

ESTATOEE

A QUARTERLY NEWSLETTER OF THE YANCEY HISTORY ASSOCIATION
Volume III, Numbers 3-4 September, 1988

ESTATOEE (ěs-tă-tō-ě): Also spelled Estootowie in early records. A Cherokee Indian place name, shortened to Estatoe/Estatoah, from which the Toe/Towe River designation is derived.

Officers of the Association (1988):

President: Kenneth Nelson
President (pro tem.):
- James Byrd
Vice-President and Program
Chair: Lloyd Bailey
Treasurer: Paul Kardulis
Secretary: Theresa Blankenship
Director: John Young

Correspondence with the Association:

Secretary: 108 Town Square,
Burnsville, N.C., 28714
Program Chair: 4122 Deepwood
Circle, Durham, N.C., 27707

Minutes of the Previous Meeting:

The Spring-Summer meeting of the Association was held at the Yancey County Library in Burnsville on Saturday, June 25, at 7:30 p.m. The program topic was "Railroading in Yancey County," an illustrated lecture by John Beach, of Massillon, Ohio. Mr. Beach is preparing a book on the topic, with emphasis upon the Black Mountain Railway.

The Current Program:

Mitzi Presnell Shook (presently a resident of Charlotte, N.C., but formerly of Yancey County) will continue the topic, "Historic Structures in Yancey County." The first installment was the topic of the meeting of the Association on March 29, 1987.

Her project, sponsored by the County and the North Carolina Division of Archives and History, now completed, has been to prepare a comprehensive inventory (pictorial and descriptive) of structures in the County which are of architectural and historical significance.

A copy of the pictorial archive (slides) will become the property of the Association (courtesy of Ms. Presnell).

Future Programs:

The Fall Meeting of the Association will be replaced by the dedication of the Yancey County Museum structure (the McElroy/Moore/Winnie Lou Ray house). The date is Sunday, October 9, beginning at 2:30 p.m., on Academy Street.

Early in 1989, the program topic will be "A History of Medicine in Yancey County" (by Melvin Webb, M.D.).

ADDITIONAL BIBLIOGRAPHY ON RAILROADING IN THE TOE RIVER VALLEY
(courtesy of John Beach; continued from Volume III, Number 2)

Cannon, William S. "The South Toe Rambler." Trains (August, 1974, pp. 36-40). A history of the Yancey Railroad.

_____. "Tom's Engine." Trains (March, 1973, pp. 18ff.).
Concerns the restoration of Black Mountain engine #1 for excursion use on the Clinchfield Line.

Connelly, Ralph H. "Early Days of Railroading on the Clinchfield." The Tri-County News, 8/27/1953.

Edson, William D. "The Clinchfield Railroad: A Brief Operating History." Railroad History (Bulletin 148, pp. 82-87).
Includes maps, photos, and bibliography.

Greene, Clarence H. "Locomotive Wreck on Clinchfield near Spruce Pine in 1932." The Tri-County News, 12/22/1966.

_____. "Clinchfield Passenger Service: A Nostalgic Remembrance of Steam and Red Satin." The Tri-County News, 12/21/1967.

_____. "A Steam Locomotive is Reborn." The Tri-County News, 2/27/1969.

_____. "A Collection of Clinchfield Railroad Wrecks." The Tri-County News, 2/26/1970.

Parker, Francis H. "The Yancey RR. Layout." Model Railroader (August, 1974, pp. 33-39). Concerns the operation of the Yancey line, with notes on building and operating a model railroad.

Reed, Doug. "A-b-o-a-r-d: Let's Ride the Clinchfield Railroad." Asheville Citizen-Times, 6/7/1959.

McBride, H.A. "The Clinchfield Route." Railroad (December, 1953, pp. 17-33). Describes his ride on the line from Elkhorn City, Ky., to Spartanburg, S.C.; contains many photos of locomotives.

(no author listed) "Clinchfield Railroad Has 50th Anniversary." The Tri-County News, 5/15/1958. Near full-page article.

[NOTE: Lloyd Bailey has copies of these various articles, and they can be made available through the Yancey Library if there is a request to do so.]

Genealogical information that touches upon Yancey County, as contained in the county heritage series.

The Heritage of Watauga County. Articles 136, 137, and 138 concern the descendants of Samuel Carson ("Cass") Byrd, son of "Broke Leg" George Byrd (who was born on Jacks Creek, the son of William K. Byrd and Elizabeth Williams). Article 386 is entitled "The Hortons," and concerns Nathan, who moved to N.C. from Chester, N.J. around 1785. His brother Zephaniah came to reside in Yancey County (represented Buncombe Co. in State Legislature).

The Heritage of Wilkes County. Article 431 discusses members of the Carter and Jennings families, who moved from Wilkes Co. to Buncombe. The article centers on Daniel Jennings Carter, who was born in Burnsville. Article 770 concerns the Laws family, one of the descendants being Finley, who moved to Yancey County. [He is often mentioned in Yancey Records around 1850, as a merchant in the vicinity of Day Book. Finley's grandfather, Shadrack Laws, Sr., is mentioned in Lyman Draper, King's Mountain and its Heroes (p. 449): military punishment (as a Tory?) by means of lashing while "thumbing the notch" at "Shad Laws' oak" near Moravian Falls.]

The Heritage of Rutherford County. Article 313 concerns the descendants of Col. Andrew Hampton, one of whose sons (Ezekiel, Sr.) apparently moved to Buncombe Co. and grandson Ezekiel, Jr. lived on Jacks Creek.

The Heritage of Buncombe County (I and II). For a list of articles related to Yancey County, see Estatooe, I (No. 2) and III (No. 1). The latter lists 52 articles from Vol. II.

The Heritage of Burke County. For a list of articles related to Yancey County, see Estatooe, I (No. 2). This volume of the Heritage Series is now out of print.

History of Washington County, Tennessee (to be published by the end of 1988 by the Watauga Association of Genealogists, P.O. Box 117, Johnson City, Tenn., 37605) will be similar in size and format to the N.C. Heritage Series. Available for \$39.75 each. It will contain articles on at least the following Yancey families: Hiram Bailey, Sr. and Morgan Bailey (both by Lloyd Bailey); Wilhite/Wilhoit (of Jacks Creek, traced back to the 1600's).

The Heritage of Caldwell County (I). Three articles outline descendants of John Durham (Nos. 482, 518, 549). His wife, Mabel Bailey, is apparently related to neighbor Edmond Bailey whose sons (Ansel and John) came to the Toe River Valley around 1800 and are survived there by a multitude of descendants.

LAWS-AYERS FAMILY BIBLE RECORDS

Perhaps the oldest records of the Laws and Ayers families in Yancey County, contained in a family Bible, were recently called to my attention and are reproduced herein with the permission of the owner (Lorene Peake Greene Willis). The handwriting is archaic, the spellings phonetic, and some dates are corrected (by writing-over). In some cases, I have supplied clarifications. The ink is faint at places. This copy was made by xeroxing the original and tracing over it with ink.

Elijah Laws was born
 December the twelve day
 1779
 John Laws was born
 June the 9 day 1807
 Polly Laws was born
 July the fourth day
 Nancey Laws was (1809)
 born March the
 fifteen day 1801
 Milley Laws was born
 December 10 day 1812
 Rebecca Inez was born
 the 29 day of May 1819
 Martin Laws was
 born March 14 day
 Alfred the Lawer (1831)
 was born Septem
 the 29

Elijah Laws, born 12/12/1779, was the son of Shadrack Sr. and Mary Tribble Laws, who were married (in Wilkes Co.?) in 1779. [See The Heritage of Wilkes County, #770.] See above, p. 3. Elijah and wife Anna are shown in the 1860 Yancey Census at Day Book (#627).

John, born 1807

"Polly" (Mary), born 1809

Nancey, born 1811

Emelia ("Milley"), married James W. Ayers; born 1812

Rebecca ("Rebcay Inez"?) born 1819

Martin, born 1831

Alfred (birth year worn away)

[Reportedly, Ann Bennett, the widow of Gallant/"Garlant" Ayers, was Elijah's 2nd wife. Some of the children in the

1850 Yancey Census are from her 1st marriage (Moses, Baker, Garland, and Wilburn).

James Ayers was born
 the 12 day of Jan
 in the year of 1811

Nancy adl Ayers
 was born the 17
 day of January in the
 1832

31 chapters
 of Proverbs

Women

James Ayers, born
 June 12, 1811.
 This is the Rev. James
 W. Ayers, an eloquent
 Baptist clergyman, who
 lived at Pig Pen (Yancey
 Co.). He married (1st)
 Emilia ("Milley") Laws,
 dau. of Elijah. See
 1860 Yancey Census,
 #499. Mar. 3/24/1831
 in Wilkes Co.

Nancy (Adelaid?)

M. F. Ayers was
Born in April
the 2nd A.D. 1835

This page apparently continues
the children of James and
Milley (Laws) Ayers.

"M.F." is apparently Meshak
who married Bridget ("Bidda")
Edwards. See 1860 Yancey Census
(Day Book), #515.

Jery Ayers was
Born the 6th of
May 1824

Jeremiah ("Jery"), born 1824 (?
the original date was 1822, which
has been written-over). See 1860
Yancey Census, #629.

Pally Ayers was
Born the 17 day of
February 1824

Mary ("Polly")

Baker Ayers was
Born the 14 day of
December 1826

for Baker Ayers, see 1860 Yancey
Census, #497.

James Augustus
1880
Was November 19
1869

D. N. Ayers
Was Born
Sept 17 1866

nothing may be added to the word, CHAP. XXII. or taken therefrom.
1 And he that is righteous, let him be righteous; and he that is holy, let him be holy still.
2 And behold, I come quickly; and my reward is with me, to give every man according to his work shall be.
3 I am Alpha and Omega, the beginning and the end, the first and the last.
4 Blessed are they that do his commandments, that they may have right to the tree of life, and may enter in through the gates into the city.
5 For without are dogs, and sorcerers, and whoremongers, and murderers, and idolaters, and whosoever loveth and maketh a lie.
6 I Jesus have sent mine angel to testify unto you these things in the churches. I am the root and the offspring of David, and the bright and morning star.
7 And the Spirit and the bride say, Come. And he that heareth say, Come. And let him that is athirst come. And whosoever will, let him take the water of life freely.
8 For I testify unto every man that heareth the words of the prophecy of this book, if any man shall add unto these things, God shall add unto him the plagues that are written in this book.
9 And if any man shall take away from the words of the book of this prophecy, God shall take away his part out of the book of life, and out of the holy city, and from the things which are written in this book.
10 He which testifieth these things saith, Surely I will come quickly. Amen. Even so, come, Lord Jesus.
11 The grace of our Lord Jesus Christ be with you all. Amen.

669

FINIS.
Was Dayton Ayer
Born June 9. 93
David R. Ayers was
Born May 18 1897

Two lines at the top of this page are faded beyond recovery.

"Jary Ay--" (Jeremiah Ayers)

Elijah Laws, his book;
James Ayers

Jary edy
Elijoh Lawe his
Book James Ayers

21 Chapter
of proverbs
men.

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DO YOU KNOW WHO I AM?

It is not likely that any living resident of the Toe River Valley has seen me, although my name was once a household word. Most native born residents of the Valley would still know my name, although their response to it might depend upon their political affiliation.

I was born in Greene County, Tennessee, on June 25, 1837. The events which brought me notoriety spanned approximately a decade and brought me briefly to the Mitchell-Yancey area on several occasions. On one occasion, my activities resulted in a power struggle that reached the highest levels of state government and were the subject of appeal to the President of the United States. After that event, I was an employee of the federal government in Washington, D.C.

This rare photo of me came from a San Francisco newspaper (the Call), dated April 25, 1901. (It may also be found in the issue of June 9, 1900.) My obituary appeared in the Gilroy (Calif.) Advocate of February 18, 1905.

Do you know who I am?? "Uncle Rube" Mosley (quoted in Muriel Sheppard, Cabins in the Laurel) knew me personally and described me as follows: He "kivered all the ground he stood on"...and "could fight like a fair hellion." Does that help??

From the North Carolina Spectator And Western Advertiser, a weekly published in Rutherfordton, N.C. (Abstracts for 1830-1835 have been published by Helen Mason Lu and Gwen Blomquist Neuman, P.O. Box 4276, Sta. A, Dallas, Texas, 75208; 1982.)

Married--In Burke County, on the 21st Oct. last, by Rev. John Gibbs, Mr. R. Brown to Miss Mary Burnett. On the 9th Nov., by D.D. Baker, Esq., Mr. Thomas Davis to Miss Marilla Birchfield, daughter of Robert Birchfield. On the 13th Jan., by Rev. John Godfrey, Mr. Isaac N. Cox to Miss Martha Gillespie. On the 25th Jan., by _____ Phelps, Esq., Mr. John Deberry to Miss Mary Deal.

Married--In Buncombe County, on Cane River, by B. Hensley, Esq., Mr. Edward Wilson to Miss Sally Rowland. By John Hensley, Esq., Mr. Bannister Hensley to Miss Jane Briggs. By Joseph Ray, Esq., Mr. James Evans to Miss Elizabeth, daughter of Wm. Sadford. By Joseph Ray, Esq., Mr. John Kiddle, aged 70 years, to Nancy Bedix, aged about 20; all in Buncombe.

[Feb. 26, 1831; Lu and Neuman, pp. 15-16]

Married--In Buncombe County, on Ivy, by John Hensley, Esq., Mr. Robert Hensley to Miss Nancy, daughter of Wm. Barrett; all of Buncombe.

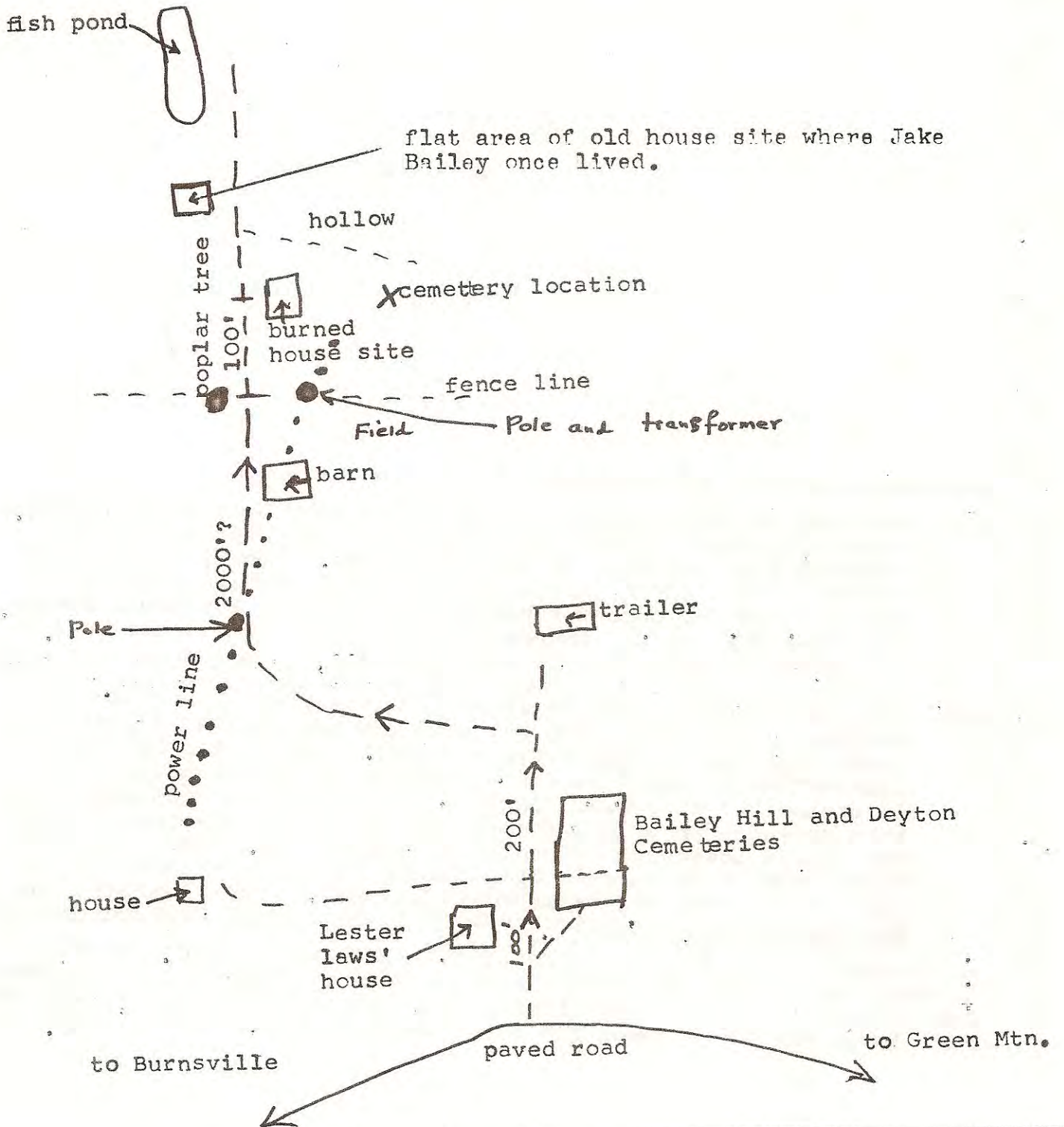
Married--Also, on Cane River, by Joseph Ray, Esq., Mr. Calvin Edney to Miss Lucinda Wilson; all of Buncombe.

Married--Also, on Cane River, by B. Hensley, Esq., Mr. George Rolan to Miss Sarah Edwards, all of Buncombe.

[Dec. _____, 1831; Lu and Neuman, p. 30]

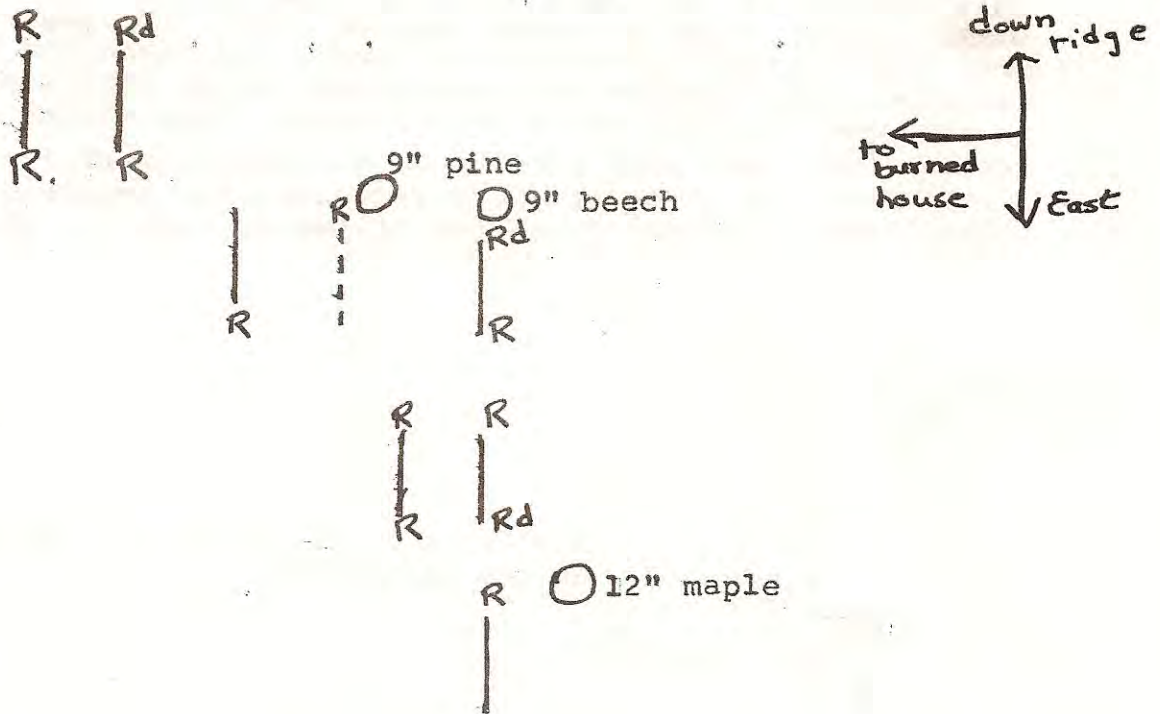
Land and Negroes for Sale-- The subscriber, living three miles east of Asheville, offers for sale a valuable plantation, lying in Yancey County, 5 miles south of Burnsville, situated on the main road from Asheville to Burnsville and within one mile of James Greenlee's, containing two hundred acres of land, of which 60 are flat and cleared, and well fenced and improved. On the premises there is a newly built, 2 story, white house 40 by 45, with a piazza on each side, and every necessary outbuilding. Price, \$1,200; payments, one half cash, the other in good trade, such as negroes, young horses, part in December, or on a short credit, with a bond for title when a warantee title will be made. Also 8 negroes, all young and likely, consisting of women, boys, and girls. Terms low for cash. T.T. PATTON, Pleasant Retreat, Sept. 6, 1834.

MALCOLM McCOURRY CEMETERY: Located in a hollow below the Bailey Hill Cemetery (no.). Abandoned; no burials likely since the first decade of the 1900's; one of the earlier cemeteries on Jacks Creek. Date of visit: Aug. 8, 1988. Located some 200 feet from location of burned-out house and abandoned motor vehicles; area covered with periwinkle vine; timber has been cut in the area recently; on a slight ridge, area slopes rather than level. (See next page for map of cemetery itself.) The fence across the road below the barn separates the property of Hattie Helen Phoenix (below) from that of Lester Laws (? , above).



Malcolm McCourry Cem. (contd.)

Additional note on #4-5: Reportedly, Aaron Bailey's father (Jake) lived in this Hollow at one time. One report is that Malcolm McCourry, Jr. and wife Patty (Martha) lived in "the Jake (Bailey) hollow" (so he may be buried here rather than/in addition to old Malcolm Sr.)



persons reportedly buried here:

- 1-3: children of Aaron Bailey (son of Jake), who once lived nearby. Reportedly small ("just big enough to stand, and eat at the table"); died suddenly of unknown causes. Likely in the first decade of the 1900's, since another child died in 1912 and is buried where the couple subsequently lived on Patterson Branch. (See Cem. No. .) (Reportedly included "two little boys.") ("A child is buried here," says Mary Hall, granddaughter of Jake Bailey; but she was not aware that it was Aaron Bailey's.)
- 4-5. Malcolm McCourry, born on Islay (an island off the coast of Scotland), who lived near the cemetery and died 8/29/1829 (see Yancey Co. Court, Fall Session, 1855). Likely his 2nd wife (Sarah/"Sally" Lynn) as well. Veteran of the Revolution (a Quartermaster in a N.J. Regiment. [Source: Rosa McCourry; note that an ancestor of Mrs. Emory Laws is reportedly buried here: she is the great-granddaughter of Malcolm (Jr.) and Martha/"Patty; Otis ("Dock") McCourry's grandfather (?) is reportedly buried here (Dock is the son of ~~Malcomb (Mack) and Lucinda~~). Some confusion of which Malcolm is possible, since "Mack" is the son of Zeph the son of (pioneer) Malcolm of Islay.
6. Members of the Deyton family (incl. John, who died ca. 1835?)
7. Bill Taylor (who once owned a store nearby) [source: Lester Laws?]
- 8-?: slaves of the Robinson family (married into McCourrys), who tended large fields of wheat and oats nearby [so Mrs. Lester Laws].

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Peter, a sailor	Clarence Banks
Beautyana, an old maid	Ray McCall
Hobo	Ivan Westall
Gobo	Garry Allen
Sambo	Lee Griffith
Jumbo	James Hensley
Tombo	Yates Bennett
obo	Vernon Anglin
Caldust	Carl Gardner
The Wild Man	David Wilson
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Escorts; Lee Evans and Henry Stamey	

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