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2012 Winner:  
Family History Writing Contest

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A Love Story Proved:  
The Life and Family of Laura Lavinia (Kelly) Combs of  
Atlanta and Augusta, Georgia

By Paul K. Graham, CG, AG

*More than a tale of love, the story of Laura's family  
portrays power springing from knowledge and wealth.*

Tales of love forged in adversity resonate across time and culture. The Reverend Edward R. Carter told one such story in his 1894 history of Atlanta's early African American community. In three simple sentences it captures the imagination:

“Mary Combs was the first colored person to own property in this city. Her property occupied the place where Wheat street meets Peachtree street. This property she sold, and with the proceeds purchased her husband [a slave].”<sup>1</sup>

Carter's tale lay dormant for decades. *Jet* and the *Atlanta Daily World* (the city's primary African American newspaper) mention it briefly.<sup>2</sup> A 1977 article

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1. E. R. Carter, *The Black Side: A Partial History . . . of the Negro in Atlanta* (1894; reprint, Freeport, N.Y.: Books for Libraries, 1971), 13.

2. “*Jet* Visits Atlanta,” *Jet*, 9 December 1954, pages 9–10. Also, “Many Pioneers Contributed to Atlanta Negro Business,” *Atlanta Daily World*, 6 March 1963, page A6.

purports to add details: Mary had bought the land on 7 July 1856 for \$250, and “six years later she sold the lot for double what she had paid for it.”<sup>3</sup>

The question of Mary’s identity piqued and frustrated historians unable to corroborate the 1977 claim. A 2004 history of the city’s African American community noted that no African American Mary Combs appears on Atlanta census schedules.<sup>4</sup> A local historian who tried adding to the 1977 research concluded “it remains a mystery what happened to Mary and her husband.”<sup>5</sup> The discovery of a document revealing the truth behind Carter’s story began unraveling the mystery.

#### LAURA COMBS

The key to proving the African American landowner’s identity lies in a deed. On 12 January 1854 James Alexander sold Edmund W. Munday the south half of Atlanta city lot 10 in land lot 78. A fence separated the property from the lot’s north half, described as “now owned by Laura Combs, a free woman of color.”<sup>6</sup> Could *Laura* be Carter’s *Mary*?

Laura lived in Atlanta in 1850.<sup>7</sup> In May 1870 when she deposited money in the Freedman’s Bank as Laura Lavinia Combs she listed her husband John, seven children, and six siblings. She also mentioned Augusta, her birthplace, and named Juda Kelly, her mother.<sup>8</sup>

Free African Americans sometimes took their mother’s surname, rather than their father’s, because their status flowed matrilineally.<sup>9</sup> Following this custom,

3. Edward F. Sweat, “Free Blacks in Antebellum Atlanta,” *Atlanta Historical Bulletin* 21 (Spring 1977): 66. Sweat, who taught history at Clark College in Atlanta from 1948 to 1979, cites Fulton Co., Ga., Deed Books E:456 and TT:295. They show that Mary Combs purchased land in 1856 and sold it in 1862, but the land is not the lot Carter described. Also, the only candidate for Mary was white. See 1860 U.S. census, Fulton Co., Ga., population schedule, Atlanta City, 5th Ward, p. 836, dwelling 941, family 1043, Jane Combs household; National Archives and Records Administration (NARA) microfilm M653, roll 122.

4. Allison Dorsey, *To Build Our Lives Together: Community Formation in Black Atlanta, 1875–1906* (Athens, Ga.: University of Georgia Press, 2004), 181.

5. Cathy J. Kaemmerlen, *The Historic Oakland Cemetery of Atlanta: Speaking Stones* (Charleston, S.C.: History Press, 2007), 32.

6. Fulton Co., Ga., Deed Book A:328–29, Alexander to Munday, 12 January 1854; Superior Court, Atlanta.

7. 1850 U.S. census, DeKalb Co., Ga., pop. sch., Atlanta, fol. 217v, dwell. 303, fam. 305, Laura Combs household; NARA microfilm M432, roll 67.

8. *Registers of Signatures of Depositors in Branches of the Freedman’s Saving and Trust Company, 1865–1874*, microfilm publication M816, 27 rolls (Washington, D.C.: National Archives and Records Service, 1970), roll 6, Atlanta Branch, bank card 407, Laura Lavinia Combs.

9. “An Act to manumit and set free certain persons therein mentioned,” *Acts of the General Assembly of the State of Georgia, Passed in Milledgeville at an Annual Session in November and December 1834* (Milledgeville: P. L. and B. H. Robinson, 1835), 230–31.

Laura appears as “Laura Kelly” in two antebellum Atlanta records:<sup>10</sup>

- Yearly registers of free persons of color in Atlanta name Laura, a washer and ironer, from 1851 to 1855.<sup>11</sup>
- Fulton County’s 1855 tax digest shows Laura paid taxes on city property worth one thousand dollars. Her tax registration appears under the name of her legally required guardian, James F. Alexander—the man whose deed mentions Laura.<sup>12</sup>

Laura was the only person of color who paid taxes on land in Fulton County in 1854–58, but did she buy her husband’s freedom?<sup>13</sup> No known deed describes Laura’s purchase or sale of land.<sup>14</sup> Also, antebellum state law prohibited free persons of color from owning or emancipating a slave.<sup>15</sup>

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10. In 1843, when Atlanta was incorporated as Marthasville, it lay in DeKalb County. The city’s name was changed to Atlanta in 1845. In December 1853, when Fulton County was cut from DeKalb County, Atlanta fell within the new county’s boundaries. For Marthasville’s incorporation, see “An Act to incorporate the town of Marthasville . . .,” *Acts of the General Assembly of the State of Georgia, Passed in November and December, 1843* (Milledgeville: William S. Rogers, n.d.), 83–84. For the name change, see “An Act to change the name of Marthasville, in DeKalb county, to that of Atlanta . . .,” *Acts of the General Assembly of the State of Georgia, Passed in November and December, 1845* (Columbus, Ga.: S. W. Flournoy, n.d.), 91. For Fulton County’s creation, see “An Act to lay out and organize a new County from the County of DeKalb . . .,” *Acts of the General Assembly of the State of Georgia, Passed in Milledgeville, at a Biennial Session, in November, December, January, and February, 1853–4* (Savannah: Samuel T. Chapman, 1854), 300–302.

11. DeKalb Co., Ga., Register of Free Persons of Color, chronologically arranged, 11 August 1851, 6 October 1852, and 1 June 1853, Laura Kelly; Freedman Record collection; DeKalb History Center, Decatur, Ga. No pre-1851 registers survive. Also, Fulton Co., Years Support A:2 (30 June 1854) and 6 (28 May 1855), Laura Kelly; Probate Court, Atlanta. After use as a register of free persons of color in 1854–63, the volume was converted to a type of estate record.

12. Fulton Co., Tax Digest, 1855, Atlanta, GMD [Georgia Militia district] 1026, arranged by first letter of surname, James F. Alexander, “guardian for Laura Kelly”; microfilm 70/28, Georgia Archives (GA), Morrow.

13. Fulton Co., Tax Digests, 1854–58, read by author; GA microfilm 70/28. Laura paid taxes only in 1855.

14. The law required that a free person of color’s land sale be authorized by the county ordinary and executed by the free person’s guardian. See “An Act to alter and amend an Act, entitled ‘An Act to protect the Estates of Orphans . . .,’” *Acts of the General Assembly of the State of Georgia, Passed in Milledgeville, at a Biennial Session in November, December, and January, 1851–2* (Macon: Samuel J. Ray, 1852), 101–2. The author found no order authorizing sale of Laura’s land. See Fulton Co., Ordinary Court Minutes A (1854–67); Probate Court, Atlanta; GA microfilm 113/63. Also, DeKalb Co., Ordinary Court, Minutes A (1842–62); Probate Court, Decatur; microfilm 365,903, Family History Library (FHL), Salt Lake City. The author examined the volumes’ 1842–58 entries and their indexes for *Alexander, Combs, and Kelly*. He also examined DeKalb Co., Grantee Index to Deeds, A–E and F–K (1840–1910); Superior Court, Decatur.

15. Only one slave was legally freed in Georgia between 1835 and 1865. See “An Act to manumit a negro man slave, named Boston . . .,” *Acts of the General Assembly of the State of Georgia, Passed in Milledgeville, at a Bi-ennial Session, in November, December, January, February and March 1855–’56* (Milledgeville: Boughton, Nisbet and Barnes, 1856), 539–40. For the prohibition on slave ownership, see William A. Hotchkiss, *Codification of the Statute Law of Georgia*, 2nd ed. (Augusta: Charles E. Grenville, 1848), 830.

Even if Laura had purchased her husband's freedom, could it be proved? Lot 10's history reveals the truth behind the 1894 story. Laura—apparently supported by two sympathetic white women—pursued her husband's freedom using extra-legal means. Instead of the separate sale and purchase that Carter described, the transaction took the form of a land-for-freedom swap.

#### PROPERTY SWAP

Laura apparently left Atlanta about 1856. She neither registered residence nor paid taxes there after 1855.<sup>16</sup> By 1857 she had returned to Augusta, her birth city.<sup>17</sup>

Atlanta's first city directory—for 1859–60—identifies “Miss Jane” and “Miss Mary” Combs living on the southeast corner of Wheat and Pryor streets, the location of Laura's lot.<sup>18</sup> No known deed specifies that either woman purchased the land. Fulton County's 1855–58 tax digests show no entries for Jane or Mary and offer no evidence of how they obtained the lot.<sup>19</sup> The 1860 census shows they were white but not that they owned land.<sup>20</sup>

Nonetheless, the Combs women did own lot 10. In October 1860 the Fulton County sheriff sold it to Daniel Pittman for \$1060 to satisfy a judgment against Mary and Jane.<sup>21</sup> The same day he bought the lot Pittman sold it to Jane for one dollar.<sup>22</sup> Pittman's motive is unclear.

Later that October Jane, reserving a life estate, sold the lot to her niece, Sarah J. Rodes.<sup>23</sup> Jane lived in Atlanta until her death, in April 1870.<sup>24</sup> On 12 December 1885 Jane's niece, “Mrs. Sarah J. Rodes,” and the niece's children, “William M. Rodes, Mrs. Hattie Lee Crow, formerly Rodes, and Charles C. Rodes Jr.,” sold the lot to the Young Men's Christian Association (YMCA) for twelve thousand dollars.<sup>25</sup>

A deed provides the best evidence that Laura's land became the white women's property. On 4 December 1886, a year after the land's sale to the

16. Fulton Co., Years Support A:6, Laura Kelly. Also, Fulton Co., Tax Digests, 1856–58.

17. Richmond Co., Ga., Register of Free Persons of Color, 1857, unpaginated, Laura Kelly; Richmond County, Georgia, Probate Court, Registers of Free Persons of Color, 1810–1863; Record Group (RG) 221-2-3, GA.

18. *Williams' Atlanta Directory, City Guide, and Business Mirror* (Atlanta: M. Lynch, 1859), 65. For the lot's location, see Edward A. Vincent, *Vincent's Subdivision Map of the City of Atlanta*, hand-colored cadastral map (Savannah: privately printed, 1853).

19. Fulton Co., Tax Digests, 1855–58.

20. 1860 U.S. census, Fulton Co., Ga., pop. sch., Atlanta City, 5th Ward, p. 836, dwell. 941, fam. 1043, Jane Combs household.

21. Fulton Co., Deed Book E:300–301, Green to Pittman, 5 October 1860.

22. *Ibid.*, E:301–2, Pittman to Combs, 5 October 1860.

23. *Ibid.*, E:335, Combs to Rhodes, 26 October 1860.

24. Oakland Cemetery (Atlanta), Cemetery Form No. 9 [burial card], lot 380 (C. C. Rhodes, purchaser), for “Auntie,” buried 18 April 1870; Sexton's Office, Oakland Cemetery, Atlanta.

25. Fulton Co., Deed Book YY:806, Rodes to Young Men's Christian Association, 12 December 1885.

YMCA, Laura's son Oswell A. Combs quitclaimed to Sarah J. Rodes his interest in the lot.<sup>26</sup> Oswell's deed shows that the owners thought the lot's title might be unclear. When Laura's heirs formally relinquished interest in the lot, they created a legal substitution for a deed that likely never existed.

Laura's husband's surname—Combs—implies a connection to Mary and Jane Combs. Their mother's Coweta County, Georgia, will reveals the link. In 1843 Permelia Combs gave her daughter Jane Combs “a Negro boy by the name of John” and bequeathed personal property to her children Mary Ann, William P., and John, and her granddaughter Sarah James Combs.<sup>27</sup> Sarah later married Charles Rodes.<sup>28</sup>

The Combs's “Negro boy . . . John” apparently became Laura's husband. A 1917 biographical sketch reinforces the connection, identifying Oswell Combs as “a son of John Combs, who was a slave, and . . . Laura L. Benefield, who was freeborn.”<sup>29</sup>

A series of documents reveals the reality behind Carter's story. Instead of selling her lot to buy her husband, Laura traded her land with his owner, Jane Combs. Carter's tale, told forty years after the event, survives scrutiny. His story is the keystone explaining the historical evidence's significance.

#### KELLY FAMILY

Following Laura back to Augusta, her hometown, reveals a history of people in limbo between free whites and enslaved African Americans. In the 1790s Laura's mother's family—the Kellys—moved from South Carolina into Augusta's free African American community. They established a tradition of land ownership, and their legal savvy led to an important judicial precedent for African Americans in Georgia. After the Civil War Laura's children became educational and civic leaders, building on the foundation their ancestors had established during the antebellum decades.

#### *First Generation*

**1. Juda<sup>1</sup> Kelly** was born about 1784 in South Carolina.<sup>30</sup> She died, likely in Augusta, Georgia, in 1871–72.<sup>31</sup>

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26. *Ibid.*, 134:566, Combs to Rodes, 4 December 1886. For Oswell's relationship to Laura, see Arthur Bunyan Caldwell, *History of the American Negro and His Institutions: Georgia Edition* (Atlanta: privately printed, 1917), 438.

27. Coweta Co., Ga., Will Book A:87–89, Permelia Combs will, dated 1 June 1843 and proved September 1845; Probate Court, Newnan, Ga.; GA microfilm 168/56.

28. 1880 U.S. census, Fulton Co., Ga., pop. sch., Atlanta, enumeration district (ED) 93, p. 30B, dwell. 177, fam. 239, Charles Rodes household; NARA microfilm T9, roll 148.

29. Caldwell, *History of the American Negro and His Institutions, Georgia Edition*, 438.

30. Richmond Co., Register of Free Persons of Color, March 1819, Kelly.

31. Richmond Co., 1871 Tax Digest, Colored “B,” for “Judy Barefield”; GA microfilm 49/7. Juda does not appear in later assessments.

Vagaries of the historical record obscure Juda's early life. In 1794, about age ten, she and her family, led by patriarch Richard "Dick" Kelly, crossed the Savannah River from South Carolina to Georgia.<sup>32</sup> They left a small community of free people of color in Edgefield District, South Carolina.<sup>33</sup>

In Augusta the family acquired land. On 3 October 1797 Dick, with Samuel and Betty Kelly, bought a lot and house on Broad Street.<sup>34</sup> Dick died by 1822, when his estate paid taxes on the city lot, then worth fifteen hundred dollars.<sup>35</sup> By 1816 Juda acquired her own city lot worth five hundred dollars.<sup>36</sup>

An 1818 Georgia law required annual registration for free people of color and eliminated their right to buy land and slaves.<sup>37</sup> Juda registered herself and her children in March 1819.<sup>38</sup> Later registrations reveal her most common work: washer, ironer, seamstress, cake baker, and sausage maker.<sup>39</sup>

The biological father of most of Juda's children was [—?—] **Bennefield**.<sup>40</sup> No strong candidate for him appears in registrations, tax digests, or censuses in Augusta and surrounding areas. The father of one of Juda's children—Laura—was **Jacob Ross**, a free man of color.<sup>41</sup> His origin is uncertain.

32. Richmond Co., Register of Free Persons of Color, March 1819, unpaginated, Kelly entries, in groups. Juda and Dick appear closely related, but no known evidence establishes their kinship. The register lists the number of years each person had resided in Georgia, and those for "Richd." and "Judy" specify "25 years ago."

33. United States Bureau of the Census, *Heads of Families at the First Census of the United States Taken in the Year 1790: South Carolina* (Washington: Government Printing Office, 1908), 62.

34. Richmond Co., Deed Book F:401–3, Green to Kelly, 3 October 1797; Superior Court, Augusta.

35. Richmond Co., 1822 Tax Digest, Free Persons of Color section, unpaginated, Dick Kelly estate; GA microfilm 81/5.

36. Richmond Co., 1816 Tax Digest, Free Negroes section, unpaginated, Juda "Beddinfild"; GA microfilm 40/72.

37. Hotchkiss, *Codification of the Statute Law of Georgia*, 825 and 830.

38. Richmond Co., Register of Free Persons of Color, March 1819, Judy Kelly.

39. *Ibid.*, 1820, 1822, 1836, Judy Kelly.

40. *Ibid.*, 1836, Judy Kelly "and children." A note accompanying the children's names says "these with the 3 following are some times called Benefield, that being the name of the father."

41. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company, 1865–1874*, roll 6, Atlanta Branch, bank card 407, Laura Lavinia Combs. Also, Richmond Co., Account Book BB:487, receipt, Laura L. Combs, 13 February 1871; Probate Court, Augusta; FHL microfilm 158,572. For Jacob's status, see *White v. Ross*, case A-4545, filed 8 September 1869; Georgia Supreme Court, Supreme Court Case Files, RG 91-1-1, GA.. Also, "Georgia, Property Tax Digests, 1793–1892," database of digital images, *Ancestry.com* (<http://search.ancestry.com/search/db.aspx?dbid=1729>), Richmond > 1866 > image 102, Richmond Co., Tax Digest, 1866, arranged by first letter of surname, Jacob Ross. Also, 1852 City Census of Augusta, Free Persons of Color, Ward 3, no. 11, Thos. Benefield; William Pritchard Manuscript Collection, Special Collections, RG 48-1-1, GA; GA microfilm 160/5.

Juda does not appear in post-1836 registrations and antebellum post-1835 tax digests, although she remained in Augusta.<sup>42</sup> For the remainder of her life she lived with or near her daughter Emily and granddaughter Julia.<sup>43</sup> No obituary or burial record marks her death. In her almost ninety years Juda had created a legacy that would extend far beyond her lifespan and her home city of Augusta.

Juda Kelly and [—?—] Bennefield had six children:<sup>44</sup>

- + 2 i. WILLIAM<sup>2</sup> BENNEFIELD, born about 1806;<sup>45</sup> living in 1852.<sup>46</sup> He married Harriet Lloyd.<sup>47</sup>
- + 3 ii. MADISON BENNEFIELD, born about 1809;<sup>48</sup> living on 5 September 1850.<sup>49</sup> He married Judy Ruff.<sup>50</sup>
- + 4 iii. AUGUSTUS BENNEFIELD, born about 1812;<sup>51</sup> died in 1863.<sup>52</sup> He married Julia Shefton.<sup>53</sup>
- + 5 iv. ANN KELLY, born about 1814;<sup>54</sup> living in 1859.<sup>55</sup> She married William McCormick.<sup>56</sup>
- + 6 v. EMILY KELLY, born about 1817;<sup>57</sup> died 27 August 1880.<sup>58</sup>
- 7 vi. SAMUEL KELLY, born three months before his mother registered him as a free person of color in 1822.<sup>59</sup> He appears on no other known record and apparently died before the 1823 registration.

Juda Kelly and Jacob Ross had one child:

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42. 1860 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, 4th Ward, p. 873, dwell. 1433, fam. 1399, Judy Bennefield household; NARA microfilm M653, roll 135.

43. 1850 U.S. census, Richmond Co., Ga., pop. sch., Division No. 73, fol. 481v, dwell. 645 [no fam. no.], Emily Kelly household. Also, 1870 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, Ward Three, fol. 117v, dwell. 344, fam. 354, Judy Bennefield household; NARA microfilm M593, roll 172.

44. Juda's sons usually appear in records with the surname Bennefield, while her daughters used Kelly, their mother's surname.

45. Richmond Co., Register of Free Persons of Color, March 1819, William Kelly.

46. 1852 City Census of Augusta, Free Persons of Color, Ward 4, no. 64, Wm. Bennefield.

47. Richmond Co., Register of Free Persons of Color, 1836, Harriet Lloyd.

48. *Ibid.*, March 1819, "Maddison" Kelly.

49. 1850 U.S. census, Taliaferro Co., Ga., pop. sch., Division 78, fol. 318v, dwell./fam. 43, Matison Bennefield household; NARA microfilm M432, roll 83.

50. Taliaferro Co., Free Persons of Color A, chronologically arranged, Madison Kelly, 7 October 1845; Probate Court, Crawfordville, Ga.; GA microfilm 109/8.

51. Richmond Co., Register of Free Persons of Color, March 1819, Augustus Kelly.

52. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company, 1865-1874*, roll 7, Augusta Branch, bank card 2719, Julia M. Bennefield.

53. *Ibid.*

54. Richmond Co., Register of Free Persons of Color, March 1819, Ann Kelly.

55. *Ibid.*, 1859, Anna Kelly.

56. *Ibid.*, 1852, Ann Kelly "(wife of Wm McC)."

57. *Ibid.*, March 1819, Emily Kelly.

58. Cedar Grove Cemetery Register (Augusta, Ga.), Colored Interments C, August 1880 burials, Emily Bennifield, 28 August 1880; Magnolia Cemetery, Augusta.

59. Richmond Co., Register of Free Persons of Color, 1822, Samuel Kelly.



- + 8 vii. LAURA LAVINIA<sup>2</sup> KELLY, born about 1825;<sup>60</sup> died in September 1872.<sup>61</sup> She married John Combs.<sup>62</sup>

Juda and an unknown man had one child:

- 9 viii. JAMES<sup>2</sup> "JIM" BENNEFIELD, born about 1828;<sup>63</sup> died 8 February 1879 in Jackson, Butts County, Georgia.<sup>64</sup> As a young man, Jim left Augusta for Madison, Georgia.<sup>65</sup> He likely married Christiana [—?—], with whom he lived in 1860.<sup>66</sup> In 1870, without Christiana, he lived in Augusta with his mother.<sup>67</sup>

### Second Generation

2. **William<sup>2</sup> Bennfield** (Juda<sup>1</sup> Kelly), born about 1806;<sup>68</sup> living in 1852;<sup>69</sup> died by 3 May 1870.<sup>70</sup> He married **Harriet Lloyd**.<sup>71</sup> By age fifteen William was apprenticed to a blacksmith, an occupation he continued as an adult.<sup>72</sup>

William and Harriet had one child:

- 10 i. WILLIAM A.<sup>3</sup> LLOYD (a.k.a. BENNEFIELD), born in 1836;<sup>73</sup> living in 1850.<sup>74</sup>

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60. Richmond Co., Register of Free Persons of Color, 1836, Laura L. Kelly.

61. Oakland Cemetery, Interments 1872–1875, p. 157, Laura Combs, 23 September 1872; Oakland Cemetery Records, MSS 618; Kenan Research Center, Atlanta History Center.

62. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company, 1865–1874*, roll 6, Atlanta Branch, bank card 407, Laura Lavinia Combs.

63. Richmond Co., Register of Free Persons of Color, 1836, James Kelly.

64. "Died," *Augusta Chronicle*, Augusta, Ga., 2 March 1879, page 2, col. 4.

65. Richmond Co., Register of Free Persons of Color, 1849–1850, James Kelly "(alias Bennfield)." The register reports that he "resides Madison, Morgan County, Ga."

66. 1860 U.S. census, Monroe Co., Ga., pop. sch., "Forsyth District No 480 GM" [Georgia Militia District 480], p. 4, dwell./fam. 25, Jim Bennifield household; NARA microfilm M653, roll 131.

67. 1870 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, Ward Three, fol. 117v, dwell. 344, fam. 354, Judy Bennifield household.

68. Richmond Co., Register of Free Persons of Color, March 1819, William Kelly.

69. 1852 City Census of Augusta, Free Persons of Color, Ward 4, no. 64, Wm. Bennifield.

70. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company, 1865–1874*, roll 6, Atlanta Branch, bank card 407, Laura Lavinia Combs.

71. Richmond Co., Register of Free Persons of Color, 1836, Harriet Lloyd.

72. For the apprenticeship, see Richmond Co., Register of Free Persons of Color, 1823, William Kelly. For his adult occupation, see 1850 U.S. census, Richmond Co., Ga., pop. sch., Division No. 73, fol. 464r, dwell. 364 [no fam. no.], William Beddingfield household; NARA microfilm 432, roll 81.

73. Richmond Co., Register of Free Persons of Color, 1836, Wm. A. Lloyd.

74. 1850 U.S. census, Richmond Co., Ga., pop. sch., Division No. 73, fol. 464r, dwell. 364 [no fam. no.], William Beddingfield household.



3. **Madison<sup>2</sup> Bennefield** (Juda<sup>1</sup> Kelly), born about 1809;<sup>75</sup> living on 5 September 1850.<sup>76</sup> He married **Judy Ruff**.<sup>77</sup>

Madison followed his brother William into the blacksmith trade.<sup>78</sup> By 1840 he moved to Crawfordville, Georgia, where he met his wife.<sup>79</sup> Madison likely died by 1860, when his three youngest children were living with their grandmother in Augusta.<sup>80</sup>

Madison and Judy had five children, all but Jacob born in Crawfordville:

- 11 i. VICTORIA<sup>3</sup> BENNEFIELD, born about 1841;<sup>81</sup> living on 30 June 1856.<sup>82</sup>
- 12 ii. JACOB BENNEFIELD, born about 1843 in Madison;<sup>83</sup> living in 1870 in Cobb County, Georgia, with his apparent wife, Amanda, and three young children.<sup>84</sup>
- 13 iii. NANCY BENNEFIELD, born in June or July 1845;<sup>85</sup> living on 24 August 1860 in Augusta with her siblings Zack and Judy, their grandmother Juda, and two aunts.<sup>86</sup>
- 14 iv. ZACHARIAH TAYLOR BENNEFIELD, born 13 October 1848;<sup>87</sup> died in December 1875 in Augusta; buried on 26 December 1875 at Cedar Grove Cemetery, Augusta.<sup>88</sup>
- 15 v. JUDY BENNEFIELD, born 4 February 1851;<sup>89</sup> died in May 1865; buried on 5 May 1865 at Cedar Grove Cemetery.<sup>90</sup>

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75. Richmond Co., Register of Free Persons of Color, March 1819, "Maddison" Kelly.

76. 1850 U.S. census, Taliaferro Co., Ga., pop. sch., Division 78, fol. 318v, dwell./fam. 43, Matison Bennefield household.

77. Taliaferro Co., Free Persons of Color A, , Madison Kelly, 7 October 1845.

78. Richmond Co., Register of Free Persons of Color, 1825, Madison Kelly.

79. Taliaferro Co., Free Persons of Color A, Madison Kelly, 7 October 1845.

80. 1860 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, 4th Ward, fol. 179r, dwell. 1433, fam. 1399, Judy Bennefield household.

81. Taliaferro Co., Free Persons of Color A, Madison Kelly, 7 October 1845.

82. Ibid., Judy Ruff, 30 June 1856.

83. Ibid., Madison Kelly, 7 October 1845.

84. 1870 U.S. census, Cobb Co., Ga., pop. sch., Ken[n]esaw Dist., p. 149, dwell. 1161, fam. 1165, Jacob Benniefield household; NARA microfilm M593, roll 144.

85. Taliaferro Co., Free Persons of Color A, Madison Kelly, 7 October 1845.

86. 1860 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, 4th Ward, fol. 179r, dwell. 1433, fam. 1399, Judy Bennefield household.

87. Taliaferro Co., Free Persons of Color A, Zachariah Bennefield, 18 February 1852.

88. Magnolia Cemetery (Augusta), Interments B (includes Cedar Grove Cemetery), p. 332, Taylor Bennefield, 26 December 1875.

89. Taliaferro Co., Free Persons of Color A, Judy, daughter of Judy Ruff, 15 January 1853.

90. Magnolia Cemetery, Interments A (includes Cedar Grove Cemetery), p. 509, Judy Bennefield, 5 May 1865.

4. **Augustus<sup>2</sup> Bennefield** (Juda<sup>1</sup> Kelly), born about 1812;<sup>91</sup> died in 1863.<sup>92</sup> He married **Julia Shefton**.<sup>93</sup> Julia died on 23 September 1907.<sup>94</sup>

Augustus made his living as a harness maker.<sup>95</sup> Near the end of his life he worked for carriage manufacturer John Attaway in Burke County, Georgia, south of Augusta.<sup>96</sup>

Augustus and Julia had six known children:

- 16 i. ABRAM SHEFTON<sup>3</sup> BENNEFIELD, born in 1837–38;<sup>97</sup> died in February 1883; buried on 27 February 1883 at Cedar Grove Cemetery in Augusta.<sup>98</sup> He married Mary Louisa Bryant.<sup>99</sup> She died on 20 July 1882 and was buried at Cedar Grove Cemetery.<sup>100</sup> Abram was a shoemaker.<sup>101</sup>
- 17 ii. AUGUSTUS BENNEFIELD, born about 1842; died on 28 July 1888 in Providence, Rhode Island; buried at North End Cemetery.<sup>102</sup> Augustus made his way north to New Bedford, Massachusetts, by 1880, where he worked as a laborer.<sup>103</sup>
- 18 iii. JULIA BENNEFIELD, named on 8 March 1871 with her brother Clifford.<sup>104</sup>
- 19 iv. CLIFFORD BENNEFIELD.<sup>105</sup>
- 20 v. ANNA M. BENNEFIELD, born about 1853; died on 23 July 1932 at her home in Columbia, South Carolina;<sup>106</sup> buried at Cedar Grove Cemetery,

91. Richmond Co., Register of Free Persons of Color, March 1819, Augustus Kelly.

92. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company, 1865–1874*, roll 7, Augusta Branch, bank card 2719, Julia M. Benifield.

93. *Ibid.*

94. "Julia Bennefield Dead," *Augusta Chronicle*, 23 September 1907, page 2, col. 1.

95. Richmond Co., Register of Free Persons of Color, 1851, Augustus Kelly.

96. 1860 U.S. census, Burke Co., Ga., pop. sch., Town of Waynesboro, p. 908, dwell. 293, fam. 293, John Attaway household; NARA microfilm M653, roll 112.

97. 1870 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, Ward Two, fol. 69r, dwell. 203, fam. 263, Abram S. Bennefield household.

98. Cedar Grove Cemetery, Colored Interments C, February 1883 burials, Abraham S. Bennefield, 27 February 1883.

99. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company, 1865–1874*, roll 7, Augusta Branch, bank card 5032, Louisa Benifield, in trust for Robert Benifield. For Mary's maiden name, see 1870 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, Ward Four, fol. 190v, dwell. 678, fam. 796, Augustus Bryant household.

100. Cedar Grove Cemetery, Colored Interments C, July 1882 burials, Louisa Bennefield, 21 July 1882.

101. *Sholes' Augusta City Directory, 1882* (Augusta: Sholes, 1882), 120.

102. Providence, R.I., return of death, 28 July 1888, Augustus Bennefield; City of Providence Archives; FHL microfilm 2,023,016.

103. 1880 U.S. census, Bristol Co., Mass., pop. sch., New Bedford, ED 115, p. 4D, dwell./fam. 38, "Agustus" Bennefield; NARA microfilm T9, roll 525.

104. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company, 1865–1874*, roll 7, Augusta Branch, bank card 2719, Julia M. Benifield.

105. *Ibid.*

106. "South Carolina Death Records, 1821–1960," database of digital images, *Ancestry.com* (<http://search.ancestry.com/search/db.aspx?dbid=8741>), 1925–1949 > Richland > image 806, Richland Co., S.C., death certificate no. 11155, Mrs. Anna Quarles.

Augusta.<sup>107</sup> She married, on 29 April 1891, Joseph S. Quarles.<sup>108</sup> He died on 25 November 1913.<sup>109</sup> Following her mother into nursing, Anna worked in private homes through the 1880s.<sup>110</sup> She married Joseph when he was starting a career in the Protestant Episcopal Church.<sup>111</sup> He was the first African American ordained in the Episcopal Diocese of South Carolina.<sup>112</sup> Joseph later became rector of the “Negro branch” of St. Mary’s Episcopal Church in Columbia.<sup>113</sup> After her husband’s death Anna continued living in Columbia.<sup>114</sup>

- 21 vi. ROBERT FRASIER BENNEFIELD, born in December 1857;<sup>115</sup> died on 20 September 1919 in Augusta; likely buried at Cedar Grove Cemetery.<sup>116</sup> He married (1), on 17 February 1877, Elizabeth Webster.<sup>117</sup> She died on 15 March 1898.<sup>118</sup> He married (2), about 1902, Bell Patton.<sup>119</sup> As “Bell Shaw,” she died on 7 May 1925.<sup>120</sup> By 1880 Robert had started his career as a waiter.<sup>121</sup> Over the next decade he rose to head waiter at Augusta’s Planters’ Hotel, a position he would also hold at the city’s Arlington and Albion hotels.<sup>122</sup> At his death the *Augusta Chronicle* eulogized: “No man

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107. Cedar Grove Cemetery, Colored Interments F:29, Anna Quarles, 26 July 1932.

108. Richmond Co., Marriage Book R:134, Quarles to Bennefield; Probate Court, Augusta; GA microfilm 48/69.

109. “Negro Archdeacon Dies in Columbia,” *State*, Columbia, S.C., 26 November 1913, page 9, col. 5.

110. 1880 U.S. census, Richmond Co., Ga., pop. sch., Augusta, ED 97, p. 11C, dwell. 99, fam. 135, Julia Bennefield household; NARA microfilm T9, roll 163. Also, *Augusta City Directory*, 1889 (Augusta: R. L. Polk, 1889), 76.

111. “Funeral Services Conducted by Bishop,” *State*, 30 November 1913, page 3, col. 1.

112. “General Alphabetical List of the Clergy of the Church in the United States,” *The Living Church Quarterly*, 1 December 1891, pp. 233–83.

113. “Negro Archdeacon Dies in Columbia,” *State*, 26 November 1913, page 9, col. 5.

114. 1930 U.S. census, Richland Co., S.C., pop. sch., Columbia City, Ward 1, ED 2, sheet 22A, dwell. 451, fam. 522, Anna B. Quarles household; NARA microfilm T626, roll 2210.

115. 1900 U.S. census, Richmond Co., Ga., Augusta, Ward 1, ED 51, sheet 24B, dwell. 516, fam. 594, Robert Bennefield household; NARA microfilm T623, roll 219.

116. “Georgia, Deaths, 1914–1927,” *FamilySearch* (<http://www.familysearch.org>), digital collection 4177095, image 904, Richmond Co., 1919 death certificate no. 13984, Robert Bennefield.

117. Richmond Co., Marriage Book I:240, Bennefield to Webster; GA microfilm 48/65.

118. “Died Last Night: Elizabeth Bennefield Wife of Robert Bennefield,” *Augusta Chronicle*, 16 March 1898, page 5, col. 5.

119. 1910 U.S. census, Richmond Co., Ga., pop. sch., Augusta, Ward 4, ED 62, sheet 6B, dwell. 133, fam. 152, Robert Bennefield household; NARA microfilm T624, roll 211.

120. “Georgia, Deaths, 1914–1927,” *FamilySearch*, digital collection 4179253, image 1237, Richmond Co., 1925 death certificate no. 15420, Bell Shaw.

121. 1880 U.S. census, Richmond Co., Ga., pop. sch., Augusta, ED 97, p. 11, dwell. 99, fam. 135, Julia Bennefield household.

122. For the Planters’ Hotel, see *Augusta City Directory*, 1889, 76. For the Arlington Hotel, see “Died Last Night. Elizabeth Bennefield Wife of Robert Bennefield,” *Augusta Chronicle*, 16 March 1898, page 5, col. 5. For the Albion Hotel, see *Augusta City Directory*, 1909 (Augusta: R. L. Polk, 1909), 179.

in his line stood higher than he did, having been connected with the hotel life of this town for about fifty years."<sup>123</sup>

5. **Ann<sup>2</sup> Kelly** (Juda<sup>1</sup>), born about 1814;<sup>124</sup> living in 1859;<sup>125</sup> deceased by 3 May 1870.<sup>126</sup> She married **William McCormick**, a barber.<sup>127</sup> He died on 10 March 1885.<sup>128</sup> Ann worked as a washer and ironer.<sup>129</sup>

Ann and William had two children:

- 22 i. HENRY RAYMOND<sup>3</sup> KELLY, born about 1834; living in 1859.<sup>130</sup> By the time he was seventeen Henry had followed his father into the barbering profession.<sup>131</sup>
- 23 ii. ELIZA ANN KELLY, born about 1835; living in 1863. She worked as a seamstress.<sup>132</sup>

6. **Emily<sup>2</sup> Kelly** (Juda<sup>1</sup>), born about 1817;<sup>133</sup> died on 27 August 1880;<sup>134</sup> buried at Cedar Grove Cemetery, Augusta, on 28 August 1880, from her residence on Walker Street.<sup>135</sup>

Emily made her living primarily as a seamstress.<sup>136</sup> Like other women in the family, she owned her home.<sup>137</sup> Emily's daughter and son-in-law lived there with her.<sup>138</sup> Her family continued to live at the house until the end of the nineteenth century.<sup>139</sup>

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123. "Notes Among the Colored People," *Augusta Chronicle*, 28 September 1919, page 4A, col. 3.

124. Richmond Co., Register of Free Persons of Color, March 1819, Ann Kelly.

125. *Ibid.*, 1859, Anna Kelly.

126. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company*, 1865–1874, roll 6, Atlanta Branch, bank card 407, Laura Lavinia Combs.

127. Richmond Co., Register of Free Persons of Color, 1852, Ann Kelly.

128. Cedar Grove Cemetery, Colored Interments C, March 1885 burials, William Cormick, 12 March 1885.

129. Richmond Co., Register of Free Persons of Color, 1848, Anna Kelly.

130. *Ibid.*, 1859, Henry Raymond Kelly.

131. 1850 U.S. census, Richmond Co., Ga., pop. sch., Division 73, fol. 481r, dwell. 632 [no fam. no.], Ann Kelly household.

132. Richmond Co., Register of Free Persons of Color, 1863, Eliza Ann Kelly.

133. *Ibid.*, March 1819, Emily Kelly.

134. Cedar Grove Cemetery, Colored Interments C, August 1880 burials, Emily Bennifield, 28 August 1880.

135. "Funeral Notice," *Augusta Chronicle*, 28 August 1880, page 4, col. 3.

136. Richmond Co., Register of Free Persons of Color, 1857, Emily Kelly Binfield.

137. Richmond Co., 1848 Tax Digest, p. 4, Emily Beddingfield; GA microfilm 61/40.

138. 1880 U.S. census, Richmond Co., Ga., pop. sch., Augusta, ED 99, pp. 63–64, dwell. 610, fam. 748, William Barefield household.

139. Maloney's 1899 *Augusta Appendix* (Augusta: Maloney, 1899), 748.

Emily had one known child:

- 24 i. JULIA ANN<sup>3</sup> KELLY, born in September 1838;<sup>140</sup> died likely on 19 April 1902; buried the next day from Union Baptist Church in Augusta.<sup>141</sup> She married (1) William Henry Barefield.<sup>142</sup> After William's death, Julia married (2), on 22 September 1886, John L. Mitchell.<sup>143</sup> Julia worked as a seamstress.<sup>144</sup> After the Civil War William worked as a postal clerk, a position he held until his death, in 1885.<sup>145</sup> Julia's second husband, John, was a baker.<sup>146</sup> Julia suffered the loss of five of her six children. Her first child, *Virginia*, died of a congestive chill at age fifteen.<sup>147</sup> *John*, the second oldest, drowned in the Savannah River when he was thirteen.<sup>148</sup> Julia lost her husband from tuberculosis in June 1885, followed the next month by her third child, *Emily*, of typhoid fever at age sixteen.<sup>149</sup> *Louis* died at age two.<sup>150</sup> Julia's youngest child, *William*, was killed by a "blow to the head" on Christmas Day 1892 at age fourteen.<sup>151</sup> Julia's surviving child was *Sarah Jane Barefield*, born in 1874–75, who married Adolphus N. Gordon in Richmond County on 21 November 1900.<sup>152</sup>

8. **Laura Lavinia<sup>2</sup> Kelly** (Juda<sup>l</sup>), born about 1825;<sup>153</sup> died in September 1872; buried on 23 September 1872 at Oakland Cemetery, Atlanta.<sup>154</sup> When Laura was about fifteen she became involved with **Thomas M. Simmons**, a

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140. 1900 U.S. census, Barnwell Co., S.C., pop. sch., Blackville, ED 17, sheet 2A, dwell. 33, fam. 39, John L. Mitchell household; NARA microfilm T623, roll 1518.

141. "Funeral Notice," *Augusta Chronicle*, 20 April 1902, page 8, col. 3.

142. Richmond Co., Register of Free Persons of Color, 1863, William Henry Barefield.

143. Richmond Co., Marriage Book O:282, Mitchell-Barefield; GA microfilm 48/67.

144. Richmond Co., Register of Free Persons of Color, 1863, Julia Kelly. The listing identifies her mother as "Emily Kelly."

145. 1870 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, Ward Three, fol. 117v, dwell. 343, fam. 353, William H. Barefield household. For William's death, see Cedar Grove Cemetery, Interments C, June 1885 burials, W. H. Barefield, 7 June 1885.

146. *Augusta City Directory*, 1888 (Augusta: R. L. Polk, 1888), 311.

147. Magnolia Cemetery, Interments B:182, Virginia Barefield, 3 September 1871.

148. *Ibid.*, B:209, John Barefield, 17 July 1872.

149. Cedar Grove Cemetery, Colored Interments C, July 1885 burials, Emily J. Barfield, 28 July 1885.

150. Magnolia Cemetery, Interments B:298, Louis Barefield, 5 September 1874.

151. Cedar Grove Cemetery, Colored Interments C, December 1892 burials, William H. Barfield, 25 December 1892.

152. 1900 U.S. census, Richmond Co., Ga., pop. sch., Militia District 120, Augusta, Ward 2, ED 57, sheet 3B, dwell. 67, fam. 85, J. R. Barefield household. The birth month and year for Sarah, J. R.'s niece, are illegible. Also, Richmond Co., Marriage Book X:239, Gordon-Barefield, 21 November 1900; FHL microfilm 158,611.

153. Richmond Co., Register of Free Persons of Color, 1836, Laura L. Kelly.

154. Oakland Cemetery, Interment Book 1872–1875, p. 157, Laura Combs.

thirty-year-old white bookkeeper in Augusta.<sup>155</sup> Thomas was widowed shortly before beginning his relationship with Laura.<sup>156</sup> Later, likely in Atlanta, Laura married **John Combs**.<sup>157</sup>

No record documents Laura's move to Atlanta, but she likely arrived in 1849 with her guardian, Dr. James F. Alexander. Soon after graduating from medical school in Augusta, he moved to Atlanta, where a smallpox epidemic threatened the city. His medical talents earned him wide recognition.<sup>158</sup> Clothes washing was important to his treatments, and Laura likely provided that assistance.<sup>159</sup>

About 1856 Laura returned to her family in Augusta.<sup>160</sup> She lived there through the Civil War, working as a washer and ironer.<sup>161</sup> Shortly after the war's end Laura's father and step-mother died within months of each other; Jacob Ross in July 1866 and Elizabeth in December.<sup>162</sup>

A legal challenge over Jacob's assets set a precedent for all Georgia's African American citizens. William J. White, administrator of Jacob's estate, claimed that Jacob's son Alfred H. Ross was not entitled to a share of the estate because Alfred's parents were unmarried. Alfred sued for his share.<sup>163</sup>

Alfred's rights hinged on a Georgia law designed to provide legal protection to former slaves. The statute, enacted on 9 March 1866, legitimated African American children in Georgia whose fathers acknowledged them.<sup>164</sup> Nine

155. Thomas S. Kelly, deposition, 14 December 1900, in Thomas S. Kelly (Co. C, 4th Regt., U.S. Colored Inf.), invalid pension application 1,128,536, certificate 874,461; Case Files of Approved Pension Applications . . . , 1861–1934; Civil War and Later Pension Files; Department of Veterans Affairs, RG 15; National Archives, Washington, D.C. For Thomas's age, see 1850 U.S. census, Richmond Co., Ga., pop. sch., Division No. 73, fol. 472v, dwell. 303 [no fam. no.], Thomas M. Simmons household.

156. Magnolia Cemetery, marker for Mrs. Ann M. Simmons.

157. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company, 1865–1874*, roll 6, Atlanta Branch, bank card 407, Laura Lavinia Combs.

158. Thomas H. Martin, *Atlanta and Its Builders: A Comprehensive History of the Gate City of the South*, 2 vols. (Atlanta: Century Memorial Publishing Company, 1902), 2:628–29.

159. DeKalb Co., Register of Free Persons of Color, Laura Kelly, 11 August 1851.

160. Richmond Co., Register of Free Persons of Color, 1857, Laura Kelly.

161. *Ibid.*, 1863, Laura Kelly.

162. Magnolia Cemetery, Interment Book B:3, Jacob Ross, 12 July 1866, and B:22, Betsy Ross, 5 December 1866.

163. For White's roles, see Richmond Co., Ordinary Minutes K:212; Probate Court, Augusta; FHL microfilm 158,626. For the suit and its basis, see *White v. Ross*, case A-4545, filed 8 September 1869.

164. "An Act to prescribe and regulate the relation of Parent and Child among persons of color, in this State, and for other purposes," in *Acts of the General Assembly of the State of Georgia, Passed in Milledgeville, at an Annual Session in December 1865, and January, February, and March, 1866* (Milledgeville: Boughton, Nisbet, Barnes and Moore, 1866), 240.

months later, on 12 December, the legislature amended the act to limit legitimations to children born to parents living as husband and wife.<sup>165</sup>

Although Jacob Ross had not lived with Alfred's mother as her husband, he had acknowledged Alfred as his son. Alfred's case ultimately came before the Georgia Supreme Court.<sup>166</sup> It clarified that the amendment did not nullify the legitimation under the original act. The court ruled Alfred legitimate and entitled to a share of his father's estate.<sup>167</sup>

Laura, Alfred's half sister, benefited from the court's decision. On 13 February 1871, as Jacob Ross's daughter and heir, she acknowledged receiving \$549.53 as her share of her father's estate.<sup>168</sup>

Before Alfred's legal challenge Laura had returned to Atlanta, where her children would have more opportunities than in Augusta. Laura died in September 1872, and her body was laid to rest in Oakland Cemetery.<sup>169</sup> No known evidence specifies her burial location within the forty-eight-acre cemetery.

In 1870 Laura reported having seven living children and three who had died.<sup>170</sup> She and Thomas M. Simmons had one, perhaps two, of them:

- 25     i. THOMAS SIMMONS<sup>3</sup> KELLY, born about 1839;<sup>171</sup> died on 18 May 1902 in Washington, D.C.;<sup>172</sup> buried at Arlington National Cemetery.<sup>173</sup> He married (1), on 4 December 1868 at Raleigh, North Carolina, Mary Cooley.<sup>174</sup> They divorced on 11 February 1879 at Orleans Parish,

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165. "An Act to explain the third section of an Act, entitled An Act to prescribe and regulate the relation of Parent and Child among persons of color, in this State . . .," in *Acts of the General Assembly of the State of Georgia, Passed in Milledgeville, At an Annual Session, in November and December, 1866* (Milledgeville: Boughton, Nisbet, Barnes and Moore, 1866), 156.

166. *White v. Ross*, case A-4545; RG 91-1-1, GA.

167. *Reports of Cases in Law and Equity, Argued and Determined in the Supreme Court of Georgia*, vol. 40, annotated ed. by N. J. Hammond, *December Term, 1869, and June Term, 1870* (Atlanta: Harrison, 1917), 339-42.

168. Richmond Co., Account Book BB:487, receipt, Laura L. Combs.

169. Oakland Cemetery, Interments 1872-1875, p. 157, Laura Combs.

170. *Registers of Signatures of Depositors in Branches of the Freedman's Saving and Trust Company, 1865-1874*, roll 6, Atlanta Branch, bank card 407, Laura Lavinia Combs.

171. 1852 City Census of Augusta, Free Persons of Color, Ward 3, no. 11, Thos. Benefield "(at Jacob Ross')."

172. Washington, D.C., 1902 Certificate of Death no. 142982, Thomas Simmons Kelly; D.C. Health Department; FHL microfilm 2,115,155.

173. Arlington National Cemetery (Arlington, Va.), grave marker no. 16076, Sgt. T. S. Kelly.

174. Mary Kelly, Declaration for Widow's Pension, 22 January 1901, in widow's pension application 733,604, service of Thomas S. Kelly (Co. E, 39th Regt., U.S. Colored Troops), Civil War, RG 15, NA-Washington.



Louisiana.<sup>175</sup> Thomas married (2), on 7 July 1879 in Washington, D.C., Belle Warren Smith.<sup>176</sup> She died on 21 July 1917.<sup>177</sup> Thomas grew up in his grandfather Jacob Ross's household.<sup>178</sup> Thomas's later activities and occupations show he had a strong education. Thomas's work as a clerk suggests training by his father. At the Civil War's onset Thomas made his way to Maryland, where he enlisted in the United States Colored Troops.<sup>179</sup> He was a sergeant but was demoted for cowardice after failing to follow orders to advance at the Battle of New Market Heights in September 1864.<sup>180</sup> Thomas served in the regimental band for the remainder of the war.<sup>181</sup> After his discharge he found work in the New Orleans customs house.<sup>182</sup> He continued his musical pursuits, starting a popular brass band.<sup>183</sup> An 1881 history of music in America notes, "With [Kelly's Band and others] the people of New Orleans are always well supplied with the best of martial music."<sup>184</sup> In 1878 Thomas moved to Washington, D.C., to work as a Treasury Department clerk.<sup>185</sup> In 1880 he helped organize the Capital City Guard in Washington, an African American unit of the D.C. National Guard.<sup>186</sup> As captain, he led his men at the Washington Monument's 1885 dedication.<sup>187</sup>

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175. Orleans Parish, La., certified copy of divorce judgment, 17 February 1879, Kelly v. "Coaley," Louisiana Third District Court, case 23332; in Belle W. Kelly, widow's pension, application 763,522, certificate 540,583; service of Thomas S. Kelly; RG 15, NA-Washington.

176. Washington, D.C., Marriage Record 13:270, Kelly-Smith; D.C. Archives; FHL microfilm 2,107,966.

177. "Kelly," *Evening Star*, Washington, D.C., 24 July 1917, page 7, col. 4.

178. 1852 City Census of Augusta, Free Persons of Color, Ward 3, no. 11, Thos. Benefield.

179. Compiled service record, Thomas S. Kelly, Co. C, 4th Regt., U.S. Colored Inf.; Carded Records, Volunteer Organizations, Civil War; Records of the Adjutant General's Office, 1780s-1917, RG 94; NA-Washington.

180. Edward G. Longacre, *A Regiment of Slaves: The 4th United States Colored Infantry, 1863-1866* (Mechanicsburg, Pa.: Stackpole, 2003), 120.

181. Compiled service record, Thomas S. Kelly, Co. C, 4th Regt., U.S. Colored Inf.; RG 94; NA-Washington.

182. *Edwards' Annual Directory . . . City of New Orleans* (New Orleans: Southern Publishing, 1872), 228.

183. Richard Brent Turner, *Jazz Religion, the Second Line, and Black New Orleans* (Bloomington: Indiana University Press, 2009), 106. Also, Eileen Southern, *The Music of Black Americans: A History*, 3rd ed. (New York: Norton, 1997), 257.

184. James M. Trotter, *Music and Some Highly Musical People* (1881; reprint, New York: Johnson Reprint Corporation, 1968), 351.

185. "Death of Thomas Simmons Kelly," *Washington Post*, 20 May 1902, p. 12.

186. For Thomas's role, see *The First Colored Professional, Clerical, Skilled and Business Directory of Baltimore City*, 7th ed. (Baltimore: R. W. Coleman, 1919-1920), 499:90. For a history of the D.C. National Guard, see Martin K. Gordon, "The Black Militia in the District of Columbia, 1867-1898," *Records of the Columbia Historical Society, Washington, D.C.* 71/72 (1971/1972): 411-20.

187. *The Dedication of the Washington National Monument: February 21, 1885* (Washington: Government Printing Office, 1885), 35.

- 26 ii. JOHN KELLY GREENFIELD, born about 1840;<sup>188</sup> living in Columbus, Mississippi, on 3 May 1870.<sup>189</sup> As a boy, John lived in Augusta with his grandmother Juda and aunt Emily.<sup>190</sup> In 1850 and 1852 he appeared with the surname “Greenfield.”<sup>191</sup> The surname’s source is unclear—it does not appear in Augusta census, tax, or free-person-registration records. John’s father may have been Thomas Simmons, but John’s Greenfield name suggests another relationship. In May 1870, when John’s mother deposited money in the Freedman’s Bank, “John Simmons” lived in Columbus.<sup>192</sup> He may have become a deputy sheriff there, but no known evidence connects deputy “J. E. Greenfield” of Columbus to John of Augusta.<sup>193</sup>

Laura Lavinia Kelly and John Combs had five known children:

- 27 iii. JAMES BERTRAM<sup>3</sup> COMBS, born 24 December, likely in 1852–53; died on 4 September 1946; buried at Forest Hill Cemetery, Corinth, Mississippi.<sup>194</sup> He married (1), on 28 December 1881 at Marshall County, Mississippi, Anna S. Johnson.<sup>195</sup> He married (2), on 21 October 1893 at Alcorn County, Mississippi, Delia D. White.<sup>196</sup> During Reconstruction James moved to New Orleans, lived there with his brother Thomas, and worked as a messenger.<sup>197</sup> He began his collegiate career at Straight University in New Orleans in 1876, but shortly after he moved to Holly Springs, Mississippi, where he attended Shaw University (now

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188. 1850 U.S. census, Richmond Co., Ga., pop. sch., Division No. 73, fol. 481v, dwell. 645 [no fam. no.], Emily Kelly household.

189. *Registers of Signatures of Depositors in Branches of the Freedman’s Saving and Trust Company, 1865–1874*, roll 6, Atlanta Branch, bank card 407, Laura Lavinia Combs.

190. 1850 U.S. census, Richmond Co., Ga., pop. sch., Division No. 73, fol. 481v, dwell. 645 [no fam. no.], Emily Kelly household.

191. 1852 City Census of Augusta, Free Persons of Color, Ward 4, entry 62, John Greenfield.

192. *Registers of Signatures of Depositors in Branches of the Freedman’s Saving and Trust Company, 1865–1874*, roll 6, Atlanta Branch, bank card 407, Laura Lavinia Combs.

193. 1870 U.S. census, Lowndes Co., Miss., pop. sch., Columbus, p. 53, dwell. 452, fam. 671, J. E. [or T. E.] Greenfield household; NARA microfilm M593, roll 738.

194. Alcorn Co., Miss., 1946 Standard Certificate of Death no. 12069, James B. Combs; Vital Records Office, Mississippi Department of Health, Jackson. For the best approximation of James’s birth year, see 1860 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, Ward Four, p. 872, dwell. 1418, fam. 1084, Laura Kelly household.

195. Marshall Co., Miss., Marriage Record 7:284, Combs-Johnson; Circuit Clerk, Holly Springs, Miss.; FHL microfilm 894,370.

196. Alcorn Co., Marriage Record B (Colored): 50, Combs-White; Circuit Clerk, Corinth, Miss.; FHL microfilm 900,652.

197. *Edwards’ Annual Directory in the City of New Orleans, for 1871* (New Orleans, 1871), 342.

Rust College).<sup>198</sup> There James courted activist-to-be Ida B. Wells, but he ended the relationship before marrying Anna Johnson.<sup>199</sup> At Shaw James began a career in education that spanned more than sixty years. His longest tenure, at Corinth, lasted from 1889 to 1920.<sup>200</sup> After living briefly with his sons in Minneapolis, James returned to the South.<sup>201</sup> Through the 1920s and 1930s he taught in northern Mississippi and southern Tennessee schools.<sup>202</sup>

- 28 iv. CORNELIA COMBS, born about 1856;<sup>203</sup> died on 30 October 1934 in St. Louis, Missouri; buried at Washington Park Cemetery.<sup>204</sup> She married (1), in Fulton County on 2 September 1871, William Blackwell;<sup>205</sup> (2), in Fulton County on 11 July 1886, Charles Williams;<sup>206</sup> and (3), in Fulton County on 11 November 1900, George Washington Rivers.<sup>207</sup> Cornelia had five known children: one with her first husband and four with her second: *Virginia Blackwell*, born in 1871–72; *Oliver Williams*, born in January 1888; *Charlie Williams*, born in April 1890; *Bertha L. Williams*, born in June 1892; and *Cornelia Williams* born in July 1893.<sup>208</sup> Cornelia lived in Atlanta through the end of 1915 and later in St. Louis.<sup>209</sup>

198. George P. Rawick, Jan Hillegas, and Ken Lawrence, eds., *The American Slave: A Composite Autobiography*, supplement, series 1, 12 vols. (Westport, Conn.: Greenwood, 1977), 7:483–84. Shaw University was renamed in 1890. See *Laws of the State of Mississippi* (Jackson, Miss.: R. H. Henry, 1890), 552–53, “An Act to Amend an Act to Incorporate the Trustees of Shaw University, Located at Holly Springs, Mississippi,” passed 19 February 1890.

199. Linda O. McMurry, *To Keep the Waters Troubled: The Life of Ida B. Wells* (New York: Oxford University Press, 1998), 13.

200. Rawick et al., *American Slave*, 7:483–84.

201. *Davison’s Minneapolis City Directory, 1923* (Minneapolis: Minneapolis Directory Co., 1923), 522.

202. Rawick et al., *American Slave*, 7:483–84.

203. 1860 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, Ward Four, p. 872, dwell. 1418, fam. 1084, Laura Kelly household.

204. “Missouri Death Certificates,” *Missouri Digital Heritage* ([http://www.sos.mo.gov/images/archives/deathcerts/1934/1934\\_00039253.PDF/](http://www.sos.mo.gov/images/archives/deathcerts/1934/1934_00039253.PDF/)), digital image, Missouri State Board of Health, 1934 death certificate no. 38053, Cornelia Rivers.

205. Fulton Co., Marriage Record A (Colored): 311, Blackwell-Combs; Probate Court, Atlanta.

206. *Ibid.*, C (Colored): 337, Williams-Blackmon.

207. *Ibid.*, G (Colored): 188, Rivers-Williams.

208. For Cornelia’s first child, see 1880 U.S. census, Fulton Co., Ga., pop. sch., Atlanta, ED 94, p. 28D, dwell. 217, fam. 235, Cornelia Blackwell household. For her later children, see 1900 U.S. census, Fulton Co., Ga., pop. sch., Atlanta, ED 56, sheet 14B, dwell. 303, fam. 317, Cornelia Williams household; NARA microfilm T623, roll 199.

209. *Atlanta City Directory, 1916* (Atlanta: Atlanta City Directory Co., 1916), 1394. Cornelia appears on 1920 U.S. census, St. Louis City, Mo., pop. sch., ED 337, sheet 5B, dwell. 77, fam. 90, Lou Alexander household; NARA microfilm T625, roll 956.

- 29 v. LAURA ANN “ANNIE” COMBS, born probably in 1859;<sup>210</sup> died on 31 July 1915 in Atlanta; buried at South-View Cemetery.<sup>211</sup> About 1875 she married Andrew Davis.<sup>212</sup> Continuing a Kelly tradition of female land-ownership, Annie purchased a house and lot in Atlanta in 1895.<sup>213</sup> Working as a teacher at the Gray Street School, Annie’s daughter *Laura Davis* was an educator like her uncles James and Oswell.<sup>214</sup> Late in her life Annie lived with her daughter and son-in-law.<sup>215</sup>
- 30 vi. OSWELL AUGUSTUS COMBS was born on 5 June 1861,<sup>216</sup> and died likely in the early 1930s. He married (1), in 1884, “Augusta L. [—?—]”; they divorced in 1895 with no known children.<sup>217</sup> Oswell married (2), on 20 February 1901 in Atlanta, Alberta F. McAlpine.<sup>218</sup> Their marriage dissolved in the early 1920s.<sup>219</sup> Oswell married (3), on 1 November 1924, in Humphreys County, Mississippi, Dora Willie Irving.<sup>220</sup> Oswell’s aptitude and ambition were evident from an early age.<sup>221</sup> Among other things, he excelled at penmanship, a skill evident at age thirteen.<sup>222</sup> After attending Atlanta public schools, he completed preparatory courses at Atlanta University and then attended college there.<sup>223</sup> Oswell was graduated in 1882.<sup>224</sup> Like his brother James, Oswell pursued a career in education. He took a teaching position in Athens, Georgia, and later

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210. 1860 U.S. census, Richmond Co., Ga., pop. sch., City of Augusta, Ward Four, p. 872, dwell. 1418, fam. 1084, Laura Kelly household.

211. Atlanta, Ga., 1915 death certificate no. 2367, Mrs. Annie L. Davis; Fulton County Department of Health and Wellness, Atlanta.

212. 1880 U.S. census, Fulton Co., Ga., pop. sch., Atlanta, Ward 4, ED 99, p. 34B, dwell. 278, fam. 391, Andrew Davis household.

213. Fulton Co., Deed Book 156:679–80, Cottingham to Davis, 9 September 1895.

214. *Atlanta City Directory for 1897* (Atlanta: V. V. Bullock, 1897), 613.

215. 1910 U.S. census, Fulton Co., Ga., pop. sch., Atlanta, Ward 4, ED 72, sheet 30A, dwell. 608, fam. 681, Hunter Thomas household; NARA microfilm T624, roll 191.

216. Caldwell, *American Negro*, 438.

217. “About Two Divorce Suits,” *Atlanta Constitution*, 15 January 1895, page 4, col. 7.

218. Fulton Co., Marriage Record G (Colored): 290, Combs-McAlpine.

219. 1930 U.S. census, Cook Co., Ill., pop. sch., Chicago, Ward 17, Block 78, ED 630, sheet 6B, dwell. 59, fam. 121, Guy Lewis household; NARA microfilm T626, roll 443. Also, Lelia Gaston Rhodes, *Jackson State University: The First Hundred Years, 1877–1977* (Jackson: University Press of Mississippi, 1977), 78.

220. Humphreys Co., Miss., Marriage Record 4:360, Combs-Irving; Circuit Court, Belzoni, Miss.

221. Caldwell, *American Negro*, 438–39. Caldwell profiled Oswell in 1917, highlighting his penmanship abilities and Atlanta public school attendance.

222. *Registers of Signatures of Depositors in Branches of the Freedman’s Saving and Trust Company, 1865–1874*, roll 6, Atlanta Branch, bank card 4316, Oswell Combs.

223. *Catalogue of the Officers and Students of Atlanta University . . . 1877–8* (Atlanta: Atlanta Constitution Power Book and Job Printing, 1878), 9.

224. “Our Graduates,” *Bulletin of Atlanta University* 97 (January 1899): 1.

became principal.<sup>225</sup> In Athens he met his first wife, a teacher.<sup>226</sup> Oswell's only break from teaching came in the early 1890s in Washington, D.C., where he was a United States Pension Office clerk.<sup>227</sup> The position almost led to his death. On 9 June 1893 the Pension Office building, formerly the Ford Opera House, collapsed under the weight of four hundred clerks and their equipment. Twenty men were killed. Early reports identified Oswell as missing and presumed dead, but he was among the majority who escaped relatively unharmed.<sup>228</sup> Less than three years later Oswell returned to Atlanta, accepting a professorship at Morris Brown College teaching classics and music.<sup>229</sup> Despite his professional success, Oswell's first marriage was failing. He sued for divorce in January 1895 alleging that Augusta had treated him cruelly and threatened his life.<sup>230</sup> Oswell worked at Morris Brown for more than two decades, where he taught music and classical languages.<sup>231</sup> By 1916 he applied, unsuccessfully, for the college presidency.<sup>232</sup> During Oswell's Morris Brown tenure, he and Alberta had a son, *Oswell A. Combs*.<sup>233</sup> Oswell's life changed in the early 1920s, when Alberta left him for Chicago with their son.<sup>234</sup> Oswell took a teaching post at Campbell College in Jackson, Mississippi.<sup>235</sup> He and Alberta did not divorce in Fulton County, Georgia—the likely place—but their split was permanent.<sup>236</sup> Besides working at Campbell College, Oswell taught Latin and English at Jackson College, near Campbell. In 1928, when Oswell was refused a promotion at Jackson, he challenged its president's leadership. The confrontation led to Oswell's forced resignation.<sup>237</sup> He continued teaching at Campbell.<sup>238</sup> Oswell and his

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225. For Oswell's teaching position, see "The Field," *American Missionary* 39 (January 1885): 43. For Oswell as principal, see "Our Schools," *Athens Weekly Banner*, 22 April 1890, page 5, col. 3.

226. *Athens City Directory*, 1889 (Athens, Ga.: M. C. Pope, 1889), 28.

227. *Official Register of the United States*, 37 vols. (Washington: Government Printing Office, 1862–1905), 1:479.

228. "Collapsed," *Athens Daily Banner*, 10 June 1893, page 1, col. 2.

229. *Atlanta City Directory for 1896*, 17.

230. "About Two Divorce Suits," *Atlanta Constitution*, 15 January 1895, page 4, col. 7.

231. Caldwell, *American Negro*, 439.

232. "To Name President for Morris Brown," *Atlanta Constitution*, 21 June 1916, page 7, col. 2.

233. 1910 U.S. census, Fulton Co., Ga., Atlanta, Ward 7, ED 71, sheet 13B, dwell. 290, fam. 328, Oswell A. Combs household; NARA microfilm T624, roll 191.

234. 1930 U.S. census, Cook Co., Ill., pop. sch., Chicago, Ward 17, Block 78, ED 630, sheet 6B, dwell. 59, fam. 121, Guy Lewis household.

235. Rhodes, *Jackson State University*, 78.

236. Fulton Co., Index to Civil Suits, Combs and Coombs entries.

237. Rhodes, *Jackson State University*, 78.

238. 1930 U.S. census, Hinds Co., Miss., pop. sch., Jackson, Ward 13, ED 20, sheet 27A, dwell. 553, fam. 664, Oswell A. Combs household; NARA microfilm T626, roll 1147.

third wife had a daughter, *Ruth Cornelle Combs*.<sup>239</sup> In August 1931, likely after Oswell's death, a lender foreclosed on his house.<sup>240</sup> No record of his death appears in Hinds County (Jackson) or Humphreys County, and Oswell is not listed in Jackson's 1932 city directory.<sup>241</sup> No Mississippi death certificate, estate, obituary, or burial record has been found for Oswell—an incongruous and unexplained exit for a man who served his community in a such public way.

- 31   vii. JACOB ROSS COMBS, born on 3 April 1867; died on 16 June 1948 in Washington, D.C.; buried at Lincoln Memorial Cemetery, Suitland, Maryland.<sup>242</sup> Jacob married (1), on 21 February 1891 in Washington, D.C., Mary F. Hankerson;<sup>243</sup> and (2), on 17 October 1898 in Washington, D.C., Ellen Hawkins (Williams) Malone.<sup>244</sup> Ellen's prior husband was Rollins J. Malone.<sup>245</sup> Jacob married (3), on 18 October 1924, Maud E. Stewart.<sup>246</sup> They divorced on 20 June 1929.<sup>247</sup> Living with his sister Cornelia after their parents' deaths, Jacob grew up in Atlanta.<sup>248</sup> He attended Atlanta University from preparatory school to his collegiate sophomore year in 1887.<sup>249</sup> In 1890, beginning a life-long career as a Pension Office clerk, Jacob moved to Washington, D.C.<sup>250</sup>

## CONCLUSION

More than a tale of love, Laura's story portrays power flowing from knowledge and wealth. The state afforded Laura basic rights as a free person of color, but rights with restrictions. Within a tenuous legal space and with an ability to gain

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239. Los Angeles Co., Calif., 1990 Certificate of Death no. 9016735, Ruth Cornelle Wheat; Recorder/County Clerk, Los Angeles.

240. Hinds Co., Miss., Deed Book 251:468, Scott to Southern Building and Loan Association; Chancery Clerk, Jackson.

241. *Jackson City Directory, 1932* (Jackson: Jackson City Directory Co., 1932), 208.

242. Washington, D.C., 1948 Certificate of Death no. 481589, Jacob Ross Combs.

243. Washington, D.C., Marriage Record 29:176, Combs-Hankerson, 21 February 1891; FHL microfilm 2,107,970.

244. *Ibid.*, 52:108, Combs-Malone, 17 October 1898; FHL microfilm 2,108,216.

245. *Ibid.*, 24:147, Malone-Williams, 25 December 1887; FHL microfilm 2,107,969.

246. *Ibid.*, 292:352, Combs-Stewart, 18 October 1924; FHL microfilm 2,293,233.

247. Washington, D.C., Maude S. Coombs v. Jacob R. Coombs, equity case no. 47699, divorce, 1929; Case Files, 1863–1950; Records of the Supreme Court of the District of Columbia, RG 21; NA–Washington.

248. 1880 U.S. census, Fulton Co., Ga., pop. sch., Atlanta, ED 94, p. 28D, dwell. 217, fam. 235, Cornelia Blackwell household.

249. *Officers and Students of Atlanta University . . . 1883–84* (Atlanta: Constitution Book and Job Printing, 1884), 11. Also, *Officers and Students of Atlanta University . . . 1887–88* (Atlanta: Constitution Book Office, 1888), 11.

250. *Boyd's Directory of the District of Columbia, 1891* (Washington, D.C.: William H. Boyd, 1891), 316.

white allies, Laura amassed a modest wealth that gave her a level of independence rare among people of color in the antebellum South. She surrendered much of that wealth to enable her husband to share her freedoms.

The Kelly family valued education and land ownership. Laura's children sustained those values to take advantage of opportunities in centers of education, commerce, and government. Their extraordinary achievements, resting on their forebears' groundwork, are not unique. Rather, they open a window into the struggles, triumphs, and legacies of free African American families across the nineteenth-century South.