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REPORT TO: Cooksey Research Group

SUBJECT: Cooksey & associated families: Montgomery and Tattall Counties, Georgia  
Including Alston/Elston, Barfield/Barfoot, Price, Ra(y)burn, Watson & Wesley

FOCUS: Preliminary search: microfilmed Montgomery & Tattall County records

LOCATION: Family History Library, Salt Lake City (two days available)

BACKGROUND: **William Cooksey (ca. 1747–8 March 1829)**, a Georgia Revolutionary War soldier, is *said* to have married “**Leanna Wesley**” and produced the following family:

John                      b. c. 1783; married Zilpha Price  
William Elston        b.c. 1785–87 (according to 1850–60 censuses); married Flora McPherson

By this account, William was 35 at birth of first child—far older than the norm.

Various researchers also allege that William fathered four other children after a gap of ten or more years. Data for three of these *conflict with his status in all published editions of the 1805 Georgia land lottery* (i.e., 1 draw; unmarried; no minor, legitimate children).

Mary                      b. before 1797, m. 1810, Robert Watson  
Hannah                b. Jun 1801–June 1805; m. 1821–24 Reuben Price (son of Zilpha)  
Nancy                    b. 12 April 1804, supposedly in Savannah; m. John Parks  
John                      (*even more problematic*)  
                                  b. 1806–7 (accdg to cens. 1860, '70, '80), d. 1890 Falls City, Texas  
[Some researchers assert this John is Zilpha’s son, born of her marriage to William’s older son John; if so, then young John—whose age is consistent on every census—was born c.4 years prior to the January 1809 date on which John & Zilpha took out a license]

**Zilpha Price** (b. c.1780–1857; maiden name unproved) is said to have married “**Zachariah**” **Price** c.1798; took out a license to marry **John Cooksey** on 8 January 1809. After John’s death, she then “took care of” his father William. Her children are *said* to be:

Rev. Cader Price b. 8 Jan. 1800  
Reuben Price b. c1802, m. Hannah [allegedly Hannah Cooksey or Hannah Odom]  
[?John; b. 1806–7; note also that Nancy, b. 1804, fits into her childspacing pattern]

Letitia Cooksey b. 1809–10; m. Gill  
Samuel Alexander b. 7 October 1811, Ga.; m. Cynthia Ann Odom  
Zilpha b. 1812–13, Ga.; m. Thomas William Sessums/Sessions  
Katherine Cooksey b. 7 June 1816; m. David Gill

James William Cooksey 16 Nov 1819, Miss.; m. Elizabeth Miller & Louisa Parker  
Elizabeth Cooksey b. Aug. 1820–1 June 1821, Miss.; m. Shadrack Odom

**CAVEATS:** For some critical materials in both counties, the only filmed versions were “transcriptions” rather than the original documents. The Research Notes section of this report will specify whether the consulted records were filmed originals or filmed transcriptions.

Severe limitations on the amount of time in which to cover all these materials required undesirable shortcuts such as omission of metes and bounds for deeds by associates.

Three associated family names were discovered amid this project and included in the materials thereafter searched. Time did not permit going back to search for them in the materials already examined. Those associates were:

**Daugherty:** One Daugherty (possibly Daniel or John ) married Lettice Cooksey (mother of an illegitimate child, Henry Cooksey) ca. 1811.

**Grubbs:** Cader Grubbs was an apparent child in 1794, when Cader Price executed a provisional deed of gift to him, calling him the son of Hannah Price, wife of James Price; Hannah *could* have been Cader Price’s daughter or née Hannah Grubbs.

**Pearson:** Cader Price (Zilpha’s first father-in-law) named Elizabeth Pearson as his daughter and contingent heir in 1794.

Three families who later intermarried with this William Cooksey family also appear in Montgomery and Tattnall. They could not be searched for want of time. This report notes a few of their names and associated time frames; but the records must be reconsulted for a thorough extraction of their data.

**Lott:** This family appeared in Savannah with William Cooksey of England and subsequently in Covington County, Mississippi, with the William Cooksey of this report. Montgomery County has numerous documents for Arthur Lott et al., formerly of Savannah.

**Sessions:** Aka Sessums—one Joseph was spotted in deeds of 1794–1808.

**Watts:** John and Thomas Watts of Montgomery County were closely intermarried with the Lotts in Montgomery and Tattnall Counties. In Covington County, 1820, Thomas Watts Esq. lived 2 houses from the landless Wm. Cooksey.

NOTE: Two of William’s offspring—J.W. Cooksey and the John Cooksey b. c.1806—named sons *Watts* Cooksey. John, specifically, named a son *Bartlett Watts* Cooksey, the same double-name born by a son of Thomas Watts and wife Elizabeth Lott.

## SUMMARY OF FINDINGS

*See attached research notes for full details and documentation.*

### **Elston [Alston?]:**

No Elstons found. A light review of the Alston records did not yield any obvious connections to William Cooksey, who named a son William Elston [Alston?] Cooksey. The Alstons, in the 1700s, were an exceedingly wealthy Indian-trade family out of the Charleston area; William may have known them in a business capacity.

**John Cooksey**

This man's name was found twice, but only twice, in the LDS-microfilmed records of Montgomery and Tattnall Counties. Both appearances fall within a three-month period:

- 08 January 1809 a license was issued for him to marry "Zilpha Price"
- 17 April 1809 his name was placed on the jury list for the upcoming (October) term; but in October he was not called

**William Cooksey**

William seems to appear in no deed records of Montgomery. Ostensibly, he did not buy improved land from other people and did not sell any. As shown in a previous report, he received one land grant in 1799 that he held under a 1793 warrant to him; he was taxed in 1797–98 on that tract *and another 175 acres of swamp land of unknown origin*. He received a second grant of 400 acres in 1810. All three lay in Montgomery County 1793–1801, Tattnall County 1801–1810, and then Montgomery again after 1810. However, Montgomery County has no record of him selling this property prior to his leaving for Mississippi late in 1818 or early 1819. Possibly, he lost the land for taxes or debt; the court records for the 1800–20 period are highly incomplete.

Tattnall County court records document William's residence there on the following dates:

Late 1802	Tattnall County tax roll
May 1803–March 1804	Registration in Tattnall County for 1805 lottery
April 1805, Oct. 1807 & October 1809	All dates on which his name was placed on the grand or petit jury for the next term of court.

In 1810, the boundary line was altered between Tattnall and Montgomery County. William's neighborhood, which lay along the boundary on the Tattnall side, was reassigned to Montgomery.

William was found only once after that in the Tattnall records used. As shown in a previous report (Mills, "Cookseys in Tattnall County, Georgia, Loose Papers," 15 December 2008, which also placed William—as "William Cooksey Sr."—in adjacent *Laurens* County, 1812), one John B. McFarland executed four notes to William in October 1809, promising payment of \$106.66 in goods over the next 4 years. When McFarland did not pay, William filed suit: first in June 1812, then again in June 1818. The present research segment reveals that McFarland was the local surveyor-turned-county-justice and adds one other document in the suit: an April 1815 appearance by McFarland in which he paid court costs and asked for a stay of execution of the judgment against him. It was granted—hence, the reason why William refiled the suit in 1818.

No known record states why McFarland owed William Cooksey \$106.66. However, the sum of the evidence suggests that McFarland, who lived in Cooksey's neighborhood, may have bought land from William. The total debt was appropriate for 300–400 acres of raw land or 100–200 of minimally improved land. The debt was spread over 4 years, which is typical in that era for property bought with a mortgage. Finally, the financial transaction occurred at a time when new land had just been surveyed for William.

**Major Problem to Resolve—Nancy:**

Nancy Cooksey, William's alleged daughter, is said to have been born 12 April 1804 in Savannah (statements attributed to Nancy's daughter Faitha). Tattnall records suggest that William lived in Tattnall consistently from 1802 through 1809. Any proposition that William was only visiting in Savannah, with

his pregnant wife, raises the question why—given the primitive travel conditions of that place and time—a pregnant woman would embark on such travel over the rough roads between Tattnall and Savannah when she was near term. *However*, Faitha’s belief in a Savannah origin for the family seems appropriate, in light of the increasingly likelihood that William was the son of the early Savannah settler, William Cooksey of Worcester, England.

The 1805 lottery registration, which classes William as an unmarried male with no minor, legitimate children, remains in conflict with the assertions that he fathered four children in the c. 1795–1806 period.

#### *A newly-discovered Cooksey—Letitia:*

One **Lettice Cooksey** lived in William Cooksey’s neighborhood in 1811—a female no one has previously associated with him. The fact that Zilpha Price gave the name Letitia (aka Lettice and Letty) Cooksey to her first known Cooksey daughter (b. c.1809–10), coupled with the fact that William was the only adult Cooksey in the neighborhood or in either county, suggests that Letitia may have been William’s daughter.

The record found for this Lettice in Tattnall County reveals that (1) at some point before 5 August 1811 she bore an illegitimate son called Henry Cooksey; (2) she was on that date the wife of one **Daugherty** (possibly Daniel Daugherty, owner of the community ferry, or Justice John Daugherty), and (3) one Bani Boyd from their neighborhood petitioned the court to have the child bound to him. The petition was granted.

Letitia was found late in the search. Time did not permit reexamining all the previously consulted volumes for further data on this surname. The Daughertys have not been found yet on the 1820 or later censuses. At this point, there is no evidence as to Lettice’s age. Custom suggests, however, that Henry was likely at least four or five years of age—the age at which illegitimate children were often taken from their mothers and bound out for their keep (or taken by the father or his family under that pretext).

#### COMMENT:

Banijah “Bani” Boyd was not the type of family man to whom the county would bind out children who were no kin to him. On 27 February 1810 he married Nancy Bowen (whose family appears *many* times in the court records charged with almost every offense possible). On 24 September 1816, Bani filed for divorce saying that Nancy had left him and had committed adultery. When a summons was issued to her, she was not to be found in the county. Less than a month later, on 23 March 1816, Bani was accused of “stealing a daughter of Andrew Bird’s, contrary to the will of her father” and Bird proceeded to prosecute Bani. (See Sabina J. Murray, *Tattnall County, Georgia, Loose Papers, 1801–1845*, vol. 1 (Homerville, Ga.: Huxford Genealogical Society, 2005), 79–80, 83, 89, 102.)

#### **Zilpha [—?—] Price**

Zilpha is commonly said to be the daughter of James **Rayburn** and Mahulda “Huldy” **Barfoot** (aka Barfield, Bearfield, etc.). However, no family of either surname was found in the Montgomery and Tattnall County records searched for this project.

Zilpha is also said to have first married **Zachariah** Price, by whom she had sons Cader (b. 1800) and Reuben (b. 1802). That identification of their father errs. Zachariah Price left Montgomery County shortly after 1798. By the time of the 1803–4 registration period (at which time Zilpha registered in Tattnall), Zachariah resided in Washington County.

Zilpha’s first husband is clearly identified as *John* Price in the court minutes of the divorce action he launched against her in 1799, Montgomery County. The one extant record reveals only that

- They both hired attorneys, which meant that Zilpha had nearby family who had sufficient means to hire an attorney for her and contest the divorce—something usually done when the wife’s family could afford it and had a community standing to protect.
- John subsequently (no date given) asked for a continuance of the case.
- Ultimately (again without date) John had the suit dismissed.

If a reconciliation occurred, it did not last. The subsequent court records for Montgomery, through about 1818, are extremely incomplete. However, several additional records make it clear that the couple either separated permanently without a divorce or else the divorce was eventually granted to John:

- During the 1803–4 registration period for the 1805 lottery, Zilpha applied from Tattnall County, while John applied in Montgomery.
- John continues to appear in Montgomery County records until at least September 1811, when he and Mary Watson (ostensibly Mary *Cooksey* who married Robert Watson in 1810) appeared to testify in court on the same two days in a case (or cases) that were not identified in the appearance docket.
- The 8 January 1809 Tattnall “marriage record” widely attributed to Zilpha Price and John Cooksey is *only* a marriage *license*. Unlike the other licenses amid which this one is recorded, no minister or county official returned the license to the court with certification of a marriage.

That lack of a return can now be explained. Under the divorce act passed by the Georgia legislature in 1806, section 3:

“And be it further enacted, That in all cases where the verdict shall be for an absolute divorce, the party whose improper, or criminal conduct shall authorize such divorce, *shall not be permitted to marry again during the life of the other party, and in case of such second marriage, the party so offending shall be subject to the pains and penalties enacted against bigamy.*” [*Acts of the General Assembly of the State of Georgia, Passed at Louisville in November and December, 1806* (Louisville, Ga.: Ambrose Day, Printer, 1806), 17; OCR edition online at University of Georgia, *Galileo: Georgia Legislative Documents* (<http://neptune3.galib.uga.edu/ssp/cgi-bin/legisidx.pl?sessionid=7f000001&type=law&byte=950416>.)]

No records of any type place John Price in Tattnall—which raises two questions: (1) What prompted Zilpha to choose Tattnall County as her new place of residence? and (2) With whom did she live there?

Wives were not commonly granted alimony in this period, certainly not wives whose husbands initiated the divorce. Moreover, this was not a society that provided employment to young women outside the home. Nor was it a society that condoned single women maintaining a separate residence. Young widows or divorcees, with or without children, had one of two options:

- If the divorce resulted from an affair on the part of the wife and she had no other recourse (or cared little about community morés) she might then live openly, as a common-law wife, with the other male.

However, Tattnall County actively prosecuted these incidences.

- Most such widows and divorces were taken in by their family. Coupled with the fact that she had the financial support to hire an attorney in 1799 to fight the divorce strongly ***suggests that she had parents or siblings of considerable financial means within Tattnall County.***

The 1809 effort to create a legal marriage, while her first husband was still alive, suggests that Zilpha was unaware of the 1806 law that forbid her remarriage—something that would have been made known to her

by the community justices or ministers whom she and John subsequently approached—or else the marriage had been annulled.

Zilpha's history also raises other questions about one of the younger children attributed to William Cooksey: Nancy in **1804** and John (the younger) whose birth period appears consistently on the 1860–80 censuses as **1806**. Consider the following:

- For William to have given the name John to *two* sons, a generation apart, while the older son John still lived, would have been highly aberrant in her society.
- Some descendants of the younger John and his wife Eveline Odom report a family tradition that John was Zilpha's son.
- Nancy and the younger John fall into a standard and consistent birth pattern with Zilpha's other known children:

Jan 1800 Cader  
 ---- 1802 Reuben  
 Apr 1804 Nancy  
 ---- 1806 John  
 Jan 1809 Letitia

All of these points suggest one *possibility* that could reconcile several common assertions: At some point between May 1803 and March 1804, Zilpha was considered a resident of Tattnall, when her name was entered in the lottery. If Nancy (born in April 1804) was her daughter by John Cooksey, then her pregnancy may well have prompted her and John to leave Tattnall to live in Savannah, where Nancy's daughter said that Nancy was born. This hypothesis might explain why John Cooksey does not appear in Tattnall records prior to January 1809, when he tried to marry Zilpha—and why he disappears again from Tattnall records after April 1809, when he was summoned to appear on the October jury. Having failed at their attempt to legally marry, they may have left the county again to avoid prosecution or stigmatizing the family members she obviously had there.

The problems here might be reconciled in two ways:

- A thorough search needs to be made of Savannah-area records, ca. 1804–18.
- Mitochondrial DNA tests on female-line descendants of Zilpha's children *should be sought* for comparison to the mt-DNA of Nancy's female-line descendants. (As a probable descendant of Nancy, I have taken the test at FamilyTree DNA and have also posted the results at mitosearch.org. For conclusive matching, however, multiple lines of descent from both Nancy and Zilpha should be tested.)

### **Other Prices in Tattnall and Montgomery**

The search of Tattnall records turned up no other Price in the county during the 1800–1818 period. (As previously shown, the extant 1802 Tattnall tax roll also shows no Prices in the county.) Consistently, from the time Montgomery County was created, the Price family lived in Montgomery, where there were three and only three adults of that surname:

- Cader Price, the family head, who died there about 1799.
- John Price (called John Price “Jr” on the 1797–98 tax rolls) who is explicitly identified as Cader's son in three separate documents;
- Zachariah Price, who came of age to pay a poll on the 1798 roll, but then settled in Washington County with a family by the May 1803–March 1804 land lottery registration period.

### Cader Price Sr.

Cader, in May 1782, was among the Georgians denounced as traitors to the Revolutionary Cause by the Georgia militia. The lengthy list included one Charles Watts and two associates of William and Sarah Cooksey of Savannah: Wm. Bosomworth, and Tim Barnard. Cader's property was confiscated, he was ordered to either serve in the military or hire a substitute, and he was denied civil liberties until three years after the end of the war. The next appearance found for him was a land purchase in Washington County in 1790, a tract that fell into Montgomery County in 1793.

In 1794, Cader was a widower who did what many aging widowers did: he executed a deed of gift in favor of his son John, stipulating that at his death all his property of every type would go to his son John. As a contingency, he stipulated that if John predeceased him, his property would be divided between his daughter Elizabeth Pearson and a male namesake whom he identified as "Cader Grubbs (the son of Hannah Price, the wife of James Price)." Cader made no provisions for any other child and no reference to Zachariah, specifically—a point casting doubt upon any supposition that Zachariah was his son.

In September 1798, Cader's situation changed. He took out a license to marry; but the single page list on which his name appears is only a list of male names and appears to be a list of males who paid fees for licenses. Ten days later, Cader's son filed a deed to absolve Cader of the promised inheritance. Cader then drafted a new deed, giving John title to 400 acres and other property already in John's possession. Cader appeared only once more thereafter, witnessing a January 1799 deed for neighbors. A probate was opened for him soon thereafter. The clerk's inventory that itemizes the documents in the case does not state even the year of the probate; but the sequence in which it appears in those records suggests that it was about the time of his last appearance on record.

Doubt as to whether Cader was the groom of September 1798 are also suggested by the fact that he appears to have left no widow. The clerk's list of documents in his probate does not include actions that would have involved her—nor is a will included in the clerk's list. The court-appointed administrator appears to have been one John *Allen*—not Cader's son John whose name continues to appear in county records.

### A second Zilpha Price?

One record has long puzzled Cooksey-Price researchers: The published registration list for the 1805 lottery shows two entries for Zilpha Price in Tattnall County.

Zilpha Price	no. 1008 B B Tattnall	[B = Blank draw]
Zilpha Price (& two children)	no. 1013 B B Tattnall	

According to the lottery regulations, two chances signified one of the following:

- Free white male, married, with wife and/or child (legitimate child/children under 21 years of age), one year residence in Georgia, U.S. citizen;
- Widow, with minor children (legitimate child/children under 21 years of age, one year residence in Georgia);
- Minor orphan or family of minor orphans (under 21 years of age), with father dead and mother dead or remarried.

While the law specified "widows," rather than "divorcees," as a practical matter many divorcees (or wives living apart from their husbands) passed themselves off as widows. The law did not require proof

of widowhood. The conundrum, here, is the appearance of *two* Zilpha Price entries for Tattnall County. The following factors need to be considered:

- Cooksey-Price researchers who have used this record have frequently stated that “the Zilpha with children fits our Zilpha who later married Cooksey” (those children being Cader and Reuben). However, an examination of the regulations makes it clear that both Zilpha entries represented a female with minor and legitimate children.
- In the 1803–5 period there were (as just discussed) only three adult male Prices in the region that comprised the original bounds of Montgomery County: **Zachariah** (who lived in 1803–4 in Washington County), **John** (of Montgomery who was married to Zilpha), and the elderly **Cader** (who possibly married in September 1798 and died soon after January 1799).
- While it is *possible* that Cader’s *possible* wife, if she were young enough, could have become pregnant in that short interval—thereby qualifying for the lottery—two other factors weigh against her being represented in one of the Zilpha registrations:
  - (a) the rareness of the name Zilpha makes it extremely unlikely that two Price males, father and son, in the same year, both took wives named Zilpha.
  - (b) a suggestion that Cader’s possible wife, possibly named Zilpha, moved away from his property (one third of which she would have inherited) and relocated in Tattnall County—at the same time that John’s estranged or divorced wife left there for Tattnall—strains credulity.
- The weight of the evidence at this point strongly suggests that the registrations represent two entries for the same woman—not two separate women.

The explanation for the duplicate entry apparently lies in social and legal customs: In this era, women did not travel to town on raucous court days to conduct legal matters on their own account. Men transacted all business for their wives. With widowed or unmarried women, so long as they had any male relatives in the county—or male friends and neighbors—those males conducted legal business for them. (This custom is frequently demonstrated in court cases of the era, in which suits filed by women were filed as “Mary Whoever, by her *Next Friend*, John Whazzisname.” That “next friend” in most cases, was not a “friend,” but a father, brother, or uncle.)

The male registrants in this lottery almost certainly include Zilpha’s yet-unidentified kin. Among the likely families to whom she belonged, all had a number of males who applied. Apparently two of them, when they filed their own registration, filed for Zilpha also—presumably unaware that another kinsman had filed. The agent who accepted the registration would, himself, have had no way of knowing that the two Zilphas were *not* different women, unless he knew the family personally.

One further effort has been made in an attempt to identify those who may have filed for her. The lottery list submitted by the counties to the state were then taken from their original sequence and alphabetized. In situations in which numbers are assigned to individuals on a list, identifying those who held subsequent and prior numbers often points to kinsmen. Not so in this case. I have extracted and reassembled all Tattnall County entries from the published lottery list. That exercise reveals the following process.

Each county created the type of *semi-alphabetized* list that was typical of tax rolls, censuses, etc., of the era—meaning that all entries beginning with the same surname initial would be grouped together, but within that grouping, entries would appear in the order in which people presented themselves. Then, within each letter of the alphabet, the lotteries entries were numbered sequentially. However, the sequence did not begin with “A” and run numerically through “Z.” The “P” section, for example, used numbers 994–1009, the B’s used a sequence in the 1800s, and the W’s used a sequence in the 1500s. In

short: the random assignment of different blocks of numbers to different letters of the alphabet seems to prevent drawing any further clues from this list, as to the identity of Zilpha's kin or the reason why she is double-listed.

The following revised chronologies for (a) William & John Cooksey; and (b) Cader, John & Zilpha Price reflect the latest findings.

### REVISED CHRONOLOGY: WILLIAM & JOHN COOKSEY

(New items carry an asterisk)

bef. 1774	presumed time of William's marriage, allegedly to "Leanna Wesley"
bef. May 1783?	apparent birth of William's presumed son John Cooksey [Presumably an adult by April 1804 end of land lottery registration, whereon his father's one draw suggests he had no minors at home]
14 May 1793	Washington Co., land survey, 200 acres, William Cooksey
19 Dec 1793	Montgomery Co. cut from Washington County
1797-1798	Montgomery Co. tax rolls, William Cooksey, 175a swamp land/200a pine land
30 June 1799	Montgomery Co., William Cooksey issued patent for 220a formerly in Washington
1802	Tattnall Co. tax roll, William appears (no other Cooksey taxed there)
May '03-1 Mar '04	Tattnall, William registered for 1805 lottery
12 Apr 1804	Savannah? alleged daughter Nancy born [This conflicts with known marital status and place of residence]
May 1805	Tattnall Co., William is an unlucky draw in lottery; no other Cookseys
*April 1805	Tattnall Co., William's name drawn for petit jury service in October 1805
*13 April 1807	Tattnall Co., William is seated on jury
*October 1807	Tattnall Co., William's name drawn for grand jury service in April '08 term
8 Jan 1809	Tattnall Co., John Cooksey took out license to marry Zilpha Price; no return
*6 March 1809	Tattnall, William took oath as juror, Inferior Court; name drawn for next term also
*April 1809	Tattnall, <b>John Cooksey's</b> name drawn for jury service in October term
*October 1809	Tattnall, <b>John Cooksey</b> was not among jurors seated
*October 1809	Tattnall, William's name drawn for petit jury service in April 1810
18 October 1809	Tattnall Co., John McFarland signed 4 promissory notes to Wm. Cooksey totalling \$106.66 to be paid in goods over next 4 years
*1810	Montgomery-Tattnall line changed. William was cut away into Montgomery
1810	Montgomery Co., William received patent to 400a
ca. 1810-18	John Cooksey apparently died; widow Zilpha then lived with William
*5 June 1810	Tattnall Co., William & John's names are dropped from jury rolls
30 Jun 1812	Tattnall Co., William filed suit against McFarland for \$83.33
-- Dec 1812	Laurens Co. is cited as the residence of "William Cooksey Sr." in further prosecution of the McFarland case.
*-- Apr 1815	Tattnall Co., McFarland paid court costs and received a stay of execution
22 May 1816	Greene Co., Miss., William Elston Cooksey is said to have married on this date
22 Jun 1818	Tattnall Co., William's suit against McFarland is refiled
Mar 1819	Tattnall Co., suit scheduled to be heard—no further record [Apparent time that William left Georgia]
Aug 1820	Covington Co., Mississippi census
ca. 1821	Covington Co., petition to create new county of Jones

8 Sep 1828 Covington Co., applied for RW pension  
 28 Mar 1829 Covington Co. died  
 [Son J.W. Cooksey's Bible, begun c1843, gave date as 28 May 1828]

### REVISED CHRONOLOGY: PRICE

\*-- Aug 1782 "Cader Price, soldier" of Burke County was among Georgians declared "guilty of treason" by the Georgia legislature after Richmond; property confiscated; some left Georgia for duration of war

\*07 Sep 1790 Cader Price bought land from Robert Braswell, Montgomery County

\*08 Aug 1794 Cader Price deeded all his goods (at his death) to son John Price, secondarily to daughter Elizabeth Pearson & to Caleb Grubbs (son of Hannah Price, wife of James Price)

\*25 Sep 1794 Cader had the Braswell deed recorded

\*-- Jan 1795 Cader is named to jury for next court term

\*17 Aug 1796 Cader had the deed to son John recorded

\*-- Mar 1797 John Price & Wm. Hutchinson sued by Patrick Hays; remanded to Hancock Co.  
 1798 Tax roll has Cader Price, Zachariah Price, "John Price Jr" as consecutive entries

\*15 Sep 1798 Cader paid for a marriage license, apparently for son John

\*25 Sep 1798 John Price deeded back the property to Cader

\*18 Jan 1799 Cader witnessed deed from James Sartain to Thomas Davis

\*March 1799 John Price sued wife Zilphy for divorce, delayed suit, then canceled it

\*14 Oct 1799 Cader deeded to his son John all his property now in John's possession

\*28-29 Oct 1799 Cader recorded the 1798 deed from John and the 1799 deed to John

08 Jan 1800 Infant Cader Price (later Rev.) born to Zilpha Price

\*ca. 1800 Cader Price's probate is opened

ca. 1802 Infant Reuben Price born to Zilpha Price

May 1803-Mar 1804 Zilpha registered for lottery in Tattnall County; John registered in Montgomery

[12 April 1804 Nancy Cooksey allegedly born in Savannah; likely to be Zilpha's child]

\*08 Mar 1806 John Price serves on jury in Montgomery County

\*19 Jan 1808 John Price purchased land from the deputy sheriff, in Montgomery

\*-- Jan 1809 Zilpha Price-John Cooksey took out marriage license; no minister's return  
 [If divorced by Price, she could not remarry under Georgia law]

\*05 Sep 1809 John Price recorded the deed of January 1808

\*ca. 1810 John Price sues and is sued in several Montgomery County cases

\*02 Sep 1811 John Price still alive; he & Mary Watson appear in court to testify [specific case not identified]

### FUTURE WORK NEEDED

#### 1. Montgomery & Tattnall Counties:

Reexamine the records used in this project, extracting all data for **Dougherty, Grubbs, Lott, Pearson, and Watts**. ALSO INCLUDE: John **Allen** (who had 3 accounts in Cader Price estate), Abner & Thomas **Davis**, and James **Sartain** (Cader Price associates in Montgomery); Bani **Boyd** (Cooksey associate in Tattnall).

**2. Chatham County (Savannah):**

Run a thorough search, ca. 1800–20, for **John Cooksey & Zilpha Price**.

**3. Hancock County:**

Search all records of the 1790–1820 period for possible appearances of John Price—specifically for the 1797 case Patrick Hays vs. John Price & William Hutchinson.

**4. Laurens County:**

Search all records prior to 1820, at least, to determine why William Cooksey moved to Laurens, what family members he may have had there, and what his activities were in that county.

**5. State Archives:**

Analytically read (all pages) of the surviving tax rolls for all three counties and extract all data for all surnames of interest.

**6. Online**

Run a search (including censuses) for

- Letitia Cooksey and husband [Daniel?] **Dougherty** [haven't found on 1820 census]
- Mary Cooksey and husband Robert **Watson** [haven't found on 1820 census]
- Elizabeth Price and husband [—?—] **Pearson**
- Henry Cooksey, son of Letitia [possibly used the name Henry **Boyd** as an adult]
- Cader **Grubbs**, son of Hannah Price, wife of James Price [possibly **Hannah Grubbs**]

**7. [Location unknown]**

Track down and search the 1803 cattle-brand register for Montgomery County that is referenced at [www.familytreemaker.genealogy.com/users/s/t/a/Larry7-R-Stanley/FILE/0019page.html](http://www.familytreemaker.genealogy.com/users/s/t/a/Larry7-R-Stanley/FILE/0019page.html).

**8. Library work**

Need to run a literature search in all published materials for both Georgia-at-large and all counties of interest.

—Elizabeth Shown Mills, CG, CGL, FASG

**RESEARCH NOTES:  
MONTGOMERY & TATTNALL COUNTIES, GEORGIA, 1793–1820**

Extractions from microfilmed records held by  
the Family History Library, Salt Lake City

Elizabeth Shown Mills, CG, CGL, FASG  
20 June 2009

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*Note:* These abstracts, extracts, and transcriptions retain the order of the original records, as they were filmed. Because the dates of the various volumes, record series, and films repeatedly overlap, the arrangement is not in chronological order. The following table of contents will help in locating material by *type* of record.

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Smith, <i>The Story of Georgia and the Georgia People, 1732–1860</i> .....	31

**RESEARCH NOTES:  
MONTGOMERY COUNTY**

FHL Microfilm 218,746  
Montgomery County, Georgia  
“General Index to Deeds, Mortgages, Transcribed, 1790–1867”

<b>Alston, James, Mary, et al</b>	to	Aaron Daniel	14 Oct 1803 / 6 Oct 1804	C&G: 417
" "	to	Edward Blackshear	3 Dec 1801? / 10 Oct 1804	B&P: 464–65
" "	to	Edward Blackshear	1 Feb 1806 / 19 Apr 1808	B&P: 231–34
" " of James Spann 18 Oct 1804–19 Apr 1808 G&C: 22–23				

**Barfield / Barfoot: NO****Cooksey: NO**

Cookson, William	to	John Roach	16 Dec 1799 / 1 Jun 1802	A: 302–3
<b>Price, William [of Burke]</b>	to	Solomon Wood	27 Feb 1799 / 20 Jun 1802	C&G: 309
" Daniel [not of Mtgh.]	to	James M. Taylor	25 Jun 1795 / 6 Apr 1805	C&G: 493–94
" Cader	of	Robert Braswell	7 Sep 1790 / 25 Sep 1794	C&G: 13
<b>Watson, Peter &amp; Dianna</b>	to	Pety M. Hanly	12 Apr 1796 / 6 Dec 1802	C&G: 364
<b>Watts, John</b>	to	Archibald Culbraith	12 Mar 1798 / July 23, 1802	C&G: 323

**Wesley: NO**

-----  
FHL Microfilm 218,747  
Montgomery County, Georgia  
“General Index to Deeds & Mortgages, Grantees, 1790–1889”

**Alston:** Many items for James & Philip, including interaction with **Solomon Watson**; did not pursue for want of time.

**Barfield / Barfoot: NO****Cooksey: NO**

<b>Price, Cader</b>	of	Robert Braswell	7 Sep 1790 / 25 Sep 1794	C: 20
" John	of	Cader Price	17 Oct 1796 / 8 Aug 1794	E&F: 37
" Cader	of	John Price	25 Sep 1798 / 28 Oct 1799	E & F: 186
" John	of	Cader Price	14 Oct 1799 / 29 Oct 1799	E & F: 187
" John	of	R.H. Thomas, Dpt Sh	19 Jan 1808 / 5 Sep 1809	<b>D: 385?</b>

**COMMENT:**

This Deed Book D, with documents filed 1809, could not be found.

<b>Watson, Peter</b>	of	Robt. Jackson	8 Jul 1795 / 30 Oct 1812	H: 107
" James	of	Moses Williams	23 Oct 1813 / 12 Apr 1870	CC: 345
<b>Watts, Thomas</b>	of	John Watts	27 Feb 1798 / 26 Jun 1799	E&F: 175

**Wesley: NO**

FHLMicrofilm 218,747  
 Montgomery County, Georgia

**“General Index to Deeds & Mortgages, Grantors, 1790–1889”**

**Alston:** Many items for James, Philip, etc.; did not pursue for want of time.

**Barfield / Barfoot: NO**

**Cooksey: NO**

<b>Cookson, Wm.</b>	to	John Roach	16 Dec 1799 / 11 Jun 1802	G: 151
<b>Price, Wm.</b>	to	Sol Wood	27 Feb 1799 / 20 Jun 1802	G: 157
" Dan'	to	James M. Taylor	25 Jun 1795 / 6 Apr 1805	G: 315
<b>Watson, Peter (Columbia Co.)</b>	to	Fitz Hunt	12 Apr 1796 / 6 Dec 1802	G: 221
<b>Watts, John</b>	to	Arch Culbraith	12 Mch 1798 / 23 Jul 1802	G: 172
" "	to	Thos. Watts	27 Feb 1795 / 26 Jun 1799	E&F: 175

-----

FHLMicrofilm 218,755  
 Montgomery County, Georgia

**Film Label: “General Index to Deeds & Mortgages, Grantees, 1790–1889”**

**Actual Title on Book (new binding): “Deed Record C&G”**

*Note:* All deeds on pp. 1–148 say they were copied from Book B “By order of the Inferior Court of Said County.” There is no date for the copying.

Montgomery Co.  
 Deed Record C&G: 302–03  
 7 December 1799 (drawn)  
 11 June 1802 (recorded)

**William Cookson** {seal} [no wife involved] of Washington County, Georgia, to John Roach of same place. Sale for \$40, 98 acres described as:

Beginning at a pine and running south 20<sup>o</sup> west 48 chains 60 links to an old marked pine, thence N 8y<sup>o</sup> E43 C[hains] 10 L[inks] to a pine and from thence to the beginning.

“...as will more fully appear by a plat of the same annexed to a grant to William Cookson, the 17th of January 1798 and assigned by his excellency James Jackson, Governor.”

Witness: Jas. Hall.

Official: D<sup>d</sup> Blackshear, J.P.

**COMMENT:**

While Cookson might be a misrendering of Cooksey’s name, I have found no evidence yet of a grant made to William Cooksey on that date.

-----  
Montgomery Co.  
Deed Record C&G: 309  
27 February 1799 (drawn)  
20 June 1802 (recorded)

**William Price {X}** [no wife involved] of Burke County, Georgia, to Solomon Wood of Jefferson County. Sale of 200 acres on Little Ohoopee, granted to him, mistakenly, under the name Thomas Price on 1 August 1790.

-----  
FHLMicrofilm 218,756  
Montgomery County, Georgia  
**Deed Book C**

Montgomery Co.  
Deed Book C: 20  
7 September 1790 (drawn)  
25 September 1794 (recorded)

Robert Braswell {R} of Washington County, Georgia, to **Cader Price** of Washington County. Sale for 25£ sterling, land in Washington County on North side of Great Ohoope: 200 acres [*metes & bounds not copied for want of time*]. Witnesses: John Fleetwood; Juniper Hall.

-----  
FHLMicrofilm 218,756  
Montgomery County, Georgia  
**Film Label: "Deeds & Mortgages, Book D, 1794-1882"**  
**Actual title on Book: "Record Book D, Record from \_\_ 179\_ to \_\_\_ \_\_\_ 1796"** [faded ink]

*Note:* An index in the back of the volume was also checked for possible variances from the modern compiled index.

Nothing found.

-----  
FHLMicrofilm 218,756  
Montgomery County, Georgia  
**Film Label: "Deeds & Mortgages, Book EF, 1790-1800"**  
**Actual title on Book: "Plat Book No. 1 Transcribed, Book E & F"**  
**1st page: "Old Book Transcribed No. 1, checked by A."** [undated]\

*Note:* This volume contains numerous entries for Arthur Lott as county clerk, etc. All pages were scanned for non-indexed references to names of interest.

Montgomery Co.

Deeds & Mortgages Book E&F: 37–38

17 October 1796 (drawn)

8 Aug 1794 [*sic*] (recorded)

“Know ye that I, **Cader Price** of the State of Georgia and County of Montgomery, for the consideration of the natural Love, Goodwill and affection that I have and do bear towards my loving son **John Price** of the County aforesaid . . . ” do grant “all my property and possessions (that is to say) all Lands, Negroes, of every kind, together with all Cash, House, Furniture & Plantation tools that I may be possessed of at the [time] of my death or decease after paying all my lawful debts &c. ... And in case it should please God to take the said **John Price** out of time by death, without heirs or Issue begotten of his body, that the above property to be equally divided between my daughters **Elizabeth Pearson** and her children lawfully begotten of her body and **Cader Grubbs** (the son of Hannah Price, the wife of James Price) to be to them and their heirs and assigns forever.”

Signed: Cader Price {X}

Witnesses: Arthur **Lott**, James Sartain

Before: Wm. Green, J.P., Burke County

COMMENTS:

Regarding the two dates given for this document in the transcribed register: the copyist obviously inverted these dates.

The wording of this Deed of Gift (made in lieu of a will) suggests that James Price is still living; if he were son of Cader, then he should be a forced heir who could not be bypassed without a token.

If Hannah Price were the daughter of Cader, then she could legally be bypassed and her share be given to a living child. When grandparents, in their wills, specifically provided for a grandchild with a living mother identified, the typical reason was that the grandchild did not have a legal father to provide for him or her.

If this is indeed the situation in this case, any bequest that Cader Price made to a daughter Hannah, wife of James Price, would automatically become the property of James, who might then run through or otherwise dispose of the property with no provision for the child Hannah had borne prior (or presumably prior) to marrying him.

As for James Price, the only man of this name who registered for the 1805 lottery was then (May 1803–March 1804) residing in Clarke County.

-----  
Montgomery Co.

Deeds & Mortgages Book E&F: 186–87

25 September 1798 (drawn)

28 October 1799 [*sic*] (recorded)

“I, **John Price** [of] Montgomery Co., have for divers good causes and consideration and affection me here moving ... do give, grant, and return back to my well-beloved Father **Cader Price**, Citizen of the County and State aforesaid, all right, title, claim, Interest, or demand which I have ... upon the Estate of my Father, **Cader Price**, which has been derived from a Deed of Gift . . . to wit one Negro girl named **Sarah**, two tracts of land, to wit: One where my Father now lives, containing three hundred acres, and the other situated in Montgomery County adjoining the Ohoope River, containing four hundred acres, also a stock of cattle of about three hundred head marked with a Swallow Fork in Each Ear, two slits and a daft

up? [two slits in a duflap?] also a stock of hogs marked as aforesaid, together with all the household goods then and now in the possession of my father.”

Signed: John Price

Witnesses: W. G. Caldwell

Before: Abner Davis, J.P.

Recorded by Arthur Lott, CSCMC [Clerk, Superior Court, Montgomery County]

-----  
Montgomery Co.

Deeds & Mortgages Book E&F: 187-88

14 October 1799 (drawn)

29 October 1799 (recorded)

**Cader Price** of Montgomery Co., “for love, goodwill and affection” to “my loving son John Price” of same county, grants “All the property both real and personal that the said **John Price** now has in is possession; that is to say, four hundred acres of land on the Big Ohooppee River in said county, where he the said **John Price** now lives; two hundred acres of said land is run & granted in the name of Robuck [Robert?] Braswell & the remaining two hundred acres is run and granted in the name of Robert Braswell [*sic*], and the remaining two hundred acres is run and granted in my own name as by reference to the Plats.” Also cattle [itemized], horses, household & kitchen furnishings, Negro boy named **Bud**, “now in my possession and to be delivered to him.” John’s cattle mark is “swallow fork in each ear and an under heel in the right ear and one slit in the duflaps and branded J P.”

Signed: Cader Price {X}

Witnesses: Thomas Davis, Abner Davis

-----  
FHL Microfilm 218,756  
Montgomery County, Georgia

**Film Label: “Deeds & Mortgages, Book G, 1797-1808”**  
**Actual title on Book: “Deed Record G”**

*Notes:* This transcribed book is also said to be “Checked by A.”

In addition to the indexed entries, several documents dealing with people of interest were found by skimming the pages of the entire book.

Montgomery Co.

Deed Record G: 112-13

20 August 1796 (drawn)

James Hancock {x} of Montgomery County drafted in favor of James Sartain, a promise to execute a deed to 300 acres of Little Ohooppee River. Witnessed by Sherod Swane?

**18 January 1799** (drawn)

James Sartain signed over all interest in the above to Thomas Davis. Witnessed by **Cader Price {x}** and William Hall.

Montgomery Co.  
Deed Book G: 110–11  
18 January 1798 (drawn)

James Sartain {s} to Thomas Davis and Abner Davis, sale of 200 acres in Montgomery Co. on Little Ohooppee River [*description not copied*]. Witnesses: William Hall; **Cader Price {x}**.

COMMENT:

James Sartain, Thomas Davis, and Abner Davis were also witnesses to the deeds executed between Cader and his son John—suggesting that Sartain and the Davises were close friends or kin.

-----  
FHL Microfilm 218,756  
Montgomery County, Georgia

**Deed Book C**

Montgomery Co.  
Deed Book C: 20  
7 September 1790 (drawn)  
25 September 1794 (recorded)

Robert Braswell {R} of Washington County, Georgia to **Cader Price** of Washington County. Sale for 25£ sterling, land in Washington County on North side of Great Ohooppe: 200 acres [*metes & bounds not copied for want of time*]. Witnesses: John Fleetwood; Guneper Hall.

-----  
FHL Microfilm 218,814  
Montgomery County, Georgia

**Film Label: Plat Book, 1700–1882**  
**Spine of Book: Old Field Book—Plats, 1800–1882**

*Index entries:*

Coosei [or Coopej] Wm.	300a	p.14
" " Cannon	280a	p. 71

COMMENT:

The actual plats are for *Cooper* (very clearly written). Irrelevant.

Dougherty:	NO	
Grubbs:	NO	
Price:	NO	
Watts, Thomas	300a	p. 44
Watson, Elisha	250a	p. 101

COMMENT:

I did not work these records for Lotts, but did notice on p. 2 a plat for John Lott Jr. on **Lott's Mill Creek**—indicating that at least one of the Lotts was a miller.

-----  
FHL Microfilm 159,029  
Montgomery County, Georgia

**Film Label: Superior Court Minutes, 1807–1812**

*Notes:* No cover on volume, hence no actual book title.  
Unpaginated volume begins 6 October 1807.  
Each page was read for relevant entries.

Montgomery Co.

Superior Court Minutes, 7 October 1807

State vs. John **Daugherty**,

“Ind<sup>t</sup> [Indictment] for an Assault. True Bill.” [No details provided.]

State vs. James **Alston**

“Ind<sup>t</sup> for assault. The prosecutor acknowledging himself satisfied by leave of the court, a *noli prosigne* is entered.”

COMMENT:

James Alston was a prominent resident of the county. A “No prosecution” is not surprising.

Grand jury for next term:

James **Alston** [first name on list]

-----  
Montgomery Co.

Superior Court Minutes, 10 April 1809

Jury empaneled . . . **James Alston** chosen foreman.

Jury for next term . . . Ephraim **Lott**

-----  
Montgomery Co.

Superior Court Minutes

9 October 1809

Jury for this term: No names of interest

Jury for next term: John **Dougherty** (petit jury)

James **Alston** (grand jury)

1810–12

More of same.

COMMENT:

Next volume of this type, filmed by FHL, does not begin until 1828.

-----  
FHL Microfilm 159,033  
Montgomery County, Georgia

**Film Label: Court Records & Deeds, Miscellaneous Dates [Loose Papers]**

**FHL Catalog Entry:**

Contents: Estate papers 1811 — deeds 1794, 1809, 1838–1839, 1852 —  
appearance docket 1795-1803 — tax digest 1807–1808, 1822, 1837–1838 —  
trial docket 1844–1868 — **clerk’s inventory of office papers 1810** —  
marriage licenses, inventories & wills 1796–1798 —  
Superior Court minutes 1804-1807, 1855 — civil docket 1820–1821.

*Notes:* I read all items. Regarding the wee volume whose description is boldfaced in the above transcription of the catalog entry: the catalog *description* differs (as is usually the case) from the title on the volume itself. The difference matters, especially because the FHL catalog entry implies that the volume covers materials from 1810 forward, while the title of the volume *and the contents* indicate that the volume was prepared in 1810 as an inventory of actions occurring *before 1810*.

**ITEM**

**Cover title: “Montgomery Co. Clerk’s Inventory, Record of Office Papers abt. 1810”**

p. 1

List of Cases

“John Troutman against **John Price, Case**”

“Virgil H. Vivian, Indorsee of William A. Dunham vs. **John Price, Case**”

“Samuel N. Mordecai for the use of J<sup>no</sup> Troutman & **John Pr**\_\_\_ [torn], Case”

“Virgil H. Vivian vs. **John Price, Case**”

[*skip about 2 dozen entries on the list*]

“**Price** vs. Beaty and W. Wyne, *a certiorari* and answer — Levi Glass’s affidavit

[*skip 9 entries*]

“Samuel M. Mordecai vs. **John Price**, writ

**NEXT ITEM**

**“State Papers in the Clerk’s Office in the Superior Court of Montgomery Co.,  
Sept. the 2<sup>nd</sup> 1811”**

[unnumbered page]

“The State vs. **John Daugherty, Assault**”

[unnumbered pp. 11–12, consecutive entries; a list of witnesses to be paid for court appearances]

“**Mary Watson**, attendance at court”

“William Yarbrough, attendance at court”

“James Miller, attendance at court”

“**John Price**, attendance at court”

“Thomas Prestwood, attendance at court”

“William Cooper, attendance at court”

COMMENT:

All six apparently appeared in court on same day. Whether Watson and Price testified in the same case is not known. Both Watson and Price apparently were in court for two consecutive days, judging by the second entry for each of them:

[skip 10 lines]

“**John Price**—oath”

[skip 8 lines]

“**Mary Watson**, attendance at court”

**NEXT ITEM:**

**“Montgomery County Appearance Docket, May 1795–April 1803”**

[Unnumbered p. 2; double-wide pages]

Patrick Hays vs. **John Price** & William Hutchinson, March Term 1797

“*Fi fa* Inquiry removed from Hancock County. This inquiry referred to the County of Hancock.”

**NEXT ITEM:**

**“Montgomery County Appearance Docket, March Term 1799”**

[Unnumbered p. 3; double-wide page]

“Appearance Docket”

“**John Price vs. Zilphy Price, Divorce, 1799**”

[*The right half of this double-wide page carries 2 additional notes:*]

“Amended and Continued” [no date for the action]

“Dismissed by Plaintiff’s request” [no date for the action]

COMMENTS:

In the margin, beside John’s name, there is written “Caldwell”

In the margin, beside Zilphy’s name, there is written “Flournoy”

Caldwell & Flournoy are attorneys who appear frequently in this docket book.

The pages are filmed out of sequence. By matching left/right page data for all cases on that doublewide page, it becomes evident that the left side of this page is filmed opposite the left side of the next docket page, while the right side of this page is filmed opposite the right side of the subsequent docket page.

**No other details provided.** This docket stops with April 1803; the next filmed docket begins March 1856.

Cader Price, son of Zilphy, was born 8 January 1800 (according to tombstone)

-----

**ITEM:**

**“Montgomery County Superior Court Minutes [beginning] January 1795”**

Jurors for next term:

**Kader Price & .....**

COMMENT:

Many names on this list are torn away

5 July 1797

Jurors for next term .....

COMMENT:

Again, many names are torn away

**ITEM:**

**“Montgomery County Marriage Licenses, Inventories and Wills, 1796–1798”**

Sheet 1

Undated list of Bonds, numbered 1–61

**Cooksey: NO**

**Price: NO**

Sheet 4

**“Cader Price Deca [No date]**

25. Inventory & appraisement

25. Account of sales

25. John Allen’s A/C

25. John Allen’s A/C

25. Statement of Estate

25. John Allen’s A/C

25. Dan Inman’s A/C

25. W<sup>m</sup> M<sup>c</sup> Daniel Return

25. Statement of Estate

25. A return rendered”

COMMENT:

“25” appears to be the number of Cader’s estate packet. His death would have occurred after 18 January 1799, the date on which he witnessed James Sartain’s assignment of interest in land to Thomas Davis.

[Unnumbered sheet]

“List of Marriage Licenses beginning March 22, 1796”

**“Cader Price September 15th 1798”**

COMMENT:

This is likely very relevant to the repeated exchanges between Cader and John. In 1794, Cader drafted a deed of gift declaring that at his death everything he owned should go to his son John. On 25 September 1798—10 days after the above license—John deeded back that promised gift.

**ITEM:**

**“Montgomery County, Superior Court Minutes, 1804–1806”**

Wednesday, October 8th 1806

Jury No. 2 heard case of Mitchel vs. Peterson et al. **John Price** is on Jury.

**COMMENT:**

Considering that Zilpha bore no more Price children after 1802, while John was still alive, it appears that they did not remain together.

---

**RESEARCH NOTES:**

**TATTNALL COUNTY**

FHLMicrofilm 218,823  
Tatnall County, Georgia

**Film Label: “Montgomery Co. Ga., Court Minutes, 1809-1818”**

**Cover label: “Book C”**

**Inside cover label: “Minutes of Court of Ordinary, ... from 1809 to 1818,  
Transcribed August 1922 By J. C. McAllister, Ordinary”**

*Note:* This filmed volume is the original volume, not the transcribed one.

*Index:*

Alston No  
Barfield: No  
Cooksey: No  
Daugherty: No  
Elston: No  
Price: No  
Wesley: No  
Watson: No

FHLMicrofilm 206,364  
Tattnall County, Georgia  
**Film Label: "Deeds & Mortgages, A, B, C, D, 1802-1835"**  
**Spine of Book: Deed Record A, B, C, D**

*Note:* This transcribed book appears to have been made in the early-to-mid 1800s, judging by style of writing, browning of paper, etc.

**Nothing found.**

-----  
FHLMicrofilm 206,364  
Tattnall County, Georgia  
**Film Label: "Deeds & Mortgages, Book DEF, 1838-1868"**

*Note:* This transcribed volume is a typescript.

**Nothing found.**

One "William A. Coursey/Courcy" executed deeds from 1835 forward. No deeds contained details suggesting he was part of the family of interest.

-----  
FHLMicrofilm 206,463, Item 2  
Tattnall County, Georgia  
**Film Label: "Minutes, 1805-1823"**  
**Spine of book: "Superior Court Minutes, 1805-1823"**

*Note:* Unindexed. Scanned every page. Most pages carry no number.

Tattnall County  
Superior Court Minutes, 1805-23, p. 3  
April 1805  
Petit jurors for October Term 1805 to include **Wm. Cooksey**.

October Term  
Cooksey was not among those called.

14 April 1806  
Petit jury list no. 1: Jonathan **Watson**  
Petit jury list no. 2: Absalom **Lott**

13 October 1806  
Petit jury list no. 1: John **Watson**  
Petit jury list no. 2: [no names of interest]

13 April 1807

“The following persons appeared and took their seats [Petit jury] . . . **Wm. Cooksey.**”

Petit jury list no. 2: Simon **Lott**

Jurors named for October term—grand & petit:

Petit jury: Absalom **Lott**, John **Watson**

October Term 1807

Jurors seated, grand and petit: No names of interest

Jurors drawn for April 1808 term:

Grand jury: **Wm. Cooksey** (no. 13 on list); John **Watts** (no. 25 on list)

Petit jury: Jonathan **Watson**, Simon **Lott**, Arthur **Lott**

COMMENT:

Clearly, the county made no distinction between “qualifications” for grand and petit jury lists. Arthur Lott, named to the petit jury, was a major landholder who had been the county court clerk for several years.

10 October 1808

Jurors drawn for next term (April 1809):

Grand jury: Jno. **Watts**

Petit jury: Wm. **Lott**

17 April 1809

Jurors drawn for next term (October 1809):

Grand jury: [no names of interest]

Petit jury **Jno. Cooksey**, Simon **Lott**, Elisha **Parker**, Arthur **Lott**

October 1809

Petit jury: [**Jno. Cooksey** is not seated]

Jurors drawn for next term (April 1810):

Grand jury: [no names of interest]

Petit jury: **Wm. Cooksey**

COMMENTS:

**This is the last known appearance of William Cooksey as an actual resident of Tattnall.** A land grant issued to him in 1810 (400a.) places the land in Montgomery County. Meanwhile, the county boundary lines changed. William, whose residence lay along the old line on the Tattnall side, was cut away into Montgomery.

[1810–14]

COMMENTS:

No further Cooksey or Price entries. Lotts and Watsons continue to appear. Throughout this period, the court was regularly presenting and trying couples for adultery and fornication. There was, in fact, a whole rash of such trials. This social climate of relative laxity on the part of the populace and attempts to enforce morality by county officials should be borne in mind when assessing the circumstances that Zilpha Price and Lettice Cooksy lived through.

April 1815

**Wm. Cooksey** v. John B. McFarland

“The defendant Jno. B. McFarland came forward, paid costs, and John McArthur offering himself security for the stay of execution in terms of the act of the general assembly in such cases, made & approved. Execution staid appropriately. [Signed] J. B. McFarland [an especially good signature]; John McArthur.

December 1816 Term

COMMENT:

The **Watts**, and most **Lott** and **Watson** males are missing now from the jury lists. Possibly this is the period in which they migrated to Mississippi.

Robert Watson, husband of Mary Cooksey, has not appeared on any list.

23 October 1820

COMMENT:

Did not read the book past this point.

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FHLMicrofilm 206,454  
Tattnall County, Georgia

**Film Label: “Tattnall Co. Land Grants, 1802–1837 [typescript]**

**Cooksey: NO**

Doughterty: NO

Price: NO

Watson: John, p. 297

Jonathan, 35, 123, 134

Robert: NO

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FHLMicrofilm 206,434  
Tattnall County, Georgia

**Film Label: “Tattnall Co. Inferior Court Minutes, 1805–1816”**

**Spine of book: “Minutes of Inferior Court (Ordinary Purposes), 1805–1816”**

*Note:* This volume—which appears to be the original—treats roads, tavern licenses, estate appraisals and administrations, appointments, alterations to tax lists (as when individuals moved away), etc.

Unpaginated. Unindexed. I scanned all pages for relevant names.

6 March 1809

**William Cooksey** took oath as juror for Inferior Court

[At end of minutes for this term:]

Jurors drawn for next term: **William Cooksey**

Aug Term 1809  
No relevant entries.

20 October 1809  
One order issued. No mention of jurors.

5 June 1810  
“This being the day appointed for correcting the jury list. The following persons were selected to serve as grand jurors. ...”

COMMENT:

This list of about 5 dozen names represents the master list for the year. No Cooksey.

**Cooksey: No**  
**Watt: No**  
**Lotts: Yes.**

5 August 1811  
“At this time an application of Bani Boid [Boyd] for leave to take an Illegitimate child of **Lettice Cooksey, now Lettice Daugherty** and to maintain and support the same. It is ordered that the said Boid do take the said **Child, Henry Cooksey** & shall keep & support him.”

COMMENT:

Leticia aka “Lettice” and “Letty” Cooksey is a name given by Zilpha Price Cooksey to a child born about 1809–10 (by husband John Cooksey), the odds are extremely high that the above Lettice is a previously unidentified family member—likely a sister of John and daughter of William.

Under bastardy laws of the era, an illegitimate child who did not have parental support could be taken from the mother and bound out to earn his or her own keep. However, those to whom children were bound were typically respectable members of the community—family men, whose wives would help raise the children.

That does not appear to be the case with Banijah “Bani” Boyd. On 27 February 1810 he married Nancy Bowen (whose family appears *many* times in the court records charged with almost ever offense possible). On 24 September 1816, Bani filed for divorce saying that Nancy had left him and had committed adultery. When a summons was issued to her, she was not to be found in the county. Less than a month later, on 23 March 1816, Bani was accused of “stealing a daughter of Andrew Bird’s, contrary to the will of her father.” (See Sabina J. Murray, *Tattnall County, Georgia, Loose Papers, 1801–1845*, vol. 1 (Homerville, Ga.: Huxford Genealogical Society, 2005), 79–80, 83, 89, 102.

Re Dougherty: The record books previously abstracted in this project have not searched for Dougherty, given that the connection was not previously known. From this point forward, the surname was included in an effort to find more on Lettice and her husband.

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3 August 1812

“Angus McLeod is appointed surveyor of the road from **Dougherty’s Ferry** on the Ohoopie to the county line of Montgomery and to have the same hands to work on said road that was appointed to work under the late [i.e., former] surveyor, John B. McFarland, Esq.”

COMMENTS:

1. McFarland is still alive. He has “moved up” from surveyor to county justice.
2. McFarland is the man who apparently rented or bought William Cooksey’s land when William moved to Montgomery County
3. Dougherty lived very near the Montgomery County line. Usually road crews were appointed for 2- to 3-mile stretches.
4. One **Dempsey Dougherty** also appears regularly in this period in Superior Court records, being charged with adultery with Polly Pierce. (Eventually, they moved off. In 1820, Dempsey (but not Daniel) was a resident of Appling County, Georgia.)
5. One **Daniel Dougherty** is also cited occasionally in these minutes.

[Same term, 3 entries later]

Road orders to run from McLeod’s Ferry on Ohoopie to James Temples’ on Canowhee. Crew for “upper” part of this road included **Bani Boyd** [the man who petitioned to take Lettice Cooksey Dougherty’s child.

[same term]

“At this time, Allen Johnson presented an account of **Arthur Lott** as commissioner for running the dividing line between Tattall and Montgomery counties . . . \$18.

COMMENT:

The boundary line moved between the two counties, with the southwestern corner of Tattall being assigned to Montgomery. The old and new lines are displayed in William Thorndale and William Dollarhide, *Map Guide to the U.S. Federal Censuses, 1790–1920* (n.p.: p.p., 1985), “Georgia, 1790–1920” map set.

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FHLMicrofilm 206,434, Item 2  
Tattall County, Georgia

**Film Label: “Tattall Co. Inferior Court Minutes, 1805–1839”**  
**Spine of book: “Inferior Court Sitting for Ordinary Purposes, 1805–1839”**

*Notes:* The volume appears to be an original; however, parts of this book (as noted below) are copied from another book that has overlapping dates. The other volume began in 1809.

This volume begins with March Term 1805.

Unpaginated. Unindexed. I scanned all pages for relevant names.

8 July 1806

Road to be laid out “from Montgomery line at or near **Thomas Watts** and to intersect the Savannah Road.

COMMENT:

Obviously Watts, like Cooksey, lived along the Montgomery County line. In 1820 Covington County, Mississippi, this Thomas Watts would live two houses from William and Zilphy.

6 March 1809

**Wm Cooksey** is sworn in to serve as juror of the Inferior Court

**Wm Cooksey**'s name is drawn to serve at next term.

“Ordered—Road to be opened from “**Daniel Daugherty’s ferry** on Ohoopie to fall into the Savannah Road at or near John McClendon’s on Thomas Creek.”

COMMENT:

This Daniel Daugherty is clearly in William Cooksey’s neighborhood—i.e., within “courting range” of any daughters in the Cooksey household.

Daugherty, as a ferry owner, appears to be an older, more-established, and relatively wealthy man—the type that might marry a young girl who has suffered some disgrace, offering her a chance to regain respectability in return for his privilege of having a much younger wife.

Preliminary efforts to find Daugherty and Henry Cooksey on the 1820 and later censuses have not been successful. I did not have time in this project to conduct the needed probate and deed searches for Daughertys.

April 1810

Master list of jurors for year:

**Cooksey: No**

**Daugherty: 1 entry for “D. Daugherty”**

Stephen Bowen vs. **Daugherty**: Jury fined the plaintiff \$4.65 plus costs.

Jno. B. McFarland is appointed overseer of road from **Daugherty’s Ferry** on the Ohoopie, passing Alex. McLeod to the County Line. No Cookseys on the crew assigned to help him.

COMMENT:

McFarland is the former surveyor and soon-to-be justice of the Inferior Court who, in October 1809, became indebted to William Cooksey, with McLeod as his surety. See my prior report, “Cookseys in Tattall County, Georgia, Loose Papers,” dated 15 December 2008.

William Eason is appointed overseer of road from **Daniel Daugherty’s Ferry** on the Ohoopie to intersect with the Savannah Road at or near the plantation of Jno. McLellan. . . . **Elisha Parker** to serve on crew.

[1810–11 period]

COMMENT:

These minutes seem to duplicate those in the other volume. Comparing the two books, the portion of this one that overlaps the 1805–1816 volume appears to be a copy of the other. The handwriting is much neater—as with a copyist, rather than someone composing text as they wrote—and the long jury list of 1810 in this volume has initials for first names, while the version in the other book writes out the names in full.

[1813–16 period]

COMMENT:

For want of time, I am not rereading the 1813–16 period that I’ve already read in the original volume.

p. 94 [*sic*]

15 August 1818

Master list of jurors (nearly 300, apparently grouped by militia district). No **Daughertys** or **Cookseys** on either list:

Petit jury:

No. 49 **Cader** Hancock [see comments]

No. 50 Bani Boyd [the man who took Lettice (Cooksey) Daugherty’s child in 1811]

No. 63 **Robert Watson** [apparently the man who married Mary Cooksey in 1810]

Grand jury:

No. 34 Elisha **Parker**

No. 38 William Hancock

COMMENT:

The given name Cader is extremely rare in this county. The only individuals of this name I have identified up to this point are

- Cader Price, Sr., Montgomery County, 1790s
- Cader Price, son of Zilphy, b. ca. 1799–1800
- Cader Grubbs, son of Hannah Price (wife of James), b. before August 1794

Cader Hancock appears to be the son of James Hancock, tavernkeeper, whose widow Gerton (or Geston) Hancock is at this point running the tavern. Hancock’s inventory appears in this volume at p. 108.

[1818–1820 period]

COMMENT:

Nothing further of obvious value. Stopped reading at start of 1820.

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**RESEARCH NOTES:  
REVOLUTIONARY-ERA RECORDS OF GEORGIA**

Allen D. Candler, *The Revolutionary Records of the State of Georgia*, 3 vols. (Atlanta: Franklin-Turner Co., 1908), 3:173–4:

“August 1782. The Committee to whom were refered the revision of an Act of Inflicting Penalties on, and confiscating the estates of such Persons as are therein declared guilty of Treason, and for other Purposes therein mentioned, Reported as follow, which was agreed to [the subsequent and long list of those indicted included:]

Burke Co.  
**Cader Price** ..... Soldier

“The Committee also Report as their Unanimous Opinion that none of the Persons before mentioned, shall be eligible to hold any Place of Trust Profit or Honor in this State or be entitled to vote at any election till three Years after the end of the Present war.”

p. 179:

List of those who must serve in the army or furnish a substitute . . . **Cader Price**.

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George Gilman Smith, *The Story of Georgia and the Georgia People, 1732–1860* (Macon, Ga.: G. G. Smith, 1900), 102–104:

“After Augusta was evacuated [by the British] the wandering State government returned to its old quarters there. . . . The legal capital was Savannah and the Legislature met at Ebenezer, the nearest point to it, and in July, 1782, after the city of Savannah was again in the hands of the Americans, the Assembly adjourned to meet there. . . . it would seem the act was passed in Savannah. [Smith here presents a dispute over the location.] It was the act of five years before with the number of the denounced largely increased. Without giving the accused a hearing, merely on a suspicion of their disloyalty, or because of a rumor that they had not been true to the American cause, they were sentenced to the penalty of confiscation and banishment. . . . Those denounced ... were:

Charles Watts . . .  
Wm. Bosomworth [associate at Savannah of William Cooksey, settler from Worcester] ...  
Charles Watts [again, much further in the list] . . .  
Tim Bernard [a Savannah associate of William of Worcester and his brother-in-law, Isaac Young]  
...  
**Cader Price**

**COMMENT:**

I have not yet pursued that “act of five years before” to see if Cader is named there.