



Guide to the Records of Miscellaneous Court Records Collection

Edited by John A. Jackson, 2008

Updated by Salina Wiggins, 2018

Baldwin County Department of Archives and History
305 E. 2nd Street – Bay Minette, Alabama 36507

A project of the Baldwin County Department of Archives and History

©Baldwin County Archives. All rights reserved.

TABLE OF CONTENTS

Collection Summary

Administration Information

Index Terms

Agency History

Scope and Content

Arrangement

Restrictions

Inventory

COLLECTION SUMMARY

Location: A1D4
Title: Miscellaneous Court Records
Dates: 1801-1825
Quantity: 3 linear inches
Identification:

Abstract: Assorted handwritten legal and court documents dating from 1801-1825 pertaining to cases in what is now Baldwin County, Alabama

| | |
|----------------------|---|
| Contact Information: | Baldwin County Archives and History |
| | 305 E. 2 nd Street |
| | Bay Minette, Alabama 36507 |
| | Telephone: (251) 580-1897 |
| | Email: fanderson@baldwincountyal.gov |
| | URL: www.baldwincountyal.gov |

Preferred Citation
MCRecords

Acquisition Information

On request, Fort Morgan, which had held the papers for several years, presented the documents to the Baldwin County Department of Archives and History during dedication ceremonies of the new archives facility on February 13, 2006.

Processing Information

In processing the collection, the original documents were placed between interleaving archival cotton sheets, and placed in acid-free folders and storage box.

Index Terms

Researchers seeking materials on related subjects, people, and issues should search the catalog by using these terms:

| | Folders |
|-----------------------|----------------|
| Austin, John | 30 |
| Baldwin, Benjamin | 4 |
| Baldwin, William | 9, 17 |
| Bates, Joseph Sr. | 13 |
| Baldwin County Court | 10-21 |
| Baldwin Circuit Court | 22-33 |
| Beddo, James | 30 |
| Blakeley | 33 |
| Brightwell, Theodore | 4, 6, 14 |
| Bryne, Patrick | 26 |
| Bryne, Thomas | 26 |
| Callier, John | 1 |
| Callier, Robert | 7 |
| Carson, John | 6 |
| Cobb, Joseph | 9, 17 |
| Conaway, Jeremiah | 18 |
| Coneway, Terry | 10 |
| Dannelly, James | 6 |
| Darling, Dennison | 19 |
| Dease, John | 13 |
| Dinsmore, Silas | 32 |
| DuBroca, Benjamin | 5, 8 |
| Espey, Lemuel | 16 |
| Espey, Wyley | 16 |
| Etheridge, White | 15 |

| | |
|----------------------|------------|
| Ferguson, David | 14 |
| Furman, Edward | 27 |
| Garrett, Thomas | 2 |
| Gould, George | 22, 25 |
| Graham, Theodore | 24 |
| Greene, Allan | 2 |
| Griffin, John | 16 |
| Haines, Samuel | 26, 29, 33 |
| Hainesworth, Richard | 19 |
| Hansell, Phillip | 29 |
| Henry, Lemuel | 8, 21 |
| Herod, John | 12 |
| Hinson, John | 16 |
| Dinsmore, Silas | 32 |
| DuBroca, Benjamin | 5, 8 |
| Espey, Lemuel | 16 |
| Espey, Wyley | 16 |
| Etheridge, White | 15 |
| Ferguson, David | 14 |
| Furman, Edward | 27 |
| Garrett, Thomas | 2 |
| Gould, George | 22, 25 |
| Graham, Theodore | 24 |
| Greene, Allan | 2 |
| Griffin, John | 16 |
| Haines, Samuel | 26, 29, 33 |
| Hainesworth, Richard | 19 |
| Hansell, Phillip | 29 |
| Henry, Lemuel | 8, 21 |
| Herod, John | 12 |
| Hinson, John | 16 |
| Roberts, John | 30 |
| Sevier, John | 4 |
| Sheffield, Joseph | 25 |
| Sheffield, Joseph E. | 31, 33 |
| Sibley, Cyrus | 31 |
| Sibley, Origin | 30 |
| Slave schooners | 31 |
| Slaves | 28 |

| | |
|---------------------------|------------|
| Smoot, Benjamin S. | 10, 18, 21 |
| Spalding, Abigail | 27 |
| Steadham, Jesse | 11, 20 |
| Stebbins, Russell | 33 |
| Story, John | 29 |
| Stringer, Francis | 7 |
| Sullivant, Daniel | 9, 17 |
| Tate, David | 28 |
| Washington District Court | 2-8 |
| Webb, Ezekiel | 33 |
| Weekley, Sarah | 14 |
| White, Thomas | 12 |
| Whitehead, Benjamin | 11 |
| Witcher, Ambrose | 15 |

Biography (Agency History)

Alice J. Duck (1897-1992), who served as Baldwin County Circuit Clerk from 1949 to 1971, reportedly saved the papers from loss at the county courthouse in Bay Minette. In the 1970s she donated them for safekeeping at Fort Morgan, a state-owned National Historic Landmark which operated the only museum in the county at the time.

Scope and Contents

The miscellaneous collection of unrelated legal documents shows the development of the court system in the first quarter of the 19th Century in what is now Baldwin County. These cases date from the early days of the Mississippi Territory through the early years of statehood. The papers illustrate the evolution of the essentially King's Bench type of court operation in the Mississippi Territory created in 1798 to the creation of Baldwin County courts in 1809, a decade before Alabama became a state.

The significance of collection lies in the insight it provides into everyday legal affairs in the old Southwest frontier -- from routine estate settlements to litigation that went to the U.S. Supreme Court, such as slavery questions in the

United States v. Schooners Marino, Louisa and Constitution and their cargoes of slaves.

Many of the immigrants involved in the court cases came in the first wave of the “Great Migration” to the lower Tombigbee River basin which became part of Baldwin County. In 1800 there was only a free and slave population of 1,250 pushing the line of settlement deep in the heart of Indian country bounded by the rivers and swamps along the 31st parallel that separated the country from Spanish West Florida.

While the isolated bail bond or court summons among the miscellaneous court records may not detail the basis of the court action, the record gives information on the characters and relationships of the settlers who – for whatever reason – were sequestered in an isolated borderland corner of the young United States.

Litigation continued despite wars and Indian massacres in the sparsely settled Tombigbee-Tensaw River region. Benjamin Stoddart Smoot’s name appears in several of the early documents. The young Smoot arrived in the area in the early 1800s and was appointed the Baldwin County sheriff. He married a daughter of Samuel Mims who was killed in the 1813 Fort Mims massacre and during the subsequent Creek Indian War he served on Andrew Jackson’s staff.

The Mims are among several well-known settlers whose names appear in the court papers. Jesse Steadham, who had taken refuge in Fort Mims, was one of the few survivors of the largest massacre by Indians in the history of the United States. These records show he had a lawsuit against Samuel Mims which he continued against Mims’ estate after the uprising.

The settlers were interested in their court system, as evidenced by a petition signed in 1809 by many of those named in the records in this collection. In a petition to Congress for the Alabama Territory, they wrote their situation “deprives them of the advantages of that union of Judicial talents and rotation Judges so necessary to check the aberrations of feeling, and to insure public confidence in the Administration of Justice, that our unorganized, detached and insulated situation renders it necessary in order to prevent our Country from becoming an Asylum of the abandoned...”

Arrangement

The collection consists of one box of 34 folders.

Restrictions

Restrictions on Access

There are no restrictions on access to these papers.

Restrictions on Use

Researchers are responsible for addressing copyright issues on materials not in the public domain.

Inventory

Miscellaneous Court Records 1801- 1825

Box #1: Contains 34 folders.

Accession Number: CR-18-0016-50

Folder

1. Tobacco sale bill, Michael Milton to John Joyce, October 7, 1801
2. Promissory note November 19, 1807, Allan Greene to Thomas Garrett 3
Edwin Lewis vs. Figures Lewis, October 17, 1808
3. Edwin Lewis vs Figures Lewis, October 17, 1808
4. Bail bond, March 30, 1809. John Randon, Theodore Brightwell and
Benjamin Baldwin on a plea of John Sevier of trespass and \$7,000
damage
5. Arrest warrant, July 4, 1809, for Mary Milton
6. Bail bond, September 3, 1809. Jas. Dannelly vs. J.P. Kennedy
7. Note, November 23, 1809, Charles W. Murrills to Francis Stringer
8. Summons, February 3, 1810, for Mary Milton
9. Promissory note, March 1810, to pay William Baldwin from Joseph
Cobb and Daniel Sullivant
10. Summons, December 25, 1810, John Holcraft and Benjamin S. Smoot
11. Summons, March 1, 1812, for Benj. Whitehead in Jesse Steadham vs.
Samuel Mims
12. Bail bond, September 10, 1811, John Herod vs. Thomas White
13. Bail bond, October 1811, Joseph P. Kennedy vs. Joseph Bates Sr.
14. Complaint, October 5, 1811, Sarah Weekley vs. Kennedy & Brightwell
15. Bond, April 29, 1812, White Etheridge and Ambrose Witcher
16. Bail bond, July 25, 1812, John Hinson vs. Wyley and Lemuel Espey
17. Arrest warrant, October 27, 1812, for Joseph Cobb and Dan'l Sullivant

18. Arrest warrant, January 26, 1813 for Benjamin S. Smoot for false imprisonment
19. Bail bond, October 24, 1813, by Richard Hainesworth (Haynesworth) and Dennison Darling
20. Summons, May 12, 1814, for Hannah Mims, administratrix of Samuel Mims estate
21. Summons, May 12, 1814, summons, Lemuel Henry, assigner, v. Michael Milton heirs
22. Complaint, October 25, 1822, George Gould vs. Isaiah Randall
23. Transcript of complaint, Gould vs. Randall
24. Complaint, April 1, 1822, Theodore Graham vs. Thomas M. Mervin
25. Complaint, November 1, 1822, George Gould vs. Sheffield and Leavens
26. Arrest warrant, April 23, 1823, for John Knowles
27. Lawsuit, June 3, 1823, Louis Marchand vs. Abigail Spalding and Edward Furman
28. Arrest warrant. April 7, 1824, David Tate for detaining slaves
29. Summons, April 8, 1824, Phillip Hansell vs Samuel Haines
30. Lawsuit, April 20, 1824, John Austin vs James Beddo
31. Complaint, April 11, 1825, executor of Taliferno Livingston vs. Cyrus Sibley and Joseph E. Sheffield
32. Indictment, April 1, 1825. The State vs. Silas Dinsmore for neglect of duty
33. Lawsuit, March 11, 1825, regarding Blakeley title
34. Transcript of suit, March 11, 1825, regarding Blakeley title (in Folder 33)