

William Lowery Foster Biography

William Lowery¹ Foster was born in Valle Crucis, Ashe (to become Watauga in 1849) County, North Carolina, on May 20, 1843. He was the oldest child of **George Foster²** and **Mary Elizabeth “Polly” Walker.^{3,4}**

The 1850 U.S. Census dated October 3, 1850, shows names of each family member and shows George (reported age 44, not 45 or 46⁵) to have been living with Polly (age 28), William (age 7), **Mary S. Foster⁶** (age 3, born October 29, 1846) and **George Thomas “Tom” Foster** (1 year, thus born about 1849) in “Watauga, Watauga, North Carolina.” Nearest neighbors were Mary Donner, D.C. McCanless and Canada Shull. At that time George owned land worth \$300.00.⁷

The 1860 Census shows William to have been living with George, Polly, Mary, Tom and **Sarah Elizabeth Foster** (born June 10, 1851) in Valle Crucis, North Carolina. George no longer owned land but then owned \$500.00 in personal property. George was reported to be a farmer and the children were all students.

William was recruited by Captain W.Y. Farthing at Boone and enlisted for the Civil War in Company E, 37th Infantry, North Carolina Infantry, on April 12,

¹ Pronounced “Lor’ry,” or “lôr’ē,” as a wagon or truck.

² Born November 30, 1804, in Ashe County, North Carolina; parents unknown; died March 12, 1896, in Casey County, Kentucky; buried in Rainey Cemetery, Tennessee Ridge, Casey County, Kentucky.

³ Born July 10, 1821, place unknown; parents unknown; died April 7, 1886, in Casey County, Kentucky; buried in Rainey Cemetery, Tennessee Ridge, Casey County, Kentucky.

⁴ George and Polly were married in Ashe County, North Carolina, on August 4, 1842. Witnesses were Golston Davis and G.M. Bingham.

⁵ According to the 1850 census, Polly was illiterate and George could read (but not write), but this should not have affected their math. Several censuses misstate George’s age.

⁶ The name for the initial “S” has not been determined and may represent “Shull” as one of her children was given that middle name. No relation to the Shulls is recognized.

⁷ Research of the land or personal property owned is hampered by the loss of records when the Ashe County Courthouse burned in 1865 and the Watauga County Courthouse burned in 1873. Watauga County was formed in 1849 from Ashe, Caldwell, Wilkes and Yancy Counties.

1862.⁸ Company E had been formed as the “Watauga Minute Men” on September 18, 1861, largely from recruits from Watauga County in general and Valle Crucis in particular.⁹ Conscription was enacted a few days after William enlisted, and had he not enlisted at that time he likely would have been drafted and assigned to a regiment at random rather than being able to serve with others from Watauga County that he already knew.

He was promoted from Private to 3rd Corporal in October of 1862, and then to 4th Sergeant on February 1, 1863.¹⁰ On September 16, 1863, as a Sergeant, he was court marshaled for “Disobedience of orders; Disrespect” and was sentenced to confinement, forfeited all back pay (about five months), and demoted to Private as of October 1, 1863.¹¹ Details of this disobedience or disrespect are unknown. This would have been during a lull between the battles of Falling Waters (July 13, 1863) and Kelly’s Ford (November 7, 1863), and was a period that the 37th was experiencing many desertions, courts martial and executions of deserters. His rank at discharge was “private.”

During the time that he served, the 37th fought in over twenty-five battles, including Chancellorsville and Gettysburg. We have no specific records at this time of which battles William actually fought. He was wounded in the right shoulder in battle at Petersburg (Ream’s Station) on August 25, 1864, recovered at

⁸ This is according to John W. Moore, *Roster of North Carolina State Troops in the War Between the States*, Ashe & Gatling, State Printers and Binders, Presses of Edwards, Broughton & Co. (1882). The 1890 “Kentucky Census of Surviving Soldiers, Sailors, Marines and Widows, etc.” (based on information from William) and William’s pension application in 1912 show that he enlisted in “March 1861” when he was still seventeen. In Molly’s widow’s application in 1927, she states that William enlisted “at the beginning of the war.”

⁹ Officers of Company E included Captain William Young Farthing and Lt. William Finley Shull, both probably from Valle Crucis and therefore well known to William. On his pension application William listed his commanding officers as “Capt. Wm. Farthing” (Co. E) and “Col. W. Barber” (37th Reg.). Notice that William named one of his children “Finley” and that his sister, Mary S. Foster Payne, named one of her children “Charles Shull Payne.” The Shull family was and remains prominent in Valle Crucis and Watauga and Ashe Counties.

¹⁰ *Roster of North Carolina State Troops in the War Between the States*, *supra*.

¹¹ Michael C. Hardy, *The Thirty-seventh North Carolina Troops*, McFarland & Company, Inc., Jefferson North Carolina (2003). Personnel record from U.S. National Archives & Records Administration, .

home (becoming absent without leave by overstaying his wounded furlough), and returned to service on January 15, 1865.¹²

The 37th caught the attention and respect of Gen. Robert E. Lee who used them as his advance guard in the withdrawal from Gettysburg and thereafter called upon them for extraordinary service.¹³ It is very likely that William was repeatedly in the presence of Gen. Lee. (This researcher, Jerry Lee Foster, derives his middle name from General Lee through four generations of his mother's family, beginning with Robert Lee Murphy whose uncle, George Riffe Murphy, died at Chattanooga as a Private in Company x, 13th Kentucky Cavalry, C.S.A.)

William was with Lee at Appomattox when they surrendered on April 9, 1865.¹⁴ He did pledge allegiance to the United States Government in order to secure his parole.¹⁵ The War being over, he was immediately paroled without going to prison.

William married **Mary Elizabeth “Molly” Justice** (born May 30, 1846)¹⁶ at Lenoir, Caldwell County, North Carolina, on September 12, 1866 (Marriage Book 2, Page 126).¹⁷

¹² Soldier's Application For Pension dated April 20, 1912, and 1890 "Kentucky Census of Surviving Soldiers, Sailors, Marines and Widows, etc." Cf. *American Civil War Research Database*, Historical Data Systems, Inc.

¹³ Michael C. Hardy, *The Thirty-seventh North Carolina Troops*, McFarland & Company, Inc., Jefferson North Carolina (2003), @ 137 and 188.

¹⁴ This is according to William's application for veteran's benefits and Polly's application for veteran's widow's benefits. This is not supported by *The Thirty-seventh North Carolina Troops*, *infra*, Appendix G: Appomattox Parolees, citing *North Carolina Troops* by Manaari and Jordan, and *Appomattox Paroles* by Nine and Wilson. While 28,231 parole passes were issued to Confederate soldiers who surrendered at Appomattox, the lists of prisoners paroled appear to be incomplete, with many soldiers having just laid down their arms and gone on home. Those leaving were so numerous that the Union troops made no effort to stop them.

¹⁵ Soldier's Application For Pension dated April 20, 1912.

¹⁶ Molly Justice was the daughter of Elijah Justice (Abt. 1805-aft. 1880) and Mary Catherine Watson Justice (Abt. 1806-aft 1880).

¹⁷ William's sister, Sarah, married **Thomas Newton Justice**, Molly's brother, at Lenoir, Caldwell County, North Carolina, on October 25, 1866 (Marriage Book 3, Page 173). The Justices were part Cherokee. Thomas and Sarah stayed in North Carolina a little longer than George, William, Bennett Payne and families as at least their three oldest children were born there. Thomas was born on August 10, 1842, in Caldwell County, North Carolina, died October 20, 1929, at Dayton, Campbell County, Kentucky, and is buried in Salem Cemetery, Casey County, Kentucky. He enlisted in Company I of the 26th Regiment, North Carolina Infantry, on November 30, 1861. He was captured and taken to Harts

Soon after, most of the Foster family, including Bennet Payne and the Justice family, moved to Kentucky. They may not have come directly to Casey County,¹⁸ but they were not long in arriving here.

Once in Casey County, William and Molly first settled in the Big South Rolling Fork, or Powers Store, area. In the 1870 Census, Molly reported herself as a housekeeper and William reported himself as a farmer owning a farm worth \$100.00 and personal property worth \$300.00. William and Molly's household included their two oldest children, George and Robert.

William and Molly had either nine or ten children:

1. **George Elijah Foster**, born July 22, 1867, in Casey County, Kentucky; married Ida Williams (b. September 6, 1874; d. January 29, 1954) in Casey County, Kentucky; died in 1953 and is buried in Glenwood Cemetery, Liberty, Casey County, Kentucky.

2. **Robert J. Foster**, born in 1870 in Casey County, Kentucky; married Anne Singleton; died 1952.

3. **James Foster**, born in 1872 in Casey County, Kentucky; married Rose Andregg on February 7, 1906, in Casey County, Kentucky; died in 1958 in Casey County, Kentucky.

4. **Charles Foster**, born in 1874 in Casey County, Kentucky; married Mary Cordelia Williams on December 1, 1897, in Casey County, Kentucky; died in 1962 and is buried in Salem Cemetery, Casey County, Kentucky.

Island, New York, where he remained until June 20, 1865 (about two months after the war ended). As despicable as the conditions were on Harts Island, Thomas refused to take the oath of allegiance to secure his release. Thomas alleged a disability due to "pneumonia and fever which settled in left side," according to the 1890 "Kentucky Census of Surviving Soldiers, Sailors, Marines and Widows, etc."

¹⁸ **Thomas Benton "Bennet" Payne** and Mary S. Foster were married in Anderson County, Kentucky, on February 16, 1867. Bennet was born on April 15, 1841, at Lenoir, Caldwell County, North Carolina, died on December 1, 1922, in Casey County, Kentucky, and is buried in Rainey Cemetery, Casey County, Kentucky. He enlisted on April 30, 1861 (or May 2, 1861), in Company A of the 22nd Regiment, North Carolina Infantry. He was captured at Appomattox on April 3, 1865, and whisked away to Harts Island, New York, where he remained captive until June 20, 1865 (about two months after the war was over.) He did swear allegiance to obtain his parole. According to the 1890 "Kentucky Census of Surviving Soldiers, Sailors, Marines and Widows, etc.," Bennett had suffered a "gun shot in head."

5. **William F. Foster** was born on April 21, 1878, in Casey County, Kentucky. He died on November 6, 1879, and is buried in the Rainey Cemetery next to his parents. The dates and confirmation of relationship are from his monument which laments, he is “Not lost, but gone before, Where we shall meet to part no more.” Mollie’s obituary mentions one son who died in infancy.

6. **Franklin G. Foster** was born in early 1879 in Casey County, Kentucky. Franklin probably died as a child between 1880 and 1900 and proof of his existence appears only in the 1880 Census taken as of June 1, 1880, in which he is listed as “Frankling,” perhaps a phonetic spelling by the census taker, age one. His grave site has not been identified but unless there was a significant misunderstanding between William Lowery, Molly and the census taker, it is hard to see how William F. and Franklin G. could be the same child. Nevertheless, “William F.” could have been “William Franklin” and such a misunderstanding could have happened. To illustrate, nearby, the 1880 Census shows George Foster as being 66 rather than 76, and Polly (58) living with an eight year old boy named Enoch Green, designated as their “granson,” and an unrelated woman named Jane Mason (39) in their household. Enoch Green has not been identified or as related in any way.

7. **Clarence Edgar “Ed” Foster** (grandfather of this writer) was born on October 31, 1880, in Casey County, Kentucky. He married **Ora Williams** (b. October 18, 1876; d. March 13, 1960; sister of Ida Williams who married brother George Elijah Foster above, thus making the children “double cousins”) in 1909. He died on October 19, 1966, and is buried in Glenwood Cemetery, Liberty, Casey County, Kentucky.

8. **Finley T. “Fin” Foster**, born on August 4, 1883, in Casey County, Kentucky; married Artie Lee.

9. **Laura Foster**, born in 1886 in Casey County, Kentucky; married Elbert Thurman.

10. **Emma Foster**, born in 1889 in Casey County, Kentucky; first married Thelbert Thurman and after his death married Chester Adair; she died before 1980 and is buried in Danville, Indiana.

The Foster boys proved to be “unusual”, to say the least; after becoming adults, most never spoke to one another again! George and Ed married sisters, Ida and Ora Williams, respectively.¹⁹ Ida and Ora would visit on Sunday afternoons while the husbands sat apart on separate sides of the highway.

If two brothers met on the street, one or the other would cross the street to avoid having to speak.

Charlie had a sawmill, and would frequently need operating capital by loans from the bank. The bank required a cosigner, and Charlie would seek out Ed to cosign for him. Charlie would take the note to the front of Ed’s *Liberty Hardware Store* and would walk up and down the street until Ed noticed him and went to the back of the store. Charlie would enter the store, place the note on Ed’s desk, and leave. Ed would sign the note and return to the rear of the store. Charlie would then retrieve the signed note and take it to the bank.

By the June 1, 1880, Census the household in which William (30) and Molly (30) were living included her father, Eli Justice (64, listed as the head of household), Catherine Justice (74), Elvira Justice (30), George Foster (13), Robert Foster (11), James Foster (9), Charles Foster (6), and “Frankling” Foster (1). These ages are apparently guesses or approximations by the census taker. This home appears to have been the ultimate home place on Tennessee Ridge.²⁰

The 1890 Census was destroyed. The Census of Civil War Veterans in Casey County, Kentucky, taken in 1890 does survive. It was intended to include only Union veterans, but several Confederate veterans were included and then marked out. William was one of these and his listing, stricken over, appears to be as follows: “Private, Company E, 37th North Carolina Infantry, from February x, 1861, until April 9, 1865, a period of service of 4 years and 2 months.”

The June 1, 1900, Census shows the household to include William (57), Mary E. (54), James (25), Edward (19), Finley (16), Laura (13), Emma (10), and

¹⁹ John Riley Williams, husband of Mary Elizabeth “Polly” Adams and father of Ida and Ora, was a Union soldier. He enlisted on October 24, 1863, was mustered in on December 23, 1863, and served until January 10, 1865, in Company A, 13th Kentucky Cavalry, USA.

²⁰ It is beyond the scope of this brief biography to analyze the family’s deeds and mortgages.

George (26, William's nephew by his brother Tom). The location is Tennessee Ridge.

In the Census dated as of April 15, 1910, the household consisted of William "M." (66), Mary E. (64), Finley (25), Laura (23), and Emma (20). The home is on Tennessee Ridge and surrounded by households of other family members.

In 1912, William applied for veteran's benefits and received a pension. At that time he was found to own property worth \$876.00.²¹

At the time of the Census dated as of January 1, 1920, the household consisted of William L. (75), Mary E. (73), Finley (36), and Emma Foster Thurman (31, a widow).

William Lowery Foster died on July 13, 1927, and is buried in the Rainey Cemetery on Tennessee Ridge in Casey County, Kentucky. He owned real property at the time of his death. No issue of the Casey County News has been located from which to obtain his obituary.

After his death, Molly applied for a widow's pension as a result of his service in the Civil War. This application was granted.

In 1930, two years before her death, Molly was living with her son, Finley T. Foster, and his wife, Artie Lee Foster.

Mary Elizabeth "Molly" Justice Foster died on April **23**, 1932, and is buried in the Rainey Cemetery on Tennessee Ridge in Casey County, Kentucky. Her obituary on the front page of the ***Casey County News*** says:

A Grand Old Lady Passes On

On April **20**, 1932 the Death Angel took as its victim, Mrs. Mollie E. Foster. The deceased was born in the year of 1846 in Lanouir, North

²¹ In his pension application, William claimed to have been wounded in the right shoulder at the Battle of Petersburg, and in fact had a doctor to swear to the shoulder injury which, with senility due to his advanced age of seventy(!), rendered him disabled. The examiner of the claim documented his service to February of 1865 and recommended that the application be approved, which it was.

Carolina, thus being 85 years, 9 months and 23 days of age. Her maiden name was Mollie E. Justice. She was united in marriage to William Foster, to which union 9 children were born. They are George, James, Charles, Ed and Finley, all of Liberty, Ky., Robert of Kansas City, Mo., and one son who died in infancy, also 2 daughters, Mrs. Laura Thurman and Mrs. Emma Adair or Lebanon, Ind. All of her children were at her bedside during her sickness except Robert. Mrs. Foster was united with the Methodist Church at the age of 11 years to which church she was a constant member all through life. She was a kind and loving mother and a good neighbor, loved by both old and young and will be sadly missed by all who knew her.

Artie Foster, Fin's wife, kept a diary in which we find the following entries just prior to the death of Mollie:

Monday 18, April 1932: Well ma is real sick to day had the doc out here this morning. Odella went home but Irene came out to stay a while with us. So guess this will be all now. Art

Tuesday 19, April 1932: Well Ma is not much better. My head is still hurting some. Ora Foster is here to day. So guess this will be all Art

Wednesday 20, April 1932: I sent Emma a telegram today ma is real bad. So by Art

Thursday 21, April 1932: Well Ma rested about 2 hours this eve. Miss Flossie and Ruth were here Ora went over Ida's a while. So guess this is all. Art

Friday 22, April 1932: Well Ma is still real bad. Emma and Bill, Harold and Laura all came this eve. So guess this is all. Art. Agnes and Ballard is here to Art

Saturday 23, April 1932: Well, Well what a Sad time Ma Foster passed a way this morning about 3:15 Art

Sunday 24, April 1932: Poor old ma was berried to day about 12. So by by Art

Respectfully submitted this June 30, 2018.²² Additions and corrections are welcomed and solicited to:

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Saturday, June 30, 2018 (2:26pm)

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²² This biography will be filed with the Casey County Public Library, 238 Middleburg Street, Liberty, Kentucky 42539 {Office [1](606) 787-9381; Facsimile [1](606) 787-7720} for their genealogy section which already contains other documentation regarding the Foster family, including the pension applications referred to herein.