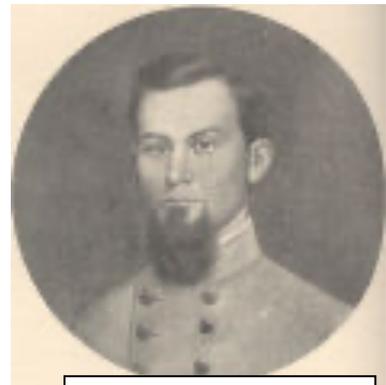


## **Captain Frank Ballou Gurley**

*By Marjorie Ann Reeves*

Captain Gurley's father, John Gurley, donated a section of his plantation for the beginning of Gurleystown. John moved to the area in 1830 and acquired the largest portion of land compared to other families in the area. Frank Gurley was born on his father's plantation on August 8, 1834, growing up with four brothers and two sisters. He joined the Confederacy at the age of 27 as a private in Reverend E. C. Kelley's company under Lieutenant Colonel Nathan B. Forrest. After the Battle of Fort Donelson, Gurley was sent to recruit more soldiers and enlisted 115. He was elected captain of a new Company C which was assigned to the 4<sup>th</sup> Alabama Cavalry commanded by Colonel A. A. Russell. He rode and fought many battles for Generals Forrest, Wheeler, Hood and Bragg.

General Forrest called on Captain Gurley often to help steer the Union soldiers into Forrest's direction because Forrest knew that Gurley had participated in many skirmishes and won most of them becoming known as a reliable soldier. In the winter of 1862, eight miles east of Lexington, Tennessee, General Forrest gave Gurley specific instructions to advance with four companies. Gurley clashed with the 3<sup>rd</sup> Battalion of the 5<sup>th</sup> Ohio Cavalry under Capt. J. C. Harrison. There was a running fight into Lexington and Captain Gurley and his men captured Colonel Robert G. Ingersoll of the 11<sup>th</sup> Illinois Volunteer Cavalry, all of his artillery including two three-inch steel Rodman guns of Kidd's 14<sup>th</sup> Indiana Battery. General Forrest used the Rodman guns until the end of the war.



Frank B. Gurley  
Alabama Archives

Captain Gurley stated he had two scares during his war experiences-- one being after an all-night's ride in a cold rain, he stopped for a meager meal and an unknown soldier offered him country-made apple brandy to warm him up. Unfortunately, the captain lost track of how many swallows he enjoyed before General Forrest's orderly brought a message to Gurley that Forrest wanted to see him immediately. Worried about the smell of the brandy and being under the influence of it, Gurley had no time to do anything but report instantly to Forrest. Forrest met him outside and quickly gave his orders to gather 25 men and go around a brigade of Federals that were nearby and attack to get their attention. Just as he engaged the Federal soldiers with all the noise and display possible, General Forrest with his whole command joined in the attack surrounding the enemy. The Federals fled in panic.

The next scare happened while working under General Bragg, Captain Gurley with his regiment stopped on Bridgeport, Alabama, bridge at dusk for everyone to feed themselves and their horses. Once again, just after they had settled down, a courier dashed up with orders to move quickly to Chattanooga. The regiment mounted and was ready to move when Gurley received another message to stop his regiment and await further orders. The men dismounted

and stood around on the train track bridge until dark. Gurley saw a fire near the track on the south side of the river and investigated. When he reached the fire, he discovered a light engine in full speed without lights backing down the track. Realizing that it would be upon his regiment and injure many of his men, he grabbed a burning chunk of wood and signaled it to stop. His signal was seen by the engineer and he stopped the train in time.

In the spring of 1863, Gurley's regiment was transferred to General Wheeler's command and took part in all of Wheeler's campaigns to the fall of 1864. Then they were detached to take part in General Hood's campaign in TN. After Hood's failed Nashville campaign, Gurley's regiment was assigned, once again, to General Forrest.

In the summer of 1863, Captain Gurley had the misfortune to run into General Robert L. McCook's little band. They were traveling toward New Market, Alabama, General McCook was riding in a wagon in regular clothes with Captain Hunter Brooke in full uniform. Suddenly they were under attack. The teamster whipped his team and the wagon took off with McCook. The canvas top got hooked by a tree branch and ripped it off exposing the officers. Four started shooting at the wagon and the other Confederate soldiers took off chasing the other Federal soldiers. Brooke was not injured but McCook was hit by a fatal shot. Gurley had McCook taken to the closest house to be looked after but he died the next day. Hunter Brooke, noted that his own captor was a regular dressed Confederate soldier who carried Brooke away as a prisoner.

J. M. Mason, a Confederate who was present at the shooting, stated: "the chaos of the event made it impossible to determine who fired the fatal shot. Everything ahead of us was panic stricken. We overtook a buggy containing the Federal officers. No one could tell who had shot General McCook. Pistol fire is very inaccurate even when men are afoot and near each other. When men are mounted and horses running at full speed and several firing at the same direction, no man can tell whose bullet finds the mark."

Most of the Confederate soldiers did not have uniforms and were fighting in their regular clothes leaving the Federals to think they were attacked by a guerrilla band. McCook's soldiers were non-English speaking Germans still they burned the house of the folks that took care of McCook and everything around. The Federals made it a point to burn down Frank Gurley's home in Gurley.

The North used this incident to fire up the citizens against the South. The Northern press turned this small military skirmish into a cold-blooded murder by Captain Frank Gurley. The press claimed that Gurley shot McCook while he was lying sick and helpless in an ambulance. Because of the prominence of the family having two brothers and their thirteen sons all fighting for the Union, the McCook family made Captain Gurley become one of the most wanted criminals in the land. The New York Herald reported on August 9th, "The rebel guerrillas in the West have inaugurated the course which might fairly be expected from them, in the cowardly and cold-blooded murder of General Robert McCook of Ohio, while journeying sick in an ambulance near Salem, Ala, to join his brigade. The marauders surrounded the ambulance, overturned

it, throwing the wounded and helpless officer to the ground, and there butchered him.”

The August 23<sup>rd</sup> edition of Harper’s Weekly published a drawing to the public



that depicted the “murder” of McCook. Surrounded the overturned wagon with bearded Confederate ruffians, the engraving showed the Northern public that the Union officer did not have a chance. Robert S. Dilworth of the 21<sup>st</sup> Ohio Infantry wrote, “Col. McCook of late acting brig gen was shot on his

way to Huntsville. He was in the ambulance and the division sutlers train was with him. He was sick and on his way to Huntsville to put up until he would be able to join his command. The secesh took him out of the ambulance & shot him and the sutler in the leg.”

Not knowing of the wild accusations about the McCook skirmish, Gurley continued doing his soldierly duties. After the Battle of Chickamauga, Gurley went home on sick leave. An escaped Federal soldier told where Gurley could be found and in October of 1863, Gurley was arrested at his brother’s home. During the trial, General Forrest wrote to the Headquarters Department of West Tennessee, Major General S. A. Hurlbut, Commanding Federal Forces, Memphis Tenn.

“General: I have the honor respectfully to state that information has just reached me that Capt. Frank B. Gurley is on trial in Nashville for the so-called murder of General McCook, and that further time has granted him for the purpose of procuring evidence. As I was his commanding officer at the time of the occurrence I feel it my duty to forward you under flag of truce, and by the hands of my adjutant-general, Maj. J. P. Strange, the following statement of facts to show that Captain Gurley was then, and is yet, a Confederate soldier and officer, and that he should be treated and regarded as such: Captain Gurley was regularly mustered into the C.S. Army as a member of the Kelley Troopers, in July, 1861, which company formed a portion of my old regiment known as Forrest regiment...”

Needless to say, General Forrest, General Hardee, and General Johnston letters in support of Captain Gurley were for naught. A fair trial was impossible, considering the anger and prejudice against the man who supposedly had killed McCook. In spite of the evidence for Gurley, passions were too high and Frank Gurley was found guilty of the murder of General McCook and on January 11, 1864, he was sentenced to be “hanged by the neck until dead.” General Thomas approved the verdict but suspended the date

of execution due to the war. He recommended the sentence be commuted to five years in prison and sent it to the Judge Advocate office in Washington. It was then sent to President Lincoln who agreed to the hanging but did not send it on. When Confederate authorities learned of the sentencing, they threatened to hang yankee prisoners in retaliation.

Captain Gurley was sent to prison for a year waiting to be hanged. He wrote to the Union commandant at Nashville, Major General Gordon Grainger, "long confinement and lack of attention will soon kill me and if that is what you want, please do me the honor of having me shot as soon as your conscience will permit." Gurley wrote "that the prison was a horrible place with 800 prisoners and "flies so thick you would get two of them in your mouth when you opened it." Due to an escape attempt, he was made to sleep in his cell wearing chains. Gurley wrote that one prisoner committed suicide by cutting his own throat with a razor stating, "This was the most horrible sight I ever saw."

Then he was sent with eighteen other prisoners to Point Lookout, Maryland. Captain Gurley was exchanged in Virginia on March 17, 1865, making his way home the best he could. Due to imprisonment, he was too weak to walk, some of his fellow soldiers helped him with finding passage on back of wagons and carriages. He ran into General Roddy who gave him a horse to finish his travels to his home. He came back to Gurley after the war to find his home a pile of ashes. With determination he became a respected farmer ready to assist his neighbors. He ran for Sheriff of Madison County and won the election. The victory became national news: The Philadelphia Inquirer ran this notice on November 21, 1865.

Defeat of Union Candidates in Alabama.

A letter received in Washington from Northern Alabama, states that the Rebels have defeated all the Union candidates. The infamous Frank B. Gurley, murderer of General McCook, has been elected Sheriff of Madison County...

The Federals came back to Gurley to arrest Frank on November 28<sup>th</sup> and took him back to prison. His execution was set for November 30<sup>th</sup> but President Johnson halted the process and Gurley was kept in irons in prison. The Indianapolis Daily Herald reported on November 29<sup>th</sup>, 1865, "Frank Gurley sentenced to be hanged at Huntsville, Alabama, on Friday of this week, has by request of numerous citizens of Huntsville, been respited by Brigadier General Whipple until such time as further facts in his case can be submitted to the President." General Grant recommended the case be dropped and Gurley was released on April 17, 1866, after taking the oath of loyalty to the United States. Many of his soldiers were unhappy to hear he had taken the oath but it gave him his freedom. The Governor declined Gurley's resignation as Sheriff making him still the Sheriff of Madison County. The Huntsville Independent "is informed that Captain Frank B. Gurley declines to exercise the duties of the office of Sheriff of Madison County to which he was elected previous to his late imprisonment."

H. L. Wood of 189<sup>th</sup>, Co G, Michigan, wrote in the Confederate Veteran Magazine. "I became well acquainted during the latter part of the war with the father and brother of Captain Frank Gurley, and only last September had the pleasure and the honor of being the guest of the gallant Captain at his pleasant home on his large plantation, near Gurley, AL. Captain Gurley is just the kind of man I expected to find-brave, broad-gauged, liberal, honored, and beloved by his fellow-citizens... Having served six years in the Legislature of my own state, it has been my good fortune to meet many prominent men from all over the country, among them your gallant Joe Wheeler: but I have never met a man whose personality struck me more forcibly than that of Captain Frank B. Gurley. I admired him as a soldier... As long as I live, I shall stand ready to defend the honor and good name of Captain Frank B. Gurley.

Now just a word in praise of the Confederate monuments I saw during my visit in the South. I certainly should have had less respect for the Southern people had they failed to honor the memory of those brave boys who fell in defense of a cause they believed to be right, and out of respect to their memory I always lifted my hat upon seeing one of these beautiful monuments."

Every year after reconstruction, Gurley would host reunions for his old regiment at his home in Gurley. Mrs. Sallie Bailess Bragg whose father served under Capt. Gurley wrote, "As a citizen, he has proved himself the most charitable of men, he has been kind to all, has fed the hungry, clothed the naked, and buried the dead. No man ever did more for poor people, and the only reciprocity he wants in this life is grasp of the hand." He was involved as President of the Huntsville, Guntersville and Gadsden Telephone Company; he was President of the Gurley and Paint Rock Railway Company being one of the founders of the railroad. There was much involvement but the railroad never was built, and he was involved in land speculation and farming. He served as witness for others in several court actions. He visited the Cotton Exchange in Liverpool England and was an association member of the Huntsville Agricultural and Mechanical Association.

Frank Gurley donated five acres of land for the first co-educational high school in the area which was completed in 1892 and named Robert Donnell High School. The school building cost \$10,000 of which half was paid by the citizens of Gurley and the other half by Robert Donnell Presbytery, part of the Cumberland Presbyterian Church. The deed states, "The said school building shall be used as an institution of learning, under the superintendence and discipline and according to the usages of the Cumberland Presbyterian Church. Under the proper authority of said church, to sell or dispose of said property. The school's name changed to Madison County High School in 1908 (Gurley High).

Frank Gurley was known as a lady's man, but evidently, he wasn't able to make up his mind for he never married. He died on March 29, 1920, at the home of his niece, Mrs. Molly Gurley Hall. He is buried in Gurley Cemetery. The Huntsville Telegram ran Frank Gurley's obituary.

Capt. Gurley Noted Figure, Passes Away

Died Las Night at Home of Mrs. Hall at Gurley

He was One of the Best Known Civil War Veterans in the State  
 Capt. Frank B. Gurley one of the most notable figures in North Alabama during the civil war and the reconstruction days which followed, died this morning at 7 o'clock at the home of his niece, Mrs. Thomas Hall, at Gurley. Capt. Gurley who was 85 years old had been in feeble health during the last few years and recently there appeared to be a general breakdown in his condition and he was confined to bed several weeks before the end.

Capt. Gurley was a bachelor and his nearest relatives are Mrs. Hall and a number of nieces and nephews. He was a life-long member of the Masonic Fraternity. He commanded Troop B, 4<sup>th</sup> Alabama Cavalry under Gen. N.B. Forrest in the civil war and for many years after the close of the war, in fact, until the last two or three years, he held an annual reunion of his men at his home near Gurley. In later years the reunion included all Confederate veterans and they would be entertained at his home with princely hospitality.



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