

### THE HAYES FAMILY

The Hayes family in Tennessee is part of the complex of old families which has made Nashville a notable family town. The progenitor of this line is George Hayes of Windsor, Connecticut, who migrated from Scotland. Oliver Bliss Hayes (1783-1858), his great-great grandson, brought the family to the South. He was born in South Hadley, Massachusetts, and after receiving a liberal education began to study law. As a young man, he left his native New England, first living in Baltimore a short time but then in 1808 settling in Nashville. Three years later he married Sarah Clements Hightower. He distinguished himself as a lawyer, even forming a partnership with Thomas Hart Benton. He later became a minister in the New School Presbyterian Church but served only occasionally. Oliver and his wife had seven children, four sons and three daughters, including Adelia, the third child. Six of the children married and have descendants today.

The oldest son, Richard Hightower, never married and unfortunately, as a young man, was killed in a duel by William Polk, brother of James K. Polk. According to the memoirs of William, Adelia's son, William Polk shot Richard for a disparaging remark about the scanty dress of Polk's fiancée. The second son, Joel Addison, had among his children a son of the same name who married Margaret Davis, the oldest daughter of Jefferson Davis. A son of this union, by act of the legislature of Mississippi, took the Davis

name, thereby perpetuating it. The third son, Oliver Bliss, II, married Emily McGavock, a woman with a notable family name in Nashville. The youngest son, Henry Martyn, married an heiress of Major John Boyd, member of a pioneer family and large land owner. Laura, the second daughter, became the wife of George Washington Shields, a merchant, while Corinne, the youngest daughter, was married to William Luther Bigelow Lawrence, a teacher whose father was also a New Englander. One of the branches of the Hayes family in the North produced Rutherford B. Hayes, president of the United States and officer in the Union Army, who was Adelia's third cousin.

At one time four of Oliver Bliss' children lived in adjoining estates, covering a large area from the present Baptist Hospital to the Colonial Village Apartments south of Belmont College. In the middle was Rokeby which Laura Shields inherited from her parents. To the north was Ensworth, the home of Henry Martyn Hayes, today the site of the Progressive Care Center of Baptist Hospital. To the south of Rokeby lay Belmont, the home of the Acklens, and east of Belmont was Hillside, the residence of William and Corinne Lawrence. "Belmont" is perpetuated in the names of several streets in Nashville, and such streets as "Hayes," "Adelia," "Acklen," and "Lawrence" preserve names related to family members. At one time there were streets named "Addison" and "Rokeby."



Photograph of members of the family of Oliver Bliss Hayes. Front row from left: Adelia, Sarah (wife), Laura, and Corinne. Back row from left: Oliver Bliss and Henry Martyn.



Rokeby, the home of Oliver Bliss and Sarah Hayes.



Hillside, the home of William L. B. and Corinne Lawrence.

## The Expanding Years, 1846-1861

Adelia was fortunate to have her father, one of the executors of her husband's will, spend much of his time in managing the Louisiana properties. But she soon showed her independence by buying in April, 1847, for \$9,000 a home in Nashville on Cherry Street (Fourth Avenue North), south of Church Street, at the present site of Ambrose Stationery Store. Except for a short period in the 1870's when Adelia's son, Joseph, attempted to sell the home to his father-in-law, Pinckney C. Bethell, the house remained in Adelia's possession. About December, 1847, she sold for \$30,000 the life interest she and her daughter possessed in Fairvue to William Franklin, one of Isaac Franklin's brothers, who was serving as trustee of the academy proposed in Franklin's will.

Adelia continued to buy property. In January, 1849, she purchased  $3\frac{1}{4}$  acres in West Nashville to the north of Rokeby, but she soon acquired a much larger tract of about  $173\frac{1}{2}$  acres, composed of three pieces, south of Rokeby. One of these properties was the home tract of Belmont, about  $65\frac{1}{2}$  acres, which she purchased in March from William P. Downs. This property had once belonged to Levin Browning, husband of her aunt, Lucinda Hightower, who had lost a home there by fire. On May 3rd she bought from James Wood about 104 acres, the Montvale Farm, and on the same day a strip of 4 acres from Willoughby Williams which connected the farm and the Belmont property.

In the meantime she had made another important decision—to marry for the second time. As a wealthy and beautiful widow, Adelia had no lack of suitors. At a ball given by Mrs. John Bell, wife of a senator from Tennessee, she met Joseph Acklen, a handsome soldier from Huntsville, Alabama. Acklen, although marrying into wealth, brought excellent credentials. He was the

grandson of the founder of Huntsville, a successful lawyer who had served for a number of years as United States attorney in the Northern District of Alabama, and a veteran of the Mexican War who was promoted to colonel for bravery. Whatever her feelings of the heart, Adelia assured her own financial independence by signing on May 7, 1849, a marriage contract with Joseph which guaranteed that her properties would be under her control or of her heirs. Adelia and Joseph were married two days later on the 9th of May.

In the meantime it appeared that Adelia had accepted the terms of the will of her late husband. As early as December, 1846, she declared before a notary public her assent to the will and renounced any community rights she might have. As already noted, she sold her interest and that of her daughter in Fairvue. In January, 1850, before a notary public, she elected to take from Franklin's estate the \$100,000 to which she was entitled upon her marriage to Acklen.

In December, 1847, the Tennessee legislature incorporated "Isaac Franklin Institute." But when the trustees of the institute filed a petition in Louisiana in the Seventh District Court, West Feliciana Parish, to implement the will on behalf of the school, Adelia decided to contest the action. In spite of her earlier renunciations, she raised the question of her community rights in the Louisiana plantations and claimed the will had created an entail or perpetuity, contrary to the laws of Louisiana. The case went to the Louisiana Supreme Court. In June, 1852, the court ruled that, since Adelia and her husband had not been permanent residents of Louisiana, Adelia had no community rights in the Louisiana properties. On the other hand, it declared that the will did create a perpetuity and was therefore invalid in respect to those properties. On the basis of her