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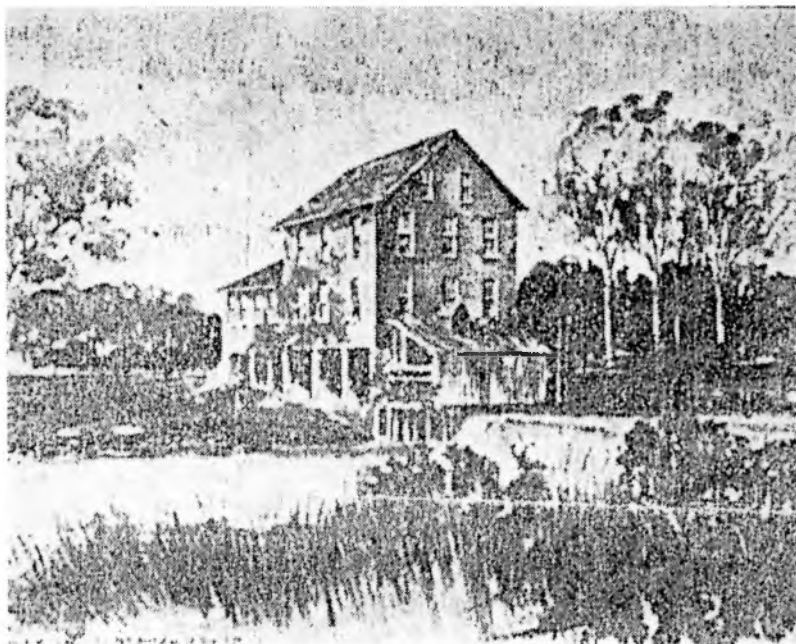
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Crayon drawing by Albert Lane for R. M. Clay on his birthday.

BUTLER MILL

Bill Stubno

One of the most noted grist mills in Madison County was Butler Mill, situated in the southeast quarter of the northwest quarter of section 27, township 5, range 3-east, along the Paint Rock River. Originally part of a tract of land ceded by the Cherokee Indians to the Federal Government on February 27, 1819, the area was incorporated into Jackson County by an act of the newly formed Alabama Legislature in December of that year. Two years later it became part of Decatur County, with Woodville as the county seat.¹

1. John R. Kenamer, *History of Jackson County*, (Woodville, Alabama: by the Author, 1935), pp. 17-19, 21.

Housing in Woodville, and throughout Decatur County, consisted mostly of log homes, usually constructed in close proximity to a spring or similar water source. The necessities of life such as candles, soap, bread, and all of the clothing were made at home. Shoes were made from leather tanned on the homestead, and the soles were connected to the uppers with wooden pegs.² Although this frontier existence was difficult at times, the settlers still managed to relax by telling stories, playing cards, or just visiting neighbors in the immediate vicinity.³

The educational system of Decatur County, like the living standards, was quite simple. To be a teacher, one had to know only the basics of reading, writing, figuring, and using the switch well. Classes were conducted either in a home or church. Tablets were nothing more than slates, spit upon by the students in order to erase.⁴ Such an educational system, though, satisfied the needs of the citizens of Decatur County.

In 1823, many of the people who lived in Decatur and Jackson County resided on public land. This land, in most cases, was greatly improved by its inhabitants, thus increasing the value of the various tracts. At about that time, the Federal Government surveyed the public lands with the intentions of selling to the settlers. Yet, many of them were taken advantage of by shrewd speculators and businessmen who coerced them from these improved Government lands, thereby forcing the pioneers to settle on other unimproved, unsold Federal land. Although these individuals again made improvements to these newer areas, they were not able to purchase them, for the price of cotton had fallen as well as the existence of a depreciated paper currency. Therefore, the Federal Government postponed the sale of the public lands but created a provision by law with the stipulation that those who made improvements on public domain were given the

2. Dr. Herbert L. Hughes, "Old Decatur County," *Huntsville Historical Review* 3 (January 1973):21-22.

3. *Ibid.*, p. 23.

4. *Ibid.*

right of preemption, or first choice, to one 160-acre quarter section or an 80-acre half quarter section of public land.⁵ William Burns and William W. Pruitt were probably given preemption privileges at this time to the area where the mill later stood. In order to secure these rights, they perhaps formed a partnership and built a grist mill about 1824.⁶

On December 28, 1825, Decatur County, which included the mill, was abolished by the Alabama Legislature because it did not contain enough acreage which the Constitution required. Subsequently, the Legislature divided the County, part of which went to Jackson County and another area, roughly between the Old Cherokee Boundary Line and the Paint Rock River, was designated New Madison. The Burns and Pruitt Mill was nestled in this latter area in section 27 on the Paint Rock River. A Government survey described this region as hilly, stony and swampy with a variety of trees including oak, ash, cedar, hickory, persimmon, and maple.⁷

On January 24, 1829, Burns and Pruitt were authorized by the Alabama Legislature to continue their mill operation on the Paint Rock River, in spite of an act declaring the river a public highway.⁸ Shortly thereafter, Burns and Pruitt turned their operation over to David Cobb and his two sons,

5. Ashbury Dickens and James C. Allen, eds., *American State Papers*, 1st Sess. of 18th Congress to 2nd Sess. of 19th Congress, 1823-1827 (Washington, D.C.: Gales and Seaton, 1859), 4:2.

6. Alabama, *Acts of the General Assembly*, "An Act Authorizing William Burns and William W. Pruitt to continue their mill on Paint Rock River" (1828), p. 63. J. R. Kennamer and L. G. Kennamer, *The Story of Woodville and Community Album* (Woodville, Alabama: By the author, 1950), pp. 46-47.

7. Field Notes of the original W. S. Government Survey of Land in Marshall County, State of Alabama, p. 10, Probate Office. Marshall County Courthouse. Guntersville, Alabama.

8. Alabama, *Acts* (1828), p. 63.

Williamson R. W., and Bryant Cobb.⁹ In May of 1830, a preemption law was enacted which gave an individual who had occupied or improved a tract of public land in 1829, the right of filing a preemption claim on that property which eventually resulted in a patent. A short time later, these lands went up for sale on two separate occasions, July and October 1830.¹⁰ Judge Thomas J. Taylor recounted concerning the latter sale:

The second sale commenced on the first Monday in October, and at that time Huntsville was thronged with an eager crowd of purchasers, some of them speculators but the large body of them small farmers with the means to purchase a home, or here endeavoring to raise money for that purpose.¹¹

On October 5, 1830, David Cobb and his two sons, were issued a patent, certificate number 103, on the northeast and southeast quarter of the northwest quarter section 27, township 5, range 3-east, a half quarter section.¹² On July 7, 1836, David Cobb and W. R. W. Cobb conveyed their \$450.00 interest in the property to Bryant Cobb.¹³ In October, he was given permission to built a larger mill that would grind both wheat and corn.¹⁴ The court decree stated:

An inquest upon the petition of Bryant Cobb, for a writ of *Adquod Damnum* having been made and it appearing to the satisfaction of the Court, that mansion house of no proprietors, nor the offices,

9. Government Tract Book, Vol. 1, p. 87. Probate Office. Marshall County Courthouse. Guntersville, Alabama.

10. Thomas J. Taylor, "A Later History of Madison County," *Valley Leaves* Special Edition (December 1969): p. 76-77.

11. Ibid.

12. Tract Book, p. 87.

13. Deed Records. Deed Book Q, pp. 103-104. Probate Office. Madison County Courthouse. Huntsville, Alabama.

14. Kenamer, *Woodville*, p. 47.

curtiledges, nor gardens thereto immediately belonging nor orchards will be overflowed and that the health of the neighbors will not be materially annoyed by the stagnation of water, loan is granted said petitioner to build a water grist mill and saw mill and it is ordered that the proceedings herein be recorded.¹⁵

Thus began the Cobb Mill.

Bryant Cobb's father, originally from Virginia or North Carolina, migrated to Rhea County, Tennessee, around 1800.¹⁶ In 1809, he came to Madison County with his children and settled on a plantation near Bellefonte.¹⁷ Judge Taylor stated that the Cobb brothers became prominent in the community, though Bryant Cobb "met disasters that seriously affected his business enterprises ..."¹⁸

Bryant Cobb's largest business interest was the Cobb Mill at Paint Rock River. Keel boats, flat-boats, and skiffs floated down this river from Cobb's Mill, as well as other business concerns, to the Tennessee River, where products were loaded on to larger craft to make the trip to New Orleans.¹⁹ In 1840, just 3 years after New Madison was incorporated into Madison County, Bryant Cobb became indebted to Joseph Talegman and Eleazar Andrews, merchants and partners in the firm known as Andrews and Brothers of New Orleans, Louisiana. The debt amounted to \$11,238.41 plus legal

15. Orphans Court Minutes. Book 6, p. 532. Probate Office. Madison County Courthouse. Huntsville, Alabama.

16. Kathleen Paul Jones, "Census of 1850, Madison County, Alabama," Huntsville, Alabama, 1955, p. 160 (typewritten); "1850 Census, Jackson County, Alabama," n.d., p. 157 (typewritten).

17. Thomas M. Owen, *History of Alabama and Dictionary of Alabama Biography Vol. III*. (Chicago: S. J. Clarke Publishing Co., 1921), p. 357.

18. Taylor, *History*, p. 82.

19. Kennamer, *History*, p. 23.

interest of the State of Alabama of which \$500 had already been deducted — the price of a young male slave. Cobb, moreover, had to sell some of his other chattels namely Caesar, Nance, Amanda, Mill, Mela, Larat, Adeline, Elizabeth, Mealinda, Betsy Jane, Pete, Meary, and Deci. Under these adverse circumstances, Cobb decided to deed the mill and other real estate to Daniel B. Turner in trust until he could settle his accounts.²⁰ Notwithstanding, the debt could not be paid, and so Turner sold the mill to the highest bidder on August 9, 1843. Fortunately, Bryant Cobb's son, Alexander, was the buyer. Thereafter, the Cobbs tried desperately to keep the mill enterprise in the family by conveying it to various family members to include Joseph Cobb in 1849 and Christopher C. Cobb of Limestone County in 1853.²¹ Finally, on July 11, 1858, C. C. Cobb deeded the mill back to Bryant Cobb, although Joseph Cobb continued to tend the mill many years thereafter.²²

Bryant Cobb's brother, W. R. W. was less fortunate in his chosen career — that of a politician. Beginning as a clock peddler and merchant in Jackson County, he was elected to the United States Congress in 1847 and served in that capacity until 1861, when Alabama seceded from the Union. That same year, Cobb was elected to the Confederate Congress in Montgomery but did not take his seat. Rumors circulated that President Abraham Lincoln had appointed him military governor of Alabama, but this accusation was never substantiated. He died tragically in 1864, from the accidental discharge of his own pistol.²³

20. Deed Records. Deed Book S, pp. 89-93. Probate Office. Madison County Courthouse. Huntsville, Alabama.

21. Deed Records. Deed Book U, pp. 43-44. Deed Book X, p. 496. Deed Book Z, p. 258. Probate Office. Madison County Courthouse. Huntsville, Alabama.

22. Deed Records. Deed Book GGG, p. 189. Probate Office. Madison County Courthouse. Huntsville, Alabama; Kennamer, *History*, p. 47.

23. David Ritchey, "Williamson R. W. Cobb: Rattler of Tinware and Crockery for Peace," *Alabama Historical Quarterly* 26 (Spring 1974): p. 113; Owen, *History*, p. 357.

After the Civil War, Bryant Cobb somehow managed to maintain the solvency of Cobb's Mill in spite of the ravages of Reconstruction. On August 21, 1881, Cobb passed away and left the following children: Alexander, Ira, Joseph, Mary, Naomi, Bernice, Francis, and Annie. In his will, he appointed Joseph and Alexander Cobb and John W. Grayson the administrators of his estate.²⁴ On October 2, 1882, they sold Cobb's Mill to James E. and George W. Butler.²⁵

The Butlers, with the assistance of John H. Atchly, John Russell, Frank Ivey, and "Big" A. Whiterd, rebuilt Cobb's Mill under the supervision of E. G. Morris of South Alabama, by adding more space and equipment. Business activity thereafter was prodigious, and after about 15 years, the mill was improved by adding rollers, a grinding stone imported from France, and other miscellaneous equipment.²⁶

In 1898, George W. Butler died and left his share of what was now known as the Butler Grist Mill Company to his wife and children. James E. Butler, though, continued to operate the mill concern until his death in 1913. At that time, Butler Mill was divided among all of the Butler heirs.²⁷ Some of the noted millers who ran the mill for the Butlers roughly between the years 1898 and 1915 were M. M. Downey, William B. Gross, Robert Whitaker, George W. Anderson, David Jones, and Richard H. Jones.²⁸

24. Will Book 2, p. 101 and Probate Case number 3610. Probate Office. Madison County Courthouse. Huntsville, Alabama.

25. Minute Book 20, p. 42. Probate Office. Madison County Courthouse. Huntsville, Alabama.

26. Interview with Mr. W. W. Crum, former owner of Fall's Mill in Huntland, Tennessee, Harvest, Alabama, 12 September, 1979; Kennamer, *Woodville*, p. 47.

27. Minute Book 25, p. 276. Probate Book 41, p. 567. Will Book 4, p. 146. Probate Book 46, p. 38. Probate Office. Madison County Courthouse. Huntsville, Alabama.

28. Kennamer, *Woodville*, p. 47.

In 1916, the Butler heirs sold the mill to Frank Bevil and Richard H. Jones.²⁹ In 1922, they owed a sum of money, amounting to \$250 to Joseph W. Woody. Therefore, the mill was mortgaged on the condition that if the debt were not paid before it was due, Woody would take possession of the property. Bevil and Jones were not able to satisfy the mortgage, thereby Woody held title to the mill until his death in 1939, when the executors of his estate conveyed title back to Bevil and 42 other individuals who held legal interest in the mill.³⁰



On April 11, 1939, a tornado touched down and destroyed Butler Mill, except for the stone foundation. Also destroyed was the nearby covered bridge, stretching across Paint Rock River, that joined Madison and Marshall Counties. During this storm, a group of six people, fishing along the river bank, took shelter in the mill. When it collapsed, Charles Robert Merritt of Fort Payne was killed, and a small boy was slightly injured.³¹ Shortly after this disaster, Frank Bevil et al., sold the Butler Mill tract to Robert Clay.³² Clay built a new mill on the original antebellum stone foundation in 1940, satisfied the mortgage in 1942, and operated a profitable business

29. Deed Records. Deed Book 114, pp. 212-219. Probate Office, Madison County Courthouse. Huntsville, Alabama.
30. Mortgage Book 181, p. 351. Probate Office. Madison County Courthouse. Huntsville, Alabama.
31. "Tornado Hits Butler's Mill, *Huntsville Times*, 11 April 1939, p. 1; Interview with Mrs. E. Bishop, daughter of Robert Clay, Butler Mill, Marshall County, Alabama, 8 December 1978; Kennamer, *Woodville*, p. 47.
32. Deed Records. Deed Book 156, pp. 98-99. Probate Office. Madison County Courthouse. Huntsville, Alabama.

throughout World War II and the early postwar era.³³ By 1952, though, modern food processing methods diminished the importance of a grist mill, which forced Clay to close his establishment.³⁴



In 1969, W. W. Crum, a retired Army officer, bought the grinding stone, imported from France, from Robert Clay, in order to utilize it at Falls Mill in Franklin County, Tennessee. Clay also sold Crum a steel-encased small upright, manufactured in North Carolina about 1920. This second item was also from Butler Mill.³⁵

In 1974, Butler Mill became the property of Sherman Clay, who lived in Grant, Alabama.³⁶ Occasionally, one could observe a person fishing from the mill or a group of teenagers congregating under the building, but otherwise, Butler Mill remained inactive.

33. Interview with Mrs. Bishop, 8 December 1978; Mortgage Book 181, p. 351.

34. Interview with Mrs. Bishop, 8 December 1978.

35. "Huntland Creek Turns Mill Wheel," *The Funlander*, September 1979, p. 15; Interview with Mr. Crum, 12 September 1979.

36. Plat Book-East 1968 to present. Tax Office. Madison County Courthouse. Huntsville, Alabama.