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 Remarks:

14 March, 1999

Mr. Gib Backlund  
Stones River National Battlefield  
3501 Old Nashville Highway  
Murfreesboro, TN 37129-3094

Regarding: History of the McFadden family who owned property & lived on the Battlefield location

Dear Gib:

Thank you for the information you sent concerning the Stones River National Battlefield and the McFadden family.

As we discussed, I am enclosing the following information:

- A copy of the original papers from the Southern Claims Commission file of Hollie McFadden. My wife made these copies from the original documents at the National Archives. Note that there are copies of the cover or title blocks preceding the documents.
- A copy of a transcript of this file which I recently made. This paper also includes a brief explanation of the Southern Claims Commission and its procedures. I have also included a brief history of the Samuel and Hollie (Posey) McFadden family in this paper.
- A three page outline of the the Samuel and Hollie (Posey) McFadden family, and a similar outline of the families of their parents, Guy and Jane McFadden, and Zacheriah and Nancy Posey.
- A family tree for myself that shows how these people are related to me.

As I mentioned in our phone conversation, I would be interested in any research that anyone may have done, or may do in the future, concerning the McFadden or Posey families, the effects of the Stones River Battle on the McFadden property and the property of neighboring landowners, or any other related matters. I noted on one of the maps you sent that the name, Blanton, appears on Wilkinson's Pike, near the intersection with McFadden Lane. As you may see in the transcript, a N. C. Blanton also made a claim to the Southern Claims Commission, and his claim was barred. There were likely other property owners in the area who made similar claims. The Tennessee State Library and Archives web site has a complete listing of all the names of claimants with their county and the disposition of the claim (barred, disallowed, allowed).

Note that I am a native of Marshall Co. TN, and I have an Allen great-grandfather who was at Stones River in Smith's 8<sup>th</sup>/4<sup>th</sup> Tennessee Cavalry Regiment. Thanks again for your assistance.

Sincerely,

William A. Allen

**Southern Claims Commission Claim of Hollie McFadden of Rutherford County, Tennessee**  
By William A. Allen, [allen@nconnect.net](mailto:allen@nconnect.net), March 1999, West Bend, WI

The Southern Claims Commission was created by Congress as a result of pleas from citizens of southern states who had sustained losses during the Civil War (1861-1865). In 1871, Congress appropriated funds "for the payment of claims of loyal citizens for supplies furnished during the Rebellion". This commission addressed claims (for personal property only) from residents of the 12 states formerly "in rebellion" – Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North and South Carolina, Tennessee, Texas, Virginia, and West Virginia. Claims by loyal citizens in the "Union" states not in rebellion had been offered similar compensation by an act passed on July 4, 1864 (nicknamed the "Fourth of July claims"). Over the nine years (1871-1880) that the Southern Claims Commission operated, 22,298 claims totaling over \$60 million dollars were submitted; however, only 7,092 were 'allowed' and received, generally, drastically reduced compensation, totaling about \$4.6 million actually paid out.

The Southern Claims Commission was a three-man board which reviewed and subjected claims to rigid criteria requiring the claimant to both prove his loyalty and produce witnesses and/or receipts for the lost property. The Commissioners appointed local "Special Commissioners" to actually hear these claims, determine the authenticity of the claims, and decide if indeed the claimants had been loyal to the Union during the war. Many claims were disallowed as being "the fortunes of a war for the public defense" or losses due to "pillage by unauthorized soldiers".

The actual claim procedure consisted of several steps, and the complete process for a successful claim typically spanned several years from claim submittal to final payment. First, a Claim Petition (a pre-printed, "fill-in-the-blanks" form) was submitted, generally with the help of an attorney. These petitions were turned over to a local Special Commissioner who investigated the claim, and particularly the claimant and his family. This Special Commissioner then took depositions from the person making the claim and from those witnesses that the claimant named to (1) testify as to the claimant's Union loyalty; and (2) testify as to the nature, value, and circumstances of the actual property loss. The local Special Commissioner then prepared a recommendation package which went to the three-man Claim Commission in Washington; and this Commission reviewed the package and recommended any compensation they saw fit to Congress. Finally, the approval was processed through the Treasury Department for payment. If an attorney was involved, the payment was actually sent to the attorney.

There were three types or dispositions of claims:

- (1) Barred. Claim was either filed too late or the commissioner ruled the claimant a Confederate supporter. Generally, barred claim files do not include depositions or other such supporting material.
- (2) Disallowed. Claim was not paid, but for reasons other than late filing or the fact that the claimant was a Confederate supporter.
- (3) Allowed. The U.S. paid the claim or some portion thereof.

A total of 3929 claims were submitted from citizens of Tennessee, and the preponderance of these claims were from the upper eastern part of the state where a majority of the citizens had opposed secession. There were other notable areas in the former Confederacy that held pro-Union sentiments – a number of counties in northern Alabama, and that portion of Virginia that became West Virginia during the Civil War. About 150 claims were filed from Rutherford County, but only 31 of these claims were allowed.

At the time of the Battle of Stones River in 1862, Hollie McFadden was a widow, about 61 years old, living on her family farm with some of her younger children. Hollie's husband, Samuel McFadden, had first purchased land there in 1818, a few years after he married Hollie Posey. This property was on the west side of the West Fork of Stone River, just east of today's Highway 41, where today Van Cleve Lane ends at the Stones River Battlefield monument. (In 1862, Van Cleve Lane was known as McFadden Lane.) Samuel McFadden was born in Chester County, South Carolina in 1794, and he moved to Davidson County, Tennessee with his parents, Guy and Jane McFadden, about 1803-1804. Hollie Posey was born in 1801 in Edgefield County, South Carolina, and she moved to Rutherford County with her parents, Zacheriah and Jane Posey, about 1808-1810. As the McFadden family lived some distance from the Posey family, I'm not sure how Samuel met Hollie. However, Guy McFadden did own land in Rutherford County, so perhaps the young Samuel McFadden was farming this property away from his family. Samuel and Hollie were married in 1815 when he was 20 years old, and she was not quite 14 years old. Their first child was born

when Hollie was 15½, and they had 4 children before Hollie was 21. They eventually had 14 children who lived to adulthood, and quite probably others who died young. (*So much for the perils of teen-age mothers!*) Public records indicate that Samuel was a successful farmer as he continued to purchase land and at least one slave through the years. He was a trustee of the New School Presbyterian Church at Sulphur Spring (across the River northeast of their farm). Samuel McFadden died in April 1848, and he is buried in a family cemetery, located today near the Battlefield Artillery Monument. Hollie was left with 8 minor children in her home, ages 3 to 19, and it would seem that she continued to prosper after Samuel's death. (Samuel died with no will, and his estate was valued at over \$12,000 – a substantial sum at that time.) By the time of the Civil War, there were only 3 or 4 of the children still living at the family home.

The following is a transcription of the Southern Claims Commission file of Hollie McFadden. The file totals about 30 pages, including 3 pages of the initial petition, 3 pages of application to have testimony taken, 11 pages of the special commissioner's recorded depositions and findings, 2 pages of the Commissioners of Claims recommendation to Congress, and over 10 pages concerning the appeal of the case to the Court of Claims in 1892. Documents were typically legal size pages, folded in quarters, and a "title block" or heading was written on the cover, or back of the outer page. In transcribing this file, I have attempted to mirror the capitalization, spelling and punctuation of the original records. As was common with much handwriting of that time, few sentences begin with a capital letter, and few sentences end with a period. The handwritten portions of the special commissioner's package (the depositions, etc) are in several different handwritings, and none of these seem to be the handwriting of the witnesses nor the special commissioner. I suspect and assume that most of the data was written by lawyers and/or scribes of the attorneys who handled the case for Hollie McFadden.

*(document cover)*  
Act of 3d March, 1871  
PETITION OF  
Mrs. H. McFadden  
Rutherford Co. Tennessee  
\$2025.85

*(document body)*  
TO THE COMMISSIONERS OF CLAIMS, Under Act of 3d March, 1871, Washington, D. C.

The petition of Mrs. H. McFadden respectfully represents:

That your petitioner is a resident of the county of Rutherford in the State of Tennessee; that her post-office address is Murfreesboro Tennessee in said county and State; and that at the time her claim and each item thereof as herein set forth accrued, was a resident of the County of and State of Tennessee; that she is the original owner of said claim; that she has never sold, assigned or transferred the same or any part thereof to any person; that no mortgage, bill of sale or other lien of like nature has at any time rested upon it, or any part thereof, nor has it been attached or taken in execution; that the same has not been paid by the United States or any of their officers or agents, nor have the United States any legal offset against the same or any part thereof; that she is the sole owner of the said claim, no other person being interested therein; that said claim does not contain any charge for property which was destroyed or stolen by the troops or other persons; that the rates or prices charged are reasonable and just, and do not exceed the market rate or price of like stores or property at the time and place stated; all of which your petitioner states of his own knowledge.

Your petitioner further states that she is now and was at the time the several items of her said claim accrued, as stated herein, a citizen of the United States; that she remained a loyal adherent to the cause and Government of the United States, during the war of 1861, &c.; and was so loyal before and at the time of the taking or furnishing of the property for which this claim is made.

And your petitioner further represents, and of her own knowledge states, that on the day of January A.D. 1863, at near Murfreesboro in the State of Tennessee the following property or stores were taken from your petitioner for the use of the army of the United States, and for which payment is claimed, viz:

4 H'd Cattle 600 lbs Wt. Each @ 4¢ per lb	\$ 96.00
3 H'd Serviceable Horses @ 125.00 Each	375.00

17 H'd Hogs 100 lbs Each @ 5¢ per lb	85.00
2000 pounds Salted Pork @ 10¢ per lb	200.00
2 Barrels Salt 700 lbs @ 3¢ per lb	21.00
1 Barrel Vinegar 40 gal. 25¢ per gal	10.00
1 Barrel Sugar 240 lbs @ 9¢ per lb	21.60
1 Barrel Molasses 44 gal @ 50¢ per gal	22.00
1 Sack of Coffee 164 lbs @ 20¢ per lb	32.80
3 Bushels Corn Meal @ 65¢ per bu	1.95
1 Barrel of Flower @ 8.00	8.00
3000 Bundles of Fodder 1¢ per bund	30.00
805 Bushels Corn @ 60 ¢ per bu	483.00
14660 Cedar Rails, equal to about 146½ cords wood, 100 rails estimated per cord @ 3.00 per cord	439.50
5 acres Standing timber coverage 80 cords per acre @ 50¢ per cord	200.00
Balance	\$2025.85

which said property or stores being of the kind, quantity, quality and value above stated was taken by to United States Troops belonging to the Cumberland Department of the United States Army, in the service of the United States, acting as foraging parties, who, as your petitioner has been informed and believes was stationed at around Murfreesboro under the command of Major Gen'l W S Rosecrans who at that time had command of the United States forces in the District in which said property was taken.

And your petitioner further represents that she has been informed and believes that the said stores or property was taken from your petitioner as above stated and removed to the camps of the said Army for the use of the said command; that at the taking of said property, or stores, no vouchers, receipt or other writing was given therefor by the person taking the same as, aforesaid or received at any time by your petitioner.

Your petitioner further states that the claim, within and above mentioned has not heretofore been presented to any Officer or Agent of the U. S. Government or to Congress or any Committee thereof for adjudication nor compensation received therefor.

Your petitioner hereby constitutes and appoints John D. Perryman Esq. Attorney-at-Law, of Washington D.C. her true and lawful attorney, with full power of substitution and association, to prosecute this her claim, and to receive a draft payable to the order of your petitioner for such amount as may be allowed, and to do all acts necessary and proper in the premises.

Your petitioner therefore prays that said claim may be examined and considered under the provisions of the Act of Congress approved 3d March, 1871, dated this day of 187 (not filled in)

Hollie McFadden  
(signed by "X", noted "her mark")

Mrs. H. McFadden being duly sworn, deposes and says, that she is the petitioner named in the foregoing petition, and who signed the same; that the matters therein stated are true of deponent's own knowledge, except as to those matters which are stated on information and belief, and, as to those matters, she believes them to be true; and deponent further says, that she did not voluntarily serve in the Confederate army or navy, either as an officer, soldier, or sailor, or in any other capacity, at any time during the late rebellion; that she never voluntarily furnished any stores, supplies or other material aid to said Confederate army or navy, or to the Confederate Government, or to any officer, department, or adherent of the same, in support thereof, and that she never voluntarily accepted or exercised the functions of any office whatsoever under, or yielded voluntary support to the said Confederate government.

Hollie McFadden  
(signed by "X", noted "her mark")

Witnesses: J. T. Richardson, Charles R. Holmes

Sworn to, and subscribed before me this 27 day of October 1871, and I certify that the affiant is to me personally known, and that I read over to her this affidavit before she made oath thereto.

James O. Oslin Clerk  
Rutherford County Court

I rely upon the following witnesses, and others, to prove my loyalty:

J. A. Collier residing in Rutherford County  
E. B. Hunt residing in Rutherford County  
W. J. McKnight residing in Rutherford County  
N. C. Blanton residing in Rutherford County

And also expect to prove the other facts alleged in the foregoing petition by  
Favere Cason residing in Rutherford County  
L. Russell residing in Rutherford County

Hollie McFadden  
(signed by "X", noted "her mark")  
Witnesses, J. T. Richardson, Charles R. Holmes

(document cover)

CLAIM of  
Mrs. H McFadden

of  
Rutherford County Tennessee

\$2025.85

APPLICATION TO HAVE TESTIMONY TAKEN BY SPECIAL COMMISSIONER Jesse G. Frazer

(document body)

BEFORE THE COMMISSIONERS OF CLAIMS,  
Under Act of Congress of March 3, 1871.

In the matter of the Claim of Mrs. H McFadden of County in the County of Rutherford and State of Tennessee

Comes now the claimant, before Jessee G Frazer Esq., Special Commissioner for the State of Tennessee, and represents that he has heretofore filed with the above-named Commissioners a Petition for the allowance of a claim for property taken for the use of the army of the United States, which claim, as stated below, does not exceed the sum of three thousand dollars.

That the said claim, stated by items, and excluding therefrom all such items as refer to the DAMAGE, DESTRUCTION, and LOSS, and not the USE, of property; to unauthorized or unnecessary DEPREDATIONS of troops and other persons upon the property, or to RENT or compensation for the occupation of buildings, grounds, or other real estate, is as follows:

4 Head Cattle 600 lbs Wt. Each @ 4¢ per lb	\$ 96.00
3 Head Serviceable Horses @ 125.00 H'd	375.00
17 Head Hogs 100 lbs Each @ 5¢ per lb	85.00
2000 pounds Salted Pork @ 10¢ per lb	200.00
2 Barrels Salt 700 lbs @ 3¢ per lb	21.00
1 Barrel Vinegar 40 gal. 25¢ per gal	10.00
1 Barrel Sugar 240 lbs @ 9¢ per lb	21.60
1 Barrel Molasses 44 gal @ 50¢ per gal	22.00
1 Sack of Coffee 164 lbs @ 20¢ per lb	32.80
3 Bushels Corn Meal @ 60¢ per bu	1.95

1 Barrel of Flower @ 8.00 per Bbl	8.00
3000 Bundles of Fodder 1¢ per bund	30.00
805 Bushels Corn @ 60 ¢ per bu	483.00
14660 Cedar Rails, equal to about 146½ @ 3.00	439.50
5 acres Standing timber 80 cords per acre @ 50¢	200.00
Total,	\$2025.85

That, as stated in the Petition referred to, the property in question was taken from Mrs. H. McFadden in the County of Rutherford, in the State of Tennessee for the use of a portion of the army of the United States, known as the Army of the Cumberland, and commanded by Maj Gen'l W S Rosecrans and that the persons who took or received the property, or who authorized or directed it to be taken or furnished, were the following:

United States Troops, Post of Murfreesboro

That the property was removed to the Camps of the said Troops and used for or by them as aforesaid; all this on or about the \_\_\_\_\_ day of January in the year 1863, as appears by the petition presented to the Commissioners.

That the Claimant is unable, to produce the witnesses hereafter to be named before the Commissioners at the city of Washington for and because, of the following reasons, to wit: *(left blank)*

That by the following named persons, the claimant expects to prove that, from the beginning of hostilities against the United States to the end thereof, his sympathies were constantly with the cause of the United States; that he never of his own free will and accord, did anything, or offered, or sought, or attempted to do anything, by word or deed, to injure said cause or retard its success, and that he was at all times ready and willing, when called upon, or if called upon, to aid and assist the cause of the Union, or its supporters, so far as his means and power, and the circumstances of the case, permitted.

J. A. Collier of Rutherford County  
E. B. Hunt of Rutherford County  
W. J. McKnight of Rutherford County  
N. C. Blanton of Rutherford County

That by the following named persons, the claimant expects to prove the taking or furnishing of the property for the use of the army of the United States:

Favere Cason of Rutherford County  
L. Russell of Rutherford County

The claimant now prays that the testimony of the witnesses just designated be taken and recorded, at such place and at such time as the Special Commissioner may designate, at the reasonable cost of the said claimant; and that due notice of the time and place of the taking thereof be given to the Claimant, or to his counsel.

*[This form was not dated nor signed by the claimant nor her attorney. Obviously, the information given is exactly the same as given in the Petition.]*

*(document cover, all handwritten)*

No 12773

Mrs. Hollie McFadden

Rutherford Co Tennessee

Testimony of Claimant and her witnesses taken

on the 18<sup>th</sup> day of November 1871

John D Perryman Atty *[in a different handwriting; apparently added after the file reached Washington]*

Jesse G. Frazer Special Comm

Feby. 10/73 *[this may be the same handwriting as Perryman's name; probably the date actually submitted]*

*(document body)*

I, JESSE G. FRAZER, Commissioner of the United States Circuit Court for the Middle District of Tennessee, at Nashville, do hereby Certify that the foregoing Depositions of Mrs. Hollie McFadden Claimant of Rutherford County State of Tennessee, and Faver Cason, N. C. Blanton, Wm. J. McKnight Witnesses, were taken before me as stated in the Caption and reduced to writing by in my presence and in the presence of the Claimant and his Attorney, James S. Hull Esq., at Murfreesboro County of Rutherford and State of Tennessee, on this the 18 day of November A.D. 1871, the same to be read as evidence in the case of Mrs. Hollie McFadden, Claimant, vs. the Government or the United States. That I am not of kin, or Counsel to the Claimant, and that I have no interest, directly or indirectly in this case, and I do further certify, that the Claimant and his witnesses were first sworn to speak the truth, the whole truth, and nothing but the truth. That the Claimant and his witnesses, signed each his own signature in my presence, and that the signatures thereto are in their own proper hand writing except Hollie McFadden, who made their mark, in my presence and which were attested in my presence. That the Claimant and witnesses were examined separately and apart and out of the hearing of each other.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my Seal of Office, at Office, in Nashville, Tennessee, on this the 18<sup>th</sup> day of November AD; 1871, and of the Independence of the United States, the 95 year.

*(signed)*

Jesse G. Frazer

Commissioner of the United States Circuit Court for the Middle District of Tennessee

*[I assume James S. Hull was a local Murfreesboro attorney acting for the Washington D.C. attorney.]*

Mrs Hollie McFadden

V

The Government of the United States

Mrs Hollie McFadden aged 70 years being duly sworn to speak the truth the whole truth and nothing but the truth and examined by Claimants Attorney Jas S. Hull stated as follows:

Mrs Hollie McFadden aged 70 years resides in Murfreesboro, Tennessee, have resided in and near the said place since my infancy

never was south of the Federal lines after the occupation of Murfreesboro by the United States Troops never rendered any aid to the southern cause, either in goods, chattels, or money. I did not believe in the success of the Southern Confederacy my hope and belief was with the United States Government and wished for the maintenance of the Union, and the overthrow of the rebellion.

I lived on a part of the Battle Field occupied by Genl Rosecrans Army during or before and at the time of the Battle of Stone River

I had gone away out of reach of danger, the Army of Genl Rosecrans took the property during the Battle as set forth in the account herewith submitted, the goods I had on hand when the fight began and after the Battle it was all gone. I believe the property was consumed by the said Federal Army, in a legitimate manner for rations, forage and fuel as the inclemency of the weather the necessity for supplies rendered it necessary, for the comfort of the said Army. I have not charged in this account for any damage, but for the actual supplies on hand when the battle began.

If I had been at the premises, I should have given any consent for the taking the property under such great necessities. I know that the Rail Road between Nashville and the Battle Field was broken up at that time, communications with base of supplies cut off & the roads impossible for teams, and the Army had to rely on the surrounding city for some time for its supplies.

The value of the articles I believe to be below the prices at that time or at the present and reasonable and just

Cross Examination by Special Comm Frazer

*[The handwritten deposition record does not quote the questions that were asked and answered. The Special Commissioners were provided a list of questions to ask each claimant, but that listing is not included in the file. Some of the questions are obvious by the answers, but I do not know the exact order of the list of questions as asked in November 1871. Appendix A at the end of this paper gives the list of questions as revised July 1, 1874; however, this was obviously not precisely the list of questions used in 1871.]*

Answers:

1. I lived near Murfreesboro Tennessee in 1861 and have been there ever since. I was farming
2. I was at home all through the war
- 3 through 17. "No" to all
18. I do not know. I lost some property when they were camped here and suppose they got my team and yoke of oxen. I got no pay.
- 19 through 22. "No" to all
23. I had one son in the Confederate army named John W. I gave him no aid or support
- 24 through 32. "No" to all
33. I was for the Union. Had not ? but done what I could for the Union and against secession.
34. I do solemnly declare that I answer all those questions in the affirmative

1. I was not
2. I did not see them get the articles
3. ? (one word, unreadable)
4. I do not know
5. I do not know
6. Don't Know
7. Can't tell
8. Don't know
9. Don't know
10. No
11. I made none
12. No
13. Don't know
14. Yes. All ? Gen Thomas army
15. Don't Know
16. Don't Know
17. Don't Know
18. No did not see them taken
19. I do
20. I do
21. I do
22. I do
23. I do

(signed) Hollie McFadden (by her "X" mark)  
attested: James S. Hull

Faver Cason aged 45 years being duly sworn and first examined by the Claimants Attorney James S. Hull in the presence of the Claimant stated as follows:

Faver Cason aged 45 years, reside in Wilson County, Tennessee my occupation Farmer. Have resided in said County about 30 years. I was present in General Crittendens Corps as Chief of Scouts at the Battle of Stones River, and know that Crittendens Corps occupied the premises of Mrs H McFadden during said Battle and I know by Genl Crittendens orders the out Buildings consisting of Cedar logs were pulled down and used for fuel and breast work. Also all the fenceing on the premises was used for fuel which were good cedar Rails. I know that the place was in good fix when we occupied the place or premises, and whatever effects were about the House or premises were used by our Army and I know the Circumstances and necessities were such that we had to use all available material within reach and needed them. I do not know the exact items used, but the appearance of the claimants premises were that of persons comfortable circumstaqnces. The weather was wet and cold and the necessities of our army great, the troop without shelter, the supplies cut off, and the wounded as well as the soldiers in the ranks needing every thing that would sustain them.

Cross Examination by Special Commissioner

[Again, the exact list of questions is not known. See Appendix A for a list of the questions used in 1874.]

Answers:

1. I was
2. I saw them take the houses and fencing.
3. No
4. In January 1863 the army under the command of Gen. Crittenden camped on the premises of the Claimant and took the articles
5. I remember none but the army
6. Gen Crittenden was there in person and ordered the army to take the articles, but I do not remember particularly what was said.
7. The houses were torn down and the fences also and consumed by the army on the premises.
8. By soldiers
9. Answered
10. For fuel, forts, etc
11. No
12. No
13. In day and night publicly
14. Yes. Gen Crittendens
15. The houses were the outhouses on the farm made of cedar logs, and used for stables, negro cabins etc. The rails were cedar and new and old and in the fence. I did not talk to the Claimant about the value of the articles and do not know their value.
16. I do not know the number of the houses or rails.
17. Unreadable
18. Answered
19. I do for I saw the army using these
20. I do
21. I do
22. I do
23. I do

(signed) Faver Cason

*(the following is a separate sheet that was apparently submitted to back up Cason's testimony. I assume Hollie McFadden had obtained this from Cason in 1864.)*

Murfreesboro Tenn July 26<sup>th</sup> 1864

I certify that I was present and saw the houses of Mrs. H McFadden torn down and used as a military necessity by Gen Critendons Corps of the United State Army during the Battle of Stone River. This on or about the 31<sup>st</sup> day of December 1862.

Faver Cason

Capt 5 Tenn Cav

N C Blanton aged 40 years being duly sworn and first examined by Claimants Attorney James S. Hull in the presence of the Claimant stated as follows:

N. C. Blanton aged 40 years, reside in Murfreesboro, Rutherford County. My occupation Blacksmith I have resided in said place since 1860 during which time I have been well and intimately acquainted with Mrs H McFadden. She has been a widow for the last 13 years. My Mother was an intimate acquaintance of Mrs McFadden and ardently loyal. Our family intimacy enabled me to know that the Claimant was during my acquaintance strictly loyal. I was known as an out spoken Union Man by all the community and I know that the Claimant was.

Cross Examination by Special Comm Frazer

I lived near Claimant all through the war talked to her publicly and privately and was well acquaint with her sentiments and actions and know that she was well beloved and a true Union woman all through the war. I was a Union man myself and she knew I was and I knew she was. She could not prove her loyalty to the Confederacy

(signed) N C Blanton

W. J. McKnight aged 44 years being duly sworn and examined by the Claimants Attorney James S. Hull and the Special Commissioner states that he lives in Murfreesboro Tennessee His occupation is that of Blacksmith and that he has read the statement of N. C. Blanton in this case in relation to the loyalty of the Claimant and adopt it as his own.  
(signed) Wm J McKnight

[It is interesting to note that both N. C. Blanton and William J. McKnight also made claims to the Southern Claims Commission for losses. McKnight's claim was allowed; however, Blanton's claim was barred.]

(document cover)  
No. 12773

CLAIM  
Of  
Hattie McFadden  
Of  
Rutherford Co Tennessee  
SUMMARY REPORT  
SUBMITTED TO CONGRESS  
December 4, 1876  
By the COMMISSIONERS OF CLAIMS  
Under  
ACT MARCH 3D, 1871

(document body)  
No. 12773

Claim of Hallie McFadden of Rutherford County in the State of Tennessee

<u>NATURE OF CLAIM</u>	<u>AMMOUNT CLAIMED</u>	<u>AMOUNT ALLOWED</u>	<u>AMOUNT DISALLOWED</u>
4 Head Cattle 600 lbs each @ 4¢	\$ 96.00		
3 Head Horses	375.00		
17 Head Hogs 100 lbs each @ 5¢	85.00		
2000 pounds Salted Pork	200.00		
2 Barrels Salt 700 lbs @ 3¢	21.00		
1 Barrel Vinegar 40 gal. @ 25¢	10.00		
1 Barrel Sugar 240 lbs @ 9¢	21.60		
1 Barrel Molasses 44 gal @ 50¢	22.00		
1 Sack of Coffee 164 lbs @ 20¢	32.80		
3 Bushels Corn Meal @ 60¢	1.95		
1 Barrel of Flour	8.00		
300 Bundles of Fodder	30.00		
805 Bu Corn @ 60¢	483.00		
14660 Cedar Rails-146½ cords wood	439.50		
5 acres Standing timber 50 cords per acre @ 50¢	200.00		
	\$2025.85		\$2025.85

The claimant is a widow & was before the war. She had a son in the rebel Army. Her farm was a part of the battlefield of Stone river – near Murfreesboro. She was never molested. No proof of Unionism except the general phrases of 2 witnesses that she was loyal.

But there is no proof of taking. Before the battle she went away to be out of danger. When she returned "all was gone." There is no proof that she had the articles named, and none that they were taken for Army use. The only witness to any taking is one Cason who says he was chief of Scouts & at the battle, & saw the log houses torn down for fuel & breastworks. But there is no claim for the log houses.

As to the rails – he adds that they were burned – but there is nothing to show the size of the farm – the number of rails. The testimony of Cason is general – in the main heresay. He speaks of the “effects about the house” being used by the Army – but nothing is shown as to what “the effects” were.

To allow a claim upon such vague & general expressions would be to substitute conjecture – mere conjecture for proof.

Claim disallowed.

A. O. Aldis        }  
B. Howell         } Commissioners of Claims  
O. Ferris         }

The Commissioners of Claims were notoriously tight-fisted in their settlements of most claims. The northern Republican majority had firm control of Congress, and there was still a lot of animosity held for the south. One historian said that “few claims were able to withstand the intense, minute, and often absurdly rigid investigation and qualifying tests.” Certainly, Hollie McFadden’s lawyers could have put on a much stronger case. They obviously did not produce three of the witnesses to testify that were listed in the petition. They could have also produced Hollie’s children and neighbors to testify to the existence and loss of the property. However, the first paragraph of the Commissioners’ finding – i.e., “son in the rebel army”; “no proof of Unionism”; and “she was never molested” (as if to say, ‘she wasn’t treated badly at all’) – indicate that the claim would have been denied due to lack of loyalty, regardless of the quality and quantity of the proof of losses. In my limited reading of other claims, it seems that the Commissioners wanted to see overt, demonstrable proof of Union loyalty if they were to allow a claim. It is also notable that a claim made by one of Hollie McFadden’s witnesses, N. C. Blanton, was barred; and a common reason for a claim being barred was a finding by the special commissioner that the claimant had rebel sympathies.

From the looks of the file, it remained in the House of Representatives records following its being disallowed in 1876. The Bowman Act of 1883 and the Tucker Act of 1887 provided for further adjudication of some disallowed cases by the Court of Claims. Hollie McFadden died in early 1885. In May 1891, Hollie A. (McFadden) Raburn, a 58 year old daughter of Hollie McFadden who lived in Rutherford County, granted a Power of Attorney to J. C. DePutron, Attorney, 472 Louisiana Ave., Washington, D.C. DePutron filed a claim with Congress in February 1892; and the claim, assigned the Congressional Case No. 8593, was referred to the Court of Claims. DePutron’s letter states in part:

“That the said Mrs. Hollie McFadden, during her lifetime has filed a claim No. 12773, against the United States amounting to \$2025.00, for property taken by the United States forces, during the War of rebellion, for the use of the Army, said claim has been disallowed by the Commissioners of Southern Claims.

That the said Hollie McFadden, deceased, and the petitioner herein, have been loyal to the Government of the United States, and have in no wise aided or abetted said rebellion, nor did they give any comfort to the enemies of the United States.”

Throughout 1892, the Court of Claims apparently collected the papers from the Southern Claims Commission files, as well as responses from the War and Treasury Departments confirming that they had no records to confirm or deny the loyalty of Hollie McFadden. However, the file seems to stop at this point, and there is no indication that the claim was acted upon any further.

## APPENDIX A

### STANDING INTERROGATIONS

THE EIGHTY questions outlined for the use of the local commissioners by the three-man commission in Washington were revised and reissued on July 1, 1874. (Fourth General Report of the Southern Claims Commission, in House Misc. Docs., 43d Cong., 2d Sess., No. 17, pp. 38-42.) The changes from the original form as presented in the first General Report and as amended in the second were not designed to affect the policy of the commission.

Here, then, in its final form, is the questionnaire which had to be answered by each claimant or witness or by every person who gave testimony.

1. What is your name, your age, your residence, and how long has it been such, and your occupation.
2. If you are not the claimant, in what manner, if any, are you related to the claimant or interested in the success of the claim?

The following questions will be put to every claimant, except claimants who were slaves at the beginning of the war: *[NOTE-If the original claimant be dead, these questions are to be answered by each of the heirs or legatees who were not less than sixteen years of age when the war closed.]*

3. Where were you born? If not born in the United States, when and where were you naturalized? Produce your naturalization papers, if you can.
4. Where were you residing and what was your business for six months before the outbreak of the rebellion, and where did you reside and what was your business from the beginning to the end of the war? And if you changed your residence or business, state how many times, and why such changes were made.
5. On which side were your sympathies during the war, and were they on the same side from beginning to end?
6. Did you ever do anything or say anything against the Union cause; and if so, what did you do and say, and why?
7. Were you at all times during the war willing and ready to do whatever you could in aid of the Union cause?
8. Did you ever do anything for the Union cause or its advocates or defenders? If so state what you did, giving times, places, names of persons aided, and particulars. Were the persons aided your relations?
9. Had you any near relatives in the Union Army or Navy; if so, in what company and regiment, or on what vessel, when and where did each one enter service, and when and how did he leave service? If he was a son, produce his discharge-paper, in order that its contents may be noted in this deposition, or state why it cannot be produced.
10. Were you in the service or employment of the United States Government at any time during the war; if so, in what service, when, where, or how long, under what officers, and when and how did you leave such service or employment?
11. Did you ever voluntarily contribute money, property, or services to the Union cause; and if so, when, where, to whom and what did you contribute?
12. Which side did you take while the insurgent States were seceding from the Union in 1860 and 1861, and what did you do to show on which side you stood?
13. Did you adhere to the Union cause after the States had passed into rebellion, or did you go with your State?
14. What were your feelings concerning the battle of Bull Run or Manassas, the capture of New Orleans, the fall of Vicksburgh, and the final surrender of the confederate forces?
15. What favors, privileges, or protections were ever granted you in recognition of your loyalty during the war, when and by whom granted?
16. Have you ever taken the so-called "iron-clad oath" since the war, and when and on what occasions?
17. Who were the leading and best-known Unionists of your vicinity during the war? Are any of them called to testify to your loyalty; and if not, why not?
18. Were you ever threatened with damage or injury to your person, family, or property on account of your Union sentiments, or were you actually molested or injured on account of your Union sentiments? If so, when, where, by whom, and in what particular way were you injured or threatened with injury?
19. Were you ever arrested by any confederate officer, soldier, sailor, or other person professing to act for the confederate government, or for any State in rebellion? If so, when, where, by whom, for what cause; how long were you kept under arrest; how did you obtain your release; did you take any oath or give any bond to effect your release; and if so, what was the nature of the oath or bond?
20. Was any of your property taken by confederate officers or soldiers, or any rebel authority? If so, what property, when, where, by whom; were you ever paid therefor, and did you ever present an account therefor to the confederate government, or any rebel officers?
21. Was any of your property ever confiscated by rebel authority, on the ground that you were an enemy to the rebel cause? If so, give all the particulars, and state if the property was subsequently released or compensation made therefor.
22. Did you ever do anything for the confederate cause, or render any aid or comfort to the rebellion? If so, give the times, places, persons, and other particulars connected with the transaction.
23. What force, compulsion, or influence was used to make you do anything against the Union cause? If any, give all the particulars demanded in the last question.

24. Were you in any service, business, or employment, for the confederacy, or for any rebel authority? If so, give the same particulars as before required.
25. Were you in the civil, military, or naval service of the confederacy, or any rebel State, in any capacity whatsoever? If so, state fully in respect to each occasion and service.
26. Did you ever take any oath to the so-called Confederate States while in any rebel service or employment?
27. Did you ever have charge of any stores, or other property, for the confederacy, or did you ever sell or furnish any supplies to the so-called Confederate States, or any State in rebellion; or did you have any share or interest in contracts?
28. Were you engaged in blockade-running, or running through the lines, or interested in the risks or profits of such ventures?
29. Were you in any way interested in any vessel navigating the waters of the confederacy, or entering or leaving any confederate port? If so, what vessel, when and where employed, in what business, and had any rebel authority any direct or indirect interest in vessel or cargo?
30. Did you ever subscribe to any loan of the so-called Confederate States, or of any rebel State; or own confederate bonds or securities, or the bonds or securities of any rebel State issued between 1861 and 1865? Did you sell, or agree to sell, cotton or produce to the confederate government; or to any rebel State, or to any rebel officer or agent, and if so, did you receive or agree to receive confederate or State bonds or securities in payment; and if so, to what amount, and for what kind and amount of property?
31. Did you contribute to the raising, equipment, or support of troops, or the building of gunboats in aid of the rebellion; or to military hospitals or invalids, or to relief-funds or subscriptions for the families or persons serving against the United States?
32. Did you ever give information to any person in aid of military or naval operations against the United States?
33. Were you at any time a member of any society or organization for equipping volunteers or conscripts, or for aiding the rebellion in any other manner?
34. Did you ever take an oath of allegiance to the so-called Confederate States? If so, state how often, when, where, for what purpose, and the nature of the oath or Affirmation.
35. Did you ever receive a pass from rebel authority? If so, state when, where, for what purpose, on what conditions, and how the pass was used.
36. Had you any near relatives in the confederate army, or in any military or naval service hostile to the United States? If so, give names, ages on entering service, present residence, if living, what influence you exerted, if any, against their entering the service, and in what way you contributed to their outfit and support.
37. Have you been under the disabilities imposed by the fourteenth amendment to the Constitution? Have your disabilities been removed by Congress?
38. Have you been specially pardoned by the President for participation in the rebellion?
39. Did you take any amnesty oath during the war, or after its close? If so, when, where, and why did you take it?
40. Were you ever a prisoner of the United States authorities, or on parole, or under bonds to do nothing against the Union cause? If so, state all the particulars.
41. Were you ever arrested by the authorities of the United States during the war? If so, when, where, by whom, on what grounds, and when and how did you obtain your release?
42. Were any fines or assessments levied upon you by the authorities of the United States because of your supposed sympathy for the rebellion? If so, state all the facts.
43. Was any of your property taken into possession or sold by the United States under the laws relating to confiscation, or to captured and abandoned property?

The following questions will be put to all male claimants or beneficiaries who were not less than sixteen years of age when the war closed:

44. After the presidential election of 1860, if of age, did you vote for any candidate or on any question, during the war, and how did you vote? Did you vote for or against candidates favoring secession? Did you vote for or against their admission?
45. Did you belong to any vigilance committee, or committee of safety, home-guard, or any other form of organization or combination designed to suppress Union sentiment in your vicinity?
46. Were you in the confederate army, State militia, or any military or naval organization hostile to the United States? If so, state when, where, in what organizations, how and why you entered, how long you remained each time, and when and how you left. If you claim that you were conscripted, when and where was it, how did you receive notice, and from whom, and what was the precise manner in which the conscription was enforced against

you? If you were never in the rebel army or other hostile organization, explain how you escaped service. If you furnished a substitute, when and why did you furnish one, and what is his name, and his present address, if living?

47. Were you in any way connected with or employed in the confederate quarter master, commissary, ordnance, engineer, or medical department, or any other department, or employed on any railroad transporting troops or supplies for the confederacy or otherwise engaged in transportation of men and supplies for the confederacy? If so, state how employed, when, where, for how long, under whose, direction, and why such employment was not giving "aid and comfort" to the rebellion.

48. Did you at any time have charge of trains, teams, wagons, vessels, boats, or military supplies or property of any kind for the confederate government? If so, give all the particulars of time, place, and nature of service or supplies.

49. Were you employed in saltpeter-works, in tanning or milling for the Confederate government, or making clothing, boots, shoes, saddles, harness, arms, ammunition, accouterments, or any other kind of munitions of war for the confederacy? If so, give all the particulars of time, place, and nature of service or supplies.

50. Were you ever engaged in holding in custody, directly or indirectly, any persons taken by the rebel government as prisoners of war, or any person imprisoned or confined by the confederate government, or the authorities of any rebel State, for political causes? If so, when, where, under what circumstances, in what capacity were you engaged, and what was the name and rank of your principal?

51. Were you ever in the Union Army or Navy, or in any service connected therewith? If so, when, where, in what capacity, under whose command or authority, for what period of time, and when and how did you leave service? Produce your discharge-papers so that their contents may be noted herein.

The following questions will be put to every person testifying to the loyalty of claimants or beneficiaries:

52. In whose favor are you here to testify?

53. How long have you known that person altogether, and what part of that time have you intimately known him?

54. Did you live near him during the war, and how far away?

55. Did you meet him often, and about how often, during the war?

56. Did you converse with the claimant about the war, its causes, its purposes, its progress, and its results? If so, try to remember the more important occasions on which you so conversed, beginning with the first occasion, and state with respect to each when it was, where it was, who were present, what caused the conversation, and what the claimant said, in substance, if you cannot remember his words.

57. Do you know of anything done by the claimant that showed him to be loyal to the Union cause during the war? If you do, state what he did, when, where, and what was the particular cause or occasion of his doing it. Give the same information about each thing he did that showed him to be loyal.

58. Do you know of anything said or done by the claimant that was against the Union cause? If so, please state, with respect to each thing said or done, what it was, when it was, where it was, and what particular compulsion or influence caused him to say or do it.

59. If you have heard of anything said or done by the claimant, either for the Union cause or against it, state from whom you heard it, when you heard it, and what you heard.

60. What was the public reputation of the claimant for loyalty or disloyalty to the United States during the war? If you profess to know his public reputation, explain fully how you know it, whom you heard speak of it, and give the names of other persons who were neighbors during the war that could testify to his public reputation.

61. Who were the known and prominent Union people of the neighborhood during the war, and do you know that such persons could testify to the claimant's loyalty?

62. Were you, yourself, an adherent of the Union cause during the war? If so, did the claimant know you to be such, and how did he know it?

63. Do you know of any threats, molestations, or injury inflicted upon the claimant or his family, or his property, on account of his adherence to the Union cause? If so, give all the particulars.

64. Do you know of any act done or language used by the claimant that would have prevented him from establishing his loyalty to the confederacy? If so, what act or what language?

65. Can you state any other facts within your knowledge in proof of the claimant's loyalty during the war? If so, state all the facts and give all the particulars.

The following questions concerning the ownership of property charged in claims be put to all claimants, or the representatives of deceased claimants.

66. Who was the owner of the property charged in this claim when it was taken, and how did such person become owner?

67. If any of the property was taken from a farm or plantation, where was such farm or plantation situated, what was its size, how much was cultivated, how much was woodland, and how much was wasteland?

68. Has the person who owned the property when taken since filed a petition in bankruptcy, or been declared a bankrupt?

The following questions will be put to female claimants:

69. Are you married or single? If married, when were you married? Was your husband loyal to the cause and Government of the United States throughout the war? Where does he now reside, and why is he not joined with you in the petition? How many children have you? Give their names and ages. Were any of them in the confederate service during the war? If you claim that the property named in your petition is your sole and separate property, state how you came to own it separately from your husband; how your title was derived; when your ownership of it began. Did it ever belong to your husband? If the property for which you ask pay is wood, timber, rails, or the products of a farm, how did you get title to the farm? If by deed, can you file copies of the deeds? If single, have you been married? If a widow, when did your husband die? Was he in the confederate army? Was he in the civil service of the confederacy? Was he loyal to the United States Government through-out the war? Did he leave any children? How many? Are any now living? Give their names and ages. Are they not interested in this claim? If they are not joined in this petition, why not? State fully how your title to the property specified in the petition was obtained. Did you ever belong to any sewing-society organized to make clothing for confederate soldiers or their families, or did you assist in making such clothing, or making flags or other military equipments, or preparing or furnishing delicacies or supplies for confederate hospitals or soldiers?

The following questions will be put to colored claimants:

70. Were you a slave or free at the beginning of the war? If ever a slave when did you become free? What business did you follow after obtaining your freedom? Did you own this property before or after you became free? When did you get it? How did you become owner, and from whom did you obtain it? Where did you get the means to pay for it? What was the name and residence of your master, and is he still living? Is he a witness for you; and if not, why not? Are you in his employ now, or do you live on his land or on land bought from him? Are you in his debt? What other person besides yourself has any interest in this claim?

The following questions will be put to all colored witnesses in behalf of claimants:

71. Were you formerly the slave of the claimant? Are you now in his service or employment? Do you live on his land? Are you in his debt? Are you in any way to share in this claim, if allowed?

The following questions will be put to claimants and witnesses who testify to taking of property, omitting in the case of each claimant or witness any questions that are clearly unnecessary:

72. Were you present when any of the property charged in this claim was taken? Did you see any actually taken? If so, specify what you saw taken.

73. Was any of the property taken in the night-time, or was any taken secretly so that you did not know of it at the time?

74. Was any complaint made to any officer of the taking of any of the property? If so, give the name, rank, and regiment of the officer, and state who made the complaint to him; what he said and did in consequence; and what was the result of the complaint.

75. Were any vouchers or receipts asked for or given? If given, where are the vouchers or receipts? If lost, state fully how lost. If asked and not given, by whom were they asked; who was asked to give them, and why were they refused or not given? State very fully in regard to the failure to ask or obtain receipts.

76. Has any payment ever been made for any property charged in this claim? Has any payment been made for any property taken at the same time as the property charged in this claim? Has any payment been made for any property taken from the same claimant during the war; and if so, when, by whom, for what property and to what amount? Had this property, or any part of it, been included in any claim heretofore presented to Congress, or any court,

department, or officer of the United States, or to any board of survey, military commission, State commission or officer, or any other authority? If so, when and to what tribunal to which it was presented?

77. Was the property charged in this claim taken by troops encamped in the vicinity, or were they on the march; or were they on a raid or expedition; or had there been any recent battle or skirmish?

78. You will please listen attentively while the list of items, but not the quantities, is read to you, and as each kind of property is called off, say whether you saw any such property taken.

79. Begin now with the first item of property you have just said you saw taken, and give the following information about it: First. Describe its exact condition— so, for instance, if corn whether green or ripe, standing or harvested, in shuck or shelled; if lumber, whether new or old, in building or piled; if grain, whether growing or cut, &c. Second. State where it was. Third. What was the quantity. Explain fully how you know the quantity; and if estimated, describe your method of making the estimate. Fourth. Describe the quality, to your best judgment. Fifth. State as nearly as you can the market-value of such property at the time in United States money. Sixth. Say when the property was taken. Seventh. Give the name of the detachment, regiment, brigade, division, corps, or army taking the property, and the names of any officers belonging to the command. Eighth. Describe the manner in which farm animals, wagons, or other means of transport, were engaged in the removal, how long they were occupied, and to what place they removed the property. Tenth. State if any officers were present; how you knew them to be officers; what they said or did in relation to the property; and give the names of any, if you can. Eleventh. Give any reasons that you may have for believing that the taking of the property was authorized by the proper officers, or that it was for the necessary use of the Army.

80. Now take the next item of property you saw taken, and give the same information, and so proceed to the end of the list of items.

## APPENDIX B

### REVISED INSTRUCTIONS FOR REPORTS OF SPECIAL AGENTS

The following instructions appear in the manuscripts in the form of a letter written on April 7, 1875, from Charles F. Benjamin to Special Agent John B. Brownlow. The handwriting is partly that of Benjamin, partly that of President Aldis. The same instructions were forwarded to all special agents in the field. The body of the letter reads:

... the Commissioners ... desire me to communicate to you such instructions as those under which all their agents now operate, and to say that they are to be fully observed by you while in employment, and are not intended to be suspended or changed by any apparently contrary instruction that may be inadvertently given in any single case.

The instructions are as follows, and they are separately paragraphed and numbered for convenience of reference:

1. You are to investigate only such cases as are referred to you for the purpose of investigation, thus confining your services to claims actually under examination and intended for the next report; but this is not to restrain you from sending forward, for future use, any information deemed reliable and important coming into your possession without delay or effort. [Benjamin's writing.]
2. When the investigation of a case is begun, you are to finish it up and send forward your report and evidence as soon as possible, and not leave it to go upon other cases or into other localities, unless you are compelled to postpone it. [Benjamin's writing.]
3. You are to take the depositions of witnesses upon the question of the claimant's loyalty or disloyalty & to establish any other facts requiring the allowance or disallowance of the claim, [Aldis' writing.]
4. In investigating claims you will act according to your own judgment as to proper mode of making inquiry and as to the number of witnesses whose depositions you may take; but as your report & the depositions you take will be shown to the claimant or his attorney & will be open to rebuttal, you will of course use much care to have them correct. [Aldis' writing.]
5. You will carefully observe the directions & suggestions sent to you by the Comm'rs and by the Com'r having special charge of the case; and thoroughly examine & report upon those points which he may indicate to you as being important. [Aldis' writing.]
6. If any papers or Exhibits are produced to you send the originals if you can; but if not then send attested copies. [Aldis' writing.]

7. When you have finished taking the evidence in a case then draw up your report. You should state briefly what you have done in investigating the case, the names of the witnesses & a brief summary of your testimony, and such remarks as you deem appropriate as to the appearance & credibility of the witnesses and as to any other facts & matters which in your judgment may affect the decision of the case. [Aldis' writing.]
8. Confidential or hearsay information may be received by you, but only for the purpose of ascertaining what persons should be examined upon oath, what questions should be put to them to draw out the facts, what other places should be visited in search of evidence, or what steps should be taken by the Commissioners to obtain further evidence for the Government at Washington or elsewhere. [Benjamin's writing.]
9. Your reports are to be in brief, temperate language, exhibiting no personal feeling; each confined to the facts exhibited by the testimony accompanying it, and free from moralizing and generalization. [Benjamin's writing.]
10. The deposition of each witness should begin with a statement of the name, age, residence, and occupation of the witness, whether related to the claimant, whether interested in the claim, and whether his feelings toward the claimant are friendly, unfriendly or neutral. It should be as closely as possible in the words of the witness, confined to the matters under examination and should show how the witness knows the facts, or alleged facts, to which he testifies. [Benjamin's writing.]
11. The Commissioners desire that your earlier investigations should be in the counties of ... [here fourteen Tennessee counties are named as Brownlow's immediate assignment.]
12. At the close of each week, you are to forward for the information of the Commissioners, and to be put on file, a weekly report, showing each day's movement and work and your probable movements for the succeeding week. [Benjamin's writing.]
13. To enable you to administer an oath to a witness and to take his deposition the Commissioners will appoint you a special commissioner, the appointment to be used only for the purposes just stated. [Benjamin's writing.]

Bibliography:

Records Of The Southern Claims Commission: Tales of Civil War Citizens, by Carol J. Siemens  
The Southern Claims Commission: A little known source of genealogical information by Elizabeth Nitschke Hicks, November 1996  
*Southern Loyalists in the Civil War: The Southern Claims Commission*, by Gary B. Mills, Genealogical Publishing Co. Inc.

**HUSBAND: SAMUEL McFADDEN****BORN:** 27 July 1794**PLACE:** Fishing Creek, Chester Co., South Carolina**MARR:** 18 January 1815**PLACE:****DIED:** 29 April 1848**PLACE:** Rutherford County, Tennessee**CHURCH:** Presbyterian**BURIED:** McFadden Cem., Rutherford Co, TN**RESIDENCES:** SC, Davidson Co. TN, Rutherford Co. TN**FATHER:** Guy McFadden**MOTHER:** Jane McCullar**OTHER WIVES:** none**WIFE: Holly (Hollie) Posey****BORN:** 30 April 1801**PLACE:** South Carolina**DIED:** ? February 1885**PLACE:** Tennessee**CHURCH:****BURIED:****RESIDENCES:** SC, Rutherford Co. TN**FATHER:** *probably Zachariah Posey***MOTHER:** *probably Nancy ?***OTHER HUSBANDS:**

SEX	CHILD'S NAME (CHILD'S SPOUSE'S NAME)	BIRTH DATE WHERE BORN	MARR. DATE WHERE MARR.	DEATH DATE WHERE DIED
1-	William Ralph McFadden (Clementina Brock)	14 Nov 1816	2 Mar 1842	1 Feb 1862 Rutherford Co, TN
2-	Caroline McFadden (John N. Clark)	3 Sep 1818	11 Jan 1837 Rutherford Co, TN	
3-	Nancy McFadden (Issac McCullough)	21 Mar 1820 Rutherford Co, TN	7 Jan 1841 Rutherford Co, TN	14 Jun 1895 Farmington, Marshall Co, TN
4-	Eliza L. McFadden (James M. Collier)	22 Jan 1822 Rutherford Co, TN	6 Nov 1845 Rutherford Co, TN	
5-	James Squires McFadden (Elizabeth Asenath Morgan)	14 Dec 1823 Rutherford Co, TN	13 Mar 1844 Rutherford Co, TN	2 Feb 1903 Murfreesboro, Rutherford, TN
6-	Mary J. McFadden (Benjamin F. Moore)	Rutherford Co, TN	7 Sep 1848 Rutherford Co, TN	Wartrace, TN
7-	Elizabeth McFadden (Joseph N. Warren)	ca 1829 Rutherford Co, TN		
8-	Susan H. McFadden (Jasper Marshall)	ca 1830 Rutherford Co, TN	4 Dec 1860 Rutherford Co, TN	
9-	Sarah A./J. McFadden (Joseph N. Warren)	ca 1831 Rutherford Co, TN	5 Nov 1857 Rutherford Co, TN	
10-	Hollie A. McFadden (French Raburn)	10 Oct 1833 Rutherford Co, TN	20 Mar 1865 Rutherford Co, TN	Murfreesboro, Rutherford Co, TN
11	Samuel Guy McFadden	ca 1837 Rutherford Co, TN		
12	John W. McFadden (Annie Sims)	22 Feb 1839 Rutherford Co, TN	30 Jun 1875	1920
13	Henry C. McFadden	22 Jul 1842 Rutherford Co, TN		
14	Louisa Catherine McFadden (John P. Henderson)	13 Aug 1844 Rutherford Co, TN	11 Sep 1867 Rutherford Co, TN	Lynn, Mass.

**HUSBAND: ZACHERIAH POSEY****BORN:** 1770 to 1774**PLACE:** ? - maybe Edgefield Co., SC**MARR:****PLACE:** ? - maybe Edgefield Co., SC**DIED:** March to Dec 1844**PLACE:** Rutherford Co., Tenn.**CHURCH:****BURIED:****RESIDENCES:** SC until 1808-1810; Rutherford Co., TN 1810 & after**FATHER:****MOTHER:****OTHER WIVES:****WIFE:** NANCY ? (maybe Squires ?)**BORN:** ca 1781**PLACE:** ? - maybe Edgefield Co. SC**DIED:** after 1860**PLACE:** ? - maybe Rutherford Co., TN**CHURCH:****BURIED:****RESIDENCES:****FATHER:** ?**MOTHER:** ?**OTHER HUSBANDS:**

SEX	CHILD'S NAME (CHILD'S SPOUSE'S NAME)	BIRTH DATE WHERE BORN	MARR. DATE WHERE MARR.	DEATH DATE WHERE DIED
1800 census of Edgefield Co., SC indicates 1 male & 1 female born prior to 1800. 1810 census of Rutherford Co., TN lists 1f b. before 1794; 1f b. 1794-1800; 3m & 4f b. 1800 to 1810				
?-	William Squires Posey (Anna Nance)	2 May 1798 SC	22 Nov 1817 Rutherford Co, TN	1850-1860
?-	Nancy Posey (Richard D. McCullough)	11 Mar 1807 SC	4/7 Dec 1824 Rutherford Co, TN	20 Jul 1878 Marshall Co, TN
?-	maybe Hollie Posey (Samuel McFadden)	30 Apr 1801 SC	18 Jan 1815	? Feb 1885
?-	probably Dennis P. Posey (Susan Read)		22 Mar 1822 Rutherford Co	
?-	maybe John Posey (Mary Hoggett)		2 Jan 1816, Rutherford Co	
?-				
?-				
?-				
?-				

**HUSBAND: GUY McFADDEN****BORN:** 1764**PLACE:** probably SC**MARR:****PLACE:** probably SC**DIED:** 1 October 1835**PLACE:** Rutherford or Davidson Co, TN**CHURCH:****BURIED:****RESIDENCES:** Chester Co SC; to Davidson Co. TN about 1801-1804**FATHER:** Candour McFadden**MOTHER:** ?**OTHER WIVES:****WIFE: JANE McCULLER****BORN:** 2 February 1768**PLACE:** ?**DIED:** 13 February 1858**PLACE:** Tipton Co, Tenn**CHURCH:****BURIED:** Townsend Cemetery, Tipton Co., TN**RESIDENCES:****FATHER:****MOTHER:****OTHER HUSBANDS:**

SEX	CHILD'S NAME (CHILD'S SPOUSE'S NAME)	BIRTH DATE WHERE BORN	MARR. DATE WHERE MARR.	DEATH DATE WHERE DIED
1-	Asenath McFadden (Ralph Blair)		1816 Davidson Co, TN	
2-	Rebecca McFadden (Tom Lane)		1819 Davidson Co, TN	
3-	Susie McFadden (Denny Lane)		1821 Davidson Co, TN	
4-	Polly/Mary McFadden (Samuel Bell)		1824 Davidson Co, TN	
5-	Ann C. McFadden (Thomas Warmath)		1834 Davidson Co, TN	moved to Tipton Co, TN
6-	Ralph S. McFadden (Ruth Cox)	Chester Co, SC	1817 Davidson Co, TN	
7-	Samuel McFadden (Hollie Posey)	27 Jul 1794 Chester Dist, SC	18 Jan 1815 ? Tenn.	29 Apr 1848 Rutherford Co, TN
8-	Candour McFadden (1st-M. Caroline Silvertooth) (2nd- Sarah Louisa Stroop)	18 Jul 1806 TN	1st-25 Nov 1834 2nd-4 Apr 1851	29 Jan 1881 Atoka, TN
9-	Nathan Hays McFadden (Eliza Lucinda McFadden)	19 Jul 1808 TN	27 Feb 1834 Williamson Co, TN	12 May 1890 Tipton Co, TN
10-				

Colonial & Revolutionary Lineages of America, Amer. Hist. Co., NY, 1950; V.15, p407; Ancestry of Mrs. Phillip Cass (Maude Randolph McFadden)

Candour McFadden came from Ireland to Nova Scotia, to Pennsylvania, & finally to South Carolina, and settled in the eastern part of Chester Co about 4 miles from the Catawba River. Married, but wife's name unknown. It is thought that he is buried in the Old Stone burying ground with others of the family, but stones are no longer readable. Known children:

Issac, b. 1753/4, d. 9 Dec 1820, Chester Co, Old Stone grounds. Served in the Revolution. Wife, Mary; children, Elizabeth Steele, Julliana, Susanna, Sally, Ann, Catherine Ewing, Candor, Ralph, Henry Davis, William Simpson, Issac Jr., James Ewing.

Guy, b. 1764, d. ?; m. Jane McCuller who was b. 1768, d. 1858; had 9 children; removed to Tipton Co, TN

Ralph, b. 3 Dec 1766, d. 22 Nov 1830; m. 28 Dec 1786 to Mary McKennie who was b. 3 Dec 1767. Children, Robert, Hannah, Elizabeth, William, Candor, Catherine, Mary, James, Samuel, Henry, Frances, Sarah; all bet. 1788 & 1811.

McFadden, 1730-1930. A Compilation, by A. L. Blanding, says that Candour was b. 1727 and may have married Mary Guy. This source also says that three McFadden brothers came from Ireland at different times in the first half of the 18th century: 1. John E., 2. Candour, 3. unnamed, settled in Philadelphia. No. 1, John E. was b. in Ulster, Ireland, came to this country about 1730, settled near Indian Town, Williamsburg District, SC. His son, John E. Jr. served in the Revolution.

A McFadden Chronology, 1710-1900, by William Thomas Skinner, published by the Chester County Genealogical Society, 1983.

"The Tennessee McFaddens, Descendants of Candour McFadden, 1736-1941," by Miss Bonnie C. Fagan, 1941

Samuel McFadden listed as a trustee of the New School Presbyterian Church at Sulphur Spring in Rutherford Co, November 1843. (Rutherford Deed Bk I, p 404)

