

## MAJOR JAMES TATE AND RUTH DAVISON

Major James Tate was born in Russell, Virginia born circa 1778 near Big Moccasin Creek which was a spur of Clinch mountain on the Holston river about fifteen miles from Lebanon, Russell County Virginia. He was the son of Robert Tate who was born 1742 and died 1806 and Mary who was born 1758. He grew up in this area and married Ruth Davison, who was born just across the line in what is now Scott County in 1784. He died 19 April 1849 in Tennessee.

It is said that he migrated to Warren County Tennessee prior to 1806. He met with some of his brothers and other friends to petition for a new county where they lived. It became known as Warren County and was organized as such in 1807. James and Robert, his brother settled in a rather remote section of the county, on Taylor Creek until after he married a second time. He moved after his second marriage a few miles upon the Cumberland plateau.

He served in the war of 1812 with Andrew Jackson and attained the rank of Major and was always referred to as Major James Tate. The twenty-Ninth regiment, Tennessee State Militia, was organized and assigned to this territory before it became Warren County. Records of the formation of the 29th were not found. The earliest commission located is dated 31 July 1807 and it is presumed that the regiment was organized about that time. Those commissioned before May 1817 show the names of those who made up a portion of Warren County's pioneer population. Warren County embraced a larger territory then. It is probable that some of those commissioned in 1807 were citizens of the present boundaries of White county, as Warren County was a portion of White County at that time.

It shows that on 21 May 1808 Leroy Hammons was Lieutenant Colonel, Thomas Smyley and Jacob Scallions were Majors. On December 8, 1808 Abraham Barnes, Granberry Lowrey, Archibald Rice, Jacob Shults, David Simpson and Jacob Webb, were commissioned Ensigns and Wm. Blanton, John Cunningham, John Franklin, Moses Gailey, John Shults, John Vining and Wm. Webb, Lieutenants; John Denton, Wm. Douglas, Benjamin Koyl, Wm Lusk, Wm. McDonald, James Tate and Jesse Webb were Commissioned Captains. It also shows that on April 19, 1811 Robert Tate, who was a brother to James Tate was commissioned a Lieutenant, all in the 29th Regiment, Tennessee State Militia. Most, if not all of these men saw service in the war of 1812 against the British. Source, McMinnville At A Milestone pages 256-257.

In Meditations and Contemplations, two volumes, by James Hervey, A.M., (The late rector of Weston-Favell, Northamptonshire), and published in Philadelphia, printed by Jacob Johnson & Co. No 147 Market Street M DCC XCV. Elan H. Tate, son of Major James Tate, has a small brown leather covered volume that was used as a family bible. Elan's Great Granddaughter, Martha Lipscomb Rasbury of Hohenwald, Tennessee currently has possession of this leather covered volume. In February 1987 Sandra Tate Hereford in the

presence of Martha and Luna Rasbury in Hohenwald, Tennessee on February 21, 1987 made a xerox copy of the book.

Page three a transcript of handwriting states James Tates Book.

Page four states:

Johnziel B. Tate was born Thursday March 4, 1813.

Jahzeel O. Tate was born Thursday March 4, 1813.

Samuel J. Tate was born June the 15th on Thursday 1815.

Elan H. Tate was born Wednesday October the 15th in the year of our Lord 1817.

John Goldman Tate was born January the 16th on Sunday in 1821.

On page 5, a transcript of handwriting states that:

Robert Tate was born Thursday, January the 9th in the year of our Lord 1799.

Polly Tate was born on Tuesday, December the 11th in the year of our Lord 1800.

Davidson Tate was born Monday, December 27, 1802.

Peggy Tate was born Sunday, December 10, 1804.

Sally Tate was born Tuesday, January 22nd 1807.

Joseph Tate Was born Thursday, January 24, 1809.

James I. Tate was born Thursday February 7, 1811.

End of transcript.

The family group sheet of Dennis Tate shows these children were by first wife Ruth Davison,(Davidson)

Robert born 9 Jan 1799 in Russell County, Va. Married Sarah Sally Lockhart, and died in Livingston, Ky.

Mary (Polly) Tate born 11 December 1800 in Russell Co. Va. she married Russell Rogers.

Davidson Tate born 27 December 1802 born in Russell County, Virginia married Dorcas Myers and died 23 February 1885.

Sarah (Sally) Tate born 22 December 1802 in Russell County, Va. Married William Walker.

Joseph Tate born 2 January 1809 in Tennessee and died prior to 1850.

Margaret Peggy Tate born 10 December 1810 in Tennessee married Isaac McGuire.

James M. Tate born 7 Feb. 1811

Jahaziel Tate born 9 March 1813 in Warren County Tennessee married (1) Jenny Lockhart (2) Sarah Tate 18 October 1839, died 4 August 1888 Dekalb County, Alabama.

Jahzeel Tate born 9 March 1813 a twin of Jahaziel in Warren County, Tennessee.

Samuel Jackson Tate born 15 June 1815 in Warren County Tennessee, married Susannah (?).

Elan H. Tate born 15 October 1817 Warren County, Tn. married Jane Turner, died 19 December 1879 in Decatur, Tennessee.

John Goldman Tate born 16 January 1820 in Warren County, Tennessee, married Permelia Brown and died in 1908 in McLain, Muskogee Co. Oklahoma. He is buried in the Elm Grove Cemetery.

Eveline Tate Born in 1823 in Warren County, Tennessee married Andrew Gross.

Major James Tate married Elizabeth Smith, his second wife on 23 February 1829. Elizabeth was born 8 August 1809 in North Carolina and died 25 November 1867. She is buried in Smith Chapel Cemetery in Grundy County, Tennessee.

Children born to this union were:

James W. M Tate who was born 17 August 1827 in Warren Co. Tn., and married Mary Dugan.

Francis Asberry Tate born August 1830 and who married Mable (?).

Meredith Price Tate Born 1833 in Warren Co, Tn. and who married Mary Moffitt.

Nancy Tate who was also born in Warren County, Tn. in 1833, ( a twin of Meredith's), who married Jonathan Bost.

Elizabeth Tate born in 1835 in Warren County, Tn. and married Marcus D.L.Bost on 31 October 1850.

On the muster rolls of Col. Stephen Copelands Regiment (3), West Tennessee Militia, James Tait,(Tate) appears as Captain James Tate's Company, Col. Stephen Copelands Regiment (3) West Tennessee Militia Infantry. (War of 1812), appears on Company Muster Roll for January 28th to May 10th, 1814. Roll dated July 5, 1814. Date of appointment or enlistment, January 28, 1814. To what time engaged, May 10, 1814. Present. Note: Each non-commissioned officer and private traveled 120 miles marching to and from Fayetteville, when mustered in and discharged, to reside in McMinnville, Warren County, Tennessee. It further states that Capt. James Tate's Co. of Inf., Col. S. Copeland's (3) Reg't Tennessee Militia, (War of 1812) appears on company pay roll for January 28th to May 10th 1814. Roll dated May 10, 1814. Commencement of service or of this settlement, January 28, 1814. Expiration of service or of this settlement, May 10, 1814. Term of service 3 months and 14 days. Pay per month 40 dollars. Traveling allowance before muster and after discharge at 13 cents per day. Amount of pay, \$ 138.06. /s/ J. Baker copyist.

Another document states that The United States, To Captain James Tate, for transporting of 400 lbs his private baggage as a Captain in the (3) Regiment of West Tennessee Militia, commanded by Col. Stephen Copeland and composing part of Genl. Thos. Johnson's brigade; ordered into service of the United States, on an expedition against the hostile Creek Indians from the 28th of January to the 13th day of May 1814 viz. From Fort Deposit to Fort Strother and thence to Fort Williams 59 miles from thence to Tahopeka, (Horseshoe Bend) and back to Fort Williams 105 miles, from Fort Williams on return march by way of Cahawlea to Fort Deposit 157 miles, from thence to Fayetteville the primary place of deployment 57 miles, a total of 431 miles at .08 cents per mile total \$34.48, deduct \$4.24, leaving a total due Captain James Tate of \$30.24

316 rations at .20 cents per ration = \$61.80 due deduct \$35.20 for 176 rations received in kind, Balance due \$26.60. stated Received of Captain Alpha Kingsley, District Pay-Master this 9th day of September 1814 the some of Twenty Six & .60 /100 dollars in full of my subsistence account from 28th of January 1814 to 10 May 1814, having signed duplicates hereof. James Tate, Captain.

Ft. Deposit was located on the southern most dip of the Tennessee River, Ft. Strother was located at 10 Islands on the Coosa River. (Ft. Strother is now Gadsden, and is 50 miles from Ft. Deposit), Tallushatchee was an Indian Village 13 miles from Ft. Strother, Talladega was across the Coosa River and 30 miles from Ft. Strother. Tohopeka, better known as Horseshoe Bend,(because of a decisive battle that was fought there between General Andrew Jackson and his Army), was located on the Tallapoosa River, Emuckfau Creek was but 3 miles from Tohopeka and 70 miles from Ft. Strother.

The British were supplying the Creeks with guns and ammunition for them to fight against the Americans. Jackson wanted to eliminate the Creeks before they became a large and cohesive force. He wanted to march into the Creek country and destroy the last major stronghold of the enemy. He found the Coosa River navigable to a place called Three Islands, 27 miles below Talladega. He determined to move all supplies to that point, where he would build a fort. From this base it was only 40 miles to the camp of the enemy near Emuckfau on the Tallapoosa river. The march from Fort Strother was begun on March 14, 1814. The regulars were sent down the river with boats and supplies, and the rest of the army traveled overland to the new depot at Ft. Williams.

Jackson's strength was 3500 men. He left about 1000 as guards at the various forts which he had established on his advance. He was, however, reinforced by friendly Indians, and the American strength was over 3000 at Horseshoe Bend. After his arrival at Ft. Williams Jackson's army was heavily reinforced by William McIntosh at the head of some Creek Indians who had been with Floyd's Georgia army. McIntosh and his Indians were able to provide some valuable intelligence to Jackson about the country and the disposition of the hostile "red stick" Creeks.

On March 24, 1814 Jackson marched toward Emuckfau Creek. About 1000 Indians of the Oakfusky, New Yaucou, Hillabee, Fish Pond, and Eufaula towns had gathered at their camp in the bend of the river. The Indians fortifications consisted of a breastwork erected across the neck of the bend. The barrier, which was from 5 to 8 feet high, was prepared with a double row of portholes, arranged in such a way that the army could not approach without being exposed to a double crossfire.

Jackson attacked on March 27, 1814. Coffee and his mounted troops along with most of the friendly Indians, crossed the river about two miles below the encampment and surrounded the bend on the far bank. This would prevent any of the Indians from making their escape across or down the river. When Jackson started firing his artillery, some of the Indians with Coffee swam the river and cut adrift and seized the Indians canoes that were to be used by the hostile's for their escape. Coffee's forces captured the hostile village with little resistance, and were able to advance to a point where they could fire on the hostile's breastworks from the rear. Jackson, in the meantime, was attacking from the front. At 10:30 AM Jackson learned that Coffee's troops were burning the hostile's village and had reached a position behind the enemy lines. Jackson continued the bombardment of the hostile's position for a total of two hours, using a six-pounder and a three-pounder from a hill overlooking the hostile's.

Jackson felt that the time had arrived to make the final assault. A charge was quickly organized, and was led by Colonel Williams' 39th Reg't and supported by part of General Doherty's brigade on the right and part of General Thomas Johnson's Brigade on the left. (It should be pointed out that Colonel Stephen Copelands's 3rd Tennessee Regiment was part of General Thomas Johnson's Brigade, and no doubt were involved in this action. Captain James Tate's Company was part of Copelands Reg't). Footnote by Dennis A. Tate.

The bulk of the "red stick" hostile Creek Indians were killed as they tried to escape. It was estimated that between 800 and 900 Indians were killed, and 200 or so escaped during the night. The Americans casualties were small compared to the hostile's. Most American leaders considered the Creek War to have ended with the Battle of Horseshoe Bend. After the battle at Horseshoe Bend, Jackson know he had dealt the Indians a major blow, and returned to Ft. Williams for a fresh supply of provisions. Source Struggle for the Gulf Borderlands, Frank Lawrence Owsley, Jr. pages 78,79,80,81, & 82. ( Some Footnotes inserted by D.A. Tate).

The Muster Roll of Company M under the command of James Tate in the service of the United States and commanded by Colonel Stephen Copeland from 28 January 1814 to 10 May 1814 was as follows: James Tate Captain, James Withrow Captain, Samuel Dale Captain, Martin Johnson Sgt., Hiram Lucky Sgt., Levi Farris Sgt., Robert O'Reare Cpl., Thomas Ray Cpl., Jesse Roberts Cpl., and the following are listed as privates; David Adcock, Peter Adams, Nicholas Alley, John Brown, Absolom Brown, Wm. Bashears, John Bashears, David Benton, John B. Campbell, William Crosly, George Cooper, Jas Craig, Leonard Craig, Samuel Crawford, James Canady, John Cooper, James Crosley, Jonathan Eves, John Edwards, Waggoner, John Eddy, Peter Ethridge, John Ethridge, Michael Felps, Nathan Farriss, Davison Farris, Charles Gresham, Elias George, George Griggs, Ennis Hews, John Lockhart, William Mathews, Cooper Melton, John Martin discharged 24th February 1814, Martin Phillips, George Pain died 26th April 1814,(George Pain Sr. Received the pay of George Pain), Watson Riggs, Joseph Ray, Jacob Ray, John Read, Nathan Smith, Aaron Sanders, David Thompson ,Hardin Williams, John Webb, John J. Williams, Thomas Wood, and William Carter. A total of 56. Source, Transcribed by C. Hammett, 1996. Source location NA Washington, D.C. RG NO 94, Stack Area 9W3, Row 17, Compartment 20, Shelf Bottom, Box 239, No. NNRI/M; described under record identification as 1 Brown NA Box, Copeland's W. Tennessee Militia Muster Rolls. Furnished to me by Sandra Hereford of Chatanooga, Tennessee.

The following was recorded November 26, 1814, The State of Tennessee No. 5795. To all to whom these presents shall come, Greeting: Know Ye, that in consideration of military service performed by Francis Wilson to the State of North Carolina, warrant No. 4193 dated this 9th day of December 1796 and entered on the 20th day of July 1811 by No. 1452. There is granted by the said State of Tennessee unto James Tate, assignee of the heirs of the said Francis Wilson, A certain tract of land containing seventy acres part of said warrant lying in Warren County in the third district on the waters of Collins River, beginning at a walnut the north west corner of said Tate's thirty nine acre survey of entry No. 509 running thence south fifty degrees west fifty poles with the mountain thence due south thirty two poles then south fifty degrees west forty eight poles to a stake on the side of the mountain, thence due south one hundred and ten poles to a sugar tree on the foot of a mountain thence with the meanders of the mountain,(according to the above plat) to the beginning. Surveyed the 22nd day of July 1814 by Isham Perkins D.S. with the hereditament and appurtenances, to have and to hold the said Tract of Parcel of Land with the appurtenances to the said James Tate and his heirs forever. In witness whereof Willie Blount, Governor of the State of Tennessee hath hereunto

set his hand and caused the great seal of the state to be affixed at Nashville on the sixth day of July in the year of our Lord one thousand eight hundred and fourteen and of the Independence of the United States, the thirty ninth. By The Governor W. G. Willie Blount.

Recorded November 26th 1814 The State of Tennessee No. 5796, Know Ye, that in consideration of military service performed by James Yarborough to the State of North Carolina, warrant no. 42 dated 1 Oct 1801 and entered on the 28th day of June 1808 by No. 509. There is granted by the said state of Tennessee unto James Tate assignee of the said James Yarbroughs heirs. A certain tract or parcel of land containing thirty nice acres part of said warrant lying in Warren County in the third district on the waters of Collins River, beginning at the south west corner of a survey, Jeremiah Walker now lives on it being an entry of James Walkers of two hundred acres, the beginning is a dog wood running west on hundred and ten poles to a walnut on the foot of a mountain, then south eighty six poles to a beech at the foot of a mountain, then with the mountain north seventy degrees east sixty four poles, thence north forty three degrees east forty six poles, thence continuing with the foot of the mountain to the beginning. Surveyed the 18th day of July 1811 by Isham Perkins, D.S. With the hereditament and appurtenances to have and to hold the said tract or parcel of land and the appurtenances to the said, James Tate and his heirs forever, signed at Nashville on the 6th of July 1814 by Governor Willie Blount.

Recorded November 26, 1814, The State of Tennessee No. 5794, that in consideration of military service performed by Joseph Cox to the State of North Carolina, Warrant No. 115 dated 18th of December 1804 and entered on the 20th day of July 1807 by No. 6. There is granted by the said state of Tennessee unto James Tate Assignee of the heirs of the said Joseph Cox, a certain tract or parcel of land containing one hundred and forty one acres part of said warrant lying in Warren county in the third district on collins river it being his preference right. Explains all of the boundaries of the land, and is signed Willie Blount, Governor at Nashville, Tn. on the 6th day of July 1814. The above are all certified copies of Warren County, Tennessee roll No.32, book H pages 655,656, & 657 land grant records.

J

3  
(Copeland's.)

W. Tenn.  
Militia.

James Tate

Capt. { Captain James Tate's Company,  
Col. Stephen Copeland's Regiment  
West Tennessee Militia Infantry.  
(War of 1812.)

Appears on

Company Muster Roll

for Jan 28 to May 10, 1814.

Roll dated

July 5, 1814.

Date of appointment or enlistment, Jan 28, 1814.

To what time engaged, May 10, 1814.

Present or absent, present

NOTE: Each non-commissioned officer and private travelled 120 miles marching to and from Fayetteville, where mustered in and discharged, to residence in McMinnville, Warren County, Tennessee.

Remarks:

(689)

H. Baker  
Copyist

J

3  
(Copeland's.)

W. Tenn.  
Militia.

James Tate

Capt. { Capt. James Tate's Co. of Inf.,  
Col. S. Copeland's Reg't Tennessee  
Militia.  
(War of 1812.)

Appears on

Company Pay Roll

for Jan 28 to May 10, 1814.

Roll dated May 10, 1814.

Commencement of service or of this settlement, Jan 28, 1814.

Expiration of service or of this settlement, May 10, 1814.

Term of service charged, 3 months, 14 days.

Pay per month, 40 dollars, cents.

Travelling allowance before muster and after discharge at 13 cents per day, dollars, cents.

Amount of pay, 138 dollars, 06 cents.

Remarks:

(672)

H. Baker  
Copyist

JAMES TATE'S MUSTER & PAY ROLL  
DURING THE WAR OF 1812



THE UNITED STATES

TO *James Tate Capt. Dr.*

For transporting of *400* lbs. his private baggage as  
 a *Capt* in the Regiment of West Tennessee  
 Militia, commanded by Col. *Stephen Copeland*  
 composing part of Genl. Thos. Johnson's  
 brigade; ordered into service of the United States, on an  
 expedition against the hostile Creek Indians from the 28th  
 Jan. to the 13th day of May 1814 viz.

	Miles.	Dolls.	Cents.
<i>From Fort Deposit to Fort Mifflin</i>	<del>59</del>		
<i>From Thence to Fort Mifflin</i>	59		
<i>From Thence to Cahawba &amp; Back to Fort Mifflin</i>	105		
<i>From Fort Mifflin on return March by way Cahawba to Fort Deposit</i>	157		
<i>From Thence to Fayetteville the primary place</i>			
<i>two days</i>	57		
<i>Only at 8¢ per mile is</i>	431		
<i>By order of the</i>		\$34	48
<i>James Tate</i>		53	24
		\$30	24

TRAVEL ALLOWANCE PAID JAMES TATE  
 CREEK INDIAN EXPEDITION 1814

It should be noted that James Tate, died before 27 March 1850 as shown in the suit of Elizabeth Tate vs Robert & Davidson Tate, Admrs.,(Warren, TN. Ch Ct Min 1/228). James Tate left a will,(see later), Negroes are to be sold. (ibid)282, Elizabeth Tate was the widow. There were three sons, James, Asberry, and Merideth P. Tate and Nancy Boss and her husband Jonathan Boss are mentioned in this estate. It also mentions Elizabeth Boss and her husband Marcus Boss. These are apparently heirs too.(ibid 326).

A suit was shown 27 September 1852 by Elan H. Tate vs J.W.M. Tate, Elizabeth Tate and William White. The complainant shall have as much of the tract of land upon which James Tate lived at his death as he can cultivate. (ibid 361) A suit was entered 29 March 1853 by William White vs James W.M. Tate administrator with the will annexed of James Tate Decd., Elizabeth Tate Widow, Elan H. Tate, Jonathan Boss and wife Nancy and Marcus Boss and wife Elizabeth. Complainant is the owner of one share of the land, having purchased the share of Merideth P. Tate. James W.M. Tate owns two shares having purchased the share of Frances A. Tate. There are six shares exclusive of Elan H. Tate's share. (ibid 408)

A suit was shown 29 March 1853 by Robert Tate, Davidson Tate Admrs of James Tate decd., J. G. Tate, Andrew J. Tate, Andrew Gross & wife Evilene, E.H. Tate & Tate Isaac McGuire, Margaret his wife, Wm. Walker and Sally his wife, The heirs of Polly Rogers decd, The heirs of Joseph Tate decd. against Elizabeth Tate widow of James Tate decd., Jonathan Boss and wife and others. By his will James Tate had made advancements to his widow Elizabeth and James W. Tate, Merideth P. Tate, Francis A. Tate, Jonathan Boss and wife Nancy, M. Boss and wife Elizabeth an amount greater than would be their distributive share of the whole estate. He made no provision for the other complainants who are the children of his first wife, Ruth Davison,(Davidson)., (ibid 419).

Land was sold and the widow is to have 1/6th part and the rest to the other five heirs. (ibid 2/20) Elizabeth H. Boss, wife of Marcus L. Boss gave a statement concerning the sale of the real estate of her father, James Tate decd. (ibid 25) James Tate died in Grundy County in 1849 as shown in the suit of Robert Tate and others vs (blank) Tate, Sarah Walker, Andrew Gross and wife, Isaac McGuire and wife Margaret and the heirs of Russell Rodgers decd. He left a will which was contested. (ibid 223) A suit was shown 28 September 1857 by Robert Tate and others vs Eveline Tate and others. Davidson Tate, John G. Tate and Robert Tate have transferred all of their interest in a fund to Jackson Tate. (ibid 249) Source, Tennessee Tidbits 1778-1914 Volume III.

Major James Tate married (1) Ruth (Davison) Davidson born in Virginia in 1784. Major James Tate and Ruth Davison divorced after thirty one years of marriage and thirteen children. The 1850 Federal Census shows a listing of a Ruth Tate, b. 1784 in Virginia living with the Jeremiah Walker family. Ruth's daughter Sarah had married his son William.

Major James Tate acquired many acres of land in Warren and Grundy Co. Tn. As stated earlier, he was the son of Robert and Mary Tate of Russell Co. Va, and is reiterated in a deed

dated 14 October 1816, Russell County, VA, when the heirs of Robert Tate, dec'd met to dispose of certain land. James and wife Ruth, John and wife Dicey, Robert and wife Susannah, Alexander and wife Delilah, and Mary "Polly" and husband Marady Price, met and sold the land to their brother Joseph Tate and the Mother, Mary, who was also in Warren County Tn. signed her dower to the son Joseph who remained on the old plantation in Russell Co. Va.

Major James Tate executed a will. He died testate 19 April 1849 and is buried in Philadelphia Cemetery 13 miles south of McMinnville, Tn. The will was contested and went to the Supreme Court of Tennessee. The widow, Elizabeth received most of the estate. However, all of the children were named. Robert and Davidson Tate were named administrators, Ref: Russell Co. Va. Deed Bk 5, pg 537; Grundy Co. Tenn. Court Records pg 114,115, Will Bk pg 58,114,115,118,196; Names and dates taken from "That Book" a bible owned by Elan H. Tate; James Striegel Tate; Fed. Census 1850 Grundy Co. Tn. pg 45.

An application for the purpose of obtaining bounty land under an act passed 28 September 1850 by congress for those who fought in the War of 1812 was submitted by Elizabeth Tate, to wit: State of Tennessee, Warren County. On this the 4th day of November One Thousand Eight Hundred and fifty, personally appeared before me a Justice of the Peace, within and for the County and State aforesaid Elizabeth Tate, aged 44 years, a resident of Grundy County in the State of Tennessee, who being duly sworn according to Law declares that she is the widow of James Tate, deceased, who was a Captain in the Company commanded by himself in the Regiment of Tennessee Militia commanded by Colonel Henry Copeland in the war with Great Britain declared by The United States 18th June 1812. That her husband was drafted at McMinnville, Tennessee on or about the 1st day of February A.D. 1814 for the term of three months and continued in actual service in said war for the term of three months and twenty days and was honorably discharged at Fayetteville, Tennessee on the 20th day of May A.D. 1814, as will appear by the muster rolls of said company he having received no discharge being a commissioned officer and his commission being lost. She further states that she was married to the said James Tate in Warren County, Tennessee on the 23rd day of February A.D. 1829 by one L. Farrall a Justice of The Peace and that her name before said marriage was Elizabeth Smith, and her said husband died in Grundy County, Tennessee on the 12th day of April A.D. 1814 and that she is still a widow. She makes this declaration for the purpose of obtaining the bounty land to which she may be entitled under the act passed 28 September 1850. Sworn to and subscribed before me the day and year above written /s/ Elizabeth ,(+ her mark), Tate, signed by Hamilton Neal J.P. for Warren County.

To the commissioner of Pensions, Washington City: Sir, I request that my claim to bounty land under the act of congress passed on the 28th day of September 1850 may be examined and if I am entitled to land I desire that the warrant or certificate therefor be sent to H.H. Harrison at McMinnville, Tennessee whom I hereby constitute and appoint my attorney in fact for that purpose and for my benefit. /s/ Elizabeth ,(+ her mark), Tate. Acknowledged before me this the 4th day of November A.D. 1850 /s/ Hamilton Neal JP.

Copy of License & Bond between James Tate & Elizabeth Smith. State of Tennessee, Warren County: To any regular minister of the Gospel having the care of souls or any Justice of the Peace. There are to authorize you or either of you to solemnize the rites of matrimony between JAMES TATE & ELIZABETH SMITH of your county agreeably to the directions of an act of assembly in such case made and provided, Provided always that the said Elizabeth Smith be an actual resident in this county, otherwise, this shall be null and void and shall not be accounted a license to you or either of you for the purpose aforesaid more than if the same had never been prayed or granted. Given at the clerks office of the said county court the 8th day of August 1828 /s/ Jos Colville, clerk. Endorsed issued 8th August 1828 come to have the 23rd February 1829 and executed the same day came to hand by solemnizing the rites of matrimony between the parties./s/ L. Ferrell, Justice of The Peace.

State of Tennessee - Warren County; know all men by these present that we, James Tate and L. Colville are held and freely bound unto William Carroll, Governor in and over the State of Tennessee and his successor in office in the sum of Twelve hundred and fifty dollars void on condition there be no lawful objection why James Tate and Miss Elizabeth Smith should not be joined together in the bonds of holy wedlock and she be a resident of the county given under our hands and seal this the 8th day of August 1828. /s/ James Tate L. Colville.

State of Tennessee - Warren County: I Richmond McGregor clerk of the county do hereby certify that the foregoing is a true and correct copy of the Marriage License and the Bond executed by James Tate as will appear from the original now on file in my office and I also certify that the said L. Ferrell was at the time of solemnizing said marriage an acting Justice Of The Peace for said county. In testimony whereof I have hereto set my hand & the seal of said court at office in McMinnville this 27th February 1851 /s/ R. McGregor Clerk.

Proof of Identity; State of Tennessee - Warren County; On this the 4th day of November A.D.1850 before me the undersigned a Justice of the Peace for said county personally appeared Watson Riggs and Robert Orear,(whom I certify to be persons of veracity and who made oath in due form of law that they were personally acquainted with the within named James Tate deceased and that he was the identical James Tate who was actually engaged in the service of The United States in The War against Great Britain declared by The United States the 18th day of June 1812 as set forth in said declarations. Sworn to and subscribed before me on this the 4th day of November A.D. 1850 /s/ Watson Riggs x his mark and Robert Orear x his mark, signed Hamilton Neal JP

Proof of Husbands Death: State of Tennessee, Warren County: On this 11th day of February 1852 before me the undersigned personally appeared Green Brown and R.N. Cartwright with whom I am personally acquainted and with whom I certify to be persons of veracity, and who made oath in due form of law that they were personally acquainted with James Tate Decd. named in the within annexed declaration and that the died in Grundy County Tennessee on or about the 12th of April 1849 as set forth in said declaration and that Elizabeth Tate the

claimant is still a widow she never having married since the death of her husband the said James Tate.

The handwritten will of James Tate reads as follows:

Will and testament October the 21st 1848. I James Tate do make and publish this as my last will and testament and making void all other wills by me at any time made. first I direct that my funeral expenses and all my debts be paid as soon after my death as possible out of any money that I may die possessed if as may first come into the hands of my executors. Secondly, I give and bequeath to my wife one Negro man Benjamin during his natural life or widow hood. I also give to my wife one Negro woman Ester to dispose of as she thinks just. I give my daughter Nancy and to her heirs forever a Negro girl Elisa. I give to Elizabeth my youngest daughter and to her heirs forever a Negro girl Poll . I give to my wife and to her five children the tract of land I now live on and all the land I own adjoining said tract in all eleven hundred. I give to my wife all the necessary buildings the dwelling house and kitchen with all the furniture to do with as she thinks best. I also give her a choice to the stock and as much of cash she thinks is necessary. I give to my son Elan H. Tate said to (?) whereupon in consideration of his affliction puts him a past labor he must have reasonable support out of the rents and profits of the law during his natural life in witness I do to this will set my hand and seal 21st day of October 1848. James Tate signed sealed and published in the presence of testator, James Tate. A codicil to a last will given to wife

Introduction of James Tate's last will and testament into court:

Present the worshipful Richard Bradford, Chairman, Alexander M. Blair and Richard M. Stepp Esqrs Justices & Co.

This day Elizabeth Tate Widow and Reliet of James Tate, Jonathon Bost and Nancy Bost his wife lat Nancy Tate, Elizabeth Tate infant daughter of James Tate, deceased, Asberry Tate, Meridith Tate brought into open court a paper writing purporting to be the last will and testament of James Tate deceased dated the 21st of October 1848 without any subscribing witness thereto alleged to be in the hand writing of James Tate and to have been found among his valuable papers and the evidence introduced by P-115 the said Elizabeth and the others named in said paper writing as James. The court on the whole case from the proof, being satisfied that the said paper writing is not the last will and testament of said James Tate refused to admit it be recorded as his will---the court is satisfied that the said paper writing is in the hand writing of James Tate, but the other requirements of the act of 1784 was not proved. From which decree said Elizabeth the widow, Boss & wife Elizabeth, Asberry & Meredith appeal the next circuit court of Grundy county to be held at the court house set apart for --- court in Altamont on the 3rd Monday in June next 7 to them it is granted---one of the other heirs to wit Robert Tate was present objecting to the probate of the will by counsel and those noted as devisee in the paper writing, asked the court to send the will to the circuit court for the purpose of passing the issue of will or no will but the defendant, Robert Tate's counsel insisted the court ought to have the proof, which the court declines to do, when the handwriting of James Tate was proved the court was satisfied the paper was all in

his handwriting James M. Tate one of the devisee was then introduced as a witness and before he was sworn Ex'd a release in the words and figures following to wit. "I do hereby relinquish all benefit or interest under the last will & testament of James Tate dec'd to my mother Elizabeth Tate witness my hand and seal May 7, 1849" Signed this day John Burrows Esqr. Trustee of Grundy county came into open court by R.P. Webb his attorney in fact together with Thomas Warren, A.M. Stepp, Robert Tate and John B. Webb his securities who executed and acknowledged their bond the superintendent of public instruction in the sum of one thousand and fifty dollars conditioned as the law directs which said bond was approved by the court.

It appearing to the satisfaction of the court that James Tate is dead and that he died in the county of Grundy intestate, and it also appearing that a paper writing purporting to be the last will and testament of the said decedent, was presented to the last term of this court and the court being of opinion that said paper writing was not the last will and testament of said deceased, and application being made by Elizabeth Tate, widow of said James Tate the court ordered that said paper writing to be sent up to the circuit court of Grundy county, to be held on the third Monday of June, Instant, that an issue of devastavit val non be made up to try the validity of said paper writing. And on motion of Robert Tate and Davidson Tate, the court appointed them administrators of all and singular the goods and chattel right and credits of the said James Tate deceased pendent lite Whereupon the said Robert Tate and Davidson Tate entered into bond with security conditioned as the law directs, and took the oath prescribed by law for administrators. And thereupon the court ordered letters of administration to issue. Court adjourned Richard Bradford, Chairman, Thos. Warren, Richard M. Stepp. Page 106, State of Tennessee.

The following is found on page 223 of the Warren Co. Court minutes 571553: Robert Tate & Others Vs.(?) Tate, Sarah Walker, Andrew Gross & wife, Isaac Mcguire & wife Margaret & the heirs of Russell Rodgers decd. DECREE Be it remembered that this cause came on to be heard on this 25th day of March 1857 before the Honorable B.S. Ridley chancellor upon the matters set forth in the bill publication and taken in said cause when it appeared to the court that James Tate died in Grundy Co. in 1849 after making his will & that the same was contested in the circuit court of Grundy Co. & Warren Co. & finally went to The Supreme Court by complainants & defendants. It further appeared that complainants have paid out large sums of money out in costs and lawyers fees in and about the prosecution. It further appears that defendants were contestants of said will jointly with complainants & that they had contracted to pay their portion of whatever amount of costs was adjudged against them in said suit. It further appeared that complainants had paid all the costs and lawyers fees in said suit and the defendants have paid nothing except \$10. paid by defendant Gross. It further appeared that the master has a fund in his hand belonging to said defendants. It is therefore ordered adjudged and decreed by this court that the master take an account of the money paid by complainants in costs and lawyers fees and which of them paid the same and after the master has done this he will then take and state an account as to the proportionable part of

said costs & lawyers fees due from the defendants to the complainants and after he has done the same he is to report to the next term of this court.

In second book Warren Co. Ct. Mins. page 249, 571555, September 1857 Term, following appeared: Robert Tate & Others Vs. Eveline Tate and others: Be it remembered that this cause came on again to be heard and was heard on this the 28th day of September 1857 before the Honorable B.S. Ridley, Chancellor, upon the report of the clerk and master made to the present term of this court when it appeared to this court that the land mentioned in the pleading sold for two hundred and eighty six dollars and seventy five cents and that the commissions on sales of land and attorneys fees in getting decree to sell the land amounts to \$60.10 deduct this amount from the amounts the land sold for leaves two hundred and twenty six dollars and seventy five cents add to this amount interest of four dollars secured by the Master makes two hundred and thirty dollars and seventy five cents. It further appeared from said report that Robert Tate has paid cash in the suit of himself and others against Elizabeth Tate and others in the circuit and supreme court, two hundred and ninety six dollars and 8 cents and that Davidson Tate paid twenty dollars. It further appeared to the court that Davidson Tate, John G. Tate and Robert Tate has transferred all of their interest in said fund to Jackson Tate by their several transfers in writing which is here filed in the papers in this cause. It is therefore ordered adjudged and decreed by the court that the clerk & master hand over to Jackson Tate the note in his hands of ninety five dollars executed by the said Jackson Tate and he will also pay to said Jackson Tate the balance of the money in his hands after paying to W. Britton a fee of fifteen dollars for his services in this suit and after deducting the cash of this suit out of the fund in his hand it appearing to the satisfaction of the court from the transfer. that the said Jackson Tate was entitled to said note and funds in the Masters hands /s/ Eleanor Black, Clerk of Court.

Page 419 Warren County Tn. court minutes, Chancery Ct. Records 571-555: Robert Tate, Davidson Tate, Andrew Gross & wife, E.H. Tate, L Tate, Isaac McGwire, Margaret his wife, Wm. Walker & Sally his wife, The Heirs of Polly Rodgers, dec'd The heirs of Joseph Tate decd against Elizabeth Tate widow of James Tate dec. Jonathan Bost & wife & others. Be it remembered that the above cause came on to be heard upon the will order & consent of all parties when it appeared & was agreed by the parties that James Tate departed this life as stated in the bill leaving the land mentioned in the will un-disposed of by his will & that by his wife he had advanced to his widow Elizabeth & James W. Tate, Meredith J. Tate, Francis A. Tate Jonathan Bost wife Nancy, M. Bost & wife Elizabeth by his will to an amount greater than would their distributions share of the whole estate & that his will made no provision for the other complainants who are the children of his first wife. Whereupon the court decrees that the complainants the children by his first wife are entitled to the land mentioned in the bill exclusive of the children by the second wife already provided for, it appearing by consent that it would be to the advantage of said heirs that land be sold. It is ordered by the court that all of the land be sold by the clerk and matter of the court at the court house in ?.

Monday the 4th January 1847:

Turnpike road at the foot of the mountain, all of which is respectfully submitted. Whereupon it is considered by the court that said road as heard by the jury aforesaid be established as a road of the first class, and that Noah Bost be appointed overseer of said road and have the following hands to work under him to open and keep the same in repair to wit. Warren Savage, Samuel Savage, James Dugan, William Morton, Aaron Bowlin, Silas Lankford, Ballard I. Wilson, Parchell Ransom, Washington Ransom, Glover Ransom, Robert Dugan, Tirell Rogers, James Vicar, P.H. Rogers, George Bond, Whitfield Bond, Henry R. Oliver, John Dugan, John Dylis, William Grop, Asa Grop, Henry Clay, Slaves of Major James Tate, James Perry, Samuel Perry, Aaron Tate, Slaves of Jeremiah Walker, Jonathan Walker, Jonathon Bost, Jeremiah Walker Jr., Henderson Levan, Edward Patrick, William Patrick, Benjamin A. Patrick, Pete Stepp, J.I. Croglin, Samuel Walker, O. Walker, James Bond, William Bond, John I. Walker, William Walker, John Walker, James H. Walker, James Levan, James Adams, Stephen Pary, William Bailey, Lawson Grop, William F. Walker, Zedekiah Walker, Jesse Hunley, Jonathan Vicars, John Vicars, James Vicars, Slaves of Sam Edmondson, Coleman Lockhart, Sander Dykes, Elijah Walker, Henry Levan, John Dykes, Andrew Lockhart, Joseph Clap, Robert Jones and Henry Jones.

Ordered by the court that all roads stated above be established. (Grundy County Records # 58).