



ELIZABETH SHOWN MILLS

Certified GenealogistSM Certified Genealogical LecturerSM
Fellow & Past President, American Society of Genealogists
Trustee & Past President, Board for Certification of Genealogists

141 Settlers Way, Hendersonville, TN 37075 • eshown@comcast.net

DATE: 15 December 2008

REPORT TO: Personal Files

SUBJECT: Cookseys in Tattnall County, Georgia, Loose Papers

RESOURCE: Sabina J. Murray, *Tattnall County, Georgia, Loose Papers: 1801–1845*, 2 vols. (Homerville, Ga.: Huxford Genealogical Society, 2005–7), vol. 1, 1801–1845.

BACKGROUND: William Cooksey, a Georgia Revolutionary Soldier, is said to have lived in Tattnall County from its creation (1801) until *ca.* 1818, at which time he is said to have moved to Mississippi. He is also said to be the father of two other males who might appear in this set of records: a John Cooksey (who is said to have married Zilpha Price in 1809, Tattnall) and William Elston Cooksey (allegedly born 1788; m. Flora McPherson in 1816, Russell County, Alabama)

TASK: Extract data on (a) all Cookseys of any variant spelling; (b) all individuals known to have been connected to Cookseys; and (c) any records on Cooksey's inlaws, the Prices.

FINDINGS:

Elston:	Nothing
Price:	Nothing
Cooksey:	No record of John Cooksey; indirect reference to William Cooksey Jr.

William Cooksey aka "William Cooksey Senr." appears in seven records, as follows:

April 1807, service one time as grand juror.

October 1809–March 1819. Cooksey apparently rented or sold his land, in fall 1809, to one John McFarland, who signed four notes promising payments of \$23.33 to \$30 annually from 2 January 1810 through 2 January 1813. McFarland did not make good the notes, as due. Cooksey sued in summer 1812. Between then and 1819, he won two judgments against McFarland but, over the decade following his contract with McFarland, he netted only two partial payments in the form of seed cotton deposited with the owners of the local cotton gin.

MAJOR ITEMS:

1. Because 60 was the common maximum age for mandatory jury service in Georgia at that time, William's latest possible birth year might be placed at about 1747.
2. Before December 1812, William Cooksey had moved to Laurens County, Georgia.
3. A December 1812 reference to him as "William Cooksey Senr." implies there was an adult William Cooksey Junr" in Tattnall that year—ostensibly his son William Elston Cooksey, whose birth could thereby be placed as some time before 1791.
4. The court actions suggest that Cooksey's removal to Mississippi can be narrowed to a date between March 1819 and the official date of the next federal census (the first Monday of August 1820).

RESEARCH NOTES

BACKGROUND ON THE RECORDS:

"Introduction" by E. L. "Boe" Williams (pp. v–vi)

"These loose papers consist of civil and criminal court citations, indictments and sentences; Grand Jury charges; arrest warrants; witness examinations; depositions; apprentice bonds; bastardy bonds; fidelity bonds; adultery charges; divorce decrees; and so on. . . .

"These abstracts were copied directly from the original documents contained in boxes in the Tattnall County Courthouse attic. ... They have never been photocopied nor have they been reproduced on microfilm or microfiche. Therefore, the only way to read these documents, other than in this book, is to go to the Courthouse, where it is difficult to locate the records or even gain access to them. ...

"While most of the personal names were transcribed exactly as they were written in the original document, when it was clear that a name was simply misspelled, it was corrected so as not to confuse the reader. In cases where the 'correct' spelling was not apparent one way or another, the several spellings were retained and are so noted in those alterations in the name index.

COMMENT BY ESM:

In other words, when the abstractor/transcriber made alterations and felt confident that she knew what the "correct" name was, readers have no way of knowing that the alteration was made.

"The loose papers were originally transcribed during the mid-1970s, but only now are they being compiled and published by the Huxford Genealogical Society, thanks to the generosity of Sabina J. Murray, a long-time and valued member of its Board."

"Acknowledgements" by Sabina J. Murray (p. vii):

"This book would not have been possible if [the] President of the Tattnall County Historical Society at the time, had not been gracious enough to trust me to take the records home to be abstracted. ... I am not a typist, and that was the main problem that hindered me from publishing the records many years earlier even though I wanted to do so. ... To all my friends, relatives and members of the Huxford Genealogical Society who volunteered to read my handwriting and type the records so this book would be possible, I would like to express my eternal gratitude."

"Preface" by Murray (pp. xi–xiii)

"In the summer of 1974 my aunt, Elizabeth Perry, and I went to Tattnall County Courthouse in Reidsville, Georgia, to find out more about our ancestors. ... After we had searched all the records downstairs, we asked to go upstairs. ...The courthouse employees considered these old papers to be worthless. ... Fortunately, Miss Lillian Eason, the President of the Tattnall County Historical Society, had allowed us to copy many of those original records found on the third floor. How grateful we were for that privilege, because we found many of those original records missing several years later when we put them in file order. ... On July 10, 1978, I went by Reidsville again to see the records had been microfilmed, but they had not. ... Miss Eason ... asked, 'Would you like to take them home today?' ...

"I never dreamed it would take a year to abstract the records from 1801 to 1870. At first I wondered how I would be able to read all of the writings. Many were a variation of Old English handwriting, and

the letters and numerals were formed differently from today. Many words and names were spelled phonetically and little punctuation was used.

"In August 1979 my family and I took the last of the records back to Tattnall County. I asked Miss Eason if she would like for us to take them to the Georgia Archives in Atlanta to be microfilmed and she happily agreed. ... I do not know why, but the records were never microfilmed, and eventually they were returned to Tattnall County and placed back on the third floor of the courthouse."

Murray, p. 33

"April Term 1807 Grand Jury

Asa Travis	Francis Durrance	Jesse Byrd, Senr.	John Watts (3)
William Cooksey	Thos. Armstrong (2)	Howell Sasser	Simon Whites
Sampson Carver (2)	Clement Bryan	Moses Westberry (2)	Littleton Wyche (4)
Jno. B. Bennett	Jeremh. McDonald (3)	John McClelland (3)	Jno. McClendon
Reuben Nail (3)	Joseph Collins	Jas. Perry	William Hall

COMMENT BY ESM:

This set of abstracts/transcripts contains similar lists for 19 terms of court during the period in which William Cooksey might have been in the county.

- April 1806
- October 1806
- April 1807
- April 1809
- October 1809
- May 1811
- May 1812
- November 1812
- May 1813
- May 1814
- November 1814
- April 1816
- November 1816
- April 1817
- April 1818
- October 1818
- March 1819 (& April 1819)
- April 1820

Typically, 19–22 grand jurors were called for each session. Almost all of the men were called several times each. **This April 1807 term is the last for which Cooksey appears.**

Murray, p. 48

"18 October 1809 - {Note} I promise to pay to **William Cooksey** \$30 on 2 January 1813 as follows: Young cows and calves at \$10 and other cattle in proportion. Merchantable hogs at the price they are now.

Peach brandy \$1 per bushel
Wheat \$1 per bushel.
Seed cotton \$3 per hundred [pounds] delivered at a machine [i.e., cotton gin].
[signed] John McFarland

Witnesses: Alexander Macleod, Joseph Jones.

18 October 1809 - {Note} On 2 January 1811, I promise to pay William Cooksey \$23.33.
{Merchandise same as above note} John McFarland

18 October 1809 - {Note} On 2 January 1811, I promise to pay William Cooksey \$30.
{Merchandise same as above note} John McFarland

18 October 1809 - {Note} On 2 January 1813, I promise to pay William Cooksey \$23.33.

{Merchandise same as above note}

John McFarland

COMMENTS BY ESM:

There are clearly date problems with the four above notes. The abstract or transcript [we cannot be certain which it is] shows four notes executed on the same day. Supposedly, two are payable, but in differing amounts, on the same day in 1811, while the other two are payable--also in the same differing amounts—on the same day in 1813. Three points need considering here:

- It is illogical that two separate notes would be due on the same day by the same person, to the same person, all payable in the same merchandise.
- The typical pattern in this era,—when multiple notes were given by one party to another, extending several years in advance—was for the notes to represent a series of annual payments, each due on the same month and day. Typically, such notes were given for the purchase of land or repayment of money advanced to them.
- In this case, McFarland gave four notes, with the last of them due four years in advance. The logical sequence would be for the four to be due "on or before" (1) 2 January 1810; (2) 2 January 1811; (3) 2 January 1812; and (4) 2 January 1813. It seems probable that two of the four dates above (1811, 1811, 1813, 1813) were wrongly read or wrongly typed.

One other clue to Cooksey's activities and circumstances can be gleaned from these notes

- A study of all the other unpaid notes taken to court (as abstracted in this book), suggests that McFarland may have executed an agreement to *rent* Cooksey's land, rather than purchase it. Other prosecuted notes that dealt with promises of cash involved land *sales*, while prosecuted notes that were to be paid in produce are said to involve land *rentals*.

Murray, p. 55

May 1811

The grand jury requested that a presentment be published in the *Georgia Journal*.

COMMENT BY ESM:

This note identifies for us the newspaper in which Tattnall County's legal notices were published in that era. This newspaper should be read for other possible information on Cooksey.

Murray, p. 57

"25 December 1811 {Receipt} Received of John McFarland 1,500 weight of good merchantable seed cotton at my machine for **William Cooksey, Senr.** M. McIntosh."

COMMENT BY ESM:

The "correction" of the due dates for the 4 notes would have McFarland owing \$30.00 on or before 2 January 1812, plus \$53.33 for 1810 and 1811—a total of \$83.33 at this point. The 1500 pounds of seed cotton credited to Cooksey on 25 December 1811 would, at the prices stipulated in the note, be worth \$45.

Murray, p. 60

"**30 June 1812** - {*Petition*} **William Cooksey** says John B. McFarland owes him \$83.33 on a note dated 1809.

"**13 April 1815**- It is considered that the plaintiff recover against the defendant the sum of \$60.44 and for his costs."

COMMENT BY ESM:

By the time Cooksey took McFarland to court, three of the four notes of 1809 were due, totaling \$83.33. By the time the case was settled in 1815, the last of the four notes had come due, making a total of \$106.66 that McFarland owed, minus any payments. Murray's abstract of the 1812 document implies that nothing had been paid toward the \$83.33. However, if one subtracts the \$45 value of the seed cotton left at McIntosh's gin from the total \$106.66, the difference is \$61.66—roughly the amount (\$60.44) that the jury awarded Cooksey in April 1815.

Murray, p. 63

"**30 December 1812**-{*Note*} This day I received of John B. MacFarland at my machine {cotton gin} for **William Cooksey, Senr. of Laurens County, 2,778 wt.** of good merchantable seed cotton. William Ellis

Witness: M. McIntosh"

COMMENT BY ESM:

This installment of 2,778 lbs. of cotton should be worth \$93. This sum does not appear to be factored into the judgment of 13 April 1815—or the subsequent judgment in October 1818.

Murray, p. 95

"**22 June 1818**-{*Petition*} **William Cooksey** says John McFarland owes him \$83.33 1/3 on notes dated 18 October 1809.

October Term 1818 - We find for the defendant with costs of suit so say we all. Jno. T. Sharpe, Foreman."

Murray, p. 102

"**16 March 1819** - {*Summons*} Daniel Highsmith, you are commanded to appear at court on the fourth Thursday in March to testify for the case, **William Cooksey** vs. J. B. MacFarland. James Perry, Clk"

COMMENT BY ESM:

There is no further prosecution of the case, suggesting that Cooksey abandoned it—unless other records appear in the filmed records that I'll search in the next block of research. For the time being, this record serves to date the approximate time of his removal to Mississippi.

COOKSEY ASSOCIATES

JOHN MCFARLAND

COMMENT BY ESM:

There appear to have been two men named John B. McFarland in the county in this era, one a man of substance (usually called John B. or J. B.) and one of little means (usually called John).

John (B.) McFarland, debtor

Murray, p. 62

"18 December 1812-*{Note}* Mrs. Sally McLeod. Plan to pay **John B. McFarland** \$8. James Alston."

Murray, p. 63

[abstracted consecutively with the above]

"25 December 1811 *{Receipt}* Received of **John McFarland** 1,500 weight of good merchantable seed cotton at my machine for William Cooksey, Senr. M. McIntosh."

Murray, p. 95

"22 June 1818-*{Petition}* **William Cooksey** says **John McFarland** owes him \$83.33 1/3 on notes dated 18 October 1809.

October Term 1818 - We find for the defendant with costs of suit so say we all. Jno. T. Sharpe, Foreman."

Murray, p. 108

"7 April 1820-*{Affidavit}* Duncan McDuffie says **John McFarland** is indebted to him for \$175 on a note and that he is apprehensive that he will lose the whole or some part unless the defendant is held to bail."

Murray, p. 127

"10 November 1822-*{Petition}* Duncan McDuffie says **John McFarland** owes him \$175 on a note dated 20 Oct 1819."

John B. McFarland, justice

11 March 1811 J. B. MacFarland is justice of the inferior court

May 1813 Grand jurors include John B. McFarland

May 1814 Grand jurors include John B. McFarland

November 1814: Grand jurors included J. B. McFarland

April 1816: Grand jurors included J. B. McFarland

5 August 1816 **John B. McFarland** is bondsman for Daniel Johnson, constable

October 1818: Grand jurors included J. B. McFarland

April 1819: Grand jurors included J. B. McFarland

April 1821 J. B. McFarland is a justice of the peace

August 1829 J. B. McFarland is still a justice of the peace

October 1831 J. B. McFarland & J. J. McFarland are sued by Joseph English who wins the case

October 1833 New trial opened on case case.

ALEXANDER McLEOD

Murray, p. 48

"18 October 1809 - {*Note*} I promise to pay to **William Cooksey** \$30 on 2 January 1813 as follows: Young cows and calves at \$10 and other cattle I proportion. Merchantable hogs at the price they are now. [etc.] John McFarland

Witnesses: **Alexander Macleod**, Joseph Jones.

Murray, p. 52

"26 October 1810-{*Note*} I promise to pay on 1 April 1812 to Daniel Daugharty \$28.50 for value received.

Alexander McLeod

"Received on 13 December 1813 the full amount of note. Josiah Sikes."

Murray, p. 58

"4 March 1812 {*Receipt*} Received of Angus McLeod as Administrator of the Estate of Alexander McLeod, deceased, \$2.50

"6 March 1812 -{*Receipt*} Received of Angus McLeod, Administrator of the Estate of Ale. McLeod, Jnur., deceased, \$100. It being in full of debts and demands previous to this date. Dempsey McLeod."

Murray, p. 59

"5 April 1812-{*Note*} Received of Angus McLeod, \$.50 for services rendered Mrs. Sarah McLeod. B. Boyd."

pp. 63, 64, 66, 70, 74, 76, 121, 140

More matters dealing with the estate of Alexander McLeod, Jr., administered by Angus McLeod. Nothing sheds additional light on Cooksey, except p. 70: Buyers at the McLeod estate included John Ellis, who owned the gin where cotton was deposited on William Cooksey's account.

JOSEPH JONES

The only entry for Jones that appears in this volume is the one entry in which he witnessed McFarland's signing of the notes to Cooksey.

MISCELLANY

COMMENT BY ESM:

The papers abstracted in this volume represents the greatest frequency of cases involving bastardy, adultery and/or fornication, and wife beating of any set of county records I can recall using anywhere! This county, which spawned William Cooksey's step-son, the Rev. Cader Price, was definitely a fertile ground for ministers to till.