy porcelain commode (bedpan), likely used in a hotel bedroom to avoid having to go outside to a privy.

Additional excavations are planned for March, April and May 2019.



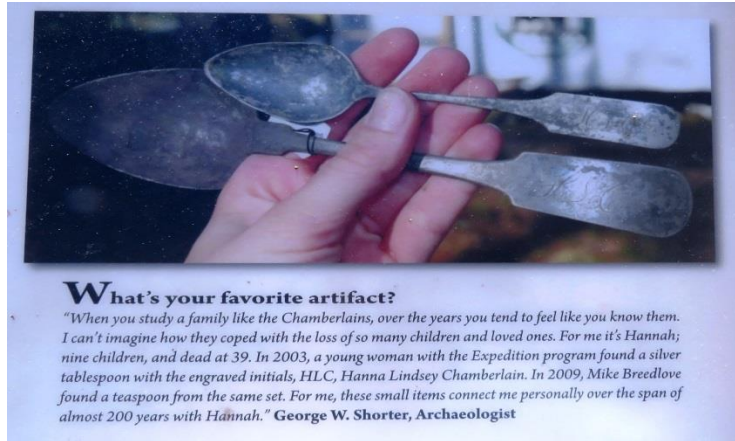
Some weeks before this Globe excavation, a local resident found a number of iron and steel items at the site of the Crawford house (near the Crawford monument) and turned them over to the Museum. These were reviewed at the Museum by George Shorter, and included horseshoes, large nails, locks and other items. (See the photo here and in the later photo Annex.)

Processing of Artifacts from OSS

Lew Toulmin and other volunteers processed artifacts from OSS during the period of the Expedition, generally on Tuesday mornings at the University of South Alabama Archaeology Lab. This processing included cleaning, sorting, labelling, examining, photographing and describing various items, and attempting to assemble broken bottles, pottery, “Blue Willow” ware, “Italian Villas” red transfer ware, etc. This processing was done under the supervision of George Shorter and Bonnie Gums, both experienced archaeologists with many years of experience, using standard approved methods.

The most noteworthy items examined (found over the last decade at OSS) included:

1. Two silver spoons with the monogram of Hannah Lindsey Toulmin Chamberlain, co-owner of the Globe Hotel and daughter of Judge Harry Toulmin. (See photo)



2. A fleam with three different width blades for bloodletting in humans and animals. (See photos below)



Rusted fleam found at OSS



Fleam in good condition, showing the three different blades, each with a different thickness, for blood-letting (on-line museum photo)

3. A clear glass blood bottle for catching and viewing the blood let with a fleam or lancet. (See photo below)



A blood-letting collection bottle from OSS

Donations to the Museum of Old St. Stephens

The Museum of Old St. Stephens had almost no information and no exhibits on Judge Harry Toulmin, one of the most distinguished residents of the town. As part of the Expedition, the following hard copy items were donated to the Museum, to bolster its archives and exhibits:

- Copy of the obituary of Judge Harry Toulmin, from the *Argus of Western America*, 7 January 1824
- Copy of transactions of "The Estate of the Honorable Harry



Silhouette of Judge
Harry Toulmin

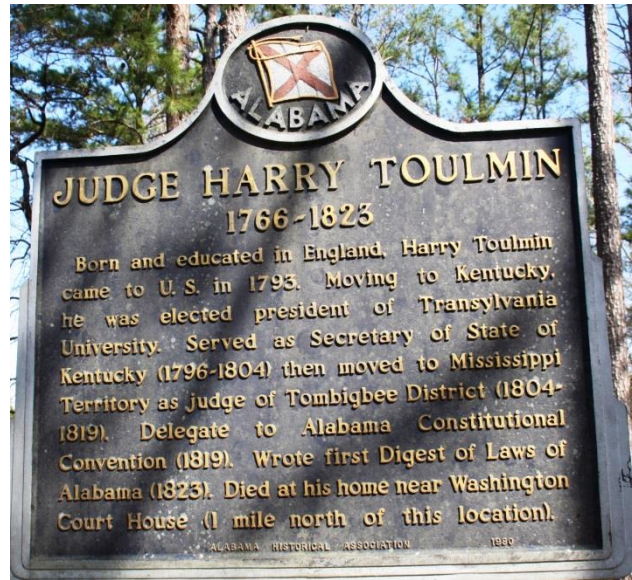
Toulmin, Late of Washington County," 3 pp., covering 1823-1827, from the Washington County archives (including expenses incurred by the executor in Mobile, Cincinnati, Kentucky and London, England!)

- Transcript of an 1808 letter from the US Postmaster General to Judge Harry Toulmin re various postal routes along the Federal Road and Natchez Trace.
- Transcription of a Judge Harry Toulmin letter of 1815 to William Lattimore (Delegate to the US House of Representatives from the Mississippi Territory, which included present day Alabama), re postal matters and a local petition to Congress for reparations re the Creek Indian War and War of 1812.
- Description of a letter of attorney of 1813 made by Judge Harry Toulmin and others to appoint various persons to sell their lots in OSS.
- Copy of an 1817 list of land and lots being sold in OSS, including two parcels owned by Harry Toulmin.
- Description of 1818 deed from Harry Toulmin to George Caskadin for a half lot in OSS, sold for \$400.
- Copy of the actual 1818 deed referenced immediately above.
- Copy of an 1821 newspaper notice of the dissolution of the law partnership in OSS of Judge Harry Toulmin and George F. Salle.
- Copy of a 2009 article in *Mobile Bay Monthly* on Judge Harry Toulmin, sometime resident of OSS.
- Copy of a short biography of Harry Toulmin from *The History of Washington County*.
- Copy of *Judge Harry Toulmin: 1766 to 1823*, a short biography by Harry T. Toulmin, December 1976, 9 pp.
- Copy of a letter from Mary Morgan Duggar Toulmin to George Shorter, 12 May 2003, describing the descent from Judge Harry Toulmin down to Harry Theophilus Toulmin of the 20th century.

- The autographed book *The Most Traveled Man on Earth*, by Llewellyn Toulmin (Silver Spring, MD, The Village Press, 2006); donated because the Museum is establishing a Reading Room which will include books and articles by descendants of OSS residents.

The following soft copy items were also donated:

- PowerPoint briefing on Judge Harry Toulmin and the earlier Explorers Club Flag Expedition to Washington Court House (near St. Stephens) to locate the missing town which succeeded St. Stephens as the county seat.
- Various photos associated with the dedication of a historic marker at the Baldwin County Courthouse to Judge Harry Toulmin.
- Copy of the original handwritten will (from the Washington County Court Will Book) of Judge Harry Toulmin.
- A digital copy of an 1867 map of Alabama, showing St. Stephens and Washington Court House.
- An image of General Theophilus Lindsey Toulmin, son of Judge Harry Toulmin and once a resident of OSS.
- An image of the Theophilus Lindsey Toulmin house in Toulminville, AL (now part of Mobile; this house was moved to the University of South Alabama campus).
- A transcript of a letter from Theophilus Lindsey Toulmin, showing that he was 17 when serving in the Alabama militia at the Battle of the Burnt Corn on 27 July 1813, in SE Alabama, and was the youngest member of his unit.



Alabama Historic Marker to Judge Toulmin, near Washington Court House, a town that was missing until discovered by a previous Flag Expedition

- Silhouette of Judge Harry Toulmin. NOTE: this image is not absolutely confirmed as the profile of the Judge, but very long family tradition holds that it is. It has been used and deemed valid by the Alabama Bar Association and the County Commission of Baldwin County, Alabama, since both used this image in plaques honoring the Judge.
- A photo of the “hanging tree” at Blakeley State Park, Baldwin County, AL, used by Judge Toulmin.
- Scans of pages from the family Bible of Hannah Toulmin Chamberlain, daughter of Judge Harry Toulmin and resident of OSS.
- All known descendants of Judge Harry Toulmin, as researched by Lew Toulmin; over 230 descendants listed, showing their relations to him; with 858 footnotes.
- A “notional” portrait of Judge Harry Toulmin -- NOTE, this is NOT a real portrait, but rather was concocted in the late 20th century at Transylvania University in Kentucky, where Toulmin was for a time the university president. The artist supposedly consulted descriptions of the Judge, but since no physical description has ever been found by descendants, this seems quite dubious.
- Copy of the main part of the 2007 Explorers Club Flag Report on the expedition to find and document Washington Court House. (Note: attachments and annexes are not present in this digital copy. These may be viewed and copied at the Fairhope Public Library, uncirculating reference section).
- An excerpt from a Washington County Deed Book, showing the sale of the Washington County Courthouse (at the town of Washington Court House) on land previously owned by Judge Harry Toulmin and later by his brother.
- A copy of a letter with an actual signature of Judge Harry Toulmin.
- Soft copies of fifteen OSS Newsletters published by George Shorter, RPA.

Research re *The Halcyon*

The Halcyon and Tombeckbe Public Advertiser was the newspaper of St. Stephens. It is not clear when it began publication. Archaeologist George Shorter stated that the University of South

Alabama only has some copies of the paper beginning in 1817, and that any earlier editions would be very valuable in understanding the history of the town. Hence a search was undertaken by Lew Toulmin of various databases to attempt to locate earlier and other editions of the paper. The findings were as follows:

- The Alabama Department of Archives and History has two copies of the newspaper on-line, at: <http://digital.archives.alabama.gov/cdm/singleitem/collection/voices/id/6364/rec/23> (7 February 1820) and at: <http://digital.archives.alabama.gov/cdm/singleitem/collection/voices/id/7389/rec/24> (20 March 1820).
- The Department has no copies of the newspaper listed in its microfilm collection.
- The Department lists the following hard copies of *The Halcyon* as held in their files (at this url: <http://www.archives.alabama.gov/newshard/results.cfm>), in satisfactory (“S”) condition. Note that two of these are the same as the on-line versions, and hence the total number of editions held appears to be six:

Beginning Date	Ending Date	County	Main Title	Additional titles	Reference Call Number	Newspaper Type	Condition
1818.09.05	1818.09.05	Washington	Halcyon and Tombeckbe Public Advertiser, The		LN.2681A		S
1820.01.24	1820.01.24	Washington	Halcyon and Tombeckbe Public Advertiser, The		LN.2681B		S
1820.01.31	1820.01.31	Washington	Halcyon and Tombeckbe Public Advertiser, The		LN.2682A		S
1820.02.07	1820.02.07	Washington	Halcyon and Tombeckbe Public Advertiser, The		LN.5963		S
1820.03.20	1820.03.20	Washington	Halcyon and Tombeckbe Public Advertiser, The		LN.7201		S
1821.09.08	1821.09.08	Washington	Halcyon and Tombeckbe Public Advertiser, The		LN.2682B		S

The Library of Congress states that *The Halcyon* was published weekly at St. Stephens under that title from 1815 to 1818 and under the title *The Halcyon and Tombeckbe Public Advertiser* from about 1819 to 1823, with the last issue possibly being printed on 17 April 1823. Specific issues mentioned by LoC were 28 February 1817, 9 January 1819, and 2 November 1822. Under the first title, LoC lists eight libraries that hold issues of the paper, and the earliest listed is 22 February 1817 on microfilm at Samford University Library. (See <https://chroniclingamerica.loc.gov/lccn/sn82016253/holdings/>.)

LoC lists eleven libraries that have hard and microfilm copies of *The Halcyon* under its second name. (See <https://chroniclingamerica.loc.gov/lccn/sn85025925/holdings/>) For example, LoC itself has the following issues in hard copy: 1819:Jan.9-18, 1819:Feb.8-1819:Apr.5, 1819:May3-1819:Aug.9, 1819:Sept.13, 1819:Oct.11-18, 1819:Nov.29-1819:Dec.20, 1820:Jan.10-1820:Apr.10, 1820:May1-1820:July3, 1820:Aug.14-1820:Sept.11, 1820:Oct.2-30, 1820:Nov.20-27, 1821:Feb.12, 1821:Mar.9-1821:June23, 1821:July28-1821:Sept.8, 1821:Oct.20, 1821:Nov.17-1821:Dec.22, 1822:Jan.5-1822:Apr.27, 1822:June1-1822:Nov.2.

LoC also states that the succeeding paper was *The Halcyon* of Greensboro, Hale County, Alabama, and that that paper was published from 1823 to 1824. Specific issues mentioned are: 24 April 1823 and 21 February 1824, and LoC states that the former issue was Vol. 1, No. 1 and the latter Vol. 1, No. 40. Hence at least 40 issues of this paper existed at one point, and since this is the follow-on paper to the St. Stephens paper, it seems likely that this paper might have stories covering the late history of St. Stephens. For details, see: <https://chroniclingamerica.loc.gov/lccn/sn86072237/>

LoC also states that LoC and Samford University Library have copies of the Greensboro paper, perhaps a dozen or less issues. See: <https://chroniclingamerica.loc.gov/lccn/sn86072237/holdings/>.

The takeaway from this analysis is that there may well be issues of *The Halcyon* and its successors which could shed light on the history of Old St. Stephens, and these issues need to be collected, compared to holdings currently at the OSS Museum and at the University of South Alabama, and previously unknown ones reviewed for substantive content. However, it appears that the search for extant issues of the paper before 1817 is unlikely to yield fruit.

HISTORY OF FLAG # 25

The Explorers Club has 202 flags, some of which have been carried on expeditions to the Moon, to the deepest trenches of the ocean, to the top of Mt. Everest, and to numerous other exotic locations. The Club allows members and Fellows to carry a Flag on an expedition, if the effort is deemed worthy by the Flag and Honors Committee, which reviews the expedition plan to ensure that it will add to human knowledge and involves field science.

Flag #25 of The Explorers Club has been carried in the following expeditions, according to information supplied by the Club:

<u>Year</u>	<u>Expedition Leader</u>	<u>Expedition</u>
1929	Capt. John Noel	Himalayan Mountains Expedition
1990	William C. Stone	San Augustin Expedition
1995	Robert D. Ballard	Roman Trade Routes Expedition
2001	Denise Bacca	Central American Selwyn Expedition
2004	Geoffrey E. Clark	In Search of Greely
2006	Stefania Zini	Chukotka Rock Art, 40 Years After
2009	Martin T. Nweeia	Narwhale Tusk Research to Qaqqiat Point
2011	Leslie Trager & Yke Tymstra	Finding Henry Hudson's Winter Camp
2011	Donald P. Ryan	Pacific Lutheran U., Valley of the Kings Project
2013	Mark Angelo	Last Paddle Film Production
2015	Simon Roosevelt	Smithsonian Roosevelt Resurvey
2015	Constance Difede	The Endurance South Pole 100 Expedition
2018/9	Llewellyn Toulmin	Old St. Stephens Expedition: Where Alabama Began

PARTICIPANTS

Key Old St. Stephens Expedition participants included:

- George Shorter, RPA, semi-retired archaeologist at the University of South Alabama (USA), lead on OSS research, history and excavation
- Bonnie Gums, archaeologist at the University of South Alabama, lead on other USA projects
- Lew Toulmin, Fellow of The Explorers Club and volunteer at OSS and USA

- Susan Toulmin, wife of Lew Toulmin
- Frank Vogtner, volunteer for many years at the USA and at OSS
- Jenni Krchak, volunteer at the USA and at OSS.

Assistance to the Expedition was provided by Jennifer Faith, Director of the Old St. Stephens Historical Museum and Larry Faith, landowner in St. Stephens. This assistance is noted with gratitude.

LOGISTICS AND ACTIONS

Efforts undertaken as part of the Flag Expedition included the following:

- Lew Toulmin and Susan Toulmin driving to the Mobile/Fairhope/St. Stephens area from Silver Spring, Maryland, October-November 2018
- Phone discussions re University of South Alabama (U of SA) plans for the winter, November 20, 2018
- Research online re Old St. Stephens (OSS), November 21-23, 2018
- Trip to U of SA Archaeology Lab, meeting with George Shorter, photos taken of Lab and Strayed Book, November 27, 2018; formulation of plan for historical research and recon of OSS
- Historical research begun on specific individuals of interest who moved from OSS to Mobile from 1820-45; November 28-December 2, 2018
- Drafting of initial portions of OSS report, December 3-4, 2018
- Trip to U of SA lab to review the Washington County/OSS Sheriff's Revenue Book from the early 1800s, and ID relevant items, December 4, 2018
- Trip to OSS to meet with Jennifer Faith, Director of the OSS Museum, and to donate materials on Harry Toulmin and other individuals and subjects to the Museum, December 4, 2018
- Recon of OSS excavation site, December 4, 2018
- Tour of OSS Museum and donation of materials to the Museum, one of the major goals of the Expedition; December 4, 2018
- Meeting with Larry Faith, landowner at OSS, and tour of Crawford Monument and graveyard at OSS, December 4, 2018

- Online historical research and early drafting of other sections of the OSS report, December 5-10, 2018
- Phone conversation with Mobile Library Genealogy and Local History Division, re accessing historical materials, December 6, 2018
- Phone conversation with Mobile County Probate Court re accessing historical materials, December 7, 2018
- Trip to U of SA Archaeology Lab to study about 500 “Italian Villa” red transfer ware sherds found at OSS, and try to make sense of them, based on previous organization and sorting; 3 plates with Italian-style markings identified, 1 Chinese-style plate separately identified, and 1 “circle markings” plate identified. Most from the 1830s. December 11, 2018
- Meeting with George Shorter re plot locations of Judge Harry Toulmin residences and offices in OSS, and to discuss future activities, December 11, 2018
- Trip to U of SA Marx Library, Rare Book and Manuscript Division, to do historical research on OSS residents who moved to Mobile; December 11, 2018
- On-going genealogical and historical research, and drafting of OSS report sections, December 11-17, 2018
- Cataloging and sorting of “Italian Villa” red transfer ware sherds, U of SA Archaeology Lab, December 18, 2018
- Research at Mobile Probate Court re land and other records pertaining to OSS residents who moved to Mobile in the 1820s-50s; December 18, 2018
- Write-up of Probate Court findings, December 18-21, 2018
- Review of Annex items and content: December 22-January 7, 2019
- Cataloging and sorting of “Sicilian” reddish-brown transfer ware sherds, U of SA Archaeology Lab, and planning for recon to OSS; January 8, 2019
- Recon to OSS (Toulmin, Shorter, Vogener) to examine excavation conditions, given tremendous rains in December, brief meeting with Jennifer Faith: January 10, 2019
- Write-up of photos and report items from OSS recon, January 11-15, 2019
- Search for issues of *The Halcyon* OSS newspaper, January 17-18, 2019
- Write-up of *Halcyon* findings, January 19, 2019
- Cataloging of sherds and planning for excavation at OSS, U of SA Archaeology Lab, January 22, 2019
- Trip to OSS (Shorter, Toulmin, Carl Couret) to set up for excavation the next day and drain water accumulated in unit pits; discussion with Jennifer Faith; writeup of activities and photos, January 25, 2019

- Trip to OSS (Shorter, Toulmin, various volunteers) to excavate square meter units behind the slave quarters of the Globe Hotel, January 26, 2019
- Writeup of excavation activities and photos, January 27-30, 2019
- Work on OSS maroon porcelain ware at U of SA Archaeology Lab, January 29, 2019
- Review of OSS report, February 4, 2019
- Work on assembling OSS porcelain at U of SA Archaeology Lab, February 5, 2019
- Work on OSS porcelain, using the Transferware Database of Patterns and Sources (TDPS), at U of SA Archaeology Lab, February 12, 2019. (Found that the Globe Hotel owners had possessed a previously unknown pattern of “Sicilian Beauties 02” red-colored ware; and that one of these plates had an unusual typo on its maker’s mark, with “R&J Clens” on the reverse of the plate instead of the correct “R&J Clews,” the 1814-1834 Staffordshire maker from Cobridge, England. This may warrant a small publication or research note, and a correction and expansion of the TDPS.)
- Work on assembling OSS porcelain at U of SA Archaeology Lab, February 19, 2019.
- Work on assembling OSS porcelain at U of SA Archaeology Lab, March 5, 2019, with a focus on blue-black transfer ware.
- Finalization of OSS Expedition Report, March 5-10, 2019.

FUTURE PLANS

Additional excavations at Old St. Stephens are planned for later in 2019 and in 2020, and sorting of the hundreds of boxes of artifacts already collected is on-going. George Shorter has stated that “only about five percent of the possible archaeology at Old St. Stephens that needs to be done has in fact been done!”

Publication of historical and genealogical research material gathered during the Expedition is feasible in reputable lineage/historical research journals. Publication of archaeological analyses of findings to date has been undertaken in the well-regarded *Alabama Heritage*. Museum director Jennifer Faith is in the process of obtaining more publicity for OSS based on the Flag Expedition and on Old St. Stephens Day 2018 and 2019. The University of South Alabama public relations department has been contacted and is in the process of publicizing the excavations and discoveries at OSS. Lew Toulmin is tentatively planning to make a presentation on “Old St. Stephens and Judge Harry Toulmin” at the OSS Day in October 2020. Lew Toulmin is also planning to publish parts of this report and other materials in the historical and genealogical journal *The Deep South Genealogical Quarterly*, which focuses on Alabama and Gulf Coast affairs.

Report v14 FINAL

ANNEXES

- 1. Research on Key Persons Who Migrated from OSS to Mobile**
- 2. Findings Re the Original Manuscript of “Reminiscences of Old St. Stephens”**
- 3. List of Persons Who Found “Estrayed” Animals in OSS or Washington County**
- 4. Copy of article on Old St. Stephens by George Shorter**
- 5. Various Photos from the Expedition**
- 6. Biography of the Author**

Annex 1:

Research on Key Persons Who Migrated from OSS to Mobile

Note: For a list of over 200 descendants of Judge Harry Toulmin, with proofs, see Llewellyn M. Toulmin, "Judge Toulmin Descendants and Index," held by Llewellyn Toulmin, with a copy at the University of South Alabama Archaeology Lab, OSS Residents File.

Persons described below include:

- Theophilus Lindsey (or Lindsay) Toulmin (son of Judge Harry Toulmin)
- Reuben Chamberlain (son in law of Judge Toulmin)
- Hannah Toulmin Chamberlain (daughter of Judge Harry Toulmin)
- Benjamin Smoot
- Henry Hitchcock

Theophilus Lindsey (or Lindsay) Toulmin

Theophilus Lindsey (T.L.) Toulmin was born on 4 July 1796 in Lexington (or Frankfurt), Kentucky, the son of Judge Harry Toulmin (1766-1823), one of the founding fathers of Alabama. Both were for a time residents of Old St. Stephens.

At age 17, T.L. Toulmin enlisted in General Andrew Jackson's army, served as an Ensign and rose to the rank of First Lieutenant during the Creek Indian War and War of 1812. He served in Carson's Regiment and Major Smoot's Battalion of Mounted Gunman of the Mississippi Militia in 1813 at Fort Claiborne. The muster rolls for Smoot's battalion shows that it participated in the Battle of the Burnt Corn and at the Battle of the Holy Ground, and it is very likely from the dates of the rolls that Toulmin was at both engagements. Toulmin's own letter (a transcript of which was provided to the OSS Museum) asserts that he was at the Battle of the Burnt Corn (also known as the Battle of Burnt Corn Creek).

T.L. Toulmin became a farmer and a stockman in the Mobile area. He founded Toulminville (now part of northwestern Mobile) and built a large creole-style home there in about 1825-8, after moving down from Old St. Stephens. In 1974 this home was relocated to the campus of the University of South Alabama and restored, and it remains there today. It is on the National Register of Historic Places.



The T.L. Toulmin house in Toulminville, before the move and restoration

Under “Theophilus L. Toulmin” in the Deed Books of the Mobile Probate Court there are 265 transactions listed (!), hence it was not practical to examine all those. It is worth noting that some of the earliest Mobile land transactions recorded were on 7 October 1824 (Deed Book F, p. 322), 14 May 1827 (DB H, p. 49), and 23 December 1828 (DB H, p. 483).⁶

Toulmin became Brigadier General of the Alabama State Militia, Sheriff of Mobile County, State Senator from 1838 to 1864 (with some short interruptions) and Postmaster of Mobile. In 1840 Toulmin was on the Democratic Electoral Ticket, and was Chairman of the national Electoral College when in the US Senate Chamber, the College cast the vote for Martin Van Buren as President and R. M. Johnson as Vice President.



Brig. Gen. and Sheriff Theophilus L. Toulmin

He is listed as Toulmin, Theophilus “r. country” (presumably residing in the “country” –

⁶ Another of these transactions, a sale of part of the St. Louis Tract (see discussion below) states that the 110 acre parcel being sold to George Slater on 31 January 1826 begins “30 feet below (south) of the dwelling of the late Daniel Juzan (known as the White House)” – this is apparently the only known reference to the location and name of Juzan’s home.

Toulminville!) in the 1839 and 1842 Mobile City Directories, with no occupation stated.

Toulmin was involved in a famous case known as the St. Louis Tract dispute. He acquired this 2000 acre tract in what is now northwest Mobile for \$800 in about 1824. He married the daughter of Daniel Juzan (who had previously owned the tract), and was eventually sued by his brother-in-law and other relatives in 1831, six years after Daniel's death. They claimed that they were entitled to all or a portion of the St. Louis Tract, and had been defrauded because Toulmin had not had proper title to the land, since under US and Spanish law his wife had owned the land, and it was not Toulmin's to own or dispose of. Toulmin claimed he had bought what he thought was a perfect title, and then had later given the plaintiffs reasonable remedy when the title defect was identified.

The result was a complex lawsuit which went first to the Court of Chancery and finally in 1846 (after 15 years of dispute), to the Alabama Supreme Court. (See K. P. Jones and P. J. Gandrud, *Alabama Records*, Vol. 92, Aug. 1947, Alabama Supreme Court, Jan. Term, 1846, Juzan et al. vs. Toulmin, p. 56; also *Report of Cases, Supreme Court of Alabama, Second Ed.*, (St. Paul: West Publishing, 1908) Book 14, Vols. 9-10, Jan. Term, 1846, 9 Ala. 662, Juzan v. Toulmin, pp. 261-275.)

The Court stated that Toulmin "took high rank in society," and had "intelligence and gentlemanly bearing," and eventually upheld his claim to the Tract he had purchased, determining that he had already given a reasonable (if not generous) settlement to the plaintiffs. This case is repeatedly cited in later contract law disputes in Alabama and many other states for its clarifications of contractual terms and responsibilities.

Toulmin was involved in another interesting case that involved a free woman of color, Justine Laurent. The Pigeon Hole Documents of the Mobile Probate Court show the Petition of Justine Laurent, Guardian, for a legacy. There is no date, but it was clearly filed between 1825 and 1828, and it petitions the County Court of Mobile County to force Theophilus Lindsey Toulmin, administrator of the estate of Daniel Juzan (Toulmin's father-in-law), to pay \$1000 legacy promised in the will of Daniel Juzan to the five "children of color" of Justine Laurent. This may have been an attempt by Sheriff Toulmin to avoid any reduction in his wife's inheritance from Daniel Juzan, her father.

The estate accounting of Daniel Juzan, Mobile Probate Court, AEA document book 1, page 61, 19 July 1828 shows that Justine Laurent was eventually paid (apparently very reluctantly) by Theophilus Lindsey Toulmin a \$1000 "legacy willed to the Children of said Justine Laurent by Daniel Juzan..."

An unusual element of Daniel Juzan's will is the selective editing apparently done on it. The handwritten will obtained from the Mobile Probate Court appears at first to be the most original version. But this is almost certainly not so. This version states that Daniel "bequeaths unto Delphin, Dalcour, Camine, Martlett and Mirone children of colour who, now, lives with me, the sum of one thousand dollars..." A different typed version of the

will states that Daniel gives the \$1000 to the named five “children of colour **which I have had by Justine, a free woman of colour**, who, now, lives with me.” (Emphasis added.)

A handwritten version with a shaky signature, now held at the New York City Public Library, has this same more detailed wording. Thus the handwritten version from the Probate Court is apparently a copy made by a clerk in the courthouse Will Book, who edited out the embarrassing and controversial phrase about living with the “free woman of colour” Justine, while the typed version apparently was made from the original will document, now held at the New York City Public Library.

There are numerous other interesting records in the Mobile County Probate Court archives relating to T. L. Toulmin, including these three:

A handwritten “solemn oath” dated 12 August 1834, in which T. L. Toulmin, “sheriff elect” of Mobile County swears that he has not “given or accepted a challenge in writing or otherwise to fight in single combat with any deadly weapon either in or out of this state...” since “the first day of January one thousand eight hundred and twenty six” (eight years before this oath). He goes on to promise that he will not engage in single combat with any deadly weapon during the time of his stay in office. (Mobile County Probate Court, Official Bond (OB) Book B, item 6; originally Book B, page 62.) This oath and conduct was required of public officials by rather draconian Mississippi Territory and Alabama laws designed to discourage the “evil practice of duelling.”

A printed loyalty “Proclamation Oath” signed on 5 August 1865, in which Theophilus L. Toulmin solemnly swears to “faithfully defend the Constitution of the United States and the Union of the States thereunder, and abide by and support all Laws and Proclamations which have been made during the existing Rebellion with reference to the Emancipation of Slaves...” This of course is the oath required by Union forces following the end of the Civil War. (Mobile County Probate Court, Archival Records Files, File 36, page 3865.) Re slaves, the 1850 US Federal Census Slave Schedules (Roll M 432, Mobile County, AL) shows that T.L. Toulmin owned a total of 63 slaves, probably worth about \$70,000, a huge sum at the time.

A receipt on 10 May 1830, in which “T.L. Toulmin, Shff. of said county” pays for a “Pillory and Whipping Post, made by J.K. Collins” for a price of \$13.50. It is signed “T.L. Toulmin, Shff. M.C.” (Sheriff of Mobile County) (Mobile Probate Court Archival Record Files (MPC-ARF), file 33, page 859.) Interestingly, on this same topic, the previous Sheriff, James P. Bates, paid \$25.00 on 4 December 1826, “For having erected a whipping post, platform and furnishing materials.” (MPC-ARF, file 33, page 525.) Thus the whipping post was apparently worn out in just four years! And Sheriff Toulmin got his post for half price, despite four years of inflation. After Sheriff Toulmin installed his whipping post, the next one was apparently not purchased for another eight years, when on 29 November 1838 \$50 was paid for “making a whipping post...” (MPC-ARF, file 33, page 1440.) Perhaps a little mercy was introduced during this Toulmin period, since the post lasted twice as long!

T. L. Toulmin married Amante Elizabet Juzan on 17 May 1821 in Mobile, Alabama. She was a descendant of original French settlers (the Juzans, Trudeaus and Burels) who built Old Mobile, Pensacola and New Orleans.



Amante Elizabet Juzan

The couple had the following children:

- i. ALABAMA VIRGINIA TOULMIN, b. 10 Jan 1837, prob AL, Mobile; d. 21 Oct 1838, buried at Springhill Cem (was Toulminville Cemetery) Mobile, AL.
- ii. LOUISA ANN TOULMIN, b. 05 Feb 1824, AL; d. 17 Sep 1903, Mobile, AL, buried Magnolia Cemetery.
- iii. MARY JANE (JOSEPHINE?) TOULMIN, b. 25 Nov 1825, Prob Toulminville, near Mobile, AL; d. 31 Oct 1900, Mobile, AL, buried Magnolia Cemetery.
- iv. FRANCES HELEN TOULMIN, b. 13 Feb 1828, AL; d. 20 Aug 1916.
- v. EDMUND PENDLETON TOULMIN, b. 10 Sep 1829, Mobile, AL; d. 16 Feb 1883, Mobile, AL, buried Springhill Cemetery, Toulmin Family Burying Ground.
- vi. MARTHA MARIA TOULMIN, b. 25 Apr 1833, AL; prob Mobile; d. 11 May 1835, AL, prob Mobile; buried Toulmin Family Burying Ground, Spring Hill Cem., Mobile, AL.
- vii. HARRY THEOPHILUS TOULMIN, CSA COL., FEDERAL JUDGE, b. 04 Mar 1835, Toulminville, Mobile, AL; d. 12 Nov 1916, Mobile, AL, at his home in Toulminville, buried Magnolia Cem; m.
- MARY "MOLLIE" MONTAGUE HENSHAW, 14 May 1869, Trinity Episcopal Church, Mobile, AL; b. 04 Jan 1850, Willow Banks, Cumberland, Virginia; resided Claiborne, AL; d. 12 Mar 1932, Mobile, AL, buried Magnolia Cemetery.
- viii. ROBERT CRAWFORD TOULMIN, b. 12 Mar 1841; d. 18 Dec 1845.
- ix. LINDSEY TOULMIN, b. Abt. Mar 1850, Mobile, AL.

T. L. Toulmin died on 5 July 1866 in Toulminville, Alabama, and was buried there. Later his remains and those of other Toulmins were removed to the Toulmin Burying Ground at Spring Hill Cemetery, Spring Hill, Mobile.

Based on his military and civilian service, descendants of Theophilus Lindsey Toulmin qualify for membership in the Order of the Indian Wars of the United States (for male descendants), the Continental Society, Daughters of Indian Wars (for female descendants), the General Society of the War of 1812, and the Descendants of Sheriffs and Constables of Colonial and Antebellum America.

For more information on Theophilus Lindsey Toulmin and proofs of above statements, see short biographies in:

- William Garrett, *Reminiscences of Public Men in Alabama for Thirty Years* (Atlanta: Plantation Publishing, 1872) pp. 170-171.
- Thomas M. Owen, *History of Alabama and Dictionary of Alabama Biography* (Chicago: S.J. Clarke Publishing, 1921) pp. 1677-8.
- Harry T. Toulmin (1916-2002), *The Toulmin Family Photo Biographic Album* (Fairhope, AL: Private printing, c. 1998). (Copy in the Mobile Public Library, Genealogy and Local History Division.)
- Llewellyn M. Toulmin, "Toulmin Family," in *The Heritage of Mobile County, Alabama* (Clanton, AL: Heritage Publishing, 2002) p. 327.
- Llewellyn M. Toulmin, "Eleven Generations and 313 Years in Mobile: Including the Founding and Early Builders of Mobile, New Orleans, Dauphin Island and Pensacola," *Deep South Genealogical Quarterly*, May 2015, August 2015, November 2015, February 2016. Note that these articles provide mini-biographies and birth, marriage and death dates for a line of descent from Judge Harry and T. L. Toulmin down to the present day, through their line of male descendants Edmund Pendleton Toulmin, George Bowers Toulmin, George Abbot Toulmin, Harry Theophilus Toulmin and Llewellyn Morgan Toulmin. They also provide documentation on the ancestral lines of the Juzan, Trudeau and Burel families who helped found and build Old Mobile, Mobile, Pensacola, Biloxi and New Orleans.
- Llewellyn M. Toulmin, public family tree ("6000+ Toulmin-Duggars") on Ancestry.com, which shows descents of over 100 descendants of T. L. Toulmin, some down to the 20th Century.

Reuben Chamberlain

Reuben Chamberlain was born in New Hampshire in 1780, according to Find-a-Grave. He resided for many years in St. Stephens, Alabama, and was appointed a Justice of the Peace for Washington County on 12 February 1820, 30 October 1822, 9 March 1826, 20 August 1829, and 12 May 1835.⁷ He was proposed as a Trustee of the Town of St. Stephens in February 1820.⁸ Chamberlain was appointed as the US Postmaster at St. Stephens



⁷ https://www.ancestry.com/interactive/60923/41901_358239-03053

on 4 January 1828.⁹

On 26 May 1834 Reuben Chamberlain, according to a document he filed in 1850, “as husband of Hannah L. Chamberlain, daughter of the late Harry Toulmin of Washington County, deceased, was entrusted by John B. Toulmin and Martha Toulmin,” the executors of Judge Harry Toulmin’s estate, under the Judge’s will, with two large sums of money: \$7,340.35 and \$745.00. Reuben was to hold these amounts in trust for Hannah.¹⁰

Reuben then states in the 1850 document that the said Hannah is deceased, with her only surviving children being Reubanna L. Gibson (wife of John Gibson) and Catherine Ann Chamberlain, both of Mobile. A crucial sentence is almost illegible, but it appears that Reuben then proceeds to name various slaves and real estate as equivalent in value to the two sums of money, and conveys the slaves to Reubanna and Catherine. It is not clear if the real estate was also conveyed at this time, but it was described, and it is the same three properties as described in more detail below, in an April 1852 document. These three properties are: first, two lots in St. Stephens, numbers 137 and 151, “on which the Globe Hotel is or was situate,” bounded by High Street on the north, by Spring Street on the west, by Jackson Street on the south, and on the east by lots owned previously by Thomas H. Herndon (sic?) and George Buchanan; second, a parcel on Smith Creek in OSS “containing the old Mill plan in the centre thereof”; and third, a parcel of 2.5 acres in Mobile County near Three Mile Creek Road.



Reuben Chamberlain appears in the US Census for 1840 in Washington County, Alabama, with a household of 24 persons including 18 slaves. He apparently moved to Mobile between 1840 and 1850, when he appears in the 1850 US Census in Mobile, Alabama. He is shown as age 69, born in New Hampshire, with the rest of his household including Martha P. Chamberlain, 38, born in North Carolina; Catharine Jane Chamberlain, 17, born in Alabama; Ann Wilkenson, 40, born in North Carolina; and Catharine Wilkenson, 12, born in Alabama.

The Mobile City Directories for 1839, 1842 and 1842 do not list Reuben or R. Chamberlain, perhaps because he was likely living in Toulminville, then generally considered a separate entity.

⁸ *The Halcyon*, 7 February 1820, p. 2, col. 2 (from the Alabama Archives).

⁹ https://www.ancestry.com/interactive/1932/30439_065388-00515

¹⁰ Mobile Probate Court, Deed Book 1, p. 527-8.

In June 1850 Reuben Chamberlain sold his slave, “a negro woman named Virginia, aged about sixteen years, and her infant child Anthony, and the future increase thereof” to Alexander Ewing for \$700. This transaction stated that “I do warrant the said woman to be a slave for life.”¹¹

Find-a-Grave lists Major Reuben Chamberlain with a death date of 6 October 1851 in Mobile, and a burial in Magnolia Cemetery.¹² He died “at his residence” in Toulminville (now part of Mobile). The gravestone image is shown on the site, at findagrave.com/memorial/81066053.

The gravestone states that “He served in the US Army, attained the rank of Major, and enjoyed the reputation of being a good and brave officer. This monument is erected by his sorrowing daughters, in grateful recollection of a kind and affectionate father.”



A historic marker at Old St. Stephens shows R. Chamberlain as a charter or early member of Masonic Lodge No. 9

Reuben Chamberlain’s estate records are held in the Mobile Probate Court, Original Will Records, Pigeon Hole No. 60, Files 1-40, for 1852-1856.¹³

His estate inventory contained numerous items, including the following highlights:

Curtains and fixtures:	\$20
Book cases and books:	\$50
Hair (?) sofa:	\$10
Piano and stool:	\$75
2 Rocking Chairs:	\$5
Carpet and Rug:	\$2
Dining tables:	\$10
Clock:	\$50

¹¹ Mobile Probate Court, Deed Book 1 N.S., pp. 526-7.

¹² Also see Lois Mitchell and Dorothy Moffett, *Burial Records of Mobile County, Alabama, 1820-56* (Mobile: Mobile Genealogical Society, 1963) p. 152, which says “Major Reuben Chamberlaine” of “North Carolina.”

¹³ https://www.ancestry.com/interactive/8799/007736567_01944

Bedstead and furniture:	\$125
1 Couch:	\$10
2 Pine Bedsteads:	\$125
1 Barouche (carriage, in the stables):	\$75
Various silverware items:	\$57
1 Negro slave "Gabriel" aged about 50:	\$400
 TOTAL value of estate:	 \$990.50
(total includes some items not listed above)	

The estate papers name Martha P. Chamberlain as the widow of Reuben, with Rubanna Gibson and Catherine Jane Chamberlain as his children.

On 20 April 1852 Martha Chamberlain, "widow of Reuben Chamberlain," sold to Alexander Gibson, trustee for Reubanna L. Gibson, two lots (numbers 137 and 151) in St. Stephens, "on which the Globe Hotel is or was situated," for one dollar.¹⁴

This sale involved the same two Globe Hotel lots recorded in Washington County on 2 June 1826 (JM, p. 15; WCPC, DB:G:67), in which the lots were sold for \$700. This indenture is five pages long; has almost 2000 words; provides the location of the Globe Hotel in terms of adjoining streets and lots; also conveys a two acre lot outside of St. Stephens; conveys 2.86 acres in Mobile County, adjoining lands of Theophilus Lindsey Toulmin; and conveys various slaves and other property. Some of the interesting exact language of the document is as follows (square brackets [] indicate editorial insertions or summaries):

- This indenture made... between Martha P. Chamberlain, widow of Reuben Chamberlain...Reubanna L. Gibson, wife of John Gibson, John Gibson, Alexander Ewing (trustee for Reubanna L. Gibson under and by viture of a certain conveyance from John Gibson, and Reubanna S. Chamberlain (now Gibson) to said Alexander Ewing and one Samuel Griffitts [sic?] Fisher (now deceased) bearing date December 6th A.D. 1845 and recorded in the office of the Judge of Probate for [Mobile County], in Book of Miscellanies E. Pages 9 and 10:) and Catherine Jane Chamberlain, all of the County of Mobile...
- The said Martha P. Chamberlain in consideration of One Dollar... paid by Alexander Ewing, Trustee fo Reubanna L. Gibson...conveyed... and does release...two certain Lots...of ground in the town of St. Stephens...number One Hundred and Thirty Seven and One Hundred and Fifty One, and on which the Globe Hotel is or was situated; the said lots being bounded, North by High Street, West by Spring Street, South by Jackson

¹⁴ Mobile Probate Court, Deed Book 004, p. 361-365.

Street, and on the East by Lots now or late of Thomas H. Hendon [Herndon?], and George Buchanan;

- also [a parcel on Smith Creek near St. Stephens of two acres [detailed description included] and to include the old Mill Race [sic? Place?] in the centre thereof
- ... and all that Lot of Land lying...North West of Three Mile Creek ... in the County of Mobile [detailed description included] Containing Two 81/100 acres
- and the said Martha P. Chamberlain also releases...all her right...to all Books and household furniture, horses, vehicles and Silver ware and all property belonging to the Estate of the late Reuben Chamberlain... [including] a certain negro man slave named Gabriel...
- and the said Martha P. Chamberlain also releases...unto said Alexander Ewing, Trustee...the following named slaves...Virginia...about eighteen years, and her child Arthur, Susan..about forty-two; Albert... about Twenty seven; Lorette [sic?]?...about Twenty; Edward...about four; Abraham...about sixty two; Reuben...about Twenty; Clinton...about fourteen; Jefftha [sic?] ...about thirty two; and Christopher... about Thirty; ... and any children of the females above named, whose names are not herein named...and their increase...
- and the said Martha P. Chamberlain also releases...the following slaves...[Celeste, 30; Octavia, 12; Louisa, 10; Tom, 7; Sally, 13; Lafayette, 14; Judy, 57; Sam, 32; Adam, 35; Lewis, 32; Jim, 4; and any children of the above]
- and so long as the said Martha P. Chamberlain remains alive and unmarried...she shall receive from the earnings of the [transferred] negroes...the sum of twenty five dollars, monthly payable on the first day of each and every month... [from each of Alexander Ewing, Trustee and Catherine Jane Chamberlain]
- and [that Martha will keep control of Reuben's household property – furniture, silverware, etc. — during her life time, and that if that property of Reuben Chamberlain is sold, the proceeds will be used to pay off any of Reuben's estate debts]
- [in the signatures area:] Mr. Sidney T. Douglas writing the name of Mrs. Chamberlain for her & at her request She at the same time touching the pen [sic?] & declaring that her eyes were so feeble She was unable herself to sign her name.
- Appeared personally before Me [Sidney T. Douglas, Justice of the Peace] Reubanna L. Gibson, wife of the said John Gibson, who being Examined privately and apart from her said husband acknowledged that she signed, sealed and delivered the said Instrument of Writing freely and of her own accord, without any fear, threats or compulsion of her said husband...

The maiden name of Martha P. Chamberlain, the seller above, is unfortunately not known. She had previously married a Mr. Brantley, but Brantley was not her maiden name. Martha married Reuben Chamberlain in St. Stephens on 3 January 1836. Martha's death date is also unknown, but it seems likely that it was soon after 1852, in Mobile.

Hannah Lindsey Toulmin

Hannah Lindsey Toulmin married Reuben Chamberlain 27 October 1819 at Fort Stoddert, Alabama, and died at age 39 "on the night of 7th February 1834...after a severe illness of seven days..." apparently in St. Stephens (Hannah Toulmin Bible, in possession of the University of South Alabama). Since here we are focusing on movement to Mobile, here we will describe her descendants via her two husbands, who migrated to Mobile, Alabama as St. Stephens declined.

Descendants of Hannah Lindsey Toulmin are shown below, for four generations.

Generation 1

1. **HANNAH LINDSEY^{1,2} TOULMIN^{1,2}** was born on 24 Aug 1794 in Lexington, KY. She died on 07 Feb 1834 in St. Stephens, AL. She married (1) **JAMES BIDDLE WILKINSON**, son of James Biddle Wilkinson and Ann Biddle on 12 Nov 1809 in Fort Stoddard, AL "at the house of her father Judge Harry Toulmin in Wash Co AL, Miss Terr.". He was born about 1783 in Philadelphia, PA. He died on 07 Sep 1813 in Dauphin Island, AL, buried Mobile "in the common burial ground". She married (2) **REUBEN CHAMBERLAIN**, son of Reuben Chamberlain and Ruth Lord on 27 Oct 1819 in Ft. Stoddert, AL. He was born in 1780 in NH. He died on 06 Oct 1851 in Toulminville, AL, "at his residence," Magnolia cem burial.

James Biddle Wilkinson and Hannah Lindsey TOULMIN had the following children:

2.
 - i. **THEOPHILUS F. JAMES² WILKINSON^{1,3}** was born on 01 Jan 1811 in Prob St. Stephens or Mobile, AL. He died on 04 Aug 1840 in Washington Co., AL. He married (1) **ELIZABETH "LIZZIE" B. BRANTLEY**, daughter of David M. Brantley and Martha P on 29 Dec 1836 in St. Stephens, AL, by "Rev Elisha Callaway"^{1,4}. She was born about 1817. She died on 15 Nov 1837 in prob AL. He married (2) **ANGELINE B. BRANTLEY**, daughter of David M. Brantley and Martha P about 1838 in St. Stephens, AL¹. She was born about 1803 in Halifax Co., NC. She died about 1838 in Washington Co., AL.
 - ii. **ANN JANE WILKINSON** was born about Apr 1813 in prob Mobile, AL. She died on 06 Nov 1813 in Mobile, AL buried in "the common burial ground".

Reuben Chamberlain and Hannah Lindsey TOULMIN had the following children:

- i. **JOSHUA TOULMIN² CHAMBERLAIN²** was born on 09 Sep 1820 in St. Stephens, AL. He died on 13 Nov 1822 in St. Stephens, AL.
- ii. **PENDLETON GAINES CHAMBERLAIN²** was born on 13 Apr 1822 in St. Stephens, AL. He died on 23 Sep 1834 in prob St. Stephens, AL; of typhoid fever.

3.
 - iii. REUBANNA LINDSAY CHAMBERLAIN^{1,3} was born on 17 Jun 1824 in St. Stephens, AL. She died on 20 Dec 1858 in Mobile, AL, Magnolia cem burial². She married John Gibson on 19 Dec 1845 in Mobile Co., AL, Christ Epis. Church. He was born about 1804 in Linlithgow, Scotland. He died on 22 Apr 1859 in Mobile, AL, Magnolia cem burial².
 - iv. FRANCES HENRIETTA CHAMBERLAIN^{2,5} was born on 19 Mar 1826 in St. Stephens, AL. She died on 28 Oct 1834 in Prob AL, of inflammation of the brain.
 - v. JOSHUA TOULMIN CHAMBERLAIN⁵ was born on 25 Oct 1828 in St. Stephens, AL. He died on 30 Aug 1836 in St. Stephens, AL.
 - vi. HELEN LAVINIA CHAMBERLAIN² was born on 09 Dec 1830 in St. Stephens, AL. She died on 22 Oct 1836 in Prob St. Stephens, AL.
4.
 - vii. CATHERINE JANE CHAMBERLAIN^{1,2,5} was born on 27 May 1833 in Old St. Stephens, AL; baptized Mobile, AL, at Christ Epis. Church. She died after 1900 in Prob St. Stephens or Mobile, AL. She married George Douglas Campbell, son of James Campbell and Mary Cranch TOULMIN on 09 Jun 1859 in Mobile, AL, Christ Church¹. He was born in Mar 1825 in Alabama. He died after 1900 in prob Mobile, AL.

Generation 2

2. **THEOPHILUS F. JAMES² WILKINSON** (Hannah Lindsey¹ TOULMIN)^{1,3} was born on 01 Jan 1811 in Prob St. Stephens or Mobile, AL. He died on 04 Aug 1840 in Washington Co., AL. He married (1) **ELIZABETH "LIZZIE" B. BRANTLEY**, daughter of David M. Brantley and Martha P on 29 Dec 1836 in St. Stephens, AL, by "Rev Elisha Callaway"^{1,4}. She was born about 1817. She died on 15 Nov 1837 in prob AL. He married (2) **ANGELINE B . BRANTLEY**, daughter of David M. Brantley and Martha P about 1838 in St. Stephens, AL¹. She was born about 1803 in Halifax Co., NC. She died about 1838 in Washington Co., AL.

Theophilus F. James Wilkinson and Elizabeth "Lizzie" B. Brantley had the following child:

5.
 - i. CATHERINE (KATY) ELIZABETH³ WILKINSON¹ was born on 01 Nov 1837 in St. Stephens, AL. She died on 16 Sep 1905 in Dallas, Dallas Co., TX. She married John Hall Gibbs on 17 May 1854 in Mobile Co., AL, Govt. St. Methodist Epis. Church South¹. He was born about 1828 in North Carolina. He died after 1880 in Prob Texas.
3. **REUBANNA LINDSAY² CHAMBERLAIN** (Hannah Lindsey¹ TOULMIN)^{1,3} was born on 17 Jun 1824 in St. Stephens, AL. She died on 20 Dec 1858 in Mobile, AL, Magnolia cem burial². She married John Gibson on 19 Dec 1845 in Mobile Co., AL, Christ Epis. Church. He was born about 1804 in Linlithgow, Scotland. He died on 22 Apr 1859 in Mobile, AL, Magnolia cem burial².

John Gibson and Reubanna Lindsay Chamberlain had the following children:

- i. JOHN REUBEN³ GIBSON was born on 05 Oct 1846 in Mobile, AL,. He died on 24 Mar

1862 in Mobile, AL, Magnolia cem burial².

- ii. JAMES TAYLOR GIBSON was born on 06 Oct 1847 in Mobile, AL, bap. at Christ Epis. Church. He died on 09 Oct 1882 in Magnolia Cem., Mobile, AL². He married MARY CARR. She was born in 1844. She died in 1908 in Magnolia Cem., Mobile, AL².
 - 7. iii. HANNAH JANE GIBSON² was born on 12 Nov 1851 in Mobile, AL, bap. at Christ Epis. Church. She died before 03 Jul 1913 in Mobile, AL. She married Archibald Campbell, son of James Campbell and Mary Cranch TOULMIN on 23 Jul 1870 in Mobile, AL, in home of Mrs. D. Campbell. He was born in New Haven, CT. He died on 03 Dec 1881 in Pascagoula, MS.
 - iv. MARY GIBSON² was born on 21 Dec 1853 in Mobile, AL. She died about 1893.
 - 7. v. GEORGE MILNE GIBSON² was born on 10 Feb 1856 in Mobile, AL. He married Carrie Hoyt Gibson on 24 Mar 1887 in New Orleans, LA. She was born on 30 Dec 1862 in Red Wing, MN.
4. **CATHERINE JANE² CHAMBERLAIN** (Hannah Lindsey¹ TOULMIN)^{1, 2, 5} was born on 27 May 1833 in Old St. Stephens, AL; baptized Mobile, AL, at Christ Epis. Church. She died after 1900 in Prob St. Stephens or Mobile, AL. She married George Douglas Campbell, son of James Campbell and Mary Cranch TOULMIN on 09 Jun 1859 in Mobile, AL, Christ Church¹. He was born in Mar 1825 in Alabama. He died after 1900 in prob Mobile, AL. He was the assistant supervisor at the Mobile Cotton Exchange (per the 1892 Mobile City Directory, p. 39, and also the 1893 Directory). He is shown in his household at age 75 in the 1900 US Census at 201 Claiborne St., Mobile Ward 1, with wife "Jane Campbell" at age 67, and child "Reaby" Campbell, age 40, almost certainly daughter Reubanna Campbell.

George Douglas Campbell and Catherine Jane Chamberlain had the following children:

- i. REUBANNA LINDSAY³ CAMPBELL² was born on 26 Mar 1860 in Mobile, AL, bap. at Christ Epis. Church. She died 27 May 1938 (according to Find-a-Grave) in Mobile, AL and was buried in Magnolia Cemetery, Square A, Lot 29. She married Hyleman Allison Lockwood about 1907 in prob Mobile, AL. He was born on 23 Oct 1846 in prob Mobile, AL. He died on 07 Mar 1919 in Mobile, AL, buried Magnolia Cemetery, in Square A, Lot 29.
- 8. ii. CATHERINE JANE CAMPBELL was born on 28 Feb 1862 in AL, prob Mobile. She died on 17 Aug 1930 in Mobile, AL, buried Magnolia Cem. She married Charles F. Sheldon on 05 Nov 1884 in Mobile, AL, St. John's Episc. Church. He was born on 14 May 1855 in Alabama. He died on 21 Aug 1919 in Mobile, AL, buried Magnolia Cem.
- 9. iii. ARCHIBALD JAMES CAMPBELL² was born on 28 Sep 1870 in Mobile, AL, bap. at Christ Epis. Church. He died after 1920. He married Carrie Thomson Campbell on 05 Jul 1899 in Mobile Co., AL. She was born about 1876 in Alabama. She died after 1920.
- iv. MARY TREMLETT CAMPBELL was born about 27 May 1868 in prob Mobile, AL. She died on 09 Jun 1868 in prob Mobile, AL.

Generation 3

5. **CATHERINE (KATY or KATE) ELIZABETH³ WILKINSON** (Theophilus F. James², Hannah Lindsey¹ TOULMIN)¹ was born on 01 Nov 1837 in St. Stephens, AL. She died on 16 Sep 1905 in Dallas, Dallas Co., TX. She married John Hall Gibbs on 17 May 1854 in Mobile Co., AL, Govt. St. Methodist Epis. Church South¹. He was born 11 March 1828 in North Carolina. According to the Lewis Family Tree on Ancestry.com, he died 17 December 1897 in Dallas, Texas. He is listed as a physician in the 1870 US Census for Mississippi, Lauderdale County, Township 6, with real estate valued at \$4000 and personal property valued at \$1500 (both substantial sums). John Hall Gibbs and Catherine (Katy) Elizabeth Wilkinson had the following children:

- i. KATE⁴ GIBBS was born about 1858 in Alabama, and shows up in the 1870 US Census as 12 years old, with the rest of her family in Mississippi for Lauderdale County in Township 6. She may be the person who died in September 1923 in Dallas County, Texas, Volume 37, Roll 2, p. 18413, or possibly in 1930, buried in Glendale, Los Angeles County, California, in Forest Lawn Cemetery, as Kate McCain Gibbs.
- ii. SYLVIA (apparently shown as VIOLA in the 1870 US Census) GIBBS was born in 1867 in MS (per the 1930 US Census). She died after 1940 in probably Dallas, Dallas, TX (she appears in the 1940 US Census, and is listed as having 4 years of college). It is likely she who is shown living with her brother (or half-brother?) John in the 1920 US Census in Dallas, as a music teacher. She apparently never married.
- iii. JOHN W. GIBBS was born 4 Oct 1870 in Crowders, MS (per Ancestry.com death certificate). He died 12 July 1935 in Dallas, Dallas, TX, when his address was 2500 Routh St. He is shown in the 1920 US Census for Dallas as age 50, single, a wholesale druggist, at 2101 Phelps Street. His house in the 1930 Census is valued at \$10,000, a very substantial amount. He apparently never married.

6. **HANNAH JANE³ GIBSON** (Reubanna Lindsay² Chamberlain, Hannah Lindsey¹ TOULMIN)² was born on 12 Nov 1851 in Mobile, AL, bap. at Christ Epis. Church. She died before 03 Jul 1913 in Mobile, AL. She married Archibald Campbell, son of James Campbell and Mary Cranch TOULMIN on 23 Jul 1870 in Mobile, AL, in home of Mrs. D. Campbell. He was born in New Haven, CT. He died on 3 Dec 1881 in Pascagoula, MS.

Archibald Campbell and Hannah Jane Gibson had the following children:

- i. KATHERINE LINDSAY⁴ CAMPBELL² was born on 30 Aug 1871 in Mobile, AL.
 10. ii. DOUGLAS GWIN CAMPBELL² was born on 09 Oct 1873 in Mobile, AL. He died on 15 Nov 1924 in Mobile, AL. He married Mary Clifton Vass Campbell on 19 Jan 1910. She was born about 1867 in AL. She died after 1930.
7. **GEORGE MILNE³ GIBSON** (Reubanna Lindsay² Chamberlain, Hannah Lindsey¹ TOULMIN)² was born on 10 Feb 1856 in Mobile, AL. He is listed as an "clk" (clerk) at L&NRR freight depot in 1897 in the Mobile City Directory and as a clerk at the Mobile Docks in the Directory in 1900. He is also listed in the 1878 Directory as a clerk at Ketchum and Toxey. He married Carrie Stearns Hoyt on 24 Mar

1887 in New Orleans, LA. (Per NOLA Marriage Records Index 1831-1964 on Ancestry.com.) She was born on 30 Dec 1862 in Red Wing, MN. This family, including both children, appear in the US Census for 1900 in Mobile, AL, Ward 6, where George is listed as a shipping clerk.

George Miln Gibson and Carrie Hoyt had the following children:

- i. JOHN HOYT⁴ GIBSON² was born on 05 Aug 1888 in Winona, MN. He appears in the 1940 US Census for Los Angeles, CA as a purchasing agent for an electrical wholesale firm, and is listed as single.
- ii. GLADYS MAE GIBSON² was born on 14 Jul 1890 in Texarkana, TX. She died in Los Angeles, CA on 28 Oct 1952, and is buried in Forest Lawn Memorial Park in Glendale, CA (Find-a-Grave), apparently unmarried and childless.

8. **CATHERINE JANE³ CAMPBELL** (Catherine Jane² Chamberlain, Hannah Lindsey¹ TOULMIN) was born on 28 Feb 1862 in AL, prob Mobile. She died on 17 Aug 1930 in Mobile, AL, buried Magnolia Cem. She married Charles F. Sheldon on 05 Nov 1884 in Mobile, AL, St. John's Episc. Church. He was born on 14 May 1855 in Alabama. He died on 21 Aug 1919 in Mobile, AL, buried Magnolia Cem.

Charles F. Sheldon and Catherine Jane Campbell had the following child:

- i. LOUISE⁴ SHELDON was born about 1901 in Alabama. She is shown in the 1910 US Census living with her family in Mobile, Ward 8. She apparently appears in the 1920 US Census with her mother ("Cora"?) on Old Shell Road in Ward 4 of Mobile.

9. **ARCHIBALD JAMES³ CAMPBELL** (Catherine Jane² Chamberlain, Hannah Lindsey¹ TOULMIN)² was born on 28 Sep 1870 in Mobile, AL, bap. at Christ Epis. Church. He died after 1920. He married Carrie Thomson Campbell on 05 Jul 1899 in Mobile Co., AL. She was born about 1876 in Alabama. She died after 1920.

Archibald James Campbell and Carrie Thomson had the following children:

- i. WILLIAM ARCHIBALD⁴ CAMPBELL² was born about 1902 in Alabama.
- ii. CAROL CAMPBELL² was born about 1903 in Alabama. She married WILL MCINTOSH.
- iii. JAMES E. "JIMMIE" CAMPBELL was born about 1906 in Alabama.
- iv. FRANK OR MARK D. CAMPBELL² was born about 1908 in Alabama.
- v. KATHERINE L. CAMPBELL² was born about 1913 in Alabama.

Generation 4

10. **DOUGLAS GWIN⁴ CAMPBELL** (Hannah Jane³ Gibson, Reubanna Lindsay² Chamberlain, Hannah Lindsey¹ TOULMIN)² was born on 09 Oct 1873 in Mobile, AL. He died on 15 Nov 1924 in Mobile, AL. He married Mary Clifton Vass Campbell on 19 Jan 1910. She was born about 1867 in AL. She died after 1930.

Douglas Gwin Campbell and Mary Clifton Vass had the following child:

- i. PORTS G. O.⁵ CAMPBELL was born about 1902-3 in AL. He appears as Poetz G.O. Campbell in the 1930 US Census for Mobile, AL on Bradford Ave., at age 27 living as a single man, a salesman, with his 62 year old mother Mary C. Campbell.

Sources for the above

- 1 George Shorter, Interview with and chart from George Shorter (University of S. Alabama Archaeology Lab, Feb. 2008), chart in poss of Lew Toulmin.
- 2 George B. Toulmin (of Aiken SC, now deceased), Appendix B: Notes on Wilkinson and Chamberlain Desc of Judge Harry Toulmin (Letter in a compilation of Toulmin research, 1954), in poss of Florian Harris Toulmin Sr. of Hope Hull, AL.
- 3 George H. Toulmin (of England), A Catalogue of Toulmins ((Daphne, AL: Village Press, 1996) pp. 14, 15, 89, 91, 92, 93, 95, 96, 99, 100, 103, 111, 112, 113, 114, 115, 123, 124, 125, etc.; quality=exc; avail. on line and at DAR HQ).
- 4 Robin R. Alexander, Ph.D., Wilkinson Family Group Sheet (1993), in poss of Lew Toulmin.
- 5 George Shorter of U of S Alabama, Email re Chamberlain-Toulmin connections (26 Oct 2009)
- 6 Family Tree of Llewellyn M. Toulmin, "6000+ Toulmin/Duggars" on Ancestry.com and in private possession, over 1000 sources.

Benjamin Stoddert Smoot

Col. Benjamin Stoddert Smoot was born in 1781 in Mt. Victoria, Charles County, Maryland, and his death place was Mobile, Alabama on 14 December 1844, with a reported burial in the Church Street Cemetery (row 20, lot 81, although there is no marker there).¹⁵

According to Find-a-Grave, Smoot served as Colonel on Andrew Jackson's staff in the war with the Creek Indians. Smoot also served as a Major in Lt. Col. Nixon's Regiment of Mississippi Militia in the War of 1812.¹⁶



COLONEL BENJAMIN STODDERT SMOOT
War of 1812 and Early Indian Campaigns

Not all of Smoot's military service was distinguished. He was given a general court martial in New Orleans in General James Wilkinson's command on January 1807, while serving as a lieutenant in the Second Regiment of Infantry. The charges were numerous and serious, and

¹⁵ <https://www.findagrave.com/memorial/153013619#>

¹⁶ <https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=4281&h=195175>

were made by Lt. Sebastian, who alleged that at Fort Chambers on 10 November 1806 Smoot had called Sebastian in his absence “a damned liar, rascal and no gentleman,” that Smoot claimed that Sebastian owed Smoot several hundred dollars and had asserted this to several “of the Women of the Garrison,” that Smoot stated that “he could not bring me to fight” (i.e. that he refused to duel honorably), that he “broke his arrest,” that he “used reproachful and provoking language to me, his superior officer,” and that all of this constituted a breach of the Articles of War.

The “prisoner pled not guilty” to these charges. The Court found Smoot not guilty, stated that the charges were “frivolous and unsupported,” and the President of the Court ordered Smoot to “resume his Sword.”¹⁷

Smoot was appointed on 8 January 1810 (or 1809) as the Sheriff of Washington County (covering what is now much of southern Alabama).¹⁸

On 4 June 1815 and/or 10 December 1816 Smoot was appointed Lt. Col. in the 6th Regiment, Mississippi Territory.^{19 20} By 1818 Smoot is listed as a Colonel in the 6th Regiment of Mississippi Militia in claims made to the US Congress re the Creek Indian War.²¹

Smoot lived in St. Stephens, and he appears in the 1810, 1811 and 1816 tax rolls of Washington County, Alabama. In 1818 the name of “Benj. S. Smoot” appears on a petition to the US Congress from the “Merchants, Traders and Inhabitants” of St. Stephens asking that it be made a “port of Delivery” to the US.²²

During this period Smoot was still a resident of Washington County, but he was already taking major steps toward moving to Mobile. On 25 October 1818 Benjamin S. Smoot, Henry B. Slade and Henry V. Chamberlain purchased three lots in Mobile for \$2,290²³ from John Inerarity

¹⁷ https://www.ancestry.com/interactive/2975/40906_293957-00675

¹⁸ https://www.ancestry.com/interactive/1898/32499_647680_0013-01488

¹⁹ https://www.ancestry.com/interactive/1898/32499_647680_0013-01487

²⁰ https://www.ancestry.com/interactive/1898/32499_647680_0013-01481

²¹ https://www.ancestry.com/mediaui-viewer/tree/877725/person/-851050493/media/8c45c6a0-3677-4279-bbd0-4e2ac15fe562?_phsrc=eQD133&_phstart=successSource

²² https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=2234&h=156151&tid=&pid=&usePUB=true&_phsrc=eQD139&_phstart=successSource

²³ Mobile Probate Court, Deed Book B, pp. 45-46.

(sic?). These three city lots were located on Dauphin street, Royal street, and at the corner of Royal and Dauphin streets. The Mobile Probate Court lists 36 other land transactions for Benjamin S. Smoot over the years.

On 9 January 1819 Benjamin Smoot's name appeared in the St. Stephens *Halcyon* as having three letters awaiting him at the Post Office. In November 1820 Smoot served as a State Representative from Washington County in the Alabama House of Representatives at the second session held at Catawba, Alabama.²⁴

Benjamin Smoot later settled in Mobile (apparently before 1830), where he was at one time paymaster. He had first married (in 1808 in Baldwin County, Alabama) Harriet Mims, daughter of Samuel Mims (who was killed in the Massacre at Fort Mims Aug. 13, 1813).²⁵ He married his second wife Anne McGuire on 10 February 1831 in the District of Columbia.²⁶

Benjamin Smoot is shown as acting as an estate appraiser in the Mobile Orphans' Court (an early arm of the probate court) as early as 17 July 1815. He later served in this capacity, or as an estate administrator, on a number of occasions in Mobile, in 1826, 1829, 1832, 1834 and 1837.²⁷

The 1830 Census for Mobile, Alabama shows the household of B. S. Smoot with 20 persons, including 1 white boy under 5; a white male between 40 and 49 (presumably Benjamin Smoot); other whites, and 10 slaves.

In 1832-3 Smoot had a number of his claims settled by the US Senate and House, compensating him for debts he incurred in his role as military sutler from 1809 to 1815.²⁸

²⁴ https://www.ancestry.com/interactive/1898/32499_647680_0013-01485?pid=201087

²⁵ <http://gentrekker.com/familygroup.php?familyID=F1774&tree=Dickinson>

²⁶ https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=61404&h=58697&tid=&pid=&usePUB=true&_phsrc=eQD102&_phstart=successSource

²⁷ Clinton King and Meriem Barlow, *Abstracts: Orphans' Court Minutes, Mobile County, Alabama, 1813-37* (Mobile: Alabama Ancestors, 1987), pp. 8, 88, 115, 134, 156, 161, 176, 188.

²⁸ https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=4565&h=10002&tid=&pid=&usePUB=true&_phsrc=eQD123&_phstart=successSource; and https://www.ancestry.com/mediaui-viewer/tree/877725/person/-851050493/media/aeacbd34-2409-411b-93f7-0b3e30ae5130?_phsrc=eQD134&_phstart=successSource

One of these claims was for a storehouse built in 1813 and owned by Smoot in Fort Bowyer, 35 x 18 feet, worth \$1000, which was ordered destroyed by US military officers in 1814 due to the advance of British armed forces. Fort Bowyer was an earth and log stockade built in Baldwin County on Mobile Point at the entrance to Mobile Bay. It was the site of two battles with the British in the War of 1812, and later Fort Morgan was built on its site.²⁹

The 1840 Census for Mobile, Alabama shows the household of Bej. S. Smoot with 19 persons, including 2 white boys under 5; a white male between 50 and 59 (likely Benjamin Smoot); other whites, and 12 slaves. This household was apparently next to the household of Martha Toulmin, and hence was likely in Toulminville, in what is now northwest Mobile. Smoot does not appear in the 1839, 1842 or 1844 Mobile City Directory, perhaps because Toulminville was not generally considered part of Mobile.

Smoot reportedly (per Find-a-Grave) later married Lavinia Crall Henry, and had a son by her named Lemuel Smoot. Lavinia was afterward the wife of James Gaines Lyon.

Benjamin S. Smoot died in Mobile prior to 26 April 1845, as evidenced by a \$1000 bond posted on that date re the estate of “deceased” Smoot by Ann Agnes Smoot and two other persons. These three persons were later criticized as being “insolvent” and unable to carry out their duties as estate administrators.³⁰ Named children of Benjamin Smoot were: Margaret Smoot Jennings (wife of S.S. Jennings); Edward M. Smoot; Mrs. Susan Smoot McLean; and Adeline Smoot Woodcock.

Benjamin S. Smoot died intestate, as evidenced by a petition on 29 July 1850 to the Orphans’ Court of Mobile by the US Attorney for the Southern District of Alabama, who stated that Smoot had died intestate about 18 months previously (actually the death date was about five years prior), no estate administration had been undertaken, and that Smoot had owed the United States \$1060.60 (a substantial sum). The Attorney asked the Court order the heirs of Smoot be ordered to come forward, establish an estate administration, and pay his debts.³¹

Ann A. McGuire Smoot, “widow of Benjamin S. Smoot, Captain and Major, Mississippi Militia, War of 1812,” filed a claim for 40 acres bounty warrant (number 84528) in Shelby County, Alabama on 1 August 1854, based on Smoot’s military service, and assigned the land to Henry

²⁹ https://www.ancestry.com/mediaui-viewer/tree/877725/person/-851050493/media/bcd070fb-8046-4b7f-9e20-f127c38b9bc1?_phsrc=eQD136&_phstart=successSource

³⁰ Mobile Probate Court, Original Will Records, Pigeon Hole Files, No. 341, Files 1-38, on Ancestry.com

³¹ Mobile Probate Court, Original Will Records, Pigeon Hole Files, No. 341, Files 1-38, on Ancestry.com

W. Collier.³² Smoot had descendants, including one, Mrs. Mary Helen Padgett Gwin, who filed a DAR application (number 111165, Vol. 112: 1915) asserting a lineage as follows:

1. Edward Smoot (Revolutionary Patriot) married Mary Magdalene [Stoddert], and had:
2. **Benjamin Stoddert Smoot** (d. 1844), married first Harriet Mims (1792-1826) and had:
3. Adeline Smoot (1809-96), married in 1834 to A. S. Woodcock (1801-69), and had:
4. Mary Woodcock (b. 1837), married in 1857 to Nathaniel A. Padgett (1826-96), and had:
5. Mary Helen Padgett, married Ralph Emerson Gwin, of Montgomery Hill, Alabama.

Henry Hitchcock

As stated in the *Encyclopedia of Alabama*, the *History of Alabama and Dictionary of Alabama Biography*, and other sources, Henry Hitchcock (1792-1839) was a leading citizen of early Alabama who served as the first secretary of the Alabama Territory, participated in the writing of Alabama's first constitution, won election as the state's first attorney general, authored the first book published in Alabama, received appointment as a United States district attorney, and served on the Alabama Supreme Court as both an associate justice and chief justice. In addition to these achievements, Henry Hitchcock was a successful practicing attorney and businessman. Prior to the Panic of 1837, Hitchcock was reputed to be the wealthiest man in Alabama, with assets estimated at \$2 million.



Born on September 11 (or 19), 1792, in Burlington, Vermont to Samuel and Lucy Caroline Hitchcock, Henry was the second of eight children. His father was a judge in Burlington, Vermont who also served as the Attorney-General of Vermont and was ranked as one of the most distinguished jurists in New England. Henry's maternal grandfather was Gen. Ethan Allen, Revolutionary War folk hero and leader of the famed Green Mountain Boys. Hitchcock attended Middlebury College for a while before graduating with honors from the University of Vermont in 1811.

³² https://www.ancestry.com/mediaui-viewer/tree/877725/person/-851050493/media/6910d6f5-de7b-4ec4-ab78-966a89007109?_phsrc=eQD93&_phstart=successSource

Upon his father's death in 1813, Hitchcock became responsible for the support of his mother and younger brothers and sisters. He ran a small farm while studying law in the office of a local attorney and received admission to the bar of Vermont in 1815. After handling a few notable lawsuits in his home state, Hitchcock was lured to the frontier of what was then known as the Old Southwest. In October 1816 he left Burlington for Pittsburgh, Pennsylvania, from where he journeyed by flatboat down the Ohio and Mississippi rivers. At times he served as an oarsman on the boat to help pay his fare. After a stop in Natchez he continued on to **Mobile**, arriving on January 22, 1817 (or 1816).

Hitchcock became one of the first lawyers to practice in Alabama, which was a frontier territory and not yet a state in 1817. He had to wait two months before the first client walked through his door. After this sluggish beginning, however, Hitchcock's career as an attorney, public servant, and businessman was meteoric. He moved in 1817 to the territorial capital of **St. Stephens** and practiced law with William Crawford, who became the first federal district attorney and second federal judge for Alabama.



In the spring of 1818, President James Monroe appointed Hitchcock as the Alabama Territory's first secretary. Duties of the secretary of the territory included serving as interim governor during absences of the governor. During one such period in the summer of 1818, Hitchcock called up the territorial militia to patrol Alabama's eastern border with the Creek Nation. While secretary he formed a law partnership with William Crawford of St. Stephens, and entered into a successful legal career.

In anticipation of Alabama's statehood, a convention met in Huntsville in July 1819 to write a state constitution. Hitchcock's service to the territory facilitated his election as one of Washington County's state representatives. His influence at the Constitutional Convention is demonstrated by his appointment to the "Committee of Fifteen," which was assigned the task of writing the original draft of the constitution. Hitchcock and two others then reduced this draft into the document's final form with only slight revision by the convention. Three years later, Hitchcock earned the distinction of authoring the first book published in Alabama, *The Alabama Justice of the Peace: Containing all the Duties, Powers and Authorities of that Office as Regulated by the Laws Now in Effect in this State*. Used as a guide by attorneys and public officers, the book related the constitution and laws then in force in Alabama to English principles of law.

In the first session of the Alabama General Assembly after the state's admission to the Union, in 1819 Hitchcock won election as Alabama's first attorney general, a post he held until 1823. As a result, he moved to Cahaba (then known as "Cahawba"), the state's new capital. Within two years, in October 1821, Hitchcock married Ann Erwin of Bedford, Tennessee, whose brother was married to the daughter of Sen. Henry Clay of Kentucky. The Hitchcocks remained in Cahaba until the General Assembly voted in December 1825 to move the seat of government to Tuscaloosa.

In 1826, Hitchcock and his family moved back to Mobile, which had become a bustling seaport after being a lethargic village of only about 90 houses just 12 years before. Soon thereafter, Pres. John Quincy Adams appointed Hitchcock to be the United States district attorney for the southern region of Alabama, a position he held until 1830. He continued to practice law but also began devoting more time to business, which resulted in his becoming the leading commercial developer of Mobile. Hitchcock built such notable structures as the New Government Street Hotel, worth \$200,000 upon completion; the huge Barton Academy (see photo), a free school for the poor; and the Government Street Presbyterian Church, paid for mostly out of his own funds (he was a Presbyterian).



In January 1835, Hitchcock was again called upon for public service when the General Assembly elected him to the position of associate justice of the Alabama Supreme Court. During his tenure as associate justice, Hitchcock wrote a total of 65 opinions, only two of which drew dissenting opinions from his colleagues on the court. In June 1836, Hitchcock was elected to succeed Chief Justice Reuben Saffold. He resigned as chief justice in January 1837 to devote full attention to his many businesses and to fight the woes caused by the Panic of 1837.

“Judge Henry Hitchcock” is listed in the 1839 Mobile City Directory as having offices in the “Hitchcock Law Buildings.”

Hitchcock struggled with financial problems for the remainder of his life. Despite these personal difficulties, Hitchcock was elected on August 5, 1839, to represent Mobile in the state legislature. Fate intervened six days later. On August 11, at the age of 47 (or 44?), Hitchcock died of yellow fever during one of the worst epidemics of that disease in Mobile's history.

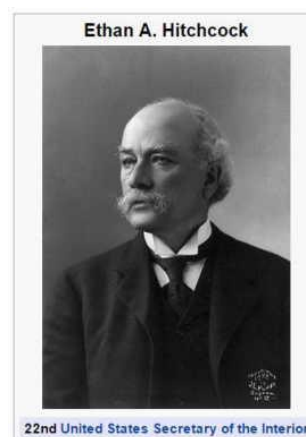
Hitchcock wrote his will initially in May 1836,³³ and included this memorable quote: “Almightly God, in his great Kindness, having entrusted much of the world’s goods to my care...” This statement went on to direct his wife and executrix Ann Hitchcock to give up to \$10,000 per year to charity – a huge sum. In the will and five separate codicils, he directed the following bequests:

- To his “aged and respected mother, the lease of the House and lot and servants,” plus \$1000 per year “for her comfort and support.” A later codicil noted that his mother had “purchased the old family mansion in Burlington, Vermont” but should still receive the \$1000 per year.
- To his wife Ann, half of his estate.
- To his brothers Capt. Ethan A. Hitchcock and Samuel Hitchcock, \$10,000 each.
- To his nephew William Parker (Parken?), \$5,000.
- Funds from the Hitchcock estate to educate Augusta and Lucretia Hitchcock, “now at school in New Haven,” and \$5,000 each upon reaching the age of 18.
- Funds from stock profits to create and support “common schools for the poor of Mobile.”
- In August 1837, after the economic crash of February-March of 1837, when vital cotton prices fell by 25 percent in the American South, Hitchcock filed another codicil which reflected his uncertainty about the size of his estate. He directed that \$20,000 (rather than half his estate) go to his wife, and \$20,000 to each of his children, with the remainder (if any) going to charity.
- Later codicils seemed to indicate a financial comeback for Hitchcock, with “several properties” added to his estate, \$5,000 to be given to a friend (and possibly his gardener?) William Emmanuel (sic?), and \$1,000 to be given to Bernard Martin, his “gardineir” (sic? “gardener”?).
- In one of his last codicils, Hitchcock stated that, “I wish all my slaves be furnished with a good, plain suit of mourning clothes each.”

³³ Mobile County Probate Court, Will Book 2, pp. 37-42.

Henry and Ann Hitchcock had eight children (another source says five children), five of whom died very young. His children who survived into adulthood and later descendants (as listed in Thomas Owen's *History of Alabama*) were:

1. Caroline Loraine Hitchcock, b. 8 Apr 1825 at Mobile, d. in 1863, m. March 1857 to Dr. Samuel G. DeCamp, surgeon, US Army; they had one daughter, Anna Erwin, m. to Leo A. Camacho, and they resided at New Brighton, Staten Island, New York with their 3 children
2. Henry Hitchcock, b. 3 July 1829 at Spring Hill, m. 5 Mar 1857 to Mary Collier, who survived Henry with two children
3. Andrew Erwin Hitchcock, b. 6 Jun 1831 at Mobile, d. 4 Oct 1848 at Nashville
4. Ethan Allen Hitchcock, b. 19 Sep 1835 at Mobile, merchant in St. Louis, in China, and in Europe, involved in mining, manufacturing, railways and factoring; was appointed the first US Ambassador to Russia in 1898, named as Secretary of the Interior under President McKinley in 1899; m. 22 Mar 1869 to Margaret D. Collier, had 3 daughters: Sarah, m. John F. Shepley, Anne E., and Margaret Dwight.



Tracing this latter interesting family (number 4 above) via new genealogical research yielded the following information:

Ethan Allen Hitchcock died 9 Apr 1909 in the District of Columbia. (*Chillicothe Tribune* (MO), 9 Apr 1909, on ancestry.com). He served as Secretary of the Interior under Presidents McKinley and Roosevelt. Under Roosevelt, he undertook a vigorous program of enlarging forest reserves, reserving mineral lands from exploitation, removing corrupt officials, uncovering frauds, and reorganizing the administration of Indian Affairs. He had resided in St. Louis before taking up his duties in Washington, DC. He is buried in Bellefontaine Cemetery, St. Louis.

Ethan Allen and Martha Hitchcock's three daughters had the following histories:

1. Sarah N. Hitchcock b. 21 Mar 1870 in Hong Kong, d. 14 Mar 1957 in St. Louis, MO, m. John Foster Shepley (1858-1930) in 1893; had son John Rutledge Shepley (1894-1990) who m. Elizabeth Terry Johnson (1902-1988); the latter couple had son Albert Terry

Shepley (1932-2001). Albert Terry Shepley had the following descendants living in 2001, per his obituary in the *South Florida Sun Sentinel*: 1. Bert Shepley of California, married Deborah ___, had Kevin and Megan Shepley; 2. Lila Shepley, married Joe Arndt of St. Louis, who had Ben and Drake Arndt; 3. Pamela Sheply, married Bill Griesemer of St. Louis, who had Ethan, Megan, Chadd and Cecily Griesemer.

2. Annie Erwin Hitchcock, b. 4 Jan 1875 in St. Louis, MO, d. 1960 in Boston, MA, m. Admiral William Sowden Sims, USN (1858-1936), President of the Naval War College, commanded all USN forces in Europe during World War I. Buried together at Arlington National Cemetery. Had children: William Sowden Sims, Jr., b. 11 May 1912; Anne Hitchcock Sims, b. 23 Feb 1914, m. Elting Elmore Morison; Ethan A.H. Sims, b. 22 Apr 1916.
3. Margaret Dwight Hitchcock, b. 16 May 1878, St. Louis, MO, d. 7 May 1916; apparently no marriage or descendants.

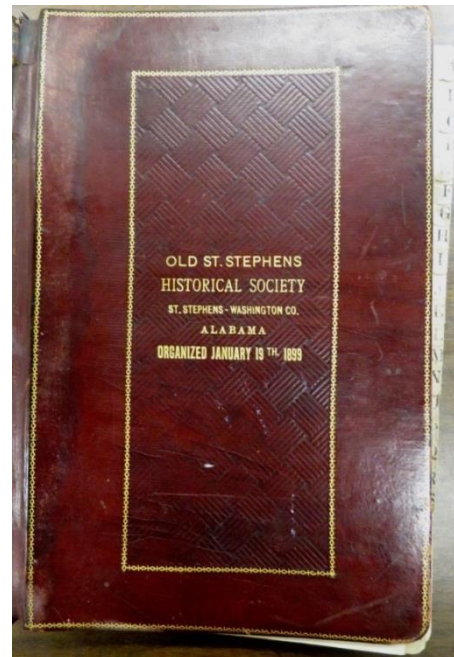
(Note: not all genealogical assertions above re the Hitchcocks have been proven using more than one source.)

Annex 2:

Findings Re the Original Manuscript of “Reminiscences of Old St. Stephens”

The “Reminiscences of Old St. Stephens” were written in 1899 by Miss Mary Welsh of Shuqualak, Mississippi, regarding her life as a young girl in OSS, and a few subsequent visits to the town. Her last visit was likely in 1858, just before the Civil War, although this is not certain. She was born in 1823 in St. Stephens and is last found in the US Census in 1910 at age 86, living in a boarding house as a single lady in Shuqualak. In her work, Welsh describes various elements of Old St. Stephens, including:

- The location and situation of the town
- The architecture and buildings
- The town’s only suicide
- Why the town disappeared
- The schools and her experiences in two schools
- The almost total lack of churches and religious services (quite unusual for the time)
- The local Indian population
- The local lawyers, doctors and merchants.



Her description was published in four installments in the *Washington County News* on May 25 and June 1, 8 and 15, 1899, and was also published in the 1899 Alabama Historical Society Proceedings, Volume III, now available online at via Google Books at:

<https://books.google.com/books?id=jq0KAAAIAAJ&pg=PA208&lpg=PA208&dq>.

Another online version, edited by Donna R. Causey is available at:

<https://www.alabamapioneers.com/st-stephens-1823/>. This version was not reviewed in detail as part of the Expedition.

Archaeologist and historian George Shorter obtained a handwritten version of the Reminiscences that he suspected might be different from the published version. The handwritten version is contained in a book titled *Old St. Stephens Historical Society: St. Stephens – Washington Co. Alabama, Organized January 19, 1899*, and it is held in the

University of South Alabama Archaeology Laboratory. It is 23 pages of handwritten material, quite legible. The book also contains lists of persons who attended the 1899 OSS Reunion and subsequent reunions, and other material related to OSS. It is not clear if the handwriting is that of the author or of a clerk who transcribed the author's thoughts and words, or perhaps transcribed earlier letters or a manuscript that she produced in her own hand. However, it appears to be a version closer to the author than any printed version.

As part of the Expedition, Shorter asked Lew Toulmin to review the manuscript and the published version, to see if there were differences. This had never been done before. Lew and Susan Toulmin did a comparison of the two versions (namely the handwritten version and the 1899 Google Books version. Findings were as follows below.

In general, the published version follows the handwritten version closely. There are minor editorial changes such as adding section headlines, prepositions and connectors, and correcting spelling. It is clear that an editor was at work here, and in fact "an editor" is mentioned in at least one location in the printed version.

There are some more substantial editorial changes, such as adding biographical information on persons mentioned in the manuscript, where apparently the editor (and perhaps the editor after questioning the author or others) was able to add to the manuscript about the family and fate of various persons. Examples of this include:

- "Mr. Shoemaker" in the manuscript becomes "Mr. William Shoemaker" In the published version
- "Mr. Mayhew" becomes "Mr. Mayhew, a native of Massachusetts, who died September 7, 1822, aged 40 years, and is buried in St. Stephens. I never knew whether he had a family or not."
- "Jones" becomes "Jones, who taught during the years 1828-1829-1830. He had a wife and some children too small for school"
- "Her mother called her Mary, but we called her Kiley for short" becomes "Her mother and her brother John Miller made up her family then. The former called her Mary, but we called her Kiley for short."

- “Dr. T. Dean” becomes “Dr. Thomas Dean. He had no family, and died in St. Stephens about 1831-32.”
- “Dr. Dougherty” becomes “Dr. Middleton Dougherty of Charlotte NC, who died in St. Stephens July 16, 1835.”
- Etc. A substantial percent of the persons mentioned in the printed text have had biographical details added, when compared to the less detailed handwritten text.

There is at least one major error of recollection in the manuscript that is corrected editorially in the printed version. This is in the description of the owners of the hotel in town, partly owned by a “daughter of General Theophilus Toulmin.” This was correctly changed to “daughter of Judge Harry Toulmin.”

There is one major omission in the printed text, when compared to the handwritten version. This comes in the section about the education of the children (pp. 12-13 of the handwritten version). Both versions recount a shocking episode in which Mr. Duncan, the schoolmaster, had lent a building to a Baptist preacher, Mr. Shoemaker, to use the schoolroom for a religious meeting (there was no church in the entire town). This common paragraph describes the incident:

After a few services one Sunday morning, the Minister gave an opportunity for anyone who might wish, to join the church. Two colored women presented themselves. Immediately Mr. and Mrs. Duncan arose, gathered up all the pupils who were present...marched us all out and upstairs... [Duncan] peremptorily forbid anymore preaching under his roof, said a negro had no more soul than a monkey, and no preacher who treated them as responsible beings should have the use of his house. After that Mr. S preached a few times in Grandmother Gordy’s hall. That ended religious services in Old St. Stephens, as far as I know.

At that point the printed manuscript moves on to describe lawyers in the town. But the handwritten manuscript continues with the following section:

Though it may seem foreign to the subject on hand, I feel impelled to say just here, that that act on their part, formed (?) to the Godless remarks made in the hearing of the pupils upstairs, impressed one, though vaguely at the time, with one fact, which the experience and observation of after years has intensified. That is, that no man or woman, however learned, who scoffs at religion in its weakest manifestation, or even treats it indifferently, should be entrusted with the education of the young. They are

unsafe guides. Both of these schools were what in common parlance, is called “mixed.” And right here I crave pardon for introducing another of my opinions, not presumably as advice or even suggestion, but just for recording my honest convictions based upon many years’ experience and observation in such matters, that the co-educational system is best for both sexes, and the teachers.

This omitted section is rather confusing, since it seems at first blush to be saying that the author feels that Duncan is “Godless” and should not be entrusted with children, and the switches to the fact that the schools were “mixed” race, since the author is taking about race, and then observes that “co-educational” schools are “best for both sexes.” So this seems to be an older lady author who is getting confused between matters of race and sex.

However, perhaps the way to read this omitted section is put a paragraph mark after the phrase “unsafe guides.” In that case, the first paragraph is about race and how Duncan is unfit to guide children due to his callousness on racial matters, and the second, separate paragraph is the author’s statement that “Both schools” she is describing were “mixed” in terms of gender, with both boys and girls, and that she thinks such schools are better than single sex schools.

This handwritten section may have been omitted from the printed version because the 1899 reunion participants did not like the progressive, non-racist views of the author, because they were confused by the paragraph, or because they simply wanted to stick to a description of the “lovely” old town, and not bring up controversy. They did not remove the racist and controversial “monkey” paragraph, however.

Another omission from the printed version is a date at the end of the narrative. In the handwritten version this is given as April 6, 1899.

A final substantive omission from the handwritten text, not printed in the published version, is a short handwritten section in which Welsh expresses the hope that a novelist will write a book “that would charm the reader of today” about the town set “70 or 80 years ago.” Welsh even offers to assist such a novelist, but sadly such a novel was never written.

An additional section is added to the printed version at the end of the manuscript. This is the entire section entitled “R. H. Gilmer’s Assault on William Crawford and His Subsequent Suicide.” None of this section is presented in the handwritten manuscript. A shorter and less detailed version of this story, as recalled by the author as a child, is presented earlier in the handwritten (and the printed) manuscript. The printed version about “Gilmer’s Assault” is written in a very

legalistic style, much different from the rest of the account, and even mentions the fact that the “editor” is presenting this information. But the way the document is printed, that is not clear when the reader starts viewing the section.

Annex 3:

Listing of Persons Who Found “Estrayed” Animals in OSS or Washington County

The following persons are listed in the Estrayed Book as having found animals in Washington County and registered them as “estrayed.” Such a list has not been previously researched or published. Note that a question mark means that the name was difficult to read and may not be spelled correctly. Also note that none of the key individuals who were traced earlier are mentioned as having found estrayed animals.

<u>Year</u>	<u>Name</u>
1822	Leven Hainsworth
1824	Young Dunbar
1824	Edward Switchell
1824	Joseph McCarty
1824	J. T. Marmichael (?)
1824	Lewis D. Clanton
1825	Harvey Stokely
1826	Andy Martin
1831	John Everett Snr. [note: gap of five years not explained, possible pages missing]
1832	Wm. Merrell
1832	Johnathan [sic] Coolidge & H. McDaniel
1832	Joseph Koin
1832	Arch. Clark
1832	W.E. Williford
1833	Stephen Sullivan
1833	J. D. Lister
1833	William Smith
1834	James D. Jones
1834	Drury Reynolds
1835	Wm. B. Graham
1835	Mark Sullivan
1835	Samuel Mills
1836	John C. Tilman
1836	Robert Browning
1836	James Mills
1836	Wiley Young
1836	James Hall, Jr.
1837	Josiah Evans
1837	Alfred McLean

1837	John Everett, Sr.
1837	Robt. Boulton
1837	Josiah D. Lister
1837	Stephen Sullivan
1837	D. Campbell
1838	Philip Cato
1838	James D. Grimes
1838	John Everett, Jr.
1838	John Sanders
1838	James Wouland (?)
1838	R. McElwain (?), Jr.
1840	James Hall
1840	David Wood
1840	David Hix (?)
1840	M. Moore
1840	John Watson
1841	P. McInnes (?)
1841	Jesse Jordan
1841	Martha King [one of the only women listed in the entire book]
1841	Michael Griffin
1841	Jno. Hendricks
1841	John Everett, Sr.
1841	Martha Keen [one of the only women listed in the entire book]
1842	Thos. W. Shoemaker
1842	George Mosley
1842	Arvin Moody
1842	John Cook
1842	Oliver M. Whulis (?)
1842	Emmanuel Cirrin (?)
1842	William McIlwain
1843	Barrell Boykin
1843	Joseph McCarty
1843	Emmanuel Herron (?)
1843	Samuel Harly (?)
1843	John Palmer
1844	William Savage
1844	Isaac B. Morse (?)
1844	Marmaduke Moore
1844	Larkin G. Minor (or Minon)
1844	John Everett, Sr.
1844	?? Gunn

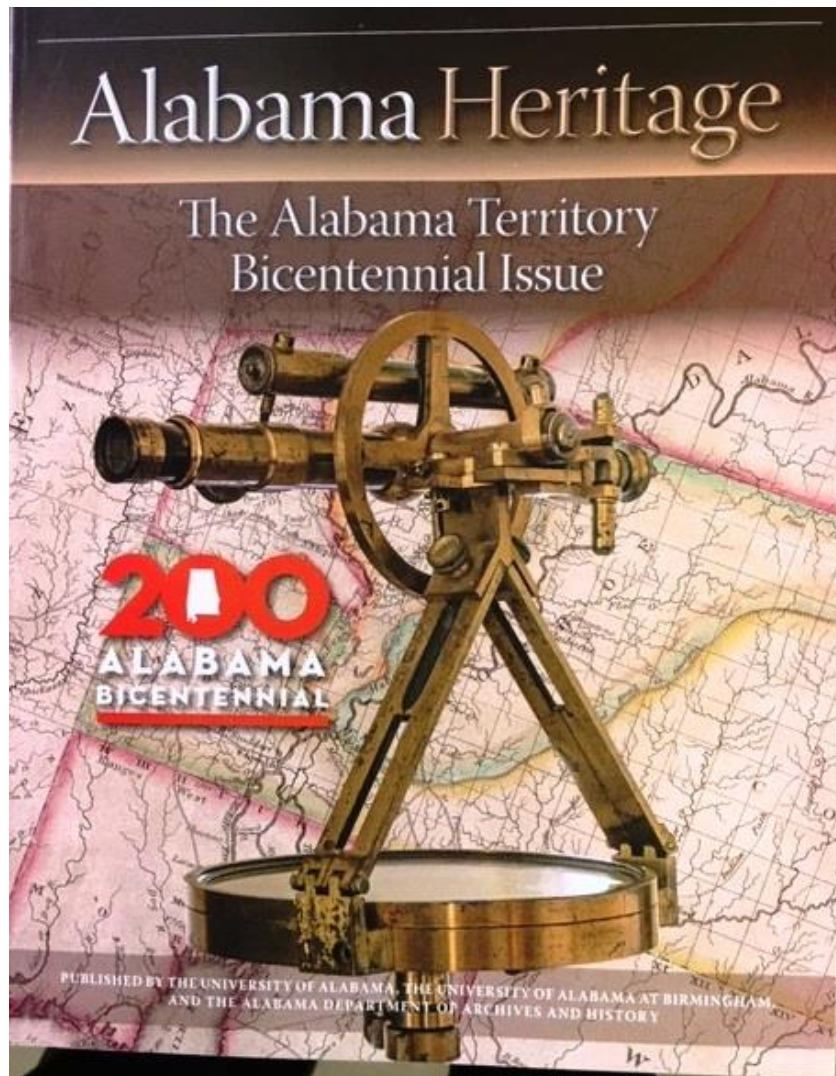
1844	D. L. Pickett
1844	Geo. Clay
1845	Willey L. Connerly
1845	Jesse M. Summers (?)
1845	Robin (?) Suttons
1845	Wm. G. McGrew
1846	Jesse Jordan
1846	Geo. Fellsman (?)
1846	Allen Bonner (?)
1847	Jacob Bozer (?)
1847	Leander Jenkins (clerk: D.D. Donaldson)
1848	Peter G. (?) Hays
1848	Henry Simmons (clerk: Thomas S. Parker)
1848	Ransom (?) Harwell
1850	E. H. Gordy (?)
1850	E. H. Gordy
1850	S. J. Wilson
1851	John Jordan
1852	?? Beach (?)
1853	?? Sullivan
1855	John W. Elliott
1855	Joseph Buch (?)
1856	Joseph Greenwald (?)
1856	C. C. Page
1856	Daniel Brown
1856	Thos. Beech
1857	B. O. Jordan
1857	William Cupp
1857	William Cupp
1858	Joseph H. Skinner
1858	E. O. (?) Lester (?)
1859	Jo. B. Slade
1860	Wm. Donaldson
1862	Charles Walker
1862	Wm. Jordan
1864	J. M. Warrick (?)
1866	C.C. Page
1887	Jno. (?) Vann (?)
1887	J.E. Scott

End of Estrayed Listings

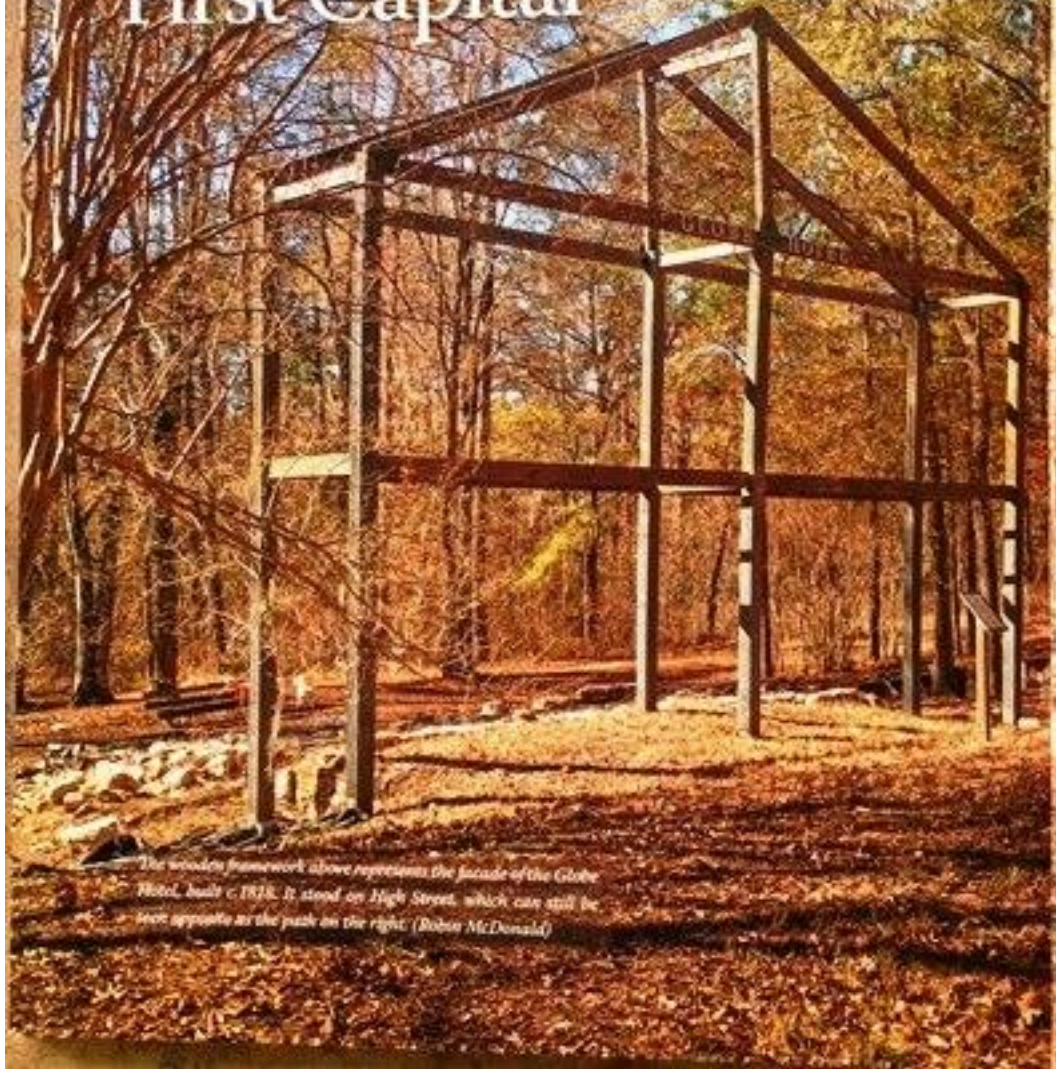
Two pages of two court cases (assault and battery, and larceny), 1866, against Elizabeth Malone, "Col'd"
(i.e. Colored)

Annex 4:

Copy of an article on Old St. Stephens by George Shorter, in *Alabama Heritage*, 2018, in connection with the 200th anniversary of the founding of the Alabama Territory



St. Stephens. The Alabama Territory's First Capital



The wooden framework above represents the facade of the Globe Hotel, built c. 1828. It stood on High Street, which can still be seen opposite the park on the right. (Robin McDonald)

Historian Peter J. Hamilton commented upon so many residents of St. Stephens moving to Mobile, and he believed that the town simply transplanted itself down river to the growing city.

lation had grown significantly, and Thomas Eastin began publishing one of the first Alabama newspapers, the *Halcyon and Tombbeckbe Public Advertiser*, in St. Stephens. The paper notified readers of political news; advertised goods and services from numerous merchants, artisans, doctors, and lawyers; and ran notices regarding runaway slaves. And when Mississippi officially became a state and Alabama became its own territory in December 1817, many considered St. Stephens to be the logical place for the new territory's capital.

Though William Wyatt Bibb was appointed territorial governor, he did not attend the first meeting of the territorial legislature held in St. Stephens on January 19, 1818 (though he did send an assistant to read his address). There was not a capitol building in the town, so the group met at the Douglas Hotel. As Herbert James Lewis points out in *Lost Capitals* (The History Press, 2014), during this meeting, "the General Assembly quickly went to work in their first session, passing over fifty laws and resolutions that readied the territory for statehood." Much of their attention focused on education and business, and the group would meet again in St. Stephens to continue their work in November 1818. The next step toward statehood required that the legislature approve a constitution. Bibb managed to set the meeting for this task in Huntsville.

Alabama was quickly advancing toward statehood. Bibb advocated for a more central location of a capital between political factions in the north and the south. Tuscaloosa



One of the few tangible remnants of Old St. Stephens is the grave of Caroline Medora Brown (1823–1841) and her infant daughter. She was the child of Judge William Crawford of St. Stephens. (Robin McDonald)

Residents engaged in St. Stephens's robust theater presence and also participated in local horse races. However, by the early 1820s, people began to abandon the town in favor of other areas—particularly Mobile. Historian Peter J. Hamilton, author of the 1897 *Colonial Mobile*, commented upon so many residents of St. Stephens moving to Mobile, and suggested that the town simply transplanted itself down river to the growing city. By the 1830s the population of St. Stephens dropped from several thousand to just a few hundred, and by the Civil War, St. Stephens was a ghost town.

Today St. Stephens is a historical park with an active archaeological excavation and historical research program. Artifacts and features from the archaeological record, combined with the historical record of the residents, will continue to reveal what life in St. Stephens was like two hundred years ago. To learn more about St. Stephens or to plan a visit there, call (251) 247-2622 or visit www.oldststephens.net. Or contact the archaeologist, George Shorter, at gshorter43@gmail.com or call (251) 709-7369.

was considered, but Bibb obtained a federal grant for free land on the Cahawba River, and the capital eventually relocated to Cahawba.

Though no longer a capital, St. Stephens continued to exist somewhat normally during 1819 and 1820. The *Halcyon and Tombbeckbe Public Advertiser* devoted more of its content during these years to informing St. Stephens citizens about Alabama's development as a state. It relayed information about activities in the new Alabama Senate and House of Representatives and the laws they were passing. On November 27, 1820, the paper reported that on November 15 the Senate considered a bill to incorporate the Steam Boat Company of Alabama, and on April 20, 1820, the paper reported a new "Estray Law," a law having to do with wandering and stray animals.

The town continued to enjoy its conveniences, and it even managed to have entertainment options one might expect in larger towns or cities.



Mississippi Territory. A court and a federal judge were established there, and commercial businesses began to grow in the area.

When Federal Judge Ephraim Kirby arrived in 1803, St. Stephens failed to impress him, however. He viewed St. Stephens as a rough frontier, an uncivilized place far from the sophistication of the large cities in the United States. Writing a report of the area to Pres. Thomas Jefferson, he said of St. Stephens: "The present inhabitants (with a few exceptions) are illiterate, wild and savage, of depraved morals, unworthy of public confidence and private esteem; litigious, disunited, and knowing each other, universally distrustful of each other, and rightfully so." He also accused local officials of being "without dignity, respect, probity, influence or authority, leading local justice in an 'imbecile and corrupt' state." Kirby only served as federal judge until 1804, when he died of "bilious fever," a liver disease.

President Jefferson then appointed Harry Toulmin to take Kirby's place. Toulmin would be involved in many important territorial events, including the arrest of Aaron Burr,



ABOVE: Perhaps this charming paper cut-out silhouette from the Chamberlain collection depicts a house in St. Stephens. (St. Stephens Historical Commission)

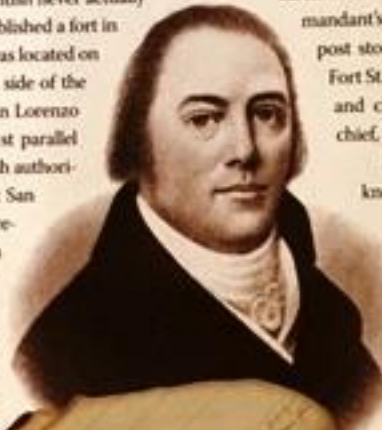
LEFT: Fragments of an English cup and saucer recovered from the excavation of the Globe Hotel. (Center for Archaeological Studies, University of South Alabama)

Jefferson's former vice president who was captured in the Alabama portion of the Mississippi Territory in 1807. Toulmin would serve as a key negotiator in the creation of the Alabama Territory out of the Mississippi Territory, and he would write Alabama's first law book.

St. Stephens continued to develop, and by 1807 surveyors had platted the town, and the land register had sold the first lots. Grand for the day, the streets were 99 feet wide, and lots were 99 feet by 196 feet. In December 1811 inhabitants established the first official school in Alabama, Washington Academy. (The name soon changed to St. Stephens Academy.) More houses, hotels, and a Masonic lodge opened, and St. Stephens's future looked bright. By 1815 the popu-

Ephraim Kirby accused local officials of being "without dignity, respect, probity, influence or authority, leading local justice in an 'imbecile and corrupt' state."

LOCATED APPROXIMATELY ONE HUNDRED RIVER miles north of Mobile, Alabama, the area that would become St. Stephens had belonged to the French, the British, and the Spanish by the late eighteenth century. Though the French and British never actually occupied the land, the Spanish established a fort in the area, Fort San Esteban, which was located on a high limestone bluff on the west side of the Tombigbee River. The Treaty of San Lorenzo (1795) ceded land north of the 31st parallel to the United States, but the Spanish authorities in Mobile contended that Fort San Esteban was south of the line and refused to vacate. Only in 1799, when Andrew Ellicott put the matter to rest with his official survey, did the Spanish relinquish control of the area. In May 1799 the Spanish garrison finally marched out of the fort, and American troops under Lt. John McLary raised the American flag over Fort



St. Stephens, taking the English translation of the Spanish fort's name.

When McLary took control of Fort St. Stephens, there was not much to see. Only a few buildings stood within the fort, and it was not until 1803 that the United States decided to put the property to use as a trading house. Indian agent Joseph Chambers arrived that year and opened the Choctaw Trading House in an old blockhouse on the property. Of most importance, the United States established a land office charged with adjudicating the very complicated land claims in the region. The government opened a post office the following year, with Chambers as postmaster. He left Fort St. Stephens in 1806 and was replaced by George Strother Gaines. Gaines lived in the old Spanish commandant's house while also running the trading post store on the property. During his time at Fort St. Stephens, Gaines also became a trusted and close friend of an important Choctaw chief, Pushmataha.

Fort St. Stephens eventually became known simply as St. Stephens as more and more people moved into the area. It was the most populated center in the Alabama portion of the Mis-

Ephraim Kirby was the first judge of the Superior Court of the Mississippi Territory. He had a very low opinion of the citizenry of St. Stephens. (Alabama Department of Archives and History)



This ledger contains a record of all the civil cases brought before the Superior Court in St. Stephens between 1805 and 1818. (St. Stephens Historical Commission)

Archaeology at Old St. Stephens

Since 1999, excavations of St. Stephens's Globe Hotel have yielded a treasure trove of artifacts.

By George Shorter

ON A BEAUTIFUL JANUARY DAY IN 1999, TWO volunteers and I began the excavation of the stone foundation along the north side of what once was St. Stephens's Globe Hotel. The substantial building was built in 1817 or 1818 using locally quarried limestone, longleaf timber, and brick for its construction. Almost immediately after starting the excavation process, we discovered the brick floor of the front gallery. The floor's pattern, a herringbone, was the most complicated and ex-

pensive pattern that could have been chosen for the building at the time. This discovery confirms the observations and comments of early visitors that the town could boast over 450 "elegant buildings of brick and stone" of quality construction.

We also discovered other fascinating items on our first day of excavation. Scattered over the brick pavers, we found dozens of melted glass droplets mixed with small fragments of intact window glazing. A fire consumed the building after 1849, sometime after the Chamberlain family, the last family to live in the structure, moved to Mobile. The fire could have been deliberately set. Mary Welch, a young woman who lived in St. Stephens during the 1820s and 1830s, remembered that young men used to set fire to abandoned buildings in the town just to watch them burn. The fire that destroyed the Globe Hotel was so hot that it melted the glass windows on the second floor, while fragments of the stone first floor doors or windows remained intact, leading to the mixture of glass found.

In this 2009 photo, the half-cellar of the Globe Hotel can be seen behind the wooden framework. In the foreground are the foundations of the slave quarters. (Robin McDonald)





We soon found the remnants of a brick plaster in the center of the building's front wall, confirming that the building did not have a central door. Indeed, as the excavation moved into the front room, archaeologists uncovered the hardware from two double French doors that opened onto the front gallery of the hotel. The door lock sets are consistent with the most modern hardware of the day, but the door hinges are less elegant and were likely fabricated by one of the local St. Stephens blacksmiths at the time. Blacksmiths proved invaluable to communities during the territorial period, and hundreds of artifacts exhibiting their skill have been found at St. Stephens. The strap hinges and threaded screws for the doors that we found on the property are well-made examples of the period as well.

As we moved deeper into the building, we discovered many details about the structure. The building footprint measures thirty feet wide and forty feet deep, for a total of 1200 square feet. A half-cellar accessed from outside and a second story net a total area of 3,000 square feet. However, this square footage does not include a kitchen or other outbuildings on the property. We found a detached kitchen just south of the main building (due to the extreme danger of fire, kitchens were generally separated from the principal building), but an outhouse has not been located. We concluded that chamber pots must have provided the main system of waste disposal.

Artifacts from the excavation of the Globe Hotel: a wrought iron shutter latch, possibly made by a local blacksmith (above left); a pepper sauce bottle (left); half of a snaffle bit, from a horse's bridle (above); a plate with a decoration that would have been considered mildly risqué at the time (opposite page below); and a hotel room key (opposite page, above). (All Center for Archaeological Studies, University of South Alabama)

The excavation of the building continued over the years, revealing that the foundation, the walls of the cellar, and the first floor were hard limestone. The upper stories were apparently timber framed and probably had lap siding (horizontal boards that overlap to shed water). The plan for each floor was probably a four-square arrangement of rooms with an interior staircase leading to the second floor. On the first floor, a single room stretched across the front wall with a fireplace located on the east wall. At least two rooms with fireplaces on the east and west walls completed the south side of the first floor. The second floor had four or more rooms, more or less mirroring the plan of the first floor, but there was no fireplace foundation on the west end of the front room on the second floor. A cast iron heating stove would have served this room. Ceiling heights were on average ten to twelve feet, occasionally fourteen feet. We also found fragments of painted plaster that indicate that the walls were red.

...green, and ivory, and we unearthed a bucket of dried grey-colored paint in the cellar.

The cellar proved to be a treasure trove of artifacts. Below a layer of black ash that covered the floor, we found tools, agricultural implements, the bucket of paint, an 1812 bayonet, a spittoon, remnants of a buggy, and horse tack, as well as items that rained down into the cellar during the fire that destroyed the building. Other artifacts we came upon include bottles, ceramics, hundreds of nails, building hardware, locks, keys, toys, smoking pipes, buttons, buckles, straight pens, and numerous other ephemeral items. Almost all the artifacts found at St. Stephens are of British origin. During most of the nineteenth century, England dominated the American market for consumer goods, and wholesale houses in Mobile provided almost anything that the residents wanted and advertised those items as the "latest fashion."

We completed the excavation of the Globe Hotel in the summer of 2011. The building was indeed an imposing structure in the Greek Revival style, complete with square columns topped by a simple pediment (a triangular area defined by the roof line and the ceiling of the top floor that is an iconic detail of Greek Revival architecture), but the hotel was only one of many impressive buildings in town.

Historians and archaeologists have depended upon thousands of volunteers over the years to assist in their work of uncovering the history of St. Stephens. Saturday dig sites, field schools, and organized groups often supply much needed help. In particular, the summer program run by the Alabama Museum of Natural History has been especially valuable. This program allows high school students and some adults to participate in three or four one-week sessions of scientific research.

In 2003 students in the program, along with our regular Saturday volunteers, had completed the excavation of the quarters found at St. Stephens. They unearthed a four-



...ation that outlined three rooms, a hard clay floor in the east room, and a large fireplace (the type normally reserved for kitchens) with a "stick in mud" chimney (a somewhat primitive chimney made by stacking small timbers like a log cabin and filling in the spaces with clay). The students found a fantastic concentration of discarded artifacts, most notably broken and intact bottles as well as an extremely dense concentration of ceramics.

The locations of the Alabama Museum of Natural History student programs rotate among different areas of the state, but St. Stephens has been fortunate to host three such summer programs (in 2002, 2003, and 2011), and we are excited to announce that we have been chosen to host the 40th Expedition in 2018. As part of Alabama's bicentennial celebration, we will focus on excavating the Douglas Hotel, where the first session of the Alabama Territorial Legislature met in 1818.

Volunteers to help with the archaeological excavation of St. Stephens are still needed, and Saturday volunteer digs continue. To find out more, call (251) 247-2622, visit www.oldststephens.net, or contact the archaeologist, George Shorter, at gshorter43@gmail.com.

**Annex 5:
Various Photos from the Expedition**



Frank Vogtner (left), Lew Toulmin (center) and George Shorter with the map of St. Stephens and an aerial photo of the area in the background



Plaque at the Douglas Hotel at OSS, "where Alabama began"



Frank Vogtner (left) and George Shorter with TEC flag #25 at the excavation site of the Globe Hotel



Carl Couret with Flag #25 at OSS Globe Hotel excavation site, January 2019



Carl Couret removing rain water from the Globe Hotel site at OSS, to allow for excavation and analysis



Excavation team at the Globe Hotel, January 2019



Volunteers at the Globe Hotel site



George Shorter trains volunteers in correct sifting techniques



Large and small volunteers look for sherds at the Globe Hotel



Items found at the Crawford house site at OSS and Flag #25



Jennifer Faith, George Shorter and Frank Vogtner examine Crawford house items from OSS



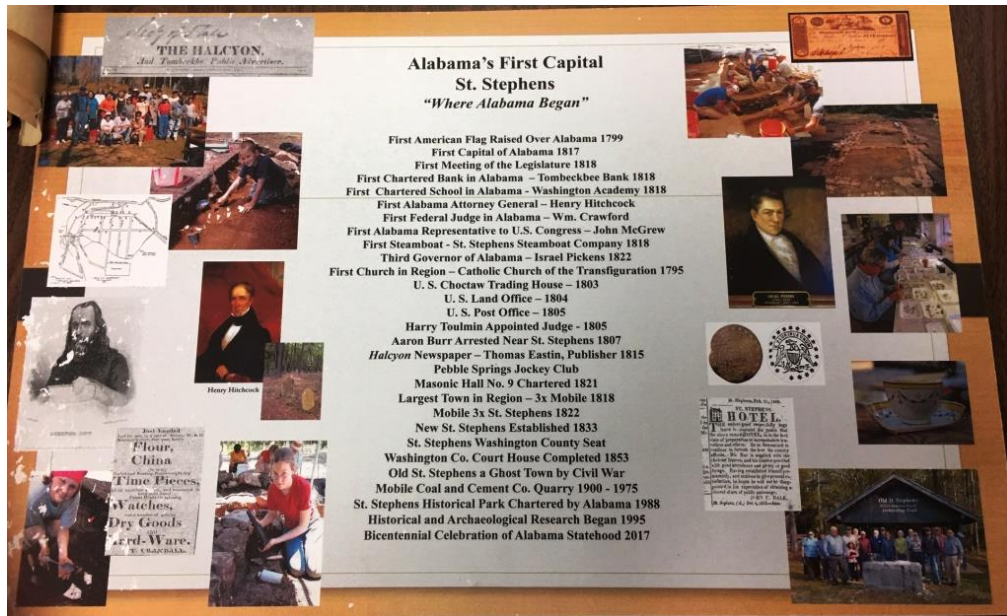
Over 150 young volunteers from Dothan AL were some of the thousands who worked at OSS over 20 years



George Shorter points into the right-hand portion of the square that is likely the “protuberance” in which the Judge Toulmin rental house was located. This square also holds the Crawford Monument and house and is bisected from S to N by the modern entry road into OSS (the white line in the W portion of the square)



The ex-Courthouse/ex-Masonic Lodge and current OSS Museum at (new) St. Stephens



Poster describing OSS



At the U of SA Archaeology Lab: Back row L to R: Lew Toulmin, FN '04 with Old St. Stephens pottery; Shelley Mangram and Frank Vogtner, volunteers; front L to R: Brad Ecklund, volunteer, George Shorter, RPA, Jenni Krchak, volunteer. Note broken pottery puzzles on the right.



Frank Vogtner (left), Lee Swetman, Bonnie Gums and George Shorter at the USA Lab



Brad Ecklund tries to piece together a Blue Willow plate from OSS, dated about 1820



Using a Blue Willow catalog from the 1920s to help assemble Blue Willow ware from the 1820s



Each tray holds sherds with a similar pattern, and each sherd is labelled with a number indicating which square meter of the OSS area the sherd came from



George Shorter analyzing sherds from OSS



George Shorter examines some of the 200+ boxes of uncataloged glass, bone, pottery and other sherds from OSS



Coins and sherds from OSS



An OSS Field School T-shirt



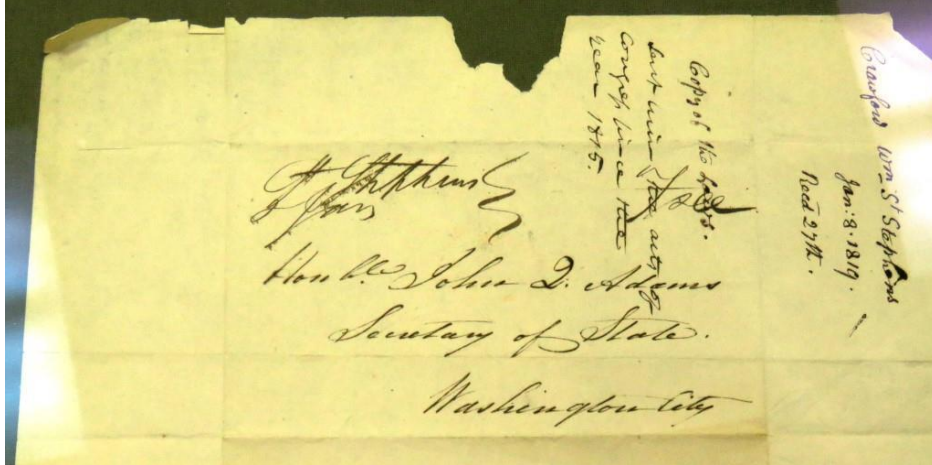
A St. Stephens T-shirt



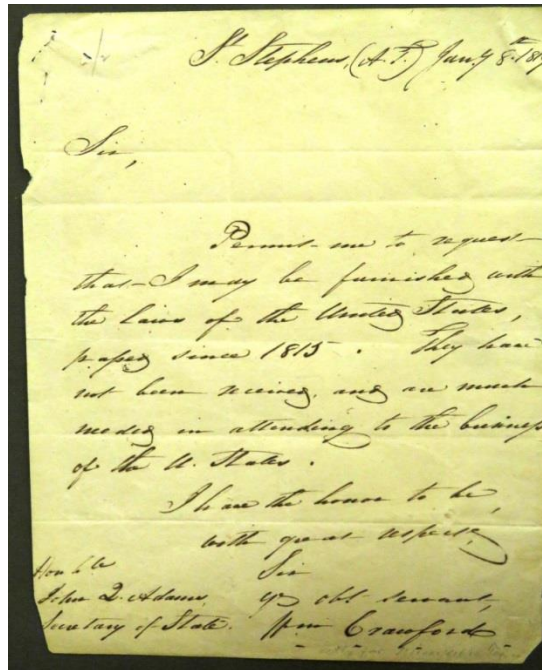
George Shorter examines the 1805 Sheriff's Returns [Revenue] Book from OSS



Cutwork found in the Hannah Toulmin Chamberlain Bible from OSS and Toulminville; likely done by a young girl; note the heart with the key, and the tiny cuts around the heart



An envelope to Secretary of State John Quincy Adams from William Crawford of OSS, which took 19 days to go from OSS to "Washington City" (now called Washington, DC).



An 1819 letter from William Crawford of OSS to Secretary of State John Q. Adams, asking for a copy of the laws of the United States, since apparently OSS has no copy, and they are "much needed in attending to the business of the U. States."



Frank Vogtner spots possible evidence of site looting at OSS – the triangular hole is likely from a looter using a metal detector and special shovel

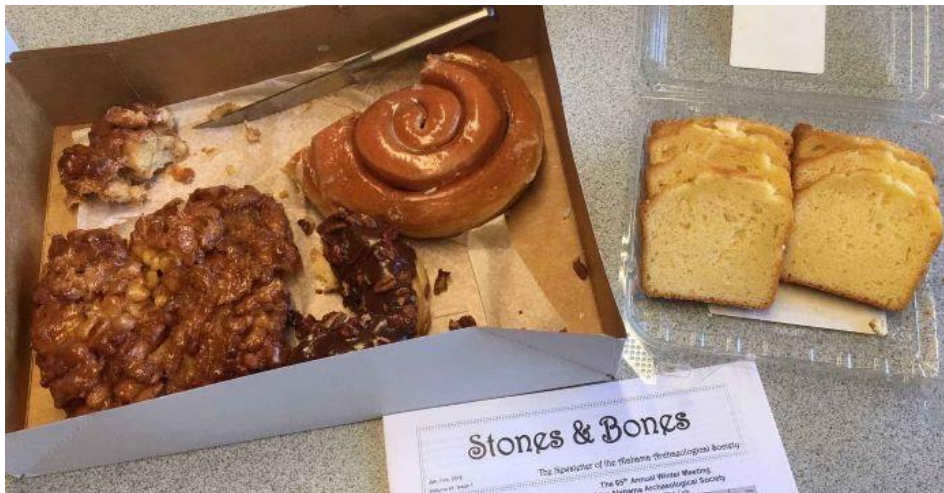


Flag on the wall of the Old St. Stephens archaeology lab and storehouse

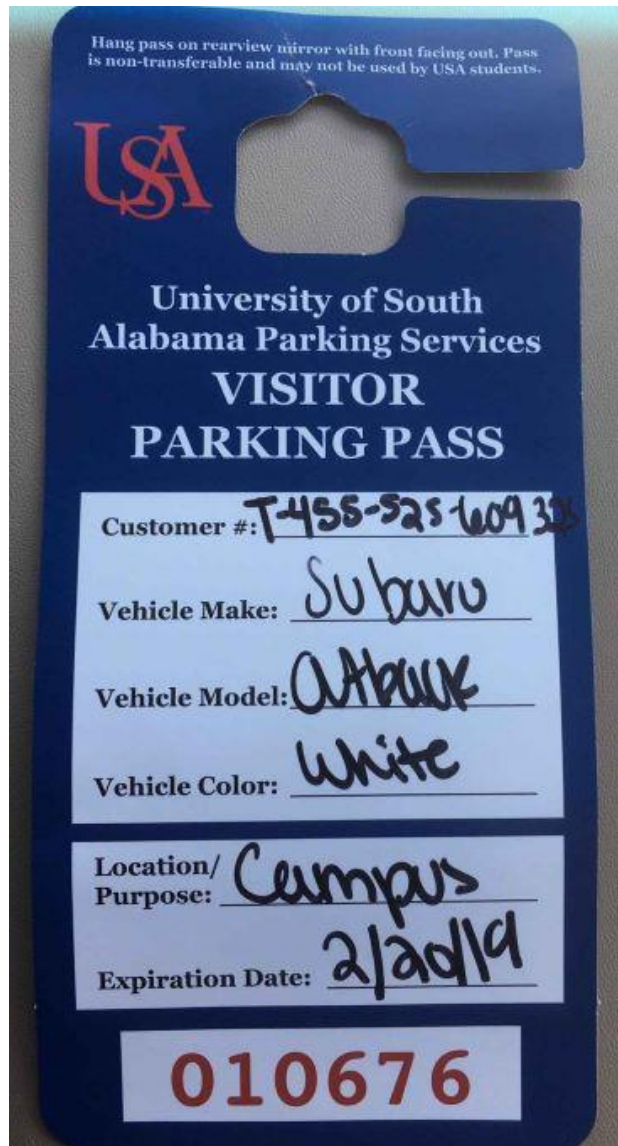
THREE VITAL TOOLS FOR AN ACADEMIC ARCHAEOLOGIST



A standard archaeologist's trowel



Doughnuts and cake – archaeologists' fuel to find those "Stones and Bones"



The most valuable item of all – a parking pass to the University!

Annex 6:

Biography of the Author

Llewellyn “Lew” Toulmin, PhD, is a Fellow of the Explorers Club and a Fellow of the Royal Geographical Society. He previously led an Explorers Club Flag Expedition in Washington County, Alabama, which successfully found and documented the missing town of Washington Court House, fifteen miles west of Old St. Stephens. He also twice carried the Flag on expeditions to Vanuatu and once to South Carolina, all in the areas of archaeology and anthropology.

Lew is the co-founder of the Missing Aircraft Search Team (MAST), a private team which searches for missing aircraft, either in cooperation with search and rescue organizations during the official search, or working for the families after the official search is over. MAST was written up favorably by the BBC in December 2017 as “The A-Team that hunts missing planes,” and by *Smithsonian Air and Space Magazine* in September 2010, and has conducted over 40 searches and other activities since its founding as part of the famous Steve Fossett disappearance in 2007. Lew previously served on the NASA Search and Rescue Advisory Committee.

Lew participated in the 2017 Amelia Earhart/Fred Noonan expedition to Nikumaroro, co-sponsored by the National Geographic Society and The International Group for Historic Aircraft Recovery (TIGHAR), and has written a technical paper on the use of sextant box numbers to attempt to solve the Earhart-Noonan disappearance case. He is the author of the *Manual on Finding Lost Aircraft* and numerous popular, technical and academic articles on his various expeditions in search of missing aircraft, persons, caves, battlefields, plantations and towns.

As a travel columnist and expert in telecommunications policy and e-government for the World Bank and USAID, Lew has traveled to 145 of the 196 countries on Earth, and worked in 30 developing countries. He is the travel-adventure-exploration editor and columnist for *The Montgomery Sentinel* of Maryland, and the author of the non-fiction book, *The Most Traveled Man on Earth*.

Formerly Lew was an assistant professor of public administration at American University in Washington, DC, and was the Chair of the Section on Emergency Management for the American Society for Public Administration. He and his wife Susan (ex-librarian and automation specialist at the Library of Congress) reside in Silver Spring, Maryland and snowbird in Fairhope, Alabama.

Lew Toulmin’s website is: www.themostraveled.com. It provides downloadable stories on his various searches, travels and adventures.