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Avery Family Papers

Background:

Daniel Avery Humphry (1818 – 1866) and his family were residents of Tuscaloosa, Alabama from 1852 until 1868. Avery was the junior partner in the firm of Leach and Avery, an agricultural supply business involved primarily in the operation of a foundry for making plows. Before coming to Tuscaloosa, Avery had sold plows made in the family foundry in Louisville, Kentucky. Avery and his wife, Julia (m. 1948), were from upstate New York (Aurora and Albany, respectively) and during the Civil War they remained staunchly, if quietly, loyal to the Union.

Federal troops under B. G. Croxton destroyed the facilities of Leach and Avery during the raid on Tuscaloosa (3-5 April 1865). The partners attempted to rebuild, but Avery died in December 1866 and his widow and sons soon returned to the north (1868), first to Providence, Rhode Island, and then to Geneva, New York.

Scope and Content:

The bulk of the collection consists of papers, primarily depositions and correspondence, relating to a claim filed under the Tucker Act by Julia Avery to secure reparations for damages to her husband's property in Tuscaloosa. The original claim was apparently mislaid in Washington. It was refiled in 1875, only to be rejected when one deposition alleged that the firm had, in fact, made hats and small cannons for the Confederate Army. The younger Avery son, Edwin, then entered the claim a third time in 1902. The file in the collection is incomplete and does not record the result of the third claim.

The remainder of the collection includes letters from Daniel Avery to his brother-in-law, Richard Morgan, discussing his travels to sell plows in 1847 and 1849. There are also two letters (1879) to Julia Avery from Rose "Avery," a former family servant which refer to mutual acquaintances in Tuscaloosa.

BIBLIOGRAPHICAL NOTES:

The holdings of the Birmingham Public Library bearing directly on the Avery family are more notable for what they omit than for what they provide. Daniel Avery died and was buried in Tuscaloosa, and in her second letter, Rose Avery reported to Julia Avery that the grave was green and well-kept, but lacked a headstone. The name Avery does not appear in Dian Dieterle Alabama Cemetery Records (bound typescript). There are a number of books on early Nineteenth Century Louisville, Kentucky and while

mention is made of an important plow-founding industry, the names of the proprietors are not given.

Matthew C. Clinton Tuscaloosa, Alabama: Its Early Days, 1816 – 1965 , notes that Daniel H. Avery was one of several men who served two terms as city aldermen but does not mention him otherwise. Clinton does not attribute to the firm of Leach and Avery the manufacture of hats and light cannons for the Confederate Army, an activity which the Avery claim was at pains to deny. Doctor Leach, the senior partner in Leach and Avery, is described as one of the earliest dentists in Alabama. It was the marriage of his son that provided the festivities which distracted the townspeople from defending the Warrior River Bridge against Croxton's cavalry more effectively.

Elizabeth Avery Meriweather Recollections of 92 Years (Nashville, Tennessee Historical Commission, 1958,) spent the latter part of the Civil War in Tuscaloosa as a refugee, but her Avery forbearers came to Tennessee from Massachusetts while Daniel Avery came from Western New York state. As the book reveals Elizabeth to be a still-unreconstructed rebel as late as 1916, it is unlikely that she would have had much civil contact with the loyal Unionist Averys.

A cursory check of the index of the Records of Tuscaloosa County (typescript) did not discover the name of Avery in any context.

No check was made of the census for 1850 or for 1860. No check was made of New York State genealogical records for mention of Avery, Morgan, or Root.

Ambrose Burnside was governor of Rhode Island (1866 – 68) and US Senator (1875 – 1881.) It would appear that his assistance to Julia Avery was probably done more in a political - constituent relationship than as a consequence of personal obligation.

B. G. Croxton's report to M. G. Wilson is contained in the Official Records of the War of the Rebellion. His account confirms the accuracy of the affidavits in the Avery claim concerning the seizure of Tuscaloosa and the burning of the foundry and the "military college." No mention is made of any role played by loyal citizens in Tuscaloosa or of Avery.

Related Collections:

Subject Areas:

Size: linear feet/foot (box/es)

Source: Mrs. William C. Taylor

Restrictions: Standard preservation and copyright restrictions.

Guide Prepared By: Thomas C. Haslett, Jr.

Contents:

Begins File:

File Number:

Description:

CORRESPONDENCE

- 75.1.1 Letter, D. Humphry Avery to “Dear Brother,” June 13, 1847.
- Discusses his trip from Nashville to Savannah, up to Illinois and then to Memphis. Briefly mentions his experiences along the road.
- 75.1.2 Letter, D. Humphrey Avery to “Dear Brother,” September 16, 1849.
- Mentions cholera epidemic in Louisville; a brief reference to “Brother Dunning,” a veteran of War with Mexico; Avery also mentions that he is now master of the flat boat “Industry” and discusses plans to sell plows on Mississippi River.
- 75.1.3 Note, T. S. Woodsen to Mrs. Julia Avery, circa 1865
- Thank you note handwritten from a Confederate cavalryman of Forrest’s Corps; a portion has been torn off and lost.
- 75.1.4 Letter, A. E. Burnside to Julia Avery, April 30, 1874
- The former Union general offers to help her in any way he can concerning the filing of her late husband’s claim.
- 75.1.5 Letter, A. E. Burnside to Julia Avery, September 26, 1874
- General Burnside states that the attorneys of whom Mrs. Avery had written about are competent to handle her claim.
- 72.1.6 Letter, Quartermaster General to Southern Claims Commission, December 23, 1874
- Form letter from the War Department stating that the claim case has been found.
- 72.1.7 Letter, Julia Avery to Shellabarger & Wilson, November 26, 1876
- 72.1.8 Letter, C. N. Henkle to Mrs. J. C. Avery, January 5, 1877

Henkle, a member of the 8th Iowa Cavalry during the Civil War, recounts Wilson's raid on Tuscaloosa and the subsequent burning of the Leach & Avery foundry.

72.1.9 Letter, Rose Avery to Julia Avery, September 8, 1879

Brief, but interesting letter from a former servant asking Julia to send her the ages of her children

72.1.10 Letter, Rose Avery to Julia Avery, November 6, 1879

Lengthy letter from Rose, discussing people and events in Tuscaloosa.

72.1.11 Letter, Julia C. Avery to Col. A. C. Hargrove, September 12, 1881

An interesting letter concerning the burning of the Leach & Avery Foundry during Wilson's raid. Julia is seeking legal help from Hargrove due to an earlier letter from Judge Peck. Peck claims that the reason the foundry was burned was because it made cannon for the Confederacy. Also, Julia has some rather scathing remarks concerning radical Republicans.

75.1.12 Letter, Congressman Sereno E. Payne to E. M. Avery, January 31, 1903

Payne, chairman of the House Ways and Means Committee, writes that his committee has refused to review the claim on the burning of the Leach & Avery Foundry.

75.1.13 Letter, Mrs. William C. Taylor to Miss Ham, December 15, 1960.

Cover letter concerning the presentation of the Avery Family Papers to the Birmingham Public Library

75.1.14 Note, undated

Handwritten note of a telegram written to Julia Avery states that her husband is in Mobile; possibly written during 1865

LEGAL DOCUMENTS

- 75.1.15 Oath of allegiance to the United States Constitution, signed by D. H. Avery in Tuscaloosa, Alabama, July 11, 1865
- 75.1.16 Petition of Julia C. Avery to the Commission of Claims Growing Out of the War of the Late Rebellion, April 5, 1875
- 75.1.17 Petition of Julia C. Avery to the Commission of Claims Growing Out of the War of the Late Rebellion, May 13, 1875
- 75.1.18 Deposition of George Rasenbugh, concerning the character of D. H. Avery while he was a prisoner of war in Tuscaloosa, Alabama, December 11, 1876
- 75.1.19 Deposition of Sylvester R. Knight, concerning the character of D. H. Avery while he was a prisoner of war in Tuscaloosa, Alabama, March 12, 1878
- 75.1.20 Deposition of N. T. Ogle, 8th Iowa Cavalry, concerning the destruction of the Leach & Avery foundry during Wilson's Raid, March 18, 1878
- 75.1.21 House of Representatives 8607 "A Bill for the Relief of the Estate of Daniel H. Avery," January 10, 1902
- 75.1.22 Deposition of Edwin M. Avery, concerning the character of his father, D. H. Avery, and the events concerning the burning of the Leach & Avery Foundry, May 28, 1902
- 75.1.23 House of Representatives Resolution No. 361 and House of Representatives Report No. 2876, December 16, 1902
- MISCELLANEOUS DOCUMENTS:**
- 75.1.24 Newspaper Clipping, Tuscaloosa Monitor, October 29, 1866
- 75.1.25 Checks, Branch of the Bank of the State of Alabama, March 11, 1835 and March 27, 1835
- 75.1.26 Confederate Money, one dollar bill issued by the State of Alabama, January 1, 1863
- 75.1.27 Handwritten Poem, "By Gone Days," undated

