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MS 76
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The Nelsons.
Wolcotts
Wayne Co. News Articles

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The Wolcotts

~~Frank Ball - History of Barboursville~~
William Ferguson m. Lucinda Vaughn

Aug. 12, 1949 - Wayne Co. Hist. Notes.

~~July 7, 1949 - Frank Ball - Hist. of
Barboursville - In Wayne
Co. News (Millon paper?)~~

May 10, 1946 - Kelly Perry Death -
Wayne Co. News.

May 29, 1949 - Hanging of Laban J. Walker.

Dec. 23, 1949 - Wayne Co. Hist. Notes.

July 18, 1949 - County Sidelights.

~~Sept. 2, 1917 - Probably a Huntington
Paper - Mansfield's "A
First Baptism of Fire."~~

History of the Maynards by
John Maynard - Kenova
1609, Maple St.

All above are in this
Notebook.

The Wolcott Family

The Wolcotts of Cabell County
are descended from an English
family, at Tolland, England.

Elias Wolcott was born in
Sandisfield Massachusetts, June 16,
1777, and died at Watertown,
Ohio Feb. 19, 1872, being 94 years,
8 months, and 3 days old. His
wife was Delinda Howe, born
June 29, 1782, at Poughney,
Vermont, and died August 29,
1802. Elias Wolcott and Delinda
Howe were married August 29,
1802. She was a daughter
of Peter Howe and Arnda
Fuller.

Augustus Stone Wolcott,
a son of Elias and Delinda
Howe Wolcott were the parents
of nine children, one of whom
was Byron Augustus Wolcott
who was born Dec. 27, 1842,
and died Oct. 27, 1918, at 76
He married Clara A. Beam
b. Sept. 17, 1835, d. March 11, 1918

(See Lucian Wolcott.)

- Aug. 5, 1949 - "Wayne Co. Hist Notes" -
Pros. Atty.
- July 8, 1949 - Dr. Brunns' Death.
- Dec. 9, 1949 - Brumfield Family.
- Nov. 29, 1948 - "Bench & Bar";
- Sept. 3, 1948 " "
- Feb. 13, 1948 - "Civil War Rosters"
- Oct. 15, 1948 - "Bench and Bar";
- Aug. 29, 1947 - "Early Nineteenth
Century Land Suit."
- Nov. 12, 1948 - "Wm C. Crum" (Death.)
- Oct. 22, 1948 - "Bench & Bar";
- Sept. 12, 1947 - "Rev. John Hollister"
- Jan. 16, 1948 - Col. V. A. Witcher's
Suicide.
- Oct. 10, 1947 - "Spurlock's Capture
Told by Capt. Jno. S. Witcher"
- Jan. 23, 1948 - "Bishop. J. Morris
One of States' Early
Methodists";
- Jan. 28, 1949 - "Ceredo Church
History."

Sept. 26, 1947 - Frazer's Rev. War Pension
Claim. Copied?

Oct. 3, 1947 - The Wellmans p. 1 (Compare)

Jan. 2, 1948 - Farm Acreage p. 1 Census

May 16, 1947 - Shooting.

May 9, 1947

"

June 27, "

Old newspaper

July 18, "

J. J. Mansfield death.

Aug. 1, "

Deekson Com. Hist p. 1
& p. 4

Aug. 22, 1947 - Duwall Land Grant p. 1

Aug. 29, 1947 - Early 19th Cent Land
Suit (Copied?)

Sept. 5, 1947 -

Kenova - Morganza.

Sept. 28, 1947 -

Frazer's War Claim (Rev)

Oct. 24, 1947 -

Albert G. Jenkins

Oct. 31, 1947 -

Burn Charleston.

Dec. 12, 1947 -

Adam Crum's Pension

Dec. 5, 1947 -

Claim
Civil War Skirmish on
Big Sandy.

Nov. 28, 1947 -

Civil War Report.

Feb. 20, 1948 - Mansfield's Civil War p. 1

March 12 " - " " "

Sept. 24 " - Bench & Bar p. 1

Sept. 10, " " " p. 1

Oct. 1, 1948 " " p. 1.

April 22 1949 - Col. Garfield p. 1

Dec. 24 1948 - Hist. of Ceredo

Nov. 19, 1948 - Bench & Bar p. 1

Feb. 27, 1948 - Mansfield Civil War.

Oct. 29, 1948 - Bench & Bar.

March 5, 1948 - Mansfield Civil War.

Harrison Candidate

April 23, 1948 Mansfield Civil W.

June 18 " - Clippings.

April 9 " Mansfield Civil War

" 16 " " "

Aug. 27 " Bench & Bar.

" 13 " " "

" 20 " " "

July 9 " John See - Rev. War.

June 4 " War of 1812.

June 25, " Civil War Damages.

Wayne County News.

Feb. 6, 1948 - Newspaper Clippings p. 1.
Hugh Ketchum.

April 2, 1948 - W. L. Mansfields - Civil
War History. (I think I have
this copied.

Dec. 17, 1948 - A Hist. of Ceredo by
p. 1 Miss Faye Stewart.
& cont' next week - Dec. 24?

March 19, 1948 - Mansfield's Civil
War cont' from last
week. p. 1 & p. 4.

Sept. 17, 1948 - Mansfield "Bench
& Bar". To be cont'.

Oct. 8, 1948 - Mansfield - Bench
& Bar. Test Oath.

March 25, 1949 - Schools. Last p. Col. 1.

Aug. 29, 1947 - Early 19th Cent.
Land Suit p. 1. Copied.

March 26, 1948 - Mansfield Civil War
p. 1 - & to be cont'.

William Ferguson married

Lukinda (Lucindia) Vaughn. Their children were:

Everel,

Milton,

Jamison,

Elizabeth,

Abraham,

America,

They separated.

William Ferguson married

Theresia Ratcliff. Their children were

Thomas Ferguson,

Pharaoh "

Mate "

Anna Mary "

William (Bill) Ferguson.

Lucindia Vaughn Ferguson married

Washington Adkins. Their children were Girard, Joanha.

Joanha Adkins married Jim Frizzell.

- WAYNE COUNTY HISTORY NOTES -

When the civil war came up the office of Surveyor of Wayne County was held, for some reason best known to himself, by a prominent citizen of the County who was not a practical surveyor and who really did none of the work of the office. The active duties of the office were discharged by C.W. Ferguson, was a very accurate and capable surveyor. The surveyor's outfit and records were left in the care and custody of Mr. Ferguson during the war; and he kept them at his home, one mile from the court house. While Mr. Ferguson was not engaged in the activities of the war, he was precluded by the Test Oath after the war from holding any office because he had "aided and abetted the Rebellion" by occasionally affording food and shelter to his two brothers who were soldiers and from time to time furnishing their families with apples and potatoes from his farm.

When the County government was re-organized, after the war there were numerous applications for the office but it appears that no one asked for the surveyorship who had any practical conception of surveying beyond staking off an office for himself. In the distribution of the favors this office was drawn by a carpenter who probably saw the Court House the first time when he went up to take charge of the outfit and records of his office.

He applied to Mr. Ferguson for the "working tools" and archives of the surveyor, and Mr. Ferguson promptly placed before him the compass, the tripod, the chain, the books and field notes of public lands, and the greatest of all these was the compass.

The new surveyor looked the array of new things over with

a critical eye, and regarding Mr. Ferguson with a suspicious look, demanded to know where the compass was. Being a carpenter, he was expecting this instrument to be constructed along the lines of a carpenter's compass for describing a circle.

- - - - -

When Evermont Ward was judge of the circuit court of Wayne County there was pending in the Court an ejectment suit from one of the remote parts of the County. The suit involved a tract of land that was supposed to be described in a contract in the possession of a witness who lived on Tick Ridge. The case had been continued term after term, and always because of the absence of the witness who had the contract. As Judge Ward was in poor health, and lacked the physical strength to try the docket, it was an easy matter to get a continuance in the absence of a vigorous proeyest.

At one term the case was called and the attorney made the usual motion for a continuance, and on the usual grounds. The material witness from Tick Ridge and the contract were not in Court Judge Ward showed an inclination to grant the continuance, but the opposing counsel entered a protest against a further postponement of the case. He pointed out that his client had been put to much expense in bringing witnesses a distance of 35 miles court after court. He also alleged that proper legal steps had not been taken to compel the attendance of the Tick Ridge witness. Judge Ward softened to the extent of assuring him thzt the case would be tried the next term. He then advised the attorney who had secured the continuance to right then and there enter a memorandum with the

Clerk directing the issue of a subpoena duces tecum for the next term of court. He further warned him that the case would be tried at the next term whether or not the witness was present.

The attorney walked, hesitatingly, to the memorandum book and made this entry:

"The clerk will issue a subpoena ~~quasa~~ stickem for Samuel Damron of Tick Ridge for the next term of this court."

From the Wayne County News, May 10, 1946.

- KELLY PERRY IS TAKEN BY DEATH --

"Uncle" Kelly Perry, 95 years old, retired farmer and timberman and life-long resident of Wayne County, died Wednesday at 7:30 A.M. at the home of his grand daughter, Mrs. Elba W. Adkins, of Wayne.

Burial will be made in the family cemetery at East Lynn, W. Va. following funeral services at 2 o'clock P.M. Friday at the East Lynn church conducted by his nephews, the Rev. Jesse Nelson and the Rev. Andrew J. Perry.

Surviving are a daughter, Mrs. Byron L. Osburn, of Kenova; two sons, M. J. Perry, of Pleasant Hill, Mo., and William P. Perry, of Huntington; a sister, Mrs. Polly Nelson of Ferguson, W. Va., 22 grand children, 15 great grand children, and two great-great-grandchildren.

Mr. Perry was married to Miss Elizabeth Maynard August 4, 1871. She preceeded him in death 19 years ago. His second wife, Mrs. Nancy Mills Perry, died nine years ago. Four children preceded him in death.

Mr. Perry was a member of the United Baptist Church.

Prior to 1900 Mr. Perry was an assessor of Wayne County for one term.

- ONLY ONE DEATH SENTENCE GIVEN IN HISTORY OF COUNTY -

Laban J. Walker

Wayne County's only civil execution was that of Laban T. Walker for the murder of Pat Nolan, of Virginia Point, (Kenova) August 21, 1878. Walker was hanged more than a year later, November 28, 1879. The story of this execution has been told and retold around the firesides of Wayne County for seventy years.

After the shooting of Nolan Walker fled to the Ohio shore, but was arrested the same day and brought back to Ceredo, where a preliminary hearing was held before Justice S.D. Ward, who sent him to jail, to await the action of the grand jury which at the March, 1879 term indicted him upon the evidence of Johnson Fry, J.T. Whorton, and Patrick McLeece. He refused to go to trial, and it was postponed until the next term.

August 9, 1879 he was placed on trial for his life upon a plea of "Not guilty", and was defended by Esutace Gibson, who later became a member of Congress.

The jury selected to try Walker was made up of Alvis Maynard, Charles Tooley, Andy Fry, Joel Adkins, M.A. Stephenson, Samuel Roberts, Marion Preston, Michael Peters, Anthony Hampton, Geo.P. Dillon, and Levi Hampton.

On the morning of the 10th the prisoner and jury returned to Court and the trial continued through the day, through the following day, and closed on August 12th. On the 13th the jury came in to Court and rendered the following verdict: "We, the jury, find the prisoner, Laban Walker guilty of murder in the first degree, as charged within the indictment." The prisoner was remanded to jail, to await the sentence of the Court.

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On the 16th the prisoner was brought into Court, and when asked if he "had anything to say why the sentence of death should not be passed upon him", made no reply. Judge Evermont Ward pronounced the sentence of the law "That you be taken from the jail of this County by the sheriff (H.Fisher Bowen) on Friday, the 28th day of November, 1879, to a place of execution to be selected by said sheriff, and that you then and there be hanged by the neck until you are dead, and may the Lord have mercy on your soul."

At length, the fatal day arrived. It was a dark, gloomy morning, but despite the falling rain, the crowd soon began to arrive and by noon seven to ten thousand people from Wayne and adjoining counties were swaying through the village of Trout's Hill.

A scaffold had been erected in the Court House yard, and at 2 o'clock P.M. the doomed man walked forth from the jail where he had been confined for more than a year, and, assisted by the sheriff and jailer, ascended the scaffold--the black cap was drawn the rope adjusted, and Laban T. Walker swung into eternity. He was only 21 years old. Twenty minutes later doctors Enslow and Burgess pronounced life extinct. The body was turned over to friends who removed it to Catlettsburg, Ky. for burial.

This ended the only legal execution in Wayne County's one hundred and seven years of existence.

It has been told of Sheriff Fisher Bowen that he turned his back when he cut the rope releasing the trap door on which the doomed man was standing, sinking the hatchet deep into the wood.

- WAYNE COUNTY HISTORY NOTES -

Wayne County began its career as a separate county April 11, 1842. John Wellman, Levi McCormick, John Plymale, Daniel Webb, William Ratcliff, Thomas Copley, and Walter Copley met on that date at the home of Abraham Trout, on Trout's Hill, the site of the present town of Wayne and began organizing the County government.

These men were known as "gentlemen justices" Since there was no West Virginia at that date, the justices of the county served as the County Court, according to the laws of the State of Virginia.

At the first meeting of the Justices Hugh Bowen was elected County Clerk. John Laidley was elected Commonwealth Attorney, and was the first man to practice law in this county. Two constables were appointed at the first meeting, Jeremiah Wellman, and Nathan Holt. Samuel Wellman was elected County Surveyor. He was the only surveyor in the County at that time.

A committee was appointed to construct a Court House. At this time the committee had full authority to build a Court House and Jail as they thought the needs of the public required. Log buildings were put up for both Court House and Jail. The jail was a large, square structure with stakes spiked upright on the inside to re-inforce the walls. The prisoners were put through a trap door in the second floor. Evidently short sentences and light fines got the desired reform with this jail. Here are a few sample sentences:

A man named Walker was fined 83 cents for contempt of Court. Later in the day he took a few too many drinks, and his

spirit of good fellowship waxed too warm to harmonize with the dignity of the Court, and he was jerked up and sentenced to the County jail for four hours. Another man was fined, and given two hours in the dungeon of the county jail wherein he might reflect undisturbed upon his waywardness.

Also, at the first meeting William Morris was selected to act as the Sheriff of the newborn county. It was customary for the justices to recommend three men who were qualified to serve in that office to the Governor of the State, who then appointed the Sheriff of the County. Hiram Chadwick was appointed Sheriff at this time.

In 1844 Frederick Moore was appointed to second sheriff of Wayne County.

Because of imperfect records of that early time it cannot be determined with any degree of accuracy the succeeding officers in the pioneer days of Wayne County.

William Ratcliff served one term as "Commissioner" of revenue", as the sheriff was then called.

In 1846 John Plymale was appointed to serve as the third Sheriff of the County.

And in this same year an order was entered on the on the County Court's record offering a reward of \$8.00 for the scalps of wolves, and \$4.00 for young wolfscalps.

In 1847 Anthony Plymale was appointed Commissioner of Revenue.

The following men were licensed to practise in the Courts of the State: John Laidley, Wm. McComas, Joseph J. Mansfield, James H. Ferguson and Elisha McComas.

The first trial was held in Wayne County in 1843 and, hard to believe now, a man was tried for witchcraft, or rather for the failyre of his witchcraft. He had promied to drive away the devil spirit from an old shot gun in excahnge fora a horse. It still behaved unseemly, so the owner of the bewitched gun demanded the return of the horse. The horse was evidently untroubled by eveil spirits for the man refused to give him up. Then it was the unfortunate owner of the shot gun called upon the law for justice.

As noted earlier, the first Court House of this County was constructed of logs. This was built on the present site of the Court House; but just before the civil war the old building was moved to the site of the present jail and a brick building was put up in its stead.

The ceiling of this house was supported by massive pine posts. During the war a detachment of Union soldiers occupied the Court House. They were sonstantly watched by the lodal citizens, and every time one of the soldiers showed himself he was greetedwith a shower of bullets. Hundreds of bullets went through the windows and lodged in the pine pillars inside. The holes were filled with putty and painted. After the war the favorite past time of men who had time to kill while attending Cou t was to pick putty from these holes with pocket knives and pry out bullets.

When this Court House was outgrown in the early 1890s another brick building was erected. This building was short lived, and burned in 1896. The next Court House served until it too was destroyed by fire October 2, in 1921.

- COUNTY SIDELIGHTS -

We are indebted to E. V. Wilkinson, a former Wayne Countian who now resides in Coolidge, Arizona, for the following information regarding some of the old buildings in the town of Wayne. Mr. Wilkinson writes:

"Some time ago you asked about the oldest house in the town of Wayne. This is the Att Adkins house. Green Ward lived in same when I left Wayne. Next is the Masonic Hall, where McClure taught school. It was dedicated in Jul7, 1870. Aunt Bob Burgess' house was built in the early seventies. I stood on the porch there and saw Labe Walker hanged, which was in 1879.

"When H.K.Shumate ran the paper, it was printed in a small two-room building where Raleigh Adkins' barber shop stands. Burned later, and owned by Aunt Bob Burgess."

Mr.Wilkinson extended best wishes to his many Wayne County friends, and invited anyone who wanted to get used to the heat to come to Arizona, where, he said the temperature had been standing from 104 to 114 degrees every day.

By John Maynard
1609 Maple St.,
Kenova.

I was born Aug. 21, 1872, in Grant District on Milan Creek of 12 Pole, in head of Milan, 2-3 miles from 12 Pole, right side going up, about 2.5 miles above Wayne. I have heard that old Elisha Ferguson was a brother to old Kelly Ferguson..

This old Kelly Ferguson married my grandmother "Belly" Maynard as her second marriage. She was a daughter of old Sammy Danrell.

She m. 1. James ("Far Keg") Maynard who lived on Twelve Pole at the mouth of Maynard's Branch, about 30 miles of Wayne and on Left Fork of Twelve Pole.. My father Jesse Maynard lived there after he died. James Maynard, a Yankee soldier was killed in the Civil War shot by Rebels, on Twaw Fork of Khar's Cr. of 12 Pole - Left Fork.

Then to ~~make~~ ^{harmonize my song} my Christmas ~~money~~ ^{song}
 and save me from my ills.
 I beg you send your check along
 In time to pay my bills.

Elizabeth (Betty) Maynard

m. 2 Kelly Ferguson

No children

m. 3. Alvis Maynard

No children.

Children of James and Elizabeth
 Maynard:

Emaline Maynard,

m.

Smith

lived in Ohio back
 some distance. They had
 a son Sherman, & others

Polly Ann m

Danwell.

Lived in Ohio some
 where.

Samuel Maynard

m. Sally (Smith?)

Large family

Wayne - living? above

East Lynn

Sam Maynard m. ...

They live at Breeden, on
R.R. Fork of 12 Pole.

Mary Ann Maynard
m. Wm Martin

A daughter, Mrs.
Georgia Danell (Danwell)

She lives below me,
at 5th house on left
of Maple Street.

Jim Maynard

Owen Maynard
m. Danwell.

Bill Maynard (oldest)
m. Lucy Lewis,
lived & died on
Kear's Creek.

Mary Jane Maynard
m.

Milla Maynard
m. Danwell
lived in Ohio.

Aaron Maynard
m. 1. Polly Ann Queen
Children:
Sam Maynard

"Babe" Maynard (girl)

Kirk Maynard
m. Dicy Maynard,
daugh. of "Big" Owen
Maynard (Black Owen,
my uncle)

m. 2. Vina Williams, dau.
of Jim and ^{Cassie} ~~Est~~ ~~Woods~~
Williams who lived
on the Ridge bet.
the two forks of 12
Pole.

Children:

Mont Maynard

Alvis Maynard

"Babe" Maynard

Cassie Maynard

Sarah Maynard

I don't remember her.

Jesse Maynard

m. Chloe Perry, dau
of Jesse ("Curly" Jesse) Perry.

Rinda (Marianda) ^{son of Jim & Betty Finley}

m. Lindsey Finley

Lived about (in
head), about 3

mi. up McComas
Creek of Left Fork
of 12 Pole, above
30 miles above

Wayne, & on side
opposite Cove Cr.,
but about 10 miles
above Cove. Kiar's
Cr. is about 4
mi above Cove & on
same side.

Two children

Jesse Finley
Hunlow Rt. 1
Finley lives with him

Betty Finley ne

Ferguson,
Hunlow Rt. 1

Rinda is dead.

John Maynard

m. Polly Williamson,
dau. of "Big" Rev. Mose
and Rebecca (Parsburg^{ley})
Williamson, and
gr. dau. of Aley and
Malinda Williamson
who lived on the
ridge bet. Forks of 12 Pk.
Children: 3 boys
and 5 girls.

Betty Maynard

m. Wm. Workman,
son of John & Matilda
(McCloud) Workman
of Kears Creek

She now lives in
Portsmouth, O., on
Gallagher St. (Galier)
about the 29th
block, a few
doors above the
Y.M.C.A.

Hays Maynard - d. young

Garfield Maynard

m. Mary Williamson
Lives on Walnut St.,
Kenova. About 69.

Juman Maynard (dead
m.1. Maggie Pinson
^{1. son - Garfield}
She is living at
Portsmouth. Divorced

m.2. Mary
~~no~~ ² children -
~~Mildred~~ Camella
Bill Maynard

Katy Maynard m. Pat Maynard,
son of Alvis & — Maynard
They lived near head
of Milan Creek. Both dead
A son Juman Maynard
lives at Echo, above Wayne.

Hicie Maynard,

m.1 John Perry. & lived
on Milan Cr., near head.

Children:

Jesse Perry

Betty "

Rinda "

Andrew "

Lafe "

m.2. Harrison Maynard
lived on head of Milan
Children
Joy, Troy & Jim

Owen Maynard
m. Munnie Whitt
Lived on 12 Pole at
no. of Maynard Br. of
12 Pole at Father's home.
Several children:

Emerson

Alvis

~~Alvis~~

Lucie Maynard

m. Kirk Maynard

Mose Maynard

Polly m. Esau Perry

Moses Maynard

m. Polly Lewis.

Lived somewhere on
Guyan River, probably
in Lincoln Co. Two
sons were living

Lafe - Guyan River

Millon - " "

"Milla" Chapman (now Mrs. Edgar Sumner
lives in Charleston) has the Lewis
Maynard book.