

The Petition of
John Rains for
Divorce

Cocke Co.

No date,
1829

To the Special Assembly of the State of Tennessee

The petition of John Rains of Cocke County and State of Tennessee humbly shewith that he hath a desire to be divorced from his wife Jane Rains who resides in Warren County West Tennessee, and that they have been separated nine years or thereabouts. The reason of my separating from her was that she was so ill natured to me that it was imposiabe for me or any other man on earth to reside with her in peace tho I frequently tried to make her as happy as I could. But notwithstanding all my efforts to live with her was all in vaine. So I had to leave her contrary to my will altho I had lived with her something like ten or eleven years and had six children by her which I was very sorry to leave behind me. I have resided in the County of Cock for the last seven years and am well known to the citizens of the County of Cocke where I reside, and also to the subscribers who have signed my petition. They are my neighbours all of the same county where I reside and have known me for the last seven years. Your petitioner believes that the petition above ought to be granted and as such. Your petitioner is in duty bound and will ever pray.

Persons Names

1. Isaac Neff Esqr.
2. Thomas Jinnings
3. Solomon OdI
4. Tipton O. Wood
5. William Timmons
6. Silas E. Burnett
7. John J. ?
8. McNabb Jinnings
14. Joseph Black
15. William McNabb
16. John McNabb
17. Garrett McNabb
18. John ?
19. Geo. McNabb Esq.
20. John Watson
William Wilhite
21. Berry Inman
22. Henry Inman
23. Benjamin Dockery
24. Caleb Wilhite
25. Solomon Perry
26. Nathaniel Maddox
27. Jose Maddux
28. Green Inman
29. Pettus Priddy
30. ABm. Lillard
31. Scofield Maddux
32. John Rains
33. Joel Rains
34. George Lewis

Persons Names

9. James Jinnings
10. William O. Jinnings
11. Jacob Rimell
12. Thomas Mantuth
13. Jn McNabb
36. Jesse Jinnings
37. Tipton Jinnings
38. Doctor Jinnings
39. Samuel Broyle
40. James Gilliland
41. Robert Dennis
42. Joel Dennis
43. William Harper
44. Francis A. Cavender
45. David Hicks
46. William Gilliland
47. Holoway Giles
48. Spencer Coleman
49. John Runion
50. John Banks
51. James Runions
52. James Large
53. William Green
54. Rubin Harrison
55. James Green
56. John Green

35. Jacob Lewis

57. William Valentine

58. Jonas Phillips

59. Joseph Phillips

60. Cornelius Sutton

61. John Sutton

11-1829-2a

62. Francis Green

82. John Allen

63. John Baxter

83. Joseph Paget

64. James Baxter

84. Anderson North

65. Daniel Leatherwood

85. James North

66. Stephen Piercy

86. John Mantuth

67. Malcolm McNabb

87. Hiram Clark

68. Joseph ?

88. Bartelet Siske

69. Henry Runnian

89. William O'Dell

70. Thomas Leatherwood

90. Tipton Ford

71. John McNabb

11-1829-2b

72. Joseph McNabb

11-1829-2c

73. John McNabb

74. George McNabb

75. William McNabb

76. Samuel Kelly

77. ? McNabb

78. Samuel McGaha

79. Stephen Lee

80. William Mantuth

81. John Lee

The Signatures of John Rains' Petition of Divorce to the Tennessee General Assembly

Because the men who signed John Rains' divorce petition and their families were among Tennessee's earliest settlers, the founders of the State of Franklin, veterans of the Revolutionary War and the War of 1812, and early state legislators and representatives to Congress, his petition to the Tennessee General Assembly in 1829, one of only a small number, captures in time and place the names of those who helped write the history of Tennessee.

The names are numbered as they are on the original petition. The spelling of the surnames is the best approximation based on the spelling in the petition, the 1830 Cocke County TN census and a list of early land surveys, "Early Settlers of the Old 12 District, Cocke County, Tennessee" submitted by Bruce Price to Cocke County TN Genealogy at <http://www.rootsweb.com/~tncocke/12thsurveys.htm>.

The spelling of the names below may differ from that of the petition because the signers and/or Cocke County census takers would often spell surnames phonetically, thereby creating variations of a more generally recognized spelling. A surname could vary from census to census, from one family member to the other or from one generation to the next. "Jinnings", "Ginnings", "Jennings", "Maddux", "Maddox", "Hix" and "Hicks" are examples of these variations.

The 1830 Cocke County TN census and "Early Settlers" were used to verify the existence of the petitioners. If a name does not appear in either source, it can usually be found in later Cocke County census records or the pedigrees submitted to ancestry.com or rootsweb.com. Because these names are attached to the history of Tennessee, the names from prominent early families such as Malcolm and Garrett McNabb can be found in historical references such as "Family Records from OMBH Page 81-149" from the Cocke County American History and Genealogy Project of Sevier Library found at <http://www.sevierlibrary.org/ahgp/coc.htm>.

The names in the 1830 Cocke County census will be followed by the census number and the number and age range of the household's older males. The names in the "Early Settlers" list will be followed by the page number of that land survey's record from Tennessee State Library and Archive's microfilm #36 as transcribed by Bruce Price.

1. Isaac Neff Esquire - #838 (1) 30-40.
2. Thomas Jinnings is spelled Thomas Jennings in the 1830 census - #832 (3) 15-20 (1) 30-40.
3. Soloman Odell - #839 (1) 30-40.
4. Tipton O. Wood does not appear in the 1830 Cocke County TN census. The following is from a transcription of a land survey found on rootweb.com:
TIPTON O. WOOD 100 A.
State of Tennessee Cocke County.
Pursuant to an entry made in the entry takers office for said county at Newport of No. 402 dated the 5th day of January 1826. I have surveyed for TIPTON O. WOOD one hundred acres of land on the waters of Sinking Creek. Beginning at a large poplar corner to JAMES STRANGE running thence south twelve east seventy four poles to a locust east sixteen poles to a green south ten west along a mountain thirty three poles to a black gum thence south forty one west twenty

four poles to a chestnut oak south forty eight poles to two chestnuts north seventy west forty poles to a chestnut oak north twenty west eighty poles to a white oak north thirty poles to a pine north ten west twenty four poles to a gum corner to MILLER then with his line north five and one fourth east one hundred poles to a poplar his corner north twenty five west fifty poles to a chestnut oak on a ridge north eighty poles to a chestnut near NEWCOMBS old cabin thence east fifty poles to a stake south one hundred and twenty five to two sourwood corner to JAMES STRANGE then with his line south one fourth to a degree east eighty nine poles to the beginning. Including the house and improvements where ANTHY PATE now lives. Having such form as is represented by me.

Surveyed the 10 April 1828.

A. Lane) Jonathan Wood

T. Wood) C.C. Surveyor of Cocke County

5. William Timmons - # 834 (60-70).
6. Silas E. Burnett - #882 (1) 20-30.
7. Surname is almost illegible, but the name might be John Wood - #739 (1) 40-50 or #461 (1) 40-50. See #110 in "Early Settlers".
8. McNabb Jinnings is not in the 1830 Cocke County TN census.
9. James Jinnings is not in the 1830 Cocke County TN census.
10. William O. Ginnings is not in the 1830 Cocke County TN census.
11. Jacob Rimell is spelled Jacob Rymell in the 1830 Cocke County TN census - #733 (1) 50-60.
12. Thomas Mantuth is spelled Thomas Mantooth in the 1830 Cocke County TN census - #816 (1) 60-70.
13. Jonathan McNabb is not in the 1830 Cocke County TN census.
14. Joseph Black - #82 (1) 20-30 and (1) 50-60.
15. William McNabb is not in the 1830 Cocke County census.
16. John McNabb appears three times in the 1830 Cocke County census: #787 (1) 20-30, #788 (1) 50-60 and #794 (1) 20-30.
17. Garrett McNabb is not in the 1830 Cocke County TN census.
18. Illegible
19. George McNabb - #792 (1) 30-40 (1) 15-20.
20. John Watson - #457 (1) 30-40.

William Wilhite - #589 (1) 20-30 or #590 (1) 50-60.

21. Berry Inman is not in the 1830 Cocke County TN census.
22. Henry Inman - #55 (1) 15-20 and (1) 60-70.
23. Benjamin Dockery is not in the 1830 Cocke County TN census.
24. Caleb Wilhite - #779 (1) 30-40.
25. Solomon Perry is spelled Soloman Perry in the 1830 Cocke County TN census - #780 (1) 30-40.
26. Nathaniel Maddux - #786 (1) 40-50.
27. Joseph Maddux - #784 (1) 40-50.
28. Green Inman - #785 (1) 20-30.
29. Pettis Priddy is possibly Pettis Prady - #766 (1) 40-50. In 301 of "Early Settlers" is listed ?Pettis?Pretty.
30. Abraham Lillard - #597 (1) 30-40. See #110, #128 and #139 of "Early Settlers".
31. Scofield Maddux is spelled Schofield Maddux - #770 (1) 30-40.
32. John Rains is spelled John Raines - #570 (1) 40-50.
33. Joel Rains is spelled Joel Raines - #771 (1) 15-20 and (1) 40-50.
34. George Lewis - #596 (1) 20-30.
35. Jacob Lewis - #609 (1) 20-30.
36. Jesse Jennings - #595 (1) 30-40.
37. Tipton Jinnings is not in the 1830 Cocke County TN census.
38. Doctor Jinnings is not in the 1830 Cocke County TN census.
39. Samuel Broyle is spelled Samuel Broiles in the 1830 Cocke County TN census - #587 (1) 20-30 and (1) 60-70. See #139 in Early Settlers.
40. James Gilliland - #604 (1) 20-30
41. Robert Dennis - #579 (missing).
42. Joel Dennis - #541 (1) 15-20 and (1) 40-50.

43. William Harper- See #141 "Early Settlers".
44. Francis A. Cavender - #343 (1) 20-30.
45. David Hicks is spelled David Hix - #524 (1) 40-50 and #542 (1) 20-30. See #130 "Early Settlers".
46. William Gilliland - #603 (1) 20-30. See #139 and #303 of "Early Settlers".
47. Holoway Giles - See #137 in "Early Settlers".
48. Spencer Coleman - #778 (1) 20-30
49. John Runions - See #300, #311, #325 and #334 in "Early Settlers".
50. John Banks - See #325 in "Early Settlers".
51. James Runions is possibly 868 (1) 50-60, but the name is almost illegible in the census.
52. James Large is not in the 1830 Cocke County TN census.
53. William Green - See #37 and #42 in "Early Settlers".
54. Reubin Harrison's name is spelled Rueben Harrison - #554 (1) 30-40
55. James Green is not in the 1830 Cocke County TN census.
56. John Green - #575 (1) 20-30
57. William Valentine - #567 – (1) 39-40. See #42, #178 and #217 in "Early Settlers".
58. Jonas Phillips is not in the 1830 Cocke County TN census. See #300 in "Early Settlers".
59. Joseph Phillips - #571 (1) 20-30. See #325 in "Early Settlers".
60. Cornelius Sutton - #572 (1) 20-30.
61. John Sutton - #540 (1) 20-30. See #140, #317, #328, #353 and #375 in "Early Settlers".
62. Francis Green - #576 – (1) 40-50. See #42, #282 and #374 in "Early Settlers".
63. John Baxter - See #374 in "Early Settlers".
64. James Baxter – See #41, #178, #218, #357 and #374 in "Early Settlers".
65. Daniel Leatherwood is not in the 1830 Cocke County TN census.
66. Stephen Piercy - #567 (1) 20-30.

67. Malcolm McNabb is not in the 1830 Cocke County TN census.
68. Joseph Timmons/Simmons is not in the 1830 Cocke County TN census. Joseph Runnian - #578 z(4)15-20 (1)50-60, See #406 and #409 in "Early Settlers".
69. Henry Runions is not in the 1830 Cocke County TN census.
70. Thomas Leatherwood - #544 (1) 15-20, (1) 20-30, (1) 60-70.
71. John McNabb – see #16 above.
72. Joseph McNabb is not in the 1830 Cocke County TN census.
73. John McNabb – see #16 above.
74. George McNabb - #792 (1) 15-20 and (1) 30-40. See #334 in "Early Settlers".
75. William McNabb - #61 (1) 20-30.
76. Samuel Kelly is spelled Samuel Kelley in the 1830 Cocke County TN census - #598 (1) 20-30.
77. Benjamin/ Baptist McNabb is not in the 1830 Cocke County TN census.
78. Samuel McGaha is not in the 1830 Cocke County TN census. See #77 in "Early Settlers".
79. Stephen Lee - #798 (1) 50-60.
80. William Mantuth is spelled William Mantooth in the 1830 Cocke County TN census - #817 (1) 20-30
81. John Lee - #812 (1) 80-90.
82. John Allen - # 69 (1) 30-40 and #764 (1) 20-30 (1) 20-30 and (1) 50-60. See #109, #130 and #283 in "Early Settlers".
83. Joseph Paget is spelled Joseph Pagget - #59 (1) 20-30.
84. Anderson North - #754 (1) 15-20 (1) 40-50.
85. James North - # 508 (1) 20-30.
86. John Mantuth is spelled John Mantooth - #748 (1) 20-30 (1) 60-70.
87. Hiram Clark is spelled Hiram Clark - #742 (1) 30-40.
88. Bartelet Sisk is spelled Bartlet Sisk - #749 (1) 20-30, (1) 30-40 (1) 60-70.
89. William Odell - #748 (1)20-30.

90. Tipton Ford - #822 (1)20-30.

Early Settlers of the Old 12th District, Cocke County, Tennessee

This file was submitted by: [Bruce Price](#)

The following is a list of early settlers who lived “on the waters of” Cosby and Groundhog Creeks, creeks that are mostly in what was the old 12th district of Cocke County. This list comes from land entries on Tennessee State Library and Archives (TSLA) microfilm #36. The label on the copy of the film I have says the land entries are on the second item on the film; they are on the third item. It also gives dates of April 1874 to June 1898. These may be the years that the original book was copied or families brought the originals to be re-recorded. The actual dates of the land entries are 1824 to about 1831, making them some of the earliest surviving records of Cocke County.

The original land entries were surveys and included drawings as well as descriptions. The drawings were not copied into the new book. The verbal descriptions often included reference to neighbors. And there were always two names at the left bottom of the description. I believe these were witnesses or attestors. I think they were also neighbors.

I have abstracted the page numbers, landowners’ names, dates they made the entries, any reference to neighbors, and the attestors names. Most of the landowners lived “on the waters” of Cosby Creek; I specifically mention those that lived on Groundhog Creek.

37 Isaac Burlison 04/08/1824
Holloway Giles, Green’s line
Holloway Giles
Wm. Green

41 James Baxter 04/08/1824
Henry Valentine
Robert McGaha

42 Holloway Giles 04/08/1824
with Burlison’s conditional line
James Burlison
William Valentine

42 Frances Green 04/08/1824
with Valentine’s line; with Burlison’s line
William Green
Henry Valentine

77 John Giles 04/08/1824
with Samuel McGaha

Holloway Giles
Samuel McGaha

101 Phillip Jenkins 08/04/1824 Groundhog Creek
Jesse Jenkins
Joel Jenkins

102 Phillip Jenkins 06/19/1824 Groundhog Creek
Jesse Jenkins
Joel Jenkins

109 Jonathan Denton 07/02/1824
corner to John Allen
Samuel Denton
John Roberts

110 Abraham Lillard 08/24/1824
William Willhight's line
Robert Gilliland
John Wood

128 Abraham Lillard 08/27/1824
Willhight's line
Thornton Wood
John Wood

129 John Wood 08/16/1824
William Willhight's line
Thornton Wood
Abraham Lillard

130 Abraham Denton 07/05/1824
Joseph Huff's line; corner to John Allen; corner to Lillard
John Lillard
David Hicks

139 Thornton Wood 04/24/1824
transferred to him by William Willhight; corner to John Weaver; corner to Samuel Broyels
A. Lillard
B. Thos. Brint

139 Wm. Gilliland 08/05/1824
corner to Robert Gilliland; corner to John Denton

James Lillard
David Lewis

140 John Sutton 06/30/1824
James Phillips
John Rains

141 Jonas Phillips 07/03/1824
Wm. Smith
Wm. Harper

153 Martha Denton 12/20/1824
James Fuller
Jas. Pagett

178 James Baxter 07/05/1824
corner to Jesse Giles
Jesse Giles
Wm. Valentine

217 Holloway Giles 01/10/1826
Wm. Valentine
Wm. Coleman

218 James Baxter 01/02/1826
J. Green
Jesse Giles

282 Robert McGaha 01/02/1826
to McMahan's turnpike
Francis Green
William Green

283 John Allen 07/05/1824
corner to Joseph Shults; corner to Denton
Abraham Denton
John Allen

300 Jesse Coleman 04/07/1826
near Jonas Phillips line; to J. Runions
Nathaniel Mattox
J. Phillips

301 Nathaniel Mattox 01/02/1826
James Garrett
?Pettis? Pretty

302 Nathaniel Mattox 01/02/1826
Nathaniel Mattox
Jas. Phillips

303 Joseph Runion 11/26/1827
W. Adams old line; William Gilliland conditional line
William Gilliland
George Robinson

307 Wm. Gilliland 01/10/1828
Jos. Runion
Jno Runnions
Robt. Dennis

311 Isaac Burlison 04/07/1826
corner to Giles
John Runnion
Jas. Phillips

317 Henry Miller 03/26/1828 Groundhog Creek
John Sutton
Augustine Jenkins

317 Wm. Green 06/28/1826 Groundhog Creek
John Sutton
Augustine Jenkins

325 John and George Runion 06/05/1828
Isaac Burlison entry
Joseph Phillips
John Banks

328 Robert McGaha 10/18/1828 Groundhog Creek
Henry Miller
John Sutton

334 George McNabb 02/25/1828
James Garrett
John Runion

353 John Jenkins 07/09/1827
corner to Phillip Jenkins
John Sutton
R. Jenkins

357 James Baxter 02/27/1826
to Gillis corner
Jesse Gills
Geo. Green?

374 James Baxter 1828
John Baxter
Francis Green

374 Thomas Jenkins 07/20/???? (surveyed 12/03/1828) Groundhog Creek

375 James Garrett 08/11/1826
near John Sutton; near Pearey's line
John Runion
Wm. Broyles

406 Jeremiah Jenkins 10/16/1830
Joseph Runion's line

409 Joseph Runion 05/26/1830
Jenkins' corner

411 David McMahan 11/06/1830

