

Descendants of Samuel Ellard

Generation No. 1

1. SAMUEL¹ ELLARD was born Abt. 1720 in England, and died Abt. 1785 in Washington District, VA.

Notes for SAMUEL ELLARD:

The Following information was provided by Ron Johnson:

Various Internet sites show Amos as being murdered by a gun shot from ambush by a neighbor named Porter.

Amos Ellard is believed to be the son of Samuel Ellard and an unknown mother. According to information found on the Internet Samuel was brought to the American Colonies in 1741 as a prisoner. The circumstances of his predicament is not known and neither is his situation after his arrival. In the same manner little is known about Amos. Some reports list only one wife others two but the names of neither is known. Even his year of birth is in dispute. Most have him born about 1760 while others show 1750. In either case he did not have a long life being killed on 2 July 1786. His name seems to have been spelled in several different ways. Ellard, Ellerd, Allord even his given name if sometimes spelled Emos.

Amos Ellard was arrested in Washington County, VA (the part which is now Russell County) for horse theft. . The following account provides some of the information.

From these records: John Montgomery in his deposition in the neighborhood that two men named Shelly, Amos Allord (Ellard), and John Crunk were horse thieves. John Crunk feared detection and said he would disclose on Allord and others. Several citizens gathered to hide and watch a theft take place. Amos was arrested and jailed, but he broke out of jail and his out in the neighborhood until several persons, seemingly tipped off by Crunk waited in ambush and John Porter shot him, killing him instantly. In answer to the question, "Was Amos Allord a timid, weak man, or the contrary?" Montgomery answered, "He was a daring, strong, fearless man, not easily intimidated." Amos had not been tried when he broke out of jail.

Other accounts add that after the break out he remained in the area and continued to steal horses which he kept in a small canyon which contained a spring and a cave where he felt secure. How long this went on is not recorded. It appears that on 1 July 1786, the day before he was killed, Amos made a contract with John Crunk to trade him his land , being some 200 acres, for various stock. This transaction was apparently completed except for delivery of a part of the stock. Afterward Crunk apparently informed John Porter that he would be robbed that night . Porter and others were waiting and when the robbery took place in the early hours on 2 July Porter shot and killed Amos Ellard.

One son James Ellard was sent to South Carolina to live after this indicating that he was still very young.

He returned about 1805 and attempted to recover the land from Crunk claiming that he had taken advantage of Amos' situation and defrauded him. James appears to have been unable to recover the land.

Why James was sent to South Carolina is also a mystery. there is no mention of a mother or siblings. His court actions are taken by him alone as the 'LAWFUL HEIR of Amos.

Still a lot to find out since Amos is an ancestor in both the Lacey and Ellard Lines . Based on the Lovelady report. One wife of Amos is the daughter of Thomas Lovelady. This report also includes the Story of his death and why.

1741 Came to the American Colonies as a Prisoner; Arrived 1747 Virginia

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More About SAMUEL ELLARD:

Record Change: 23 Dec 2005

Child of SAMUEL ELLARD is:

2. i. AMOS² ELLERD, b. Abt. 1760, Russell County, VA; d. Abt. 02 Jul 1786, Washington County, VA.

Generation No. 2

2. AMOS² ELLERD (*SAMUEL¹ ELLARD*) was born Abt. 1760 in Russell County, VA, and died Abt. 02 Jul 1786 in Washington County, VA. He married DAU LOVELADY Aft. 1780, daughter of THOMAS LOVELADY JR.

Notes for AMOS ELLERD:

Amos Ellard was arrested in Washington County, VA (the part which is now Russell County) for horse theft. Prior to this, he had sold land to John R. Crunk, and an appeal to reclaim this land was filed in Augusta County (Court Record O S 51; N S 17, Crunk vs. Allord) in an attempt by Amos' son, James, to have the land. This was in 1805.

From these records: John Montgomery in his deposition in the neighborhood that two men named Shelly, Amos Allord, and John Crunk were horse thieves. John Crunk feared detection and said he would disclose on Allord and others. Several citizens gathered to hide and watch a theft take place. Amos was arrested and jailed, but he broke out of jail and his out in the neighborhood until several persons, seemingly tipped off by Crunk waited in ambush and John Porter shot him, killing him instantly. In answer to the question, "Was Amos Allord a timid, weak man, or the contrary?" Montgomery answered, "He was a daring, strong, fearless man, not easily intimidated." Amos had not been tried when he broke out of jail.

These records state that Amos' son, James, was sent to Pendleton District, South Carolina after his father's death, and James was still there when this suit was filed.

Virginia Court Records on Amos and James Ellard
Transcribed by James Sutton Ellard

Virginia, to Wit:

Pleas at the courthouse of Russell County on the twenty seventh day of February one thousand eight hundred and five (27 Feb 1805), before the Justices of the Said County Court.

Be it remembered that heretofore, to wit: At the Court continued and held for Russell County on the 17th day of April, one thousand seven hundred and eighty-eight (17 Apr 1788):

Ordered that Henry Dickerson be appointed Guardian for James Allert (Ellerd), son and heir at law of Amos Allert (Ellerd) Dec'd for the purpose of defending a Suit in Chancery to be instituted by John Walls Crunk against the said Allert (Ellerd) for thus obtaining a right to two hundred acres of land, lying on Fall creek the waters of Clinch River.

(The bill of the said suit followeth in these words, viz:)

To the worshipful Court of Russell now sitting in Chancery, humbly complaining Cometh unto your worships, your Orator, That John W. Crunk sometimes in July 1786 purchased a Tract of land from a certain Emos Ellerd containing two hundred acres more or less in consideration of which he was to pay one hundred pounds in property, of which he paid between seventy and eighty Pounds to the said Emos Ellerd for which you Orator has his receipt. Whereupon the said Emos executed his hand, binding himself to make a clear and sufficient title on Fee Simple under the penalty of one thousand pounds. Your Orator further sets forth that the said Emos died before he did make a title to the same according to his obligation and since his death Henry Dickenson was appointed by the Court as guardian to the heir at Law of the said Emos (whom your Orator prays may be made Defendant to this Bill) and your Orator says he has according to the before mentioned obligation appealed to the said Defendant to make a title to the same who refuses to do it. All which actings and doings are contrary to Equity and good conscience and tend to manifest injury and oppression of your Orator. In soundest consideration whereof and for as much as your Orator is Remediless by the Strict Rules of the foreupon Law, and only

and properly eligible in a Court of Equity where matters of this nature is Cognizable and that the said Defendant may upon Corporal oath make full hue and perfect answer to all and Singular the Questions herein Interrogated, and may now particularly Answer, whether the said bond was not executed to your Orator, whether he has not paid the foresaid Sum of seventy or eighty pounds in part for said Land and whether ever a title was made in manner and form as agreed in the said Emos obligation and that your worships of the Commonwealth writ of Subpoena ad respondendum commanding him the Defendant to come in and abide the decree of said Court as in Conscience shall seem just and equitable & your Orator as in duty bound shall pray so.

Preston, Pro Crunk

(To which Bill Henry Dickerson Guardian for the said Allord (Ellerd) answered as follows, viz:)

The answer of Henry Dickerson Guardian to the heir at Law of Emos Ellord (Ellerd) to the Bill of Complaint indebted against him by John W. Crunk Complainant. This respondent now and at all times hereafter saving and reserving to himself all and all manner of benefit and advantage of exception to the manifold errors and insufficiencies in the complainants 2nd Bill contained for answer thereof or to such as this Respondent is advised in material for him to make answers thereto, he answereth and saith, That he believes the Complainant Sometime in the year 1786 purchased a certain tract of land of Emos Ellord (Ellerd), but the manner in which the purchase was made and peculiar Situation in which said Ellord (Ellerd) was placed at that time, this Defendant conceives to be altogether inconsistent with and repugnant to every principle of Law Equity and Justice. This Defendant acknowledges or believes that the Complainant was in possession of a certain piece of paper by which it appeared that the said Ellard had bound himself to make title to said Land. This Defendant believes that the said Ellord (Ellerd) at the time he gave this Bond was under an escape having been condemned by the County Court of Washington for a further trial that the Complainant was well aware at the time of the peculiar situation of the said Ellerd and that he was Compelled to excute said Bond. This Respondt, further answereth and saith that he believes that the said Crump gave property to the said Ellord (Ellerd), part of which consisted of Horses for which the said Ellord (Ellerd) agreed to give Security of Eighty pounds. But your Respondt, believes, the property your Complainant gave, was not worth more than 15L and that, was not the said Ellord (Ellerd) at that time escaping for his life he would not have been Induced to take the property for more tha 15L. Your Respondt, conceives an unjust advantage was taken of said Ellord (Ellerd) and his Family and which without the indisposition of this Court will sink the estate descending to the heir of said Ellord (Ellerd). Your Respondt, further believes that the title never was made to your Complainant owing to the murder of the said Ellord (Ellerd), which your Respondt, believes was committed by some who considered themselves increased in his Death. This Respondt, knows not of any unlawful Combination or Confederacy without that. That there is any other matter or thing material or exceptional for this Respondt, to make answer unto, and not herein well and Sufficiently answered unto Confessed or avoided or which is true all which matters or things this Respondt, believes he can prove at this Worshipful Court shall direct and prays to be hence dismissed forth his Reasonable cost and charges.

Jas. Blair p.R

And at Court held for Russell County on the fourteenth day of June one thousand seven hundred and ninety (14 Jun 1790).

John Walls Crunk.....Blt.

vs

In Chancery

Henry Dickerson, Guardian for James Allert (Ellerd)
son and heir at Law of Amos Allert (Ellerd) Deed....Deft.

This cause was this day heard upon the Bill and answer to the Depositions taken and returned, on Consideration whereof it is ordered and Decreed that the Guardian convey top the said Plaintiff in fee simple the two hundred acres of land in the County of Russell on the south side of Clinch River in the bill mentioned, and the same is ordered to be recorded.

A Copy

Teste

Henry Dickerson CRC

(The Bonds and receipts mentioned in the Compolt Bill are the following, viz:)

In order to compelline my heirs Executors or Administrators to make a right and Lawful Title to two hundred acres of Land lying in Russell County of the Fall Creek including my Plantation I acknowledge myself justly indebted to John W. Crunk his heirs or assigns the just sum of One thousand pounds lawful money of Virginia. In Witness Whereof I have hereunto set my hand and seal this first day of July 1786.

Teste his
Benhamin Cooper Amos T Allord (Ellerd)
her mark
Susannah + Porter A Copy
mark Teste

Henry Dickenson C.R.C

Received of John W. Crunk Securty eight pounds in part for a tract of land in Russell County, I say received by me this first day of July 1786.

Test his
Benjamin Cooper Amos T Allord (Ellerd)
mark

A Copy
Teste
Henry Dickenson C.R.C

Know all men by these presents that I Amos Allord (Ellerd) of Russell County and State of Virginia do Authorize and appoint and empower Benj. Pendleton of the County and State aforesaid to acknowledge and make a deed to John Walls Crunk of Russell County to a certain Tract or parcel of Land lying on a branch of Clinch River call Fall Creek and on the east side of said creek containing two hundred acres less or more, whereupon I now live. I empower the said Pendleton to act for me as my lawful attorney as tho I was personally present to confer a title to the above mentioned Land, in witness whereof I have hereunto my hand and affixed my seal this first day of July one thousand seven hundred and eighty six.

his
Witness Present Amos T Allord (Ellerd)
Benjamin Cooper mark

her A Copy
Susannah + Porter Teste
mark Henry Dickenson C.R.C

I promis to pay or cause to be paid unto John Walls Crunk or his orders the just and full sum of forty gallons of good whicky on or before the 25th December. Insuring the sake hereof it being for value received of him as withness my hand and seal this eight day of October 1784.

Test Joseph Lovelatty
Thomas Lovelatty
(On which note is the following assignment, Viz:)

Sir, you are to pay Amos Allord (Ellerd) these three Cows and calves you are owing me and this order shall be your dicharge from your very debt.

Test June 30th 1786 John W. Crunk
Benjamin Cooper

To Joseph Lovelatty
A Copy
Teste
Henry Dickenson C.R.C

(Deposition)

Russell County

This day came David Young before us whose names are herunder announced and deposeth and saith, that some time after Amos Allord (Ellerd) was killed. John W. Crunk borrowed a mare from him to pay Benj Cooper the beast he borrowed of said Cooper to pay Allord (Ellerd) in part of the price of his Land. This Deponent further saith not.

This Deposition was taken and subscribed before us this 6th day of Feb. 1790 Given under our hands.

Charles Bickley
James Wharton
Ins. Tats

I do hereby certify that the above is a true transcript of the Deposition taken in the foregoing cause.

Henry Dickenson C.R.C

The said James Allord (Ellerd) conceiving himself to be aggrieved by the proceedings and Decree of this Court, in order to obtain a new hearing exhibited the following.

Bill of Recover

To the Worshipful the Court of Russell County in Chancery sitting Humbly complaining Showeth unto your worships you Orator James Allord (Ellerd). That is the year 1786 your Orators Father departed this life intestate leaving your Orator his heir at Law that at the time of his Death he was served in fee Simple of a Tract of Land containing two hundred acres lying in the County of Russell on Fall Creek a branch of Clinch River. That soon after the death of your Orators Father, your Orator then an infant was removed to the State of South Carolina where he has since returned. That about the year 1786 a certain John W. Crunk pretending that your Orators father had in his lifetime entered into an obligation conditioned to convey the said Land to him applied to this Worshipful Court to have a certain Henry Dickerson appointed your Orators Guardian (your Orator then being in South Carolina which was accordingly done.

That afterwards the said John W. Crunk filed his Bill in this Court (a Subpoena having previously been served on the said Dickenson as your Orators Guardian) Stating "that" he the said John W. Crunk ?? see Bill earlier -- To which Bill the said Henry Dickerson as your Ordators guardian put in the following answer viz: See the answer earlier -- and your Orator further saith that afterwards to wit, at a court held for this County on the fifteenth day of June 1790. The said Cause was heard on the Bill & answers a Deposition taken on the part of the Complainant when the following decree was made, See Decree earlier-- And your Orator conceiving himself aggrieved by the said proceedings the following errors in law as appearing on the face thereof.

--

First, that the appointment of a Guardian by the Court for the purpose of defending the Suit before the Institution thereof was improper and not legal --

Second that the decision and the service on the heir at Law.

Third that the decree does not recite the Bill and answer in the material parts thereof as it ought to have done --

Fourth that the decree is absolute whereas (affecting the right of the infant) it ought to have been Conditional --

Fifth. That the said decree is vague informal and unfair --

For the reasons before stated and such other as may hereafter appear Your Orator prays that the said Proceedings and decree may be received and reversed and the said decree having been executed your Orator further prays that the (as heir at Law to the said Amos Allord (Ellerd)) may be put unto the situation that he would have been if the said Decree had never been made and executed and that a subpoena may issue direct to the said John W. Crunk.

Signature, didn't reproduce

(To the Bill of Complaint earlier was the following answer put in)

To the Worshipful the Court of Russell County in Chancery Sitting the Answer of James Allord (Ellerd) son and Heir at Law of Amos Allord (Ellerd) deceased to the Bill of Complaint exhibited against him in this worshipful Court by John W. Crunk. This Respondent now and at all times having and reserving to himself all manner of benefits of exception to the many error, untruths and imperfections set forth in the said Bill of Complaint for answer thereof or to so much thereof as he is advised is material for him to answer and saith. That this Respondent does not know anything whatever of the Contract for the Law mentioned in the Complainants Bill between the Father Amos Allord (Ellerd) and the complainant and this Respondent verily believes either that no such contract had ever took place or if it did it was procured by Fraud imposition and circumvention. This Respondent prays to state to your Worships some reasons which lead him to this assertion. Your Respondents father has been accused of committing a Capital Offense for which he was imprisoned in the Prison of Washington County for which he made his escape and having remained for a few weeks in a concealed State was murdered by some person unknown it appears somewhat extraordinary that he should be deprived of his life without it was by some person interested from this. Your Respondent is induced to draw an unfavorable conclusion to the Respondents Claim. 2 You respondent is advised and verily believes that his father on Firday evening previous to the murder which happened on Sunday morning he mentioned that he had not sold the Land in Question which is conceived he would not have done had the contrary been the fact. 3. If sale had been made of the Land as Stated in the Complainants Bill for a valuable consideration the property received would have certainly been noticed by your Respondent, but you respondent positively asserts that no property to his knowledge was obtained nor did it come to the possession of your respondents fathers representatives. 4. Your respondent is humbly of opinion that if ever such a contract was made that a court of equity ought not to lend their assistance to have it carried into effect. A contract made with a man who lay concealed from justice and with whom it is presumed no person but his family had any conversation appears to be stamped with high evidence of

fraud, imposition and unfairness & this Court ought not to exclude the rights of his children in favor of a claim to suspicious. Undr these considerations your Respondent is impressed with a belief and doubt not but that the claim of the Complainant is from duress, and unparalleled imposition or a base and daring Forgery. He therefore prays to be hence dispensed with his costs in his defence so unjustly expended.

D Shessey PR

Pendleton District. State of South Carolina P

This day came James Allord (Ellerd) before me one of the Justices of the Peace in and for the District aforesaid and made oath that the Allegations set forth in the foregoing answer are true so far as relates to the asking and doings of himself and so far as relates to the acting and doings of others as he believes them to be true. Given under my hand this Sixteenth day of October 1800.

his

James ^ Allard (Ellerd)

Robert Bowen J.P

mark

Pendleton District

South Carolina, set I John B Earle Clerk of the Court of the District aforesaid do hereby certify that Robert Bowen is a Justice of the Peace in and for the District aforesaid and that full faith and credit ought to be given to his official Signature as such Given under my hand and seal of Office this Seventeenth day of October 1800.

J B Earle C.P. seal

Pendleton District

South Carolina, set I Ephram Ramsay, Presiding Judge of the Court in and for the District of Pendleton, State aforesaid October four 1800, do certify that John B. Earle is clerk of the Court for the District aforesaid and that the foregoing allegation is in due form. Given under my hand this Twenty fifth day of November 1800.

E. Ramsay

State of South Carolina

By his Honor John Drayton, Lieutenant Governor and Commander in Chief in and over the State aforesaid,

To all to whom these Presents shall come

Know ye, that Ephram Ramsey Esquire whose signature appears to the instrument of writing hereunto amended is one of the associate Judges of the said state and that John B. Earle Esquire is a Clerk of the Court of Common Pleas for Pendleton District in the said State.

Therefore, all due faith, Credit and Authority is and ought to be had and given to these Proceedings and Certificates as such. In Testimony Whereof, I have hereunto set my hand and Caused to be Affixed the Seal of the State in the Town of Columbia this Twenty fifth day of November in the year of our lord one thousand eight hundred and in the twenty fifth year of the Independence of the United States of America.

By the Lieutenant Governor.

Isaac Molte Dach Secretary of State

And now at this day to wit: on the twenty seventh day of February one thousand eight hundred and five.

This day this cause came to be heard of the Bill answers and charges filed and the arguments of Council on both sides. Whereupon it is adjudged, ordered and decreed by the Court, That the Right to the Land mentioned in the Bill be in the Complainant, and that James Allord (Ellerd) son and heir at Law of Amos Allord (Ellerd) Dec'd, do convey to the Complainant John W. Crunk the two hundred acres of Land in the Bill mentioned with special Warrantee against himself and those claiming under him and that the Defendant James pay unto the Complainant his costs by him in the prosecution of this suit expended.

From which decree the Defendant prayed an Appeal to the third day of the next high court of Chancery which was granted him on giving bond in the sum of two hundred Dollars with security conditioned as the Law directs.

A Copy

Teste

DESPOSITIONS

Agreeable to a commission to us directed from the worshipful Court of Russell County in the State of Virginia we have caused Benjamin Cooper of Lawful age to come before us who being first duty sworn deposed and saith That he was present when Amos Allord (Ellerd) sold John W. Crunk a Tract of Land of two hundred acres in Russell County of Fall Creek for which said Allord (Ellerd) gave his bond for Title and he said Cooper and Susannah Porter was witnesses to said Bond and further this Deponent saith that he knows all the Land was sold to the said Crunk for one hundred pounds in Property and that he does not believe that the said Land could at that time have been sold for a better Price. And further this Deponent saith that he paid said Allord (Ellerd) one horse for said Crunk at twenty-one pounds or thereabouts and he believes that such a horse would sell for about thirty pounds. Further this Deponent saith that he heard some talk about Crunk paying said Allord (Ellerd) some Whiskey and some cows and calves but to be particular he will not as he never expected to be called on about it and time has worn it out of his mind and further this Deponent saith not.

Sworn before me
Stephen Canhil Benjamin Cooper

Tennessee State Sumner County to wit:

This day came Benjamin Cooper who Subscribe the foregoing Desposition before us at the House of Gent. Daniel Smith in P Count and made oath to the truth thereof. Given under our hands this 20th day of Oct 1803.

Will Henderson
Tho. Masten
Saml. Donelson

By viture of a commission to us decreed we the subscribed Justices of the Peace for the county of Russell have met at the house of Capt. John Montgomeris in the County of Russell on Sunday the third day of March 1804 have taken the Despositions of the persons herein after named to be read as evidence in a Suit in Chancery now depending in the County Court of Russell between John Crunk Pl't and James Allord (Ellerd) son and heir at Law of Amos Allord (Ellerd) Dec'd Def't.

Jacob Castle of Lawful age being duly sworn deposed and saith that a short time before the Decease of Amos Allord (Ellerd) he saw said Allord (Ellerd), and said Allord (Ellerd) called the Deponent and he told this Deponent that he was agoing to sell his land to John W. Crunk for one hundred pounds in property and that he was to have Benjamin Coopers horse and Crunks white mare at (?) pounds or thereabouts and that if he could not pay up the balance he would give his bond for the balance and he could get it at some other time further this Deponent saith he administered on the said Amos Allord (Ellerd) Estate and that James Alley gave this Deponent a note on Joseph Lovelatty for forty gallons of whiskey which was assigned to said Amos Allord (Ellerd) he said Crunk and also an order for three cows and calves and said Alley said he took them out of Allords (Ellerds) pocket after he was killed and said papers were taken out of the hands of this Deponent by the County Court of Russell two pounds which he understood to be all that was due Allords (Ellerds) Estate for his Land. Further this Deponent saith that he understood the said Allord (Ellerd) got the horses he said he was to have from Crunk. Further this Deponent saith he does not think the said land at the time could have been sold for more than one hundred pounds. Further this Deponent saith not.

Sworn to and Subscribed before us his
this 3rd day of March 1804 Jacob x Cassal
Samul Ritchie and John Montgomery mark

Susannah Porter of lawful age being duly sown deposed and saith, That she happened at the house of Amos Allord (Ellerd) shortly after Allord (Ellerd) had sold his land on Fall Creek to John E. Crunk and Mrs Allord (Ellerd) and John W. Crunk desired this Deponed to go in company with Mrs Allord (Ellerd) to Amos Allord (Ellerd) and she did accordingly go and the writings was read and said Allord (Ellerd) said he had sold his land to John W. Crunk and desired herto be a witness and she did make her mark a cross to testify the Bond for the title and she thinks Benjamin Pendletons name was mentioned some how respecting the making the title but in what respect she not say as time has worn it out of her mind. But Benjamin Cooper was present and a witness to the

title bond and the other writings then acknowledged by Allord (Ellerd). And then Allord (Ellerd) gave the writings to Cooper for Crunk. Further this Deponent saith that she heard or understood that Allord (Ellerd) received two horses from Crunk in part pay for the land.

her
Susannah + Porter
mark

Sworn to and Subscribed before us
this 3rd day of March 1804
Samul Ritchie
John Montgomery

Agreeable to a Commission to us directed from the County Court of Russell we have caused Henry Dickenson of lawful age to come before us at Jd. Dickensons house in the County of Russell on the 27th day of June 1804 in the presence of the councils on both sides who being sworn deposit and says, that by an order of this court made in April 1788 this Deponent was appointed Guardian of James Allord (Ellerd) son and Heir at Law of Amos Allord (Ellerd) Deceased for the purpose of defending a suit for the land now in controversy between the siad parties now before the court which will now fully appear by a reference to said Order. That this Deponent or was his duty, employ'd and paid a Lawyer practicing in this court to defend said suit and used all his exertion to promote the Interest of the Heir at Law. That after this Deponent had fil'd his answer and employ'd a Lawyer aforesaid the parties proceeded to take Depositions, Information knew of no other Testimony than that which was taken on behalf of the Plaintiff. That this Deponent attended and cross examined for the Heir at Law and as he believes obtained a discovery of the truth then, as far as can be now, or could have been at any other time. That when the cause was matured for trail, the Counsel employ'd by this Deponent for the Heir at Law, argued the cause Solemnly, and it appeared to this Deponent that there was a full and fair Investigation thereof; and the Court decreed in favor of the Plaintiff as will appear by reference to that decree. That as far as the private transaction respecting the Law in Controversy between the parties. This is known to the Deponent. That there appearing to be a balance due from John W. Crunk to Allords (Ellerds) Heir for said Land Col Henry Smith after he purchased said land from said Crunk paid up a balance due from said Crunk for said Land to Jacob Castle Administractor of the Estate of the Said Allord (Ellerd) who received the same, and this Deponent believes said land was not worth more than one hundred pounds and such land here then sold.

Q. What is the land worth at this time.

Ans. I do not think it is worth more than five hundred pounds if that.

Q. From the investigation of which you have spoken did it appear that Amos Allord (Ellerd) at the time he made the pretended contract had fled from justic and dared not appear publicly.

Ans. He had fled from justic; he had been committed to Goal for Horse Stealing and before a trail broke Jail and as I understood did not apear publicly.

Q. What property did you understand that Allord (Ellerd) himself received for the land.

Ans. I understood he received two horses.

Q. What is the Character of John W. Crunk.

Ans. He did not bear good Character he was reputed to take undue advantages of persons making bargins.

Q. Do you know any person that bears a worse Character than he does.

Ans. Yes I do. but not many in this Neighborhood.

Q. How much did Henry Smith pay Jacob Castle as the balance you mention.
Ans. I don't know the sum

Q. How long before Amos was killed did this pretended bargain take place.
Ans. But a very short time; perhaps a day or two.

Q. At the time that Allord (Ellerd) broke Jail had he tried by any other tribunal than that of a Justice of the Peace on the Warrant.
Ans. No I believe not.

Sworn to and subscribed before us the time and place above mentioned

Samul Ritchie
John McClollan

Henry Dickenson

By Notice of a Commission to us directed we have met at the House of Henry Dickenson Russell County on the 26th February 1805 and taken

Excerpt from:

"The Origin of Lovelady Gap" From Herald-Virginian, Dec 5, 1968 by Emory L. Hamilton

"Soon after this[after 1776?] he[Thomas Lovelady] came to Washington County, VA, to visit a relative. This relative was none other than the wife of Amos Allerd, Lovelady's sister, who lived on Copper Creek. Sometime after this, Amos Allerd was arrested as a horse thief and confined in jail at Abingdon, but broke jail and returned to the area and in league with John Watts Crunk and some men named Shelly was again stealing horses and selling them out of the area. Allerd was hiding out in the woods, and in April 1786 he stole horses belonging to Samuel and Patrick Porter of Falling Creek. A posse of neighbors got together and agreed to waylay Allerd and take him dead or alive. Allerd had been corralling his horses in a narrow ravine where a stream emptied into the mouth of a cave near Tremble's Creek in Scott County. As Allerd approached this ravine he was fired upon and killed--the first murder in Russell County (VA) and the cave is still today known as Amos Cave."

More About AMOS ELLERD:
Record Change: 23 Dec 2005

Notes for DAU LOVELADY:
"The Origin of Lovelady Gap" From Herald-Virginian, Dec 5, 1968 by Emory L. Hamilton

"Soon after this[after 1776?] he[Thomas Lovelady] came to Washington County, VA, to visit a relative. This relative was none other than the wife of Amos Allerd, Lovelady's sister, who lived on Copper Creek. Sometime after this, Amos Allerd was arrested as a horse thief and confined in jail at Abingdon, but broke jail and returned to the area and in league with John Watts Crunk and some men named Shelly was again stealing horses and selling them out of the area. Allerd was hiding out in the woods, and in April 1786 he stole horses belonging to Samuel and Patrick Porter of Falling Creek. A posse of neighbors got together and agreed to waylay Allerd and take him dead or alive. Allerd had been corralling his horses in a narrow ravine where a stream emptied into the mouth of a cave near Tremble's Creek in Scott County. As Allerd approached this ravine he was fired upon and killed--the first murder in Russell County (VA) and the cave is still today known as Amos Cave."

More About DAU LOVELADY:
Record Change: 23 Dec 2005

Children of AMOS ELLERD and DAU LOVELADY are:

3. i. JAMES³ ELLERD, SR REV, b. Abt. 1770; d. Abt. Feb 1850, Talladega County, AL.
4. ii. JONATHAN ELLARD, b. Bef. 1794, Pendleton District, SC; d. Mar 1836, Jefferson County, AL.

Generation No. 3

3. JAMES³ ELLERD, SR REV (*AMOS², SAMUEL¹ ELLARD*) was born Abt. 1770, and died Abt. Feb 1850 in Talladega County, AL. He married MARY. She was born in VA.

Notes for JAMES ELLERD, SR REV:

James Ellard owned land in Pendleton District, South Carolina as record in Anderson and Oconee Counties show. In Anderson County Court House; Anderson, S.C.: Gibson Mainard to James Ellard, deed, Oct 24, 1814, 500 Acres on Swamp Creek. Release, Alexander Murphy to James Ellard, 50 acres lying on both sides of Mile Creek, 5 March 1801. Release, James Ellard to Thomas Ellard, 105 acres, recorded 5 January 1815. Conveyance, John Boyd to James Ellard, 200 acres on both sides of Little River branch of Keown River, 3 December 1818. Release James Ellard to Elisha Lee, 300 acres 28 September 1819. Release to William Kennedy, 290 acres, 23 September 1823. Conveyance James Ellard to Elisha Lee 200 acres, on both sides of Little River, 15 August 1821. Conveyance James Ellard to Tyre Boon, 350 Acres on Branch of Cedar Creek.

Oconee County, S.C. Land Records: John Boyd to James Ellard, 200 Acres on Little River, 8 January 1818. James Ellard to Elisha 200 Acres on Little River, 15 August 1821.

On File in Rabun County Court House, Clayton, Georgia: James Ellard SR to James Ellard JR deed, 1826.

In a Land Lottery it was granted to James Ellard of Whisentant District, Carroll County, Georgia 26 August 1834, 40 acres in the County of Cherokee. It seems likely that this was James SR as he was not on the Rabun County Census any longer and is on the Mortality Schedule of Talladega County, Alabama in 1850.)

1800 US Census, Pendleton District, SC, James Ellard, 2 male children under 10, 2 male children 16-18, 2 over 45; 1 female under 10, 1 female over 45.

1810 US Census, Pendleton District, SC, James Ellard:

1820 US Census, Pendleton District, SC, James Ellard: 3 males under 10, 1 10-16, 1 16-18, 2 over 45; 1 female under 10, 1 female over 45.

1830 US Census, Rabun County, GA, James Ellard: 2 males 10-15, 1 15/10, 1 30/40, 1 50/60; 1 female 15/20, 1 50/60.

1840 US Census, Not found for James Ellard SR. He may have been living with Jephtha Ellard in Benton County, AL

1850 US Census, Talladega County, AL: Jephtha Ellard, 29, farmer, 400, S.C.; Alcy, 28, S.C.; Mary, 10, AL; Andrew, 8, AL; Elizabeth, 6, AL; Martha, 2, AL; Nancy, 7/12, AL; Marion Bishop, 12, GA; Mary Ellard, 80, VAS; Mortality Schedule, James Ellard, 80, VA, died February.

Also, received Land Grants in Habersham County, GA.

Source: Early Genealogical & Historical Records

Habersham County, GA

By: Herbert B. Kimzey

Compiled by: Nancy Kimzey Demsey

p.127

[168] Solomon Taylor to James Ellard deed 8 Apr 1825 to lot 167 of 13th dist.

Wit: Amos Ellard, William Smith, Probated Rabun Co., GA. before John S. Miller, JP.

.

More About JAMES ELLERD, SR REV:

Record Change: 22 Dec 2005

More About MARY:

Record Change: 22 Dec 2005

Children of JAMES ELLERD and MARY are:

5. i. WILLIAM 'BILL'⁴ ELLERD, SR, b. 15 May 1791, Pendleton Dist., SC; d. 12 May 1882, Talladega County, AL.
6. ii. JAMES W. ELLERD, JR, b. Abt. 1810, SC; d. 25 Nov 1885, GA.
7. iii. THOMAS ELLERD, b. Abt. 1816, SC.
- iv. AMOS ELLERD, b. Bef. 1821, SC.

More About AMOS ELLERD:
Record Change: 15 Oct 2005

8. v. JEPHTHA ELLERD, b. Abt. 1821, SC.

4. JONATHAN³ ELLARD (*AMOS*² *ELLERD*, *SAMUEL*¹ *ELLARD*) was born Bef. 1794 in Pendleton District, SC, and died Mar 1836 in Jefferson County, AL. He married RUTHA MCADAMS Abt. 1817, daughter of ISSAC MCADAMS and MARTHA TURNER. She was born Abt. 1800 in SC, and died 06 Sep 1859 in Jefferson County, AL.

Notes for JONATHAN ELLARD:

There is a problem with his birth date, some sources indicate 1790 others 1794. His father is thought to be Amos Ellard but he is shown as having died 2 Jul 1786.

Source: GenCircles:

Records concerning Jonathan Ellard and family: 1817: Pendleton District, South Carolina (recorded Anderson County Court House, Anderson, South Carolina), 12 March, release of land by Isaac McAdams to Jonathan Ellard acres, \$350.00. 1817: Pendleton District, South Carolina, (recorded Anderson County Court House, Anderson, South Carolina), 18 March, Release by Samuel A. Easley to Jonathan Ellard, "all plantation or tract of land whereon William McClain lived containing one hundred fifty acres being the same less laying and being in the said district on Saluda River..." 1817: Pendleton Disdtrict, South Carolina (recorded Anderson County Court House, Anderson, South Carolina), 4 November, "Know all men by these presents that I, Jonathan Ellard, in state and district aforesaid in consideration of the sum of one hundred and fifty dollars to me in hand paid by Jesse Shirley of district and state aforesaid have granted, bargained, sold, and released ... a tract of land situated on Saluda Rived near Paris Ford on the west side... 1820: St Clair County, Alabama, U. S. Census 1822: No. 2370, Land Office at Tuskaaloosa, January 2 1822: It is hereby certified, That, in pursuance of Law, Jonathan Ellard of Jefferson County on this day purchased of the Register of this office the lot or East 1/2 of South West 2 of section number 11 of township number 17 in range number 2 West containing 80 24.5/100 acres, at the rate of \$1.25 per acre, amounting to \$100.31 for which the said Jonathan Ellard had made payment in full as required by law: NOW THEREFORE BE IT KNOWN, That, on presentation of this certificate to the Commissioner of the General Land Office, the said Jonathan Ellard shall be entitled to receive a patent for the lot above described. John McKee, Register 1824: Land Grant: United States to Jonathan Ellard The United States of America, Certificate No. 2379: To all to whom these Presents shall come, Greeting. Whereas Jonathan Ellard of Jefferson County has deposited in the General Land Office of the United States a certificate of the Register of the Land Office at Tuskaaloosa in Alabama, whereby it appears that full payment has been made by the said Jonathan Ellard, according to the provisions of the Act of Congress of the 24th of April of 1820, entitled "An Act making further provisions for the Sale of the Public Lands" for the East half of the North West quarter of Section fifteen of Township Seventeen of Range two West in the District of Tuskaaloosa and state of Alabama Containing Seventy-nine acres and Seventy Eight and a half hundredth of an acre according to the official plat of the surveys of said Lands returned to the General Land Office by the Surveyor General which said tract has been purchased by the said Jonathan Ellard. Now know ye that the United States of America in consideration of the Premises and in conformity with the several acts of Congress in such case made and provided have given and Granted and by these presents do give and grant unto the said Jonathan Ellard and to his heirs the said tract above described to have and to hold the same together with all the rights and privileges, immunities, and appurtenances of whatsoever nature thereinto belonging unto the said Jonathan Ellard and his heirs and assigns forever. In testimony thereof I, James Monroe, President of the United States of America, have caused these letters to be made Patents, and the Seal of the General Land Office to be hereunto affixed. Given unto my hand at the City of Washington the twenty-second day of April in the year of our Lord one thousand eight hundred and twenty-four and of the Independence of the United States the forty-Eighth. By the President James Monroe George Graham, commissioner of the General Land Office Recorded Vol. 5, page 323 1822: No. 2380 RECEIVER OFFICE, Tuskaaloosa, Jany 2, 1822, received from Jonathan Ellard of Jefferson County the sum of ninety nine 85/100 dollars being in full for W 1/2 S E 1/4, section, No. 10, township, No. 17 range, No.2 W containing 79 88/100 acres, at the rate of one dollar and twenty-five cents per acre. William G. Parish, receiver. 1824: Jefferson County, Alabama, Deed Book 1, page 210, Darby Henley to Jonathan Ellard, 23 March 1824 1826: Jefferson County, Alabama, Deed Book 1, p. 249, Moses Harris, administrator of the estate of Armstead Barry, deceased,

late of Jefferson County, Alabama, to Jonathan Ellard, 26 August 1826. 1828: Jefferson County, Alabama, Deed Bk. 2, p. 233, Benjamin Miller and wife, Elizabeth Miller, to Jonathan Ellard, 29 November 1828. 1829: Jefferson County, Alabama, Deed Book 3, p. 275, Jonathan Ellard and wife, Ruthy Ellard, to Thomas Calley, 22 December, 1829. Deed Bk. 3, p. 38, Jonathan Ellard and wife, Ruthy Ellard, to Thomas Calley, 22 December 1829. 1830: Jefferson County, Alabama, Deed Bk. 4, p. 131, Jonathan Ellard and wife, Ruthy Ellard, to James Massey, 4 September 1830. 1830: United States Census, Jefferson County, Alabama, p. 153: Males: 0-4, 3; 5-9, 2; 30-39, 1; Females: 10-14, 2; 30-39, 1. 1833: Jefferson Co., Alabama, Deed bk. 5, p. 868, Jessie McClain to Jonathan Ellard, 29 April 1833. 1836: Know all men by these presents that we Ruthy Ellard, James Stovall, William Ellard, and John Timmons, are held and firmly bound unto Walker K. Baylor, Judge of the County Court of Jefferson County, State of Alabama, and his successors in Office in the penal term of Two Thousand dollars, to which payment will and truly to be made, we and each of us do bind ourselves, our heirs, firmly by these presents sealed with our seals and dated the 25th day of November 1836. Now the condition of the above obligation is such that whereas the above bound Ruthy Ellard and James Stovall has been duly appointed administrators of the estate of Jonathan Ellard deceased. Now if the said Ruthy Ellard and James Stovall shall well and truly perform all the duties which are or maybe by law required of them as such administrators then the above obligation to be void, else to remain in full force and virtue. Witness our hands and seals the date above. Ruthy Ellard James Stovall written Taken and acknowledged in open Court, Test B. E. Grace, Clerk The State of Alabama County Court of Jefferson County Whereas it has been made known to said Court that Jonathan Ellard, late of said County, lately died intestate, and that the right of granting administration of his estate by the laws of said State doth pertain to said Court; To the end therefore that the goods and chattels, Rights and credits which were of the said Jonathan Ellard at the time of his death may be well and truly administered, We by these presents give to Ruthy Ellard and Jas. Stovall of said County (in whose fidelity in this behalf we much confide) full power and authority to administer all and singular the goods and chattels, Rights, and credits which were of said Jonathan Ellard at the time of his death, to ask, receive, and recover the same, to pay the debts in which said deceased stood bound so far forth as his goods and chattels rights and credits will extend according to their rate and the order of law. The said James and Ruthy being first duly sworn to make chattels, Rights, and credits and to exhibit and return the same into the Clerks Office of said Court at or before the expiration of three calendar months from the date hereof. And we hereby require the said Ruthy Ellard and James Stovall to render to said Court according to law a just and true account of their administration. Witness Walker K. Baylor Judge of our said Court at Office this 25th day of Novr. in the year of our Lord one thousand eight hundred and thirty-six, and of American Independence the 61st year. Issued 25th November 1836 B. E. Grace, Clerk C.C. State of Alabama November 29th 1836 Jefferson County This day appeared before me William Montgomery acting Justice of the Peace for said County, James Massey, Thomas Barton, and James Montgomery, the appraisers of the personal property of the estate of Jonathan Ellard deceased. Given under my hand and seal. William Montgomery, J. P. \$ 1.50 1 Plow and stock 1.50 7 Weeding Hoes 1.50 4 Harrow teeth 2.00 5 Plows 1.25 1 Hammer, 1 Drawing Knife & Iron Wedge 3.50 2 Mattocks 1.37 1/2 1 Spade, 1 weeding hoe & grubbing hoe 1.74 2 Frows 1.00 2 Hatchets 2.00 2 Shear Plows 3.00 1 Shear and 1 Gopher Plow 1.50 2 Singletrees and 1 Rod 4.00 4 Axes 3.00 A lot of old Irons 5.00 2 Sythes and cradles 2.00 1 Collar and 2 pair gear .50 1 Hand Saw and Auger 1.00 1 pr. of Chains and 2 Blind Bridles 3.00 6 Jugs 2.25 3 " 3.00 1 Cutting Box 2.00 1 Flax Wheel 2.00 5 Tubs .375 1/2 Bushel 5.00 2 Log Chains 1.25 2 Clevis's(?) and Singletree 4.50 1 Pot & oven & Lid and two pr. hooks 4.00 2 Ovens and Pot 2.00 1 Tea Kettle 1.00 1 Iron Shovel Kettle 1.50 1 Oven 6.00 1 Loom ` 3.00 1 Spinning Wheel ".75 1 Table 2.00 1 Bowl and Coffee Mill 5.00 1 Lot Earthen Ware 1.00 1 Lot of Glass 8.00 1 Lot of Pewter 2.00 1 Lot of Tin 3.50 1 Lot of Knives and Forks 2.50 1 Lot of Pails and Churn 2.00 1 Pot Rack 12.00 6 Bee Stands 2.00 1 pr. Steel Yards 4.50 1 pr. Gear & Singletree and Stretchers 15.00 1 Table and Side Board 12.00 1 Cupboard 3.50 1 Chest 1.25 10 Bottles 1.25 1 Looking Glass 5.00 1 Gun 2.35 1 Lot of Chairs 20.00 1 Bed and furniture 18.00 1 " " 20.00 1 " " 12.00 1 " Stead 6.00 3 Bed Steads 20.00 1 Bed and furniture 12.00 1 " " 12.00 1 Red Cow 7.00 1 Brindle Bull 30.00 1 Small Yoke of Steers 13.00 1 Brown Cow & yearling 13.00 1 white back Cow & yearling 13.00 1 Black cow and yearling 15.00 1 red Cow & yearling 12.00 2 Small Steers 4.00 1 brindle yearling 10.00 1 Brindle Cow & Calf 6.00 1 Heifer 20.00 10 head of Sheep 60.00 1 large yoke of Steers 25.00 1 running Gear of a wagon 60.00 25 Shoats 2.00 1 Bell 80.00 1 Sorrel Mare 85.00 1 Sorrel Horse 50.00 1 Bay Mare 30.00 1 Sorrel Colt 180.00 60 Barrels of Corn \$3 per Barrel 34.00 4 Stacks of Fodder 210.00 6000 lbs. Of Seed Cotton more or less @ 350 per hun .25 1 Grindstone 60.00 1 Still & 15 Stands 40.00 4 Sows 5.00 1 man's Saddle & 1 Side saddle & 1 Bridle and 1 pr. saddle Bags We the appraisers do certify that the above list is just and true. Given under our hands and seal this 29th November 1826. James Montgomery Thomas Barton James Massey The State of Alabama } Jefferson County } Personally appeared before me, Baylis E. Grace, Clerk of thje County Court of said County, James Stoval, administrator of the estate of Jonathan Ellard decd, who being duly sworn, deposeseth and sayth that the within is a correct inventory of the personal property belonging to the said estate so far as has come to his hands. James Stoval 1837: Jefferson County, Alabama, Orphans Court Records 1831-1838, p. 309. Sale bill of Jonathan Ellard Decd. \$ c .62 Two plows to James Massey .62 Four Harrow teeth, Moses Langley .43 1/6 3 Plows to

William Ellard .37 1/2 1 Plow Share to James Massey .62 1 Plow share to James Massey 1.00 1 Plow Share to William Ellard .75 1 Stretcher & 3 Hoes Wm. Cummings .50 2 Singletrees to William Ellard 1.31 1/4 1 Mattoc & 1 Spade James Turner .36 1/4 1 Axe Moses Langley .50 1 Axe, 1 Saw Thomas McAdams 3.00 1 Lot of Plows and Geer. widow .25 1 Plow Stock James Massey .37 1/2 1 Cutting Knife and box Lucy Turner .56 1/4 1 Jug James Massey .56 1/4 1 Jug widow .25 1 Jug William Ellard .25 1 Jug Lucy Turner .25 1 Jug widow .25 1 Jug T. M. Turner .25 1 Jug Lucy Turner .75 1 Lot of Tools Thomas McAdams 1.25 1 Lot of Irons James Montgomery .50 1 Frow (?) Thomas McAdams .56 1/4 1 Frow (?) David Massey .75 1 Spinning Wheel James Stovall 1.00 1 Scythe & Cradle widow 1.25 1 Scythe & Cradle William Ellard .56 1/4 1 Wheel Anthony Latham .50 1 Half Bushel widow 2.00 1 Log Chain Thomas McAdams 2.56 1/4 1 Log Chain T. M. Turner 3.62 1/2 1 Pot and Oven David Massey 3.00 1 Lot of Pot Ware widow 1.12 1/2 1 Tea Kettle James Massey .25 1 Skillet widow 1.31 1/4 1 Oven George Davenport 6.00 1 Loom widow 2.50 1 wheel widow .50 1 Table widow .62 1/2 1 Coffee mill & Reed widow .37 1/2 1 lot of Plates T. M. Turner 2.12 1/2 1 lot of Pewter Plates James Stovall 1.12 1/2 1 Set of Pewter Plates .50 1 Set of Plates widow .50 1 set of Knives & Forks widow 12.00 1 Cow and Calf widow 6.50 1 Bull James Montgomery 20.00 1 Yoke of Oxen widow 12.00 1 Cow widow 3.06 1/4 1 Spotted yearling H. E. Young 11.12 1 Cow Elizabeth York 2.56 1/4 1 yearling H. E. Young 11.50 1 Cow & yearling George Davenport 13.00 1 Cow & Calf widow 15.12 1/2 1 Small yoke of Oxen Lucy Turner 3.62 1/2 1 Brindle yearling H. E. Young 6.00 1 red Heifer widow _____ \$165.18 3/4 Page 312 16.00 1 Cow & Calf David Massey 50.00 1 large yoke of Oxen T. M. Turner 10.00 5 Head of Sheep widow 9.00 5 head of Sheep Thomas McAdams 20.00 1 Waggon widow 10.00 5 Shoats widow 8.35 5 Shoats John Timmons 6.25 5 Shoats widow 5.50 5 Shoats widow 4.37 1/2 5 Shoats Moses Langley 12.00 3 Sows and Pigs widow 7.87 1/2 1 white Sow and Pigs John Timmons 6.87 1/2 1 black Sow & Pigs John Timmons 81.50 1 Sorrel mare Lemuel Sanders 80.00 1 Sorrel Horse Drury Ellington 30.00 1 Bay mare widow 12.00 1 Colt widow 10.00 1 Stack of Fodder widow 21.77 1/2 5 Barrels of Corn per Bushel J. Montgomery, 87 1/2 21.77 1/2 5 Barrels of Corn pr bushel Geo. L. Grien, 87 1/2 23.27 5 Barrels of Corn pr bushel Jas. Stovall 93 23.27 5 barrels of Corn pr bushel James Stovall 93 22.50 5 Barrels of corn pr bushel George L. Grien 90 22.50 5 Barrels Corn pr Bushel Jas Montgomery 90 27.00 6 Barrels of Corn per Bushel H. E. Young 90 6.00 300 Bundles of Fodder E. Shoemake 200 6.30 300 " " James Turner 210 6.56 1/2 300 " " Jas. Montgomery 268 30.00 1000 lb Seed Cotton pr hundred James Massey 3.00 29.37 1/2 1000 lb Cotton pr hund James Massey 293 30.00 1000 lb Seed Cotton pr James Massey 3.00 1.00 1 lot water Vessels Widow .50 1 Pot rack widow .50 1 Bell " 1.00 1 Bee Hive Moses Langley 2.00 2 Bee Hives widow 2.10 1 Bee Hive Evander Shoemake 1.50 1 " Andrew Barton 1.50 1 pair of Steel yards Willis Raburn 1.70 1 Table David Massey ----- 827.12 1/2 Page 313 15.12 1/2 1 Side Board James Pool 10.00 1 Cupboard Widow 2.00 1 Chest widow .12 1/2 2 Bottles T. M. Turner .18 1/2 2 " David Massey .06 1/4 1 " James Massey .12 1/2 1 " Evender Shoemake .50 1 Glass Widow 4.00 1 gun Widow 1.50 3 Chairs John Stovall Jr. .75 3 " David Massey 15.00 1 Bed Stead widow 15.00 1 Bed Stead widow 10.00 1 Bed Stead widow 10.00 1 Bed Stead widow 1 Bed Stead David Massey 13.00 1 Bed Stead widow .31 1/4 1 Grindstone Evander Shoemake 2.00 1 Side Saddle widow 1.50 1 Saddle James Montgomery 27.37 1/2 1 Still Andrew Barton .12 1/2 3 Tubs Andrew Barton .50 3 Tubs John Timmons .56 1/4 3 Tubs Andrew Barton 2.37 1/2 3 Tubs James Massey 1.43 3/4 1 Cog Andrew Barton .25 1 pr of Saddle Bags Jas. Strovall .62 1/2 1 Axe David Massey 169.58 James Stovall & Ruthy Ellard 4844 Seed Cotton, 1000 at 3 1/2 ct, 3840 at 3 1/2 & 1/2 ct 40.50 One note on William Ellard 2.50 One " on J. Montgomery _____ James Stovall 1,185.11 1/4 An account on Thomas West 60.00 State of Alabama } Jefferson County } James Stovall admr. of Jonathan Ellard decd came this day peresonally before me and after being duly sworn saith on his oath that the foregoing is a true account of sale of said estate, so far has has come to his hand. Sworn to & subscribed before me this 4th March 1837. B. E. Grace, Clerk CC 1840: United States Census, Jefferson County, Alabama: Males, 5-9, 1; 10-14, 3; 15-19, 2; Females, 20-29, 2; 40-49, 1. 1850: United States Census, Jefferson County, Alabama, 21 December 1850, p. 221, Woods Beat, District No. 32: Rutha Ellard, 50, 2,000, S. C. Joberry " , 21, Farmer, Alja. Andrew " , 16, Ala. Anna McAdams, 70, Va. Jefferson Co., Al.; Bk. 11, pg. 45, William W. Ellard, administrator de bonis no of Jonathan Ellard, deceased, did on 5 February 1853, in pursuance of a decree of Probate Court of Jeffersn Co., etc., sells to James Massey. Orphan's Court 1858-1860 Pag 508. JONATHAN ELLARD deceased. November 2, 1859. He left ten children, as follows: NANCY ANN, wife of Arthur Bearden CAROLINE, wife of David Massey W(ILLIAM) W. ELLARD JOSEPH B. ELLARD ELIZABETH, wife of Daniel Eastis ANDREW J. ELLARD, all of whom live in this county and ISSAC ELLARD and] who reside in the County of Atalla, State of MERRIT] Mississippi, P. O. Bluff Spring, JAMES ELLARD, MARY ELLARD, wife of James McAdams, resides in Arkansas, P. O. Longpoint, Arkansas, all of said children are over 21. 1850 Census Jefferson CO., Al. Family #38 Wood's Beat ELLARD, MERIT, 23 Ala., farmer, \$300 MELINDA, 18, Ala. ANDREW, 9/12, Ala. Family #43 Wood's Beat EASTIS, DANIEL, 27, Ala., farmer, \$200 ELIZABETH, 18, Ala. JAMES, 2, Ala. Family #46 Wood's Beat ELLARD, RUTHA, 50, S.C., \$200 JOBERRY, 21, Ala., farmer ANDREW, 16, Ala., farmer McADAMS, ANNA, 70, S.C. Family #47 Wood's Beat ELLARD, WILLIAM W., 29, Ala., farmer NANCY C., 25, Ala. ANNA. C., 8, Ala. MARTHA, 5, Ala. MARY J., 3, Ala. JAMES, 1, Ala.

More About JONATHAN ELLARD:
Record Change: 23 Dec 2005

Notes for RUTHA MCADAMS:
1850 Census of Jefferson County, AL.
46-46 Ellard Rutha50S.C.
Joberry21AL.
Andrew16AL
McAdamsAnna70VA. (Mother)
(family living next door to son William Washington Ellard and wife Nancy)

More About RUTHA MCADAMS:
Record Change: 23 Dec 2005

Children of JONATHAN ELLARD and RUTHA MCADAMS are:

- i. NANCY ANN⁴ ELLARD, b. 08 Jul 1818, SC; d. Abt. 1892; m. ANDREW BARTON, 25 Jul 1833, Jefferson County, AL; b. Abt. 1816; d. Abt. 1848.

More About NANCY ANN ELLARD:
Record Change: 23 Dec 2005

More About ANDREW BARTON:
Record Change: 22 Dec 2005

- ii. CAROLINE L. ELLARD, b. 28 Jan 1820, St Clair County, AL; m. DAVID M. MASSEY.

More About CAROLINE L. ELLARD:
Record Change: 22 Dec 2005

More About DAVID M. MASSEY:
Record Change: 23 Dec 2005

9. iii. WILLIAM WASHINGTON ELLARD, b. 29 Sep 1821, St Clair County, AL; d. 15 May 1897, Birmingham, Jefferson County, AL.
10. iv. ISSAC ELLARD, b. 15 Nov 1823, St Clair County, AL; d. 20 Jul 1891, Attala County, MS.
- v. JAMES BENNETT ELLARD, b. 15 Oct 1825, Jefferson County, AL; d. Abt. 1886; m. SARAH ELLEN TURNER; b. Abt. 1824; d. Abt. 1892.

More About JAMES BENNETT ELLARD:
Record Change: 22 Dec 2005

More About SARAH ELLEN TURNER:
Record Change: 23 Dec 2005

11. vi. MERRITT ELLARD, SR, b. 15 Oct 1827, Jefferson County, AL; d. 19 Mar 1894, Jefferson County, AL.
12. vii. JOSEPH BERRY ELLARD, b. 26 Apr 1829, Jefferson County, AL; d. 02 Jun 1892, Jefferson County, AL.
- viii. MARY 'MARIAN' ELLARD, b. 31 Dec 1830, Jefferson County, AL; d. AK; m. JAMES MCADAMS; d. AK.

More About MARY 'MARIAN' ELLARD:
Record Change: 23 Dec 2005

More About JAMES MCADAMS:
Record Change: 23 Dec 2005

- ix. ELIZABETH 'BETTY' ELLARD, b. 22 May 1832, Birmingham, Jefferson County, AL; d. 06 Jun 1913, Birmingham, Jefferson County, AL; m. DANIEL EASTIS; b. Abt. 1824; d. Abt. 1881.

More About ELIZABETH 'BETTY' ELLARD:
Record Change: 22 Dec 2005

More About DANIEL EASTIS:
Record Change: 22 Dec 2005

13. x. ANDREW J. ELLARD, b. 11 May 1834, Jefferson County, AL; d. 04 Apr 1905, Jefferson County, AL.

Generation No. 4

5. WILLIAM 'BILL'⁴ ELLERD, SR (*JAMES³, AMOS², SAMUEL¹ ELLARD*) was born 15 May 1791 in Pendleton Dist., SC, and died 12 May 1882 in Talladega County, AL. He married (1) MARGARET LOVELADY Abt. 1810. She was born Abt. 1794 in SC, and died Abt. 1861 in NC. He married (2) ELEANOR KELTON 20 Jul 1837 in Murray County, GA. She was born Abt. 1810 in TN.

Notes for WILLIAM 'BILL' ELLERD, SR:

1840 US Census, Murray County, GA:

William Ellard; 4 males under 5; 1 5/10; 1 30/40; 1 female uder 5, 2 5/10; /20/30, 1 30/40.

1850 US Census, Murray County, GA: page , 63rd Sub November 11 & 12, 1850

William Ellard, 46, farmer, SC; Elender, 40, TN; Jephtha, 12, GA; Hannah, 16, GA; James M., 7, GA.

1860 US Census, Murray County, GA July 1860

William Ellard, 52, farmer, 2000, 300, NC; Ellen, 50, TN; James, 17 Farm Laborer, GA.

Marriage Record on file in Murray County Court House, GA.

Additional:

Census: 1820 Place: Pendleton Dist. SC

Census: 1830 Place: Jefferson Co. AL

Land: 10 Jan 1833 Place: Deeds Bk 4, pg 310, William Ellard to William Turner

Land: 1835 Place: Bk 5, pg 471

Census: 1840 Place: Jefferson Co. AL

Land: 1 Mar 1849 Place: Bk 10 pg 170 William Ellard & wife Margaret to John Ellard

Census: 12 Dec 1850 Place: Jefferson Co. AL

Land: 10 Feb 1855 Place: Bk 12 pg 632, William Ellard & wife Margaret to John Ellard

Land: 1860 Place: Rockville Twp. 17, Range 2W, Page 348, Nos 646, 652

Census: 1860 Place: Jefferson Co. AL

Census: 30 Jul 1870 Place: Jefferson Co. AL (living w/son John)

US Census Reports: Pendleton District SC, 1820.

Jefferson CO AL William Ellerd: 2 males under 5, 1 15-20; 1 30-40-; 1 female under 5, 2 10-15; 1 15-20; 1 30-40-

Jefferson CO AL 1840 William Ellard: 2 males 10-15; 1 15-20; 1 50-60; 1 80-90; 1 female 4-10; 1 15-20; 1 50-60.

Jefferson CO AL pg 215, Greens District No. 32; Nos. 34; 32; 12 December 1850: William Ellard Sr. 63 farmer, 500, NC; Margaret 56, NC; John 21, AL; Martha 20, AL.

Jefferson CO AL 1860. Jefferson CO AL Rockville Township 17, Range 2W, Page 348, Nos. 646, 652,

30 July 1870: Ellard, John 41 farmer, 500, AL; William Ellard 82 at home, SC.

Jefferson CO AL deeds: Bk 4, pg 310, William Ellard to William Turner, 10 January 1833; Bk 5, pg 471, 1835,

bk 10, pg 170; William Ellard and wife Margaret to John Ellard 1 March 1849; bk 12, pg 632: William Ellard and wife Margaret to John Ellard 10 February 1855.

Census: 1820 Place: Pendleton Dist. SC

Census: 1830 Place: Jefferson Co. AL

Land: 10 Jan 1833 Place: Deeds Bk 4, pg 310, William Ellard to William Turner

Land: 1835 Place: Bk 5, pg 471

Census: 1840 Place: Jefferson Co. AL

Land: 1 Mar 1849 Place: Bk 10 pg 170 William Ellard & wife Margaret to John Ellard

Census: 12 Dec 1850 Place: Jefferson Co. AL

Land: 10 Feb 1855 Place: Bk 12 pg 632, William Ellard & wife Margaret to John Ellard

Land: 1860 Place: Rockville Twp. 17, Range 2W, Page 348, Nos 646, 652

Census: 1860 Place: Jefferson Co. AL
Census: 30 Jul 1870 Place: Jefferson Co. AL (living w/son John)

More About WILLIAM 'BILL' ELLERD, SR:
Record Change: 23 Dec 2005

More About MARGARET LOVELADY:
Record Change: 22 Dec 2005

More About ELEANOR KELTON:
Record Change: 22 Dec 2005

Children of WILLIAM ELLERD and MARGARET LOVELADY are:

- i. SOLOMON⁵ ELLERD, b. 30 Mar 1811, SC.

More About SOLOMON ELLERD:
Record Change: 22 Dec 2005

- ii. SARAH ELLERD, b. 10 Aug 1813, SC.

More About SARAH ELLERD:
Record Change: 23 Dec 2005

- iii. MARTHA ELLERD, b. 18 Aug 1815, SC.

More About MARTHA ELLERD:
Record Change: 15 Oct 2005

- iv. MARTHA ELLERD, b. 18 Aug 1815, SC.

More About MARTHA ELLERD:
Record Change: 15 Oct 2005

- v. HANNAH ELLERD, b. 01 Oct 1818, SC.

More About HANNAH ELLERD:
Record Change: 22 Dec 2005

- vi. DAVID ELLERD, b. 01 Mar 1820, Jefferson County, AL.

More About DAVID ELLERD:
Record Change: 22 Dec 2005

- vii. HENRIETTA 'RITTA' ELLERD, b. 29 Jan 1822, AL; d. Green Pond, Bibb County, Alabama; m. JOSEPH OGLESBY, 07 Jan 1841, Jefferson County, AL; b. Abt. 1822, Al.

More About HENRIETTA 'RITTA' ELLERD:
Record Change: 22 Dec 2005

More About JOSEPH OGLESBY:
Record Change: 23 Dec 2005

- viii. TEMPERANCE ELLERD, b. 29 Mar 1824, AL.

More About TEMPERANCE ELLERD:
Record Change: 23 Dec 2005

- ix. WILLIAM ELLERD JR, b. 12 Aug 1826, Jefferson County, AL.

More About WILLIAM ELLERD JR:
Record Change: 23 Dec 2005

- x. JONATHAN 'JOHN' ELLARD, b. 04 Aug 1828, AL; d. 01 Nov 1888, Jefferson County, AL; m. MARTHA

EASTIS; b. 02 Mar 1831; d. 12 Nov 1907, Jefferson County, AL.

Notes for JONATHAN 'JOHN' ELLARD:

This cemetery is near Birmingham Airport and Interstate Highway. It has not been located and may have been destroyed.

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More About JONATHAN 'JOHN' ELLARD:

Record Change: 23 Dec 2005

More About MARTHA EASTIS:

Record Change: 22 Dec 2005

- xi. ELIZABETH ELLERD, b. 28 Oct 1831, AL; d. 28 Apr 1919, Jefferson County, AL.

More About ELIZABETH ELLERD:

Record Change: 22 Dec 2005

Children of WILLIAM ELLERD and ELEANOR KELTON are:

- xii. JEPHTHA⁵ ELLARD, b. 14 Jan 1838, Murray County, GA; m. (1) LYDIA J. PHIPPS, 28 Oct 1862, Murray County, GA; b. 04 Mar 1843, GA; d. 02 Mar 1888, TX; m. (2) AMANDA M. BELL, 23 Dec 1888, Smith County, TX; b. 10 Oct 1845, Stewart County, GA; d. 11 Jan 1918, Smith County, TX.

Notes for JEPHTHA ELLARD:

US Census: Benton CO AL 1840 Jephtha Ellard: 1 male 20-30 ; 1 60-69; 1 female 15-19.

Talladega CO AL November 11, 1850 Jephtha Ellard 29 farmer 4 00 SC;

Alsly 28 SC cannot read or write; Mary 10 AL; Andrew 8 AL; E lizabeth 6 AL;

Martha 2 AL; Nancy 7/12 AL; Marion Bishop 12 GA; Mary Ellar d 80 VA

Mortality Schedule James Ellard 80 VA died February (See Ja mes Sr;AmosI).

Prior to the Civil War 3 Jul 1861 joined Company C, 11th Regiment, Georgia Volunteer Infantry, Army of Northern Virginia, C.S.A., as a Private. Appointed 3rd Sergeant, 2 Sep 1862. Surrendered at Appomattox, Virginia, 9 Apr 1865.

US Census 1880, Smith County, TX

Jephtha Ellard, 42, GA; Lydia, 36, GA; David, 15, GA; William, 14, GA; Joseph, 11, GA; John, 7, TX; May, 5, TX; Irene, i, TX.

US Census 900, Smith County, TX

Jeff Ellerd, 72, GA, living alone.

Smith County Marriage records show J. Ellard and A.M. Bell were married 23 Dec 1888 by D.J. Bedell, an ordained minister of the gospel. Jephtha was 50 in 1888 and had lost Lydia in Mar and his youngest child was not quite four, so it seems logical that Jephtha married again.

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More About JEPHTHA ELLARD:

Record Change: 22 Dec 2005

More About LYDIA J. PHIPPS:

Record Change: 23 Dec 2005

More About AMANDA M. BELL:

Record Change: 22 Dec 2005

- xiii. HANNAH ELLARD, b. Abt. 1840, Murray County, GA.

More About HANNAH ELLARD:

Record Change: 22 Dec 2005

- xiv. JAMES MONROE ELLARD, b. 14 Jan 1843, Springhill Place, Murray County, GA; d. 14 Jun 1914, Baldwin, Habersham County, GA; m. (1) AMANDA MELVINA BELL, 06 Nov 1862, Randolph County, GA; b. 10 Oct 1845, Stewart County, GA; d. 01 Nov 1918, TX; m. (2) SUSAN CLAY BELL, 07 Nov 1880, Randolph

County, GA; b. 06 Nov 1851, Benevolence, Randolph County, GA; d. 17 Dec 1931, Calhoun County, GA.

Notes for JAMES MONROE ELLARD:

Roster of the Confederate Soliders of Georgia; 1861-1865

James Monroe Ellerd served in the Confederate States Army 1861-1964, Company C, 11th Regiment, Georgia Volunteer Infantry, Private. July 3, 1861, wounded in left arm necessitating amputation above the elbow. This was done at the 2nd Manassas, VA, August 30, 1862. He was captured at Tilton, GA, 14 May 1864. He was paroled at Camp Marton, IN, and forwarded to Point Lookout, MD, 10 March 1965. He was then received at James River, VA, for exchange, 23 March 1865. He is described as 5'7" tall, fair complexion, blue eyes and light hair.

Conflicting information on where he is burried:

Murry County Heritage Book
Copyright 1987

Shows James Monroe Ellard buried in the Confederate Cemetery at LaGrange, GA. Row 4 18th Grave from East. Grave Marker: Pvt James M. Ellerd, Co K., 68th Tenn CSA. However, after personnaly checking this out 21 May 1995, this can not be true for the Grave is plainly marked J. M. Feller, Co. K., 68th Tenn, CSA. So the grave at Leatherwood Baptist Church Cemetery in Banks County must be the correct grave.

More About JAMES MONROE ELLARD:
Burial: Leatherwood Cemetery, Banks Co., Ga
Record Change: 22 Dec 2005

More About AMANDA MELVINA BELL:
Record Change: 22 Dec 2005

More About SUSAN CLAY BELL:
Record Change: 22 Dec 2005

6. JAMES W.⁴ ELLERD, JR (*JAMES*³, *AMOS*², *SAMUEL*¹ *ELLARD*) was born Abt. 1810 in SC, and died 25 Nov 1885 in GA. He married (1) PATSY STARRETT, daughter of BENJAMIN STARRETT and CYNTHIA. She died Abt. 1850 in GA. He married (2) CHARITY BOATWRIGHT, daughter of WILLIAM BOATWRIGHT and ELIZABETH QUINN. She was born Abt. 1812 in GA.

Notes for JAMES W. ELLERD, JR:

Date of death taken from tombstone.

James, Jr. and family lived on Tallulah River in Bryan's Militia District of Habersham County. This land is now covered by the waters of Lake Rabun. James, Jr. was a member of the Chechero Baptist Church.

1850 US Census, Rabun County, GA, page 119:

James Ellard, Jr., 40, Farming, 300, SC; Charity, 38, GA; William, 22; Benjamin, 19; Elizabeth, 16; Vina, 14; Martha, 11; Amos, 9; James, 5; Nancy, 3; Howell Cobb, 2; Mary, 1/12.

1860 US Census, Rabun County, GA, Tiger Post Office, page 70, 13 Aug 1860:

James Ellard, 55, M.G. (Bapt.), 800, 986, SC; Charity, 50, GA; James, 14, GA; Nancy, 12, GA; Howell Cobb, 10, GA; Heppy Ann, 8, GA; Charity, 6, GA; Catherine, 4, GA.

1870 US Census, Rabun County, GA, Clayton Post Office, page 28, 28 Jul 1870:

James Ellard, 60, Farmer, 600, 600, SC; Charity, 55, Keeps House, GA; Epsiann, 19, At Home, GA; Catherine, 16, At Home, GA.

James Ellard, Jr. Bryan District, Habersham County, Dec 1817; James Ellard, Jr. of Higginbotham's District, Rabun County on 7 Jan 1833; and James Ellard Jr. of Higginbotham's District of Rabun County, 6 Nov 1835 received land grants.

No marriage records have been found for James Ellard Jr. In her notes, Clyde M. Ellard stated that Charity

Boatwright was his second wife. In the book, "A Collection of Upper South Carolina Genealogy and Family Records", by James E. Wooley, Volume 1, page 222, shows a list of the children of Bengamin Starrett and his wife, Cynthia included Patsy who was married to James Ellard. The guess is that James Ellard was James Jr. and that Patsy died after the birth of Amos is only a guess.

1830 US Census, Rabun County, GA, James Ellard, Jr., 1 Male under 5; 1 20/30; 1 Female under 5; 1 15/20.

1840 US Census, Rabun County, GA, James Ellard, 1 Male 5/10; 1 10/15; 1 30/40;
3 Females under 5; 1 5/10; 1 10/15; 1 20/30.

State of Georgia
Rabun County

I James Ellerd of Said State and County, being of sound and Disposing mind and memory do make this, my last will and testament.

Item 1st I will that my Soul return to God who gave it and my body be neatly Buried.

Item 2nd and that all my Just Debts be paid

Item 3rd I give and Bequeath and devise to my wife Charity T. Ellerd all my land to her own proper use Benifit and behoof So long as She lives

Item 4 and So much of the property as She needs for her own use and Benifit

Item 5 and my will is at my death and my wife's death that all my Estate Personal and real Be sold equally divided between my heirs

Item 6 I hereby constitute and appoint my Sons to wit J. F. Godfrey and F. H. Taylor Executors of this my last will and testament this 22nd day of August 1884.

James Ellerd

Source: Early Genealogical and Historial Records
Habersham County, Georgia
By: Herbert B. Kimzey
Compiled by: Nancy Kimzey Dempsey

p.127

The third Deed Book, Book C., 1824-1826

[168] Solomon Taylor to James Ellard deed 8 Apr 1825 to lot 167 of 13th dist. Wit: Amos Ellard, William Smith. Probated Rabum Co. Ga before John S. Miller, JP.

More About JAMES W. ELLERD, JR:

Burial: Old Eden Cemetary Habersham Co., Georgia; Cemetary moved near Lake Rabun

Record Change: 22 Dec 2005

More About PATSY STARRETT:

Record Change: 23 Dec 2005

More About CHARITY BOATWRIGHT:

Record Change: 22 Dec 2005

Children of JAMES ELLERD and PATSY STARRETT are:

- i. ELIZABETH⁵ ELLARD, m. STEPHEN SMITH, 20 Jun 1852, Rabun County, GA.

More About ELIZABETH ELLARD:

Record Change: 22 Dec 2005

More About STEPHEN SMITH:

Record Change: 23 Dec 2005

- ii. MALINDA 'VINA' ELLARD, m. JAMES FRANKLIN GODFREY, Abt. 1871.

More About MALINDA 'VINA' ELLARD:

Record Change: 23 Dec 2005

More About JAMES FRANKLIN GODFREY:
Record Change: 23 Dec 2005

- iii. MARTHA ELLARD, m. DAVID NEWTON SHIRLEY, 16 Nov 1857.

More About MARTHA ELLARD:
Record Change: 23 Dec 2005

More About DAVID NEWTON SHIRLEY:
Record Change: 23 Dec 2005

- iv. AMANDA ELLARD.

More About AMANDA ELLARD:
Record Change: 22 Dec 2005

- v. WILLIAM DAVID ELLARD, b. Abt. 1828, GA; d. Abt. 1884, GA; m. MARY FRANCES SMITH, 14 Dec 1854, Habersham County, GA; b. 24 Feb 1836, GA; d. 07 Oct 1916.

Notes for WILLIAM DAVID ELLARD:
1860 US Census, Rabun County, GA, Tiger Post Officer, 13 Aug 1860:
William Ellard, 32, Farmer, 700, GA; Mary F., 24, GA; Lucy Ann C., 3, GA;
James, 1, GA; Martha D., 7/12, GA.

1870 US Census, Rabun County, GA, Clayton Post Office, 26 Aug 1870, p. 79, 558,579:
William Ellard, 42, Farmer, 1000, 100, GA; Mary, 34, Keeps House, GA, can not read or write; Martha, 11, GA; Jefferson, 9, GA; Susan, 4, GA; Sanford, 2, GA.

US Census Rabun County, GA, Stonepile, 20-173-7-14:
William D. Ellard, 52, GA; Mary F., 44, GA; Martha D., GA; Jephtha D., 18, GA; Susanna, 14, GA; Elias, 12, GA; Clarrisa A. T. 10, GA; Martin B., GA; William S., 5, GA; Alfred Dockens, Bo., NC.

William D. Ellard's Will is on file in Rabun County, GA and dated 21 Feb 1875.

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More About WILLIAM DAVID ELLARD:
Record Change: 23 Dec 2005

More About MARY FRANCES SMITH:
Record Change: 23 Dec 2005

- vi. BENJAMIN CALHOUN ELLARD, b. Abt. 1831, GA; d. Nov 1897, Habersham, GA; m. (1) AVA RILLA ROPER; m. (2) SUSANNAH SHIRLEY, 20 Feb 1853, Habersham, GA; d. Abt. 1860, GA.

Notes for BENJAMIN CALHOUN ELLARD:

1860 US Census, Banks County, GA 25 Jun 1860:
Benjamin Ellard, 29, Farmer, 700, 458, GA; Newberry, 6, GA; Margaret, 4, GA; James C., 2, GA; Benjamin, 1/12, GA; Susannah Shirley, 59, Housekeeper, SC.
Presumably this Susannah Shirely is the mother of Susannah Shirley who married Benjamin Ellard.

1870 US Census, Habersham County, GA Deep Creek District, 15 Jul 1870:
Benjamin Ellard, 39, Farmer, 1000, 450, GA; Avarilla, 36, Keeping House, SC; Newberry J., 17, working on farm, GA; Margaret T., 14, GA; James C., 12, GA; Benjamin, 10, GA; Martha J., 8, GA; Nancy C., 5, GA; William, 3, GA; Mary F., 1/12, GA.

1880 US Census, Habersham County, GA, 16 Jun 1880:
Benjamin Ellard, 48, farming, b.GA., father b.SC, mother b.GA; Ava, 35 wife, keeping house, SC, SC, SC;
Benjamin J., 20, son, laborer, GA, GA, SC; Martha, 16, dau, at home, GA, GA, SC; Catherine, 14, dau, at home, GA, GA, SC; William, 12, son, laborer, GA, GA, SC; Winnie, 8, dau, GA, GA, SC; Lina, 8, 3, dau, GA, GA, SC.

Georgia, Habersham County, 3 March 1879, Benjamin Ellard made application for letters of guardianship of

the person and property of Benjamin J. Ellard, minor child; granted; Benjamin Ellard signed swearing to perform all duties required as guardian to best of his ability.

Minutes Court of Ordinary, October 10, 1883, Habersham County, Georgia:

Benjamin Ellard of said county having been declared as imbecile by a jury commissioned to sit on his case, who decided him incapable of managing his own affairs. James C. Ellard, son of Benjamin Ellard, requested he be appointed guardian to take charge of the estate. He was appointed and took the oath required by law.

Same court, 5 July 1887, J. A. Erwin appointed permanent administrator of the estate of Benjamin Ellard, deceased.

July 1, 1898: The years support set apart to Mrs A. R. Ellard, widow of Benjamin Ellard having been filed, and published according to law. Ordered that the same become the Judgment of the Court. W. D. Hill, Ordinary.

December term, 1905. In re: Estate of Benjamin Ellard: It appearing to the court that the citation for a discharge from his Administration of Benjamin Ellard's Estate, has been duly issued and published and it also appearing to the Court from a thorough examination of all proceeding of said J. A. Erwin Administrator of Benjamin Ellard Estate, that he has fully and faithfully administered said estate, and is legally entitled to a discharge from his administration and no objection being offered to his dismissal this Court orders that he be discharged from his Administration of Benjamin Ellard's Estate and that as evidence of this discharge letters of dismissal issue to him. M. Franklin, Ordinary.

No marriage record has been located for Benjamin Ellard and Ava Rilla Roper. A marriage for Benjamin Strickland and Averilla Roper, 16 August 1860, by Bennett Rylee, J. P. is said to be recorded in the Marriage License Books (1853-1873), Banks County, GA, p. 23.

Would this be an error in recording, and should be Benjamin Ellard instead of Strickland, or was Ava Rilla Roper widowed shortly after marriage to Benjamin Strickland and then married Ellard??? The first child for Benjamin Ellard and Ava Rilla was born about 1862.

More About BENJAMIN CALHOUN ELLARD:

Record Change: 22 Dec 2005

More About AVA RILLA ROPER:

Record Change: 23 Dec 2005

More About SUSANNAH SHIRLEY:

Record Change: 23 Dec 2005

vii. AMOS ELLARD, b. Abt. 1841, Rabun County, GA.

More About AMOS ELLARD:

Record Change: 22 Dec 2005

Children of JAMES ELLERD and CHARITY BOATWRIGHT are:

viii. MARY^s ELLARD, d. Died in infancy.

More About MARY ELLARD:

Record Change: 23 Dec 2005

ix. HEPZIBAH ANN ELLARD, m. WALTER DOCKINS.

More About HEPZIBAH ANN ELLARD:

Record Change: 22 Dec 2005

More About WALTER DOCKINS:

Record Change: 22 Dec 2005

x. CHARITY ELLARD.

More About CHARITY ELLARD:

Record Change: 22 Dec 2005

xi. LUCY CATHERINE ELLARD, m. FRAZURE A. TAYLOR.

More About LUCY CATHERINE ELLARD:

Record Change: 23 Dec 2005

More About FRAZURE A. TAYLOR:

Record Change: 23 Dec 2005

xii. JAMES W. ELLARD, b. 21 Mar 1846, Rabun County, GA.

More About JAMES W. ELLARD:

Record Change: 22 Dec 2005

xiii. NANCY ELLARD, b. Jul 1847.

More About NANCY ELLARD:

Record Change: 22 Dec 2005

xiv. NEWTON HOWELL COBB ELLARD, b. 02 Feb 1849; m. FANNIE IVESTER.

More About NEWTON HOWELL COBB ELLARD:

Record Change: 22 Dec 2005

More About FANNIE IVESTER:

Record Change: 23 Dec 2005

7. THOMAS⁴ ELLERD (*JAMES³, AMOS², SAMUEL¹ ELLARD*) was born Abt. 1816 in SC. He married MARY BARNES 13 Dec 1838 in Talladega County, AL. She was born Abt. 1817 in Talledega County, AL.

More About THOMAS ELLERD:

Record Change: 23 Dec 2005

More About MARY BARNES:

Record Change: 22 Dec 2005

Children of THOMAS ELLERD and MARY BARNES are:

i. JAMES⁵ ELLARD, b. Abt. 1839.

More About JAMES ELLARD:

Record Change: 15 Oct 2005

ii. MARY JANE ELLARD, b. 18 Dec 1840, Wedowes, Clay County, AL.

More About MARY JANE ELLARD:

Record Change: 23 Dec 2005

iii. THOMAS JEFFERSON ELLARD, b. 10 Mar 1844, Talledega County, AL; m. LUCINDA JANE BREWER; b. 18 Jun 1843.

More About THOMAS JEFFERSON ELLARD:

Record Change: 23 Dec 2005

iv. LUCINDA ELLARD, b. Abt. 1846, AL.

More About LUCINDA ELLARD:

Record Change: 23 Dec 2005

v. ANNE FRANCES ELLARD, b. 26 Oct 1848, AL.

More About ANNE FRANCES ELLARD:

Record Change: 22 Dec 2005

vi. TEMPE ELLARD, b. Abt. 1852.

More About TEMPE ELLARD:
Record Change: 23 Dec 2005

- vii. JOHN A. ELLARD, b. Abt. Nov 1853, AL.

More About JOHN A. ELLARD:
Record Change: 22 Dec 2005

- viii. MARTHA ELLARD, b. Abt. 1855.

More About MARTHA ELLARD:
Record Change: 23 Dec 2005

- ix. NANCY E. ELLARD, b. 27 Dec 1858.

More About NANCY E. ELLARD:
Record Change: 23 Dec 2005

8. JEPHTHA⁴ ELLERD (*JAMES*³, *AMOS*², *SAMUEL*¹ *ELLARD*) was born Abt. 1821 in SC. He married ALSA PACK 14 Mar 1840 in Talladega County, AL.

Notes for JEPHTHA ELLERD:

1840 US Census, Benton County, AL
Jeptha Ellard: 1 male 20-30, 1 60-69; 1 female 15-19.

1850 US Census, Talladega County, AL, Nov. 11, 1850.
Jeptha Ellard, 29, farmer, 400, SC; Alsy, 28, SC, cannot read or write; Mary, 10, AL; Andrew, 8, AL; Elizabeth, 6, AL; Martha, 2, AL; Nancy, 7/12, AL.

More About JEPHTHA ELLERD:
Record Change: 22 Dec 2005

More About ALSA PACK:
Record Change: 23 Dec 2005

Children of JEPHTHA ELLERD and ALSA PACK are:

- i. MARY⁵ ELLARD.

More About MARY ELLARD:
Record Change: 23 Dec 2005

- ii. ELIZABETH ELLARD.

More About ELIZABETH ELLARD:
Record Change: 22 Dec 2005

- iii. MARTHA ELLARD.

More About MARTHA ELLARD:
Record Change: 23 Dec 2005

- iv. NANCY ELLARD.

More About NANCY ELLARD:
Record Change: 23 Dec 2005

- v. JESSE ANDREW ELLARD, b. Abt. 1842, Benton County, AL; d. 09 Dec 1861, Dumfries, VA; m. LUCINDA FRANCES SHULTZ, 23 Dec 1858, Talladega County, GA; d. 30 Apr 1881, Clay County, AL.

Notes for JESSE ANDREW ELLARD:

Jesse Andrew Ellard served in the Fourteenth Regiment Alabama Volunteers.

More About JESSE ANDREW ELLARD:
Record Change: 22 Dec 2005

More About LUCINDA FRANCES SHULTZ:
Record Change: 23 Dec 2005

9. WILLIAM WASHINGTON⁴ ELLARD (*JONATHAN³, AMOS² ELLERD, SAMUEL¹ ELLARD*) was born 29 Sep 1821 in St Clair County, AL, and died 15 May 1897 in Birmingham, Jefferson County, AL. He married (1) NANCY CALISTA MONTGOMERY 22 Apr 1841 in Jefferson County, AL, daughter of JAMES MONTGOMERY and MARTHA REESE. She was born 25 Jun 1825 in AL, and died 01 Aug 1856 in Jefferson County, AL. He married (2) MARY J. 'POLLY' BARTON 05 Nov 1861 in Jefferson County, AL. She was born Abt. Feb 1825 in AL.

More About WILLIAM WASHINGTON ELLARD:
Record Change: 23 Dec 2005

More About NANCY CALISTA MONTGOMERY:
Record Change: 23 Dec 2005

More About MARY J. 'POLLY' BARTON:
Record Change: 22 Dec 2005

Children of WILLIAM ELLARD and NANCY MONTGOMERY are:

- i. ANNA CATHERINE⁵ ELLARD, b. 29 Jan 1842, Jefferson County, AL; d. 02 Jun 1912, Jefferson County, AL; m. JOHN W. EASTIS, 06 Jan 1859, East Lake, Jefferson County, AL; b. 12 Mar 1837, AL.

More About ANNA CATHERINE ELLARD:
Record Change: 22 Dec 2005

More About JOHN W. EASTIS:
Record Change: 22 Dec 2005

- ii. MARTHA B. ELLARD, b. 22 May 1845, Jefferson County, AL; d. 14 Nov 1914, Jefferson County, AL; m. JACKSON TURNER, 24 Feb 1875, Jefferson County, AL.

More About MARTHA B. ELLARD:
Record Change: 23 Dec 2005

More About JACKSON TURNER:
Record Change: 23 Dec 2005

- iii. MARY J. ELLARD, b. Abt. 1848, Jefferson County, AL; d. Abt. May 1860, Jefferson County, AL.

Notes for MARY J. ELLARD:
Mary listed as child of William and Calista Ellard with the notation that she died; d. Mar 1860, Jefferson County, Alabama.

More About MARY J. ELLARD:
Record Change: 23 Dec 2005

- iv. JAMES ELLARD, b. 27 Nov 1848, Jefferson County, AL; d. 30 Dec 1904, Jefferson County, AL; m. SUSAN OPHELIA BARTON, 11 Jan 1871, Jefferson County, AL.

More About JAMES ELLARD:
Record Change: 22 Dec 2005

More About SUSAN OPHELIA BARTON:
Record Change: 22 Dec 2005

- v. SARAH ISABEL ELLARD, b. Abt. 1853, Jefferson County, AL; m. JAMES MONROE RUSSELL, 16 Nov 1874, Jefferson County, AL; b. 03 Mar 1851, Jefferson County, AL.

More About SARAH ISABEL ELLARD:

Burial: East Lake Cemetery, Jefferson County, AL
Record Change: 23 Dec 2005

More About JAMES MONROE RUSSELL:
Record Change: 23 Dec 2005

- vi. FELIX JONATHAN ELLARD, b. 17 Mar 1855, Jefferson County, AL; d. 18 Mar 1912, Jefferson County, AL;
m. MARTHA ALICE RUSSELL, 13 Nov 1874, Jefferson County, AL; b. 24 Feb 1859, Jefferson County, AL; d.
21 Oct 1913, Jefferson County, AL.

Notes for FELIX JONATHAN ELLARD:

Notes from Una Alice Lacey Nobel found written in book "Through These Years" by Helen S. Hall, a history of Lewisburg Baptist Church in Jefferson County, provide confirmation of vital information on Felix Jonathan Ellard and wife Martha Alice Russell. It also includes the names birth and death dates for their children. In some cases it provides names of the spouse.

First buried at Ellard Cemetery north of Birmingham Municipal Airport. This cemetery was recocated to Trussville, Alabama as a result of airport expansion.

More About FELIX JONATHAN ELLARD:
Record Change: 22 Dec 2005

More About MARTHA ALICE RUSSELL:
Record Change: 23 Dec 2005

Child of WILLIAM ELLARD and MARY BARTON is:

- vii. NANCY JANE⁵ ELLARD, b. Abt. Sep 1866, AL.

More About NANCY JANE ELLARD:
Record Change: 23 Dec 2005

10. ISSAC⁴ ELLARD (*JONATHAN³, AMOS² ELLERD, SAMUEL¹ ELLARD*) was born 15 Nov 1823 in St Clair County, AL, and died 20 Jul 1891 in Attala County, MS. He married MARY ANN CUMMINS 12 Sep 1844 in Jefferson County, AL, daughter of WILLIAM CUMMINS and EMILY. She was born 26 Mar 1824 in NC, and died 14 Mar 1889 in Attala County, MS.

Notes for ISSAC ELLARD:

Census of Jefferson County, AL. 1850

Isaac Ellard, 27farmerAL.

Mary A. Ellard25N.C.

Rutha Ellard 6AL.

Jonathan Ellard 5"

William Ellard 4"

Census of Jefferson County, AL. 1850

Isaac Ellard, 27farmerAL.

Mary A. Ellard25N.C.

Rutha Ellard 6AL.

Jonathan Ellard 5"

William Ellard 4"

More About ISSAC ELLARD:
Record Change: 22 Dec 2005

More About MARY ANN CUMMINS:
Record Change: 22 Dec 2005

Marriage Notes for ISSAC ELLARD and MARY CUMMINS:

Note: Isaac and Mary were married in September 1844 and the census taken late in 1850 therefore the calculated birth years could be off by One year

Children of ISSAC ELLARD and MARY CUMMINS are:

- i. RUTHA⁵ ELLARD, b. Abt. 1844, AL.

More About RUTHA ELLARD:
Record Change: 23 Dec 2005

- ii. WILLIAM ELLARD, b. Abt. 1846.

More About WILLIAM ELLARD:
Record Change: 23 Dec 2005

- iii. JONATHAN ELLARD, b. 02 Oct 1846, Jefferson County, AL; d. 24 Nov 1920, Attala County, MS; m. ANNIE DEMARIS MULLEN.

More About JONATHAN ELLARD:
Burial: Musslewhite Cemetery
Record Change: 23 Dec 2005

More About ANNIE DEMARIS MULLEN:
Record Change: 23 Dec 2005

11. MERRITT⁴ ELLARD, SR (*JONATHAN³, AMOS² ELLERD, SAMUEL¹ ELLARD*) was born 15 Oct 1827 in Jefferson County, AL, and died 19 Mar 1894 in Jefferson County, AL. He married (1) MELINDA CUMMINS Abt. 1850. She was born Abt. 1832, and died Bef. 1868. He married (2) MARY ADELINE HEARLD Bet. 1853 - 1868. She was born Abt. 1836, and died Abt. 1868. He married (3) ELIZABETH SUSAN POOL 16 Apr 1870 in Jefferson County, AL. She was born 28 Oct 1841, and died 28 Apr 1919 in Jefferson County, AL.

Notes for MERRITT ELLARD, SR:

Merritt Ellard is buried at Mt Hebron Cemetery in Leeds, Jefferson County, Alabama: 11 Jul. 1827 / 19 Mar. 1894. There are several family members located there. No grave monument is found for wife (1) Melinda Cummins. There are three childrens graves adjacent to his. two are not completely readable but all three show them as children of M. and E. S. Ellard with birth dates in the 1870's. These are children of Merritts wife (3) Elizabeth Susan Poole. She is buried nearby : 28 Oct. 1841 / 28 Apr. 1919. The second wife of Merritt is Mary Adeline Herald 1836 / 1868. Her place of burial is also not found.

More About MERRITT ELLARD, SR:

Burial: Mar 1894, Mt Hebron Cemetery in Leeds, Jefferson County, Alabama
Record Change: 23 Dec 2005

More About MELINDA CUMMINS:

Record Change: 22 Dec 2005

More About MARY ADELINE HEARLD:

Record Change: 22 Dec 2005

More About ELIZABETH SUSAN POOL:

Record Change: 23 Dec 2005

Children of MERRITT ELLARD and MELINDA CUMMINS are:

- i. ANDREW JACKSON⁵ ELLARD, b. Abt. 1850.

More About ANDREW JACKSON ELLARD:

Record Change: 22 Dec 2005

- ii. ANNIE MCADAMS ELLARD, b. 31 Jan 1852; d. 07 Mar 1919; m. ELBERT JUDSON MCDANAL; b. 12 Aug 1847; d. 03 Mar 1919.

More About ANNIE MCADAMS ELLARD:

Burial: 08 Mar 1919, Mt Hebron Cemetery in Leeds, Jefferson County, Alabama

Record Change: 22 Dec 2005

More About ELBERT JUDSON MCDANAL:

Burial: 04 Mar 1919, Mt Hebron Cemetery in Leeds, Jefferson County, Alabama

Record Change: 23 Dec 2005

Children of MERRITT ELLARD and ELIZABETH POOL are:

- iii. INFANT⁵ ELLARD, b. 27 Jun 1871, Jefferson County, AL; d. 28 Jun 1871, Jefferson County, AL.

Notes for INFANT ELLARD:

Buried at Mt Hebron Cemetery, Leeds, Jefferson County, Alabama. Marker readable. Daughter of M. and E. S. Ellard. 27 Jun 1871 / 28 Jun 1871

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More About INFANT ELLARD:

Burial: 29 Jun 1871, Mt Hebron Cemetery in Leeds, Jefferson County, Alabama

Record Change: 22 Dec 2005

- iv. LULA DELL ELLARD, b. 15 May 1872, Jefferson County, AL; d. 13 Jan 1873, Jefferson County, AL.

More About LULA DELL ELLARD:

Burial: 14 Jan 1873, Mt Hebron Cemetery in Leeds, Jefferson County, Alabama

Record Change: 23 Dec 2005

- v. DANIEL E. ELLARD, b. 17 May 1874, Jefferson County, AL; d. Abt. 1875, Jefferson County, AL.

Notes for DANIEL E. ELLARD:

Buried at Mt Hebron Cemetery, Leeds, Jefferson County, Alabama. Marker broken and hard to read. Son of M. and E. S. Ellard 17 May 1874 / 30 ___ 1875.

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More About DANIEL E. ELLARD:

Burial: Abt. 1875, Mt Hebron Cemetery in Leeds, Jefferson County, Alabama

Record Change: 22 Dec 2005

- vi. MERRITT ELLARD, JR, b. 02 Sep 1876, Jefferson County, AL; d. 21 Jul 1942, Jefferson County, AL; m. SARAH APPLEBERRY; b. 28 Feb 1886; d. 24 Nov 1965.

More About MERRITT ELLARD, JR:

Burial: 22 Jul 1942, Mt Hebron Cemetery in Leeds, Jefferson County, Alabama

Record Change: 23 Dec 2005

More About SARAH APPLEBERRY:

Burial: 25 Nov 1965, Mt Hebron Cemetery in Leeds, Jefferson County, Alabama

Record Change: 22 Dec 2005

- vii. ISAAC ELLARD, b. 28 Nov 1878, Jefferson County, AL; d. 22 Nov 1918.

Notes for ISAAC ELLARD:

Buried at Mt. Hebron Cemetery in Leeds, Jefferson County, Alabama.

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More About ISAAC ELLARD:

Burial: 23 Nov 1918, Mt Hebron Cemetery in Leeds, Jefferson County, Alabama

Record Change: 22 Dec 2005

- viii. LUCUNDA ELLARD, b. 14 Dec 1881.

More About LUCUNDA ELLARD:
Record Change: 23 Dec 2005

ix. ELIZABETH ELLARD, b. 11 Jul 1883.

More About ELIZABETH ELLARD:
Record Change: 22 Dec 2005

12. JOSEPH BERRY⁴ ELLARD (*JONATHAN³, AMOS² ELLERD, SAMUEL¹ ELLARD*) was born 26 Apr 1829 in Jefferson County, AL, and died 02 Jun 1892 in Jefferson County, AL. He married SAPHRONIA E. MCDONALD 24 Dec 1857 in Jefferson County, AL. She was born 25 Jan 1834, and died 26 Oct 1913 in Jefferson County, AL.

More About JOSEPH BERRY ELLARD:
Burial: 03 Jun 1892, East Lake Cemetery, Jefferson County, AL
Record Change: 23 Dec 2005

More About SAPHRONIA E. MCDONALD:
Burial: 27 Oct 1913, East Lake Cemetery, Jefferson County, AL
Record Change: 23 Dec 2005

Child of JOSEPH ELLARD and SAPHRONIA MCDONALD is:

- i. JONATHAN ALLEN⁵ ELLARD, b. 03 May 1862, Jefferson County, AL; d. 01 Apr 1932, Jefferson County, AL;
m. ELLA AMMA ROCKET, 09 Dec 1887, Jefferson County, AL; b. 01 May 1866, AL; d. 05 May 1948,
Birmingham, Jefferson County, AL.

More About JONATHAN ALLEN ELLARD:
Record Change: 22 Dec 2005

More About ELLA AMMA ROCKET:
Record Change: 23 Dec 2005

13. ANDREW J.⁴ ELLARD (*JONATHAN³, AMOS² ELLERD, SAMUEL¹ ELLARD*) was born 11 May 1834 in Jefferson County, AL, and died 04 Apr 1905 in Jefferson County, AL. He married MARGARET MCDANAL 08 Jan 1861 in Jefferson County, AL. She was born Abt. 1842, and died Abt. 1903 in Jefferson County, AL.

Notes for ANDREW J. ELLARD:
Enlisted as a Private on 10 May 1862 at Elyton, Jefferson County, in Company G, Turners Reg. part of 43rd Alabama Infantry CSA

Other Ellards: Absalom, and William F in Co A; John in Co. _____

More About ANDREW J. ELLARD:
Record Change: 22 Dec 2005

More About MARGARET MCDANAL:
Record Change: 23 Dec 2005

Child of ANDREW ELLARD and MARGARET MCDANAL is:

- i. MAGNOLIA⁵ ELLARD, b. 12 Feb 1886, Jefferson County, AL; d. 28 Feb 1904, Jefferson County, AL.

More About MAGNOLIA ELLARD:
Record Change: 23 Dec 2005