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INDEPENDENT MINDS AND SHARED COMMUNITY:
MARRIED WOMEN' S WILLS
IN AMITE COUNTY, MISSISSIPPI, 1840-1919

by
Jennifer M. Payne

A Thesis Submitted
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Master of Arts

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ABSTRACT

Independent Minds and Shared Community: 
Married Women's Wills in Amite County, Mississippi, 1840-1919

by

Jennifer M. Payne

The fifteen married women whose wills were probated in Amite County, Mississippi between 1840 and 1919 were linked by geographical proximity, church affiliation, and similar social status. Their estate papers indicate that after the legal changes of 1839 allowed a married woman in Mississippi to act as a feme sole in regards to her own property, Amite County wives took advantage of the law and acted independently from their husbands. While the antebellum wills concerned slaves and plantation properties, the wills written at the turn of the century distribute commercial properties and personal items. The information provided in these testaments and estate papers give evidence of the social and economic changes experienced by the region and the South during those eight decades.
ACKNOWLEDGMENTS

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This thesis is dedicated to the memory of my uncle, Donald W. Payne, Sr. We all miss you.
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INTRODUCTION

In the United States property ownership and the control of that property represented a power not achieved by the vast majority of persons who remained in the Old World. Yet for one half of the white population during most of American history, this chance to control one's own economic future was not only difficult but legally restricted. To understand the history of women in the nineteenth-century United States, the modern student must be aware of the legal limitations that severely circumscribed many activities women might have desired to pursue. Conversely, knowledge of these very restrictions allows the student to explore how legal change transformed not only the actions but sometimes the very lives of the women involved. Mississippi’s 1839 Act for the Protection and the Preservation of the Rights of Married Women was an unprecedented liberation of property-holding married women from the restrictions of coverture under the ancient precepts of Anglo-American common law.

Mississippi women of the mid-nineteenth century were the first to take advantage of the new laws. Within a few months of the legislative changes, wives in Amite and other Mississippi counties commenced writing wills. By focusing on the testaments of these married women, the reader learns exactly what they owned, valued, and desired to pass on to the next generation. While their property may have been inherited from a father or previous husband, both these women and their current spouses agreed and
recognized that the items belonged to the wife alone. These women
realized the pride and understood the responsibilities of ownership, a
cherished part of the American dream. They were also wives, daughters,
sisters, and neighbors; these roles are evident in the text of the testaments
and the patterns of bequeathment. Not only did they designate their legacy
to assist family and friends, they may have influenced each other and
couraged other wives to make a final statement in the form of a will.

Although none of these individuals is a typical example of southern
womanhood—indeed the very fact they owned property separate from their
husband places them in a relatively elite circle—they are representative of
the first women to take advantage of this property law reform. The study
of their wills should help the historian to understand the importance of
property to women and to recognize the desire of women, like men, to
protect family holdings and be remembered after death.

Common law, the basis of both English and American law,¹ was the
result of centuries of amalgamation and precedent. Most of the laws
relating to property were made by men who, having achieved their wealth,
were interested in maintaining their investments. They relied on the
ancient precepts of coverture to preserve family fortunes from untutored
wives and depended on equity settlement to protect them from profligate
sons-in-law.

¹English common law was adopted by all of the states after the Revolution as the
basis of the American legal system. As new territories were settled, with the
exception of Louisiana, so too did the tenets of common law become established
throughout Anglo-America. (Marlene Stein Wortman, Women in American Law,
Vol. 1: From Colonial Times to the New Deal [New York: Holmes & Meier,
1985], p. 14.)
Under the rules of coverture, a single, adult woman had the same ability as her brother to buy and sell property, make contracts, and write a will. When she married, however, she changed from this autonomous legal status of *feme sole* to a special status, subordinate and dependent to the husband, known as *feme covert*. He now had control over her real property, which included her dowry, freehold land, and personal property which included slaves. Although as an unmarried woman she could have written a testament, a wife could make a will only with her husband's consent. Rarely given, this consent could be withdrawn at any time before probate. In her testament, she could bequeath only personal property, not land. If she died intestate, all her property became, or remained, her husband's absolutely.\(^2\) When he eventually died, any children, including those from previous marriages, could inherit from him only if he desired to include them in his will despite the fact that the majority of his property might have originated with her.

If the husband predeceased the wife, anything she might later bequeath came only from that portion that her husband had willed her. While property laws dating to the middle ages stipulated that a widow and her children had rights to their share of the husband's personal property, by the mid-fourteenth century it became possible for a man to leave nothing at all to his children or widow—even property which she had brought into the marriage. The old rule of "reasonable parts" that

automatically gave the widow one-third and the children two-thirds of an estate applied only when the husband died intestate.³

In eighteenth-century America, women whose husbands died intestate were often better off than those whose husbands left wills. An increasing number of men both limited the amount of property left to their widows and restricted their use of inherited estates. Often widows had remarriage penalties or "life use only" restrictions placed on their inherited estate.⁴ In contrast, married men whose wives predeceased them received a lifetime "courtesy" use of the landed property if a child had been born of the marriage. At the father's death, the child inherited or if none survived, the estate went to the woman's next of kin. Because the husband was entitled to tenancy, the holding of his wife's land, only if children were born, the husband's interest in the wife's estate ended with her death if no children survived. In the South, slaves were often bequeathed to children instead of the widow in an effort to protect chattels from an avaricious second husband.

For all these legal privileges, a husband had no legal responsibility to maintain his wife or children. Since the husband, through _jure uxoris_ ,⁵ owned absolutely the wife's property, her property could also be held liable for debts. After her husband's death, a widow's personal belongings,

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⁴Salmon, _Inheritance in America_, pp. 28-29.
⁵_A jure uxoris_ estate entitled the husband to the possession, use, income and usufruct of his wife's property for the life of them both which was, therefore, liable for his debts. (Peggy A. Rabkin, _Fathers to Daughters: The Legal foundations of Female Emancipation_ [Westport, CN: Greenwood Press, 1980], p. 20)
jewelry, even her clothes, could be claimed by her husband's creditors.\textsuperscript{6} Because the common law placed so much financial power into the hands of a husband, the wealthy had found ways, via equity law,\textsuperscript{7} to protect their daughters' dowries from being squandered by dissolute husbands. They created separate settlements for their daughters, thereby granting them almost the same rights as a \textit{feme sole}. These settlements gave a married woman a measure of protection unknown to those wives who could not afford to tie up property in equity. Unless a woman with an equity settlement voluntarily offered her estate as collateral, it could not be taken to pay for her husband's debts. Some settlements included testamentary clauses which gave married women the privilege of bestowing or withholding their separate estate in the same manner as men. Lest this relative autonomy go to a woman's head, her settlement was managed by a male trustee.

A major problem with settlements was that they were not designed to give women any present benefit. Because the husband had use of any profits or interest during his lifetime, only after his death could his widow gain access to her property. Even then, though she was a \textit{feme sole}, she could not control the principal, for it remained in trust for her children or heirs. Thus settlements were utilized as a form of insurance against the

\begin{itemize}
\item \textsuperscript{6}Rabkin, \textit{Fathers to Daughters}, p. 21
\item \textsuperscript{7}Equity is a complimentary system of jurisprudence, dispensed by a judge, that provides individual remedies where there is either no common law precedent or where a particular situation results in injustice. (Marlene Stein Wortman, \textit{Women in American Law}, Vol. I: From Colonial Times to the New Deal [New York: Holmes and Meier, 1985], p.5.) By the nineteenth century, this by-pass of the laws through equity became a high art form. Equitable jurisdiction usually involved the control of trusts and separate properties, thereby recognizing the validity of legal actions taken upon the woman's behalf by her estate's guardians. (Walker, \textit{Oxford Companion to Law}, p. 426.)
\end{itemize}
financial uncertainties of widowhood and not as a separate source of income beyond that allotted to her by her husband to be enjoyed during her marriage. Another drawback was that settlements did not always provide financial protection for wives. Common law gave men the "expectation" that they would have control over their wife's money, because for a settlement to be valid, the husband had to agree to it. If a man did not want to be generous to his wife, there was no way his wife could safeguard her property via an equity settlement. By the end of the eighteenth century many settlements named the husband as manager, thereby ending an outlet of financial independence for some women. While equity recognized the ability of some married women to hold property even after marriage, it did not alter that status of married women as a group under the law.

Because most equity privileges were beyond the resources of the majority of American women, equity law concerned only a very small number of people. The proceedings in the courts of equity were very expensive, and families had to go to court each time a daughter married. Even those with moderate fortunes found that these expenses were more than they could meet. Only the extremely wealthy could entangle property in these marriage settlements. Approximately one married woman in ten had property in equity, therefore 90 percent of the married female population labored under the disabilities of coverture.

As America moved into the nineteenth century, the common law legacy inherited from England could not keep up with the rapid economic

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8Salmon, Inheritance in America, p. 77-78.
and social changes taking place in society. With increased business expansion in the East and the growing migration to the West, many precepts of common law, especially those concerning married women, hindered progress. By the 1830s and 1840s, economic and social pressures spurred American legalists to reconsider the legal status of married women.9

The boom-and-bust economy of the 1830s that culminated in the Panic of 1837 may have been the spur needed to enact property reform legislation. Because a married woman's property was subject to seizure for a husband's outstanding debts, many women and their families risked losing their inheritance and future maintenance. Separate estates would at least insure that a family would continue to have an income through the wife's money. This unstable economy was shadowed by the nascent women's movement. By the 1840s, many female abolitionists began to extend their energies toward the cause of women's rights. As early as 1837, Sarah Grimké published a harsh indictment of women's status under the law in her Letters on the Equality of the Sexes. Ernestine Rose and Elizabeth Cady Stanton petitioned in favor of statutory change. The efforts of these women and others brought about change in the established Northeast. In 1848, New York and Pennsylvania enacted a married women's property law that granted hitherto femmes covert the right to own separate property and to exercise full powers of control over it. Studies have indicated that

the reforms resulted from both legal reconsiderations by lawmakers and the efforts of the early feminists.

The well-documented and researched publications on the process of married women's property law reform in New York and Pennsylvania focus on three influences in the passage of laws. These studies indicate that economic problems heightened by the Panic of 1837, a growing realization on the part of legalists and legislators that the *feme covert* status of married women in regards to their property was inherently unjust, and the heightened visibility of the infant women's rights movement were all prime factors in the 1848 passage of the married women's property law reforms in these two states. Paradoxically, while New York and Pennsylvania have been the focus of several studies in the last fifteen years, neither was the first to legislate this reform; in 1839 Mississippi enacted a series of statutes that radically altered married women's status under the common law.

By 1839 Mississippi had enjoyed twenty-two years of prosperous statehood. With millions of fertile farm and timber acres available, it proved to be an attractive destination for thousands of pioneering Americans. Though Mississippi had begun its existence as a patchwork quilt of Spanish provinces of Florida and several Indian Secessions, Mississippi lawmakers chose to conform to the Anglo-American legal base of common law instead of the nearby civil law as practiced by Mississippi's Spanish and French neighbors in Louisiana and in early Florida. Mississippi's proximity to the precepts of the Code Napoleon and its tenets of married women's separate property rights may have influenced Mississippi's groundbreaking adoption of the 1839 *Act for the Protection*

While Brown admits that the facts of the story are sketchy, she recounts the tale of Mrs. T. Hadley, an operator of a popular boardinghouse in Jackson, Mississippi, and onetime resident of Louisiana. During her sojourn in the Pelican State, the future Mrs. Hadley observed with envy the relative freedom with which married Louisiana women could manage their own property. After her return, she married and became a feme covert under Mississippi law. It so happened that her husband, who was continually hounded by creditors and hence, endangering her own earnings, was a member of the Mississippi State Senate. Either Mrs Hadley’s persuasion or his accruing debts took their toll, for on January 21, 1839, Mr. Hadley introduced a bill "for the protection of and preservation of the rights of property of married women."\(^{10}\) After three stymied attempts, the bill finally passed and was ratified into law on February 15, 1839, thus making Mississippi the first state in the nation to give a married woman legal control of her own property.\(^{11}\) Given the fact that a significant proportion of wealth in Mississippi was tied to both land and slaves, married women now had legal access to the basic component of the southern economy--agriculture.

The 1839 Act for the Protection and Preservation of the Rights of Married Women granted a woman the ability to possess property separate from her husband. She remained a feme covert but she could manage her


property, make contracts, and bequeath as a *feme sole*. Although the state broke ground in this relatively important area of property law reform, Mississippi garners only small footnotes in the histories of the mid-nineteenth century America women's property law reform. Few historians sufficiently credit the effect that the Mississippi statutes of the 1830s had on the later reforms of other states.

This "Woman's Law of Mississippi," was the first in a series of landmark reforms that permanently altered the access of married women to their property. While no changes were made to the law until after the Civil War, a series of reforms enacted during radical Reconstruction and the decade beyond redefined property and ultimately dissolved all limitations. The married woman was granted an unprecedented amount of freedom of property disposal at the time of her death.

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12 Many of the works cited in this paper such as, Marylynn Salmon, et. al.'s research in *Inheritance in America*, Peggy Rabkin's book, *Fathers to Daughters*, and Richard Chused's 1983 article in the *Georgetown Law Journal*, are only an example of nineteenth-century legal historians' bias towards the urban north-east. Few historians even project, let alone acknowledge that the Mississippi statutes of the 1830s might have had any effect on the later reforms enacted by other states except in wording, and perhaps, precedent. Despite this dearth of historical attention, the Mississippi married women's property acts significantly affected the lives of Mississippi women in the decades before the civil war and became the foundation of later reforms.

13 The Mississippi Constitution of 1868 stated, "The rights of married women shall be protected by law in property owned previous to marriage; and also in all property acquired in good faith by purchase, devise, or bequest, after marriage; *Provided* that nothing herein contained shall be so construed as to protect said property from being applied to the payment of their lawful debts. (Article I, Section 16, in Thorpe). The Revised Code of 1871 further defines separate property by making a wife's wages part of her separate estate. Any rents, issues, profits, products, and income from her real or personal estate were hers as well. (Article V, Section 1778, *The Revised Code of the Statute Laws of the State of Mississippi*, [Jackson: Alcorn & Fisher, State Printers , p. 376.]) (Suzanne D. Lebsack, "Radical Reconstruction and the Property Rights of Southern Women," *The Journal of Southern History* XLIII [May 1977?], 2, p. 214.)

14 The hazards of dying intestate are exemplified by the problems faced by Cynthia Montgomery Obier Taylor's heirs after her 1853 death. She had inherited a portion
inventories written by nineteenth- and early twentieth-century women give a unique insight into the legal, economic, and social aspects of women's lives. In an age when women could not vote, hold public office, sit on a jury, pursue a professional career, or even appear in the newspaper without hinting scandal, wills were an opportunity to leave a permanent

of her father Hugh Montgomery's $3150.12 estate in 1846 when she was twenty-nine and married to her first husband John Obier. Both Montgomery and Obier owned lands in the far northeast part of Amite County that would eventually become part of Lincoln County. Obier died in the late 1840s and Cynthia remarried to Thomas Taylor in January 1850 when she was thirty-three and he twenty-two years old. At the time of her death three years later, she and Taylor had a daughter Martha. Cynthia also had a 16-year-old daughter named Aletha from her first marriage to Obier. The inventory of Cynthia Taylor's estate, dated May 1854, consisted mostly of farm implements, small livestock, and produce. Also included are two bedsteads, three mattresses and furniture, eight chairs, crockery, glassware, and tableware. Her entire estate, including the value of three slaves, was estimated at $1586.25 -- not an inconsiderable amount. (Amite County Archive File 188.)

The lack of a will created a legal problem for the second husband. After Cynthia's death in 1853, Thomas Taylor petitioned the court in favor of his and Cynthia's young daughter, Martha. (Amite County Archive File 188.) Apparently Thomas Taylor wanted to insure that his child received her share of her mother's estate. Chattel slave property law declared that had some of the slaves originally belonged to Obier, that portion of the estate would only go to the child of that union, Aletha Obier. (Section Four, Act for the Protection and Preservation of the Rights of Married Women, 1839. See Appendix for text.) At the time of Taylor's petition, Aletha already had a guardian, appointed at the time of her father's death, and presumably would have inherited a portion of her mother's estate in addition to what she might have received from her father. Whether Cynthia's existing estate was fully or only partially Obier's, in May 1854, a year and a half after the recording of the inventory, Martha Taylor was granted one part, presumably a third, of her mother's estate. Cynthia Taylor's movable property, including the slaves she owned and the rest of her goods, was sold by Taylor after her death for $1694. (Amite County Archive File 188.) The reasons for this liquidation are unclear. There may have been financial crisis on the part of Taylor or families could not decide an equitable division of labor and goods. Because of the petition the court may have ordered disposal of the estate for an even distribution by law to all three parties. What is important was that by having been married more than once, Cynthia Taylor had created a situation of conflict regarding the disposal of her property. Had she been willing, able, aware, or interested in avoiding such problems -- which appeared to have the effect of disposing from her family personal goods that might have later had sentimental value to either of her daughters, or the human value of the slaves that were sold -- the new property law would have allowed her to avoid liquidation.
mark on public memory. In them, their last wishes were duly recorded and, after death, granted. Accounts of their personal possessions were catalogued and appraised. In an increasingly materialistic age when wealth and the successful acquisition of property were equated with success, in death a woman who wrote a will was evaluated on equal terms with men.
CHAPTER I

A Circle of Neighbors and Kin: The Antebellum Era

Amite County, located near Mississippi's southwestern corner and across the border from the Felicianas in Louisiana, is today the source of enormous potential historical research. By late twentieth century standards, the area is relatively isolated. Only narrow county or dirt roads connect the logging trucks with the outside; no major highways were ever established in the county, and the one railroad has since been dismantled. Most of the locations listed on Amite County maps consist of a few houses, the remnants of farming communities, or are of families long dead. Once outside Amite, however, the traveler encounters two thoroughfares that connect the area to the rest of the world. Mississippi River borders Wilkinson County to the west, and both Interstate 55 and the railroad that connected New Orleans with Jackson, Memphis, and beyond, bisect Pike County to the west. Amite County was never too far removed from the commercial centers of the South.

The seat of Liberty, with a 1980 population of just over 600, was founded in 1809 and is the central hub of the largely rural county. The community still maintains its old buildings and continues to utilize them as they were originally planned. The hardware store and drug store signs proudly announce they have been in continuous service at the same locations since 1898 and 1905. Though Union troops pushed their way through the county on their way to and from New Orleans during the Civil War, the communities survived relatively unscathed. There was
comparatively little wartime destruction; many antebellum homes are lived in today, and many original churches scattered throughout the county are still in use. The Amite County courthouse, erected in 1831, is the oldest extant courthouse in Mississippi. Continuously occupied, it houses a remarkably complete set of civil records dating back to before the county's founding in 1809.15

Amite County Will Books One and Two contain a total of 362 wills probated between 1819 and 1920. Seventy-nine belonged to women and fifteen were written by women who were married at the time they died.16 These wives' testaments appear only after the 1839 Act for the

15Everything within the Chancery Clerk's office is either stored in its original bindings or in the ancient numbered vertical files that were organized in 1932 in a WPA project. The two ledgers designated Will Books I-B and II contain three hundred and sixty two wills written between 1819 and 1919. Will Book I-A has been lost, but its companion, volume one of Wills and Administrations, gives record of the missing wills probated between 1809 and 1820, publishes the inventories, and describes how the estates were managed. Another thirty-six volumes record the inventories and estate administrations through 1906. All documents copied into the will or administration books before 1906 were handwritten by the elected chancery clerk. Everything in the ledgers therefore is subject to misspelling, inaccuracy, and bad penmanship. Most of the original papers are still available for study and organized according to case in the vertical files. Inadequate storage and a long outdated filing system, however, have resulted in extensive damage to and misplacement of some original documents.

As was customary in the nineteenth century, wills were duly recorded in two-foot-tall will books at the time of probate. These records along with inventories and files are still available and easily accessed through the original indices and a compendium organized in the 1940s by lay historians Albert E. Casey and Frances Powell Otken. While Casey initially began the history as a record of his family, the four volumes of Amite County Mississippi, 1699-1865 contain census records, marriage licenses, land grants, property and land conveyances, orphans court records, and abstracts of wills from Amite County's beginning in 1809 through the Civil War. These materials have proven invaluable because Amite County garners only brief mention in most books on Mississippi history. The Casey-Otken book, used in conjunction with J. Paul Mogan's survey of Amite County cemeteries, census records, marriage records, and other public records available at Houston's Clayton Library, provided much of the background information on each of the women whose wills were studied.

16All but two of the remaining sixty-four testaments belonged to widows.
Preservation of the Rights of Married Women. If the women in this survey had _feme sole_ status because of a property settlement through equity law, the wills do not indicate that status. None, however, appeared to have made any legal transactions in their own names before the change in the law.\(^{17}\) Eight of these fifteen married women's testaments were probated before the beginning of the Civil War and were largely concerned with distributing slaves and equipment necessary for cotton cultivation. The remaining seven wills were published between 1871 and 1919 and reflect the economic and social changes of the New South.\(^{18}\)

Amite County and the rest of southwestern Mississippi underwent a rapid transformation from wilderness to farmland in the first half of the nineteenth century. Settlers began venturing into the Amite River environs beginning in 1805 when the area was still part of Wilkinson County and Mississippi was still a territory.\(^{19}\) These pioneers came from Virginia,

\(^{17}\)Casey and Otken's compilation of Amite County records do give the dates and names of individuals who participated in land and chattel transactions before 1865. These summaries give the best indication of the frequency and dates when the women in the study acted as _feme sole._

\(^{18}\)In order to discover where these women originally obtained their holdings, papers belonging to the estates of seventy-one men who bequeathed property to the women in the survey were obtained. From these men's estates this historian traced from whom the women obtained their property. In addition to family ties, circles of friendship and community proved to be important to the women who wrote these wills. Friends and neighbors were sometimes mentioned in the bequeathment or signed the wills as witnesses. These relationships were researched through the church membership rolls included in Volume II of Casey and Otken's _Amite County Mississippi_, the proximity of families listed in the census records, and by plotting on a map claims filed in land entry books one and two at the courthouse. Vital statistics were obtained through census, cemetery, and marriage records available at the Clayton Library for all but a few individuals.

\(^{19}\)Wilkinson County, with its county seat at Woodville, was founded in 1801 at the time that the town of Natchez, about forty-five miles away, was declared the territorial capitol. (Richard Aubrey McLemore, ed., _A History of Mississippi_, Vol. I. [Hattiesburg, MS: University and College Press of Mississippi, 1973], p. 197.)
Tennessee, Georgia, and the Carolinas—the Aiken, Edgefield, and Ninety-Six districts of South Carolina in particular—and were either veterans or the children of Revolutionary War soldiers. Some traveled in large groups, stopping from time to time in the states and territories in between; many younger members of the traveling parties met and married their spouses along the way. Many ventured into Amite via the territorial capital of Natchez in Adams County, a logical stop for supplies and information. By the time of the 1816 census, over 800 families were living in Amite County; almost all of the people who would probate wills during the remainder of the nineteenth century were already represented by names in this census.

While most early pioneers traveled to Mississippi with little except a gun and other basic necessities, a few families, such as the Gayden-Batchelors and the Goolsbys, arrived with the several slaves, home furnishing, and farm implements needed to carve a comfortable existence from the wilderness. A sampling of the estate papers of settlers who died in the decade after the county's 1809 founding indicate that cattle herding, livestock production, felling trees, and basic farming were the main economic endeavors of these new Mississippians.

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20 The family of Virginia Revolutionary War veteran William Longmire was joined during their 1808 cross county trek by the South Carolinian brothers Holloway and Daniel Huff who married two Longmire daughters and continued to Amite County. They followed the trail blazed by fellow veteran and Virginian Rev Luke Lea, (whose two daughters in law Sabrina Clay Lea and Nancy Clay Lea were first cousins of statesman Henry Clay), South Carolinian John Swearingin, and the George Gayden-Thomas Batchelor families of Aiken South Carolina.  
21 Hardy Cain's 1814 inventory, preserved in Wills and Administrations Book I in Amite County, includes two quartersections of land, sixty hogs, twenty-two cattle, four horses, six slaves, four axes, two wedges, a lot of hoes and plows, and household furnishings including a cherrywood chest, four beds, and a lot of books. (Inventory of Hardy Cain, 1815, Wills and Administrations, Book I, pp. 142-46)
The number of Amite County residents probating wills grew steadily as the area's population increased each decade after 1809. As the lands were cleared for larger-scale farming in the late 1820s and 1830s, cotton began to be produced by many of the area families, thereby expanding the slave population in the county. The owning of slaves not only enhanced a family's production capacity and gave them some social standing, but also increased the chances of the owner writing a will. Of the antebellum estates, more were written in the 1840s and 1850s than in any other decade until after World War One.22 Several factors would have influenced this first 1840s peak, For example, the return to relative economic stability after the economic crisis of 1837, the cultivation of cotton on by now well established farms and plantations, and the fact that the first generation of settlers were dying all contributed to this increase. Those wills studied indicate that while most of the testators owned fewer than ten slaves and raised a variety of crops and livestock on medium-sized farms, a growing proportion of wills, written by both men and women, involved the transfer of large plantations and up to eighty-five slaves.

In an age of large families and a reluctance to divide family lands, slaves were a convenient means of distributing assets. They were often

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22 More people overall probated wills in Amite County during the 1840s, but more women probated wills during the 1850s. Women wrote twenty of the forty-eight wills probated between 1850 and 1859 as compared the 1840s when women wrote ten of the fifty-nine wills.
divided into carefully planned groups or lots that gave a similar amount of labor and value to each heir. Widows, younger sons, and daughters, especially, could inherit legacies equal in value to that of the eldest son who may have retained control of the land. Therefore, as the number of families owning slaves increased, so too did the number of women who obtained ownership of very valuable slaves through inheritance. Those who could legally do so often chose to write wills themselves in order to pass on their lucrative labor source. Because of this practice, most of the wills written by women before the Civil War involved slaves.

Of the forty-three wills probated by Amite County women before 1864, all but seven involved the transfer of slaves. The proportion of non-slaveholding estates decreased as cotton cultivation rose in the decades before the Civil War. Between 1820 and 1840 roughly 20 percent of the women in each decade who wrote wills did not have slaves. Twenty-two women wrote wills in the 1850s, of whom only three did not own slaves. At least five women who would die during that decade were mistresses of large plantations with between forty and seventy-five slaves; many of the other women testators would have supervised farms worked by over ten enslaved laborers or else hired them out to other landowners.

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23 The women's wills are used in this comparison because not all of the men's wills are available for an accurate account.
24 In the 1820s, Mary McDonald was the only non slaveholding woman out of five to probate a will. Elizabeth Trentham Perry likewise stood out from the four female testatrixes of the 1830s. Elizabeth Husbands and Nancy Goode were the only two out of ten to not own slaves in the women's wills of the 1840s.
25 None of the three slaveless women who died in the 1850s could sign their names on any of their legal documents. All three were elderly widows who had arrived in the county around the time of its founding; the other four non-slaveowning women of the previous decades could sign their names.
A final factor in the rise of the number of wills probated in Amite County, Mississippi, in the 1840s and 1850s would have been that married women, for the first time, could write wills distributing the property they owned separate from their husbands. The women of Amite County quickly took advantage of this opportunity to express their wishes in a permanent and official manner. The eight married women who probated wills before the Civil War were of different ages and varying levels of economic and social standing, but all were sole owners of a lucrative commodity. They had inherited slaves from a first husband or other family members and, in some circumstances, had taken advantage of the changes in the married women's property laws to expand their labor force and run their families' plantations.

These women were also neighbors. With the exception of the first married woman's will probated in Amite County, all lived in the southwestern part of the county in Township One, Ranges Two and Three, known as the Thickwoods, where the land was of comparatively high quality. They also all belonged to either Ebeneezer Baptist Church or Unity Presbyterian Church, both of which are situated within four miles of each other and the women's homesites.\(^{26}\) Church membership would have involved more than simply attending weekly services. Many of their husbands were deacons or church elders whose activities would have involved leadership both spiritually and socially. Their families would

\(^{26}\)The locations of the women's homes was determined through the property rolls and the 1850 Mississippi Census. Their religious affiliations are listed in the church membership rolls in Volume II of Causey and Otken's *Amite County, Mississippi*. 
have attended Sunday school, Bible classes, choir rehearsals, revivals, church socials, sewing circles, picnics, and other group activities.

While there is no proof among any of the legal documents that these women knew each other, the proximity of their houses and church memberships suggests that they may well have crossed paths. The diary kept by Frances Ann Cain of Zion Hill in northern Amite County recounts almost daily rounds of visiting, parties, and church activities in which she, her extended family, and neighbors participated. All of the women whose wills were probated before the civil war were members of the county's most elite families and would have been on equal social footing with each other. Comparatively well educated, these women and their husbands would have supported cultural events and have encountered one another at social functions. When the Swedish opera star Jenny Lind performed at the Raiford Building in Liberty in 1852, all who could possibly get away from household duties probably attended. Because the social circle of these women was relatively small, it is likely that all the women were acquainted. Furthermore, considering the fact that these were the only married women in the county to leave testaments, they may have also influenced and encouraged each other to write wills.

The first woman who took advantage of the 1839 property law reform was not a resident of Mississippi at the time of her death. Nancy L. Smith Harrington Williford, late of Maury County, Tennessee, was visiting relations in Amite County in the summer of 1840 when she fell ill. While the nature of her illness is unknown, she obviously felt compelled to
put her property affairs in order. Although she was then currently a resident of Tennessee, Nancy had previously lived in northern Amite County after her first marriage in 1835.

In the previous five years Nancy Williford had inherited property from her father, Thomas Smith, of Maurey County, her first husband, James Harrington, in Pike County, Mississippi, her husband's brother Jeptha Harrington of Amite County, and from her brother, William Smith, in Yazoo County, Mississippi. While what she had inherited from her father, first husband, or her brother is not known, it is possible that she and her second husband were maintaining the "real and personal" property that had belonged to her father in Tennessee. Nancy Williford's former brother-in-law Jeptha Harrington had left her fifty dollars in his November 1837 will. It is possible that the visit to Amite County in the summer of

27The records for both Pike County and Yazoo County from the 1840s have been lost. The Harrington lands in Amite County are entirely within Sections one and two of Township Three, Range 6 in the northeastern corner of the county just adjacent to Pike County. James Harrington's lands may have been adjacent to the rest of the family property but across the county line. During her first marriage Nancy Harrington did worship in Amite County for she was received as a member of the Pisgah Presbyterian Church on September 231837. (Casey and Otken, Amite County, Mississippi, Vol. II, p. 96.)

28Jeptha Harrington had inherited property from his aunt Sarah Birt Cobb Bradford in 1824. Sarah Birt Cobb had married Benjamin Bradford in her home parish of West Feliciana, LA but after her 1820 wedding had moved to the then sparsely settled northeastern corner of Amite County where by the late 1830s most of the Harrington family continued to live. Benjamin Bradford must have died soon after for her will is part of the original survey; she could not have written her will unless she was no longer married. While there are no other records of other marriages, the number of last names she used and the fact that Sarah Bradford described herself in her will as having "feeble bodily health consider[ing] my advanced life," Benjamin Bradford was probably not her first husband. She left no slaves or money that would indicate her property had been passed on to either Jeptha Harrington or Nancy Williford for her estate consisted entirely of livestock, fodder, and farm implements. (Will of Sarah Birt Cobb Bradford, 1824, Amite County Will book Vol. I p. 52; Inventory of the Estate of Sarah Birt Cobb Bradford, 1824, Amite County Archive File 16.)
1840 may have been in response to this legacy. During this last stay Nancy bequeathed her entire estate to her present husband, Almasine Williford, whom she had married in 1838.29

If she and her husband were childless, as her will suggests, Nancy Williford's will, written June 17, 1840, and probated on November 24, 1840, did not significantly alter what her husband stood to benefit. Had she died intestate, Almasine Williford would have inherited a life interest in her estate. However, he could not have passed his inheritance on, for the estate would revert back to his wife's family. Though her reasons for writing a will are unknown, perhaps Nancy Williford wanted to take advantage of an opportunity, heretofore denied to her in Tennessee since her remarriage, to devise property as a feme sole. Since a part of her property was from a prior marriage, perhaps she was concerned enough about her present husband's financial situation to protect him from any contest of property transfer from her first husband's family.

While Nancy Williford is the first married woman in the survey to publish a will, she did not completely flout convention, for she wrote her statement "by the consent of my husband." She was the only married woman in this survey to indicate this permission. Nancy further granted her husband permission to control her affairs by naming him sole executor of her estate even though her Mississippi relatives would have been better able than her Tennessee husband to conclude her affairs in Amite County. None of the records available for either Amite County or Maury County, Tennessee, indicate either the type of property (land, chattels, etc.,) or the

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value of the estate left by Nancy Williford. However, whatever the specifics of her estate, Nancy Williford was able to take advantage of the time and place at which she wrote her will and in so doing became one of the first married women in the United States to write a will without having to resort to equity settlements.

Two years after Nancy Williford died, Elizabeth Wren became the first married woman resident of Amite County to write a will. She began a trend that would continue among her neighbors and fellow parishioners in the southern part of the county until the turn of the century: the next six married women who wrote wills either lived within ten houses of each other or belonged to one of two area churches, Ebeneezer Baptist and Unity Presbyterian. Elizabeth Wren and her husband, John Wren, joined Unity Presbyterian in 1840, two years before her will was recorded in Amite County Will Book One.

The will of Elizabeth Wren at first glance seems very similar to that of Nancy Williford, probated two years earlier. Elizabeth Wren bequeathed all of her properties in the states of Mississippi, Louisiana, Illinois, and Kentucky to her husband, John V. Wren. Again, as in the case of Nancy Williford, had Elizabeth Wren simply died intestate, a life interest in the property would automatically have been her husband's. This will, however, has a most unusual feature. Unlike any other in this survey, there is no proof that the will was ever probated. Though the will was

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30John V. Wren was either the half brother or uncle-in-law of married testatrix Victoria Batchelor Buckholtz Street through her mother Rebecca Gayden Wren Batchelor. The en mass migration of the Gayden-Batchelor families from South Carolina is detailed in later pages.
duly registered in volume one of the will book in July of 1842, over the next seven years, an Elizabeth Wren in Amite County was very much alive. The land conveyance book reveals Elizabeth Wren both buying and selling land in 1844. 31 In the 1850 census, a twenty-five-year-old woman named Elizabeth Wren, married to John V. Wren, a physician, and their two children were in Amite County. Both adults were Louisiana natives, but their children, aged six and two, were born in neighboring Franklin and Amite Counties, Mississippi, respectively.32 Assuming that this is in fact the same Elizabeth Wren, she might have written her will soon after her early marriage to John V. Wren, before they began their family. Because there are no other records such as an inventory or any papers indicating the demise of said testatrix, it is possible that the couple moved on and settled permanently elsewhere, perhaps writing a second will to fit new familial circumstances. However, the question remains, why would a supposed seventeen-year-old wife, whose father and brothers had already died and left her their estates, write a will? Perhaps she was pregnant and wanted to get her affairs in order before the perils of delivery. Yet, she does not mention the possibility of any future issue in her will. A second possibility may be John V. Wren had remarried and his second wife's name was also Elizabeth, a very popular name in the mid-nineteenth century. John V. Wren did not remarry in Amite County nor in any of the surrounding counties or Louisiana Parishes, but he may have ventured farther afield to find himself a second bride. Elizabeth Wren may have

32 1850 United States Census.
been the young Wren's mother and his father, her husband, was also named John V. Wren. There is, however, no distinction made between John V. Wren and John V. Wren, Jr. in any surviving documents. Elizabeth Wren's husband may have been the uncle and namesake of the younger John V. Wren, but there is no indication of this in any documentation. Whatever the reason, the will of Elizabeth Wren remains the most inconclusive of the forty-two wills left by Amite County women.

Three of the married women left estates consisting almost entirely of slaves, which was typical of the majority of the forty-two women's wills probated in Amite County before 1865. Often women bequeathed slaves left to them by their parents or deceased husbands. Slaves could be easily divided among children and could equal or exceed the value of land frequently left to the sons of the family. A startling comparison of the cost of slave labor relative to land value is demonstrated in the 1851 will of seventy-two-year-old Ann Reams. Although the 1850 census indicates her husband, Lemuel Reams, owned only $300 worth of real estate, the inventory of Ann's estate compiled two years later lists thirty-three slaves worth $12,897.50. Lemuel was her second husband, and it is likely that she had inherited the slaves from her first husband, a Mr. Watkins. While

33Lemuel Reams' personal estate was much more valuable. In the inventory compiled in 1853, Reams had an estimated worth of $6456.95 having owned extensive livestock, personal goods, and the ten slaves inherited from his wife. Because most of these servants were children and young adults, in the two years since his wife's death, their estimated value had gone up. Whereas Lot 3 in Ann Reams' inventory was worth $4360.00, after Reams' death, these same slaves were valued $4750.00. (Amite County Archive File 160.)
the Amite County courthouse has no records on Ann's first husband, the Ebeneezer Baptist Church minutes records the death of "Brother Watkins" in March 1820. Ann had become a member of that church in 1810 and continued to be active in the parish until her death in September 1851. The Watkins had probably married in her native South Carolina before migrating to Mississippi. Ann Watkins enjoyed a long widowhood after Watkins's death and did not marry Lemuel Reams until after an 1836 contract between her and Reams. The couple were over sixty years old at the time of this marriage and lived together on Reams's property. While the Reamses might have utilized all thirty-three slaves on a 150-acre farm, it is more likely that they either hired out some of her slaves to neighboring farmers or allowed Ann's son, Richard Watkins, to use their labor on his nearby lands.

Because slaves represented both present and potential wealth, family conflict could easily surround their dispersal. Although the 1858 will of Elizabeth Johns grants her entire estate of slaves to her husband Richardson Johns, after his death Elizabeth's slaves were to be distributed among her children. This, apparently, was not her first will, for when the document was probated in June 1859, Elizabeth's son, William Johns, petitioned the

34 Casey and Otken, Amite County, Mississippi, Vol. I, p. 265.
35 The contract is recorded the Amite County Land Conveyance book in Casey and Otken, Amite County, Mississippi, Vol I, p. 303.
36 Records indicate that Richard Watkins continued to work land that his father had claimed in 1811 about seven miles away from the Reams' place. Ann Reams had probably been hiring out her slaves for some time; the 1836 contract between the then widow Ann Watkins and Lemuel Reams may have involved the rent of her labor force. (1850 U.S. Census, in Casey and Otken, Amite County, Mississippi, p. 76.; Amite County Probate Record, Vol. 15, p. 266.; Casey and Otken estimate the real estate value of $300 to be 150 acres. (Casey and Otken, Amite County, Mississippi, p. 127.); Will of Ann C. Reams, 1851, Amite County Will Book, Vol. II, pp. 16-17.
court demanding to see his mother's altered will.\textsuperscript{37} The court reminded William Johns that he had witnessed this will and that he had been "duly sworn and disposed to say that the said testatrix was of sound and disposing mind and memory." Whether William Johns wished to contest his mother's last will in favor of a previous document, or because he believed the terms of the will to be wrong, is unclear.

William P. Johns was twenty-eight at the time of his mother's death and had probably already begun to set up a household of his own. In 1850, nine years before, William still was at home but listed as a farmer on the census.\textsuperscript{38} His share of his mother's eight slaves could have helped him get established in agriculture. However, Elizabeth Johns's will was not replaced within the will books and probably remained officially uncontested. Ultimately, the impatient William P. Johns lost his inheritance of slaves with the disruption of the delta region's social order during the fierce Civil War campaign for the Mississippi River and the subsequent emancipation of bondsmen.\textsuperscript{39}

\textsuperscript{37}The county files have no record of another will.
\textsuperscript{38}At the time of the 1850 census, twenty-four year-old Dr. William Kinabrew was also living in the Richardson Johns household. Five years later he would marry Sarah Atkinson, the daughter of the John's neighbor and fellow Ebeneezer Baptist Church member Aletha Dixon. Kinabrew's older brother James, also a physician, lived with their eldest brother John G. and his family in the northern part of the county. William Kinabrew may have moved to establish his own practice away from that of his brothers. (1850 U.S. Census).
\textsuperscript{39}Will of Elizabeth Johns, 1858, Amite County Will Book, Vol. II, p. 117.

Whether William Johns wished to contest his mother's last will in favor of a previous document, or because he believed the terms of the will to be wrong is unclear. William P. Johns was twenty-eight at the time of his mother's death and had probably already begun to set up a household of his own. In 1850, nine years before, William still was at home but listed as a farmer on the census. His share of his mother's eight slaves could have helped him get established in agriculture. (1850 U.S. Census)
Although slaves were the main component of the estates of Elizabeth Johns and Ann Reams, these women had children old enough to control their father's legacy. Neither necessarily would have had sole possession of previous households. The 1858 estate papers of thrice married Aletha Dixon, however, mention neither household nor farm implements. Dixon's estate consisted entirely of twenty-six slaves worth $24,600.

Aletha Ann Goolsby Atkinson Jackson Dixon was born in Amite County around 1820 to early area pioneers. Her parents, Randall V. Goolsby and Elizabeth Hudson Goolsby, were from Oglethorpe and Madison Counties in Eastern Georgia and had migrated to Amite County soon after their 1817 wedding. When she was only two years old, Aletha's father, Randall V. Goolsby, began granting both land and chattel to her in her name, not in the name of a dowry or future husband. The conveyance book also records a transaction that may have involved the slave named Louisia whom Aletha inherited from her grandfather, Isaiah Goolsby, of Wilkes County, Georgia.\(^{40}\) When her father died in 1823,\(^{41}\) her mother,

\(^{40}\)Isaiah Goolsby added a codicil to his will on June 12, 1821 stipulating that he did "give grant, confirm and deliver unto said Althey Goolsbe and the heirs of her body, and have her parents or guardian until she comes of lawful age, be in charge of one negro girl, Louisa and her future increase with which I do warrant and defend...". Judging from the date of this codicil, Goolsby may have amended his will after he learned of Aletha's birth in Amite County. Three years later he would add another granddaughter, Aletha's cousin, to his testament. Isaiah Goolsby's Louisa would live to be transferred to her new, young mistress. Goolsby must have died died in early 1828 for his will was probated in June and an inventory taken of his belongings in July of that year. The Wilks county appraisal team valued the slave Louisa at $225; she may have been a young teenager for two other slave women were valued at $350 and the highest price for an adult male slave in this inventory was $450. (Margarette G. Gaisser, Genealogy and History of Golsby, Goldsby, Gouldsby, Goolsby, and Related Families, [Washington, GA: Wilkes Publishing, 1990]. The April 1832 chattel transaction recorded in the Amite County conveyance book listing Isaiah Goolsby as the grantor and Aletha Goolsby
Elizabeth Hudson Goolsby, managed her daughter's affairs until 1832, when Francis Hudson, presumably her mother's brother, was appointed her guardian. 42 While Randall Goolsby did not leave a will, his estate, appraised for $2580.84, indicated a relatively comfortable existence for a young couple. The inventory, in addition to livestock and seven bales of cotton, included six slaves, four beehives, a looking glass, two tables, and seven chairs. Someone must have continued to operate the late Randall Goolsby's farm, for preserved in Aletha Goolsby's estate papers is an 1829 statement showing that nine bales of cotton had been sold for $311. As she grew older, her mother and her guardians were careful to make sure that she was well dressed. Aletha Goolsby's expenditures during the first eight months of 1834 consist almost entirely of expensive fabric and sewing notions. That she or her seamstress had more time for sewing in the winter months is indicated by the bi-weekly ordering of silks, braid, and hooks and eyes from purveyor James Bond. Squeezed in among the dry good orders are one copybook and a half dozen quills in a "fancy box."

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41A history of the Goolsby family indicates that Randall V Goolsby had not died, but rather divorced his wife Elizabeth and returned to the town of Washington in Wilkes County, Georgia where he remarried a Sabry Patton and raised another family. However, there is no record of any divorce in Amite County and the Wills and Administrations book clearly contains the inventory of the estate of "Randall V Goolsby, decd.," dated April 28, 1823. (Wills and Administrations, Vol II, p. 171-73) Had there been a divorce, furthermore, it is unlikely that Randall would have left his daughter behind in Mississippi with no other relatives except his former wife. Whether by death or divorce, this marriage was dissolved for in July 1823 Elizabeth Hudson Goolsby married John Gunby of Amite County. (Amite County Marriage Record)

42Orphans Court Record, in Casey and Otken, Amite County, Mississippi, Vol I, p. 375. While this researcher had originally assumed that this transfer of guardianship indicated that Elizabeth Hudson Goolsby had died, further study indicated that Elizabeth had remarried to a John Gunby within a few months of her husband's 1823 death.
These two items are the only indicators of any schooling that she may have received. Aletha's education does not seem to have been a priority in any of her surviving estate papers.\textsuperscript{43}

Aletha and her mother Elizabeth,\textsuperscript{44} now remarried to John Gunby, were active in Ebeneezer Baptist Church, the oldest organized Baptist Church in Mississippi Territory.\textsuperscript{45} It was there that she married, in August 1835 when she was about fifteen years old, fellow parishioner Eldridge D. Atkinson; she eventually had two children by him, both of whom were still living at the time of her death. No surviving papers indicate whether Aletha's estate was held in settlement when she married, but at Atkinson's death, sometime between 1840 and 1842, Aletha would have gained control of her share of his estate in addition to that which she had brought into her marriage.\textsuperscript{46}

\textsuperscript{43}Several other estate files for children in Aletha's station and situation indicate the hiring of tutors, the purchase of school books, or school tuition. It could be that Aletha's guardians had decided that at age fourteen her education was complete. Many of the other items could also have been purchased to outfit her hope chest for she would be married within the year. (Amite County Archive File 50.)

\textsuperscript{44}Elizabeth and Gunby would have three sons and must have continued to live in the same part of the county as her daughter Aletha. After Gunby's 1864 death, Elizabeth married as her third husband Georgia native William Jenkins in 1870. Jenkins was seventy-two years old and had survived the war with $2000 worth of land. (1870 U.S. Census.) He lived only until 1875 leaving Elizabeth Hudson Goolsby Gunby Jenkins a fairly wealthy widow. She survived until 1896 when, at the age of 96, she left an Amite County will detailing an estate that was worth nearly $3200 including land and stock in the St. Charles Rail Road. (Will of Elizabeth Jenkins, 1896, Amite County Will Book, Vol II, p 300; Inventory in Amite County Archive File 96.)

\textsuperscript{45}Not only were Aletha and Elizabeth Goolsby Gunby members, but some of their slaves were baptized there. "On Lords Day, 2 November [1834], received by experience Rose, a servant belonging to Aletha Goolsbe [sic], and baptized." (Causey and Otken, Amite County, Mississippi, Vol II, p. 267.).

\textsuperscript{46}The only surviving document in the file of Eldridge D. Atkinson is the final settlement of his estate dated October 16, 1849. It records tax receipts from 1843 and 1844 and that three parcels of land were sold in 1845, 1846, and 1847 for a total of $870.74. (Amite County Archive File 2)
In July 1843 Aletha was married to the executor of her husband's estate, and fellow churchmember, Andrew Jackson. Jackson's extended family, like Aletha's, were also early pioneers of Amite County.\textsuperscript{47} In addition to managing Atkinson's estate, Jackson had also been named the guardian of Aletha's and his two daughters, Margaret and Sarah, and with him she had at least four more children. Jackson was a prosperous farmer who at age thirty-four, according to the 1850 census, had accumulated over $3000 in real property.\textsuperscript{48} While he did not leave a will, when Andrew Jackson died in February 1852 his estate was valued at $10,377.00. His enterprise, however, seems not to have been the cotton that Aletha's father grew, but that of foodstuffs. The sixteen slaves enumerated in his inventory may have grown the seven hundred bushels of corn and two thousand pounds of fodder and taken care of the fifty hogs, three yoke of oxen, nine head of cattle, three beehives, twelve horses and four goats. Even though the April 1852 inventory may have been enumerated after the previous year's cotton crop was sold, the lack of seeds indicates that he did not plant the fiber. However, the Jackson family may have cultivated the crop with tools and seeds Aletha had inherited from her father or Eldridge Atkinson. This inventory indicates only the movable property Andrew Jackson owned separate from his wife and her daughters. This second widowhood marked the only time Aletha conducted business in her own name. She registered two lots in Land Conveyance Entry Book number two in 1854, just before she married again.

\textsuperscript{47} Andrew Jackson's aunt Temperance Jackson Wilkinson and stepmother Amelia McElwee Jackson also are members of the will survey.
\textsuperscript{48} Casey and Otken, \textit{Amite County, Mississippi} Vol. I, p. 78.
Aletha Ann Goolsby Atkinson Jackson married for the third time in December 1854 to Benjamin F. Dixon. Dixon was a widower with three children from East Feliciana Parish across the Louisiana state line. In 1840 Dixon's father, William G. Dixon, had died, leaving him the bulk of his estate. Therefore at the early age of twenty-one Dixon was a sizable property owner. The following year he married Jane Norwood, a daughter of a prominent planter family and sister-in-law of Robert Germany, Elizabeth Craft's brother. Dixon and his wife had at least three children during the thirteen years they were married before her death in March 1854. Despite his responsibilities in East Feliciana, Dixon married Aletha nine months after his first wife's death and moved his family to Amite County. Records indicate that they lived in Aletha's house and continued to farm his property in Louisiana. By the time she wrote her will in May 1858, she was the mother of seven living children, among

49In the 1850 census of East Feliciana Parish, Louisiana, B.F. Dixon was enumerated with his first wife Jane Norwood Dixon and their three children Sarah, Lucius, and Elizabeth. The census indicates that he had $5000 in personal property, not including land or slaves he might have owned. Dixon and his first wife may have had more children before her death in March 1854, but only Sarah and Lucius were listed in the 1860 census. Elizabeth Dixon, however, is included in B.F. Dixon's 1869 will. If he attended church with Aletha during his marriage, Ebeneezer Baptist Church makes no mention of Benjamin F. Dixon. He did become a member of Galilee Baptist Church in the early 1860s after her death and his remarriage. He is purported to be buried in that church's cemetery. (Will of B.F. Dixon, 1869, Amite County Wills, Vol. II, p. 214; Causey and Otken, Amite County, Mississippi, Vol II, pp. 246-250.)

50The Norwoods of East Feliciana figure prominently in three of the families discussed in this study. Robert Germany, brother of Elizabeth Germany Land Craft, married Caroline Norwood in June 1847. Caroline's older sister Jane E. S. Norwood married Benjamin F. Dixon as his first wife in September 1841. She died in 1854 at the age of twenty-nine. Caroline and Jane's brother Abel John Norwood would marry Amanda Buckholtz, daughter of Victoria Batchelor Buckholtz Street in March 1850. Their niece Caroline Norwood married Victoria Street's son and Amanda's half brother Thomas P. Street in September 1860. (Amite County Marriages, East Feliciana, Louisiana Marriages)
whom she was to divide her estate. She also may have been a grandmother, for within a year of her marriage to Dixon, her eldest daughter Sarah Atkinson had married physician William Kinabrew and settled nearby. Aletha's second daughter, Margaret Atkinson, would marry in December 1858, but Aletha Dixon would not live to attend that wedding. Though there is no certain record of her death, her will was probated in November of that year. She had named her husband sole executor of her estate.

In light of the property she had inherited from her father and two previous husbands, her estate seems somewhat strange. Unlike the other married women who had been widowed previously, Aletha Dixon mentioned no household or farm implements in her will or her inventory. Her estate consisted entirely of twenty-six slaves worth $24,600.51 Within the text of the will she apportioned her slaves out by name to her husband and her seven previous children, with the stipulation that after her husband's death, his portion of her estate would go to her two children by him. Aletha seems to have taken care to distribute her slaves according to their market value. She distributed full field hands, fertile female slaves, and young children with the result that each of her heirs received approximately $2,600 worth of labor. Because of this type of bequeathment, after the Emancipation proclamation, her heirs' inheritance would be worthless. While no records have survived indicating how her children managed, B. F. Dixon remarried in August 1859 and wrote his own will in May 1869, shortly before his death later that year. After Aletha Dixon's death, he was a relatively wealthy man. The 1860 census

indicates that his real estate was worth $12,000 and his personal property
$70,000. Despite the fabled ravages of war and Reconstruction, B.F.
Dixon seems to have remained comfortably well off, for at his 1869 death,
Dixon left his new wife several sizable tracts of land and was able to
bequeath each of his five surviving children between one hundred and five
hundred dollars in cash. One of Aletha's sons by him, Warren T. Dixon,
was no longer living, but their other son William K. Dixon inherited five
hundred dollars and his one-fifth share of the residue of his father's
estate.52 Any real estate that may have belonged to his mother was not
mentioned.

After managing three separate households, Aletha Dixon's
bequeathment of only slaves, with no mention of a myriad of personal
goods found in the other inventories, is an enigma. As indicated in the
wills, most Amite County women, after a couple or more marriages and a
few children, usually had accumulated movable household goods. By the
time she died, Aletha had married three times and had seven surviving
children but did not own any furniture, clothes, or other personal things.
Perhaps her older children had inherited from their fathers the easily
distributable household items, but this is unlikely given the young age of
most of her children at the time of their fathers' deaths. Without their
fathers' wills, it is impossible to tell the disposition of the deceased
husbands' estates' distribution. This mysterious lack of personal possessions

While census records indicate that they lived in the same household, B.F.
Dixon did not choose to mention any of his step children from either his marriage to
Aletha or his third marriage to Julia A. Rogers. This was not uncommon in the
survey for while step families may have had great affection for each other, the
children would have already inherited from their own fathers.
may have had its root in Aletha's background. Although she had been a child heiress, she never transacted any business in her own name even after 1839 when, with the change in law, she could have done so. Perhaps she simply gave away her property before she wrote her will, or else simply assumed that all of her possessions belonged to her husband. Hence the most likely explanation for the lack of personal goods lies not in the law but in the character of the woman involved.

Unlike the deferring Aletha Dixon, the wills and estate papers left by two other women suggest that they ran successful plantations and took full advantage of their legal status. Both Victoria Caroline Batchelor Buckholtz Street and Elizabeth Germany Land Craft accumulated sizable personal fortunes consisting of land, chattels, and agricultural implements. Impressive by any standard, these estates were all the more remarkable because both women expanded their enterprises during their marriages and brief widowhoods.

Inventory records belonging to Elizabeth R. Germany Land Craft, who wrote her will in June 1853, indicate that she was the wealthiest among the women surveyed. While she did inherit some property from her father James Germany, the bulk of her estate came from her first husband Nathan Land. Elizabeth had grown up in eastern Amite County near the Wilkinson County line and attended Ebenezer Baptist Church along with many of her neighbors. Her Georgia-born father had settled in Amite County before 1810, when he purchased the family's property. Born around 1815, Elizabeth Germany in the mid 1830s married wealthy
landowner Nathan Land. Nathan Land was several years her senior, having staked his own claim in southeast Amite County in December 1809. By the time of the 1830 census he was the owner of thirty-one slaves and would continue to expand his workforce over the next fifteen years.

In his 1845 will Nathan Land divided his estate between his wife Elizabeth and his nephew, Joshua Land. Despite the fact that the 1850 census indicates that John W. Land, Nathan and Elizabeth's son, was at least three or four years of age at the time the will was written, the child was not listed. Nonetheless, after Nathan's death, Elizabeth R. Land was a wealthy widow. At the time of the 1850 census, she was one of the top ten property owners in Amite County. During her widowhood, Elizabeth Land is on record as having purchased land on three separate occasions between 1851 and 1852. Three years after her first husband's 1849 death, Elizabeth Land married Thomas Craft. One land purchase was within three days of this second marriage.

Whether the Crafts lived on Elizabeth's property inherited from Nathan Land or set up housekeeping elsewhere is not certain. However,

53 The Abstract of Godspeed's Mississippi records that Nathan Land was born in 1762.
54 1830 U.S. Census in, Casey and Otkens, Amite County, Mississippi, Vol II, p. 212. This census indicates that only two men, one aged between thirty and forty, the other between seventy and eighty lived in that household. Although Nathan Land could be the elder man, because he lived for another eighteen years it is more likely that he was the younger and in his late thirties.
56 1850 U.S. Census.
58 Land Conveyance Records in Casey and Otkens, Amite County, Mississippi, Vol I, p. 245.
the extensive inventory compiled at the time of her death includes articles that would have been found in an extremely well equipped household.\textsuperscript{59} Elizabeth Craft owned seventy-two slaves and personal property totaling over $58,000.\textsuperscript{60} Considering the quantity of Elizabeth's property, it would have probably been easier for Thomas Craft to set up housekeeping on the Land estate rather than transfer these holdings to some other location.

Although the seventy-two slaves willed by Elizabeth Craft would not have placed her family in the uppermost echelons of southern high society, by Amite County standards she was extremely prosperous. As there are no available records of how the plantation was run, Elizabeth's responsibilities as plantation mistress, wife, and later widow cannot be ascertained and would be dependent upon both her ability and what kind of assistance she received. A competent and trustworthy overseer and other support staff could have minimized her involvement with the business side of the plantation, but she may have faced these challenges with little outside help. Perhaps Elizabeth's remarriage after three years of widowhood was motivated by a need for assistance in the running of her estates. Yet, the evidence suggests that she might have been managing the property quite well on her own. It is conceivable that in the years before Nathan Land's death Elizabeth had already assumed more responsibilities of the plantation

\textsuperscript{59}Among these holdings were a "Ladies Workstand" (a frame for sewing or a dressmaker's dummy), eighty pounds of white sugar in the larder, and agricultural resources such as seventeen ploughs, twelve cotton sweeps, and eight mules; the seventy-two slaves and the farm equipment listed in the inventory indicate that the Land / Craft homestead was a full-scale plantation. (Amite County Probate Records, Vol. 18, pp. 198-199.)
\textsuperscript{60}Amite County Probate Record, Vol. 18, pp. 198-199.
and transacted some business. Therefore, her apparent success during
widowhood, indicated by the growth of her property during those three
years, implies that Elizabeth may have been quite independent by the
standards of her time. If so, her re-marriage after three years of
widowhood suggests emotional rather than economical reasons. Her
decision, however, would have compromised her autonomy and may have
cost her more than she initially bargained.

While Elizabeth's judgment seems to have been sound, her new
husband may have been interested in her fortune. Thomas Craft remains
something of a mystery because he seems to have appeared from outside
the area; the Amite County census of 1850 does not list Thomas Craft—or
indeed, any Crafts at all—in the county. Regardless of her physical
attributes, Elizabeth Germany Land would have been considered a
matrimonial prize. The Germanys and the Lands were prominent families
in the southern part of the county, and she lived near other important and
influential residents. The propertyless Thomas Craft may have found,
through his bride, an entree into the best society of southern Mississippi.
In light of her actions after the wedding, Elizabeth may have soon realized
that her second marriage was less auspicious than her first.

Within ten months of remarrying, Elizabeth R. Craft wrote her last
will "Revoking and making void all former wills."61 Her decision to
amend her estate papers does not seem to have been urgent because unlike
the majority of other wills in this survey, Elizabeth admitted to "being of
good health of body and of sound disposing mind. . . and being desirous of

attending to my affairs while I have strength." 62 While she divided her estate, "both real and personal," between Thomas Craft and her son John W. Land, she made clear that Craft would not get custody of her son nor would he have any hand in the administration of his John Land's minor estate. Elizabeth R. Craft instead appointed her brother, Robert Germany, as guardian to her son John.

Although Mississippi rulings are not clear, there may be a link between a married woman's testamentary capacity and her ability to appoint guardians for her children. Under other circumstances, mothers had no legal right to appoint testamentary guardians and could not overturn an appointment made by a reasonable father. 63 But unlike most women, Elizabeth Craft had feme sole prerogatives and could write a will. Her ability to appoint a guardian for her son may be linked to the fact that her second husband was not the child's natural father. Further, since Craft was not a native of Amite and there is no indication of his having brought any substantial economic gain with him to the marriage, Elizabeth was in a unique position of possibly having "rights" acquired by position, wealth, and the status of feme sole during her three-year widowhood. In any case, the possible motivations for Elizabeth Craft writing her will at this time and in this manner are intriguing. Of course, as before theorized, she might have married for business guidance--but the indication that she had written at least one will previous to her final testament shows her acumen in the disposition of her extensive estate.

62 Ibid.
63 Salmon, Inheritance in America, p. 95.
Approximately twelve months elapsed between the writing of the final will and the inventory, which was usually made within a week to ten days of the testator's death. Although Elizabeth Craft indicated that she was in sound health at the time of her writing of her testament, her death within the year suggests she was not entirely unprepared for her decease. One possibility was that she had been in the early stages of a difficult pregnancy and foresaw the possible complications and "while I have strength" planned for her son's future. Also, at thirty-eight years of age, she was at some health risk had she and her new husband decided to expand their family. Further, since Thomas Craft had no Amite County roots and most probably came into the marriage much poorer than his wife, it is likely that Craft may have desired a child not only for emotional reasons but for the life interest in her estate that he would immediately be entitled to at her demise. Had she not written a will, and had they remained childless, her son John would have been the sole heir to the Land estate and all of the growth it had encountered even under Craft's management.

Another separate possibility could have been tensions between her adolescent son and his step-father. After having his mother to himself for three years, John W. Land may have resented the intrusion of Thomas Craft. The boy may also have suspected the newcomer of having less than honorable designs upon the Land fortune. Her former in-laws may have also been a source of tension. The fact that Elizabeth appointed a guardian that was not related to either the Land family--Nathan's nephew, Joshua, or relatives on that side of the Land family may still have been living--or to her second husband seems unusual. Her decision suggests a strong sense of
family within the Germany clan. The 1850 U.S. Census indicates that she was living on property adjoining that of her brother, Robert Germany, further suggesting that despite her two marriages, Elizabeth Germany Land Crafts still had strong ties to immediate blood relations. Perhaps she felt that she could only put her final trust in them; it was to her blood kindred that she bequeathed her most valuable possession, her son. The ability to write a will gave her the power to safeguard her desires and to give them legal backing. Despite any animosity with the Lands that may have resulted from her remarriage or the possible souring of her relationship with Craft, Elizabeth Craft was able to make the ultimate decision about the future of her estate. Fifteen years before, her actions would have been impossible under common law.

Victoria Caroline Batchelor Buckholtz Street, like her neighbor Aletha Dixon before her, was descended from early pioneers and had inherited a considerable estate from both her father and her first husband. Victoria's mother, Rebecca Gayden Wren Batchelor, and her extended family migrated to southern Amite County from the Aiken District of South Carolina before 1805. What soon became Amite County was then part of Wilkinson County, and it was in that county's registry that the

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64 The administration records of the estate of Francis Wren, husband of Rebecca Gayden Wren Batchelor, are preserved in the Amite County Archives. The will was written in what was then Wilkinson County, dated March 21, 1804, and probated October 1805. Wrens lists as his heirs his wife Rebecca, sons John, Francis, and George Gayden, daughter Elizabeth Wren, and stepdaughter Theny Lee. The mention of this stepdaughter may indicate that Rebecca may have been married even before Wren. (Wills and administrations, Vol. 1, pp. 139-141.) Rebecca's son John Wren may be the same John V. Wren who was married to testatrix Elizabeth Wren.
December 1805 marriage of the widow Rebecca Gayden Wren and lawyer-planter Thomas Batchelor is recorded. Batchelor and his Gayden in laws filed several adjoining land claims in southern Amite County a few miles from the Louisiana border in 1808 and 1809, forming a large family complex on adjoining lands.

The Batchelor-Gayden family quickly became among the most prominent in the county. Thomas Batchelor set up a legal practice in Liberty that lasted for nearly forty years; his name appears on hundreds of documents preserved in the Amite County courthouse. Batchelor also shared in the establishment and eventually took over the plantation "Beech Grove" on the family's land about ten miles from the county seat and just off the main road that linked the county with the Felicianas and Baton Rouge, Louisiana. When Rebecca's father, George Gayden, died in January 1819, his will, the first recorded in Will Book I, distributed property estimated at $10,863.25. Five of his ten slaves were men each appraised at a thousand dollars, and his inventory lists extensive furnishings, livestock, and luxury items such as books and looking glasses. Gayden divided the slaves and movable property among his children, granting chiefly the

65 After this marriage, Thomas Batchelor was appointed guardian to George Gayden Wren, one of Rebecca's two son's by her dead husband Francis Wren. The guardianship of her older son Francis V. Wren was granted to Robert J. Lowery. (Abstract of Orphans Court Record, Vol. I, listed in Casey and Otkon, Amite County, Mississippi, Vol. I, p. 388.)

66 Entry Book I, Land Claims, Amite County Mississippi.

The 1810 Mississippi Census indicates that George Gayden, George L. Gayden, and Thomas Batchelor lived on adjoining properties. Within a few years of migration, this family was already well established. The census records that the elder George Gayden owned seventeen slaves, his son George L. one, and his son in law Batchelor owned twenty. (Casey and Otkon, Amite County, Mississippi, Vol. I, p. 342.)

67 Estate of George Gayden, 1819, Amite County Archive File 70.
livestock and farm implements to his two surviving sons. He bequeathed
to his daughter Rebecca Batchelor "a slave girl named Nilst" and to each of
Rebecca's sons by Wren he gave three hundred and sixty dollars.68
Rebecca's two daughters by Thomas Batchelor, Victoria Caroline and
Mary Ann Harriet, were not included, nor were their sons69 mentioned.
This second daughter, Mary Ann, would marry the first minister of Unity
Presbyterian Church of which her parents and Gayden uncles were
founding members.70 But it was to their elder daughter Victoria Caroline
that the bulk of the estate would eventually pass. Successful in both his
legal and agricultural endeavors, by 1830 Thomas Batchelor was the
wealthiest man in Amite County, owning sixty-five slaves in addition to his
real and personal property.71

The day after Christmas 1826, twenty-year-old Victoria Caroline
Batchelor married local planter Abel Hodge Buckholtz, seven years her
senior. Buckholtz's grandfather was a Prussian who had fought in the
Revolutionary War and later settled with his son Jacob's family in
Mississippi Territory.72 After the senior Abel Buckholtz's death in 1812,
Jacob Buckholtz began acquiring large tracts of land in central Amite
County. Between November 1815 and January 1816, Jacob purchased over

69 James Madison Batchelor, Thomas Agrippa Gayden Batchelor, and Napoleon
Bonaparte Bachelor.
70 Mary Anne Harriet Batchelor had married J.G. Lea when she was fourteen years
old, but was a widow when she married Rev James Smylie in April 1829. She
died the following year when she was twenty. (J. Paul Mogan, Amite County
Cemeteries, p. 394.)
72 Daughters of the American Revolution Family Records: Mississippi
Revolutionary Soldiers, p. 33-34.
524 acres for $2004.\textsuperscript{73} When Jacob Buckholtz died in 1824, he left a widow, six children, and an estate estimated at $12,002.35.\textsuperscript{74} Abel Hodge Buckholtz was the executor of his father's estate and continued to run his family's farm. Two years later he married Victoria Batchelor, and during the next six years Abel and Victoria had three daughters, Harriett, Rebecca, and Amanda. Abel Buckholtz's early death at age thirty-four in 1833 may have been sudden; he continued to conduct business transactions until a few weeks before his death and did not write a will. His estate's papers have been lost, but the land conveyance records suggest that Victoria and her father Thomas Batchelor conducted some of the concluding business of the Buckholtz estate.

Widowhood seems to have revealed several of Victoria's talents. Unlike Aletha Dixon, who only once seems to have transacted any business in her own name, Victoria Street actively bought and sold land during her brief widowhood between Buckholtz's death in 1833 and her marriage to Virginia lawyer Henry G. Street in 1836. Though she could not transact any business in her own name between 1836 and 1839, when her father died in 1842 she was able to take control of her portion of that estate. That she did so is reflected in transactions dated 1843 and 1844 as recorded in the land conveyance records.\textsuperscript{75} At her father's 1842 death Victoria inherited twenty-one slaves, a filly, and a fourth of Thomas Batchelor's

\textsuperscript{73}Amite County Land Grants, Book I, listed in Casey and Otkén, Amite County, Mississippi, Vol. I.
\textsuperscript{74}Orphans Court Record Book 4, Volume 5, p. 111.
The 1810 census indicates that Jacob Buckholtz was the owner of twelve slaves. (Casey and Otkén, Amite County, Mississippi, Vol. I, p. 343)
\textsuperscript{75}Land Conveyance Record, in Casey and Otkén, Amite County, Mississippi, Vol. I, p. 314.
estate. While he initially left the plantation "Beech Grove" to her eldest brother James Madison Batchelor, at this brother's death sometime in the late 1840s Victoria gained control of this property as well. By the time of the 1850 census, Victoria Street and her immediate family were well ensconced on the homeplace; its future success would depend on her talent and business acumen. This census provides a revealing look at the Street household at mid-century, for while Henry Street is listed as the head of the household, his income as a lawyer is listed separately from the plantation holdings in his wife's name. Clearly, she ran the property, and Henry Street agreed that she should take credit for her endeavors. She was a wealthy woman and would accrue even more by the time she died. The worth of Victoria Street's personal property alone was estimated at $5000 in this record; her land and slaves were worth far more. The property continued to serve as a family compound for her younger brother Thomas A. Batchelor's family, their aunt Elizabeth Morgan and step-sister Elizabeth Harrell, and their families also lived on or adjacent to the estate.76

The incredible energy spent running her plantation could not last forever. When fifty-two-year-old Victoria Street wrote her will only four weeks before her April 1858 death, she was "weak in body, but of sound

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76Elizabeth Morgan had inherited a portion of her father George Gayden's estate. Elizabeth Harrell was Victoria's mother's daughter from her first marriage. All three of Victoria's daughters from her marriage to Abel Buckholtz were married by 1850. Eldest daughter Harriet lived with her husband, farmer and native New Yorker Franklin Hitchcock in the northern part of the county near Zion Hill. Harriet would die within the next eight years. Middle daughter Rebecca married planter-lawyer James R. Galtney and lived on his family property near Liberty. Amanda was newly married into the Norwood family of East Feliciana Parish, Louisiana and had moved to be with her husband across the state line.
and disposing mind and memory." Despite her final illness, she carefully and very specifically distributed her slaves and property among her four children and husband.77

Unlike the other wills written by married women, Victoria made a gender distinction between the property left to her sons and her daughters. This gender differentiation is all the more compelling because she herself successfully ran her family's plantation. To her sons Thomas Parke Street and Charles Napoleon Street, who at the time of Victoria's death were eighteen and fourteen years of age respectively, she bequeathed:

[M]y plantation and land whereon I now reside commonly known as 'Beech Grove' together with all the buildings and improvements, farming utensils, and agricultural implements thereunto belonging together with all the residue of my negroes not herein before bequeathed. All my stock of horses, mules, cattle, hogs, sheep and poultry also all the kitchen furniture to have and to hold the same to them and their heirs forever.78

Victoria went on to stipulate that her sons were to "take care of their father so long as he shall live."79 According to the 1850 census, the land alone

77 Victoria had at least two more children by Henry Street: sons Thomas Parke Street and Charles Napoleon Street. Both would survive their mother, but Charles would die soon after the end of the Civil War. Victoria's daughter Harriet Buckholtz Franklin had died sometime after 1850.
79 Will of Victoria Street, 1858, Amite County Will Book, Vol. II, p. 90. Son Thomas Parke Street carried out his mother's wishes for in the 1870 census the then retired lawyer Henry G. Street continued to live with this only surviving son. Henry died in August 1879 and was buried in the family cemetery next to his wife Victoria. The house and lands remain in the possession of Thomas Parke Street's daughter Katie Street Lewis' descendants. In 1860 Thomas Parke Street had married Emily Kate Norwood, his half sister Amanda Buckholtz Norwood's sister in law. (Feliciana Marriage Records; Amite County Cemeteries)
was worth over $5,500. This in addition to the remaining slaves represented over $15,000 to split between the two boys.

To her two surviving daughters Rebecca Buckholtz Galtney and Amanda Buckholtz Norwood she left fine, easily movable pieces of personal and sentimental property. Each woman received two slaves, six silver spoons, and a pair of silver candlesticks with a total value between $1,500 and $2,000. Perhaps Victoria and her husband had already given them a portion of their inheritance when they married or Victoria felt that her daughters would be taken care of by their husbands. The two would have already received their portion of their long dead father Abel Buckholtz's estate, but no records indicate what they acquired. Victoria Street may have realized that neither of her daughters had a talent for plantation management and therefore did not give them an interest in the family lands. She may have also wanted to keep the entire property intact in order to continue to make it as profitable as possible.

Victoria Street's seemingly inequitable division of her estate is enhanced by the exclusion of her husband in an omission repeated only once in the entire survey.\textsuperscript{80} Though she does not leave her husband Henry G. Street anything in her will, she does make him executor of her estate. Perhaps Victoria and Henry Street had agreed he would live off his own income after her death, thus allowing their sons as full a bequeathment as possible.\textsuperscript{81} This decision only gives further evidence that Victoria Street was an organized and independant businesswoman who successfully ran an

\textsuperscript{80}Susan Webb did not include her husband William Y. Webb in her 1910 will.
\textsuperscript{81}1850 Census, in Casey and Otken, \textit{Amite County, Mississippi}, Vol. I, p. 77.
extensive plantation enterprise. She served as both plantation mistress and master, a dual role not achieved by many women in the antebellum South.

The last will written by a married woman in antebellum Amite County was that of Nancy M. Daniels Sleeper. Nancy's father John M. Daniels and her mother Eliza Jackson Daniels were both probably dead by 1842 when she and her siblings were placed under the guardianship of Josiah C. Causey. They lived with Causey and his own family while he managed each child's share of their parents' estate. Records for Nancy Daniels' inheritance dated 1843 through 1845 indicate that Causey hired out each of the children's slaves, earning over $600 a year. While no records survive to indicate how many slaves each child inherited, an inventory taken during the transfer of guardianship from Josiah Causey to his son Thomas J. Causey, after the elder man died in the late 1840s, indicates that Nancy owned five slaves worth a total of $1800. Three of her slaves were aged six and under, indicating that they were born to either the twenty-two-year old Fanny or slaves owned by Nancy's siblings. Although Thomas J. Causey continued as her guardian after his father died, Nancy Daniels continued to live with Josiah's widow Susannah and maintained ties with that family. Nancy Daniel's papers, like those of Aletha Goolsby at a similar age, indicate dressmaking expenditures. Nancy, however, received a genteel education as indicated by accounts for school tuition and singing lessons.

82Inventory of Slaves belonging to Nancy M. Daniels, May 19, 1851, Amite County File 54.
In October 1852, when she was nineteen years old, Nancy Daniels married planter Gardner Southworth Sleeper. Twenty-three-year-old Gardner had been able to establish his own household early because he had inherited from his father, planter Gideon Sleeper. When he turned twenty-one, Gardner had acquired control of his share of his father's estate and had bought two lots near the community of Beechwood, five miles southeast of Liberty. After her marriage, Nancy Daniels Sleeper disappears from the public record. She did not buy or sell any of the slaves that would be her legacy. Were it not for her attendance at sessions at Bethany Presbyterian Church and her will, she might have disappeared from any surviving documents altogether. While she may have chosen to defer all business decisions to her husband, Nancy Sleeper's lack of recorded commercial activity may reflect the short span of her adult life. She could have taken control of her estate only after she turned twenty-one, two years after her marriage. By then, she was already a mother and would have had a busy household, including several slaves, to direct. Because she died only six years later, she might have never had the opportunity to act as a feme sole had she not written a will. Her last act assured that her one venture into the public sphere would be legally and permanently recognized. At twenty-seven years of age, she was the youngest woman to write a will among those recorded in Amite County between 1811 and 1919.

Nancy Sleeper's will was nun cupative,\textsuperscript{83} meaning that it was dictated to another party and witnessed by at least two persons. This is the

\textsuperscript{83}Out of the seventy-nine women's testaments, only one other will, written by widow Jane Blanchard Moore Caston in 1841, was a nun cupative will. Hence, it is
most simple form of will and it was written without aid of legal counsel. The text of her will, written by her brother-in-law Fabius Hoyt Sleeper, explains how Nancy "after repeatedly expressing her sense of approaching death and saying she could not survive many hours, was asked if she desired to make any dispensation [sic] of her property."\(^{84}\) Her husband then summoned her cousin Moses Jackson and James H. Casey, the son of her former guardian, to witness her wishes.

In her will Nancy Sleeper desired that her property be divided equally between her children and her husband and that the property be kept together in order to support and maintain her children. She also indicated that out of her estate her husband was to give her two nephews living in Texas, sons of her brother Jonah Daniels, the sum of one-hundred dollars each. The wording of her will does not make clear whether her husband was to receive half of her estate (which would have been the normal share for a husband) or the one-third share he would have received had the estate been divided equally. Unlike many of the other wills written by women, she did not go into much detail or give specific items, other than cash amounts, to her heirs. This omission may have been due more to illness than neglect or carelessness because she died within a day or two of writing her testament. The inventory of her estate indicates eight slaves valued at $7200, a sewing machine worth $80, and a bed and furniture worth $40.\(^{85}\)

\(^{85}\)Amite County Archive File 178.

The inclusion of this sewing machine in her inventory sheds a little light into one aspect of Nancy Sleeper's life. Not only does it indicate that most of her clothing was sewn at home--most women at this time had their clothes made within
These items would have been easy to distribute among the heirs or else liquidate should Gideon Sleeper decide to invest the money for his children.

Nancy Sleeper's desire to safeguard the welfare of her children and her brother's children seems to have been foremost in her mind. She may have urged her husband to remarry and might have suggested her replacement. Within three months of Nancy's will reaching probate court, her widower, Gideon Sleeper, married Isadore Causey, the daughter of Nancy's guardian. While this may seem callous, Gideon Sleeper had three young children, one still an infant, to care for. Nancy Sleeper's unspecified illness may have been a long one necessitating a female relative, in this case possibly Isadore, to come and look after her family. Others may have felt the remarriage too hasty, for just after their June 1860 wedding, the couple transferred their membership from Bethany Presbyterian where Nancy had been a member, to nearby Unity Presbyterian.86 Sometime after 1870 the family moved from Amite

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86 The Sleepers honored Nancy by naming their first daughter, born in 1861, Nancy Caroline Sleeper. They had at least four more children before 1870, despite Sleeper's service in the 4th Mississippi Cavalry during the war.
County to Waco, Texas, and may have joined Nancy Daniels Sleeper's brother and his family to begin a new life in the Lone Star State.

The women who wrote wills in antebellum Amite County, Mississippi were linked by several threads. Not only were these women substantial land and slave owners, but they were neighbors, fellow churchgoers, and social equals who may have influenced each other in the decision to write a will. While their participation in commercial enterprise varied widely among the women according to circumstance, abilities, and opportunities, all verbalized their final wishes in an official and permanent manner. The power these women wielded over their slaves and the wealth they controlled would not be equalled again; the Civil War and subsequent ending of slavery forced the residents of Amite County to find other means of economic gain.
CHAPTER II
Hidden Fortunes And Family Ties: The Civil War And After

Nancy Daniels Sleeper's 1860 will was the last testament written by a woman in Amite County before the Civil War. In the next five years the lives and fortunes of Mississippians, indeed all southerners, would change forever. While Amite County had little strategic military value, it lay within the overland route between Baton Rouge and Jackson. The courthouse in Liberty survived the war unscathed, but the Female Seminary in the town and a few of the prominent homes were burned by passing Union troops. The area's farms and livestock helped feed the armies that moved through, and many local sons enlisted to fight in one of the eleven companies formed in the surrounding area.

The married women's wills reflected the changes wrought by emancipation and Confederate defeat. Whereas before the war the most valuable portion of women's bequeathments were the slaves divided among the family, after 1864 this investment in human beings was lost. Postwar legacies consisted of land, money, and personal items, but not the slaves often included in wills written before the war but probated afterward.\textsuperscript{87} Despite the dangers of going off to war, many men did not write wills

\textsuperscript{87}Three of the six wills probated between 1864 and 1870 include slaves because they were actually written before the Confederate defeat. The wishes of Temperance Jackson Wilkinson could not be carried out after her death because her will, written in 1855 but probated in 1869 consisted entirely of the distribution of thirty slaves she no longer owned. She must have been able to hire some labor force or else recruit her sizable family in the fields for she possessed over 700 pounds of cotton and a farm full of foodstuffs at the time of her death. (Will of Temperance Wilkinson, 1869, \textit{Amite County Will Book}, Vol. II, 199; Inventory of Temperance Wilkinson, 1869, \textit{Amite County Archive File 200}.)
before enlisting. Eighteen men’s wills were probated between 1860 and 1864; a further seventeen were proven between 1865 and 1869. The Amite County files hold papers pertaining to the estates of several young men who died intestate during the war and for a surprising number of civilians who died with no wills following the conflict. After the 1860s, the number and frequency of wills written by everyone dropped dramatically, hitting its lowest point in the 1880s, and did not rise again until the turn of the century. In the five years after the peace, only four women, all widows, probated wills in Amite County. Five women, four of them widows, probated wills in the 1870s; and between 1880 and 1900, only six women, five of whom were widows, appear in the will books.

Several factors probably influenced this decline, including the political climate in the ten years after the Civil War and the later economic instability as indicated by recessions in the 1870s and 1890s. Amite County residents may have convinced themselves that what they had was no longer worth bequeathing; several of the wills written in the decade after the war had, in fact, been written before 1863. Without slaves to distribute among heirs, only personal items and property, if it was still owned, remained to be distributed. These commodities could easily be allotted without the hassel and fees involved in writing a will.

Yet for a few individuals, the economic and social conditions of Reconstruction era Amite County were not as bleak as subsequent generations believed. The surviving estate inventories of women whose wills were probated between 1866 and 1870 enumerate farms well stocked with livestock, fodder, and foodstuffs and indicate that some families
continued to cultivate cotton. Many who had been wealthy before the war continued to enjoy a relatively high standard of living afterward. Thomas Street, Victoria Street's eldest son, was able to maintain his mother's plantation, buildings, and most of the family lands; his descendents still farm that property today.

While the number of people whose wills were probated in the 1870s, 1880s, and 1890s declined significantly, the families of the eleven women who wrote wills and died in these decades were financially secure. Most of their incomes came from farming rather than from the practice of a profession, and all but one were descended from early county pioneers. Unlike their married antebellum counterparts, these late-nineteenth-century women will writers were not neighbors and did not seem to have any discernable associations with each other through church or family. Only

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88Richard Bates, Jr., the father-in-law of future testatrix Louisa P. McKenney Bates, had been the third wealthiest man in the county in 1850 according to that year's census. When he died in 1867, after losing all of his slaves, his personal possessions, not including his extensive lands, were still worth nearly $6000. (Inventory of estate of Richard Bates, Jr., Amite County Archive File 11.)

89In their 1874 and 1884 wills, widows Elceba Lea Wall Bates and Eliza Wilson Cox left $500 cash to each of their many heirs. The childless Elceba Bates bequeathed at least $4500 in cash and distributed her possessions among nine nieces and nephews but did not include any of her stepchildren from her two marriages. Elceba Bates later added a codicil to her will stipulating that $1000 from her estate was to be used to establish a The Lea Female Institute in neighboring Pike County, "as a donation to female education." (Will of Elceba Bates, 1874, Amite County Will Book, Vol. II, p. 272-277; Will of Eliza Cox, 1884, Amite County Will Book, Vol II, p. 284.) Elceba Lea Wall Bates had migrated to Amite County along with her parents Zachariah Lea and Sabrina Clay Lea when she was a little girl. Elceba had married twice, was the second wife of Richard Bates, Jr., and the step mother of Henry M. Bates, Sr., the husband of future testatrix Louisa P. McKenney Bates. Elizabeth Hudson Goolsby Gunby Jenkins, the mother of married testatrix Aletha Dixon, died a widow at the age of ninety in 1890 leaving extensive real estate, money, and railroad stock. (Inventory of Elizabeth Jenkins, 1896, Amite County File 96.) The only non-American testatrix, Albertine Astron, divided all the property she owned in Amite County and her native Sweden between her three children. (Will of Albertina Astron, 1898, Amite County Will Book, Vol. II, p. 310.)
two of these eleven wills were written by women who were married at the time they died, thereby reflecting the general paucity of late nineteenth century testaments in Amite County. These were the years, ironically, in which all disabilities of coverture were eradicated by Mississippi lawmakers. After a series of legislative changes in 1868 and 1871, the 1880 revision of the Mississippi Constitution declared that marriage "shall not be held to impose any disability or incapacity on a woman" in regards to property, contracts, wills, and the ability of a husband and wife to sue each other.90

Nancy Estes Sites's 1870 will was the first written by a married woman since 1860. Hers is the first to reflect the drastic changes brought on the area by the Civil War, Reconstruction, and emancipation. At the time of her death in early 1871, Louisiana native Nancy Sites had been married to her husband, Leonard Sites, for nearly twenty years. Thirty seven at the time of that marriage, Nancy may have been married before in Louisiana. She did not, however, bring any children with her to Amite.

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90Chapter 42, The Rights of Married Women: Capacity of Married Women. § 1167. "The common law, as to the disabilities of married women, and its effect on the rights of property of the wife, is totally abrogated, and marriage shall not be held to impose any disability or incapacity on a woman, as to the ownership, capacity to make contracts, and do all acts in reference to property which she could lawfully do, if she was not married; but every woman now married, or hereafter to be married, shall have the same capacity to acquire, hold, manage, control, use, enjoy and dispose of all property, real and personal, in possession or expectancy, and to make any contract in reference to it, and to bind herself personally, and to sue and be sued, with all the rights and liabilities incident thereto, as if she was not married. § 1168. Husband and wife may sue each other. § 1169. A Married woman may dispose of her estate, real and personal, by last will and testament, in the same manner as if she were not married. (J.A. P. Cambell, preparer, The Revised Code of the Statute Laws of the State of Mississippi [Jackson, Mississippi, J.L. Power, State Printer, 1880], p. 339.)
County; if she and Sites had any, none lived to be documented. Sites, a widower from South Carolina, was sixteen years older than his bride. He had filed two claims for land in the southern part of the county in 1833, so he had been in Mississippi for at least fifteen years at the time of his second marriage. His son George was already an adult and two years after the 1848 marriage farmed with the Sites' next door neighbors. George's departure may indicate that he did not get along very well with his stepmother or else he wanted to live away from his father's authority. The 1850 census indicates that Leonard Sites and his wife had $1800 worth of personal property. While the couple were not as wealthy as their neighbors the Streets and the Crafts, they would have lived comfortably. None of the available records indicates whether the couple owned any slaves, thus it impossible to determine the effect of emancipation upon their monetary situation.

In her will dated November 2, 1870, Nancy Estes Sites divides her estate equally between her husband Leonard Sites and Sarah D. Kinabrew, the wife of Dr. William Kinabrew, "share and share alike." This is a most unusual bequeathment because while many women chose to remember their friends, rarely did they grant them a portion equal to that given relatives, especially husbands. This legacy proved to be a very valuable cache of U.S. currency, gold, and silver coins worth $3485.25.91 Her legacy may have been secreted away in advance of the invading Union troops or, more likely, never invested in Confederate bonds. Clearly, the Sites had enough foresight, while perhaps lacking some patriotism, to refrain from

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91Inventory of estate of Nancy Sites, 1871, Amite County File 175.
converting their savings into that ultimately ruinous currency. In an unusual decision, Nancy Sites named Dr. William Kinabrew, instead of her husband, her sole executor. Her actions suggest that she felt comfortable excluding her husband from this important last duty and may indicate that Leonard Sites, then aged seventy-four, was not in very good health.92

Dr. William Kinabrew lived near Ebeneezer Baptist Church, where his family and the Sites worshipped, and he was probably her attending physician. He had also been her neighbor; at the time of the 1850 census, the twenty-four-year-old bachelor doctor lived with Elizabeth Johns and her family next door to the Sites, while he set up his practice. He would join the family of another neighbor, Aletha Dixon, when he married Aletha's daughter Sarah D. Atkinson in 1855. The Kinabrews continued to live in the neighborhood after her mother's 1858 death and doubtless knew most of the surrounding families through church and his work as a physician. Sarah Kinabrew may have assisted her husband in giving comfort to the dying Nancy Sites or may have simply acted out of neighborliness and Christian charity by supporting the Sites family. Regardless, Sites' bequest to Sarah Kinabrew and the granting of executive powers to Dr. William Kinabrew remain unusual gestures.

Over ten years elapsed between the will of Nancy Sites and that of the next married testatrix. Rebecca Buckholtz Galtney, whose will was probated in 1881, was the elder daughter of Victoria Street and Abel Buckholtz. When she was only three years old, Rebecca and her sisters

92Leonard Sites lived for at least another ten years. His will, written before Nancy's death, was not probated in Amite County until October 1881.
Harriet and Amanda had received a portion of their father's estate when he died intestate in 1833, and the three sisters had been given over to the guardianship of their stepfather, Henry Street. While their father was alive they lived on his property near the county seat of Liberty, but after their mother's remarriage, the family returned to Victoria Street's family lands in southern Amite County. Rebecca married her husband James Galtney in April 1848 when she was eighteen years old and moved about twenty-five miles away to the northern part of the county near the community of Zion Hill, where they lived for the next three years. In 1851 the couple moved closer to her family and reinstated their membership at Unity Presbyterian Church, where the Streets worshipped. There Galtney became a church elder and Rebecca attended the baptisms of her many relatives.

When her mother died in 1858, Rebecca Galtney inherited two slaves, six large spoons, a silver ladle, a pair of candle sticks, one pair candle shades, a candle tray, and snuffers appraised at $1391.00. Her sister, by then Amanda Buckholtz Norwood and living in West Feliciana Parish, Louisiana, inherited items of similar value. Galtney too had inherited from his mother Nancy Buckles, who had died a few weeks after Victoria Street in the summer of 1858; he and Rebecca had a house full of furnishings left to them by Nancy. After the Civil War broke out, forty-three-year-old lawyer James Galtney did not serve, but both of

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93 Her other sister, Harriet Buckholtz Hitchcock, predeceased their mother.
94 Nancy Buckles' plantation, slaves, and farming implements were sold at her request by public auction after her death. A December 1858 bill of sale records that her movable property brought $6431.08 to her estate. (Inventory of estate of Nancy Buckles, 1858, Amite County Archive File 171.)
Rebecca's half brothers Thomas and Charles Street fought. Thomas enlisted, despite first hiring substitute John Boggs, and survived the war; eighteen-year-old Charles was killed in battle at Franklin, Tennessee, in October 1864.95

Rebecca and her husband had no surviving children, so she chose to include her extended family in her bequest. She remembered her nieces first, leaving them the items that had been bequeathed to her by her mother, Victoria Street. The silk quilt she left to niece Mary Pipes may have been stitched by Rebecca or else may have been one of the seven quilts mentioned in her mother's 1858 inventory that could have been given to her in addition to her inheritance. Niece Julia Redhead received her grandmother Victoria Street's silver candlesticks, and Rebecca's gold watch and chain went to Mary C. Lyon.96 All of her remaining real and personal property was bequeathed to James Galtney "for and during his natural life." After Galtney's death, Rebecca stipulated that the 180 acres "known as Bloomfield place now cultivated by Stephen Tobias" be given to her surviving brother, Thomas P. Street.97 The remainder of her estate she left to James Galtney's niece, Mary Jane Inge, and her heirs. No inventory of Rebecca Galtney's estate survives; few of the estates in this

95Casey and Otken, Amite County Mississippi, Vol. III., pp. 251-2.
96None of the records available on Amite or any of the surrounding counties give any indication as to whose children these nieces of Rebecca Galtney were. They may have been the daughters of her deceased sister Harriet Buckholtz Hitchcock.
97This may be part of her father Abel Buckholtz's estate; she would have been the sole owner because both of her sisters and co-heirs were dead. Rebecca Galtney, unfortunately, did not mention where this property was located.
survey from after the 1870s contain this revealing account of the deceased's property.

The wills of Rebecca Galtney and her mother Victoria Street seem to highlight differences in personality between the two women. Unlike her active and businessminded mother, Rebecca Galtney seems to have been retiring; she probably relied upon her husband to manage their affairs. When she was a widow and again after the 1839 legal reforms, Victoria Street's name appeared frequently in the land conveyance records when she bought and sold land and slaves. The plantation was in her name; and even on the 1850 census, the records show that she, not her husband Henry Street, owned and managed the estate. Rebecca is listed only as "James Galtney and wife" in a few transactions pertaining to her inheritance after her mother's death. One reason for her lack of economic activity may stem from the fact that unlike her mother, Rebecca Galtney did not own a large plantation. She may have run the domestic side of James Galtney's household, but once the Galtney's moved to lands adjoining those owned by her mother and later her half-brother, Rebecca may have simply assisted Victoria with the management of the family estates. Rebecca may not have had the talent or interest Victoria obviously possessed and may have faced a third factor that her mother did not: James Galtney, unlike Henry Street, may have preferred that his wife manage his household in a less observable manner. Despite belonging to one of the county's most prominent families and having a remarkably independant mother, Rebecca Galtney appears as her own person only within the text of her will.
After Rebecca Galtney's estate was probated in 1881, no more married women left wills until the turn of the century. Few individuals, male or female, chose to write them at all; only eleven people who died between 1880 and 1895 left testaments for probate. Then as suddenly as the number had dropped in the mid 1870s, more people began to leave wills again. As the collection in Will Book Two expanded, the new testaments reflected the changes and challenges Amite County faced at the beginning of the twentieth century.
CHAPTER III
Town Matrons and Storefronts: The New Century

At the turn of the twentieth century, the communities of Amite County were no longer a series of small farming centers surrounding a sleepy county seat. In the early 1880s, the Yazoo and Mississippi Valley Rail Road (Y&MVRR), later a branch of the Illinois and Central Rail Road (ICRR), arrived in the western part of the county and rapidly linked the area with the rest of the country. This rail system ran parallel to the Mississippi River and connected New Orleans and Mobile with Memphis and Cairo, Illinois. During the 1890s the Y&MVRR promoted the area through brochures circulated up North and abroad in order to lure white immigrants with the promise of lush farming lands and lumbering jobs. People began migrating into the area, thereby infusing the old established families with new bloodlines, ideas, and money. The town of Gloster sprang up along the railroad almost overnight and quickly attracted the county's professional and businessmen. This community would soon supercede Liberty as the economic center of the county. The nearby lumber mill town of Crosby in the Homochitto Forest benefitted from its

98 These efforts were part of an endless attempt to lure new groups into the region; in the 1870s and 1880s, even the traditional pattern of immigration from the Carolinas, Alabama, and Georgia dwindled to a halt. Any population growth in Southern Mississippi was due mostly to natural increase. (William C. Harris, The Day of the Carpetbagger: Republican Reconstruction in Mississippi [Baton Rouge: Louisiana State University Press, 1979], p. 382.) The Y&MVRR and its parent company ICRR were agreed that they wanted to attract "people of kindred races, that we may be homogeneous" to counter the region's African American majority. (Bradley G. Bond, Political Culture in the Nineteenth Century South: Mississippi, 1840-1900 [Baton Rouge: Louisiana State University Press, 1995], p. 206.
A few people did take the company up on its offer as indicated by the Amite County wills of Swedish-born Albertina Astron and her brother Nelse Swanson.
proximity to the railway, as did the early nineteenth-century settlement of Centerville. These three towns and the county seat of Liberty would become the main population centers of Amite in the twentieth century. All of these shifts from the old order are reflected in the last testments written in Will Book Two.

As the twentieth century began, the profile of women writing wills began to change. More wills belonging to women were probated between 1902 and 1909 than in the twenty-five preceding years. A higher proportion of women in the survey were living in towns rather than on the farm and were bequeathing items of middle- and upper-middle-class prosperity such as automobiles, railroad stock, and rental properties. The race and ethnic backgrounds of the women who published wills began to change as well. Whereas available records indicate that every woman in the survey who died before 1898 was a native-born Anglo-Saxon, a recent Swedish immigrant and two African American women published wills in 1898, 1912, and 1920.

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99 Eight wills written by women were probated between 1872 and 1900 as compared to the nine written between 1902 and 1909.
100 While there is no proof that either Tena McDowell or Lucy Jackson were slaves, the 1900 census listed both as black. Neither was addressed as either Mrs. or Miss in the legal proceedings involving their estates and their last names were also those of prominent slave-holding families represented in the survey. Their inclusion in the will book is remarkable because they died at a time when race relations in the south, as reflected by mob violence, were at the nadir. Amite County was by no means unaffected by this terrible activity. During the height of Reconstruction, the Ku Klux Klan had entrenched itself in southern Mississippi by establishing several dens in Amite County. (Harris, The Day of the Carpetbagger, p. 382.) The tragedy of the fifty year epidemic of lynchings that swept the South is analyzed in remarkable detail by W. Fitzhugh Brundage in his work Lynching in the New South: Georgia and Virginia, 1880-1930. By comparing the numbers and characteristics of lynchings in Georgia and Virginia and further breaking down the incidents within the geographical areas of each state, Brundage not only traces the evolution of Southern mob violence but he speculates how different circumstances affected the number, severity of treatment, and even race of the victims.
Almost all of the married women who died at the turn of the century had ties of family and inheritance to antebellum Amite County and had benefited in their youths from the amenities afforded by slavery such as unpaid household help and a respite from field work. While they and their families had lost the value of their slaves after emancipation, several of these women had interest in family homestead or other properties. Most led comfortable, middle-class lives and probably considered their personal property as security rather than a means of income or survival. Their husbands had served in and survived the Civil War and had found ways of making a living that did not involve directing slaves they no longer owned. A few turned into "gentleman farmers" and oversaw tenants who worked the family's land, but most moved to the growing towns and became professionals such as merchants, druggists, and physicians. Because most of the breadwinners were not tied to the land, this generation moved between the different communities within the county during the course of their careers. They and their wives would join the local churches but would transfer membership after they moved to another town. Unlike the antebellum married women testators who lived and worshipped for years alongside each other, the women who died after the turn of the century may have known a few of the others through various church and social affiliations, but their families eventually moved and the women might not

Unfortunately for the African Americans of Amite County, sporadic outbreaks of racial hatred would continue after the Civil Rights movement had begun. Elizabeth McNabb of neighboring Pike County exclaimed that none of the young returning veterans was willing to return to the farm. Each wanted to be a merchant, doctor, or lawyer. Bond suggests that these men were reinventing the new South after the plantation-and-slavery-based world of their fathers had collapsed. (Letter of Elizabeth McNabb, Quoted in Bond, Political Culture in the Nineteenth Century South, p. 182-83.)
have kept up with each other. There are no clear circles of community that
encompass all the twentieth-century women; instead, their lives and
fortunes indicate subtle social changes in Amite County as its residents
slowly moved from the farms into the towns.

The first twentieth-century married woman's will belonged to
Amanda J. Robinson Spurlock, whose estate was probated in 1902, twenty-
one years after that of Rebecca Galtney, the last nineteenth-century will.
Amanda Spurlock's husband, Dr. Thomas Jefferson Spurlock, Jr., was a
respected physician in the community east of Liberty near East Fork
Baptist Church, where the family worshipped.102 Her will was the first in
sixty years belonging to a woman who did not live in southern Amite
County and attend either Ebeneezer Baptist or Unity Presbyterian Church.
None of the wills remaining in Will Book II belongs to married women
who lived in that area.

Amanda J. Robinson, like most of the other married women will
writers, had already inherited property before her marriage. Her own
extended family had a long history of bequeathments in Amite County.
Amanda's grandparents, Moses and Temperance Mercer Robinson, were
early pioneers from Georgia who settled in the far eastern section of the
county in 1811 near New Providence Baptist Church. Both would write
wills in Amite County. After Moses Robinson's death in 1830, his widow
and second son John G. Robinson managed the estate for the rest of the

102Spurlock's grandfather Allen Spurlock had settled in this northeast part of the
county in 1811 and died in his late eighties in 1864. Allen's eldest son Thomas
Jefferson Spurlock Sr. practiced medicine in the area. T.J. Spurlock Jr continued
this tradition working with his father beginning in the late 1850s.
family. Amanda's grandmother, Temperance Mercer Robinson, wrote her own will in 1851 and bequeathed five dollars to each of her remaining children and grandchildren except son John G. and his family. He apparently managed the family farm and may have purchased sole rights to the estate from his brothers Aaron and Andrew.

Amanda J. Robinson was fourteen years old when her father died in 1854. John G. Robinson did not leave a will, but the inventory of his estate suggests that his widow, Thursey Ann Jenkins Robinson, and his children were left a well stocked farm with an ample labor supply. Amanda remained with her mother and sisters until after her marriage to Thomas J. Spurlock, Jr., in May 1859, when Amanda moved to the community of

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103 Eldest son Aaron Robinson had established himself near the community of Gillsberg in southeast Amite County and presumably left most of the day to day management of the estate to his younger brother. Casey and Otken list Aaron Robinson as one of the wealthiest men in the county because according to the 1850 census, Robinson had $5000.00 in real estate alone. John G. Robinson owned $3000.00 at the time and by the time of his death four years later, owned fifty slaves. The youngest brother Andrew whose well being was the responsibility of John G. Robinson, was no longer living in Amite County either at the time of the 1850 census or his mother Temperence's death a year later.


105 Robinson's inventory dated December 16, 1854 lists forty-one slaves twelve of whom were men over the age of twenty-one. Robinson probably utilized most of his labor force on his own estate because he also owned twenty-two plows and twenty-five hoes to cultivate the 1400 bushels of corn and 1200 lbs of fodder that fed the eight mules, four horses, forty-five head of cattle, ten hogs, eight oxen, and seventy-two of sheep. Robinson may have also grown some cotton or at least processed it for his neighbors for a gin stand worth fifty dollars is enumerated. No cotton or cotton seed was included in the list, but the time of year may have been a factor. Also absent are any home furnishings other than "one lot kitchen furniture and cooking utensils." Any beds, chairs, dishes, and other items may have belonged to Amanda's mother Thursey Ann Jenkins Robinson, but there is no record from whom she may have received such items. The Robinson household was not without luxuries of class for included in John G. Robinson's estate are three side saddles that could have been used by Amanda, her sister, and mother. They also would have had the option of riding in the pleasure buggy valued at $325.00. (Inventory of estate of John Robinson, 1854, Amite County Probate Record, Vol 18, p. 523.)
East Fork near Spurlock's family. There the couple lived in a small but sturdy home built by her father-in-law, Thomas Spurlock Senior. At the time of the 1860 census, newlyweds Thomas and Amanda J. Spurlock were living in this home with his then widowed mother, who would die three years later. Thomas Spurlock's real and personal estate was then estimated at $23,000. Ten years later the family, now including children Thomas Junior and Julia, was worth about $7000. This figure indicates that the Spurlocks, like most of the families whose members left wills, remained comfortably well off even during the economic and political uncertainties of Reconstruction. Dr. Spurlock may have served during the Civil War, but he did not enlist in any of the eleven area companies whose rosters are listed in the courthouse. The family does not appear in the 1880 Census Soundex for Mississippi; but that may be the result of clerical error, for the sesquicentennial history of the county suggests that the Spurlocks never moved away from East Fork. Furthermore, in May of 1888 daughter Julia Spurlock married fellow East Fork Baptist member J.W. Frith, Jr.

In her January 1902 will, Amanda J. Spurlock enumerated several pieces of property near her East Fork home. She left the management of this land to her son T.J. Spurlock to hold in trust for his heirs and for

106 A publication celebrating Amite County's sesquicentennial in 1959 describes the Spurlock home as a local example of doric architecture with handcarved mantles over fireplaces "five feet eight inches in breadth, and the height of the main body of each being about thirty feet."
107 The couple's son was born in mid 1862 and their only daughter Julia Spurlock did not arrive until 1867 suggesting that Dr. Spurlock may have worked for the war effort outside the county.
108 All were within section twenty-seven of Township Three North and Range Six East in the Peoria Quadrangle of Amite County.
her granddaughter, Mabel Firth. Mabel's mother, Julia Spurlock Firth, had died in 1894 at the age of twenty-seven. Amanda further stipulated that her granddaughter Mabel would be given fifty dollars a year "until she reaches maturity." While it is possible that the monetary basis of her estate originated from an earlier inheritance, none of the property that Amanda owned in 1902 appears to have belonged to her father John G. Robinson. After her 1859 marriage, Amanda may have invested moneys from her father's estate into property in East Fork. None of the available records indicates when or if the Robinson farm was broken up and sold; because Amanda's brothers who were living in 1850 would have been under the age of seven when their father died, their mother may have chosen to sell the property instead of managing it until they came of age.109

Because Amanda Robinson had only two heirs, she did not have to face the difficult decision of how to divide up her extensive properties and real estate. Like Victoria Street before her, Amanda did not include her husband in her estate, possibly because he had his own income from his medical practice and because they had a son ready and able to take over the management of her estate. Because her other heir, granddaughter Mabel Firth, was still a little girl, Amanda may have felt it more convenient and productive to set aside money that could possibly be used for her education, clothes, and for a dowry. She may also have counted on her husband, Dr. T.J. Spurlock, to bequeath the child a more substantial inheritance from his own estate. Had Mabel been older and unmarried, Amanda Robinson

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109 Neither of these brothers married in Amite County suggesting that they did not live long after their father died. Both of Amanda's sisters who were living in 1850 were dead before 1865.
might have made a special provision for the girl as her near contemporary, Julia Anderson, would do for her spinster daughter.

Julia Ann Sleeper Anderson was the younger sister of Gardiner Sleeper, the husband of the late Nancy Sleeper who had died in 1860. Julia Anderson's property had its origins in that which she had inherited from her father, Gideon Sleeper, when she was a little girl. Julia, her brothers Gardiner, Fabius Hoyt, and Lewis, and her older sisters Chlorinda and Martha had inherited equal shares of their father's estate when he died in 1838. A seventh child, Arminda, was born after the will was written, and so she is not mentioned in her father's bequest. Their mother, Margaret McDowell Stribling Sleeper, managed Gideon Sleeper's estate consisting of eight slaves, three horses, assorted household goods, and a promissory note for $5843 issued to neighbor J.W. Cresick. Records indicate that her mother never remarried, which may have reflected both loyalty to her dead husband and her desire to maintain custody of her children and control of his estate. Gideon Sleeper stipulated that both would end should

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110Gideon Sleeper's confidence in his wife's management capabilities was not hampered by the fact that as of the 1840s, Margaret Sleeper could not sign her name. In all of the estate papers and subsequent accounts of her children's clothing and educational requirements, Margaret Sleeper signed her name with an "x." (Will of Gideon Sleeper, 1838, Amite County Archive File 176) Margaret Sleeper, however, was not unfamiliar with managing a deceased husband's estate. She had married fellow Georgian and early Amite pioneer Tallaferro Stribling in 1815 when she was only fifteen years old. When Stribling died in 1823, Margaret and her brother William McDowell managed his estate worth $1597.70. (Casey and Otken, Amite County, Mississippi, Vol. I, p. 422.) She married Gideon Sleeper the following year. Her early first marriage may explain her illiteracy for it would have hampered her taking advantage of the rare educational opportunities available in Amite County at the time. In the eight years before Stribling died, Margaret gave birth to at least five children who would become wards of Gideon Sleeper after their 1824 marriage. None of these children are mentioned in Sleeper's will.
she choose to marry again. As her children's guardian, Margaret Sleeper duly filed papers annually giving an account of her young family's expenses. During the 1840s, most of the Sleeper children married and began families of their own. By the 1850 census, only Julia, her brother Gardiner, and their younger sister Arminda were living at home with their mother. Gardiner married Nancy Daniels in October 1852 after the December 1851 wedding of Julia Ann to William Parsons Anderson, a merchant in the county seat of Liberty.

Julia probably met Anderson through her older and by then married sister Chlorinda Sleeper Torrance, for in 1850 he was living in Torrance's house along with her husband and two children. During the next twenty years Julia and William Anderson would have at least eight children, five of whom survived them. The land record book lists several transactions by "W.P. Anderson & Wife" in the 1850s, but all involved real estate, not slaves.\footnote{Land Records, Conveyance Book I, \textit{Amite County Mississippi}, p. 227.} Julia did not conduct any business under her own name alone. W.P. Anderson did not serve with any of the local units during the Civil War, though he may have joined troops from another area at a later date during the dispute. Despite the loss of any slaves Julia may have inherited from her father or owned by Anderson himself, he continued to work as a merchant after the war and was successful enough to form a partnership with a young man named McLain in the 1870s. On the 1870 census Anderson was listed as having a personal worth of over $9000. During that time they lived in Liberty, the Andersons were active in Liberty Baptist Church, a building within a short walk of their house. Most of
their children married into other county families. Daughter Julia Alice Anderson wed George H. Barney, Jr. in 1882 but died in 1889 at the age of twenty-six. Despite, or perhaps because of this early loss, George H. Barney remained on friendly terms with his deceased wife's family even after his remarriage three years later, for Barney was included in his former mother-in-law's estate.

By the turn of the century Julia Sleeper Anderson and her then retired husband were living in the railroad community of Gloster with their youngest daughter, Mattie Imogene, and their grandchildren Harry and Laura Anderson. In her March 1902 will, Julia bequeathed to her husband all of her estate both real and personal, but, understanding that the seventy-seven year old William Parsons Anderson would not long survive her, she gave explicit instructions for her estate after his death. To her daughter Minnie Barbre Anderson she bequeathed three lots in the town of Gloster. Unmarried daughter Mattie Imogene would receive the homestead in the town of Gloster. Perhaps Julia had given up hope that this youngest child, then aged thirty-one, would ever marry and therefore gave her a house of her own. Mattie may have also served as Julia's nurse during her last illness. Julia divided her remaining property into sixths portions, which she allotted to her surviving sons William C Anderson, John B. Anderson, and James R. Anderson. Her ten-year-old granddaughter Laura S. Anderson received a sixth, as did Julia's widowed son-in-law, George H. Barney, Jr. The last portion was to be divided evenly between her
grandchildren Julian, Vivian, Luan, and Laura Robinson. George H. Barney, Jr. was named executor of her estate.112

While she managed to apportion her estate fairly evenly among her relatives, Julia Anderson's will contains several glaring omissions. Her youngest son, then thirty-five years old and documented only as L.W., was still alive and presumably still living in the area. Perhaps she had loaned him money in proportion to what he had inherited, but her will makes no mention of this. Laura Anderson may have been his daughter, and Julia Anderson may have simply bypassed her son in favor of his heirs, but Laura Anderson's brother Harry, who was also still living at the time, was not mentioned in this will. Furthermore, Barney's two sons by Julia's deceased daughter were not mentioned. Because she carefully outlined exactly who would inherit each portion of her estate, it is possible that Julia Anderson deliberately left out these people. She gives no hint as to why she should choose to omit a son and several grandchildren, but she seems to have been a woman with a strong personality; and she probably believed that she had good reasons for her decision. Despite a strong case for contention, there is no mention of any appeal or challenge to her will. Julia Anderson's file had been misplaced, therefore the only documentation of her deceased estate that could be found was the will book.

Susan J. Webb, whose will was probated in September 1910, was not native to Mississippi and arrived in the area after her marriage. Because of this, very little information on her life is available and there is no legacy of

family bequeathments that one can study.\footnote{William Webb may have been related to Amite attorney George F. Webb and might have moved his wife Susan to be nearer his relatives during the war. George F. Webb had a son, also named William, who was only four years older than Susan's husband making it possible that the two Williams were cousins. William Webb's brother Samson G. Webb did marry in Amite County in 1863 to a Maggie A. Webb. This marriage may have marked this branch of the family's first arrival in the area. (1850 Census, Amite County Marriage Records.)} Census records indicate that she was born in Alabama and that her husband, William Y. Webb, was originally from Georgia. The couple appear in Amite County in 1865 when their names were included on the membership rolls of Liberty Baptist Church, but they did not marry in either Amite or the surrounding counties. Five years later, thirty-three-year-old William Webb and thirty-two-year-old Susan were living in Liberty with William's eighteen-year-old brother B.R. Webb. William Webb worked as a druggist and owned property estimated at $1750. The duration of their stay in Liberty is difficult to determine because they do not appear in the Soundex for the 1880 Mississippi census, and the 1890 census for Amite County has been lost.\footnote{The 1880 U.S. Census Soundex for Mississippi has proven to be unreliable on several occasions.}

By 1900 the couple was living in the community of Gloster, where they may have known fellow Baptists Julia and James Anderson. While none of the available church records indicate if the Webbs transferred their membership to a Gloster parish, the fact that Gloster is over twenty miles from Liberty suggests that the Webbs looked for spiritual guidance locally. This move also entangled their assets, for the wills of Susan and her husband William indicate that they invested heavily in the community of Gloster. Susan owned, at the time of her death, two town lots; William, by
1911, owned nine lots and a fraction of a tenth, including the site of the store in which he had worked.

While none of the census records or either of their wills indicates that the Webbs had any surviving children, the couple did involve themselves in the lives of his sibling's children. When Susan Webb composed her will in September 1906, she bequeathed her estate to the daughter of her brother-in-law S.B. Webb. Susan Webb left a house and land she had purchased from E.B. McLain to his wife, her husband's niece Mrs. Mary Maggie Webb McLain. This land, described by Susan as the place "now used and occupied by my said niece," consisted of lot number one and the east half of lot four on block four in the town of Gloster. Susan Webb further stipulates that if her niece died without living children, the estate would go to her nephews William P. and Charles Webb and great-niece Annie Webb and that they should "share and share alike." 115 This seeming favoritism may reflect long-standing affection between Susan and her husband's niece. While at age thirty-two in 1910 McLain was nearly forty years Susan's junior, the two women could have had a close


The census of 1900 indicates that nephew William P. Webb, his wife Bertha, and their daughters two year old Annie and three month old infant Margaret were living in the elder Webb's household. The young couple may just have returned from a shortlived or unsuccessful venture in Texas for the infant had been born in Texas; her toddler sister and parents were born in Mississippi. Had they had a permanent domicile in either state in June 1900, the William P. Webbs would have been enumerated in their own home.

Susan only identifies her relationship with W.P. Webb. Her husband's will, written after her death, gives a fuller explanation of the family ties. Susan and William seemed to have been very determined to keep this property in the family. While Susan only implies this desire by her stipulation that the estate transfer to Mary McLain's own family rather than to her husband should she die without children, in William's will he specifically states that no surviving spouse would retain control of the estate left to the other. (Will of William Webb, 1915, Amite County Will Book, Vol. II, p. 387.)
relationship. The land on which Mary McLain lived was only one block away from the Webb home, thereby facilitating an exchange between the two women. Susan would have also realized the importance of a woman's having money and property of her own and probably acted upon this belief in her will. She may have also known that her own husband would be generous to the remainder of the family.\textsuperscript{116} This possible reliance on her husband to remember the others highlights a startling aspect of Susan's will: throughout the document, Susan Webb makes no mention of her husband, William Webb. He was left nothing and was not even made executor of the estate.\textsuperscript{117} Perhaps she simply assumed that he would pre-decease her; William Webb, in fact, lived until October 1915, writing his own will in 1911, one year after Susan died.

Louisa P. McKenney Bates, like Susan Webb, was neither born nor raised in Amite County. Louisa Bates first appeared in Amite County records at the age of seventeen on the 1860 census at the residence of her recently married sister Sophia. Sophia McKenney had married Gabriel M. Harrington, great-nephew of Nancy Williford's first husband and grandson of her benefactor Jeptha Harrington. Sophia and Gabriel Harrington had a new baby daughter, and Louisa may have been staying with them to help out.\textsuperscript{118} Next door to the Harringtons, the recently widowed Henry M.

\textsuperscript{116}Not only does William Y. Webb remember W.P., Charles, and Annie Webb in his testament, but he also leaves money and property to his six surviving siblings and half siblings.
\textsuperscript{117}Nephew W.P. Webb was entrusted with acting as executor of her estate, an act he repeated for his uncle nearly ten years later.
\textsuperscript{118}In March 1862 Gabriel Harrington enlisted in Amite County Defenders in Company K of the 33rd Mississippi Regiment. He and Charles N. B. Street, son of
Bates lived with his in-laws and his infant daughter, Harriet. Within the year Louisa McKenney married the wealthy planter Bates¹¹⁹ and with him reared six children in addition to his daughter Harriet. After Bates's service in the Confederate Army, the couple continued to run the farm until shortly before the 1880 census when they moved to Liberty, where they remained until their deaths nearly thirty years later. Louisa was also a member of Liberty Baptist Church through which, as a young woman, she probably knew Susan J. Webb and Julia Sleeper Anderson.

In October 1909 Louisa Bates and her husband Henry wrote out their wills. Henry Bates was well acquainted with this practice because he served

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¹¹⁹Henry Bates' parents and grandparents were pioneers from South Carolina who had come to Amite County at about the same time as the Gayden-Batchelor family. Richard's grandmother Jane Bates had inherited from her husband Richard Bates in 1822, his slaveless estate including property in Amite County. (Estate Papers of Richard Bates, 1822, Amite County Archive File 11) Jane Bates, in turn, left to her son Richard Bates, Jr her farm, "all her head of stock, sheep, and heads of hogs, an all the farming utensils." (Will of Jane Bates, 1841, Amite County Will Book, Vol. I, p. 210.) Henry Bates would eventually inherit a portion of his fathers estate, in addition to land already granted to him by his father, when Richard Bates, Jr died in 1867. (Will of Richard Bates, Jr., 1867, Amite County Will Book, Vol. II, p. 128.)

Henry Bates headed his own household when at age twenty two he married Harriet McKnight but an all to common family tragedy forced Henry Bates to turn towards others. Soon after their daughter was born in 1859, Harriet died. Despite owning over $7000 in personal property, at the time of the 1860 census, Henry Bates and his infant daughter Harriet were living with his former in-laws, the McKnights. Because Thomas McKnights was estimated as having a personal property worth over thirty-thousand dollars, these relatives were probably able to accommodate Bates and his daughter easily. When Bates married Louisa McKenney the next year, however, baby Harriet moved with them and was reared by her father and step-mother. Harriet probably continued close contact with her dead mother's family, but she and Louisa must have formed a good relationship for when Louisa wrote her will in 1909, she referred to Harriet as her daughter and bequeathed her an equal share in her estate. (Will of Louisa Bates, 1911, Amite County Will Book, Vol. II, p. 353.) Most women who wrote wills in Amite County did either gave step children a token remembrance or left them out of their will entirely because they had already inherited from their father.
several terms as county clerk; many of the wills at the turn of the century are in his handwriting. Louisa and Henry each left the entire estate to the surviving spouse, then delineated how their children would inherit after the other's death. To five of her children and her step daughter, now Harriet Bates Braeshears, Louisa left each a one-eighths interest in her estate.\textsuperscript{120} Another eighth portion was left to the children of her deceased daughter, Lula Bates Faust.\textsuperscript{121} The last part of the estate was to be divided equally between her son Elliot C. Bates and his daughter Louisie Bates. Elliot Bates must have gone through a difficult divorce or separation, for his mother stipulated that if the child's mother, Vivian Cardiner, "the former wife of E.C. Bates," were to resume guardianship before Louisie married or turned twenty one, the money was to remain in the care of her Elliot. The child Louisie did not live with either of her parents or with any of her family, for her grandmother's will indicates the girl lived in the Baptist Orphanage in Jackson, Mississippi. Unfortunately for the historian, Louisa Bates did not describe any of her property in her will and the county had long before given up the practice of inventories, so there is no record of they types of items in her estate. This lack of enumeration may indicate that her estate consisted chiefly of easily dividable money.

The last woman to probate a will in either of the first two will books in Amite County remains a complete mystery. Elizabeth Reid seems to

\textsuperscript{120}Louisa and Henry's surviving children included sons Henry M. Bates, Jr., Leslie C. Bates, Elliot Bates, and daughters Henrietta Bates Moore and Dora A. Bates Weathersby.
\textsuperscript{121}Daughter Lula Bates had married F. H. Faust in 1884 and died in 1898 at the age of thirty three. Her children included in their grandmother's will were Dora, Edith, Etta, and John L. Faust.
have no history in Amite County. She may have lived in Mississippi before her marriage, but she did not marry there nor did she live in the state in any of the censuses taken before her 1919 death. Although she was a resident of Chicago and her will bears the seals of Cook County, Illinois, there are no available, traceable records of either Elizabeth or her husband Joseph A. Reid in either that county or state.\textsuperscript{122} The will and nine letters attached to it give no indication why they were copied into the will book in Amite County. According to the 1910 census, a woman named Ella Reed married to Joseph Reed lived in Pike County, located immediately east of Amite. Ella and Joseph Reed, however, had four children and none was mentioned in the Elizabeth Reid estate. The only other possible connection to the region is Elizabeth Reid's mention of a mother-in-law named Minnie living in New Orleans. Sixty-one-year-old widow Mary Middlemass Reid lived in New Orleans in 1920 with her bachelor brother. The 1910 census indicated she had a daughter named Minnie, whose father was born in Mississippi. Mary's son and Minnie's brother may have returned to his father's native state to find a bride. While Elizabeth Reid may have owned property in Amite County, none of the available property records mention her married name. The inclusion of Elizabeth's Cook County, Illinois, will may indicate that her property would only be transferred upon proof of death and the probate of her will.

\textsuperscript{122}Will of Elizabeth Reid, 1919, \textit{Amite County Will Book}, Vol. II, p. 411. The couple did not appear in any of the census, marriage, or cemetery records available in Houston.
The women who died in the first decades of the twentieth century, unlike the predecessors, were able to take advantage of the economic and social opportunities afforded by town life and the emergence of the railroad. They also began to participate in commercial activity that was centered away from the home. By owning and managing properties such as the drug store, merchantile shop, and house lots, these women sought profit in a sphere more public than the family owned and operated plantation or farm. The last will written by a married woman, that of Elizabeth Reid, also demonstrates how mobile southern society was becoming even in the early part of the century. While Nancy Williford's 1840 will was written as she lay dying far from her home, she was amongst friends and family with whom she had a longstanding relationship. Elizabeth Reid seems to have no past and her death in Chicago, far away from Amite County where she must have had some affiliations, may predict the gradual loosening of ties to family and home that would characterize the latter portion of the twentieth century.
CONCLUSION

All of the women's wills examined from Amite County display a cornucopia of important features about what it meant to be a woman in the nineteenth and early twentieth centuries. Women in patriarchal southern society were able to leave behind a permanent mark in history by controlling their family's fortunes. This activity conveyed more than the simple matter of transferring money; the evidence of the wills suggests that once married women acquired the right to control and dispose of their property, they were able to verify their deep love and trust for their husbands and, when appropriate, to appoint an outside guardian for their children. These women carefully distributed their possessions among their heirs whom they named in full and indicated their relationship. Except in those cases when potential heirs had already received their inheritance or the testatrix perceived a personal injustice, the women divided their estates in a seemingly equitable manner. The simple acts of deciding who inherited the family's silver, showing concern for the guardianship of a particular child, and recognizing the human value of their slave "property" allowed these married women of Amite County to leave an indication of their personality and their ability to make independent decisions after 1830 in ways that were unavailable to them previously. Only through property law reform did an unusual transformation occur. Through her death, a woman was reborn briefly as a legal entity with real and important rights to the dispensation of property.
Other aspects of nineteenth- and early-twentieth-century life are evident within this study. Multiple marriages and blended families are not a late twentieth-century phenomenon. Because medical attention was primitive and often unavailable, many families lost either their male or female head. Women were at a premium during the first third of the century when Amite County was first settled; most women married at least once. The only known spinsters in the survey died after the turn of the twentieth century, belonged to large wealthy families who could support them, and may have acted as companion and caretaker to parents and siblings. Despite their relative economic independence, widows were not allowed to remain single for long. Social pressure and, if they were well off, a string of suitors enjoined them to marry not long after their initial loss. Several widows in the survey remarried though they were over seventy years old. Some men would stipulate in their will that should their widow marry again, she would lose her income from his estate. These restrictions forced a few women, such as Julia Sleeper Anderson’s mother Margaret Stribling Sleeper, to raise her family alone.

Regardless of restraints and social dictates, nineteenth century women were fortunate if they outlived their husbands. In an age without reliable birth control, women could annually risk complications, infection, and death from pregnancy and parturition.\footnote{Mississippi in mid-century may not have been such a hazardous place to give birth, at least as compared to some other southern states. In a study of mortality statistics from the 1850 federal census, historian Sally McMullen found that Mississippi had a comparatively low rate of white women dying in childbirth. Of the 1,549 white women who died in the year 1850, only thirty-two did so in childbirth. This 2.3 percent indicates that Mississippi maternal mortality rates in childbirth were a little below the national average. New Hampshire had the lowest death rate at 1.2 percent and Florida the highest at 5.4 percent in the year 1850.} Of the fifteen married
women studied, Aletha Dixon, Elizabeth Craft and Nancy Sleeper's deaths may have been triggered by these factors.\textsuperscript{124} Widowers, such as B.F. Dixon and Gideon Sleeper, were often eager to remarry in order to acquire a housekeeper and a mother for their children.

While the women who died after the turn of the twentieth century were able to take advantage of better health care and lived to be comparatively old women alongside their only husbands, they themselves often grew up in households lacking one parent. Amanda J. Robinson Spurlock and Julia Ann Sleeper Anderson are good examples, for their fathers had died when they were still little girls. If, as in their case, the deceased parent was their father, they would have realized their inheritance early and would have already owned property at the time of marriage. Most of the women who died in the nineteenth century had been widowed at least once and had children from each of their husbands. While these disjointed families were the result of death, not divorce, the presence of multiple living children from different marriages created the real possibility for interfamily conflict before and after a woman's death. For example, Aletha Dixon's son Andrew Jackson, Jr., from her second

\textsuperscript{124}Although Aletha Dixon was thirty-eight the year she died, she had given birth the year before to her eighth surviving child, William K. Dixon. A ninth and problematic pregnancy could have spurred her to write her will in May 1858. Elizabeth Craft was also thirty-eight at the time she wrote her will in May 1853; she and her new husband Thomas Craft may have decided to start their own family while she could still have children. At age twenty-seven, Nancy Sleeper was the youngest known testatrix in the survey. Nancy and her husband Gideon Sleeper already had three children, the youngest of whom was about eighteen months old at the time of her death. Her will was written at her deathbed by her brother-in-law; her decline may have been sudden. Because almost no information about Elizabeth Reid is available, she is not considered here.
marriage did not continue to live with his stepfather B.F. Dixon and half brother William K. Dixon after his mother's death, choosing instead to live with his half sister Sarah D. Kinebrew. The presence of a will bequeathing special items of economic and sentimental value may have helped circumvent posthumous family squabbles.

The importance of neighbors, community, and church life is also apparent in this study of married women, for most of them knew each other either through proximity or religious activity. With the exception of Tennessee resident Nancy Williford, East Fork Baptist member Amanda J. Spurlock, and mystery woman Elizabeth Reid, all of these women attended one of only three churches at some point in their lives and in many cases lived within a few houses of each other. Victoria Street, Elizabeth Wren, Ann Reams, Aletha Dixon, Elizabeth Johns, Nancy Sleeper, Nancy Sites, and Rebecca Galtney all lived within a few houses of each other inside Township One North, Range Three East, in the southern part of Amite County. Street, her in-law Wren, daughter Galtney, and later Nancy Sleeper's widower all worshipped at Unity Presbyterian Church located just off the main road leading to Liberty. Reams, Craft, Johns, Sites, Dixon, and Dixon's daughter Sarah Kinebrew were all members of Ebeneezer Baptist Church, located about four miles away from Unity Presbyterian. Of the five women who died after the turn of the century, Julia Anderson, Susan Webb, and Louisa Bates were members of Liberty Baptist Church at the same time when all lived in the county seat after their marriages. Both Anderson and Webb would eventually move to Gloster, where they probably attended the same church and are buried in the same
cemetery. Is it a coincidence that most of these women lived near and worshipped with each other or is it possible that some of these women realized from their peers the benefits of writing their own testaments?

The local economy may have also played a significant role in the writing of these wills. Before the end of slavery, many Amite County residents with large landholdings invested heavily in this labor source. Slaves were easy to distribute among survivors after the owner died and represented a valuable and, through the slaves' increase, an appreciable commodity. Therefore, many women who inherited from their fathers or husbands were in possession of this human property and would later pass them to another generation when they died. While cotton never completely dominated the area's economy before the Civil War, those who had the land and labor took advantage of the cotton boom of the 1850s. The land in southern Amite County seems to have been more suitable for growing cotton than that in other areas, for its soil is dark and the topography is smoother, having been built up over eons by flooding of the Amite River. The inventories of Victoria Street and Elizabeth Craft, each of whom owned more than fifty slaves, suggest that they were involved in the growing of cotton. Their neighbors who were also slave

125 Many of the women surveyed wrote wills in order to bequeath certain slaves to certain people. Perhaps for some, this was a form of personality matching. A child might be close to a particular slave or the specific needs of a child might be anticipated by the mother. By making a careful consideration or selection, the woman could enrich family members' lives after her death. Furthermore, it may be that the ante-bellum plantation mistress, who in many instances had more day-to-day contact with slaves and their needs, might have intended to emphasize the importance of certain slaves as more than the dollar value attached to them.

126 All of the maps included in Sam Bowers Hillard's work Hog Meat and Hoc Cake indicate that Amite County farmers grew a variety of foodstuffs, livestock, and cash crops such as cotton. The most of the inventories indicate these different products with rarely one dominating over the others.
owners probably participated in some aspect of its planting, whether through the hiring out of their slaves or planting on their husband's property. Therefore, each woman had very valuable possessions in the form of slaves they wanted distributed according to their wishes after they died. Nancy Sites and Rebecca Galtney, both of whom lived in this area, died after the end of slavery. Galtney had inherited a slave from her mother and may have owned others that had belonged to her father Abel Buckholtz. It is not known whether Nancy Sites owned any slaves, but records indicate that her husband Leonard Sites made several chattel purchases in the 1840s. The ending of slavery was probably the main reason these women did not leave testaments similar to those neighbors that predeceased them. It may have also been a factor in the twenty-five year gap between Rebecca Galtney's and Julia Anderson's wills. It is possible that most of the women who still had property of value and who might have bequeathed it were either widowed, which would have disqualified them from this study, or were simply not interested after the upheavals of the Civil War and Reconstruction.

Cotton continued to be planted into the early twentieth century, but the women who died in the second part of the study lived in another part of the county and tended to invest in land and city property. Amanda Spurlock lived with her husband, physician Thomas J. Spurlock, on land purchased by both of them after their marriage. Spurlock, like lawyer Henry G. Street, may have practiced his profession from the family farm and left the day-to-day agricultural concerns to his wife Amanda. Their

\footnote{Land Records Conveyance Book I, in Casey and Otken, \textit{Amite County, Mississippi}, Vol I, p. 289-93.}
lands, bordering the East Fork of the Amite River, would have been closer in quality to that owned by the earlier testators to the southwest. In addition to cotton and possibly tenant farmers, the Spurlocks may have used some of their property for timber production that would, by mid-twentieth century, become the foundation of the local economy. The husbands of Julia Anderson, Susan Webb, and Louisa Bates did not have this flexibility; their jobs necessitated living in or near town, therefore making it logical that the couples would chose to invest extra assets into the family business or surrounding properties. The towns became more important centers of county activity as the roads were improved. The community of Gloster in far western Amite County grew larger than the county seat of Liberty and linked the area to the rest of the nation with the railroad.

The last wills probated in Amite County describe a series of communities still expanding and seem to reflect an optimism for the future. Amite County, however, was never destined for greatness and the world of these married women testators would soon change again. Because the last testament in Will Book II was probated in mid-1920, this study ends just before the cotton South faced a new series of crises including the devastation of the boll weevil, the Depression, the Great Migration, and the violent white reaction to the civil rights movement. Just as the documents inscribed in Will Books I and II reflected transitions in the nineteenth and early twentieth centuries, so too would the future testaments indicate the changes of the next decades.
The evidence of the wills studied suggests that once married women were unilaterally granted the right to control and dispose of their property, they were able by the execution of their last wills and testaments to send important messages of love, concern, hope, and possible rebuke to those they left behind. Important conditions of nineteenth- and early twentieth-century women's lives shine though the words of their wills and the items tallied on the inventory of their possessions. Their wishes and opinions could be preserved on the permanent public record in a manner impossible for a married woman while she lived. In death a married woman could exhibit *personal worth*, a value independent of their husbands, fathers, or children.
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APPENDIX

An Act for the Protection and Preservation of the Rights of Married Women.

Section 1. *Be it enacted by the Legislature of the State of Mississippi*, that any married woman may become seized or possessed of any property, real or personal, by direct bequest, demise, gift, purchase, or distribution, in her own name, and as of her own property: *Provided*, the same does not come from her husband after coverture.

Section 2. *And be it further enacted*, That hereafter when any woman possessed of property in slaves, shall marry, her property in such slaves and their natural increase shall continue to her, notwithstanding her coverture; and she shall have, hold, and possess the same, as her separate property, exempt from any liability for the debts or contracts of the husband.

Section 3. *And it be further enacted*, That when any woman during coverture, shall become entitled to, or possessed of, slaves by conveyance, gift, inheritance, distribution, or otherwise, such slaves, together with their natural increase shall enure and belong to the wife, in like manner as is above provided as to slaves which she may possess at the time of marriage.

Section 4. *And be it further enacted*, That the control and management of all such slaves, the direction of their labor, and the receipt of the productions thereof, shall remain to the husband, agreeable to the laws heretofore in force. All suits to recover the property of possession of such slaves, shall be prosecuted or defended, as the case may be, in the joint names of husband and wife. In the case of the death of the wife, such slaves descend and go to the children of her and her said husband, jointly begotten, and in case there shall be no child born to the wife during such her coverture, then such slaves shall descend and go to the husband and to his heirs.

Section 5. *And be it further enacted*, That the slaves owned by a feme covert under the provisions of this act, may be sold by the joint deed of husband and wife, executed, proved, and recorded, agreeable to the laws now in force in regard to the conveyance of the real estate of feme coverts, and not otherwise. " (Mississippi Laws, 1869, Chapter 46, p. 72.,
Amite County, Mississippi Wills: 1819-1920

- Probated Wills of Married Women
- Probated Wills of Women not married at time of death
- Probated Wills of Men

* Indicates a single year
Map of Amite County, Mississippi with Township One North, Range Three East shaded. See next map for detail of T1N/R3E with homesites marked.
Township One North, Range Three East Amite County, Mississippi

Numbers indicate homesteads of married women who lived within this area of Amite County, Mississippi.

Detail Map of Township One North, Range Three East
Demonstrates the proximity of married women's residences to Ebeneezer Baptist Church and Unity Presbyterian Church

A. Ebeneezer Baptist Church
   1. Elizabeth Wren
   2. Ann Reams
   3. Elizabeth Craft
   4. Aletha Dixon
   5. Victoria Street

B. Unity Presbyterian Church
   6. Elizabeth Johns
   7. Nancy Sleeper
   8. Nancy Sites
   9. Rebecca Galtney