

The Elbert Cox Family

This document was found in a box of loose papers and books in the basement of the Washington County Courthouse on November 17, 2006. It was part of a book, but the cover and most pages were missing. *Note – Spelling was unchanged from the original records.

State of Tennessee }
Washington County }

I, Elbert S. Cox, do solemnly swear that I will not under the license which I am about to obtain, retail any spirituous or wine liquors to any slave nor knowingly permit the same to be done without the permission of the Master, Mistress or Overseer of said slave in writing. I do further swear that I will not knowingly permit or allow any gaming for whiskey, wine, rum brandy, money or any thing to eat or drink or other valuable things in the house in which I may retail spirits or my premises or in any other place procured by him, her or them for that purpose and if any person shall game or bet to my knowledge, I will give information thereof to the grand Jury at the next term of the Court, so help me God.

E. S. Cox

Sworn to and subscribed
Before me July 24th 1849
[Illegible] Smith, clk.

Additional notes for the Elbert Cox family

Elbert Sevier Cox was born 8 May 1822¹, the son of John Cox. In September 1847, Elbert and siblings, Emaline, Thomas, James C., Mariah, and Caroline were forced to go to court and have their father declared incompetent.² The minutes, dated 6 Sep 1847, read, “Upon information being made to the Court by Cha^s P. Byers and his wife, Emaline, Tho^s I. Cox, Elbert S. Cox, James C. Cox, David Davault and wife, Mariah, Aiken Crawford and wife Caroline that their father, John Cox is of unsound mind and praying that Jury be appointed to enquire in the mental condition of his mind. It is ordered by the Court that the Sheriff of said county summon a jury of twelve freeholders to ascertain by inquisition such idiocy or lunacy and make return thereof to the Court now in session and also such lands and chattels that he may be possessed of.”

The jury filed this report: “The undersigned freeholders of Washington County, having been duly summoned and sworn by the Sheriff of said County as a jury to enquire into the mental condition of John Cox. After diligently investigating the matter do find that the said John Cox is a lunatic and utterly incapable of managing his own affairs with safety to himself and others; We also find that the said Cox is in possession of 354 acres of land as appears from tax list, valued \$3000. We also find him in possession of a black woman, Matilda with five children, value is supposed to be \$1600; also 3 black boys and 1 girl as is supposed to be worth \$1700; also find in his possession 9 head of horses value \$450; also supposed to be 30 head cattle value \$125; also 27 head of sheep value \$13; also 30 head of hogs value \$50; also 2 wagons value \$120; also household & kitchen furniture, farming utensils value \$300. And from information of the family of said Cox that he has in his possession of some cash notes, be we being unable to ascertain the amount, all of which is submitted to your worships. Given under our hands and seals, this 7th Sep^{tr} 184, Laurence Bowers,

Jacob Bacon, James Crouch, Charles Basket, Jacob Hilbert, John V. Joss, Joseph Clark, Sam¹ E. Edwards, W^m P. Reeves, Sam¹ M. Hunt, John B. Pritchett, John Crouch.”³

After John was found to be unable to manage his affairs, the court appointed Elbert as his guardian⁴. By February 1849, John had died and Elbert and Thomas were appointed Administrators of his estate.⁵

Elbert married Mary L. Byers on 19 Jul 1853.⁶ They were the parents of Charles M. (1855), Cornelius C. (1856), Susan “Sudie” (1857), Herbert D. G. (1859), Thomas J. (1861), Mary E. (1864) David Henry (1865), and Florence S. (1868).⁷ Elbert died on 2 Jul 1881 and is buried at Cherokee Baptist Church Cemetery.¹

References:

¹Elbert S. Cox tombstone, Cherokee Baptist Church Cemetery, Washington County, Tennessee; transcribed by the Cemetery Survey Team of Northeast Tennessee, Summer 2005.

²Washington County Court of Pleas and Quarter Minutes, Book 15, page 47; transcribed by Donna Cox Briggs, October 2005—November 2006.

³Washington County Court of Pleas and Quarter Minutes, Book 15, page 49-50; transcribed by Donna Cox Briggs, October 2005—November 2006.

⁴Washington County Court of Pleas and Quarter Minutes, Book 15, page 50; transcribed by Donna Cox Briggs, October 2005—November 2006.

⁵Washington County Court of Pleas and Quarter Minutes, Book 15, page 174; transcribed by Donna Cox Briggs, October 2005—November 2006.

⁶Burgner, Goldene Fillers, *Washington County, Tennessee Marriages, 1780-1870*, compiled by Goldene Fillers Burgner. Greenville, SC, Southern Historical Press, Inc., ©1985.

⁷Elbert S. Cox household, 1860 U. S. census, Washington County, Tennessee, population schedule, Boones Creek District, page 53, dwelling 329, family 329; National Archives micropublication M653; roll 1277.

⁸Elbert S. Cox household, 1870 U. S. census, Washington County, Tennessee, population schedule, Boones Creek Post Office, page 25, dwelling 170, family 169; National Archives micropublication M593; roll 1568.