

Location of the Railroad and Courthouse causes the death of “Old Town”

Better modes of transportation to receive and ship goods have historically been a benefit to most communities. Such would seem the case when in 1883 the railroad connecting Birmingham, AL. to Columbus, MS was opened through Fayette County. However, the completion of the Georgia-Pacific Railroad (later to become Southern Railroad) actually began the decline of the progressive little town of Fayette Court House/Fayetteville.

With the railroad located approximately one mile away from town, it soon became a burden for businessmen to meet the train, unload their supplies onto ox-driven wagons and haul their merchandise back to their businesses on the hill above 5-Points. One by one business began to relocate closer to the railway.

The relocation of the County Seat of Fayette County was the final deciding factor in the death of Fayette Courthouse/Fayetteville. Apparently there had been a move afoot to relocate the courthouse to another part of the county for quite some time. As early as 1873, the State General Assembly (Legislature) acting upon the request of representatives from this area approved an Act to appoint a Board of Location to select a place or places eligible for the location of the Courthouse of Fayette County. Records show that George W. Julian, Dr. W.R. Willingham, Thomas P. McConnell, Thomas Enis, and Thadeus Walker, Sr. were appointed by the General Assembly to serve on this board. The board was to file a report with the Probate judge who would order an election be held regarding the relocation of the courthouse. County voters were to be given a ballot upon which was printed “removal to (inserting the name of the place voted for)” or “against removal”. If the vote was “for” a change of location, the Act provided for the County Commissioner’s Court to dispose of the building owned by the county in the “Town of Fayette Court House”.

Since no action was taken on the removal of the courthouse from Fayette Court House/Fayetteville to another location, the Act was apparently not approved by the voters.

However, another Act approved by the General Assembly (Legislature) in December of 1890, again provided for an election to be held on the first Monday in March, 1891 for the purpose of permanently locating the site of the courthouse. According to the Act, if no place received a majority of the vote, another election was to be held on the first Monday in April 1891 between the two places receiving the largest number of votes. The Act appointed, William A. Musgrove, Willis Be. Melton, Tannel M. Reese, William F. Baker, Phillip M. Newton, John T. Ashcraft and John Tyler McCaleb to serve as the board which would select a site within one mile of the place chosen and purchase land on which to build the new courthouse if the votes determined that the county courthouse site should be moved.

Sentiment ran high among county voters as to the location of the new courthouse. The citizens of the county divided themselves among three groups which supported different locations.

A move which had begun earlier to locate the courthouse at the geological center of the county, about one mile north of Stough, a small station on the Georgia Pacific Railroad gained momentum. Feeling sure the courthouse would be moved to “Center “, lots were surveyed for the location of a new town which would most assuredly spring up around the new County Seat.

The people and businessmen who remained in Fayette Court House/Fayetteville were very wrought up over the possible removal of the courthouse to another location. Perhaps, they sensed that their town could not survive such a loss.

The people and businessmen of the town that had sprung up around the railroad, which was being called "Fayette Depot Town" or "Froglevel", lobbied heavily for the new courthouse to be built in their town.

Bowing to the wishes of the population, the board appointed by the General Assembly selected the three sites of Fayette Court House/Fayetteville, Fayette Depot town and Stough to be voted on by the citizens of the county.

Neither of the three sites received a majority of the votes. Although the Act specified that in such a case a second election would be held 30 days after the March election for selection among the two sites which received the highest vote, the second election was not held until the first Monday in July, 1891. Fayette Court House/Fayetteville had been eliminated in the first vote and voters had to choose between either Fayette Depot Town or the area near Stough.

Meanwhile, perhaps to give leverage to the relocation of the courthouse in Fayette Depot Town, a petition was filed in the Probate Court of Fayette County on June 29, 1891, by James J. Ray, Esq. which was signed by the required "Twenty or more of the adult inhabitants" of the Town of Fayette Depot, they being the owners of the majority of real estate situated in the town limits. The petition stated that they desired to be officially incorporated as a Town with the name of "Latona". The official town was to be 1/2 mile in every direction from a point located at the depot house, provided that the northern boundary should not extend farther than the corporate limits of the Town of Fayetteville and the boundary line should not extend farther than the Stough bridge on the Tuscaloosa Road.

The election to incorporate the town was held at the school house located near the railroad depot on July 11, 1891. Two days later, Probate Judge, Holland M. Bell, entered an order reciting that the election returns had been certified and a majority of the votes were cast "for" incorporation and Fayette Depot Town/Frog Level officially became Latona.

The election held days earlier on the relocation of the courthouse resulted in Fayette Depot Town being chosen as the site of the new courthouse. Although no official records have been found which show the exact date the new courthouse was erected (at the site of our existing courthouse today), it has been stated that the records were moved from the old courthouse in March of 1892, and the fall term of Circuit Court was held at the new courthouse that same year.

Thus the death knell was sounded for the town of Fayette Court House/Fayetteville.



Information for this article was acquired from the research of Louis P. Moore and from the Centennial Edition of the "Northwest Alabamian & Fayette Banner" printed in 1949.

Caption for photo: First courthouse erect in 1892 at the site of the present Fayette County Courthouse.