

# EARLY STOKES HISTORY.

(CONTINUED BY T. S. PETREE.)

If a new jail was completed prior to 1820 there was considerable neglect on the part of the Grand Jury...

A presentment was made at December term 1820 in regard to the condition of the jail and at the same term of court Wm. Barr, Sheriff, was indicted.

"North Carolina, Stokes County, December term 1820.

The Grand Jury upon their oath present that having examined into the condition & state of the public jail of said County in conformity with an act of the General assembly of the State aforesaid. Report & say that the jail aforesaid is in very bad order, that it contains considerable filth, so as to render it unfit for the comfortable occupation of any prisoner, they also report & say that considerable complaint is made by a prisoner now confined in Said jail as to provisions, that he frequently receives an insufficient quantity and that but once a day, that he sometimes suffers for the want of water, and other attentions necessary to be given by a public Jailor to prisoners confined therein.

HAMPTON BYNUM, Foreman.

Stokes County is not in the tropics, or semi-tropics, and during the cold winter months, especially in the month of January, it's a bad time to be taken into icy waters of a stream and given a bath against your will regardless of whether the bath was needed or not. We quote an original warrant that was issued at the beginning of the year 1821:

"State of North Carolina, Stokes County.

"To any constable of the said County and to all Lawful officers of Said County to Execute & return. Whereas complaint hath been made before me D. Linville one of the Justices of the peace in and for the said County upon the oath of John Flynn of the said County planter, that Robert Holbrook and Richard Linville, junior both of the said County did on the night of the 5th. day of this instant Violently assault abuse and ill Treat him the said John Flynn by Violently Seizing and dragging him into the Creek forcibly and there leaving him in the Cold water in the South fork of belevs Creek near William Branson's field

D. LINVILLE, J. P. (Seal)."

Prior to the civil war the Negro in America had been nothing but a slave. His only station in life was just to belong to someone that he called "Marse" and to work day after day without any compensation other than to receive his daily rations and his clothing. He never knew today just where he might be one month hence as he was liable to be bartered and sold not unlike the buying and selling of so much stock. In those days it was violation of the law for any one to trade with them or even to play

with them at any game without the consent of the Master. We quote below an original warrant issued for a white man that has a notation made on same that he had been "trading with a Negro."

"North Carolina, Stokes County."

"March Session A. D. 1822.

"The Jurors for the State upon their oath present that Tapley Nelson late of said County laborer on the first day of March in the year aforesaid in the County aforesaid, one half bushel of corn, of the goods and chattels of William Moore did then and there trade for receive and buy in the night time of and from the negro slave Will the property of said William Moore without permission in writing from said William Moore the Master of said slave--"

It is often said that the eavesdropper never hears anything good of himself, and in the days gone by if caught in this act he was very promptly dealt with according to the laws of those days. We quote below an indictment that was presented before the Grand Jury in the year 1822 for the offence of "eavesdropping."

"State of North Carolina, Stokes County."

"Court of pleas & Quarter sessions, June Term 1822. The Jurors for the State upon their oath, present that Baxter Heath labourer of the County a and State aforesaid with force and Arms on the first day of May 1822 did in the night time approach the dwelling of Nancy Elliot thro her enclosure against her will and for purposes to her unknown and altho driven off did frequently return and ly about, conceal himself and evesdrop about the said House of said Nancy to her great terror and against the peace & dignity of the State.

"J. MARTIN, Sol.

One hundred and fifteen years ago the games of baseball, golf, tennis, etc., were perhaps unknown. If various games were then played it is certain that none of them were indulged in on the Sabbath without coming in conflict with the law. We quote an indictment to this effect:

"State of North Carolina, Stokes County.

Court of Pleas and Quarter Sessions, September term 1822.

The Jurors for the State upon their oath present that James Holbrook, Henry Banson & James Holbrook, Jun. labores of the County and State aforesaid on Sunday the 21st day of may & before and since being wicked persons and having a contempt for Religion and Morality, with force and arms in the County aforesaid together and in company with a certain Negro fellow named Isam, the property of James Holbrook, Sen. did play at cards in contempt of the day which should be devoted to God's service to the evil example of others, against the policy of our State with respect to Negroes-----

"JAMES MARTIN, C. S.

It seems that the Grand Jury was always finding fault with the jail for at March Term 1823 the Jurors discovered that "We

find the Room Called the Debtors Room out of repair & that recourse to that Room might afford a possible way of escape."

In the year 1823 there was a survey made of Dan River in regard to migration of fish. At various places on Dan River there is yet signs of where fish dams were constructed years and years ago. Those who resided on the river invariably had their fish traps that were constructed of large rocks placed across the river in the shape of a "V" with the point facing down stream and the trap placed in the middle of the river at the point.

These dams were well built so as to withstand any flood or high water. Perhaps some of them were built in a way that prevented the fish going up stream and consequently the man further up was not getting his share and we presume this is why the survey was ordered by the Court. We quote the original report:

"In obedience to an order of Court issued from March Term 1823 We the under signed Commissioners appointed to view Dan River from the Rockingham line to Davis' Mill and report to the next County Court the Situation of said river & the obstructions there in, do accordingly report that we met on the fifth day of May commencing at the Rockingham line and completed said survey on the 6th and report as follows. That there is from the Rockingham line No materiel obstruction to Ladd ford. A fish Trap on the land of T. P. Guinns just below said ford including the deepest water and thereby obstructing the navigation of that place, thence up said river about a mile appears to be navigable water, to T. Carrs & Daltons two fish traps the river being completely stoped thence by the dams of said fish traps five or six hundred yards further up to Thos. Carrs three Traps including all the deepest water 2 traps nearest South bank in the main slue, mouth Ladds mill creek an lland main slue south prong good navigable water, thence up above the mouth of Townfork, P. Hairstons fish traps South side including the deepest water, Bosticks ford no obstructions main slue north ledge, thence up an lland, mouth of widows creek, good navigable water north prong, thence up to Hairstons ford where there is the remains of a fish dam the best water north bank, Thence about a mile above the ford P. Hairstons two fish Traps including all the deepest water and not one fourth part open for the passage of fish, thence up to Abbots 2 traps nearest south bank the dam including the deepest water near the middle thence up to his upper trap which stops the main slue, thence 200 hundreds yds to a trap on P. Hairstons land obstructive to the passage of fish,

Thence to the main falls of said river a general natural obstruction but the commissioners are of an opinion that it might be maid navigable by throwing the water in the south prong which might be done by building a stone dam for that purpose thence to MacAnallys 2 traps near south bank the main slue near north bank, thence to Wm. J. Wards trap including the deepest water thence up the remain of an old dam on William Cov-

ington land best water south bank, thence up to a bluff below Covingtons ford best water north bank thence to Scampers rock a very rocky shole, thence up Davises fish trap including the deepest water, thence to Davises ford, a little above a fish trap including the deepest water near the north bank, thence up to Davises upper trap in the middle of the river in the deepest water, thence to Evans trap the south bank, best water north bank, thence to C. McAnallys lower trap, South bank main slue near the middle, thence to his upper trap red sholes including the deepest water near the middle, Thence up near Davis mill a n lland South prong best navigable water north prong J. Davis, Junr. traps, your commissioners are of opinion that the Said River may be made navigable much easier and with much less expense than supposed by many. the commissioners recommend it to the court to take such steps as the law would justify them to keep open said river free for the passage of fish so those not immediately on the river may have free access to the fish, those who may think proper to trouble them selves to fish with Seins, nets, or other wise any further is submitted to your consideration."

WM. FLYNT, JNO. G. SMITH, JAMES DEARING, WILLIAM WARD, Junior.

There has always been and no doubt there will forever be great excitement going on around the polls on the days of elections. Each man wants to see his man win. Arguments will start that will wind up in fights. We quote below some presentments made by the grand jury in the years 1823-24:

"We of the grand jury present Henry Martin as committing a great riot on the 14th day of august last at the snow creek election."

"We present Peter Shamel & Henry Miller for fiding at Bethania Election."

"We present Phillip Snytor & Tyson Read for fiding at Salem Election."

"We present Henry Long & Daniel Hauser for fiding at Nathaniel Lashes House on the day of last Election."

"We the Grand Jurors Jacob Hilsobeck, Sin. Joseph Hilsabeck and John Edwards for fiding at Solomon Spainhowers on the last Election day."

"We present Thomas Chase, Junr, William Nusion for fiding at the X road Election."

At the time Stokes was taken off of Surry there were bounties paid for the killing and destroying of wolves, and yet, nearly forty years afterwards these animals were still considered a pest. We quote the following from the original slip of paper: "after the following manner this a branch of the original wolf list & that the under Sot Subscribers agrees to pay for Each and Every grown wolf Killed 50 Cents & 12 1-2 Cents for Every Whelp." 14th Jany 1826. THOS. J. MARTIN."

DEEDS OF TRUST. To fit the Stokes county records. Mailed to any address, 50 cents per dozen DANBURY REPORTER.

## NOTICE

NORTH CAROLINA STOKES COUNTY IN THE SUPERIOR COURT BEFORE THE CLERK. R. M. Gambill, Administrator of S. U. Atwood, dec'd vs. Mrs. Susan V. Atwood et als, Defendants

### NOTICE OF SALE

Under and by virtue of an order of the Superior Court of Stokes County in the above entitled matter, I will offer for sale at public auction, to the highest bidder, on the premises at King, North Carolina, on the 25th. day of June, 1938, at 11:00 A. M., the following described real estate:

TRACT NO. 1: A certain tract or parcel of land in Yaddin Township, Stokes County, State of North Carolina, adjoining the lands of S. U. Atwood and others, and bounded as follows, viz:

BEGINNING at a fence post, S. U. Atwood's corner and runs North 1 degree East 39 feet to a stake; thence South 50 degrees East 69 feet to a stake, Robert James' corner; thence North 86 degrees West 52 feet to the beginning, containing .02 acres, more or less.

TRACT NO. 2: Being Lots Nos. 70 and 71 of the C. S. Fowler property sub-divided and by the Davis Budgett Realty Company and known as West View in the town of King, North Carolina.

TRACT NO. 3: Lying and being in the town of King, North Carolina, and more particularly described as follows:

BEGINNING at a point on the East side of the highway leading South from King and with corner of a 15 foot alley, thence with South side of said alley South 70 degrees East 245 feet to a corner; thence South 15 degrees West 50 feet to a corner; thence North 82 degrees West 245 feet to aforesaid highway; thence with said highway North 16 degrees East 99 feet to the point of beginning, being in fact all of the Lots Nos. 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, as shown on map of the property of J. W. Hobbs, made by F. E. Womble, Surveyor, December 3, 1935, and of record in the office of the Register of Deeds for Stokes County, North Carolina, to which reference is hereto made.

TRACT NO. 4: A certain tract or parcel of land in Yaddin township, Stokes County, State of North Carolina, adjoining the lands of V. T. Grabs, S. U. Atwood and others, and bounded as follows, viz:

BEGINNING at a stake in the new public road, said S. L. Pauliam's corner and runs with his line N. 53 degrees West 70 feet to a stake; thence N. 10 degrees East a new line 70 feet to a stake; thence South 53 degrees East 70 feet to a stake in said new road and in Grab's Mill Lot line; thence South 10 degrees West 70 feet with said road to the beginning, containing 4900 square feet. This being the same lot of land described in a deed recorded in the office of the Register of Deeds of Stokes County, N. C., in Book 41, on Page 61.

TRACT NO. 5: Adjoining the lands of Grabs Manufacturing Company and Others, and bounded as follows, viz:

BEGINNING at the corner of Tabernacle lot in the West side of public road and runs with this line North 53 degrees West 93 feet to Perry Priddy's corner and Tabernacle corner; thence South 11 degrees West with Priddy's line 86 feet to a rock; thence South 84 degrees East 84 feet to said public road; thence North 12 degrees East 38 feet to the beginning.

TRACT NO. 6: A certain tract or parcel of land in Stokes County, State of North Carolina, and bounded as follows:

BEGINNING at North corner of Lot No. 18, running with alley 170 feet to corner of Lot No. 5; thence North 49 feet to corner of Lot No. 3; thence West 170 feet to corner of Lots No. 13 and 11, in fact being all of Lots Nos. 12, 13, 14, 15, 16, 17, as shown on map of J. W. Hobb's property, made by E. E. Womble, Surveyor, made Dec. 3, 1935, and recorded in office of Register of Deeds of said county.

TERMS OF SALE: One-third cash on day of sale, balance in two

## NOTICE OF SALE OF REAL ESTATE

Under and by virtue of an order of sale made by J. Watt Tuttle, Clerk of the Superior Court of Stokes County, N. C., in the Special Proceeding entitled "Hattie Kellum, Administratrix of the estate of King Smith, dec'd. Vs. Ida Smith (Widow) et al", the same being upon the Special Proceeding Docket of said Court the undersigned Administratrix will on SATURDAY JUNE 18TH, 1938, at 10:00 o'clock, A. M., on the premises in Beaver Island township, Stokes County, N. C., offer for sale at public auction to the highest bidder for cash the following described lands:

Beginning at pointers at R. N. Wall's corner; runs North on his line 10 3-4 chains to a stake; thence North 83 deg. East on line of Lot No. One 14 1-4 chains to a stake; thence East on line of Lot No. Four 12 chains to a stake; thence South on line of Lot Three 12 chains to pointers in J. M. Reynold's line; West 26.65 chains to the beginning, containing 30 acres more or less, being Lot No. Two in the division of the lands of Israel Johnson, Deceased. Also beginning at a poplar runs North on J. D. Wall's line 17 chains to pointers in said Wall's line; thence South 77 1-2 deg. West on line of Lot No. Four 19 chains to a stake, thence South on line of Lot No. Two 12 chains to pointers in F. M. Wall's line; thence East 18.35 chains to beginning containing 25 1-2 acres more or less, being Lot No. Three in division of lands aforesaid (See No. 347 Special Proceedings Docket of Stokes County). Also beginning at a Spanish Oak runs South 83 deg. West 12.60 chains to a stake, R. N. Wall's corner; thence South on his line 9 chains to a stake; thence North 83 deg. East 14 1-4 chains to a stake; thence North 12 deg. West 10 1-2 chains to the beginning, containing 14 acres more or less and being Lot No. One in the division of the lands Israel Johnson, deceased, among his heirs-at-law and for record for said division reference is hereunto made to Book of Orders and Decrees No. 6 pages 300 etc. in the office of the Clerk of the Superior Court of Stokes County, N. C.; for deed conveying the whole of said tract to said Israel Johnson see deed from E. J. Eudaily & wife to said Johnson of date Aug. 14th, 1885 recorded in Book No. 27 at page 38 Register of Deeds Office, Stokes County, N. C.

Save and except Eight (8) acres heretofore cut off and sold to Hattie Kellum and where the said Hattie Kellum and husband Noah Kellum now live and make their home.

This May 17th, 1938. HATTIE KELLUM, Administratrix of Estate of King Smith, Deceased. J. L. Roberts, Atty.

## NOTICE

By order of the Superior Court of Stokes County, North Carolina, I will on the 23rd, day of May 1938 at the hour of 2 P. M. sell to the highest bidder for cash the following captured ears transporting liquor:

- One 1936 model Ford Deluxe Tudor Touring motor No. 2771629.
One 1934 Ford Sedan Delivery Motor No. 951413.
One 1932 Chrysler 8 cylinder Sedan Motor No. CD9165.
One 1937 Lincoln Zephyr Coupe, Motor No. H44822.
One 1930 Cadillac V-8 Coupe, Motor No. 508848.
This the 2nd day of May, 1938. JOHN TAYLOR, Sheriff

666 SALVE for COLDS price 10c & 25c equal installments, in four and eight months time. This 18 day of May, 1938. ROBERT M. GAMBILL Commissioner.