



Historical Document

Title: Major Presley Yates

Sub- Title: 1805-1878 Of Lewis Fork, NC and Catoosa County, GA

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Author: Roger Bowman

General Description: A pioneer settler of Catoosa County

Author's Comments:

Other Notes:

Major Presley Yates

1805-1878

Of Lewis Fork, NC and Catoosa County, GA



Compiled and Printed

By

Roger Bowman

June 23, 2022

Major Presley Yates

“Major” Presley Yates Name

David Yates, brother of Presley named one of his sons Major Waugh Yates (1853-1926), so the name “Major” had some meaning to the family, whether David was naming him after Major Presley Yates or if the name had earlier links in the family. It is obvious that there was no connection to the military rank of “Major”, but was derived from another source, although no connection has been found at this time.

The name Presley was derived from Presley’s 2nd Great-Grandmother, Mary Mildred Presley (1675-1770) who married Alexander Cleveland II, born 1667 in Abingdon Parish, Gloucester, England, and was the original Cleveland immigrant to Virginia.

Birth & Early Years

He was born November 1, 1805, in Lewis Fork Township, Wilkes County, North Carolina, the son of John D. Yates (1779-1875) and Elizabeth Cleveland (1783-1850). They are both buried in the Yates-Cleveland Cemetery in Stanton, Wilkes County, NC. His paternal grandparents were John Yates, who served in the N.C. Militia during the American Revolution and Jemima Roper. His maternal grandparents were Robert Cleveland and Aley Mathis. Captain Robert Cleveland served in the N.C. Militia and was an officer under his famous brother Colonel Benjamin Cleveland at the decisive Battle of King’s Mountain during the American Revolution.



(Gravesite of John D. and Elizabeth Cleveland Yates in Stanton, NC)

Immigration to Walker (Catoosa) County

The how, why and exactly when he came to Walker County (now Catoosa County, is unknown. A Presley Yates of Burnett’s District in Habersham County drew Lot 47 in Floyd County (5th District, 4th Section) in the Cherokee Land Lottery of 1832. No other record of a Presley Yates exists in the official records of the lottery. So, the story that he had “claims for land in Catoosa County” means that he must have

purchased several of these 160-acre land lots from Lottery Awards to others, which was a common practice. There is no question that his choice of a place to live was an excellent one. At this point Presley was 27 years old.

If Presley was the Presley listed in the Cherokee Land Lottery (above), he would have to have been living in Georgia (East of the Chattahoochee River) for at least a year to have been eligible for the lottery. Since the lottery was in 1832 and Presley and Rachel's first child (Benjamin) was born in 1832, the assumption is that Presley and Rachel were married in 1831, possibly in Habersham County.

At any rate, the best estimate of their arrival date in the Woodstation Valley is 1832 – 1836.

Marriage to Rachel Thedford.

According to International Marriage Records, Presley and Rachel were married in 1831 in Georgia. Rachel was the child of William and Elizabeth Thedford and was the youngest of her siblings, William, Mary, Allen and John Harkey, all of whom were born in Pendleton, Anderson County, SC. William, Elizabeth and family migrated to Rock Spring and lived there until William's death around 1850. William, Elizabeth, Allen and John Harkey are buried in Peavine Cemetery.



Rachel Frances Thedford

The Yates Home Place at Yates Spring

That the Yates houses were built in the late 1830s seems accurate, with the first house burning shortly after it was completed, and the replacement (which still stands) completed immediately thereafter. There is a story that the first house on the property was burned by the Indians the day before he was to move in. This is possible but not likely since there were no other incidents of this kind of conflict in Walker County during the period. At any rate, the Cherokee Removal began in Georgia in 1836 and was complete by 1839, which coincides with the construction of the Yates House(es).



(Presley and Rachel Yates in Front of Home in Late 1870s)

1840 – 1860

In the 1840 Census, the family was enumerated in District 956 of Walker County (now Catoosa). The family consisted of Presley and Rachel, children Benjamin, Rebecca Elizabeth, Mary Frances and John Franklin and an unknown female, age 60-69, along with 3 slaves (a woman 30-39 and two children under 10, one male and one female).

Note: The census taker in 1840 was William Thedford, Rachel's father

In the 1850 Census, the family had grown and now included children Benjamin, Rebecca Elizabeth, Mary Frances, John Franklin, William H., David W., Rachel T., Caroline and Presley Cicero. Rachel's mother Elizabeth Tedford was living with them along with a farm-hand Eller Mainer from Tennessee. There was no enumeration of slaves in the 1850 Census. Presley's real estate was valued at \$8,000 in 1850, which was quite substantial.

By 1860, the family added their last child, Alfred Allen Porter. Also living with them was Mary Printze, age 60. Her birthplace is listed as Virginia, but nothing else is known of her at this time.

In 1860, there was a separate Slave Census which showed 117 slaveholders in Catoosa County, 19 of whom owned more than 10 slaves. At the time of the Census, Presley Yates owned 12. Which appear to be perhaps one family with ages ranging from 3 to 53. It is interesting to note that in 1860 44% of Georgia's population were slaves, while in Catoosa County it was 13%.

Georgia Secession Convention of 1861

The Georgia Secession Convention of 1861 met in Milledgeville from January 16 to March 23, 1861. Two delegates were elected from Catoosa County, Presley Yates and Joseph McConnell. The issue was put to the vote on January 19, 1861; concluding at 2:00 P.M. (the vote was 208 in favor of immediate secession with 89 opposed). Presley Yates was one of the 89 who voted against secession. It is interesting to note, that one of his fellow delegates from Cass County (now Bartow) who voted with him against secession was William Tatum Wofford, who later served as Brigadier General in the Confederate Army, and who, late in the war was assigned to Northwest Georgia to restore law and order.

Following this vote a resolution was offered *“Resolved that all members of this Convention including those who voted against the said ordinance as well as who voted for it will sign the same as a pledge, of this unanimous determination of this Convention to sustain and defend the State in this now chosen remedy, with all its responsibilities and consequences without regard to individual approval or disapproval of its adoption”*

Following this resolution, all but six of the 89 signed, with six refusing to sign the Resolution but signing a pledge of *“their lives, fortunes and sacred honor”* to support their State.

The two remaining refused to sign the Ordinance of Secession, the Resolution or the Pledge. These two were William Fain of Fannin County and Presley Yates of Catoosa County.

The Incident and Shooting

In 1862, William Fain was waylaid and killed on a road leading to a ferry over the Hiwassee River in Fannin County following a trip into Tennessee to seek approval from the Union Army to raise a Union Regiment in Georgia.

On March 27, 1865. Another man was found in the dust of a road near his home, apparently dead from a gunshot wound. He had been taken from his home by members of Gatewood's band, shot and left for dead. He was taken to the U.S. Army Hospital in Ringgold where he was treated by U.S. Army surgeons and eventually recovered in the Federal Hospital there. That man was Presley Yates. At this point the war was almost over. Sherman had made his way across Georgia, through South Carolina, was in North Carolina and General Lee would surrender his Confederate forces in less than two weeks at Appomattox.

The Chattanooga Gazette actually published the below article declaring that Presley Yates was murdered.

ANOTHER MURDER —On Monday last, says the **Chattanooga Gazette**, a pack of scoundrels under the immediate command of Jim Edmonson, one of Gatewood's subordinates, went to the house of Major Presby Yates, in Wood's Station Valley, a few miles from Ringgold, and without provocation killed Major Yates by shooting. The Major had always been a staunch Union man. In the convention which met at Milledgeville, in 1861, to declare Georgia out of the Union, Major Yates took a firm stand against secession and voted against the ordinance every time

A reporter for the Delaware Gazette of Delaware, Ohio interviewed Presley Yates in person and offered the following account in the December 27, 1867, issue of said journal:

"I learn, from a conversation with Mr. Yates that he is of North Carolina birth and Revolutionary stock. The ball with which he was struck carried away the bones of the temple and his right eye. The left eye is almost useless from the effects of the powder which still blackens that part of his face. Before the last outrage in which his life was attempted, he was stripped of everything he had by the rebels, but his land, which was left naked. There were hundreds of Union men in this part of the State who suffered all he suffered but were not allowed to live to tell about it. I regret that everyone cannot hear the plain unsophisticated story of this true man as he relates it in his peculiar Georgia dialect. I would undertake to convert even a Copperhead by it."

Note: "Copperheads" or "Peace Democrats" were those people in the North who opposed the war because they believed it was unjustified and being waged in an unconstitutional manner. Moreover, they came to believe that the benefits of winning the war were not worth the cost.

Violence in Northwest Georgia - Gatewood and Edmondson

Guerilla warfare was commonplace in sparsely populated areas of North Georgia where there were divisions of sentiment among the civilian population. There is ample evidence that Catoosa County had a strong base of Union sentiment, as did many areas of North Georgia. This set up a natural environment for guerilla activity supporting both sides. These guerilla forces often roamed at will, particularly where there was little military presence of either side. In the later stages of the war, these paramilitary guerilla activities gathered momentum. In North Georgia, there were guerilla bands who loosely associated themselves with either Union or Confederate sentiments, and sometimes would claim an actual association with one army or another. One of the most notorious of those operating in Northwest Georgia were those loosely under the command of John Pemberton Gatewood, and his subordinate

Tom Polk Edmonson. Gatewood of Tennessee and Edmondson of Murray County had both served in regular units of the Confederate army prior to choosing the guerilla path.

It is generally believed that those who attempted to kill Presley Yates were under the loose command of Tom Polk Edmondson, and they were seeking revenge for his Union loyalty before and during the war. There is some speculation that the actual shooter was a man named Calvin "Cal" Glenn who was captured on Oct 4, 1867, in Grundy Co, TN and was awaiting trial in January of 1868 in Benton or Polk County.

After the War

Presley Yates remained loyal to the U.S. Government during the war, and this is further confirmed by the fact that he was chosen by the Reconstruction Government to participate in the Constitutional Convention of 1867. After Congress assumed responsibility for Reconstruction, Georgia called another convention in 1867 for the purpose of rewriting the state constitution to extend suffrage to black males, as mandated by Congress. Although these assemblies also addressed other changes to the state constitution, they were called primarily as the result of the Southern defeat in the war and the resulting federal Reconstruction policies.

Presley Yates was ordered to participate in the Convention of 1867, along with John M. Shields from the 44th Election District as follows:

It is ordered that the persons above named to meet in convention at Atlanta, Georgia on Monday, the 9th day of December 1867 and proceed to frame a Constitution and Civil Government for the State of Georgia, according to the provisions of the Acts above referred to, and that when the same have been so framed, the said Constitution be submitted for ratification to the registered voters of said State as required by law.

*John Pope
Brevet Major General, United States Army
Commanding*

Following his service as a delegate to the "Reconstruction Convention of 1867", he served as a Claims Commissioner after the war. The Southern Claims Commission was an organization of the executive branch of the United States government from 1871-1873 under President Ulysses S. Grant. Its purpose was to allow Union sympathizers who had lived in the Southern states during the American Civil War, 1861-1865, to apply for reimbursements for property losses due to U.S. Army confiscations during the war.

Southerners from 12 states filed claims with the Southern Claims Commission from 1871 to 1873 if they were loyal to the United States during the Civil War and had supplies officially taken by or furnished to the U.S. Army in the war

Southern Loyalists (those who were Union sympathizers) made 22,298 claims. The process of filing a claim was complex, requiring affidavits from neighbors, associates and often former slaves attesting to the fact that the claimant consistently displayed his loyalty to the Union during the war though his

actions and his speech. Consequently, many claimants were unable to withstand the intense scrutiny. Claimants were automatically disqualified if they or any family member had served in Confederate forces, as this was considered abetting the enemy. Claimants were also disqualified if they had provided any support to the Confederate military. Consequently, only 32 percent of the claims (7,092) were approved for payment.

Presley Yates personally filed Claim # 15038 in 1872 in the amount of \$4,423, which was awarded (some \$106,000 in today's \$).

Later Years

By 1870 the Presley Yates family included himself (age 64), Rachel (55), daughter Emma (23) sons; Presley Cicero (20), Oliver C. (18) and Alfred Porter (16). Also included was Mary Printze (79).

Additionally, there were, listed as Black:

Susannah Yates (27) – Farm servant

George Yates (20) – Farm servant (by 1880 he had married Hariette and had a family in Woodstation. He died in Chattanooga in 1911)

James Yates (11)

Sarah Yates (2)

By 1872, just prior to his death, property tax records show he owned 1,735 acres of land in Catoosa County.

Presley Yates died on December 6, 1878, and is buried with his wife Rachel Thedford Yates (1813-1889) in the Yates Cemetery, near the home place.



Last Will and Testament

His will was signed on November 23, 1878. It appears that he may have anticipated his death which occurred on December 6, 1878, two weeks after his final will was recorded. With his son William H. Yates named as Executor, the summary details are as follows:

Son, Benjamin Yates – “I have perhaps given him more than his share”

Son, John Yates – “one thousand dollars, having heretofore deeded him land valued at fifteen hundred dollars”

Son, William H. Yates – “the money I gave him to purchase the place on Dogwood, plus two lots of land, south half running west of where William H. Yates now lives

Son, Presley C. Yates – “lot of land laying west of the creek running up to A. Graham land and running back one-mile due west”

Son, A.H.P. Yates – “north half of Number 42, running west one mile, also Lot Number 6, also west half of two lots to William”

Daughter, Elizabeth Yates Camp – “I have given to her twenty-two hundred dollars”

Daughter, Mary F. Yates Jobe – “I have given her about twenty-three hundred dollars”

Daughter, Sarah Emma Yates Hullander – “twenty-one hundred dollars”

My Dear Wife – “two thousand dollars and south half of Number 42, running west one mile and all of my stock – mules, cattle, hogs and wagon for her use during her life and at her death to be sold as well as all my lands not disposed of and all proceeds equally divided, with the exception of my son Benjamin, he having his full position already.

Notes:

Obviously, there was a “situation” with his oldest son Benjamin, since he was left out of the will with the notation that his father “had perhaps given hm more than his share already”. Ironically Benjamin was named for Presley’s maternal uncle Benjamin Cleveland, who was a Colonel in the American Revolution, one of the commanders at the decisive Battle of King’s Mountain and for whom Cleveland, Tennessee is named. By 1880, Benjamin had moved to Texas, with his wife Rachel Tennessee Trundle Yates, and he listed his occupation as apiarian (beekeeper). He is buried in Forney, TX near his brother John Franklin Yates.

The cash dispersed by this will totaled \$9,600, which was equivalent to \$ 246,000 in today’s dollars. It is estimated that the land divided was approximately two sections of 640 acres each, or 1,280 acres total. It is not known how much land he had previously deeded to John and Benjamin. Based on current land values, this land dispersed to his sons previously and through his will, would have a value of over \$ 10 million today.

Catoosa Court of Ordinary 1879

Georgia } I Presley Yates do this day make this my
 Catoosa County } will a testament & bequeath all my prop-
 erty and effects to each of my children
 & dear wife as follows. To my son Benjamin Yates
 I have given to him perhaps more than his share now left for
 the rest. To my son John F. Yates I bequeath One Thousand
 Dollars having heretofore deeded to him land estimated
 at fifteen hundred dollars. To my son William H. Yates
 the money I gave him to purchase the place on Dogwood
 also one half of two lots of land to wit south half run-
 ning west of where William H. Yates now lives num-
 ber of lots not recollectd. to my son Presley G. Yates
 I give all of lot ~~of land~~ lying west of the creek
 running up to J. Graham land and running back
 one mile due west. And to my son A. H. Yates North
 half of No. 42 running west one mile also lot no. 6
 also west half of two lots to William, and to my
 Daughter Elizabeth Leamp. I have given to her Two
 hundred dollars and to my Daughter Mary
 F. Jobe I have given about twenty three hundred dol-
 lars and to my Daughter Sarah Emma Hollander
 Twenty one hundred dollars and to my dear
 wife I give Two Thousand Dollars to wit South
 half of No. 42 running west one mile and also
 all my stock mules cattle and hogs and wagon
 for her use during her life time, and at her
 death what I leave to her to be sold as well as all
 my lands not disposed to be sold by agreement
 at such time as they agree to do, & all the proceeds
 to be equally divided with the exception of my
 son Benjamin Yates he having had full portion
 already I hereby make and appoint my son
 William H. Yates my Executor to carry out full-
 ly this my will and all matters herein con-
 tained & pay all expenses of my death &
 burial

Signed & sealed in the
 presence of this 23rd 1878

Witnesses
 G. F. Giles

J. W. Elrod

A. L. Barris

Presley Yates
 mark

Children of Presley and Rachel Thedford Yates

Benjamin Cleveland (1832-1914). Married Rachel Tennessee Trundle and moved to Texas

Rebecca Elizabeth (1836-) Married William Camp and remained in Catoosa County

Mary Frances (1837-1894) Married William Isaac Jobe and remained in Catoosa County

John Franklin (1839-1914) Moved to Texas and married Eliza Antoinette Ceckler

David V. Yates (1843-1862) Married Susannah and lived in Catoosa County

William H. (1843-1905) Married Louisa C. Johnston, served in the Georgia House and Senate, and lived in Catoosa County

Rachel T. (1845-1860)

Sarah Emma (1845-1912) Married John Lafayette Hullander and remained in Catoosa County

Caroline S. (1848)

Presley Cicero (1850-1918) Married Susan C. Smith and remained in Catoosa County

Oliver C. (1853)

Allen Porter (1854-1934) Married Frances Stroup and remained in Catoosa County

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