
GOV. ALBERT S. MARKS.

WINCHESTER.

THIS gentleman was born in Daviess county, Kentucky, October 16, 1836. His father was a farmer, and both his parents, as well as his grandparents, were pious and zealous Methodists. He grew up on his father's farm, receiving an academical education there till the age of fourteen, when his father died. After this event he continued working on the farm. He got about five months' additional schooling in his seventeenth year, and beyond this is a self-educated man. He has always been a great reader, and during the interval between his school days and his professional career, his literary appetite seems to have been omnivorous, but with a special taste for fiction, history, biography, and

the classical authors of Greece and Rome, partly in the original and partly in translations. His early preference was for the law as a profession, and this was probably intensified when, at a school exhibition, he had made a creditable oratorical effort and received the congratulations of his friends, who recommended that profession as best suited to his talents. He lived, however, at the farm and worked regularly upon it till his nineteenth year, when he removed to Winchester, Tennessee, and commenced the study of law in the office of Colyar & Frizzell, the senior member of which, the Hon. A. S. Colyar, was a blood relative. After studying with these gentlemen for two years he was

admitted to the bar in the fall of 1858, and commenced practice in partnership with them. In January, 1861, Mr. Frizzell retired from the firm, and Colyar & Marks practiced together. The next month Marks was put forward as the Union candidate for the constitutional convention, the Hon. Peter Turney being opposed to him as the secession candidate. Marks had hitherto been identified with the Breckinridge wing of the Democratic party. The two men had been intimate personal friends, and, though diametrically opposed in politics, made the canvass together, boarding, lodging and riding together throughout the contest. It is well known that Marks was defeated and the State seceded. War having broken out in consequence, the two friends ran a singular parallel course. Both became commanders of regiments, both were severely wounded, and both were at the same time confined to their beds and treated for their wounds at Winchester. To complete the parallel, both lost exactly the same number of men by the casualties of war.

Judge Marks entered the Confederate service as captain of Company E, Seventeenth Tennessee regiment of infantry. This regiment was included in Gen. Zollicoffer's command, and was in all his engagements to the date of his death, at the disastrous battle of Fishing Creek. In the affair at Rock Castle, out of eleven thousand men only eleven were killed, and six of these were members of Marks' company. The reason of this was that that part of the hill attacked which was opposite to Marks' command, was alone accessible, while the troops on either side of it were unable to ascend, so that the brunt of the battle was encountered by that one company. After the defeat and death of Zollicoffer, the regiment was transferred to the command of Gen. Bushrod Johnson, of Hardee's corps, and participated in the engagements around Corinth, where Marks became major, May, 1862, and in the June following assumed the command of the regiment as colonel. This was when the army was reorganized, and the Seventeenth Tennessee formed part of Buckner's command during the Kentucky campaign of 1862. In this campaign he was appointed by Gen. Buckner to the honor of receiving the surrender of the Federal troops which were defeated at Mumfordsville, in September, 1862.

On the return of Buckner's command to Tennessee, Gen. Buckner himself was ordered to take charge of the department of Alabama, with Mobile as his headquarters. His division was transferred to the command of Gen. Pat. Cleburne, and with it, of course, Marks' regiment. In this command the regiment was present at the battle of Murfreesborough, December 31, 1862, and there Col. Marks received a very severe wound in his right leg from a canister-shot, which necessitated amputation below the knee. To the editor of these sketches, on being asked the cause of his lameness, he answered "through trifling with the Union." At the

same time his compatriots recognize in the missing limb the evidence that he did his duty in defense of the southern country and people. The Seventeenth regiment in that battle captured three batteries and lost two hundred and forty-six men, killed and wounded, and upon the recommendation of Gen. Cleburne, President Davis placed its colonel's name upon the roll of honor. This terminated the military career of Col. Marks.

After the close of the war he practiced law for two years in partnership with his former partner, A. S. Colyar; then Mr. Colyar moved to Nashville, in 1866. His partners then were Capt. J. B. Fitzpatrick and Capt. T. D. Gregory, with whom he practiced until 1870. At this latter date he was elected chancellor of the fourth chancery division of Tennessee, to which office he was re-elected at the expiration of his first term, 1878. He gained great credit while on the bench by the energy with which he pushed forward the business which had accumulated through the proverbially dilatory proceedings of that court, but, though re-elected, he did not serve through a second term. The year of his re-election, 1878, he was nominated as the Democratic candidate for governor of the State, and elected to that office in the November of that year. He served for two years, but declined to allow his name to go before the next Democratic convention for re-election. The division in the Democratic party, occasioned by the State debt question, had already manifested itself during the election of 1878, and he was satisfied that, in 1880, he could not, if nominated, obtain the united Democratic vote, and would therefore be very probably defeated. Judge Marks was the last governor of Tennessee who received the united vote of the Democratic party.

He resumed the practice of law in Franklin and the adjoining counties until 1883, when he rejoined his relative and former partner, A. S. Colyar, at Nashville, where was established the firm now known as Colyar, Marks & Childress.

In politics Gov. Marks is a Democrat by inheritance, as well as by conviction. Prior to their settlement in Tennessee, his family were Virginians, who lived near the seat of Thomas Jefferson, and followed the political fortunes of that gentleman throughout, and when the old Republican party separated into Whigs and Democrats they gave in their permanent adhesion to the latter party.

Gov. Marks married, April 29, 1853, Miss Novella Davis, a native of Wilson county, Tennessee. He had been engaged to this lady before he lost his leg, and when he recovered, mutilated in body and broken in fortune, he honorably offered to release her from her engagement. The same offer was made to many southern ladies during and after our civil war, and this editor knows of no single instance in which one of them availed herself of her lover's permission. Certainly Miss Davis was one of the last persons who

could be expected to do so, and she gladly claimed the fulfillment of the engagement, devoting herself thenceforward with redoubled affection to the happiness of her wounded lover. Any intelligent person enjoying the privilege of an introduction to Mrs. Marks, at once discovers that he has formed the acquaintance of a superior woman; superior, that is, intellectually, morally and in person. She in fact combines the elements of a perfect lady; noble in person, elevated in mental qualities, a fine scholar, and brilliant in conversation, the ornament of society, and still domestic and practical in the management of her home, she seems nowhere out of place, but, whatever she undertakes, accomplishes it as thoroughly as if that alone had been the occupation of her life. It is said that when her husband was chancellor, and necessarily absent from home a good deal, she managed the farm with the skill and energy of a first rate practical farmer. On the other hand, that her intellect and culture were made available in training the minds of her children is manifested by the high position they took as scholars when sent to school. It is believed that her cultivated intellect stimulated that of her husband, and that her towering ambition kindled his to its highest efforts. This estimate of the wife of Gov. Marks justifies the editor, as he thinks, in giving her a distinguished place among the eminent Tennesseans, whose memoirs are included in this collection.

[The revising editor also, having himself been admitted to the honor of a brief acquaintance with this lady, cannot refrain from adding his testimony to the nobility of her character and the fascination of her conversation. He recognizes in her a perfect type of the grandeur with which the southern ladies rose to the emergencies of the war and its consequences, and, without ceasing to be refined and cultivated ladies, showed themselves self-sacrificing and practical women in coping with the adversity entailed on all by that terrible calamity.]

By his marriage with this lady, Gov. Marks has two sons: (1). Arthur Handly, born at LaGrange, Georgia, March 8, 1864; a scholar of high standing at the University of the South, Sewanee. (2). Albert Davis, born at Winchester, Tennessee, September 1, 1867; now finishing his education at the Winchester Normal College.

Mrs. Marks is a member of the Cumberland Presbyterian church. Her father was the Hon. John R. Davis, of Wilson county, Tennessee, a member of the General Assembly of 1859-60, and 1861-62; a planter and a major in the Confederate States army; of a family originally from North Carolina. His father was Thomas Davis, one of the early settlers of Wilson county. Mrs. Marks' mother was Caroline Hunter, a native of Wilson county, and also of a North Carolina family.

Gov. Marks' father, Elisha S. Marks, was a native of

Loudon county, Virginia, but emigrated in early life with his father to Daviess county, Kentucky. The father died there at the age of thirty-one years. Elisha succeeded to his patrimony and lived long on the farm in Daviess county, his mother living with him. Both inherited a comfortable fortune, but made no effort to increase it. No member of the family has ever been insolvent. He married Elizabeth Lashbrook, whose mother was a Miss Colyar, sister of the father of A. S. Colyar. Gov. Marks' grandmother was a member of the Daniel family, of Virginia. His mother died in Daviess county, Kentucky, in 1859, leaving five daughters and two sons, all now deceased except the governor's sister, Margaret, widow of Capt. J. B. Fitzpatrick, and Elizabeth, wife of Mr. Robert Handly, of Winchester, and Gov. Marks' brother, Dr. Edward C. Marks, who is practicing medicine at Tracy City, Tennessee. His father's and grandfather's families were all pious and devoted Methodists. The following letter from a venerable Methodist minister will show the estimation in which they were held by the ministers and members of that church:

RUSSELLVILLE, KY., August 21, 1873.

Mrs. A. S. Marks:

DEAR SIR—I was greatly delighted to see from the papers that you were nominated by the late Democratic convention of your State as candidate for the office of governor, and I write to congratulate you upon this honorable distinction.

In 1812 I was appointed as preacher on the Owensborough circuit, in this State, where I remained two years. Your father's house was one of my preaching places, and also one of my best homes. Your grandmother, your father's mother, who resided with him, was a devoted Methodist, of the old type, and one of the most pious persons I ever knew. She seemed very much to me as my own mother. I was then a young man, and her counsels and advice were a great blessing to me. Your father and mother were my devoted friends. They were distinguished for that warm hospitality, especially towards Methodist preachers, for which Kentucky has always been distinguished, more eminently, however, in that day, than in the present. You were then a small boy, I would think, eight or ten years of age—the oldest of the children, as I recollect. You were the favorite of your grandmother, who had the settled conviction that you might become a Methodist preacher, the highest distinction, in her estimation, to which you could attain. You were a great favorite of mine, and you became very much attached to me. You, like little boys generally, were very fond of a horse, and nearly always when I would arrive, you would ride my horse to water, and to the stable. I made it a rule to wait on myself as much as I was allowed. But when I would go to the stable to get my horse, you were along to aid me, and do the riding. I look back on those days of nearly forty years ago, with great pleasure, mingled with sadness.

Your sainted grandmother has long ago entered into her heavenly rest; so also your father and mother. Your father was a man of more than ordinary natural endowments and a high-toned, honorable gentleman. Your mother was a model of all the virtues that make up the true woman. She was amiable and sprightly and remarkable for her personal beauty. Your maternal grandmother, Lashbrook, was distinguished for her fine sense and excellent character. She was a devoted Christian, and a Methodist. Her house was one of my best homes. She died while I was on the circuit, and I preached her funeral to a very large congregation.

You will, I am sure, bear with me in thus writing to you. My friendships have always been very strong, especially those formed in early life, and I feel an interest in the children of my early friends almost as strong as if they were my kindred by ties of blood. When, at Nashville, in 1873, I spent some days with Col.

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