

Judge Alney McLean (1779-1841)

By Jerry long, Owensboro, Ky., 1986



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McLean County, the 103rd of Kentucky's 120 counties was formed on 8 May 1854 from sections of Daviess, Muhlenberg and Ohio Counties. It was named in honor of Judge Alney McLean (1779-1841), a pioneer resident of Greenville, Muhlenberg County, Ky., who was a soldier, lawyer, judge and U.S. Congressman.

There is some conflict over Alney McLean's date of birth. Judge McLean's gravestone, at the Old Caney Station Cemetery, about one and one-half miles northwest of Greenville, Ky., bears the birth date of 10 June 1779 and the death date of 30 December 1841 (listings of

cemetery in The Filson Club History Quarterly, Vol. VII, #3, July 1933, p.173 and Muhlenberg County, Ky. Cemeteries, Vol.IV, Hammers, 1980, p.126). In the Resolutions of Respect for Judge Mclean published in the Muhlenberg County, Ky. Circuit Court Order Book 8, it is also recorded that he was born in 1779, but May is cited as his birth month. Several other biographies and family genealogies quote 1774 as the year of his birth. The year 1779 appears to be the most substantiated; it is also suggested by the tax records of Muhlenberg County. Muhlenberg was formed on 15 May 1799 from parts of Christian and Logan Counties, Ky. In the county's first tax list of 1799, Alney McLean is listed and the column of white males 21 and over is left blank following his name. In the following year's tax list, the same column had a one entered after his name. This suggests that Alney McLean attained the age of 21 in the year of 1800, and if so, his birth, would have been in 1779. The 1799 Muhlenberg County tax list included a column entitled "those to come in since 10th of March", a check mark in this column accompanied the entry for Alney McLean.

Alney Mclean, a son of Ephraim McLean and Elizabeth Davidson, was a native of Burke County, North Carolina. His mother was a first cousin of General William Lee Davidson, a Revolutionary War hero, for whom Davidson County, Tennessee was named. Ephraim McLean, a Scotchman, was a Revolutionary War soldier, he was in the Battle of King's Mountain. He represented Burke and Davidson Counties, in the North Carolina General Assembly (the latter county later was in Tennessee) and he was one of the founders of Nashville, Tennessee.

Alney Mclean was an infant of about three years when he traveled with his family from North Carolina to Harrodsburg, Ky. After staying at Fort Harrod about one year his family, in about 1783, moved to the Cumberland River area, near the present site of Nashville, Tenn. About 1795-1797 Alney McLean with his parents moved to near Russellville, in Logan County, Ky. When his parents returned to their Tennessee lands in about 1800 Alney Mclean and several of his brothers remained in Kentucky.

At the first session of the Muhlenberg County, Ky. court, on 28 May 1799, the following order was recorded: "Alney McLean, Esquire, produced a commission from his Excellency the Governor, appointing him Surveyor in and for the county of Muhlenberg, whereupon he took the oath to support the constitution of the United States, the oath of fidelity to this commonwealth and also the oath of office, and together with Robert Ewing and Ephraim Mclean, Sen., his securities, entered into and acknowledged their bond in the penalty of six hundred pounds conditioned as the law directs." In the following month of June Alney McLean moved to Muhlenberg County, Ky., his home for the last 42 years of his life (source, Resolutions of Respect for Alney McLean recorded March 1842 in Muhlenberg County Circuit Court Order Book 8).

Soon after arriving in Muhlenberg County Alney McLean surveyed and patented in his name several tracts of land. In Jilison's Grants South of Green River the first two land grants

issued to Alney McLean were: 14 June 1799 - 200 acres on Clifty Creek and 18 July 1799 - 200 acres on Sand Lick & Pond Creeks, both tracts were in Muhlenberg County.

Court orders were recorded in Muhlenberg County on 26 Nov. 1799 for the establishment of the town of Greenville, the site selected for the county's courthouse. At this time Alney McLean was one of the trustees appointed for the new town. He surveyed and laid out the plat of Greenville. He chose Greenville to be his home and in the 1810, 1820, 1830 & 1840 censuses of Muhlenberg County he was shown as being a resident of the town. His residence in Greenville stood on Main Cross Street near where the Y.M.C.A. was located in 1913 (A History of Muhlenberg County, Otto A. Rothert, John P. Morton & Co., Louisville, Ky., 1913). About 1805 Alney McLean began the practice of law, as a profession, at Greenville, Ky. (History of Kentucky, Vol.II, Lewis Collins, 1874, p.598). His abilities were soon recognized and he was chosen to represent Muhlenberg County in the Kentucky State Legislature for the term of 1812-1813.

Alney McLean's military career began on 2 August 1799 when he received an appointment as an Ensign in the Muhlenberg County militia. During the War of 1812 he served tours of duty in both the Kentucky Volunteer Militia and the U.S. Regular Army and held the rank of Captain. Soon after the outbreak of the second war with England he organized a company of volunteers in Muhlenberg County., This company was placed under the regimental command of Lt.Col. Samuel Caldwell, it was enlisted on 18 Sept. 1812 and was engaged until 30 Oct. 1812. He then joined the 17th U.S. Infantry, commanded by Colonel Samuel Wells, a regiment of 250 regulars recruited in Kentucky. With the 17th Capt. McLean, on 22 Jan. 1813, was at Frenchtown, below Detroit in the Northwest Theater of the War, at the Battle of the River Raisin, in which the American forces suffered a costly defeat. During the battle the 17th found itself in an area completely exposed to the fire of the British howitzers and they were soon cut to pieces. When they attempted to withdraw across the River Raisin they found themselves outflanked by Indians and Canadian militia. Few of the fleeing Kentuckians escaped. Capt. Alney McLean was one of the few officers of the 17th to survive (Kentucky In The War of 1812, Anderson Chenault Quisenberry, Ky. Historical Society, Frankfort, Ky., 1915, p.47). "Remember the Raisin!" became the rallying and battle cry for Kentuckians throughout the remainder of the war.

After the Battle of the River Raisin Capt. McLean returned to Kentucky a hero. In Muhlenberg County, after helping to organize Lewis Kincheloe's company in the fall of 1813, Alney McLean formed another company of his own. Capt. McLean's second company of volunteers was enlisted on 20 Nov. 1814, under the command of Lt.Col. William Mitchusom, and was engaged to 20 May 1815. At the head of this company Capt. McLean took an active part in the Battle of New Orleans on 8 Jan. 1815. Enclosed in a letter by Finis Ewing dated 20 March 1815, filed in the Kentucky Papers of the Draper Manuscripts at the Wisconsin State Historical Society, Madison, Wisc. (file #8CC20), were excerpts from a Court of Inquiry held at New Orleans, on 9 Feb. 1815, to inquire into the cause of retreat of the Kentucky Militia in the battle.

The court determined it was due to the shameful flight of Major Arnaud, sent to oppose the landing of the enemy, also to the manner in which the force was placed on the line of defense and that they had acted under command. The letter also included comments concerning the episode by Capt. Alney McLean and a map of the Battle of New Orleans drawn by him, the map is now almost totally illegible. Capt. McLean was not with the group of Kentucky troops that had retreated in the battle and whose conduct was in question. He greatly resented General Andrew Jackson's statement that "the Kentuckians ingloriously fled". Judge Lucius P. Little in his Ben Hardin: His Times and Contemporaries (Courier-Journal Job Printing Co., Louisville, Ky., 1887, p.50) related that after the battle Alney McLean "was assigned to very arduous, fatigue duty, of which he complained to General Jackson. He received an insulting rebuff, for which he never forgave his old commander." This episode, as well as Gen. Jackson's sharp and unflattering critique and generalization about the Kentuckians in the Battle of New Orleans, were often cited as the basis for Judge McLean's outspoken opposition to "Old Hickory's" political endeavors.

In 1814 shortly before Alney McLean formed his second company and departed for the war he had been elected a Kentucky delegate to the House of Representatives in the U.S. Congress. After his return from the war in the spring of 1815 his fame and popularity rivaled that of any citizen in Western Kentucky. His term in the 14th Congress was from 4 March 1815 to 4 March 1817. His fellow Kentuckians in the 14th session of the House included Henry Clay, who served as the Speaker of the House. In the congressional election of 1816 Alney McLean was not a candidate. In April 1818 he announced his candidacy in the 1818 Congressional race. Two letters by Alney McLean, concerning his announcement, are recorded in the Kentucky Papers of the Draper Manuscripts (Wisconsin State Historical Society, Madison, Wisc.). Both letters were addressed to Worsley & Smith, the editors of the Lexington Reporter, a Lexington, Ky. newspaper. The first dated 3 April 1818 requested that the enclosed address to the citizens of the 5th Congressional District of Ky., announcing himself as a candidate for Representative in Congress, be published in their newspaper (file #6CC83). The second letter dated 1 May 1818 included his payment for the publication of the address (file #6CC76). Alney McLean was successful in his campaign and he returned to Congress for a second term in the House. The 16th Congressional session was from 4 March 1819 to 4 March 1821.

In 1821 Alney McLean was appointed a Kentucky Circuit Court Judge of the Breckinridge District by, President Monroe. For the next twenty years, until his death, he served on the bench. Judge McLean continued to take an active role in local and national politics. In the 1825 and 1833 presidential elections he was chosen to serve as an elector for the state of Kentucky. Both times he cast his vote and that of Kentucky for its own, Henry Clay, a friend of Judge McLean, who he had served with in both of his terms in Congress. Some of Judge McLean's constituents rebuffed him for his political activity, believing it encroached upon the impartiality demanded by his judicial robes.

Over the years several students of the law worked in Judge McLean's office and received his instruction. Some of these became accomplished lawyers and rose to both regional and

national notoriety. They included Houston Brank, a nephew of Judge McLean, and brothers, John and Finis Ewing McLean. The McLean brothers were sons of Rev. Ephraim McLean, a pioneer minister of Logan County, Ky. Rev. McLean was a first cousin to Alney McLean, his father, Charles, was a brother to Alney's father, Ephraim. John McLean, after studying law under Judge McLean in Greenville, Ky., settled at Shawneetown, Ill. When Illinois became a state John McLean was chosen that state's first U.S. Congressman, McLean County, Ill. was named in his honor. His brother, Finis Ewing McLean, was elected a U.S. Congressman from Kentucky. Upon Judge Alney McLean's death he was succeeded on the bench by John Calhoun, for whom the county seat of McLean County, Ky. was named.

Judge Alney McLean on 30 Dec. 1841 died of pneumonia in Greenville, Ky. His grave marker shows that he was 62 years old. He left his large and valuable estate to his wife and their children. The 1840 Muhlenberg County tax list indicates that his property was assessed at a value of \$15,050, one of the highest in the county. He owned twenty tracts of land with a total acreage of 4,813. He wrote his will on 6 Dec. 1825 and began the document as follows: "Intending to take a journey to Texas in the Spanish dominion and calling to mind the certainty of death, do make my will and testament as follows..." His will named his wife, Tabitha, and referred to his children but did not name them. His will was entered into probate at the January 1842 Muhlenberg County Court and it was recorded on page 43 in the county's third will book.

Alney McLean about 1805 married Tabitha Russell Campbell of Muhlenberg County, Ky. (their marriage is not on record in Muhlenberg County). The daughter of Col. William Campbell, known as the "father of Greenville, Ky.", and his wife, Tabitha Adams Russell. Mrs. McLean was born 29 Jan. 1785, three of her children at the time of the 1880 Muhlenberg County census reported that she was a native of Kentucky. About 1795 her family settled at Caney Station, the first settlement in Muhlenberg County, Ky. Her sister, Elizabeth, was the wife of Elder Barton W. Stone, a pioneer preacher, whose fame spread far and wide. Two other sisters married officers of the War of 1812, Anna S. Campbell married Charles Fox Wing, who for several years served as County Court Clerk of Muhlenberg County, and Mary C. Campbell married Ephraim McLean Brank, a nephew of Judge McLean. Mrs. Tabitha McLean died on 17 May 1850 and was buried by her husband in the Old Caney Station Cemetery. This old cemetery has long since been abandoned. It is located about one and one-half miles northwest of Greenville, a few hundred feet off Ky. Highway 181. At least three of Alney McLean's children, as well as his parents, Ephraim & Elizabeth McLean, were also buried here (The Filson Club History Quarterly, Vol.VII, July 1933, pp.171-173 and Vol.X, April 1936, p.132). About 1820 Alney McLean's parents had moved from their home of several years, on Knob Creek in Maury County, Tenn., to Greenville, Ky., to spend their last days with their sons, Alney and Robert. Alney McLean built a house, near his own, for his parents. In the 1820 Muhlenberg County census his father, Ephraim McLean, was enumerated immediately after his household. Alney McLean's brother, Robert Davidson Mclean, also lived at Greenville, Ky. He was one of the first doctors in the county and was one of the best known surgeons in Western Kentucky. Dr. McLean

was born 12 April 1783 at Harrodsburg, Ky., he married Rebecca A. Wilson, and died 10 May 1875 at the home of his daughter, Celia Russell, in Clarksville, Tenn. He was returned to Muhlenberg County, Ky. and buried in the Old Evergreen Cemetery in Greenville.

Eleven children were born to the marriage of Alney McLean and Tabitha Russell Campbell, they were: William D., born 1808-10; Thornton, born 1804-10; Robert Davidson, born 1810-15; Eliza Ann, born 1810-14; Tabitha Russell, born 25 May 1815; Samuel R., born 29 Dec. 1817; Alney, born 27 Oct. 1819; Charles W., born 27 Oct. 1819; George, born 9 Dec. 1821; Rowena, born 22 Oct. 1827; and Transylvania, born 1825-30. George died 10 Oct. 1823, Samuel R. died 19 March 1851 and Rowena died single 10 Sept. 1861; they were all buried by their parents in the Old Caney Station Cemetery.

William D. McLean, the oldest son, was a farmer. In the late 1830's he built his home where the town of Airdrie, in Muhlenberg County, is now. It was located on property formerly owned by his father. After his father's death he brought his mother and his younger brothers and sisters to live there. Before 1850 William D. McLean moved to Mississippi. His home afterwards was known as the Alexander house and shortly after the Civil War it became the residence of Gen. Don Carlos Buell, one of the most noted officers of the War Between the States. In 1907 when the house burned it was the oldest residence in Airdrie. This historic mansion stood in a beautiful park near the top of Airdrie Hill. The spot afforded a beautiful view up and down the Green River.

Alney McLean's children: William D., Thornton, Robert D., Eliza and Transylvania all went to live in the state of Mississippi. Thornton was a Presbyterian minister. Robert D. married Mary Whitaker and was a lawyer and a Circuit Court Judge at Grenada, Miss., where he died in 1878; his son, William C. McLean, of Grenada, during 1910-1911 was an Associate Justice of the Supreme Court of Mississippi. Eliza Ann married William McBride in Muhlenberg County, Ky. on 10 Oct. 1832, they resided at Canton, Miss. Transylvania was the second wife of William McBride. Tabitha Russell, Alney, Jr. and Charles W., all continued to live at Greenville, Ky., where they all lived together, none of them ever married. The brothers were inseparable twins, who operated a grocery business in Greenville. Charles W. died 10 Oct. 1895, Tabitha R. died 10 Sept. 1898 and Alney died 29 May 1905, they were buried in the Evergreen Cemetery, in Greenville, Ky.

In March 1842 the following Resolutions of Respect for Judge Alney McLean were drafted and recorded in Muhlenberg County Circuit Court Order Book 8:

Thereupon, on notion of John H. McHenry, the Court suspended all further proceedings. for the purpose of attending the following meeting.

And thereupon Edward Rumsey, Esq., offered the following preamble and resolved statement, to wit: At a meeting of the members of the Muhlenberg Circuit Court, on Monday, the 21st day of March 1842, the Hon. John Calhoun

was called to the chair, and the following statement and resolution being presented, were unanimously adopted:

"The Honorable Alney McLean, late presiding judge of this Court, was born in the state of North Carolina, in May 1779. In June 1799 he removed to this county, and commenced the practice of law, which he successfully pursued, through a long series of years, securing by his integrity, ability and courtesy the confidence of the bench, the friendship of the bar, and the esteem of the public. In 1812 & 1813 he represented his county with fidelity and distinction in the General Assembly.

"In 1813 and 1815 he aided in repelling the invaders of his country in the memorable battle of New Orleans, at the head of his company, acted the part of a gallant officer and devoted patriot. With honor and reputation he represented his district in the 16th and 18th Congresses. In 1821 he received the commission of Judge of the 14th District in which he presided with eminent impartiality, dignity, and ability, for more than twenty years. The 31st day of December, 1841 his active and useful life was suddenly terminated by a severe attack of bilious pneumonia. Regret and grief for his death, though great and general, may well be somewhat alleviated by the reflection that he lived not in vain, that he died after a long career of public and private usefulness - full of honor, high in the affection of his friends and the esteem of his countrymen, leaving a bright fame, a beloved memory behind."

Lewis Collins in his History of Kentucky (Vol.II, 1874, p.598) wrote that: "One of the oldest and ablest of Kentucky ex-judges, in a letter to the author, speaks of Judge McLean as 'a model gentleman of the old school, of great courtesy and kindness to the junior members of the bar', an honored citizen and a just judge." In A History of Muhlenberg County, by Otto A. Rothert (1913, p. 72), it was said that: "No one among the pioneers is more frequently and more creditably mentioned in local traditions than Judge McLean. In his day he was esteemed one of the greatest men in the Green River country, and as such his name will always be recorded in its history, much to the credit of Muhlenberg County. "

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Old Caney Station Cemetery - Muhlenberg County, Ky.

The following listing and notations by historian Gayle R. Carver, of Greenville, Ky. were published in The Filson Club History Quarterly, Vol.VII, July 1933, pp.171-173:

1. Mrs. Tabitha McLean Born Jan. 29, 1785 Died Feb. 17, 1850
[She was the wife of Judge Alney McLean. She was a daughter of Colonel William Campbell, who was the founder of Greenville, and his wife, Mrs. Tabitha A. Russell Campbell, who was known as "The Mother of Greenville." Her father, William Campbell, was a cousin of General William Campbell and her mother was a daughter of General William Russell.]

2. George McLean Born Dec. 9, 1821 Died Oct. 10, 1823
[He was a son of Judge Alney McLean.]
3. Samuel R. McLean, Sr. Born Dec. 29, 1817 Died Mar. 19, 1851
[He was a son of Judge Alney McLean.]
4. Samuel R. McLean Born Oct. 3, 1845 Died Nov. 29, 1868
"Come unto me all ye that labor and are heavy laden and I will give you rest."
[He was a grandson of Judge Alney McLean.]
5. Alney McLean, Sr. Born Jun. 10, 1779 Died Dec. 30, 1841
[He was a son of Ephraim McLean. He laid out the town of Greenville and later became a prominent Judge and Congressman. His wife was Tabitha Campbell.]
6. Miss Rowena McLean Born Oct. 22, 1827 Died Sep. 10, 1861
[She was a daughter of Judge Alney McLean.]
7. Charles F. Wing Born Jan. 15, 1780 Died Sep. 15, 1861
"Our Savior, Jesus Christ, hath abolished death, and brought life and immortality to light through the gospels." [Captain Charles Fox Wing came to Muhlenberg in 1798, the year the County was formed, and served as the Clerk of its County and its Circuit courts from their beginning to 1850 and continued as its Circuit Clerk to 1854. He died September 25 (not 15), 1861.]
8. Ann S. wife of C. F. Wing Born Mar. 13, 1788 Died Jan. 17, 1863
"Into thy hands I commit my spirit; thou hast redeemed me, O Lord God of Truth."
[She was a daughter of Colonel William Campbell.]
9. W. H. C. Wing Born Sep. 28, 1808 Died Feb. 17, 1863
"A man indeed in whom there was no guile." [He was a son of Charles F Wing. In 1850 he succeeded his father as County Clerk & served 4 yrs. He was a bachelor.]
10. Edward Rumsey Born August 1799 Died Apr. 6, 1868
"Loved on Earth Beloved in Heaven." [He was a member of the Legislature and of Congress. The town of Rumsey was named in his honor.]
11. Jane M. Rumsey Born Aug. 20, 1802 Died Oct. 15, 1868
"Loved on Earth Beloved in Heaven." [She was a daughter of Charles Fox Wing and the wife of Edward Rumsey.]
12. W. C. Campbell, Jr. [Was this a son or grandson of Colonel William Campbell?]
13. I. L. Campbell, Died May 15, 1811, Aged 21. [Was he a son of Col. Wm. Campbell?]

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