

- **Claiborne County Progress**

Nell Quesenbery Report

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Claiborne County Heritage

CIVIL WAR HANGING MYSTERY SOLVED

By Nell Quesenbery

Dick Yoakum had been told that his great-grandfather Burdine had been hanged as a spy during the Civil War. For weeks, we'd been searching for someone who knew about the hanging and where Burdine's body had been buried.

Then our cousin Paul Jennings' widow, Bobbie, told us her cousin Beaular Wallen, knew the details of the hanging and that Burdine's body was buried near her farm in Howard's Quarter.

Now, excitedly, several of us were waiting in Lone Mountain for Dick to arrive from Morristown. He had promised to take us to Howard's Quarter to visit with Beaular Wallen and learn about the "hanging."

That night, upon his return to Morristown, Dick wrote me this letter:

Monday, Columbus Day

October 10, 1977

Morristown, Tenn.

It rained all weekend and when I got up this morning it promised to be a bone-chilling dreary day, not at all a day conducive to prying around in graveyards and looking at headstones,

but I had promised some good friends and relatives that we would go on a search for some information about my great grandpa Burdine.

We didn't even know his first name, but we had heard many, many conflicting stories about him - that he was a New York Jewish soldier that had married one of the little southern belles - that he was a deserter and was shot by his own comrades in arms - that he was an officer that had infiltrated enemy lines and was executed as a spy.

My cousin, Paul Jennings' wife, Bobbie, said she knew where Burdine was buried and that he was hanged on her grandfather Moses Smith's farm. She also knew an elderly woman, Beular Wallen, a relative of Osaih Wallen, who I knew, and said Beular had stories concerning Burdine.

Anyway, Bobbie, Helen Payne and Nell Quesenbery had decided to take me to the grave, so I set out to Lone Mountain to pick up my friends. As the day progressed it became warmer and prettier and when I got there Denny Marchio and his wife Louise, a cousin of mine, decided to go with us.

As we headed up the valley we passed the old Springdale Church and graveyard. Helen Payne said we had relatives buried there, some of the old Day family. Burdine had married Betty Day; she was my great-grandmother.

When we got to the Wallen farm, it was much like it was 50 years ago, unspoiled by time. Chickens were walking around everywhere and a most beautiful blue and multicolored peacock was stretching and spreading his feathers. The most modern thing was the beautiful chain link fence which kept Beular's dog in and which she said she enjoyed very much.

We went in and visited awhile, talking on different topics until Helen Payne suggested, "Let's get on with the history!" That suited me because I was anxious to see where Burdine had rested all these years, so near, yet hidden away. I had passed within a few hundred yards of his resting place many times over the years but had no idea that the section was related to the history of my family.

The little graveyard is only a few hundred yards across the road from the old Ardell Brooks farm near Cedar Flat Church. Ardell Brooks was a black man who owned a good farm, kept it clean and was held in high esteem in the community.

Since there were so many of us and the graveyards were so near, we decided to walk over to the cemetery. After we passed Cedar Flat Church, the going got a little rough and I gathered quite a crop of nettles and burrs on my clothes. Beular was relating the story, talking and pointing as we went along. She said that all she knew was what she had heard from her mother and others over the years.

It seems that Burdine, a married soldier, had word come through him that his little girl was deathly sick. He asked for a furlough and was refused. He must have left without leave to see the little girl. Some people lived near where he was buried. She thinks Burdine's sister married one of them. Anyway, he came to their house on the way to see the little girl, and they promised not to divulge his whereabouts, but then they decided they might get into trouble and told exactly how to find him.

He was captured and was being returned along the summit of the mountain with another man. The other man rolled off the mountain and got away. The captors then hanged Burdine. He asked to pray, but was told it was too damned cold to pray. While he was hanging, he was beaten with sticks and switches and left hanging. He stayed there frozen stiff for three or four days because his friends would not go near for fear of being branded sympathizers.

When finally they went after him, he was carried down on a stretcher and his prone frozen body slipped off and rolled down the mountain. He was brought back over to some of the Jones' and placed in the breezeway. (The old houses were separated from the kitchen by an open passage as fire protection.) He stayed in the breezeway three or four more days in the bitter cold before he was buried. Perhaps the ground was frozen too hard to dig a grave.

When we got to the cemetery, it was not in such a bad shape as we had predicted. Someone had cut the bushes and the graveyard was fenced with barb wire. The plot was only about 50'x50' and had several graves. Four of the occupants had been soldiers and had marble headstones with military data on them. One was broken down and the break looks fresh.

Inscribed on the broken stone was "A.T. Burdine, Co. M., 8th Tennessee Cavalry." No rank, serial number or anything else. Selda McCullough had told me she thought my great-grandfather's name was Henry and it seems to me that I'd heard that before. I'm writing the War Department to find out. I presume he was a Union soldier since Tennessee went for the North.

Bobbie Jennings says she always heard that Burdine's name was Tivis and that corresponds with the initials A.T. Vaulty Perry now owns the farm where the graveyard is located. Anyway, we had an enjoyable time even if I did tear my suit crossing a barb wire fence.

Coming back to Lone Mountain, we stopped at the Springdale Cemetery and saw Ransom Day's tomb and inspected the old church. At the Granville Hodges Store, we turned left and went over to Day's Siding to the old Day graveyard. It had a concrete fence around it. Linnie Day was buried there along with her father, Sam, and her daughter, 1st Lt. Virginia Horde Ryan, and two Dr. Days.

I enjoyed this whole trip; especially some old-time black limber twig apples I found on the Wallen pond. Everyone who went said they had a good time.

Later in the winter I received the following report from Dick:

By R.A. Yoakum

January 17, 1978

JOHN T. BURDINE

After I visited the grave bearing the inscription, "A.T. Burdine, Co. M, 8th Reg. Tenn. Cavalry," on October 10, 1977, I was convinced that under that stone was the remains of my great-grandfather. Now, after getting photostatic copies of the military papers of a man with the 8th Regt. Co. M. of Tenn., called John T. Burdine. Evidently, there was a mistake on the stone and it should have read John T. instead of A.T. Burdine.

John T. Burdine fits many of the things that I have heard about my great-grandfather. He had a young daughter, Eliza Jane, that was born May 20, 1860. The guardianship papers show that Henry D. Burdine, postmaster at Willow Springs, Russell County, Virginia, was the grandfather of Eliza Jane and her mother was Catherine DeVault, deceased.

My grandmother's mother was Bettie Day, who married a Burdine and then later Anderson Payne (Lone Mountain Paynes). She had two daughters by Burdine, Martha Jane and Ellen. Ellen died as a child.

Burdine was hanged on Moses Smith's farm in the Howard's Quarter community by guerrilla rebels as a spy. The stories handed down say that Burdine and another man were captured and they were bringing them along the summit of the mountain when the other man rolled off his horse and escaped. The Rebels then hanged Burdine because they were mad and didn't mean for him to escape. He asked his captors to let him pray and they told him it was too damned cold to pray. They beat him with sticks and switches while he was hanging.

The hanging occurred on Jan. 4, 1865, about six weeks after his November 22, 1864, marriage to Matilda Bunch. This is also the day he was first marked absent from the Union Army. Later, he was classified as a deserter. Captain Wilson McLaughlin was commander of his company when he was killed.

Col. S.R.N. Patton commanded the Regt. of the 8th Tennessee Cavalry. He was mustered in a Nashville by Captain Paxton. Seven years after his death, the Adjutant General's office said he was recruiting on irregular orders.

I am quite sure this man is a distant relative of mine, but I am positive that he is not my grandpa. End of Dick's report.

The Mystery of Burdine Is Solved

Still pressing his search for his great-grandfather Burdine, Dick visited a clan meeting of Tates, Burdines and Fugates held at Emory and Henry College, August 6, 1978. There he discovered a new cousin, Leland Burdine Tate, Ph.D., retired professor of sociology, Blackburg, Virginia. Dr. Leland Burdine Tate was the great-grandson of John Tivis Burdine, the soldier that had been hanged. Dick's great-grandfather was Samuel Patton Burdine, a brother to John Tivis Burdine.

Their parents were Henry Burdine and Elizabeth Sewell. Henry was a postmaster in Willow Springs, Russell County, Virginia. Elizabeth was the daughter of wealthy Benjamin Sewell of Russell County, Virginia, who built a large brick home in Tazewell.

The Civil War caused great sadness for Henry and Elizabeth Burdine. Their only two children, John T. and Samuel P., fought on different sides during the war. John T. was hanged,

and he had left them an orphaned daughter to raise. A short time later, Samuel P. died, leaving his widow, Bettie Day Burdine, and two young daughters. Bettie left Tennessee and took her girls to live in Willow Springs, Virginia, with her husband's parents. She lived there until she married Anderson Payne and moved to Lone Mountain.

Dick seemed happy with his new family findings. He told me he planned to meet with Dr. Tate and other Burdines again very soon. Glancing at me, he asked if I would like to come along. "No," I grinned, "but have fun with your new cousins."