

National Genealogical Society Quarterly



Volume 95, No. 1, March 2007

The
National Genealogical Society

presents . . .

Faces of America

On the Cover:

MALVINA (née POTTER) YOUNG, circa 1855–1860

Subjects pictured in ambrotypes are often anonymous. Solemn faces stare out at a posterity who cannot identify their time or place or identity. The positive image on a glass plate with its black backing, sealed in a plastic union case with a shiny brass mat, leaves little opportunity for ink or pencil notations.

Mrs. Young is an exception. Acquired in Philadelphia not long ago by a Manhattan dealer, this ambrotype came with a scrap of paper labeling it “My fathers’ [sic] mother / Malvina Potter Young / Born Potter and of the / Scrogeins of Langhorns.” This note’s handwriting is sufficiently modern to be a copy of an older inscription. The copyist, if not a family member, may have introduced errors in the transcription. Scrogeins is likely Scroggins. Langhorns may be Langhorne, Pennsylvania.

The picture offers many clues. The ambrotype, a poor man’s daguerreotype, came into vogue in 1854 and phased out about 1863 as the sturdier tintype became popular. The brass mat may not be original. A small bend in the malleable brass on the bottom edge suggests it has been pulled out and imperfectly replaced.

Malvina’s open-eyed and closed-lipped expression is typical for the long exposures of nineteenth-century photography. The backdrop is plain—perhaps a piece of coarse canvas carried by a traveling photographer. The back of her chair looks to be of good quality. The lighting implies an indoor setting.

Smooth and combed down, Malvina’s hair partially covers her ears before sweeping back, hiding how it is gathered. Her jewelry is hand-painted in gold, obscuring Malvina’s actual earrings and rings, one of which is surely a wedding band. The cameo is large and uniform—signs of a valuable piece. Malvina’s dress, of beautiful material, is clearly fitted for her. She wears the merciless rib-crushing corset of the time, seeking to make her torso appear V-shaped. Her tight upper sleeves balloon at the elbow. The dress is front center seamed or hooked, with decorative fringe or lace on either side of the closure. The primitive backdrop suggests an early ambrotype, but Malvina’s lack of a collar argues for a sitting perhaps as late as 1860.

Credits:

Ambrotype from the collection of Greg French; Post Office Box 302283; Jamaica Plain, MA 02130; gregfren@comcast.net. Mr. French is a member of The Daguerreian Society and Photographic Historical Society of New England. A collector of antique photographs since 1981 and a dealer since 1993, he has loaned images to many exhibitions (such as at The Smithsonian Institution and elsewhere), documentaries (including *The West*, *Jazz* [Ken Burns], *Africans in America* [WGBH], and *The Chinese Experience* [Bill Moyers]), books, and publications.

National Genealogical Society Quarterly

A Journal for Today's Family Historian

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EDITORS' CORNER

Those Lying, Lying Records

Things are seldom what they seem, Skim milk masquerades as cream.

—H.M.S. Pinafore, Act 1

Subtly alluding to two characters' genealogical origins, W. S. Gilbert's couplet pointedly reminds family historians that records easily deceive.

In the headlong rush to acquire facts, researchers reach for accessible sources like abstracts, compilations, and databases. Those sources, however, may distort or disguise facts, due to retelling, passing time, misreading, reinterpreting, omissions, recombining details, desires for glory or financial gain, or other factors. Ideally, derivative sources are used to find original records of firsthand knowledge—sources that usually are accurate.

The frequency and variety of errors in original records, however, may be surprising. Eyewitnesses may report information incorrectly—inadvertently or intentionally—like the marriage bond Richard Hayden addresses in this issue. A clerk or clergyman may record an incorrect date or other fact. A tax collector, seemingly oblivious to a landholder's name, so long as taxes are paid, may not change the owner's name for years after property changes hands. Family Bibles, baptismal records, and censuses may inexplicably omit one or more of a couple's children.

Even if a record's surface information is correct, its implications can mislead. Hopeful grooms, for example, may file marriage bonds for weddings that never occur. A will might not identify children who had already received portions of the parental estate. Generations later, however, historians may infer that the record names all the testator's offspring. Similarly, Allison Hare's research in this

issue centers on a question of interpretation. Records seem to say one thing, but stripping away assumptions proves something else.

Errors of omission and commission may explain some record deceptions. In his article, David Rencher finds a pensioner with no admission record—a special kind of error of omission. The family in Helen Hinchliff's article offers up a piece of land surveyed many times, with widely varying results—an error of commission. Simply put, records can lie and lies can be recorded.

Accurate records can deceive, as well. Misread handwriting, for example, may produce false information. Modern minds, misinterpreting archaic words, customs, and records, can make a historic source seem false.

Although the percentage of erroneous genealogical sources is small, the odds are serious. A multigeneration compilation can reference hundreds of sources. How can its compiler know which are wrong? Analyzing each record is not enough.

Whether deceptions lie in the letter of a record, its implications, or its use, genealogists regularly detect and correct them. This journal and other scholarly genealogical periodicals provide examples. The authors go beyond analysis. They correlate. When information from several independently created original sources is compared, inconsistencies and disagreements will expose errors.

—Thomas W. Jones
and Melinde Lutz Sanborn
NGSQ, MARCH 2007

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Resolving the Inexplicable: The Marriage Bond of Archibald Young and Lettice Morgan

By Richard A. Hayden

Archibald's marriage bond provides a remarkable clue to his origins, if not the reason for the puzzling information it contains.

Surviving records sometimes block research more completely than missing sources do. Genealogists usually know when useful documents have been lost—and they routinely design strategies to work around such situations. Errors in extant records, especially original sources with firsthand information, produce a different problem. When a trustworthy record is wrong, progress may halt without the researcher knowing why. Awareness that any source can be wrong, regardless of its apparent quality, can prevent genealogical roadblocks. Comparing information in all relevant documentation—rather than analyzing records in isolation—will expose errors and advance research. To take one example, a Frederick County, Virginia, marriage bond seemed to contain genealogical gold. Further research, however, called its accuracy into question and eventually showed it contained false, if not deceptive, information.

Dated 3 September 1801, the bond reports the impending marriage of Archibald Young to “Lettice Morgan widow and relict (of Enoch Morgan decd) of Frederick County.”¹ See figure 1. The Reverend Alexander Balmain performed the ceremony, but he did not comment on the wedding beyond noting his receipt of twelve shillings.²

Few marriage records in this time and place name a relict bride’s late husband or even identify her as a widow. Such details in an original source, suggesting

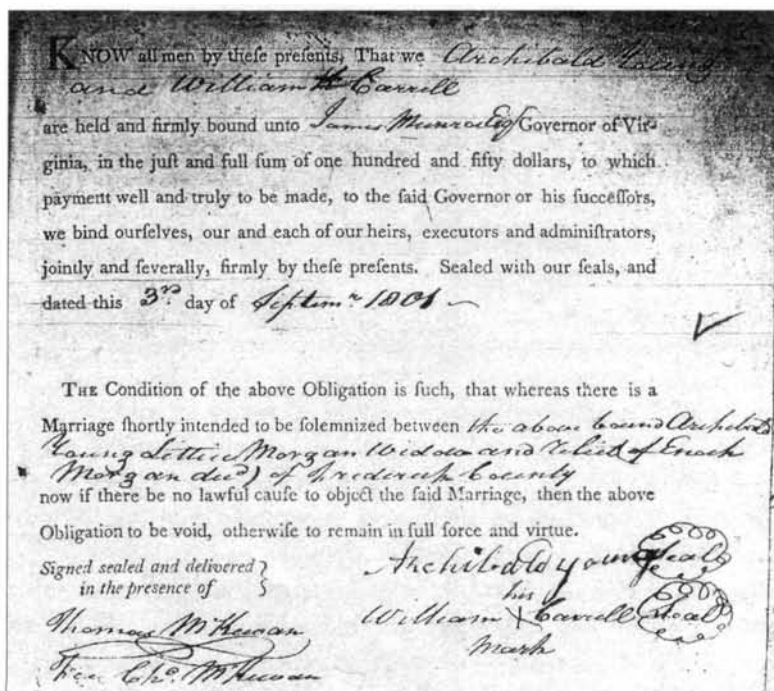
© Richard A. Hayden; 348 Lee Avenue; Pittsburgh, PA 15237-1910; rahayden@verizon.net. Mr. Hayden, who has pursued family history for twenty-four years, is the author of several articles in genealogical journals including the *NGS Quarterly*. As a research chemist and inventor, he has more than thirty publications and patents in that field.

1. Archibald Young bond, Frederick Co. Marriage Bonds 6, 1801–2, unpaginated and chronologically arranged, Clerk of the County Court, Winchester, Va.; Frederick Co. microfilm 108, Library of Virginia (LVA), Richmond.

2. Young-Morgan marriage record, Frederick Co. Marriage Register 1:197, line 8, Clerk of the County Court, Winchester, Va. For the minister’s payment, see Journal of Alexander Balmain, photocopy of bound manuscript, Christ Episcopal Church Records, collection 684 THL, Stewart Bell Jr. Archives, Handley Regional Library, Winchester, Va.

Figure 1

Archibald Young Marriage Bond



Source: Archibald Young bond, Frederick Co. Marriage Bonds 6, 1801-2, unpaginated and chronologically arranged, Clerk of the County Court, Winchester, Va.; Frederick Co. microfilm 108, Library of Virginia, Richmond.

several research directions, give reason to celebrate. Elation in this case, however, was decidedly short-lived.

LETTICE MORGAN, WIDOW OF ENOCH?

Frederick County records show no land, tax, or estate records for an Enoch Morgan who could have been Lettice's deceased husband in 1801. Two candidates, however, lived in other Northern Virginia counties at the right time:

- Enoch Morgan left a Fairfax County, Virginia, estate inventory captioned "Alexandria, 15 January 1787." The account mentions no wife or children.³

3. Enoch Morgan probate record, Fairfax Co. Will Book E:186, County Court, Fairfax, Va. Morgan's estate was appraised by James Hendricks, Alexander Smith, and William Busby. Perhaps Morgan's largest creditors, they lived in Alexandria, Va. See Netti Schreiner-Yantis and Florene Speakman Love, comps., *The 1787 Census of Virginia* (Springfield, Va.: Genealogical Books in Print, 1987), 1:70 ("Bushby"), 72 (Hendricks), and 75 (Smith). The appraisal names no one else.

Because “bur” millstones, tools, and a few personal items comprised virtually the entire inventory and he did not pay personal property taxes, Enoch probably was an itinerant craftsman who lived in the area briefly.⁴ He left no other court or land record in Alexandria or Fairfax County. Enoch was possibly Lettice’s late husband, but the only supporting evidence is his name, and Alexandria’s distance from Frederick County—about sixty-five miles—works against the possibility.

- From at least 1782 Enoch Morgan lived in Fauquier County, Virginia, adjoining Frederick County. This Enoch appears on the tax rolls through 1806. He was in the right place to have been Lettice’s late husband, but unless someone else was paying taxes in his name, he did not have a widow in 1801.⁵

With no viable candidate for Lettice’s first husband, the 1801 marriage bond comes into question. A Fauquier County deed challenges it further: “Enoch Morgan, Sen^r, and Leticia his wife” of Fauquier County sold land on 19 July 1806—five years after Lettice Young was called Enoch’s widow. Witnesses Elias Edmonds Jr., Moses Gibson Jr., Benjamin Singleton, Richard Latham, and John Mitchell, mostly the grantors’ neighbors near Paris, Virginia, probably knew them well. No witness, when acknowledging the deed in court, reported that Enoch had died.⁶

Enoch, alive and married to Letitia in 1806, was the Fauquier County taxpayer described above. Conflicting information in the tax records, the 1806 deed, and the 1801 marriage bond raises several questions:

1. Did more than one couple named Enoch and Letitia (or Lettice) Morgan live in the area contemporaneously?⁷

4. Fairfax Co. personal property tax lists, 1782–90, Virginia Auditor of Public Accounts, Richmond; LVA personal property tax records microfilm 106. Morgan may have worked at Milford mill, described in 1798 as “on Holmes Run ... five and a quarter miles from Alexandria ... having an extraordinary good pair of Burr and Country stones, a new bolting cloth and screen, chose [sic] by Alexander Smith of Alexandria.” See T. Michael Miller, *Artisans and Merchants of Alexandria, Virginia, 1784–1820*, 2 vols. (Bowie, Md.: Heritage Books, 1991–92), 1:10, quoting from *Times and Alexandria Advertiser* (Alexandria, Va.), 5 September and 4 December 1798.

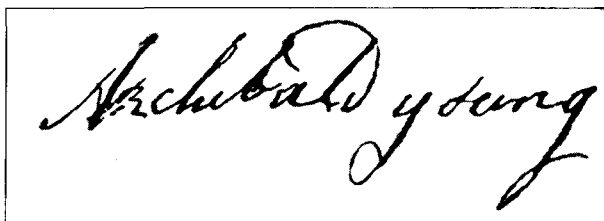
5. Enoch Morgan entries, Fauquier Co. personal property tax lists as follows: 1782, p. 24; 1783, p. 27; 1784, p. 28; 1786, p. 20; 1787, John Blackwell’s dist., p. 176; 1788, Travers Nash’s dist., p. 218; 1789, Travers Nash’s dist., p. 227; 1790, George Rogers’s dist., p. 292; 1791, George Rogers’s dist., unpaginated; 1792, George Rogers’s dist., p. 15; 1793, Thomas Diggs’s dist., p. 29; 1794, John Fishback’s dist., p. 27; 1795, John Fishback’s dist., p. 30; 1796, Isham Obannon’s dist., p. 30; 1797, Elias Edmonds’s dist., p. 20; 1798, Elias Edmonds’s dist., p. 18; 1799, Elias Edmonds’s dist., p. 18; 1800, Elias Edmonds’s dist., unpaginated; 1801, Charles Pickett’s dist., p. 46; 1802, John Norris’s dist., p. 38; 1803, John Taylor’s dist., p. 36; 1804, Thornton Buckner’s dist., p. 24; 1805, Thornton Buckner’s dist., p. 24; and 1806, Thornton Buckner’s dist., p. 26; Virginia Auditor of Public Accounts, Richmond; LVA personal property tax records microfilm 111.

6. Morgan to Tennon, Fauquier Co. Deed Book 31:37–38. For the witnesses’ residences, see B. Curtis Chappellear, *Maps and Notes Pertaining to the Upper Section of Fauquier County* (Warrenton, Va.: Warrenton Antiquarian Society, 1954), 9, 39, and 41.

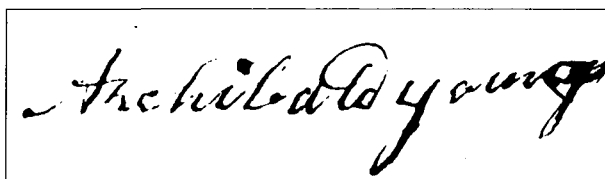
7. Letitia and Lettice are variants of the same name. See Joseph L. Weidenhan, *Baptismal Names*, 4th ed. (Detroit, Mich.: Gale Research, 1968), 295.

Figure 2

Archibald Young Signatures



Source: John Evans estate papers, file no. 3220, Register of Wills will and administration records, 1714–1876, Chester County Archives, West Chester, Pa.



Source: Archibald Young bond, Frederick Co. Marriage Bonds 6, 1801–2, unpaginated and chronologically arranged, Clerk of the County Court, Winchester, Va.; Frederick Co. microfilm 108, Library of Virginia, Richmond.

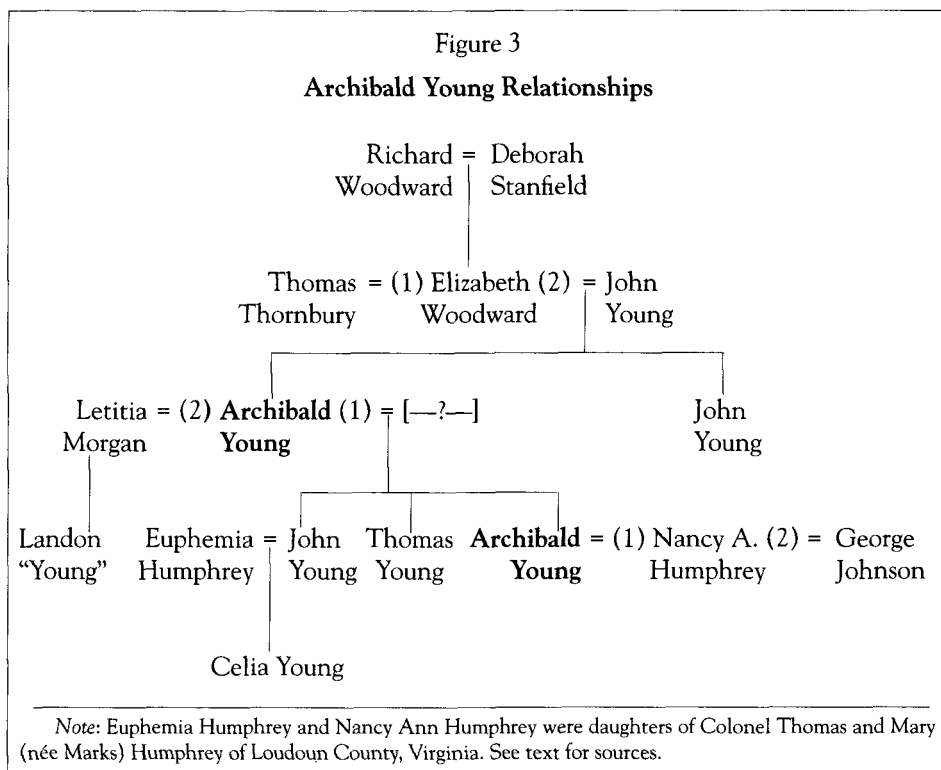
2. Did Letitia marry Archibald Young on the presumption of Enoch's death elsewhere, only to have Enoch reappear sometime later? If so, what became of her marriage to Archibald Young?
3. Is the information in the marriage bond incorrect? If so, why?

In answer to question one, probate, tax, deed, marriage, and court records in Fauquier and the adjoining counties of Frederick, Loudoun, and Shenandoah, and nearby Culpeper reveal no other Enoch and Letitia (or Lettice) Morgan. Might information about the groom's family—the Youngs—answer the second and third questions?

THE YOUNGS

Archibald Young's marriage bond provides a remarkable clue to his origins, if not the reason for the puzzling information it contains. His signature on the bond links him to Chester County, Pennsylvania, and to a well-documented migration in the 1700s from southeastern Pennsylvania to northwestern Virginia.⁸ On 24 April 1784 Archibald Young of West Bradford Township, an administrator of

8. Parke Rouse Jr., *The Great Wagon Road: From Philadelphia to the South* (1975; reprint, Richmond, Va.: Dietz Press, 1995), 22–24.



the estate of John Evans of Uwchlan Township, Chester County, signed an account with arguably the same signature as the one on the Virginia marriage bond seventeen years later.⁹ See figure 2.

Figure 3 portrays Young family relationships. Archibald apparently was a son of John Young who lived in West Bradford Township on a 230-acre tract warranted on 20 July 1744 and surveyed on 9 January 1744/5.¹⁰ John died in West Bradford Township between 1787 and 1791. With notes and bonds payable to his estate, land, and nineteen sheep, he had been a reasonably prosperous farmer. Leaving his real estate to his son John, he bequeathed only five shillings to his son Archibald and the more considerable sum of fifteen pounds to Archibald's son John.¹¹

9. John Evans estate account, Chester Co. Will Book F:568. For the original papers, see John Evans estate papers, file no. 3220, Register of Wills will and administration records, 1714–1876, Chester County Archives, West Chester, Pa.

10. John Young warrant, Chester Co. group Y, no. 3, carton 66, Loose Original Warrants, 1682–present, series 17.53, Records of the Land Office, record group (RG) 17, Pennsylvania State Archives, Harrisburg; microfilm file no. 3.44, microdex 1. John Young Chester Co. survey A9-199, 9 January 1744/45, carton 2, “Returns of Survey (Loose), 1678–1870,” series 17.117, RG 17, Pennsylvania State Archives; microfilm file no. 6.18, microdex 1.

11. John Young will and inventory, estate no. 4154, Chester Co. Will Book H:514, Register of Wills, West Chester, Pa.

John Young married around or before 1744 Elizabeth (née Woodward) Thornbury, widow of Thomas Thornbury and daughter of Richard and Deborah (née Stanfield) Woodward.¹² Less than a year after her first husband's death in May 1742, Elizabeth raised "a scandalous report of herself and the schoolmaster." On 19 May 1743 the Bradford Monthly Meeting disowned her "for reporting that she feared she was with child by a man which it did not appear was her husband."¹³ Soon afterwards she married John Young and served with him as administrator of her late husband's estate.¹⁴ If John was Elizabeth's scandalizing schoolmaster, he probably did not hold the position long, given the circumstances surrounding his marriage to Elizabeth.¹⁵

Because Archibald Young first paid taxes in West Bradford in 1767 as other than a single free male above age twenty-one—therefore born before 1746—he may have been the child Elizabeth carried before she married John Young.¹⁶ Archibald lived in West Bradford until at least 1785.¹⁷ During the Revolutionary War he served with his brother John as a private in the Chester County militia.¹⁸ In 1785 his father sold to him for a mere five shillings two hundred acres "for his better preferment and advancement in the world."¹⁹ This property was seized and sold by the Court in 1787 to pay off certain personal debts that accrued apparently as a result of Archibald's poorly managing his assets and fondness for strong drink.²⁰

12. Thomas Thornbury will (1742), Chester Co. Will Book B:113, identifies his widow Elizabeth. Richard Woodward will (1752), Chester Co. Will Book C:385–88, identifies his daughter Elizabeth. Pearson to Vanleet, Chester Co. Deed Book E (aka vol. 5): 508–10, Recorder of Deeds, West Chester, Pa., identifies Deborah (née Stanfield) Woodward.

13. Gilbert Cope, comp., "Records of Bradford Monthly Meeting 1737–1872," pp. 364–65 and 464, Gilbert Cope Collection, ms. (PHi)150, Historical Society of Pennsylvania, Philadelphia; microfilm 0,021,676, Family History Library (FHL), Salt Lake City, Utah.

14. Thomas Thornbury estate papers, "Thornbury Papers 1742–67 transferred from the Historical Society of Pennsylvania, November 1952," box 473, Chester County Historical Society, West Chester, Pa.

15. Aside from the timing, John's literacy is consistent with his having been a teacher. For example, on 10 December 1753 he signed a receipt and on 18 December 1753 he signed an inventory. See item 8, box 473, Thomas Thornbury estate papers, Thornbury Papers 1742–67, Chester County Historical Society.

16. William Henry Egle, ed., *Pennsylvania Archives: Third Series*, 30 vols. (Harrisburg, Pa.: State Printer, 1894–99), 11:334.

17. *Ibid.*, 11:43, 171, 334, 479, 569, and 660, and 12:77, 197, 330, 374, 557, and 676.

18. *Ibid.*, 13:403, 409, and 415–16.

19. Young to Young, Chester Co. Deed Books N:402–4 and Z:14–16.

20. For the seizure and sale, see "Ezekiel Leonard, Esq., High Sheriff of Chester County, to Richard Thornbury," Chester Co. Sheriff's Deed Book 1:31, Court of Common Pleas, West Chester, Pa. For Archibald's financial problems, see *Milleson v. Young*, case no. 30, November term 1786, Chester Co. Court of Common Pleas. Also, Young to General Loan Office of the Commonwealth of Pennsylvania, agreement and payment schedule, Mortgage Book C (1785–87): 275, Records of the General Loan Office and State Treasurer, RG 8, Pennsylvania State Archives. For some of Archibald's liquor purchases, see James Marshall, Account Book, 1768–88, pp. 55 and 118, Mss 637-642; Samuel Worth, Ledger Book 1770–75, Mss West Bradford Twp. "Business Houses" collection; John Carpenter, Ledger & Day Book, 1762–94, Mss 3395; all in Mss Vault, Chester County Historical Society.

Archibald's disappearance from Chester County after 1787 coincides with his appearance that year in Shenandoah County, Virginia.²¹ In 1790 and 1794, respectively, his apparent sons Thomas Young and Archibald Young became taxable, suggesting that Thomas was born before 1774 and young Archibald before 1778.²² In 1792 John Young paid taxes in adjoining Fauquier County. His apparent father, Archibald, joined him in 1797, nearly coincident with Archibald's disappearance from Shenandoah County.²³ John lived and worked as a blacksmith in the village of Paris, Virginia, where he eventually purchased property.²⁴ By 1798 the younger Archibald also joined John Young's Fauquier County household.²⁵ In 1800 one of the two Archibald Youngs from Fauquier County, probably the son, resided in Thomas Humphrey's household in Loudoun Co.²⁶

The stage was set for the 1801 Frederick County marriage of Archibald Young to Lettice Morgan. But which Archibald married Lettice—the father or the son?

John Young's only known wife was Euphemia "Effie" Humphrey.²⁷ Their marriage may have occurred in 1792, because John first paid taxes that year and his first known child, Celia Young, was born a few years before 1794.²⁸ Effie's parents were Col. Thomas and Mary (née Marks) Humphrey of Loudoun

21. Archibald Young entry, 1787 Shenandoah Co. personal property tax list, p. 37, Auditor of Public Accounts, Richmond; LVA personal property tax records microfilm 315.

22. Archibald Young entries, Shenandoah Co. personal property tax lists as follows: 1788, p. 37; 1789, Taverner Beale's dist., p. 27; 1790, Taverner Beale's dist., p. 26; 1791, Taverner Beale's dist., p. 24; 1792, Taverner Beale's dist., p. 25; 1793, Taverner Beale's dist., p. 23; 1794, Taverner Beale's dist., p. 24; 1795, Joseph Young's dist., p. 51. The 1790–94 entries include Thomas Young and the 1794 entry includes a second Archibald Young.

23. John Young entries, Fauquier Co. personal property tax lists as follows: 1792, George Rogers's dist., p. 27; 1793, Thomas Digg's dist., p. 51; 1794, Edward Humston's dist., p. 52; 1795, Edward Humston's dist., p. 51; 1796, Edward Humston's dist., p. 57. The latter list includes Archibald Young as a "free taxable." Also, Shenandoah County personal property tax lists, 1796, in which Archibald is not listed.

24. Chappellear, *Maps and Notes Pertaining to the Upper Section of Fauquier County*, 39. John P. Alcock, *Fauquier Families, 1759–1799* (Athens, Ga.: Iberian Publishing, 1994), 138.

25. John Young entry, Fauquier Co. personal property tax list, 1798, Joseph Withers's dist., p. 29. The entry lists two men named "Archy" Young.

26. Thomas Humphrey entry, Loudoun Co. personal property tax list, 1800, Stacy Taylor's dist., p. 9, Auditor of Public Accounts, Richmond; LVA personal property tax lists microfilm 209. The entry includes an assessment for "A. Young."

27. John Young estate inventory (1819) and administrator's account (1825), Fauquier Co. Will Books 8:10–11 and 9:244; LVA Fauquier Co. microfilm 34. The widow, Euphemia, was administratrix in 1819; the 1825 account reports that she was deceased.

28. Celia married in 1811. See McMorris-Young marriage record, Fauquier Co. Marriage Bonds and Returns 3:155, County Clerk, Warrenton, Va.; LVA Fauquier Co. microfilm 66. John Young consented to his daughter Celia's marriage. The document is dated "Paris [Va.] Jan'y 28 1811." For additional evidence of Celia's age, see Thomas McMorris household, 1820 U.S. census, Loudoun Co., Va., p. 131; National Archives (NA) microfilm M33, roll 137. The household's oldest female, presumably Celia, is age twenty-six to forty-five years.

County, with whom an Archibald Young was taxed in 1800.²⁹ He probably was John's brother Archibald—rather than their father—who reportedly married Nancy Ann Humphrey, probably Effie's sister, in 1800.³⁰ The younger Archibald's family lived in Loudoun County in 1810, and his estate was entered into probate there on 14 November 1814.³¹ The widowed Nancy Ann Young married George Johnson on 25 September 1817.³²

The elder Archibald may have evaded the tax commissioner for several years. In 1804 he was "[L]evy free" in Fauquier County, probably because of infirmity or old age.³³ In 1806 he was levy free in Loudoun County.³⁴ No later land, estate, tax, probate, or other court documents concerning him have been found.

On 18 May 1809 Letitia Young of Loudoun County agreed to indenture her son Landon Young, reported born on 21 March 1800 and styled "an orphan," until age twenty-one.³⁵ The indenture implies that Letitia's husband had died. In any case Letitia Young was unmarried in 1809, while the younger Archibald left a widow, Nancy Ann, in 1814. The evidence supports the argument that the *elder* Archibald Young had married "Lettice" in 1801. On 19 January 1819 "Latitia Young"—apparently Archibald's widow—married Joseph Shields in Loudoun County.³⁶

The 1800 birth of Letitia's son, Landon, predates by eighteen months her marriage, as "Lettice Morgan," to Archibald Young. Whether Landon was Archibald's son born before his parents' marriage or Archibald "adopted" Landon and gave him his surname after marrying Landon's mother may never be known. Was Landon previously a Morgan, specifically the son of Enoch Morgan, reportedly Lettice's late husband? Was Lettice's widowhood a fiction invented to hide Landon's out-of-wedlock birth? Morgan family data shed light on these questions.

29. For Euphemia's parents, see Thomas Humphrey will (1822), Loudoun Co. Will Book O:117, County Court, Leesburg, Va.; LVA Loudoun Co. microfilm 57. For her mother's maiden name, see John Marks Sr. will (1788), Loudoun Co. Will Book C:324; LVA Loudoun Co. microfilm 53.

30. Donna Humphrey Metzger, *That Humphrey Family and Others* (Susanville, Calif.: D. H. Metzger, 1991), 51. Metzger makes a strong circumstantial case for the Archibald Young–Nancy Ann Humphrey marriage in 1800 for which a contemporary record cannot be found.

31. "Arch^d." Young household, 1810 U.S. census, Loudoun County, Va., p. 317; NA microfilm M252, roll 69. The household's oldest male was twenty-six to forty-five years old. Also, Archibald Young estate accounts (1818), Loudoun Co. Will Book N:30 and 33; and Loudoun Co. Minute Book 7:346 and 362, County Court, Leesburg, Va.

32. Johnson-Young marriage record, Loudoun Co. Marriage Record 1793–1850 (Ministers Returns): 56, County Clerk, Leesburg, Va.; LVA Loudoun Co. microfilm 93.

33. Archibald Young Jr. and Archibald Young Sr. entries, Loudoun Co. personal property tax lists, 1804, Timothy Taylor's dist., p. 26.

34. Archibald Young entry, Fauquier Co. personal property tax list, 1806, Thornton Buckner's dist., p. 42.

35. "Overseers of the Poor to John Pancoast, Landon Young Indenture" and "Young, Landon, to be bound, 1809 May 8th," Loudoun Co. loose papers collection, Clerk of the Circuit Court Archives, Leesburg, Va.

36. Shields-Young marriage record, Loudoun Co. "List of Marriages for the Year 1818 & 19 by Alfred Griffith," Loudoun Co. loose papers collection.

VIRGINIA WILL RECORD ^a	PENNSYLVANIA CHURCH RECORD ^b
Wife Martha Morgan	Married Martha Wilson, 29 November 1758
Son Abel Morgan	Son Abel Morgan born 1737
Son Enoch Morgan	Son Enoch Morgan born 14 December 1739
Daughter Grace Morgan (deceased)	Daughter Grace Morgan born 13 April 1742
Daughter Mary Morgan	Daughter Ann Morgan born 5 December 1744 ^c
Son Randall Morgan	Daughter Mary Morgan born 20 September 1751
	Son Randall Morgan born 25 October 175[?]

^aRandle Morgan will, Fauquier Co. Will Book 1:208–9, County Court, Warrenton, Va.
^bF. Edward Wright, *Bucks County, Pennsylvania, Church Records*, 4 vols. (Lewes, Del.: Colonial Roots, 2003), 4:46. John T. Humphrey, *Pennsylvania Births: Bucks County 1682–1800* (Washington, D.C.: Humphrey Publications, 1993), 203.
^cAs Randall Morgan did not name a daughter Ann in his will, she may have died without issue.

THE MORGANS

Enoch Morgan, the Fauquier County, Virginia, taxpayer in 1782–1806, was born in 1739 in Bucks County, Pennsylvania, to Randall and Grace Morgan, members of the Southampton Baptist Church. After Grace died in Bucks County in 1757, Randall married Martha Wilson on 29 November 1758.³⁷ Sometime before 1771, the family settled in Fauquier County, near the village of Paris.³⁸ Randall died there in 1773, naming sons Abel and Enoch among others in his will and giving them a portion of his land.³⁹ Comparing the children named in Randall's will with those born to him in Pennsylvania confirms the Pennsylvania family's settlement in Fauquier County.⁴⁰ See table 1. Like Archibald Young, they were part of the migration from southeastern Pennsylvania to Virginia during the 1700s.⁴¹

Enoch Morgan married Letitia Malone at the First Baptist Church of Philadelphia about 29 August 1764, probably before Randall's move to Virginia.⁴² Although Fauquier County deed and tax records challenge documents showing that Enoch's widow married Archibald Young in 1801, the name of Enoch's bride and the dates of his marriage and birth are consistent with his having a widow Lettice at that time.

37. F. Edward Wright, *Bucks County, Pennsylvania, Church Records of the 17th and 18th Centuries*, 4 vols. (Lewes, Del.: Colonial Roots, 2003), 4:46 (Enoch Morgan birth), 49 (Grace Morgan death), and 37 (Morgan-Wilson marriage).

38. Wood to Morgan, Fauquier Co. Deed Book 4:195–96, County Court, Warrenton, Va.

39. Randle Morgan will, Fauquier Co. Will Book 1:208–9, County Court, Warrenton, Va.

40. Wright, *Bucks County, Pennsylvania, Church Records*, 4:46. John T. Humphrey, *Pennsylvania Births: Bucks County, 1682–1800* (Washington, D.C.: Humphrey Publications, 1993), 203.

41. Rouse, *The Great Wagon Road*, 22–24.

42. John B. Linn and William H. Egle, eds., *Pennsylvania Archives: Second Series*, 19 vols. (Harrisburg, Pa.: State Printer, 1876–90, 1896), 2:179 and 8:775.

After selling their Fauquier County land in 1806 Enoch and Letitia Morgan moved to Culpeper County, where Enoch purchased land from Joshua Tennison.⁴³ Enoch died intestate about 1816, leaving only an inventory among the county estate records. Truly and at last, however, Enoch Morgan had a “widow and relict” Letitia.⁴⁴

Enoch’s estate included land, and minor grandchildren were among his heirs. Virginia law at the time prohibited selling land belonging to minors without an order from “the high court of chancery” after a hearing.⁴⁵ Like many Virginians needing such an order, some of Enoch’s heirs filed a lawsuit—probably a “friendly suit”—in the district chancery court against “Letticia Morgan, widow and relict of said Enoch,” and his administrators.⁴⁶ Leaving no doubt that the 1801 Young-Morgan marriage bond contains a flagrant error, the suit’s papers specify that Enoch’s *daughter* “Letticia” (doubtless her mother’s namesake) had married (1) Archibald Young and that, as Archibald’s widow, she had married (2) Joseph Shields.⁴⁷

On or about 1 May 1822 the mother of the Letitia Morgan who married Archibald Young in 1801 had died.⁴⁸ The chancery suit and additional records show that she and Enoch had at least nine children (birth order unknown):⁴⁹

- i. ABEL MORGAN, born 1760–70,⁵⁰ exempted on 22 October 1832 from paying county and parish levies because of old age and infirmity.⁵¹ He married 27 November 1800 in Frederick County, Rachel Bennett.⁵²

43. Tennison to Morgan, Culpeper Co. Deed Book XX:437–38, County Court, Culpeper, Va.; LVA Culpeper Co. microfilm 21.

44. Enoch Morgan inventory, Culpeper Co. Will Book H:52; LVA Culpeper Co. microfilm 5.

45. “Chapt. 14—An act to amend the act, to reduce into one the several acts concerning guardians, orphans, committees, infants, masters and apprentices (Passed December 12, 1794),” in Samuel Shepherd, comp., *The Statutes at Large of Virginia, from October Session 1792, to December Session 1806, Inclusive*, 3 vols. (1835; reprint New York: AMS Press, 1970), 1:298–300.

46. Morgan v. Morgan, Spotsylvania District Chancery Order Book 1823–25, pp. 45, 54, and 127, Superior Court of Chancery, Fredericksburg, Va.; FHL microfilm 0,031,550.

47. “Bill filed 28 September 1818,” folder 1, Morgan v. Morgan 1824, no. 183-5, collection CR-SC-H, Superior Court for the Spotsylvania District, Historical Records Office, Fredericksburg Circuit Court, Fredericksburg, Va.

48. Affidavit of William Chappellear and John Allen, folder 2, Morgan v. Morgan 1824, Superior Court for the Spotsylvania District.

49. The marriages of most of Enoch’s children in neighboring Frederick County may be explained by his residence near Paris, only about four miles from the section of Frederick County that became Clarke County in 1836 and eight miles from Old Chapel where the marriages of Elizabeth and Lettice Morgan were recorded. See B. Duvall Chambers, *Old Chapel and the Parish in Clarke County, Virginia: A History from the Founding of Frederick Parish, 1738 to the Centenary of Christ Church* (Washington, D.C.: W. F. Roberts, 1932), 278. Additionally, the spouses of Archibald Young, Noah Morgan, and George Morgan were said to be “of Frederick” when they married. See Frederick Co. Marriage Bonds 1773–1811, unpaginated.

50. “Able” Morgan household, 1830 U.S. census, Greenbrier Co., Va. [now W. Va.], p. 194; NA microfilm M19, roll 190.

51. Abel Morgan entry, Greenbrier Co. Court Orders C:62, County Clerk, Lewisburg, W.Va.; LVA Greenbrier Co. microfilm 4.

52. Morgan-Bennett marriage record, Frederick Co. Marriage Register 1:115, line 30, County Clerk, Winchester, Va.

- ii. GEORGE MORGAN, died in Culpeper County before 19 June 1827.⁵³ He married 10 September 1801 in Frederick County, Clara Coates, daughter of Thomas Coates of Frederick County.⁵⁴
- iii. NOAH MORGAN, born 1780–81; died 12 November 1854 in Greenbrier County.⁵⁵ He married (1) 3 December 1801 in Frederick County, Sarah Wilson, daughter of Nathaniel Wilson of Frederick County,⁵⁶ and (2) Leanah [—?—].⁵⁷
- iv. ENOCH MORGAN, born February 1784; died 2 January 1859 in Greenbrier County.⁵⁸ He married in 1838 in Greenbrier County, Sarah Holsapple.⁵⁹ (Considering Enoch's age in 1838, this might not have been his first marriage.)
- v. ELIZABETH MORGAN, married 16 October 1800 in Frederick County, William Carrell.⁶⁰
- vi. LETITIA MORGAN, married (1) 3 September 1801 in Frederick County, Archibald Young, and (2), as "Latitia Young," 19 January 1819 in Loudoun County, Joseph Shields as his third wife.⁶¹
- vii. URY MORGAN, married 18 April 1805 in Frederick County, Henry Bennett.⁶²
- viii. LYDIA MORGAN, died probably before 24 September 1823.⁶³ She married (1) 24 July 1800 in Frederick County, William Anderson,⁶⁴ and (2), as "Lydia Anderson," 28 March 1805 in Frederick County, Robert Bennett.⁶⁵
- ix. GRACE MORGAN, died probably before 24 September 1823; apparently unmarried but had issue, Gilbert, Harriet, Joseph, John, and Randall Morgan, with an unnamed man or men.⁶⁶

CONCLUSION

The foregoing shows that Letitia (née Morgan) (Young) Shields was a daughter and heir of Enoch Morgan. The conclusion is inescapable, therefore, that Archibald Young's 1801 bride was not the "widow and relict" of Enoch Morgan, who died in 1816. After Archibald's death in 1806–9, she married

53. George Morgan will, Culpeper Co. Will Book K:443; LVA Culpeper Co. microfilm 34.

54. Morgan-Coates marriage record, Frederick Co. Marriage Register 1:115, line 31. George Morgan bond, Frederick Co. marriage bonds 1773–1811, unpaginated; FHL microfilm 0,031,456.

55. Noah Morgan death record, Greenbrier Co. Death Records 1A:5, line 72, Clerk of the County Court, Lewisburg, W.Va.

56. Morgan-Wilson marriage record, Frederick Co. Marriage Register 1:115, line 32. Noah Morgan bond, Frederick Co. marriage bonds 1773–1811, unpaginated.

57. Morgan to Ramy, Rappahannock Co. Deed Book B:317–19, County Court, Washington, Va.

58. Enoch Morgan death record, Greenbrier Co. Death Records 1A:20, line 79.

59. Morgan-Holsapple marriage record, Greenbrier Co. Marriage Record 1A:95, Clerk of the County Court, Lewisburg, W.Va. The record does not specify the day or month of the wedding.

60. Carrell-Morgan marriage record, Frederick Co. Marriage Register 1:26, line 17.

61. Young-Morgan marriage record, Frederick Co. Marriage Register 1:197, line 8. Shields-Young marriage record, Loudoun Co. "List of Marriages for the Year 1818 & 19 by Alfred Griffith," Loudoun Co. loose papers collection.

62. Bennett-Morgan marriage record, Frederick Co. Marriage Register 1:12, line 4.

63. Morgan v. Morgan, Spotsylvania District Chancery Order Book 1823–25, p. 45.

64. Anderson-Morgan marriage record, Frederick Co. Marriage Register 1:5, line 17.

65. Bennett-Anderson marriage record, Frederick Co. Marriage Register 1:12, line 2.

66. Morgan v. Morgan, Spotsylvania District Chancery Order Book 1823–25, p. 45.

Joseph Shields. The oldest female in Shields's household in 1820, presumably his wife, was born in 1775–95. Too young to have married Enoch Morgan in 1764, she was the right age to have been his daughter.⁶⁷ A Culpeper County deed dated 4 November 1828 from "Joseph Shields and Letitia his wife" disposing of Letitia's interest in her father's property confirms that the woman in Joseph's household in 1820 was the Letitia he married in 1819 and not another wife.⁶⁸

The question remains: why does the 1801 marriage bond describe Letitia Morgan as "widow and relict of Enoch Morgan decd," and not as his daughter? Surely the parties to the bond knew who she was. In the previous year William Carrell, the co-bondsman, had married Letitia's sister Elizabeth.⁶⁹ Archibald's sons John and Archibald had married daughters of Col. Thomas and Mary (née Marks) Humphrey. Mary's mother, Ury (née Ledyard) Marks was a sister of Enoch's mother, Grace (née Ledyard) Morgan.⁷⁰ Enoch's brother Abel Morgan belonged to the Ketocin Baptist Church, where Col. Thomas Humphrey was clerk and Rev. John Marks, Humphrey's father-in-law, was pastor.⁷¹

Perhaps the claim was made to make Letitia appear closer in age to Archibald, about thirty years her senior. A possibly more plausible explanation exists, however. With Archibald's knowledge and consent the marriage could have been arranged to provide a father for Landon, Letitia's out-of-wedlock son born in 1800. To save face before a county official the couple may have used the name of the unwed mother's father to identify a fictitious deceased husband.⁷² The facts may never be known. But what may be known by the sum of available evidence is (1) the false and misleading nature of Letitia's identity and marital status given in the 1801 bond for her marriage to Archibald Young and (2) the need to examine critically every piece of evidence in the broadest context possible.

Like the Young-Morgan marriage bond, any seemingly factual document may contain deliberate or accidental distortions and falsehoods. No record should be taken at face value. Proving a lie may shed light on family dynamics and reveal why truth was buried.

67. Joseph Shields household, 1820 U.S. census, Loudoun Co., Va., p. 151.

68. Shields to Turley, Culpeper Co. Deed Book VV:164–66; LVA Culpeper Co. microfilm 20.

69. Carrell-Morgan marriage record, Frederick Co. Marriage Register 1:26, line 17.

70. John Lidyard will (1748), Philadelphia Co. Will Book G:256, Register of Wills, Philadelphia, Pa.

71. Leslie A. Purtlebaugh, "The Regular Baptists of Ketocin Church, 1776–1782" (masters thesis, James Madison University, 1997). Doris Hoover Colombatto, comp., *Reverend John Marks, 1716–1788: His Descendants and Relating Families* (Farmington Hills, Mich.: D. Colombatto, 1997). For Abel Morgan's church membership, see Marty Hiatt, "Ketocin Baptist Church," in *Early Church Records of Loudoun County, Virginia* (Westminster, Md.: Family Line, 1995), 277–78, quoting from Ketocin Baptist Church (Loudoun County, Va.). Minute Book, 1776–1890, accession 20316, Church records collection, LVA.

72. For another example of a mother using her father's name to make her same-surname offspring seem legitimate, see Thomas W. Jones, "'A Solid Gang of Them': An Illinois Morse-Trammell Family's Reactions to Scandal," *NGS Quarterly* 92 (June 2004): 105–19.

Searching for Greens at the Time of Peter Robinson

By Alison Hare, CG

*Language that appears precise and transparent can actually mask meaning.
Unlocking the truth in perplexing documents requires scrupulous attention to the full
range of genealogical standards.*

Two references to a son, two distinct clues to his identity. John Green's petition for land in Upper Canada's Huntley Township was bursting with genealogical promise. Clearly worded and legibly penned, it planted a figurative finger firmly on the map, marking the spot where the son would be found. Auguring equally well for an open-and-shut identification, the petition disclosed that John's son had immigrated to Canada with a well-known and well-documented group of settlers. The petition's failure to mention the son's name seemed a minor inconvenience. Thus begins a memorable lesson about how historical documents can mislead and baffle researchers, especially when they fail to probe deeply.

THE PROBLEM

The scene is set "at the time" of the Peter Robinson settlers.¹ Brought to Canada from County Cork, Ireland, in 1823, these 571 men, women, and children have been known ever since by the name of the official who supervised their relocation. Acting for the British government, the Honorable Peter Robinson arranged free passage, provisions, and land for the settlers.² The liberally funded program offered escape from poverty, famine, and civil disturbances in Ireland. Though he wanted to, John Green was unable to accompany the group. "His son," however, came out "at that time" to Canada. John later immigrated on his own and on 9 July 1836 petitioned to purchase one hundred acres of land in Huntley Township, a property of interest to him because it lay "in the immediate vicinity of his sons location."³ What was the son's name?

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1. John Green petition, 1836, Upper Canada Land Petitions, vol. 212, G bundle 20, no. 6, RG 1-L3, Library and Archives Canada (LAC), Ottawa, Ontario; LAC microfilm C-2035.

2. Report, Peter Robinson to Robert Wilmot-Horton, British under-secretary of state for the colonies, 2 April 1824, manuscript, Colonial Office, Original Correspondence, Secretary of State CO 384/12, pp. 125-47 (handwritten), The National Archives (TNA), Kew, U.K.; LAC microfilm B-885.

3. John Green petition, 1836, Upper Canada Land Petitions, vol. 212, G bundle 20, no. 6.

THE PROPERTY

The petition identified the desired property as the east half of Lot 22 in Concession 10.⁴ John presented his request in person, giving officials the opportunity to question him and determine that he actually meant the eastern portion of Lot 21. Another party had applied to purchase the same lot but John would be allowed to buy it if he could demonstrate that it was unimproved and unoccupied.⁵ With that, John seemingly disappeared from Huntley. Neither the 1842 nor the 1851 census enumerated him in the township.⁶ If more was to be learned about him, the Peter Robinson settlers presented the next best angle of inquiry.

THE PETER ROBINSON SETTLERS

In all, ten Greens came to Canada in 1823 with Peter Robinson, six of them men:

- John, age thirty-two years,
- Thomas, age thirty years,
- Busted, age twenty-five years,
- John, age twenty-three years,
- William, age twenty-two years,
- George, age twenty years.⁷

All were from the County Cork village of Castletownroche.⁸ Once in Upper Canada, all six settled in Pakenham Township, wives and sisters among them.⁹ They apparently comprised two sets of brothers—the younger John, William, and George in one; the older John, Thomas, and Busted in the other—distinguished by religion and kinship ties.

4. Townships in Ontario are typically rectangular and were laid out in strips called concessions, which were then subdivided into lots originally containing two hundred acres each. See Fawne Stratford-Devai and Ruth Burkholder, *Ontario Land Registry Office Records: A Guide* (Campbellville, Ont.: Global Heritage Press, 2003), 7.

5. John Green petition, 1836, Upper Canada Land Petitions, vol. 212, G bundle 20, no. 6. Many years later the patent for the property was issued to Martin Grace. See Huntley Twp., Carleton Co. Abstract Index to Deeds A:447, Archives of Ontario (AO), Toronto, Ontario.

6. J. M. Robinson, transcr., *1842 Census, Canada West, Carleton County* (Ottawa: Ottawa Branch, Ontario Genealogical Society, 2000). Robinson was permitted access to the original census return when preparing this publication, the legibility of the microfilm copy being poor. Also, 1851 Canada West census, personal schedule, Carleton Co., Huntley Twp., enumeration district (ED) 6, pp. 1–103; LAC microfilm C-11,716. While there are three John Greens in Huntley, two are children and the sole adult is a younger man.

7. *Stakesby* passenger list, 8 July 1823, Peter Robinson Papers, MG 24-B74; LAC microfilm M-141. Peter Robinson used the designations *Senior* and *Junior* for the elder and younger John Green. Busted appears on the *Stakesby* list as “Bustard” but his name is otherwise spelled Busted or Busted.

8. *Ibid.*

9. Schedule of location of 1823 emigrants, Peter Robinson Papers; LAC microfilm M-140.

John, William, and George Green

John, William, and George were Roman Catholic. Evidence that all three men were sons of William Green and Mary Connor or O'Connor seems to rule out a connection with John Green of Huntley. Marriage records tie two of them to these parents, and a land petition supplies indirect evidence linking the third:

- William, son of William Green and the late Mary Connor, married Elizabeth Connor on 5 February 1826 at St. John the Baptist Roman Catholic Church in Perth, Ontario.¹⁰ In recording the marriage, the priest took the unusual step of noting William's residence. The location given—Lot 26 in Concession 6 of Pakenham—is the same property granted to William Green, the Peter Robinson settler.¹¹
- George Green, son of William Green and Mary O'Connor, married Elizabeth Green, daughter of John Green and Margaret Tarrant, on 4 November 1827, also at St. John the Baptist Church. Both groom and bride were from Pakenham. John and Rose Green were among the witnesses.¹²
- John Green was already married when he arrived in Canada.¹³ However, in 1839 he petitioned the Crown about a Pakenham property on which he said his "brother George Green" had been settled by Peter Robinson. George had died six years earlier, leaving an orphaned daughter for whom John was hoping to secure ownership of the property.¹⁴

John, Thomas, and Busteed Green

John, Thomas, and Busteed Green were Anglican. Although the three men apparently married in Canada—Thomas twice—only a record of John's marriage, in 1824, can be found, and it names no parents. The three men's long pattern of association, oral tradition, common use of the unusual name Busteed, and indirect evidence from a newspaper announcement two generations later support the hypothesis that they were brothers:

- John, Thomas, and Busteed settled on adjoining properties in Pakenham Township.¹⁵ When the swampy ground mocked their farming efforts, the three men relocated. John and Thomas settled near each other on richer farmland

10. Green-Connor marriage record, St. John the Baptist Roman Catholic Church parish register, Liber 2 (1825–27): 22, Perth, Ont.; LAC microfilm M-3197.

11. William was first located on Lot 1, Con. 6, but switched to Lot 26, Pakenham. See William Green petition, 1839, Upper Canada Land Petitions, vol. 241, H bundle 22, no.10; LAC microfilm C-2097.

12. Green-Green marriage record, St. John the Baptist parish register, Liber 2 (1825–27): 75.

13. John is listed with wife Rose in the schedule of location of 1823 emigrants, Peter Robinson Papers.

14. John Green Junior petition, 1839, Upper Canada Land Petitions, vol. 214, G bundle 22, no. 51; LAC microfilm C-2036.

15. Schedule of location of 1823 emigrants, Peter Robinson Papers.

in nearby Fitzroy Township—John on the east half of Lot 3, Concession 2, Thomas on the north half of Lot 1, Concession 3.¹⁶ Busteed eventually left the area but John and Thomas lived as neighbors for the rest of their lives.¹⁷

- Busteed witnessed John's marriage in 1824.¹⁸
- John's grandson Merville Green affirmed that John, Thomas, and Busteed were brothers.¹⁹ Merville's father was given Busteed as a middle name based on the relationship.²⁰ The family surely would have remembered and remarked on the uncommon name and its history. Thomas also used the name for one of his sons.²¹
- An 1897 newspaper announcement describes the marriage of Jennie Green, a daughter of Michael Green, to Alf Dulmage, at the Ottawa Valley home of the bride's father. Her cousin Miss Barnet assisted the bride.²² Jennie's father, Michael, was a son of Peter Robinson settler Thomas Green.²³ Miss Barnet was a granddaughter of Busteed, making the bride and her bridesmaid second cousins.²⁴

Could John, Thomas, and Busteed be sons of John Green? Although residents of Fitzroy, the two eldest brothers lived near the Huntley border. Thomas's property lay eight lots due north of the land for which John had petitioned. Thomas's brother John was two lots farther north and one concession to the west. Either could be considered "in the immediate vicinity." Both also appeared present in the area at the right time. Thomas received the patent for his Fitzroy

16. John Green and Thomas Green households, in Robinson, transcr., *1842 Census, Canada West*, entries F2-33 and F2-62.

17. Thomas Green and John Green households, 1851 Canada West census, personal sch., Carleton Co., Fitzroy Twp., ED 5, pp. 25 and 29; LAC microfilm C-11,716. John and Thomas are also enumerated in Fitzroy in 1861 and 1871, the agricultural schedules in these years placing them on or near the same properties they occupied earlier. See John Green and Thomas Green entries, 1861 Canada West census, agricultural sch., Carleton Co., Fitzroy Twp., ED 2, pp. 1-2; LAC microfilm C-1013. Also, Thomas Green and John Green entries, 1871 census of Canada, agricultural sch. no 4, Ontario, Carleton Co., Fitzroy, dist. 78, subdist. 1, division 3, pp. 1-2; LAC microfilm C-10,016.

18. Green-Mulshin marriage record, St. James Anglican Church parish register 1:4, Perth, Ont., Register 45 at Archives of the Anglican Diocese of Ottawa, Ottawa, Ont.

19. Merville Green, personal communication, April 1986. The youngest son of John's youngest son, Merville was born twenty-five years after the death of his grandfather but lived all his life on the Green homestead in Fitzroy.

20. *Ibid.*

21. William Bustard Green baptism record, 2 March 1851, Pakenham and Fitzroy parish register (1842-1865): 107; Register 15 at Archives of the Anglican Diocese of Ottawa.

22. "Local News," *Renfrew Mercury* (Renfrew, Ont.), 1 January 1897, page 1, col. 5.

23. Michael Green, age twenty-two, born in Fitzroy to Thomas Green and Margaret Andrews, married Mary Ann Moorcraft, 28 August 1861. See Green-Moorcraft marriage record, Lanark Co. Marriage Register (1858-69): 10, AO; LAC microfilm M-5497.

24. Jane Green, daughter of Busteed Green and Jane Craig, married Alexander Barnet, 11 November 1867. See Barnet-Green marriage record, Renfrew County marriage register 2 (1858-69): 27, AO; LAC microfilm M-5497. Alexander and Jane's youngest three daughters were all single at the time of the Green-Dulmage wedding. See Alex Barnet household, 1901 census of Canada, personal sch., Ontario, Renfrew South, Town of Renfrew, dist. 11, subdist. M, division 1, p. 19, line 46; LAC microfilm T-6494.

property on 13 May 1836.²⁵ John cannot be placed on his land until 1842, but he lived somewhere in Fitzroy in the early 1830s.²⁶

The presence of two Peter Robinson settlers near John Green in Huntley introduced an unexpected problem. The 1836 petitioner implied he had one son in the vicinity. If so, too many candidates competed for the single position. After expressing his disappointment at not being part of the Peter Robinson emigration, John stated: "Your Petitioners son however came out at that time to Canada." The singular reference is unmistakable. However, John's assertion that the Huntley property was "in the immediate vicinity of his sons location" is ambiguous. By today's standards the phrase is imperfectly punctuated. If John had one son, the phrase should refer to his son's location. If he had several sons, it should be his sons' location. However, inattention to punctuation and shifting standards was typical of the time. All things considered, John probably had one son.

In theory John's unnamed son might have come to Canada with a second group of Peter Robinson settlers in 1825, but no Greens came in the second group.²⁷ Alternatively, might "at the time" and "at that time" each refer to a time period or separate migration rather than with a specific group? Rather than coming to Canada with the Peter Robinson settlers, could John's son have arrived about the same time? Could he have immigrated about the same time as the Peter Robinson settlers but not as a member of the group? These possibilities suggested further research.

PHILIP GREEN

An extended survey of local sources led to another Green in Huntley. Although not a Peter Robinson settler, Philip Green was among numerous Catholic inhabitants of Huntley who in 1834 petitioned regarding a clergyman for their new church.²⁸ St. Michael's church stood two concessions east and six lots south of John Green's desired property. Philip was not enumerated in Huntley in 1842 or 1851, apparently never petitioned for land, and was not recorded as a landowner in the township's northwest corner.²⁹ Four baptismal records, however, connect him to Huntley:

25. North half of Lot 1, Con. 3, Fitzroy Twp. Abstract Index to Deeds A:84, AO.

26. John Green household in Robinson, transcr., *1842 Census, Canada West*, entry F2-33. The 1851 census indicates that John's first three children were born in Pakenham between 1825 and 1829, the remainder in Fitzroy starting in 1833. See John Green household, 1851 Canada West census, Carleton Co., Fitzroy Twp., ED 5, p. 29.

27. Return of emigrants embarked at Cork 1825, Peter Robinson Papers; LAC microfilm M-140.

28. Petition of the Roman Catholic inhabitants of Huntley, 16 January 1834, Upper Canada Sundries, RG 5, A 1, vol. 137, pp. 74950-52; LAC microfilm C-6881.

29. The 1842 census finding is based on Robinson, transcr., *1842 Census, Canada West, Carleton County*. The 1851 finding is based on a page-by-page search of the microfilmed original. The search for a petition was made in the Upper Canada Land Petitions collection at LAC. The author also made a page-by-page search of the abstract index to Huntley deeds for concessions 9-12, lots 16-27.

- Philip, son of Philip Green and Hanora McCarty, baptized 11 January 1835. Sponsors: Michael Cronan and Esther Boyle.³⁰
- Bridget, daughter of Timothy Kennedy and Mary Kieff, baptized 11 January 1835. Sponsors: Philip Green and Catherine Bressneham.³¹
- Martin, son of John Russell and Honora Quinlan, baptized 18 May 1838. Sponsors: Phillip Green and Mary Cronan.³²
- Christopher, son of Phillip Green and Honora McCarthy, baptized 17 January 1841. Sponsors: Francis Colton and Esther Manion.³³

A visiting priest from Bytown (later Ottawa) performed the first two baptisms, the second two took place at St. Michael's. Spanning 1835 to 1841, the events connect Philip to Huntley at the time John Green petitioned for land there. Philip's precise residence is uncertain, but other participants in the baptisms lived strikingly close to the lot John Green wanted: Timothy Kennedy was only one half lot away; Michael Cronan, Francis Colton, and John Russell moved about but were generally within a five-lot radius.³⁴ If Philip lived in the tight circle of these associates, he was closer to John Green than any Green who came to Canada with Peter Robinson.

Following a common migration path, Philip moved up the Ottawa Valley from Huntley to Renfrew County in the 1840s and was recorded in the first enumeration of Algona Township in 1861.³⁵ He resided in Algona until his death on 4 April 1890.³⁶ Philip Green, a Catholic, was born about 1804 in Ireland.³⁷ He and his wife Honora had one daughter, Mary, and five sons who

30. Philip Green baptism record, Notre Dame Cathedral parish register (1829–1847), p. 223, Ottawa, Ont.; microfilm 1,301,761, Family History Library (FHL), Salt Lake City, Utah.

31. Bridget Kennedy baptism record, Notre Dame Cathedral parish register (1829–1847), p. 222.

32. Martin Russell baptism record, St. Michael's Roman Catholic Church parish register (1837–1859), entry 38, Corkery, Ont.; FHL microfilm 1,304,512.

33. Christopher Green baptism record, St. Michael's parish register (1837–1859), entry 125.

34. Timothy Kennedy received the patent for the east half of Lot 21, Con. 11, in 1836. See Huntley Township, Carleton Co. Abstract Index to Deeds A:496. Michael Cronan received the patent for the west half of Lot 18, Con. 10, in 1836. See Huntley Township, Carleton Co. Abstract Index to Deeds A:440. In 1840 he occupied the east half of Lot 20, Con. 12. See Michael Cronan entry, Inspection and Valuation Returns for the Bathurst District, by Francis Allan, 1840, RG 1-95-3, vol. 4, no pagination, AO; microfilm MS482, reel 1. Francis Colton purchased the east half of Lot 17, Con. 10, in 1837 and sold it in 1839. See Huntley Township, Carleton Co. Abstract Index to Deeds, A:438. In 1842 he purchased the west half of Lot 26, Con. 11. See *ibid.*, 506. In 1833 John Russell occupied the east half of Lot 21, Con. 12. See John Russell entry, Inspection and Valuation Returns for the Bathurst District Inspection Return, 1833, RG 1-95-3, vol. 3, no pagination. In 1840 he held the east half of Lot 18, Con. 11. See John Russell entry, Bathurst District Inspection Report, 1840. From 1838 to 1841 he also owned the west half of Lot 23, Con. 11. See Huntley Township, Carleton Co. Abstract Index to Deeds, A:500.

35. Philip Green household, 1861 Canada West census, personal sch., Renfrew Co., Algona Twp., ED 21, p. 1, line 4; LAC microfilm C-1070.

36. Philip Green record, Ontario civil death registration 015364 (1890), AO; FHL microfilm 1,853,534.

37. Philip Green household, 1861 Canada West census, personal sch., Renfrew Co., Algona Twp., ED 21, p. 1, line 4. Also, Philip Green household, 1871 census of Canada, personal sch., Ontario, Renfrew North, Algona Twp., dist. 82, subdist. H, p. 9, fam. 28; LAC microfilm C-10,022. Also, Philip Green household, 1881 census of Canada, personal sch., Ontario, Renfrew Co., Algona South, dist. 114, subdist. B, p. 15, fam. 55; LAC microfilm C-13,234.

survived to adulthood: John, Philip, Michael, Christopher, and George.³⁸ An obituary for Christopher describes his father as one of the pioneers of Algona and says the family had moved from Huntley when Christopher, born in 1840, was a young boy.³⁹ Christopher's siblings Philip, Mary, and Michael also were born in Huntley, and John, the eldest, in Pakenham.⁴⁰

No known record in Algona names Philip's parents, but church records identify his sisters:

- Elizabeth Green, daughter of John Green and Margaret Tarrant, married George Green of Pakenham, son of William Green and Mary O'Connor, on 4 November 1827.⁴¹ George Green was the Peter Robinson settler.
- Margaret Green, daughter of John Green and Margaret Terrant, married Peter Ryan on 11 January 1829. Both bride and groom were residents of Wolford, a township now in Grenville County.⁴² Three days after this marriage and at the same church, John Green and Barbara Green sponsored the baptism of Philip and Honora Green's son John.⁴³
- Barbara Green, daughter of John Green and Margaret Torrot, married Martin Roche on 26 November 1832.⁴⁴

Like Philip Green, Barbara and Martin Roche eventually settled in Algona Township.⁴⁵ When Philip's daughter died near Algona on 14 January 1921, her cousin, M. Roche of Killaloe, registered the death.⁴⁶ "M. Roche" was Martin, the son of Martin and Barbara (née Green) Roche.⁴⁷ If Philip's daughter and Barbara's son were first cousins, then Philip and Barbara were siblings. Barbara was a daughter of John Green; Philip's father, therefore, also was John Green.

38. Michael Green obituary, in *Genealogical Extracts from The Eganville Leader, 1902–1913* (Renfrew, Ont.: Juniper Books, 1990), 80.

39. Christopher Green obituary, in *Death Notices & Obituaries from The Eganville Leader, 1922–1927* (Renfrew, Ont.: Juniper Books, 1991), 16. The obituary claims that Christopher was born in 1839 but his baptismal record says he was born 18 December 1840. See Christopher Green baptism record, St. Michael's parish register (1837–1859), entry 125.

40. For Philip and Mary, see *Death Notices & Obituaries from The Eganville Leader, 1914–1921* (Renfrew, Ont.: Juniper Books, 1990), 5 and 80, respectively. For Michael, see *Genealogical Extracts from The Eganville Leader, 1902–1913*, 80.

41. Green-Green marriage record, St. John the Baptist parish register, Liber 2 (1825–1827): 75.

42. Green-Ryan marriage record, St. John the Baptist parish register, Liber 3, vol. 1 (1828–29): 37.

43. John Green baptism record, St. John the Baptist parish register, Liber 3, vol. 1 (1828–29): 50.

44. Green-Roche marriage record, St. John the Baptist parish register, Liber 3, vol. 2 (1830–32): 137.

45. In 1861 Barbara and Martin Roche were enumerated two households away from Philip's household. See Martin Roche household, 1861 Canada West census, personal sch., Renfrew Co., Algona Twp., ED 21, p. 1, line 14; LAC microfilm C-1070.

46. Mary George death record, Ontario civil death registration 02886 (1921); FHL microfilm 1,863,544.

47. Martin Roche death record, Ontario civil death registration 028441 (1922); FHL microfilm 1,907,009. Martin had two siblings whose first names also begin with "M" but Michael lived at Cormac, Ont., and Margaret, an unmarried female, was an unlikely informant in this male-dominated era. For Michael's residence, see Margaret Roche obituary, in *Death Notices & Obituaries from The Eganville Leader, 1914–1921*, 6.

Philip's connection to Huntley and the evidence that his father's name was John identify him as the 1836 petitioner's son. To date, no trace of Philip had been found in early land records. Unlike other settlers of that era, had he never jockeyed for ownership of property? A broader search in Ontario's Township Papers, beyond the Huntley property for which John Green applied, yielded startling results.

JOHN GREEN JUNIOR

An 1833 letter by Philip Green and an 1834 letter by John Green provide accounts of Philip's early struggles to obtain land and direct evidence that Philip was John's son. The two men wrote to Peter Robinson to secure title to the east half of Huntley's Lot 23, Concession 11, where Philip and his aged parents were living—two lots north and one concession west of the lot for which the father later petitioned. Philip confirmed he had immigrated to Canada after the Peter Robinson settlers, arriving with his wife, father, mother, and sisters in 1826.⁴⁸ He did not name his father but John named Philip as his son.⁴⁹ The two letters also disclose that a second son had come to Canada. With no ambiguity about the time of arrival, Philip said his brother had come to Canada "with" Peter Robinson and had been settled by him in Pakenham.⁵⁰ John concurred: "Your Honor brought John Green (another son of mine) here in 1823."⁵¹

The crooked paths of genealogical research are legendary, but in this instance they came full circle. The possibility that John Green had a son among the Peter Robinson settlers had been considered and ruled out. The dilemma appeared again, however, with the helpful difference that this time John named the son. But two Peter Robinson settlers were named John Green. Which was the elder John's son and Philip's brother?

Evidence favored the younger man. Often called John Green Junior, this settler and his wife, Rose, were the only Peter Robinson Greens who remained in Pakenham, where John died in 1850.⁵² John Green Junior signed Philip's 1833 letter as a character witness.⁵³ John Junior's long residence in Pakenham also dovetailed with the 1834 letter in which the elder John said his son John "had the misfortune to have remained" in his original location. Philip settled

48. Letter, Philip Green to Peter Robinson, 5 October 1833, east half of Lot 23, Con. 11, Huntley, Township Papers, RG 1-58; AO microfilm MS 658, reel 213.

49. Letter, John Green to Peter Robinson, 4 March 1834, east half of Lot 23, Con. 11, Huntley, Township Papers.

50. Letter, Philip Green to Peter Robinson, 1833, Township Papers.

51. Letter, John Green to Peter Robinson, 1834, Township Papers.

52. John Green tombstone, St. Peter Celestine's Indian Hill Cemetery, Lot 6, Con. 9, Pakenham; viewed and photographed by the author in 1985.

53. Letter, Philip Green to Peter Robinson, 1833, Township Papers. John Junior's signature on this document matches the signature on John's 1839 petition on behalf of the orphan Mary. See John Green Junior, 1839, Upper Canada Land Petitions, vol. 214, G bundle 22, no. 51.

on a nearby lot until complications arose over its ownership, after which he “dreaded” to remain there, especially as the lot also turned out to be worthless. “That part of the County has been abandoned by all the settlers save my unfortunate son Jonny who could get Land no where else,” the senior John lamented to Peter Robinson.⁵⁴

The words of John Junior himself contradict what might otherwise be an obvious conclusion. Petitioning the Crown in 1839, John Junior had stated unequivocally that he was a brother of George Green and uncle to George’s orphaned daughter, Mary.⁵⁵ This links him in turn to William Green, who, like George, was identified at the time of marriage as a son of William Green and Mary Connor (or O’Connor). Evaluated side by side, John Senior’s statement that his son was John and John Junior’s statement that he was a brother of George are equally credible. Both statements come from original sources and both Johns should be trusted to identify other family members. But John Junior could not be a son of both William and John.

Excluding John Junior’s statement that George was his brother, compelling evidence supports the composition of the senior John’s family:

- John’s 1834 letter identifies Philip as his son.
- John’s 1834 letter names a second son, John, of Pakenham.
- Indirect evidence shows that Philip’s sister was Barbara.
- Marriage records show that Barbara had two sisters, Margaret and Elizabeth.
- Elizabeth married Peter Robinson settler George Green.

If the junior John and Elizabeth were brother and sister, the only way George could also be a sibling is in the impossible event that Elizabeth had married her own brother. John’s reference to his brother George apparently identified his brother-in-law. The contemporary meaning of “brother” included a sister’s husband, a wife’s brother, or the spouse of a wife’s sister.⁵⁶ Recognizing these earlier meanings of kinship terminology, the remaining evidence points uniformly to one conclusion: John Green Senior had two sons, John Junior and Philip. The younger John’s statement that he was the uncle of the orphaned Mary held true through his relationship to Mary’s mother.⁵⁷

54. Letter, John Green to Peter Robinson, 1834, Township Papers.

55. John Green Junior petition, 1839, Upper Canada Land Petitions, vol. 214, G bundle 22, no. 51.

56. Donald Lines Jacobus, “Interpreting Genealogical Records,” in Milton Rubincam, ed., *Genealogical Research: Methods and Sources*, 2 vols. (Washington, D.C.: American Society of Genealogists, 1960, 1971), 1:21.

57. If John’s only connection to Mary was through his sister Elizabeth, then he was Mary’s maternal uncle. However, John and George Green probably were also brothers-in-law through John’s marriage to Rose, whose maiden name was also Green. A full discussion of the evidence exceeds the scope of this study but numerous connections link Rose Green to the Peter Robinson settlers who were children of William Green and Mary O’Connor. The connections span Rose’s life in Canada, from her first son’s baptism through her burial.

CONCLUSION

Philip and John's letters in the Township Papers unlocked the secrets of John Green's troublesome 1836 petition. The petition's two references to a son had long been thought to apply to one individual. Not so. Each reference pertained to a different son. The son who had come "at that time" to Canada was John. The son in the immediate vicinity of the property in Huntley was Philip. A few easy pen strokes seamlessly merged two sons into one. Exhaustive research, diligent analysis, and resolution of conflicting evidence restored their individual identities.

As this study twice demonstrates, accurate interpretation requires thorough examination and understanding of the records. John Junior's use of the word "brother" underscores the need to interpret relationship terms in context and to corroborate the evidence. The deceptive reality of John's father's 1836 petition dramatizes another point about the hazards of written communication. Clarity in writing can be elusive. Writers who lose the struggle for clear expression often leave a wake of tell-tale awkward phrases and convoluted sentences. But language that appears precise and transparent can just as easily mask meaning. Thus it was with John Green's 1836 petition for land in Huntley Township. Unlocking the truth in such documents requires scrupulous attention to the full range of genealogical standards.

Policeman Sieffert Commended

[*Rochester Union and Advertiser*, Rochester, New York, 15 September 1882, page 2]

This morning Policeman Charles Sieffert received the following complimentary letter regarding his efforts in behalf of the young Best girl, whom he saved from sin:

ROCHESTER, Sept. 14, 1882

Mr. Policeman Sieffert:

Sir—If the man who rescued the man who among thieves in going from Jerusalem to Jericho was commended by our Savior, the policeman who rescued a young girl from a destiny much worse than falling among thieves is worthy of commendation. I am not willing that such a worthy action should pass unnoticed, and I hereby tender you my sincere thanks. Since living in the city I have always noticed the gentlemanly bearing of our police. I think our city is greatly blessed in its police. Especially have I admired our Chief of Police and his men for the good order and sobriety that prevails in the city. Very respectfully yours, &c.,

MYRON ADAMS

25 South Union street

—Contributed by Edward R. Groszewski, CG

Freemen of the City of Drogheda, County Louth, Ireland: Finding the Family of Thomas Brunker

By David E. Rencher, AG, CG

Where Irish church records fail, freeman records and corporation minutes can be a rich source of additional evidence. Considerable detail in their brief entries breathes new life into a family given up for lost.

Discovering that an eighteenth-century Irish ancestor came from Drogheda in County Louth is generally a cause for celebration. A baptismal entry in the parish registers of St. Peter's, Drogheda, might extend a family several more generations in that medieval walled town. The surviving church records, dating from 1653, are some of the oldest in Ireland.¹

The Brunker family of Drogheda trained many of its sons in the stone masonry and bricklaying trades. Generations of Brunker artisans made their way to neighboring parishes, counties, and even went abroad—to England and America. When research tracked these travelers to their ancestral home, the sparse welcome in the parish registers was unexpected.

With the exception of one twenty-year span after 1783, no gaps in the registers account for numerous missing entries. Further searches revealed that many members of the Brunker family living in Drogheda and environs went unrecorded in the surviving area parish registers. A significant number of otherwise unknown craftsmen can be found in the precise entries of the town's freeman records and corporation minute books. The family of one Thomas Brunker, mason, is an exceptional example.

© David E. Rencher, AG, CG; 1426 West 11940 South, Riverton, UT 84065-7419. Mr. Rencher is employed by the Family and Church History Department of the Church of Jesus Christ of Latter-day Saints as director of the Records and Information Division. He is both accredited and certified, specializing in Irish research. He is a fellow of the Irish Genealogical Research Society, London, and the Utah Genealogical Association, and he serves on the NGS *Quarterly* editorial board.

1. Parish register, St. Peter's, Drogheda, Church of Ireland, 1653–2004, 15 vols., P.0854, Representative Church Body Library (RCBL), Dublin, Ireland.

AUGMENTING THE PARISH REGISTER

Thomas Brunkard [sic], son of Thomas, was baptized 20 May 1771.² Margaret Brunker, baptized 3 August 1767, was his only recorded sibling.³ As will be seen, a likely marriage for their parents survives—one Thomas Bronkard [sic] to Abigail North on 8 June 1766.⁴ No burial entries or monumental inscriptions for these parents appear in the registers or graveyard of St. Peter's, Drogheda.⁵

Registers for the neighboring parish of St. Mary's, Drogheda, and other extant Church of Ireland registers within a twenty-mile radius, contain no further children for this couple.⁶ The diocesan consistorial courts of Armagh, Clogher, Drogheda, Dublin, Kildare, Kilmore, and Meath, and the prerogative courts of Armagh, Ireland, and Canterbury, England, hold no probate for the father or mother.⁷

In the 1950s the Brunker Family Organization commissioned the Genealogical Office in Dublin to investigate the ancestry of one Thomas Brunker of Athlone, County Westmeath. Their searches located a will for Thomas Brunker of Carlingford.⁸ This man, baptized at St. Peter's, Drogheda, on 8 July 1727⁹ and married to Margaret Moore by license in 1749,¹⁰ left a

2. Thomas Brunkard baptism record, Record of Baptisms, Marriages, and Burials, 3:59, St. Peter's, Drogheda, P.0854.01.3, RCBL.

3. Margaret Brunker baptism record, Record of Baptisms, Marriages, and Burials, 3:50, St. Peter's, Drogheda, P.0854.1, RCBL.

4. Bronkard-North marriage record, Record of Baptisms, Marriages, and Burials, 3:50, St. Peter's, Drogheda, P.0854.1, RCBL.

5. There is a gap in the registers of St. Peter's, Drogheda, October 1782–March 1803. Searches were made in the burial ground of St. Peter's, Drogheda, in June 1982.

6. Record of Burials, St. Mary's, Drogheda, Church of Ireland, 1763-2001, 7 vols., P.404.1.2, RCBL.

7. Indexes to Consistory Court(s) of Armagh wills 1691–1846, National Archives, Dublin; microfilm 0,100,911, item 4, Family History Library (FHL), Salt Lake City, Utah. All subsequent indexes cited here except the last are also at the National Archives. Indexes to Armagh admns. 1742–1857; FHL microfilm 0,100,958, item 2. Indexes to Clogher wills 1661–1858; FHL microfilm 0,100,912, item 2. Indexes to Clogher admns. 1660–1858; FHL microfilm 0,100,959, item 2. Indexes to Drogheda wills 1691–1846; FHL microfilm 0,100,911, item 4. Indexes to Drogheda admns. 1822–1846; FHL microfilm 0,100,958, item 2. Indexes to Dublin admns. 1697–1800; FHL microfilm 0,100,962, item 1. Indexes to Kildare admns. 1740–1848; FHL microfilm 0,100,962, item 1. Indexes to Kilmore wills (fragments) 1682–1857; FHL microfilm 0,100,916, item 4. Indexes to Kilmore admns. 1728–1857; FHL microfilm 0,100,962, item 5. Indexes to Meath wills, copy made by Sir William Betham; FHL microfilm 0,100,955. Indexes to Meath admns. 1663–1857; FHL microfilm 0,100,963, item 2. Indexes to Prerogative Court of Armagh wills 1536–1810 and 1811–1858; FHL microfilms 0,100,893 and 0,100,895, respectively. Indexes to Prerogative Court of Armagh admns. 1595–1810 and 1811–1858; FHL microfilms 0,100,904 and 0,100,907–10, respectively. Indexes to Prerogative Court of Canterbury wills and admns. 1721–1852, The National Archives, Kew, U.K.; FHL microfilms 0,091,813–73.

8. Drogheda is located about midway between Carlingford to the north and Dublin to the south on Ireland's eastern coast.

9. Thomas Brunker baptism record, Record of Baptisms, Marriages, and Burials, p. 137, St. Peter's, Drogheda, P.0854.1.2, RCBL.

10. Brunker-Moore marriage entry, 1749, Record of Baptisms and Marriages, St. Werburgh's Church of Ireland, Dublin, unpaginated, P.326.1.1, RCBL.

daughter Margaret Brunker as his only heir.¹¹ With no known male descendants, no relevant connection could be made between Thomas of Carlingford and any later Brunkers of Drogheda.

Traditionally a major record source for Protestant families in Ireland, the Registry of Deeds in Dublin in this case added no information on the Thomas Brunker family of Drogheda.¹² With all these negative results, superficial assumptions could be made: (1) the family moved away, (2) the deaths of Thomas and Abigail went unnoticed, (3) gaps in the records had missed the remarriages or deaths of the Thomas Brunker family. None of these, however, is correct.

Drogheda Corporation Freedom Book and Minute Book

Where Irish church records fail, a city's freeman records and corporation minutes can be rich sources of additional evidence. Considerable detail found in their brief entries breathes new life into the Brunker family given up for lost.

Normans introduced the concept of "freemen" to Ireland in the twelfth century. Freemen of a city had the right to vote in elections and were exempt from certain trade fees. Crown charters allowed cities and boroughs to create corporations that in turn regulated trade guilds and granted freedoms.

Thirty miles south of Drogheda, the City of Dublin served as a model of civil administration for many incorporated boroughs in Ireland. The Dublin Corporation described the "freedom" process as follows:

Admission to the Freedom of Dublin was granted by the Dublin City Assembly at the great feasts of Christmas, Easter, Midsummer and Michaelmas. In order to qualify for the Freedom, it was usually necessary to have been born within the city boundaries, or *franchises*, and to be a member of one of the trade guilds of Dublin. Admission by *Service* (S) was granted to those who completed an apprenticeship in one of the Trade Guilds of Dublin. Admission by *Birth* (B) usually prompted the listing of the father's name as the verifiable qualification. *Special Favor* (S.F.) was usually granted as an honor for acts of favor to the corporation or as an honor to the individual.¹³

Another leading Irish city, Limerick, further defined the freedom process as attainable through marrying a freeman's daughter.¹⁴ Uncovering several generations of the younger Thomas Brunker's family hinged on the rules of

11. "Thomas Brunker of Athlone, County Westmeath—Report No. 2," 24 February 1954, K. W. Heaslip (Genealogical Office, Dublin Castle), to Mrs. Hannah Brunker Nicholas (now deceased) of Willard, Utah, p. 2.

12. Grantor indexes for Drogheda, Louth, and Meath, Transcripts, Conveyances, Deeds, and Wills, 1708–1832, 890 vols., Registry of Deeds, Dublin; FHL microfilms 0,100,251–53; 0,100,270; 0,100,273–74; 0,100,284–88; 0,100,290; and 0,100,292–93. There are no grantee indexes.

13. City of Dublin Corporation, *Freedom of the City of Dublin* (Dublin: Dublin Corporation Archives, n.d.), 1–2.

14. Margaret Dickson Falley, *Irish and Scotch-Irish Ancestral Research*, 2 vols. (Evanston, Ill.: Margaret Dickson Falley, 1961, 1962), 1:667–68. The minimum age for freedom was twenty-one.

corporation admittance. The Drogheda Corporation Freedom Book (1690–1842) was a dynamic document, with annotations added to admission entries after members of the corporation died. Unfortunately, in most cases the date of death is not recorded—only the fact that the member was deceased.

The Drogheda freeman records and corporation minute books reveal a number of otherwise unrecorded Bruncker family members in the city.¹⁵ Eleven entries can be correlated with data from five other sources:

- Drogheda voters' lists for 1798 and 1802¹⁶
- Burial records from St. Peter's Church, Drogheda¹⁷
- Burial records from St. Mary's Church, Drogheda¹⁸
- A Dublin almanac (city directory) for 1838¹⁹
- Original wills from the Consistory Court of Dublin, 1800–58²⁰

Freeman records indicate that Brunkers were present in Drogheda as early as 1725. Many followed the trade of mason or bricklayer, although some became shoemakers. The eleven entries with correlated data imply the existence of as many as six men named Thomas Bruncker:

- Entry no. 345 John Bruncker, Free Member, [admitted] 15 February 1725
Did not vote in 1798 or 1802
- Entry no. 826 Tho^s. Bruncker, of Drogheda, Mason—Free Carp[ente]r. [admitted
by] (S[pecial].F[avor].), 17 July 1779
Did not vote in 1798 or 1802
- Entry no. 1083 Tho^s. Bruncker of Drogheda, Bricklayer, “Do” [service dittoed from
Entry No. 1082] [admitted] 9 Oct 1795; [sworn] 12 Nov
1796, Cert[ified] Dec[ease]d 6 August 1830; Surtesses
[sic] H.B. Fairtlogh
Voted in the 1798 election, listed as “Drogheda Militia”
Voted in the 1802 election, listed as a mason

15. Drogheda Corporation Freedom Book 1690–1842, 1 vol., Drogheda Corporation Offices, Drogheda, Ireland; Drogheda Corporation Assembly Book, 1649–1734, and Book 1751–1809, National Library of Ireland microcopies N.4120 and N.3143.

16. Moira Corcoran, “Two Drogheda Voters’ Lists: 1798 and 1802,” *Journal of the County Louth Archæological and Historical Society* 20 (1984): 319–33.

17. Record of Baptisms, Marriages, and Burials, St. Peter's, Drogheda. Searches were conducted in June 1982, at which time the originals were housed at the parish church. The registers have since been deposited in the RCBL.

18. Record of Burials, St. Mary's, Drogheda, P.404, RCBL.

19. Pettigrew and Oulton, *The Dublin Almanac, and General Register of Ireland*, 1838 (Dublin: Pettigrew and Oulton, 1838), 405.

20. Deputy Keeper of the Public Records and Keeper of the State Papers in Ireland, *Appendix to the Thirtieth Report of the Deputy Keeper; An Index to the Act or Grant Books and Original Wills of the Diocese of Dublin from 1800 to 1858* (Dublin: Her Majesty's Stationery Office, 1899), 120.

- Entry no. 1090 Rich^d Brunker of Drogheda, Mason [admitted by] (B[irth]) 15 Jan 1796 [sworn] 12 Nov 1796 Dead
 “son of Thomas Brunker, deceased”²¹
 Voted in the 1798 election, listed as a mason
 Voted in the 1802 election, listed as “Drogheda Militia”
- Entry no. 1210 Francis Brunker Cordwainer, son of Tho^s. Brunker, Bricklayer Dec^d. [admitted by] Birth, 15 Jan 1802 [sworn] 19 July 1802 Cert[ified]. Dec[eased].
 Voted in the 1802 election
 Francis Brunker, Boot and Shoemaker, 6 Eden Quay²²
- Entry no. 1216 George Brunker of Drogheda, Basketmaker (Service) [Sworn] 19 July 1802 [sic] Cert[ified]. Dec[ease]^d. [sworn] 22 March 1820
 Voted in the 1802 election
- Entry no. 1443 Thomas Brunker, of Athlone Mason, son of Richard Brunker, [admitted by] Birth, Oct. 7th 1814, [sworn] 1 July 1818
- Entry no. 1748 Charles Brunker of Eden Quay in the City of Dublin, Cordwainer, son of Fran^s. Brunker, [admitted by] Birth 7 Oct 1825 [sworn] [blank] Dead
 Charles Brunker buried 3 December 1825 at St. Mary's, Drogheda
- Entry no. 1826 Henry Brunker of the City of Dublin, Shoemaker, son of Francis Brunker, [admitted] 23 July 1830 [sworn] 7 Aug 1830
 Henry Brunker married Eleanor Jane Gonne by license in 1835²³
- Entry no. 1847 Henry Brunker of Athlone, Bricklayer, son of [blank] “same man” Brunker of [blank] [admitted by] Birth 14 Jan 1831 [sworn] 7 May 1831
- Entry no. 1848 Thomas Brunker of Athlone, Bricklayer, son of [blank] “same man” Brunker of [blank] [admitted by] Birth 14 Jan 1831 [sworn] 7 May 1831

21. Rich^d Brunker entry, 15 January 1796, Drogheda Corporation Minute Book 1751–1809, Drogheda Corporation Offices, Drogheda; National Library of Ireland microcopy N.3143.

22. Pettigrew and Oulton, *The Dublin Almanac, and General Register of Ireland*, 1838, 405.

23. Brunker-Gonne marriage record, Deputy Keeper of the Public Records and Keeper of the State Papers in Ireland, *Appendix to the Thirtieth Report of the Deputy Keeper; An Index to the Act or Grant Books and Original Wills of the Diocese of Dublin from 1800 to 1858*, 120; FHL microfilm 496,564.

Of the six possible Thomas Brunkers, one could be the Thomas who married Abigail North in 1766:

1. Thomas 826, mason and carpenter, free in 1779 but did not vote in 1798 or 1802, suggesting he was dead or resided elsewhere; most likely died by 1798 and was father of Richard 1090 and Francis 1210.
2. Thomas 1083, mason and bricklayer, free 1795, voted in 1802, dead by 1830.
3. Thomas, admitted on an unknown date (because he was father of Richard 1090 who was admitted by birth), deceased before 15 January 1796 (perhaps the same person as 1 and 4).
4. Thomas, admitted on an unknown date (because he was father of Francis 1210 who was admitted by birth), deceased before 15 January 1802 (perhaps the same person as 1 and 3).
5. Thomas 1443, son of Richard, admitted by birth in 1814.
6. Thomas 1848, admitted by birth in 1831, bricklayer.

Another series of corporation entries contributes to what is known of the several Thomas Brunkers. The Drogheda Corporation minute books imply deaths for a pensioner named Thomas Brunker and his widow Abigail. See table 1. No entry admitting this Thomas Brunker into the corporation is known, yet he was a member of the corporation because only members could be pensioned. Assuming the minute books are complete, his method of admission was likely through “special favor” or by virtue of his marriage to Abigail North, daughter of corporation member Thomas North.²⁴

The records suggest that the most likely scenario includes the following intertwined points.

- Thomas Brunker, husband of Abigail, died about the latter half of 1793 or the first half of 1794 and widow Abigail Brunker died between 1796 and 1797. A gap in the burial records of St. Peter’s, Drogheda, from October 1782 through March 1803 prevents independent confirmation of these deaths. No pertinent monumental inscriptions survive in the graveyards of either St. Peter’s or St. Mary’s, Drogheda.
- Pensioner Thomas Brunker is the Thomas Brunker who married Abigail North on 8 June 1766. The uncommon surname Brunker matched with the given name Abigail appears just once in the Drogheda records of the appropriate period.

24. Thomas North entry (3 February 1747), Drogheda Corporation, Drogheda Corporation Freedom Book 1690–1842, p. 19. Abigail North baptism record, Record of Baptisms, Marriages, and Burials, 2:198, St. Peter’s, Drogheda, P.0854.1.2, RCBL.

PAGE	DATE	DESCRIPTION	AMOUNT £. s. p.
855	20 Apr 1792	Pensioner—Thomas Brunker	2.0.0.
867	12 Apr 1793	Pensioner—Thomas Brunker	2.0.0.
886	2 May 1794	Pensioner—Wid ^w of Thomas Brunker	3.0.0.
	17 Apr 1795	Pensioner—Wid ^w of Thomas Brunker	3.0.0.
939	15 Jan 1796	Estimate by Thomas Brunker to repair the Pound or Penfold in Magdellan Street	___
946	18 Apr 1796	Pensioner—Wid ^w of Thomas Brunker	3.0.0.
985	14 Jul 1797	Funds “Disposed of” Abigail Brunker	3.0.0.
990	20 Apr 1798	[Widow of Thomas Brunker not listed in usual position.]	___
1014	3 Apr 1799	[Widow of Thomas Brunker not listed]	___

Note: Drogheda Corporation, Drogheda Corporation Assembly Book 1751–1809, Drogheda Corporation Offices, Drogheda, Ireland; National Library of Ireland microcopy N.3143.

- Thomas and Abigail were parents of Margaret (baptized in 1767), Thomas (baptized in 1771), Richard (no. 1090, born about 1775), and Francis (no. 1210, born about 1781).
- The minutes provide direct evidence of at least two contemporary adult Thomas Brunkers in Drogheda in the early 1790s. This conclusion is substantiated by one Thomas’s “estimate returned to the Drogheda Corporation on 15 January 1796” before and after payments were made to Thomas Brunker’s widow.

CONCLUSION

Thomas Brunker of Drogheda, bricklayer, was admitted to the Drogheda Corporation in 1795 as member number 1083 “by service.” This argues against his having been the child baptized in 1771. That infant’s father Thomas (no.

826) was a freeman by 1779, entitling his sons, like Richard (no. 1090) and Francis (no. 1210), to admission by birth. No examples demonstrate whether admission by birth would always be preferred to admission by service.

Several later generations of Brunckers became freemen in Drogheda, but they resided in nearby Athlone, where Thomas Bruncker was buried on 9 July 1841.²⁵ Because Thomas (no. 1083) was certified as deceased on 30 August 1830, he cannot have been that man.

Thomas Bruncker, baptized in 1771, son of Thomas and Abigail (née North) Bruncker, appears in the St. Peter's, Drogheda, parish registers, but he did not become a freeman there. Another Bruncker must be the progenitor of the family of masons who expanded into Athlone and beyond. Most likely this was Thomas (no. 1443), son of Richard (no. 1090), and grandson of Thomas (no. 826). As a freeman, Thomas (no. 1443) could have been the father of Henry (no. 1847) and Thomas (no. 1848), who were admitted by birth.

Lacking parish register entries and probate records to reconstruct many Irish families, other sources must be found. As demonstrated with the Brunckers, considerable progress can be made in blocked lines with a thorough understanding of the subtleties of Ireland's freeman's records and minutes of the town corporations.

25. Thomas Bruncker burial entry, Register of Burials, St. Mary's Church of Ireland, Athlone, County Westmeath, Ireland, Athlone [Public] Branch Library, Fr. Mathew Hall, Athlone. The entry does not specify Bruncker's age.

UPDATE

The Life and Times of English Immigrant Priscilla (née Clark) (Pickett) (Pickett) Wilford

NGSQ 94 (December 2007): 277–8. The author reports that a sentence in the middle of page 277 should read “William married (2), as a plural wife on 14 June 1857 at Salt Lake City, Emily Hill.” The sentence beginning at the end of the page should say, “Emily’s only child with him was a daughter Avelina. After a divorce and remarriage Emily became the noted poetess E. H. Woodmansee.” The author thanks Janet G. Parker of Turlock, California, for the corrections. Ms. Parker reports that Avelina Mills married John Harrie Saville.

Finding John Johnsson in Sweden

By Liv Hjelkrem Anderson, CG

Despite the wealth of genealogically useful records in Norway and Sweden, the region's patronymic naming system can baffle those accustomed to hereditary surnames. Once understood, however, Scandinavian naming customs can help determine kinship across generations.

Genealogical research complexities abound for Americans tracing ancestors to Europe. Foreign languages, records, laws, geography, and customs—including distinctly different naming patterns—may complicate questions of identity. Frequently recurring names further muddy the waters, and other problems familiar in North American research are common. Research on Oluf Jonsen Bergman, whose daughter migrated from Norway to Utah in 1875, illustrates successful approaches to such challenges.¹

Identifying Oluf's father involves Norwegian and Swedish records, among the most genealogically informative anywhere.² Lutheran church registers, dating from the early 1600s in both countries, contain records of births, christenings, marriages, deaths, and—in many cases—migration. They include confirmation

© Liv Hjelkrem Anderson, CG; 5588 Park View Drive; Mountain Green, UT 84050; livnorge@netzero.com. Ms. Anderson is a Scandinavian reference consultant at the Family History Library in Salt Lake City. Jo Ann Erickson (Morgan City, Utah) commissioned the research reported in this article and gave permission for its publication. Translations throughout the article are by the author.

1. Elen Josephine "Svenden" entry, ship *Milo & Humber*, departing Copenhagen, 18 June 1874, entry no. 471, *Passageer-liste for udvandreskibene fra København til Hull, 1872–94* [Passenger list for emigrant ships from Copenhagen to Hull: 1872–94], unpaginated, Church of Jesus Christ of Latter-day Saints, Salt Lake City, Utah; microfilm 0,040,994, Family History Library (FHL), Salt Lake City. Elen Josephine Bergmann had married Oluf Svendsen, a shoemaker, in Levanger Parish, Norway, on 17 April 1863. See Svendsen-Bergmann entry, Levanger Parish copulerede [marriage records], unpaginated, Regional Archives, Trondheim, Norway; FHL microfilm 0,307,056. As told to the author by JoAnn Erickson in 2001, the family's oral history reports that Josephine immigrated with her husband, who disappeared in New York and whose body was found in Lake Erie, but the passenger list identifies her as a widow. For Josephine's parents, see entry for Elen Josephine Bergmann, born 10 June 1840, christened 29 October 1840, Levanger Parish døpte [baptismal records], unpaginated, Regional Archives, Trondheim, Norway; FHL microfilm 0,307,056.

2. For a guide to Norwegian genealogical research, see Nils Johan Stoa and Per-Øivind Sandberg, *Våre Røtter: Håndbok i slektsgransking for nybegynnere og viderekomne* [Our roots: Genealogical handbook for beginning and advanced research] (Spydeborg, Norway: J. W. Cappelens, 2001). Also, Maralyn A. Wellauer, *Tracing Your Norwegian Roots* (Milwaukee: M. A. Wellauer, 1979). For genealogical research in Sweden, see Carl-Erik Johansson, *Cradled in Sweden*, rev. ed. (Logan, Utah: Everton, 1995).

records in Norway and some Swedish parishes.³ The Digital Archives of Norway has put most Norwegian censuses online free of charge.⁴ Sweden has yearly “clerical surveys”—*husförhörslängder*. In the 1800s and late 1700s they list parishioners in family groups and provide each person’s date and place of birth. Earlier surveys may not give as much information. In either case, annual updates allow researchers to follow individuals’ births, marriages, and migrations until death.

The sources have peculiarities, however. Swedish records may be written in Swedish or Latin, for example. Dates may be reported as Latin feast days, such as “Epiphania” (6 January) or “Sct. Hans” (24 June), rather than as conventional days and months. Researchers can consult a table to convert feast days to standard dates.⁵ Norway began using the Gregorian calendar in 1700 and Sweden—after an abortive attempt from 1699 through 1710—in 1753.⁶

NAMING CONVENTIONS

Despite the wealth of genealogically useful records in Norway and Sweden, the region’s patronymic naming system can baffle those accustomed to hereditary surnames. Once understood, however, Scandinavian naming customs can help determine kinship across generations.

Until the late nineteenth and early twentieth centuries, Norwegian and Swedish children received patronymic surnames consisting of their father’s first name with a suffix indicating gender. For example, if the father’s given name was Anders, his son’s last name was Andersen (Norway) or Andersson (Sweden), meaning “son of Anders.” His daughter’s patronymic was Andersdatter (Norway) or Andersdotter (Sweden), meaning “daughter of Anders.” With few exceptions the pattern applied also to illegitimate children.

Norwegians and Swedes used patronymic conventions until about 1875 and sometimes later. Many Norwegians continued using patronymics after coming to the United States. By 1923, however, the system had been abolished.

Other names complicate patronymics. Families in rural areas sometimes assumed the names of farms where they resided. Records often omitted their patronyms. These names changed as families moved to different farms. Toward the end of the 1800s they evolved into surnames passed from parents to children. Similarly, families who left rural areas and migrated to cities often used farm

3. For FHL microfilm holdings, see “Search the Family History Library Catalog,” *Family Search* (http://www.familysearch.org/Eng/Library/FHLC/frameset_fhlc.asp). *GenLine* (<http://www.genline.com/>) offers by subscription a growing body of online images of Swedish church records. Sweden’s National Archives also has made images of Swedish church records available online to subscribers. See SVAR: Riksarkivet [Swedish National Archives] (<http://www.svar.ra.se/>).

4. See *Digitalarkivet* [Digital archives] (<http://digitalarkivet.uib.no/>).

5. Inger M. Bukke and Finn A. Thomsen, comp., *Feast Day Calendar for Denmark, Norway, Sweden, Finland and Protestant Germany* (Bountiful, Utah: Thomsen’s Genealogical Center, 1980).

6. Web Exhibits, “Countries’ Calendar Reform,” in *Calendars Through the Ages* (<http://webexhibits.org/calendars/year-countries.html> : accessed 15 January 2006).

names as surnames. For example, Norwegians from a farm called Hjelkrem might take Hjelkrem as a last name in their new city home and keep it as a hereditary surname.

Because many Swedish soldiers had the same patronymic last names, the Swedish military often differentiated among them by adding a name after their patronymic names.⁷ Some of these agnomens designated farms or other places of origin, but many referred to physical or personality characteristics.⁸ Some seem to have been taken at random. These added military names often became surnames, which in some families replaced patronymics.

To further complicate the situation, patronymics and added names might be used together or separately. No consistent pattern emerged. Some records, for example, list Oluf Jonsen Bergman with both a patronymic (Jonsen, indicating that his father's first name was Jon) and an agnomen (Bergman, perhaps suggesting a mountaineer or miner, although Oluf could have chosen the name at random).⁹

OLUF JONSEN BERGMAN

Oluf Johnsen Bergman, a bachelor and pottery maker, married Morthine Morthensdatter in Levanger Parish, Nord-Trøndelag County, Norway, on 21 September 1840. His reported age of "24 $\frac{3}{4}$ " implies his birth date in late 1815 or early 1816. The record reports his birthplace as Jämtland County, in Sweden, and identifies his father as John Johnsen Krigsmann.¹⁰ The paternal information is imprecise in three areas that might complicate genealogical research in any country—name, birth date, and place of origin:

- Not only is the name John Johnsson (the Swedish equivalent of the Norwegian *Johnsen*) widespread in Sweden, but its spelling was not standardized in the 1800s. Alternatives included Jon Jonsson and Jön Jönsson. Furthermore, in a Scandinavian complication, Oluf's father's records might appear under a different patronymic, like Olufsson or Persson rather than Johnsson, one or more farm names, or an agnomen like Bergman or Krigsmann. All might have variant spellings.

7. In Scandinavia this practice is unique to Sweden.

8. This tradition of agnomens resembles the use of French *dit* names in France, North America, and elsewhere. See Rita Elise Plourde, "'Dit' Names, etc.," *American-French Genealogical Society* (<http://www.afgs.org/ditnames/index1.html>). It also parallels a Gaelic tradition seen in Canada, Ireland, and Scotland. See Robert E. Matheson, "Use of Different Surnames Interchangeably," in *Official Varieties and Synonyms of Surnames and Christian Names in Ireland for the Guidance of Registration Officers and the Public in Searching the Indexes of Births, Deaths, and Marriages* (1901; reprint, Bowie, Md.: Heritage Books, 1995), 20–25.

9. For information about Swedish naming patterns, see Johansson, "Names of Persons," in *Cradled in Sweden*, 27–38.

10. Bergmann-Morthensdatter marriage record, Levanger Parish copulereede, p. 171; FHL microfilm 0,307,056.

- When the name is as common as John Johnsen, a two-year range for the birth date is too broad for certain identification.
- The most genealogically useful records in many European countries, including Norway and Sweden, are organized by parish. Jämtland County has sixty-five parishes.¹¹

Other Levanger records add nothing specific about Oluf's Swedish origin. Furthermore, rather than narrowing the time frame of his birth, they expand it. Norway's 1865 census, for example, reports that Oluf was born in Jämtland County, Sweden, and gives his age as fifty-one, implying his birth in 1813 or 1814.¹² Similarly, Levanger Parish moving-in records state that in April 1833 Oluf Johnsen, a bachelor from Jämtland County, Sweden, age eighteen (born 1814–15), had settled in the parish to become a pottery maker.¹³

Oluf's reported birthplace, Jämtland County, Sweden, adjoins Nord-Trøndelag County, Norway, where he married and settled. Most of Jämtland County was part of Norway until about 1660, when Sweden took it in war.¹⁴ Afterwards people from both countries often crossed the border. Between 1814 and 1905, when the countries were united, many Swedes—like Oluf—moved to Norway.

Jämtland is the only Swedish county with a countywide index of parish records.¹⁵ A search for the given name Oluf or Olaf with any patronymic and an 1813–16 birth date yielded possibilities in twenty parishes. Examining each parish's records eliminated all but a single entry matching Oluf Johnsen Bergman who settled in Levanger Parish, Norway. Some of the discarded candidates remained in Jämtland County after Bergman had settled in Levanger, others had died young, and some had migrated to parishes in southern Sweden. The single matching entry—Olof Johnsson, born 1 October 1815 in the small town or farm of Österwigge in Berg Parish—was enumerated with his family in the annual clerical survey until 1833. That year's entry reports his departure from the parish but does not show his destination. His father's name, however, listed

11. Johansson, "Alphabetical Index of All Parishes in Sweden," in *Cradled in Sweden*, 245–342.

12. Oluf Bergmann household, 1865 census for Levanger, Nord-Trøndelag Co., Norway, p. 128, Kirksgaden [Church Street], farm 30b; *Digitalarkivet* (<http://digitalarkivet.uib.no/>; accessed November 2002).

13. Levanger Parish tilgangsliste [moving-in records], p. 454, National Archival Services of Norway, Oslo; FHL microfilm 0,123,435.

14. Bjørn Christophersen, "Krabbekrigen og Bjelkefeiden 1657–60" [Krabbe's War and Bjelke's War: 1657–60], in *Vårt forsvars historie: En oversikt frem til 1940* [History of the Department of Defense: An overview up to 1940] (Oslo, Norway: Forsvarets Krigshistoriske Avdeling, 1978), 62–64.

15. Register över födda, flyttade, vigda och döda i Jämtlands län, omkr. 1686–1875 [Index of births, migrations, marriages, and deaths in Jämtland County, 1686–1875], Regional Archives, Östersund, Sweden. In this series of 129 microfilm rolls, FHL microfilms 1,644,232–34 and 1,644,283 contain entries for the given name Oluf and its variants.

16. Entries for John Krigsman household, Berg Parish husförhörlängd, vol. AI:5, 1827–36, p. 330, Regional Archives, Östersund; FHL microfilm 0,134,576.

as Jon Krigsman or Krigsmann, is consistent with the father's name on Oluf Johnsen Bergmann's marriage record in Levanger, Norway.¹⁶

JOHN KRIGSMAN

The Berg Parish clerical surveys are rich in information concerning John Krigsman's family in Österwigg:

- John was born 29 May 1777.
- He married in 1807 Elin Olofsdotr, born 31 May 1779.
- Their daughter Anna, born 25 October 1812, moved away in 1835 and again in 1836. She probably left to work on different farms in the parish, returning home in the interim.
- John and Elin's son Olof, born 1 October 1815, left home in 1833.
- Their son Per Johnsson was born in July 1816.
- By 1837 all three children had left home.
- Both parents were sickly, and Elin was bedridden in 1837–44.¹⁷

The recorder of the 1845–53 survey crossed out the names of John Krigsman, and his wife, Elin Olofsdotter Krigsman, suggesting they had died during that interval. Both, however, took communion through 1852.¹⁸ Berg Parish burial records verify the implication of the crossed-out names: John had died on 6 October 1852 and Elin on 10 October 1852; both were buried on 17 October. The parish clerk described John as "*Gratialisten, förre Fältjägaren*," indicating he was a pensioner who had served in the infantry.¹⁹ His son Oluf's birth record similarly calls John Krigsman a "*dragon*"—a dragoon, or soldier in the light cavalry.²⁰

Again identified as a *dragon*, John Krigsman married Elin Olsdotter on 28 December 1806 in Berg Parish. Elin was from the parish of Åhre (or Åre), also in Jämtland County, near the Norwegian border.²¹ John's marriage record, his son Oluf's birth record, the family's clerical survey entries, and John's burial record identify him only as John (or Jon) Krigsman (or Krigsmann), but was he "John Johnsen"? Only two clues point to his parental origins:

17. Bergmann-Morthensdatter marriage record, Levanger Parish copulere, p. 171; and entries for John Krigsman household, Berg Parish husförhörlängd, vol. AI:6, 1837–44, p. 391; FHL microfilm 0,134,576.

18. Entries for John Krigsman household, Berg Parish husförhörlängd, vol. AI:7, 1845–53, p. 401; FHL microfilm 0,134,577.

19. John Krigsman and Elin Krigsman entries, Berg Parish döde [death records], vol. E:1, p. 34, Regional Archives, Östersund; FHL microfilm 0,134,579. *Gratialisten* translates as a person receiving a pension of cash from a special fund; *förre fältjägaren* means former infantryman.

20. Oluf Johnsson entry, Berg Parish födda [birth and christening records], vol. C:3, p. 188, Regional Archives, Östersund; FHL microfilm 0,134,578.

21. Krigsman-Olsdotter marriage, Berg Parish vigde [marriage records], vol. C:3, p. 167, Regional Archives, Östersund; FHL microfilm 0,134,578.

- His birth date, 29 May 1777²²
- His son Oluf's marriage record, which identifies him as Jon Johnsson Krigsmann, meaning—in the patronymic naming system—that his father's given name was John²³

A Jämtland County birth and christening record provides a match: Jon, son of Jon Parsson, a renter, and Brita Parsdotter, his wife, of Wigge, was born 29 May 1777 and christened the following 1 June.²⁴ As a son of Jon Parsson, the infant's patronymic would have been Jonsson. Furthermore, John Krigsmann's residence in adulthood, Österwigge (Östervigge, meaning East Vigge) lies near or is part of Wigge (Vigge). If John Krigsmann had ever used a patronymic last name, it would have been Jonsson.

CONCLUSION

In April 1833 Oluf Jonsen Bergman, born reportedly in Jämtland County, Sweden, in 1813–16 and a son of “John Johnsen Krigsmann,” appeared in Levanger Parish, Nord-Trøndelag County, Norway. Was he “Olof,” son of “Jon Krigsmann,” born in Berg Parish, Jämtland County, Sweden, on 1 October 1815? Several points support the hypothesis:

- The birth dates (1813–16 and 1 October 1815) are compatible.
- The birthplace (Jämtland County, Sweden) in both records is identical.
- Although no record identifies John Krigsmann directly as John Johnsen, it would have been his patronymic last name. In other words, “John Johnsen Krigsmann” refers to John Krigsmann, whose father was John Parsson. He may have acquired “Krigsmann” as either a military surname when he joined the light cavalry or an agnomen when he returned home. Even though the name means “soldier” (literally “warrior”), few soldiers or veterans used Krigsmann as a last name. It may signify that John was unusually combative.
- The 1833 arrival of Oluf Jonsen Bergman in Levanger Parish, Nord-Trøndelag County, Norway, matches the 1833 departure of Olof, son of John Krigsmann, from Berg Parish in Jämtland County, Sweden.
- Only one Olof Jonsson from Jämtland County left Sweden; his father was John Krigsmann.
- No other Olof Jonsson in any Jämtland County parish had a father named Krigsmann.

Patronymics appear to complicate genealogical research because most children's patronymic last names differ from those of their parents. Oluf Jonsen Bergman, John Johnsson Krigsmann, and John Parsson—son, father, and grandfather—show, however, that patronymic naming patterns are powerful tools to link offspring to their parents.

22. Entries for Jon Krigsmann household, Berg Parish husförhörlängd, vol. AI:5, 1827–36, p. 330, and vol. AI:6, 1837–44, p. 391; FHL microfilm 0,134,576.

23. Bergmann-Morthensdatter marriage record, Levanger Parish copulerede, p. 171.

24. Jon, son of Jon Parsson, entry, Berg Parish födda [christening records], vol. C:3, p. 16, Regional Archives, Östersund; FHL microfilm 0,134,578.

John⁴ Pierpoint of Baltimore County, Maryland: A Legacy of Prickly Pride

By Helen Hinchliff, Ph.D., CG, FASG

A family trait and chronological ordering of all available records on Baltimore County Pierpoints helped untangle John Pierpoint's ancestry. As the story of his short and strife-ridden life unfolded, facts and tradition illuminated each other.

Most families have traditions about ancestors. Some stories recount noble deeds; others tell of ignoble acts. Closet doors are often shut on skeletons. In this case, personality traits seen in multiple generations of the Pierpoints shed light on the motivations for a puzzling 1787 land survey. Untangling the meaning of the survey helped resolve John⁴ Pierpoint's parentage and illustrated his discordant family relationships. Descendant Dorothy (née Davis) Conant summarized the Pierpoint legacy:¹

The Pierrepoint strain has appeared in every generation and in every branch—[those who have it are] dominant, high spirited and high tempered; [they are] excessively generous and equally unreasonable, fearing nothing and deferring to no one. [They are] proud with prickliness. [They have] the grasshopper's indulgence of resources, with none of the honey bee's storing away of the day's largesse for the coming cold.²

Focused research on the Pierpoint family reveals that in Conant's broad remarks about generations and branches she referred to her half sister, several cousins and nieces, her father, her paternal grandfather, and particularly two of her four brothers. But who were the Pierpoints and what had they done to create such a vivid impression?

© Helen Hinchliff, Ph.D., CG, FASG; 122 Desmond Crescent; Salt Spring Island, BC V8K 2S1; Canada. Dr. Hinchliff is a tenth-generation descendant of Henry¹ Pierpoint through her grandfather Walter Swindell Davis. She thinks all of her ancestors are interesting, but some are more interesting than others.

1. Seventeenth- and eighteenth-century variations of this family's surname include *Peirpoint*, *Perpoint*, *Parpoint*, *Pirepoint*. *Pierpoint* is the most frequent spelling in eighteenth-century records. Nineteenth-century Baltimore descendants of John Pierpoint spelled the name *Pierrepoint*. In the early twentieth century they changed it to *Pierpont*. *Pierpoint* will be used here, except when citing individual records where spelling varies.

2. Dorothy (née Davis) Conant, "Father's Lineage," in *Frank E. Davis, Baltimore Architect, 1839–1921* (privately printed, 1967), 2:11. Conant's work is in two parts, separately paginated. Part 1 is titled "Francis Earlougher Davis, 1839–1921."

John Pierpoint, the earliest known ancestor in this line, left singular records of his brief life. Explaining his erratic behavior and recognizing its similarities to some well-documented misbehavior of his descendants became one key to identifying and expanding his Pierpoint ancestry.

FAMILY TRADITIONS REMEMBERED

Conant's mother, Annie Legate (née Swindell) Davis, had reason to notice the high tempers and bad behavior in her husband's family. As a member of the clan—the wife of John Pierpoint's great-grandson, Frank E. Davis—she saw them at their worst.³ In 1911, after attending a lecture on heredity, Annie concluded that heredity played a major part in the behavior of her son Emmett.⁴ She also suggested that a niece had inherited “the Davis chromosome of melancholy.”⁵

In 1930 an ugly family fight over money and property estranged Henry R. Davis from his mother, Annie, and his siblings. Annie's brother, Walter Swindell, concluded that Henry's behavior was “clear inheritance from [his] father [Frank E. Davis].”⁶

In 1934 Annie attributed the outrageous behavior of her sons Walter and Henry to their blood.⁷ In 1943, at age ninety, Annie expressed concern that not only some of her children but also several grandchildren had inherited the same troublesome personality traits.⁸

In 1967 Annie's daughter Dorothy wrote her father's family history. Almost two hundred years after the events that likely formed the basis for the tradition of the wasteful and willful Pierpoint personality, this descendant knew very little about her ancestors beyond their personality flaws. For instance, she inaccurately reported their early whereabouts:

Mother knew that the Pierpont family from which Father's grandmother Faithful Pierpont had come, were Quakers, had come up into Maryland from Alexandria,

3. Conant, “Father's Lineage,” in *Frank E. Davis, Architect*, 2:16. Frank and Annie were married 31 January 1884.

4. Henry R. Davis in Ithaca, N.Y., to Mrs. Frank E. [Annie (née Swindell)] Davis, in Baltimore, 24 March 1911. Her letter to him does not survive, but his reply is revealing, “As to heredity – don't you go to any lecture of a couple of hours on . . . chromosomes and then come out and blame Emmett on his distant forebears.” This and all subsequently cited letters are in the author's files.

5. Annie (née Swindell) Davis in Baltimore to Walter S. Davis in Cambridge, Massachusetts, 29 April 1911. At the time, Walter was pursuing a master's degree in architecture at Boston Tech (now Massachusetts Institute of Technology). Of his cousin Lillian Davis, Annie said, “She has the Davis chromosome of melancholy, poor girl.”

6. Annie (née Swindell) Davis in Baltimore to Walter S. Davis in Paris, 1 May 1931. Henry failed to pay his brother Emmett's full share of their cofounded business and sued his mother in municipal court. Except for his brother Walter, the family never forgave him.

7. Annie (née Swindell) Davis in Baltimore to her eldest son, F Pierpont Davis, in Los Angeles, [date smudged] January 1934. “Walter wrote me two of the most insulting, scurrilous & damning letters. What would your Father have said of them? Where do they get this dreadful blood?”

8. Annie (née Swindell) Davis in Los Angeles to her sons Walter S. Davis and Henry R. Davis, in Los Angeles, 13 September 1943. Neither Walter nor Henry acknowledged their mother's ninetieth birthday. She bemoaned that only one of her grandchildren was “truly a Swindell”; all the rest were “Davises.”

Virginia, and had settled in Hunting Ridge, a section outside of Baltimore, now called Catonsville.⁹

PRIVATE RECORDS PERTAINING TO THE JOHN⁴ PIERPOINT FAMILY

One family record of the John⁴ and Mary Pierpoint family provides a useful beginning to differentiate him from other men of the same name:¹⁰

Faithful Pierpoint, daughter of John and Mary Pierpoint was born in the year of our Lord September the 5th, 1782_[,]

Betsy Pierpoint, daughter of John & Mary Pierpoint was born in the year of our Lord April 16th, 1784_[,] Deceased in her 19th year, 1803_[,]

July Pierpoint, daughter of John & Mary Pierpoint was born in the year of our Lord, September 10th, 1787_[,] [In her youth she signed her names as "Juliet Pierpoint" and as "Julian," but was known in later life as "Julia Ann."]

Mary Pierpoint, daughter of John & Mary Pierpoint was born in the year of our Lord, July 3, 1789_[,]

[Births of children born to Faithful and Mary in 1806.]

John Pierpoint deceased in the year of our Lord August 19th 1798 in the 45 year [sic] of his age.

Departed this life on 11th of October 1814 Mrs. Faithful Davis in the 35th year of her age.

Henry Davis was born May 4, 1814.

Records kept contemporaneously have a greater chance of accuracy than those made at some later date when failing memories or copying errors may figure in. The record keeper's identity is also significant. Here, John's family records appear to have been made after the fact. For instance, his death in 1798 was recorded beneath, and presumably later than, the births of two of his grandchildren in 1806. Julia Ann Pierpoint, probably the record keeper, autographed the book in 1807 as "Miss Juliet Peirpoint," proclaiming it "Her book." Perhaps she created the list in 1807 from a record of her mother's and kept it more or less current thereafter.

9. Conant, "Father's Lineage," in *Frank E. Davis, Architect*, 2:3. The family has been traced to Anne Arundel County.

10. Pierpoint family records, from the fly leaf of John Ray, *The Wisdom of God*, 12th ed. (London: printed for John Rivington in St. Paul's Churchyard, John Ward in Cornhill, and Joseph Richardson in Paternoster Row, 1759). The location of the original record is unknown; however, two photocopied sets of these records survive: (1) a photocopy of the original records, with some words missing due to worn and frayed paper and (2) a photocopy of an apparently perfect transcription of the original records made by Dorothy (née Davis) Conant at an unknown date. A comparison of the two sets shows that Conant took great care to copy the original precisely, the only apparent change being to capitalize some names that had been in lower case. Photocopies of both sets are in the author's files.

The record does not use Quaker dates. John Pierpoint did not create the entries himself, and their format does not indicate whether he was ever a Quaker. In any case, the likely recorder, Julia Ann Pierpoint, was not Quaker.

BALTIMORE COUNTY PUBLIC RECORDS OF MEN NAMED JOHN PIERPOINT

The family record suggests starting and ending dates for records made by John Pierpoint and by people who knew him. If he died in August 1798 at age forty-four, then he could have been born between December 1753 and August 1754. Records of eighteenth-century Baltimore County, including Quaker meeting minutes, might reveal John Pierpoint's ancestry and possible sources of the family's reputation of willfulness. Some are particularly informative:

- 25th of 6th month [June] 1755. Samuel Peirpoint produced a certificate from Fairfax or Monockosy [sic] [Frederick] Monthly Meeting, for his brothers and sisters, John, Henry, Rachel and Ann, and himself.¹¹ This first Baltimore County record found for a John Pierpoint during the lifetime of the subject John born in 1753 or 1754 does not pertain to a toddler. This record may be the basis for a mistaken Davis family belief that their Pierpoint ancestors came from Alexandria, Virginia.
- 24th day of 4th month [April] 1765. Henry Peirpont, son of John, was condemned for "drinking to excess and unseamly [sic] keeping company with a young woman so as to have a child by her."¹² The subject was about eleven or twelve in 1765, too young to have been Henry's father. He could have been Henry's younger brother, however.
- 6th day of 10th month [October] 1773. John Peirpoint was among many witnesses at the marriage at Elk Ridge Meeting House of Ann Peirpoint, daughter of Charles and Johannah, to Jacob Radd [Read?]; other witnesses named Peirpoint were Charles Jr., Sidney, Chue [Chew], Bathsheba, Misael, Charles, Henry, Joseph, and Faithfull.¹³ John born after December 1753 might have been this 1773 witness. His daughter, Faithful Pierpoint, born in 1782, may have been named for another witness.
- 1773. John Pierpoint and Charles Pierpoint Jr., in one household, were listed as taxables in Patapsco Upper Hundred. In a separate entry, a Charles Pierpoint Sr. was taxed for two Negroes (named Sam and Boatswain) among other unidentified "property."¹⁴ Today Sr. and Jr. suggest a father-son relationship; however, in colonial times the terms differentiated an older adult from a

11. Henry C. Peden Jr., comp., "Gunpowder Monthly Meeting Minutes and Marriages, 1739–1800," in *Quaker Records of Northern Maryland, Births, Deaths, Marriages and Abstracts from the Minutes, 1716–1800* (Westminster, Md.: Family Line Publications, 1993), 37. Peden, p. v, reports that "Gunpowder Monthly Meeting records begin in 1716 and include Patapsco and early Elk Ridge Meetings. Baltimore Monthly Meeting separated from Gunpowder in 1792 and its records begin that year."

12. *Ibid.*, 44.

13. *Ibid.*, 53.

14. Chas. Pierpoint Junr., John Pierpoint, and Chas. Pierpoint Senr. entries, Baltimore County Court tax list, 1773, Patapsco Upper Hundred, unpaginated seventieth page, accession 20,495-36, location 2/50/7/39, MSA no. C428-36, Maryland State Archives (MSA), Annapolis.

younger one of the same name living in the same place. Charles Pierpoint Jr. and John Pierpoint living in the same household implies that they were related.

- 29th day of 10th month [October] 1776. John Pierpoint witnessed the Elk Ridge Meeting House marriage of John Wells and Rachel Gassaway; other witnesses named Peirpoint or Pierpoint were Henry Jr., Ann, Joseph, Eli, Francis, and Joseph (again).¹⁵ Most of their names differ from those of the wedding guests three years earlier.
- 25th day of 4th month [April] 1777. John Pierpoint was granted money for “suffering.”¹⁶
- 3rd of 10th month [October] 1779. John Peirpoint, described as “son of Charles,” was charged with being “guilty of fighting, drinking to excess, using profain language, and neglecting to attend our religious meetings.”¹⁷ The record did not identify Charles as Sr. or Jr., and while both men might not have had sons named John, the lack of any suffix might indicate that one Charles had died or moved away.
- 20 October 1779. John Pierpoint married Mary Hush,¹⁸ who was almost certainly a Lutheran.¹⁹ Records to be presented below establish that John Pierpoint who married Mary Hush is the subject. His marriage to a Lutheran challenges the theory that he was a Quaker. Quakers did not ordinarily marry non-Quakers unless the prospective spouse united with the Friends. Minutes of the Gunpowder Monthly Meeting contain numerous citations for “going out in marriage” or for having been “married by a priest.” These were grounds for disownment, yet no such record was made for John Pierpoint. Is the Quaker premise mistaken?
- 12 December 1783. John Fonardon rented a blacksmith shop and tools in Baltimore Town to John Pierpoint.²⁰
- 7 June 1784. John Pierpoint sued Thomas Gibbons for trespass.²¹
- 12 December 1784. John Fonardon sued John Pierpoint for a debt of £3.2.3 for rent and blacksmith’s tools.²²

15. Peden, *Quaker Records of Northern Maryland*, 55.

16. *Ibid.*, 70.

17. *Ibid.*, 73.

18. Pierpoint-Hush marriage record, Baltimore Co. Marriage Licenses, p. 16, no. 254, Clerk of the Circuit Court, Baltimore, Md.; microfilm 0,013,693, Family History Library (FHL), Salt Lake City, Utah. This was the only marriage record found for a John Pierpoint to a Mary of any surname in Baltimore County.

19. John and Mary Pierpoint’s two elder daughters married in the Zion Lutheran Church. Polly Pierpoint married George Rutter, 1 October 1805, and Faithful Pierpoint married George Davidson, 5 April 1806. See Eliza Hay Eisenring, comp., “Zion Lutheran Church Marriages,” p. 418, no. 34, and p. 420, no. 20, respectively; FHL microfilm 0,013,701. John Pierpoint and Mary Hush probably married in the Zion Lutheran Church; however, surviving records do not begin until 1786, even though the church was founded in 1755.

20. Fonardon to Pierpoint, Baltimore Co. Court, Miscellaneous Court Papers, C1-15, folder no. 628, accession no. 50,206-231/251, location 2/16/8/32, MSA.

21. Pierpoint v. Gibbons, Baltimore Co. Court, Miscellaneous Court Papers, C-9, folder no. 396, accession no. 50,206-153/166, location: 2/16/8/27, MSA.

22. Fonardon v. Pierpoint, Baltimore Co. Court, Miscellaneous Court Papers, C1-15, folder no. 628, MSA.

- 3 May 1785. Charles Pierpoint executed a will that twice sets apart a son named John from his other sons. Specifically,

My plantation in Baltimore County containing five hundred acres or thereabouts I leave to be sold & the money equily devided amongst my six sons Vizt. Joseph, Amos, Benedick,^{p1} Samuel,^{p1} Walter and Thomas. Also I leave that moiety of land in Baltimore County known & distinguished by the name of the Traps of the Old Fox containing nine acres more or less to my youngest daughter Polly to be sold & the money give [sic] to her. I also leave my son Jno, the Place where he now lives containing twenty-five acres more or less,^{p1} he to pay for it according to contract, vizt., Thirty Pounds. ... and be it further known that if aney [sic] of the forementioned of my six sons should die without an Heir then & in that case his part to be Devided [sic] amongst the Rest Exclusive of Jno.²³

- 8 March 1787. John Pierpoint, supported by his brother Benedict and John Curtis (identity unknown), sued the county sheriff for the unlawful confiscation of his rented blacksmith's tools.²⁴
- 21 April 1787. John Pierpoint sued Nathaniel Collins of Baltimore County for 285 pounds of tobacco as reimbursement for his costs and charges as a result of assault and battery by Collins.²⁵
- 14 September 1787. John Pierpoint of Baltimore County received an escheat warrant to resurvey a 200-acre tract called "Cannon's Lot."²⁶ He never patented it.
- 17 September 1788. George Gouldsmith, surveyor, reported that on 10 October 1707 John Cannon patented the above tract, but it was now "escheat for want of heirs." Gouldsmith further reported that it was located nine miles from Baltimore Town on Hunting Ridge with boundaries adjacent to Cannon's Delight and Robins Camp. He discovered it constituted not 200 but 258¾ acres. The property appeared to be derelict:

About three quarters of the land is cleared and much worn [and] the rest [is] in woods. It is chiefly thin soil, worth about £193. About 3,000 "pannels" of old fence,^{p1} greater part of little value worth about £6. There is about 240 apple trees the greater part of them small worth about £5. There is also a small dwelling house and eleven more old houses partly rotten down scarcely worth notice, the whole worth about £10. Total £214.10.²⁷

23. Charles Pierpoint will, Baltimore Co. Wills 4:33, Orphan's Court, Baltimore, Md.; FHL microfilm 0,013,591. A copy of Charles Pierpoint's memorandum of the contract (dated 1783) was included as Exhibit A in a suit filed by Joseph Pierpoint and Amos Pierpoint v. Adam Ground, Chancery Court (Chancery Papers), 12-5-4266, 1791/09/07, accession 17,898-4142, location 1/36/4, MSA.

24. John Pierpoint and Davis Armstrong replevin bond, Baltimore Co. Court Miscellaneous Court Papers, C1-15, folder 628, MSA. The list of tools matches the one in the rental agreement with John Fonardon.

25. Pierpoint v. Collins, Baltimore Co. Court, Miscellaneous Court Papers, C1-15, folder 629, MSA.

26. Pierpoint warrant, Baltimore Co. Unpatented Surveys, cert. 284, location 1/25/2/61, MSA

27. *Ibid.*

- 3 September 1789. Adam Ground purchased 24½ acres of Cannon's Lot "lying on the west side of the main road which goes from Elk Ridge Landing to the Forest" The grantor was John Pierpoint, whose father, Charles Pierpoint, had devised it to "his Son the said John Pierpoint."²⁸

Evidence from these records suggests that the subject, John Pierpoint born in 1753–54, could have been the estranged son of the Charles Pierpoint who had six other sons. However, most of the records cited above pose perplexing questions. What led Charles Pierpoint to bequeath his unnamed 500-acre plantation free and clear to six of his sons but to leave his son John only half as much land for which he had to pay? In 1788 George Gouldsmith, surveyor of Cannon's Lot, described a pitiful, abandoned tract with poor soil and tumble-down dwellings. The property was reportedly escheated to the state for want of heirs—but Charles left it to his six sons. Why would John Pierpoint resurvey the property? Was it even the same land?

PUBLIC RECORDS OF THE SIX PIERPOINT BROTHERS AND ADAM GROUND

Records of Charles Pierpoint's six favored sons and Adam Ground (who purchased Cannon's Lot) solves both the estrangement issue and the resurvey mystery.

- 7 September 1791. Joseph Pierpoint and Amos Pierpoint sued Adam Ground for refusing to pay the £30 that they claimed John Pierpoint owed his father's estate. The suit was not heard until 10 May 1794. One witness for Adam Ground gave valuable information in his deposition. He stated he heard Joseph and Amos Pierpoint say that John had paid the £30 and that they had no claim on the lot. The deponent's witnesses were Adam Ground and John Pierpoint.²⁹
- 15 July 1793. Joseph, Amos, Benedict, Samuel, Walter, and Thomas Pierpoint entered into a deed of partition, dividing the remainder of Cannon's Lot (then described as a 353-acre tract) into six parcels of 54½ acres each.³⁰ Their father left their mother one third for her life, but she was not part of this partition.
- 5 May 1796. Adam Ground, blacksmith, sold to Samuel Pierpoint, merchant, a full one-half parcel of lot no. 639 in the City of Baltimore for £100. Witnesses were William Newton and Conrod Hush.³¹

28. Pierpoint to Ground, Baltimore Co. Land Records Liber WG, no. DD, folio 347, Clerk of the Circuit Court, MSA; FHL microfilm 0,013,352.

29. Pierpoint and Pierpoint v. Ground, Chancery Court (Chancery Papers), 12-5-4266, 1791/09/07, MSA.

30. Pierpoint partition, Baltimore Co. Land Records Liber WG, no. MM, folios 415–21; FHL microfilm 0,013,356. The reference is on folio 420, eighteen lines from the bottom of the page.

31. Ground to Pierpoint, Baltimore Co. Land Records, Liber WG, No. VV, folio 422; FHL microfilm 0,013,360.

- 5 May 1796. Adam Ground, blacksmith, sold to Mary Pierpoint, wife of John Pierpoint, blacksmith, a full one-half parcel of lot no. 639 in the City of Baltimore for £100. Witnesses were William Newton and Conrod Hush.³²
- 5 May 1796. Adam Ground purchased from Hannah Pierpoint of Baltimore County all her dower interest in Cannon's Lott, containing 24½ acres, for £100. Witnesses were William Newton and Conrod Hush.³³
- 16 March 1797. Joseph, Amos, Benedict, Samuel, Walter, and Thomas Pierpoint (together with Adam Ground) patented a tract comprising 357½ acres. They called it "Pierpoint's United Defense."³⁴
- 1798. Adam Ground was assessed for slightly more than 24 acres as part of "Canans Lot."³⁵
- 1798. Mary Pierpoint was assessed for a 360-square-foot house on an 80-perch lot on a tract called "Georgia."³⁶
- 1798. Five men surnamed Pierpoint were assessed for varying amounts of a tract named "Pierpoint's United Friendship": Benedict for 54-plus acres; Joseph Pierpoint for 54-plus acres; Samuel for 20 acres; Thomas for 100 acres; and Walter for 98 acres.³⁷

The numerous public records found for this family were confusing and seemingly contradictory. The 1798 tax records were particularly puzzling. Mary Pierpoint's tiny land assessment the year her husband died did not support the hypothesis that he had been the brother of the five men taxed for much larger portions of "Pierpoint's United Friendship." Moreover, it was not obvious that the tract called "Pierpoint's United Friendship" was the same as "Pierpoint's United Defense," formerly "Cannon's Lot." Finally, the varying sizes of "Cannon's Lot" (200 acres, 258 acres, 353 acres) and the unnamed plantation (500 acres) suggested they were all different tracts. Derelict and escheated lands referenced in the unpatented survey taken by John Pierpoint added to the confusion. Arranging the records chronologically helped untangle John Pierpoint's ancestry. As the story of his short and strife-ridden life unfolded, facts and traditions illuminated each other.

32. Ground to Pierpoint, Baltimore Co. Land Records, Liber WG, No. WW, folio 1; FHL microfilm 0,013,361.

33. Pierpoint to Ground, Baltimore Co. Land Records, Liber WG, No. WW, folio 215; FHL microfilm 0,013,363.

34. Pierpoints and Ground patent, Baltimore Co. Patents, S1190, no. 3844, location: 1/25/2/38, MSA.

35. George J. Horvath Jr., *The Particular Assessment Lists for Baltimore and Carroll Counties, 1798* (Westminster, Md.: Family Line Publications, 1986), 82. Ground had a 416-square-foot one-story, hewed log house; a 320-square-foot log house, and a 224 square-foot smith's shop. This last was almost certainly the house in which John and his family lived for several years.

36. *Ibid.*, 83.

37. *Ibid.*

JOHN PIERPOINT'S STORY

Records created for and about John Pierpoint and his siblings made it possible to reconstruct many events of their lives. The reconstruction that follows is admittedly speculative, but it nevertheless fits the facts. It eerily foreshadows the in-fighting among some of John's twentieth-century descendants. Motivations attributed to Walter S. and Henry R. Davis helped explain actions of John Pierpoint, their great-great-grandfather.

Charles³ Pierpoint was born and reared a Quaker, but his household was not always peaceful. In the early 1770s he was at odds with his second son and namesake, Charles Pierpoint, and with his third son, John. Whether he showed his sons the door or they walked out on him, by 1773 the sons lived separately from their parents.³⁸

Charles Pierpoint Jr. continued to rebel, enlisting as a soldier, for which the Gunpowder Monthly Meeting disowned him on 21 8th month [August] 1776.³⁹ No further record of Charles is found. John may have tried living on his own. He was the John Pierpoint whom his Quaker brethren deemed to be suffering and to whom they granted money in 1777.

Living on a nearby tract called "Johnson's Interest" was a German family whose second son, Conrad Hush, was a blacksmith. John probably became his apprentice. Conrad had a younger sister Mary with whom John fell in love. It was one thing for a Quaker to be a Lutheran's apprentice, but quite another to marry his sister. John's Quaker brethren discouraged him from seeing Mary. John took to the bottle, but, like his cousin Henry Pierpoint, he handled liquor badly. He was admonished on 3rd 10th month [October] 1779, for "fighting, drinking to excess, using profain [*sic*] language, and neglecting to attend our religious meetings."⁴⁰

On 20 October 1779, a defiant John Pierpoint escorted Mary Hush the five miles into Baltimore Town where they married at the Lutheran Church. John had neither money nor land. The young couple was probably unwelcome to even the tumbledown shacks on his father's property, so they lived with Mary's family. Almost certainly, John worked for Conrad Hush.

Four years later, on 12 December 1783, John and Mary ventured into Baltimore Town where he rented a blacksmith shop and tools from John Fonardon. But John couldn't make a go of it. Whatever the cause of his financial woes, he could not pay the rent.

38. Chas. Pierpoint Junr., John Pierpoint, and Chas. Pierpoint Senr. entries, Baltimore County Court tax list, Patapsco Upper Hundred, CM918-25, 1773, MSA.

39. Peden, *Quaker Records of Northern Maryland*, 68. No record was found of Charles Pierpoint in any Maryland state militia.

40. *Ibid.*, 73. Perhaps his marriage out of unity went unrecorded because he was no longer considered a Quaker.

With no other option, John swallowed his pride and asked his father for help. Charles³ Pierpoint was not wealthy and he had six other sons to consider. Perhaps John had borrowed from him before and nothing good came of it. This time, Charles elected to

make over to my Sun John Pierpoint all that Lott or Parsel of Land lying on the West of the Mane Road⁴¹ that Leades to the Forest it being Part of Cannons Lott he the sd: John Pierpoint Paid for it by Given his Not[e] for the [unnamed] Value,⁴²

John moved his family to that parcel, taking the blacksmith tools he rented from John Fonardon.

Before Charles Pierpoint died in 1785 he executed a will that dealt harshly with his son John. Not only did Charles summarily differentiate John from his other “six sons,” but he also directed John to pay £30 for his 24½-acre parcel. In contrast, he gave property outright to his remaining sons, excluding John from divisions if any of the others died without heirs. Effectively disinherited, John probably resented his siblings and looked for revenge.⁴³

Abandoned, angry, and with a fourth mouth to feed, John Pierpoint got his vengeance. At the State Land Office for the Western Shore, John reported that Cannon’s Lot was vacant and applied to have it resurveyed. On 14 September 1787, apparently on his word alone, that office issued him “an escheat warrant” for the resurvey of a

tract of land called Cannon’s Lot ... granted to a certain John Cannon on the 10th October 1707 as any other contiguous vacancy whether cultivated or otherwise, escheat for the want of heirs of a certain John Cannon to whom it was originally granted.⁴⁴

Charles² Pierpoint gave Cannon’s Lot to his son Charles³ Pierpoint apparently on the latter’s marriage about 1745.⁴⁵ Charles³ Pierpoint’s children

41. The Rolling Road, later the Old Rolling Road, leads to the Elk Ridge landing on the Patapsco River.

42. Charles Pierpoint binding note, exhibit A, Chancery Court (Chancery Papers), 12-5-4266, 1791/09/07, MSA. John’s note was not produced as evidence in a lawsuit brought by the executors of his father’s estate nor was it found elsewhere.

43. Great-grandson Walter S. Davis did the same thing in 1932 as his business collapsed. See marginal notes of Walter S. Davis found in his copy of his sister’s tribute to their father, Conant, “Father’s Lineage,” in Frank E. Davis, *Architect*, 2:16.

44. Pierpoint warrant, Baltimore Co. Unpatented Surveys, Cert. 284, 1/25/2/61, MSA.

45. Charles Pierpoint will, Prerogative Court (Wills), 1746–1748, 25:390-92, SM16-37, MSA. “I give and bequeath to my son Charles Pierpoint all my Tract of Land lying in Baltimore County granted by the name of Cannons Lott for two hundred acres whereon he is now situated” Charles³ Pierpoint was disowned on 29th day, 1st month, 1745, for “marrying his first cousin.” See “Clifts Monthly Meeting Register, 1662–1771,” in Henry C. Peden Jr., comp., *Quaker Records of Southern Maryland, Births, Deaths, Marriages and Abstracts from the Minutes, 1658–1800* (Westminster, Md.: Family Line Publications, 1992), 81. In 1745, Charles³ Pierpoint’s natal family was attending the Gunpowder Meeting. His first cousin Johanna [née –?] is unidentified. The record does not survive in another collection of minutes.

were all born at Cannon's Lot, and John⁴ as third eldest son was very well acquainted with his father's ownership of this tract; furthermore, he certainly knew the terms of his father's will. The land looked derelict to the surveyor, probably because the rest of the Pierpoint family had temporarily abandoned it. Was John seriously attempting to patent in his own name the property his father bequeathed to his six brothers?

Financial repercussions continued for John. The county sheriff confiscated his blacksmith tools rented from John Fonardon. These tools were his livelihood, so on 8 March 1787 he filed a writ of replevin, claiming that the county sheriff was holding them unjustly. During the hearing, John got into a fist fight with Nathaniel Collins, and on 21 April 1787 John sued Collins for assault and battery, demanding 285 pounds of tobacco to cover his costs.⁴⁶

On 3 September 1789, John Pierpoint sold his portion of "Canon's Lot" to a blacksmith named Adam Ground.⁴⁷ He moved his family back into Baltimore, where he again set up shop as a blacksmith. The Pierpoints were still in Baltimore in 1790,⁴⁸ but things were going badly. This time John got help from his brother-in-law, Conrad Hush. On 16 June 1791, John Pierpoint sold his house and all of its contents, namely "1 sett of Smiths tools, Bed & Bedding, Chairs, Tables, Dishes, Spoons, Plates, Potts with every other article belonging to house or Kitchen" for £104 7s. and 6d.⁴⁹ John Pierpoint continued to live in Baltimore and work as a blacksmith.⁵⁰ Likely the house sale was actually a chattel mortgage securing a personal loan from Conrad.⁵¹

On 7 September 1791, Joseph Pierpoint and Amos Pierpoint, executors of their father's estate, sued Adam Ground for payment of £30, which they claimed was still owed on the 24½ acres Ground bought two years earlier. As evidence of the debt, they produced their father's memorandum that John had signed a note for the land. They also produced Charles³ Pierpoint's 1785 will that stated John had not repaid the debt. Finally, they claimed they had asked Adam to pay the debt "but the said Adam hath utterly refused to pay and discharge the same."⁵²

46. Baltimore Co. Court, Miscellaneous Court Papers C1-15, folder 628, MSA. The list of tools is identical with the one in the rental agreement with John Fonardon.

47. Pierpoint to Ground, Baltimore Co. Land Records Liber WG, no. DD, folio 347; FHL microfilm 0,013,352.

48. John Pierpoint household, 1790 U.S. census, Baltimore Co., Md., Baltimore Town, p. 19; National Archives (NA) microfilm M637, roll 3.

49. Pierpoint to Hush, Baltimore Co. Land Records Liber WG, no. GG, folio 150; FHL microfilm 0,013,353. No deed for the purchase of this lot was found.

50. John Pierpoint entry, Thompson and Walker, *1796 Baltimore town and Fell's Point directory* (Baltimore: The Proprietors, 1796). No directory for 1797 was published.

51. On 16 January 1934 Walter S. Davis was similarly up against the wall. He signed a chattel mortgage securing a debt of \$100,000 on an apartment house. Included was every fixture and item of furniture not only in his own house but also in the furnished apartments. See Los Angeles County Land Records, Official Records 15,521:145, Registrar-Recorder/County Clerk, Norwalk, California.

52. Joseph Pierpoint and Amos Pierpoint v. Adam Ground, contract to Purchase Cannons Lot, Chancery Court (Chancery Papers), 12-5-4266, 1791/09/07, accession 17,898-4142, location 1/36/4, MSA.

In reply, Adam Ground deposed that before purchasing the land, he ascertained from both Amos Pierpoint and Joseph Pierpoint that “the said sum of £30 had been paid by the said John Pierpoint and that the complainants had no demand against same.”⁵³

The case was not heard until 10 May 1794. Ground had two witnesses. John Pierpoint testified that he paid the £30; Thomas Stockett testified that he witnessed Ground’s meeting with Amos and Joseph Pierpoint, both of whom stated that they had no claim against the lot. Stunned, Joseph and Amos requested an adjournment until the following Saturday, but on that date produced no further evidence to support their claim. On 19 January 1795 Alexander Contee Hanson, chancellor of the Chancery Court of Maryland, judged their suit against Adam Ground “to be a most glaring attempt to pervert its [the court’s] jurisdiction to the purposes of injustice and oppression.” He ordered Amos and Joseph Pierpoint to pay 1340 pounds of tobacco in costs.⁵⁴

Why would Joseph and Amos Pierpoint tell Adam Ground in front of their brother John and Thomas Stockett that John had paid the £30, when he so obviously had not? Were they afraid of his violence? They knew their brother hadn’t paid the £30, didn’t have it, and wouldn’t give it to them if he did. Perhaps it seemed easier to get at their brother through a third party.⁵⁵ If so, the tactic backfired, as it would again almost 150 years later in a Davis lawsuit, and with similar unintended consequences.⁵⁶

53. Adam Ground reply, contract to Purchase Cannons Lot, Chancery Court (Chancery Papers), 12-5-4266, 1791/09/07, MSA.

54. Joseph Pierpoint and Amos Pierpoint v. Adam Ground, decree, contract to Purchase Cannons Lot, Chancery Court (Chancery Papers), 12-5-4266, 1791/09/07, MSA.

55. In April 1934, Walter S. Davis felt that his brother-in-law Frederic W. Conant had mismanaged family property and cheated him at business. Swindell uncles prevailed and a financial settlement was reached, but Walter still wanted revenge. Brother Henry helped plot to financially devastate the Conants. Together, they encouraged Emily R. Davis, brother Emmett’s estranged wife, to sue their sister and brother-in-law for alienating Emmett’s affections from her. Emmett, an alcoholic who could not hold a job, lived with the Conants. One night he brought home a woman whom he had met and married while in a drunken stupor. Frederic Conant threw Emmett’s new wife out of his house. Perhaps because of the family’s supposed wealth, the novel alienation-of-affections suit received major attention in the Los Angeles press. “Conant, Yachtsman Testifies He Bodily Carried Wife of Brother-in-Law Out of House,” *Los Angeles Times*, 5 April 1934, part 2, page 3. The jury found the Conants guilty of alienating the affections of Emmett S. Davis from his estranged wife and recommended they pay Emily R. Davis \$15,000. “Mrs. Davis Awarded Balm,” *Los Angeles Times*, 14 April 1934, part 2, pages 1 and 3.

56. The judge later reduced the penalty to \$5,000 on the grounds that \$15,000 was excessive, but the Conants never paid anything at all. Moreover, Emmett did not pay the alimony he was assessed in his divorce from Emily. The following year, Emily R. Davis returned to court seeking her unpaid alimony. Emmett proved that he had no income and no liquid assets, so the court searched for his debtors. Henry R. Davis had arranged his financial affairs so that they were completely protected. In the end, Walter S. Davis, who had craved retribution, was found to have owed his brother Emmett some money. His rental income was unprotected and the Court ordered him to pay his ex-sister-in-law her unpaid alimony. On 10 December 1934, he paid \$587.93; on 10 June 1935, \$679.18; and on 10 December 1935, he paid \$700. This is the only money that Emily R. Davis ever received from the Davis family. See Emily Davis v. Emmett S. Davis, D117400, 1933–1935, Superior Court, Los Angeles Co. Hall of Records.

On 15 July 1793 Joseph, Amos, Samuel, Benedict, Thomas, and Walter Pierpoint entered into a deed of partition dividing their inherited land into six parcels of 54½ acres each. This time, it measured 353 acres, including the 24½-acre tract now owned by Adam Ground. Their division provided no acreage for their mother, who was to receive a monetary dower. To effect the final division, the Pierpoints entered into a complicated transaction on 5 May 1796. Hannah sold to Adam Ground—as her dower interest in her late husband’s property—John Pierpoint’s former 24½-acre piece which Adam Ground already owned. Simultaneously, Ground sold half of lot no. 639 to Mary Pierpoint and the other half of lot no. 639 to Samuel Pierpoint. Mary’s brother Conrad Hush witnessed all three transactions; perhaps he was instrumental in negotiating them.

Assuming money actually changed hands, the arrangement had advantages: Hannah received £100 as her dower interest in her husband’s property; Adam Ground received compensation for the damage caused by the Joseph and Amos Pierpoint lawsuit against him; Conrad made sure his sister had some property; and nobody had to deal directly with John Pierpoint. At the end of the ordeal the six brothers (together with Adam Ground) again patented Cannon’s Lot, and called it “Pierpoint’s United Defense,” symbolizing their solidarity against their brother. Adam Ground may have agreed to the renaming at the time, but when he was taxed the following year, he called his property “Canans Lot.”⁵⁷

John’s short and strife-filled life would soon be over and he probably knew it. On 9 July 1797 “John Pierepoint” inscribed a book about death.⁵⁸ Four days later John and Mary Pierpoint sold to Hugh McCurdy their half of lot no. 639 in Baltimore for £112.⁵⁹ They moved back into Baltimore County, where John died on 19 August 1798 at age forty-four years. Mary filed an inventory on 19 April 1799, reporting the value of John’s estate at £33.17.⁶⁰ Successful in her widowhood, Mary Pierpoint operated a tavern on the Frederick Road and sold eggs on the side. On 27 April 1816 her daughter Julia Ann Pierpoint filed the inventory for her estate valued at \$654.75.⁶¹

CONCLUSION

Family accounts about John⁴ Pierpoint focus primarily on personality. As Dorothy Conant notes, among other things the Pierpoints were dominant

57. Horvath, *Particular Assessment of Baltimore and Carroll Counties*, 1798, 82.

58. Inscription in William Sherlock, *Practical Discourse Concerning Death* (London, 1793). His daughter Julia Ann (née Pierpoint) Ensey, added, “This book is for Francis E. Davis, a present from his Aunt Julia A. Ensey. My dear child, I wish you to take great care of this book for it was your great grandfather’s, John Pierepoint.”

59. Pierpoint to McCurdy, Baltimore Co. Land Records WG 51:334; FHL microfilm 0,013,363.

60. John Pierpoint inventory, Baltimore Co. Inventories, Orphan’s Court, Baltimore Co. 20:60; FHL microfilm 0,013,662.

61. Mary Pierpoint inventory, Baltimore Co. Inventories 30:115; FHL microfilm 0,013,667.

in character and both spirited and high tempered. By her account they were as generous as they were unreasonable. In her words, they were “proud with prickliness.”⁶² Their eccentric, impulsive dispositions, and little else, appear to be the lasting legacy of this Quaker family that lived on Hunting Ridge in Baltimore County.

Perhaps in part because of their personalities, the records left by John Pierpoint, his father, and some of his brothers confused attempts to identify them. Arranging the records in strict chronological order and subjecting them to rigorous analysis revealed John’s parentage. Indeed, examining the meaning and purpose of some of those records focused attention on the lore of the Pierpoint personality. A very public family fight over money and property culminated in John’s six brothers changing the name of their patrimony from “Cannon’s Lot” to “Pierpoints United Defense.” Their estrangement from John lasted for the remainder of his brief life.

62. Conant, “Father’s Lineage,” in *Frank E. Davis, Baltimore Architect, 1839–1921*, 2:11.

63. See *Emily Davis v. Emmett S. Davis*, D117400, 1933–1935, Superior Court, Los Angeles Co. Hall of Records.

A Genealogically Informative Occupation

[J. F. Blair household, 1870 U.S. census, Ogle County, Illinois, population schedule, Maryland Township, page 368B, dwelling 153, family 157; National Archives microfilm M593, roll 265. Unlike later censuses, the 1870 United States census provides no column for relationship to the head of a household. Using the occupation column creatively, the 1870 Ogle County enumerator cleverly managed to record for posterity the relationship of one woman to the only other woman in the household.]

[NAME	AGE	OCCUPATION	BIRTHPLACE]
Blair _[r] J. F.	33	Farmer	Penn.
— Amelia	25	Keeps house	N. Y.
— Clarence	6	at home	Ill.
— Arthur S.	4	“	“
— Harry G.	1	“	“
Robbins _[s] Elizabeth	67	Lives with Daughter	England

—Contributed by Elissa Scalise Powell, CG

Notes and Documents

Death Duty Records: The Will of Mary Thomas of St. Winnow in Cornwall

By Ronald A. Hill, Ph.D., CG, FASG

Containing detailed information pertaining to the value of estates, legatees, legacies, trustees, and administrators, British death duty registers are an important resource for tracing English and Welsh ancestors.

Benjamin Franklin's adage "Nothing can be said to be certain, except death and taxes" took on new meaning in 1796.¹ In that year the British Parliament enacted death duties, inheritance taxes payable on English and Welsh estates valued over a certain amount. The Legacy Duty Act of 1796 stipulated that legacies of twenty pounds or more and residual estates of one hundred pounds or more were liable for the duties.² In 1808 the threshold for residual estates was reduced to twenty pounds, so more estates became subject to the duty. Further acts of Parliament modified the laws regarding these duties. Before 1805 the surviving spouse, children, parents, and grandparents were exempt. After 1805 the exemption applied only to the spouse and parents and from 1815 only to the spouse. Up to 1805 only about 25 percent of wills and administrations were recorded in death duty registers; the figure rose to about 75 percent from 1805 to 1815 and after 1815 to nearly 100 percent.³

The National Archives (TNA) in the United Kingdom houses the death duty registers, 1796–1903, in its TNA class IR26. The records document how personal estates were handled after death, which may differ from testators' wishes

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1. Albert Henry Smyth, ed., *The Writings of Benjamin Franklin*, 10 vols. (New York: Macmillan, 1905–7), 10:69. In a letter to Jean Baptiste Le Roy, 13 November 1789, Franklin wrote, "Our new Constitution is now established, and has an appearance that promises permanency; but in this world nothing can be said to be certain, except death and taxes."

2. Stella Colwell, "Not Many People Use These: English and Welsh Death Duty Registers," 2003 NGS Conference in the States, Pittsburgh, Pennsylvania: Program Syllabus (Arlington, Va.: National Genealogical Society, 2003), 345–48.

3. Mark Herber, *Ancestral Trails*, rev. ed. (Stroud, Gloucester, U.K.: Sutton Publishing, in association with the Society of Genealogists, London, 2004), 237–39.

regarding distribution of those estates.⁴ For example, family circumstances might have changed after the will was written: perhaps some legatees had died, assets were insufficient to pay the legacies, or conditions stated in the will could not be met. Death duty registers contain details about the value of the estate, legatees, legacies, trustees, administrators, and the duties paid.⁵ Registers provide given names of all legatees, even those a testator does not name. The volumes sometimes contain a probate history over many years. Thus, they are an important resource for tracing English and Welsh ancestors.

Beginning in 1812 all English and Welsh probate courts forwarded copies of wills and administrations to the Estate Duty Office (later Inland Revenue) where clerks entered abstracts in the death duty registers and calculated the taxes. Office copies of the wills and administrations were destroyed after World War II—except those for Devon, parts of Cornwall, and Somerset, which were returned to replace original wills and administrations destroyed in the bombing of Exeter Cathedral. The will copies for those three counties cover 1812 to 1858, when the Principal Probate Registry was established.⁶

Microfilmed indexes to the death duty registers (TNA class IR27) are available through the Family History Library (FHL) in Salt Lake City.⁷ These name the person and the probate court, and they provide the volume and page number of the death duty record. The indexes cover all probate jurisdictions in England and Wales, 1796–1858, and the Principal Probate Registry, 1858–1903. The indexes are also searchable online. Researchers can query the index by surname for no charge but must pay to view individual entries.⁸

Death duty registers covering 1796 through 1857 (TNA class IR26) are on FHL microfilm. Volumes not filmed because of their condition and registers for 1858 through 1903 can be viewed only at TNA. Images from the 1796–1811 death duty registers are available at the TNA Web site for a fee.⁹

4. The National Archives (TNA), formerly the Public Record Office (PRO), is located at Kew, Richmond, Surrey, U.K. See *The National Archives of the United Kingdom* (<http://www.nationalarchives.gov.uk/>).

5. See “Death Duty Records, From 1796, Domestic Records Information Leaflet 57,” and “How to Interpret Death Duty Registers, Domestic Records Information Leaflet 58,” *The National Archives* (<http://www.catalogue.nationalarchives.gov.uk/researchguidesindex.asp>).

6. *Ibid.*

7. Researchers can find film numbers for the death duty registers and indexes in the Family History Library catalog by entering “Death Duty” in the keyword search area or “Estate Duty” in the title search area. (Each search produces different results, so searches for both terms are needed.) See “Search the Family History Library Catalog,” *FamilySearch* (http://www.familysearch.org/Eng/Library/FHLC/frameset_fhlc.asp).

8. “Search the Index to Death Duty Registers 1796–1903,” *FindMyPast.Com* (<http://www.findmypast.com/DeathDutyStartSearchServlet>). Also, for 1796–1811 only, see “Family History: Death Duty Registers,” *The National Archives* (http://www.nationalarchives.gov.uk/documentsonline/browse_refine.asp?CatID=14&searchType=browserefine&pagenumber=1&query=*%&queryType=1).

9. “Death Duty Records, From 1796, Domestic Records Information Leaflet 57,” and “How to Interpret Death Duty Registers, Domestic Records Information Leaflet 58,” *The National Archives* (<http://www.catalogue.nationalarchives.gov.uk/researchguidesindex.asp>).

THE WILL OF MARY THOMAS

A good example of the extended entries sometimes recorded in death duty registers is the probate of Mary Thomas of St. Winnow in Cornwall. Mary, originally of St. Mabyn, married James Thomas, a widower, at St. Winnow, 20 September 1819.¹⁰ James was a farmer at Trewether in St. Winnow. The couple had two sons baptized at St. Winnow: William on 8 October 1820 and Nicholas Avent on 14 October 1821.¹¹ James was buried at St. Winnow on 3 December 1832 at age seventy-eight; his widow, Mary Thomas, was buried there on 8 July 1846 at age sixty-four.¹²

Mary's will relates the following bequests:

Elizabeth Hill, my mother, 50 pounds, she to be decently buried after her decease at St. Kew.

William Thomas and Nicholas Avent Thomas, my two sons, my residuary estate. In the event both my sons die without issue, my freehold estate to be sold and one-third of the monies arising to my brother Thomas Hill and the remaining two-thirds among my other brothers and sisters.¹³

This will presented the executor with an extended problem: many years might pass before the sons married and had families. If the sons did not eventually marry and produce heirs, the executor was to sell the freehold estate and divide the proceeds among the testator's siblings. This dilemma is addressed in Mary Thomas's death duty record. It contains notes about correspondence with the executor, who died before the estate was settled. It then relates further correspondence with a second and a third executor, who reported the brothers' marital status.

DEATH DUTY RECORD OF MARY THOMAS

Mary Thomas, St. Winnow, Cornwall, died 5 July 1846, will dated 1 December 1838
Proved: Dean Ct. Exeter, 14 July 1846¹⁴

Name/Residence of executor:

Joseph Jeffery, St. Winnow, Yeoman, died 5 January 1861

William Searle of Lanreath, Cornwall, Auctioneer, not sworn

Value of annuities & bequests: £450

10. Thomas-Hill marriage record, St. Winnow marriage register, viewed at the parish church in May 1979; now DDP253/1/7, p. 14, Cornwall Record Office (CRO), Truro, Cornwall, U.K. St. Winnow was not in the Archdeaconry of Cornwall. It was one of four Cornish parishes in the Peculiar of the Dean and Chapter of Exeter whose probate records were lost in World War II.

11. William Thomas (p. 28) and Nicholas Avent Thomas (p. 32) baptismal records, St. Winnow baptism register, viewed at the parish church in May 1979; now DDP253/1/3, CRO.

12. James Thomas (p. 33) and Mary Thomas (p. 58) burial records, St. Winnow burial register, viewed at the parish church in May 1979; now DDP253/1/12, CRO.

13. Mary Thomas of St. Winnow, widow, Estate Duty Will 308/94/11/10, 1 December 1838, proved 14 July 1846, CRO.

14. "Dean Ct. Exeter" is the abbreviation applied by the death duty officials to the Court of the Peculiar of the Dean and Chapter of Exeter.

Legacies:

- (a) Real Estate, affidavit includes leasehold. In case testator's sons should both die having no issue, to sell and proceed thus:
 one-third to Thos. Hill, brother
 remaining two-thirds to brothers & sisters
 L[ette]r: 4545/79: the son Nicholas left issue
- (b) £50, charged Real & Personal Estate to Elizth Hill, mother, in 3 months value of bequest: £50, payment dated 28 April 1848, duty: 10 shillings testatrix directs her executors to pay sd mother's personal expenses—considered a benefit to her estate
- (c) Residence including leaseholds
 William Thomas, child, and Nicholas Thomas, child
 value of bequest: £70–5–11, payment dated 28 April 1848, duty: 14 shillings

[Note: The following entries are exact transcriptions of annotations]¹⁵

- Lr: 20769/61 } Jonathan Thomas — rep of Exor — Nicholas A. Thomas living
 Lr: 21893/61 } D^o W^m Thomas died 9 years last July, unmarried viz., 9 July 1852
 Lr: 30041/67 } Bodmin — Exor dead as listed — W^m Searle dead — son Nicholas living at St. Winnow, & has one child — Thos Hill dead
 Lr: 10173/70 } Nicholas Avent Thomas, Trewether, St. Winnow, Lostwithiel
 Lr: 37288/78 } from Jas Jeffery, St. Blazy, Cornwall: son Nicholas living at St. Winnow near Lostwithiel, also his wife & one daur & one son:
 Lr: 4545/79 } from D^o Nicholas A. Thomas died 24 Jan 1879 leaving a widow & two children, adm from copy of will¹⁶

The history of the probate of Mary's will, as recorded in the death duty register, spans somewhat more than thirty-two years, from 14 July 1846 to 24 January 1879. It illustrates the thoroughness of those responsible for collecting the duty. The record provides evidence that the son William Thomas died 9 July 1852, Thomas Hill was dead by 1867, and the son Nicholas Avent Thomas survived to marry and have children who at his death, 24 January 1879, inherited the freehold at Trewether. As a result, Mary (née Hill) Thomas's siblings did not become her legatees.

Not all death duty records provide comparable history of the probate process. Mary Thomas's will resulted in an extended process because of its provision for her sons' future offspring. In most cases, however, death duty records sum up the probate process, including its conclusion, and yield data valuable to family historians.

15. Lr = Letter; 20769 = correspondence number; 61 = 1861; rep = report; Exor = executor; D^o = ditto.

16. Mary Thomas of St. Winnow, widow, Death Duty Register, IR26/1754, S–T, vol. 3, folio 570, TNA; microfilm 1,485,208, Family History Library, Salt Lake City. The letters from the successive executors to the Estate Duty Office have been destroyed.

Notes and Documents

Ohio and Mississippi Rivers Steamboat Passenger Lists

By Claire Prechtel-Kluskens, J.D.

A nugget found in an old newspaper deserves attention.

Nineteenth-century newspapers contain many tidbits of useful genealogical information, but finding these golden nuggets can be tedious. Despite the efforts of numerous online database providers, attempts to index these treasures are problematic. Old newspapers with chipped characters and other problems pose a challenge for optical character recognition. When a nugget is found in a rare newspaper, it deserves attention.

In March 1844 the *Tri-Weekly Cincinnati Gazette* published two listings of steamboat passengers.¹ Similar lists were published at other times in Cincinnati and other Ohio River and Mississippi River ports. They provide unique evidence of travel within the United States.

STEAMBOAT CLIPPER

At a meeting of the Passengers held on board the steamboat Clipper, Captain Nelson Crooks, on her passage from Pittsburgh to Cincinnati, on motion of A. T. K. McCallum, Esq., of New York, James G. Berret, Esq., of Maryland, was called to the Chair, and R. W. Peckham, Esq., of Albany, New York, appointed Secretary.

Mr. McCallum offered the following resolution, which was unanimously adopted:

Resolved, That we the undersigned passengers on board the steamboat Clipper, from Pittsburgh to Cincinnati, feel it to be a duty we owe to the traveling public, to recommend this Boat and her Captain. The Boat, as superior in her speed

© Claire Prechtel-Kluskens, J.D.; 2602 Ryegate Lane; Alexandria, VA 22308. Ms. Kluskens is a microfilm projects archivist at the National Archives and Records Administration, Washington, D.C., and served as NGS registrar from 1996 to 1998 and as an NGS director from 1998 to 2000.

1. "Steamboat Clipper," 19 March 1844, page 2, col. 5, and untitled advertisement [Steamboat *Aliquippa*], 26 March 1844, page 2, col. 4, and "Another Collision," 26 March 1844, page 2, col. 2, all in *Tri-Weekly Cincinnati Gazette*; *Cincinnati Gazette*, 2 March 1844–31 December 1844; microfilm 34978, Ohio Historical Society, Columbus, Ohio. Both lists of names lacked periods after initials, which are editorially supplied without further comment.

and accommodation. Her Captain equalled by few in his urbanity of manners, and surpassed by none in his gentlemanly attention to the comforts and conveniences of those travelling with him. Boat, Table and Captain are such as we require: ease, pleasure and propriety, and so, we recommend them all, each for himself, affixing his name and residence.

Jas. G. Berret, Md,
 R. W. Peckham, Alb'ny, N Y,
 A. T. K. McCallum, N Y,
 Sam'l C. Pearce, Ky,
 Thos. Campbell, Ky;
 J. J. Coombs, Ohio,
 J. W. Sloss, Alabama,
 [blank] Hussey, Pittsbu[r]gh, Pa,
 Thos. J. Smith, Phila, Pa,
 W. H. Evans, Cincinnati,
 G. R. Eichbaum, Beaver, Pa,
 Allen Brown, Pittsburgh, Pa,
 A. Kuhn, Lafayette, Ia,
 Simon Reilly, Ia,
 E. F. Galton, Ohio,
 J. W. Stockwell, Ky,
 B. Keiningham, Paris, Ky,
 G. B. Thomas, Virginia,
 Ed H. Jones, Brownsville, Pa,

John Dow, N Y,
 Thos. Coleman, Boston,
 J. Kennedy, Lewiston, Pa,
 A. H. Nichols, Ia,²
 T. G. Speer, Elizabeth, Pa,
 J. B. Wilson, La,
 Wm. H. Darnell, Ky,
 R. Jourdan, Covington, Ky,
 G. A. Fairman, N Y,
 Lester F. Crane, Cin'ti,
 W. J. Dallam, Paducah, Ky,
 J. S. Palmeo, Phila, Pa,
 J. L. Coville, Pittsburgh, Pa,
 W. Latta, Pa,
 I. Pancoast, Elizabeth, Pa,
 Thos. Speer, Pittsburgh, Pa,
 F. Shoemaker, Holly Springs, Miss,
 J. B. Pancoast, Pa.

By Mr. Pearce of Kentucky, the following resolution was offered, which was carried [sic] unanimously:

Resolved, That the proceedings of the meeting be signed by the Chairman and Secretary, and published.

JAS. G. BERRET, Chairman³

R. W. PECKHAM, Sec'y.⁴

Although the majority of these gentlemen hailed from Pennsylvania or Kentucky, the chair and secretary of this meeting were eastern men. Both Berret and Peckham were lawyers.

2. Ia. was the old abbreviation for Indiana.

3. James G. Berret (1815–1901) became a wealthy Washington, D.C., politician and lawyer of some renown. He was elected at age twenty-one to the Maryland state legislature and was jailed in 1861 for refusing to swear allegiance again to the United States. See "James G. Berret," *Wikipedia: The Free Encyclopedia* (http://en.wikipedia.org/wiki/James_G._Berret); "The First Mayors of Washington, D.C.," *Congressional Cemetery.org* (http://www.congressionalcemetery.org/Education/Tours/WalkingTour_Mayors.pdf); and James G. Berret household, 1870 U.S. census, Washington, D.C., population schedule, Ward 2, p. 277, dwelling 889, family 981; National Archives (NA) microfilm M593, roll 123.

4. Rufus W. Peckham was a wealthy lawyer from Albany, New York. See Rufus W. Peckham household, 1850 U.S. census, Albany Co., New York, pop. sch., Albany, Ward 10, p. 318, dwell. 31, fam. 36.; NA microfilm M432, roll 472.

STEAMBOAT ALIQUIPPA

At a meeting of the passengers on board the Steamboat Aliquippa, held on the morning of the 21st inst., Benj. B. Throup was called to the Chair, and Mr. Williams appointed Secretary. After the meeting was organised, the following resolution was offered and unanimously adopted.

Resolved, That we have duly considered the conduct of Capt. Joseph Smith, in relation to the unfortunate collision which took place between the Aliquippa and the unfortunate steamer Weston, and that his collectedness of manner and presence of mind as evidenced upon that occasion, meets with our warm and unqualified approbation. And further, after the accident he risked the safety of his own boat, and periled the lives of his own passengers in his untiring and humane efforts to save the lives and the passengers and crew of the unfortunate Weston, which he succeeded in doing, except some two or three, whose names are unknown to us, all of which speaks loudly in his praise.

T. P. Vaughan, La.	}
Danl Berrien, N.Y. city.	} Committee.
Alx'r Marks, Columbia, S C	}

Wm. J. Smith, Pittsburgn, ⁵	B. H. Atkinson, St. Louis
Emerson Jester, Ohio	Jno. McKinzie, Mo
Edw. Masely, Mo	S. R. Wheat, Wheeling
O. P. Reynoles, Pittsburgn	Geo. Hanmwalt, Iowa
M. F. Tulley, Louisville	Adolph Paul, St. Louis
J. S. Cowden, Mo	Wm. Post, N. York
Geo. W. Hart, N Y	Hprvey ⁶ Bash, Mo
W. H. Thompson	Murdock Cooper, " "
Jno. Johnson, Ill	W. Switt, " "
S. Butterworth, Mo	O. F. D. Hampton, " "
H. Wilson, Ill	H. S. Litchenstein, " "
J. H. Allniche, Bulford, Pa	A. Helmstartt, Baltimore
Amos Fielding, Eng	J. H. King, Mucan
Henry Webster, Potosi, W T	Harvey Trent, Bridgeport, Ct
J. L. Bassron, Cincinnati	J. W. Vandiver, Mo
A. M. Turner, La	P. Thr[o]up, " "
B. B. Throup, Mo	A. Wetherton, Ill
B. H. Jordan,	H. H. Montgomery, Ia
Chas. Williams, Mo	M. Titus, Cincinnati
J. W. Matthews, Warren, Ill	J. H. Risk, Ill
	B. B. THROUP Sec.

5. Perhaps what was meant was Pittsburgh.

6. Undoubtedly Harvey was intended.

A brief article on the same page provides additional detail about the incident described by the *Aliquippa* passengers:

Another Collision.

The *Aliquippa* and the *Western* came in collision on the Mississippi. The scene which followed was a frightful one. The *Western* was crowded with emigrants, and it was evident from the first that she could not be kept afloat. Men, women and children were thrown into deep water, but, fortunately, only two human beings were lost. The *Aliquippa* rendered her every assistance, and succeeded in getting her near the shore.

Combing through nineteenth-century newspapers from cities on the Ohio and Mississippi rivers rarely rewards the researcher with events like these. Why gentlemen passengers passed resolutions of pleasant fare and company escapes modern sensibilities. Were these precursors of endorsement ads? Were they intended to reassure steamboat stockholders back home that passengers found their captains above reproach? How intriguing to find men from England and the Wyoming Territory, Boston and Louisiana, rubbing elbows on the Mississippi. The flavor of this bygone time is captured in the unique "obituaries" of two unnamed emigrants.

A Philosophical Difference between Priests

[St. Michael's Parish, Madison, Indiana, Burial Register 1846–74, verso of title page, Catholic Center, Indianapolis, Indiana; microfilm 1,535,749, item 3, Family History Library, Salt Lake City, Utah]

1846. Lamentable Deaths

Died in a state of drunkenness and was deprived of christian sepulture, John Hynes—about the 9th of January, 1846— J Delaune

Died in a state of drunkenness on the 12th of february, and was Deprived of Christian sepulture,¹⁾ Helen Langan — 1846 — Julian Delaune

[In different handwriting] What in the name of [ellipsis points] could induce the writer of the above to Record the shame of those who were connected with the unfortunate victims of Intemperance? — Was Christian sepulture refused on well defined principles? — The writer & doer of the above deeds is himself judged & I hope he is in Heaven.¹⁾ I pray for him every Sunday With his & my congregation that he may rest in peace & may the poor creatures by him branded when he lived: for we pray for them also! —

Who Can say what takes place between our good God & the Dying christian be he ever so bad?

[The author of the above words probably was Father Hippolyte Dupontavice, one of Father Delaune's successors. —*Editors*]

Family Records

Fritz Family Bible

Contributed by Katherine H. Schadel*

[*The New Testament of Our Lord and Saviour Jesus Christ, Translated out of the Original Greek; and with the Former Translations Diligently Compared and Revised.* (New York: American Bible Society, 1851).]

BIRTHS.

Jesse H. Fritz Was born August 17th 1813

Martha Fritz Born September 19th 1816

Lewis Fritz son of Jesse H Fritz and Martha Fritz Born March 1[9?—smearred ink]th 1839

Frances [Francis?] Marion Fritz Born March 9th 1841

Robert W Fritz Born July 18th 1843

Elisabeth Fritz Born May 13th 1845

Thomas B. Fritz May 14th 1847

Catherine A Fritz born May 5th 1849

Jesse H. Fritz born Aug. 15, 1852

Eliza Jane Fritz Born Sept. 18, 1854

William James Fritz Born Feb. 9, 1857

Ella May Fritz Born Feb. 14, 1860

[Two deaths are listed on this page.]

Elizabeth Fritz died Mar. 17th 1864 age 18 yrs. 10 months & 4 days

Robert W. Fritz, died Aug. 16, 1879 age 36

MARRIAGES.

Jesse H. Fritz Married to Martha Williams April 26th 1838

*Katherine H. Schadel; 2791 Clearview Road; Allison Park, PA 15101. Ms. Schadel inherited the Fritz family Bible from her father. It is part of the National Genealogical Society's growing collection of donated, scanned, and rescued family records. The Bible record was scanned as part of the society's effort to preserve Bible records from across the country. For further information on this activity, see Cyndi Howells, "The National Genealogical Society Digital Bible Archives Project," *NGS Quarterly* 90 (December 2002): 301-3.

Benjamin Newton's Book of Record

Contributed by Kathy Gunter Sullivan, CG*

[Benjamin Newton was born in 1752 at York County, Pennsylvania, and died 20 February 1835 in Rutherford County, North Carolina, his widow, Nancy (née McCall), completed his Revolutionary War pension application and died 12 May 1845 in Cleveland County, North Carolina.¹]

[Cover]

A book of record
for Benjamin Newton^ls
family made in the year 1777

[Verso of page 1; may represent wedding gifts]

one shovel plow provited
dito one card
one colter provited

p 1

when this you see
remember me
and in your mind to have
whilst I am in the grave
and mouldering in the dust
think on this you must
and when my life is done
these few lines think on
Benj^m. Newton

p 2

Ben Neuton was
born in the year 1752
the 3^d day of Febuary
Nancy McCaall [sic] was
born the 22d day of
Januway in the year
1760
and was married to Ben
Newton on tusday the
24th of Janawary 1775
the parsons name was
[Mr.?] John with about
thirty othear persons
held percededing at
turn over

p 3

her fathers in little [illegible]
Congaugation seven miles
from hilsborough town
Orange County North
Carolina
the next page begins
our of Spring

*Kathy Gunter Sullivan, CG; 911 Harvard Place; Charlotte, NC 28207-1839; sully1@carolina.rr.com.

1. Benjamin's affidavit stating his birthplace and his book of record are in Benjamin Newton, Revolutionary War pension application file no. W21837, Record Group 15, Department of Veterans Affairs, National Archives, Washington, D.C.

p 4

1 Jane Neuton was born
the 17th day of Januway in the
year 1777
on Thursday morning
at break of day
[17 January 1777 fell on a Friday]

2 Betsey Newton was
born the 27th day of
November on Sauter
day night at nine of
Clock in the year
1778

[27 November 1778 fell on a Friday]

p 6

5 Polly Neuton was
born the 2^d day of
July on tuesday night
at nine of the Clok
in the year 1785
[2 July 1785 fell on a Saturday.]

6 John McCaall [sic] Newton
was born the 4th day
of October on thrusday [sic]
nigt at nine of the
Colock in the year
1787

p 8

9 George Newton was
born the 27th day of
July 1793
on Sauterday
morning Sun about
had rose high

10 Nancey Mc Call Neuton
was born the 22^d
day of September in the
year 1794
on Monday Night
about Nine oClock

p 5

3 Ebenezer Newton was
born 22^d day of Novem
ber on wedday jus at dark
in the year 1780

4 Patsey Newton was
born the 4th day of
September on friday
Nigh at eight of the
Clock in the year
1783

[4 September 1783 fell on a Thursday]

7

7 Peggey Newton was
born the 19th of Octo
ber in the year 1789
on Monday morning
at Sunrise

8 Benjamin Junier Newton was
born the 28th day of
September in the
yere 1791
about two o'clock
on wensday

9

Sinthy Newton
was born on mon-
day night about
nine of the Clock
february the 12th
179[torn]

[If the day is correct, the year was 1798.]

Calvin Newton
he was born the
4th day of Septem
ber on a Friday m
orning about a our
before day 1801

[p. 10]

John Hoyle Sundries
dr to makeing one
pare of shoes at 3._

John Hoyle dr to
makkeing one pare

[bottom half of page]
John Ollafer Newton
was born the 20th day of
may on Sunday one of the
Clock in the year 1810

[Sixth line is illegible. A large X over the Hoyle entry indicates the account was settled.]

Parker Family Bible

Contributed by Jerry M. Van Duzer*

[The Holy Bible: Containing the Old and New Testaments; Translated out of the Original Tongue, and with the Former Translations Diligently Compared and Revised with Canne's Marginal References. Together with the Apochrypha and Concordance. To which are added, an Index, a Table of Texts, and, what has never before been added, an Account of the Lives and Martyrdom of the Apostles and Evangelists. With Plates. The text Corrected According to the Standard of the American Bible Society (Hartford: Silas Andrus, 1856.)]

MARRIAGES

J. L. Parker and Catharine Randolph Married Nov 6 1851

BIRTHS

William O. Parker the [sic] born Jan 26th 1806

DEATHS

William O. Parker the [sic] died Oct 24th 1861

BIRTHS

James L. Parker born Oct 4th 1818,

Catharine Randolph Jan 20th 1834

Catherine Jane August 16 1852

Lydia Ann born Aug 3rd 1854

Harriett Edith born Aprl 5th 1856

Florrence Emma born Nov 4th 1859

Lydia Jane June 16th 1869

DEATHS

James L. Parker February 11th 1890.

*Jerry M. Van Duzer; Post Office Box 196; Pine Bush, NY 12566, inherited the Parker family Bible.

Reviews

ELECTRONIC GUIDES

Finding Your Family on the Internet: The Ultimate Guide to Online Family History Research. By Michael Otterson. Published by Silverleaf Press; distributed by Independent Publishers Group; 814 North Franklin Street; Chicago, IL 60610; <http://www.ipgbook.com>; 2006. ISBN 1-933317-44-2. ix, 254 pp. Illustrations. Softbound. \$16.95.

Many books about online genealogical research claim to be the easiest and most helpful; this one meets those standards. The author's captivating first-person style draws readers directly into his sample computer demonstrations. The only hazard to using live Web sites as examples is the frequency with which their formats change, for which Otterson's advice is to "just follow the logical equivalent in screen prompts" (p. 81).

Each of seventeen chapters begins with an overview of what will be discussed. Boxed notes explain basic concepts for those unfamiliar with terminology or procedures. More experienced genealogists can skip or skim these and focus on the real-life examples given in step-by-step instructions. By using many of the same families in each chapter, the author demonstrates how to follow a research plan through several databases.

Although its title indicates an online theme, the book does not introduce the Internet until chapter 5, following basics in lineage-linked software, interview techniques, and source citations. Peppering the narrative with cautions against accepting information without referenced proof, the author explains the data necessary for a personal roadmap to the past. With basic information captured, Otterson guides the reader through the first steps in Internet research including the Social Security Death Index, census records (both images and deriva-

tive text), vital records, passenger lists, and collaborative and coordinated efforts. Throughout his discussions he describes the most inexpensive ways to achieve results.

Having lived in Australia, England, and the United States, Otterson makes a point of including foreign research. He offers chapters on England, Ireland, Scotland, and Wales, as well as Canada, Mexico, Central America, South America, Europe, and Australia. In the book's final chapters he urges researchers to put "meat on the bones" of ancestors by placing them within historical context. He also encourages personal journaling and discusses future developments related to the FamilySearch.org Web site.

This conversational instruction manual is good for classroom use and independent study. Screen captures show what readers should see on their computers when they follow the author's instructions. The introduction of sites, research methods, and terminology build upon previous chapters' information. Lacking are a glossary, Web-site bibliography, and index. Overall, this book is just what beginners need, and it is detailed enough for intermediate researchers to pick up tips, fill knowledge gaps, and develop good research practices.

Elissa Scalise Powell, CG
Wexford, Pennsylvania

Getting Started in Genealogy Online. By William Dollarhide. Published by Genealogical Publishing Company; 3600 Clipper Mill Road, Suite 260; Baltimore, MD 21211-1953; <http://www.genealogical.com>; 2006. ISBN 0-8063-1770-1. 64 pp. Forms, illustrations. Paperback. \$12.95.

Most genealogists are familiar with Dollarhide from his well-known manual on census maps. He enters the Internet age with a work about online research. The volume

targets novice genealogists for whom the Internet is the first source of information. Its sixty-four pages comprise a bare-bones approach that experienced researchers may find simplistic. For the most part, however, the author gives sound advice within these few pages to the uninitiated.

The work is arranged in five chapters. "How to Start" offers a basic methodology for beginning a research project using family interviews, death certificates, other death records, census records, "lookup" Web sites, and the Family History Library catalog. The section on census records describes basic sites, like those for Ancestry, FamilySearch, HeritageQuest, and NARA, but does not mention the USGenWeb site, a useful source for free record abstracts and images. The section on "lookup" sites describes the two major organizations—Ancestry and FamilySearch—that new Internet researchers turn to for databases of lineages and source records. This chapter advises identifying the piles of paper these online searches generate but not the need to cite sources in a meaningful way.

As a first step, "Where to Find More" wisely suggests searching for published sources on popular Internet sites like eBay and Google. Dollarhide also recommends using sites less known to beginners, for example, the Allen County Public Library and Godfrey Memorial Library. The list does not include sites like AbeBooks, Alibris, and Bookfinder, which offer excellent search engines for new and used books. Dollarhide suggests using compilation Web sites, such as Cyndi's List, Linkpendium, and Rootsweb, to locate online databases. The chapter also suggests—perhaps unwisely, but with appropriate warnings—online lineage-linked databases, including Ancestry's OneWorldTree, FamilySearch's pedigree resource and ancestral files, and the WorldConnect Project.

Perhaps the most useful chapter—"Genealogy Resource Centers in the States"—lists major genealogy resource centers by state with brief descriptions of their

collections and links to their Web sites. The list includes state libraries and archives, college and university libraries, and public libraries with large genealogical holdings—resources that beginners may not realize are available locally or in their state.

"Research Help for the Addicted" offers advice to those researchers at dead ends. It recommends continuing the search using professional researchers, genealogy magazines, online newsletters, and blogs, and it provides a useful "top twenty list" of books that most genealogists should own. The chapter mentions the Association of Professional Genealogists as a source for professional assistance, but the glaring omission of the Board for Certification of Genealogists may deprive otherwise unknowing readers of a valuable resource.

"Master Forms" provides samples of useful genealogical forms, including a generic "family data sheet"—for genealogical references of any kind, according to the author—pedigree chart, and family group sheet. The chapter should have included sample census forms, which are widely available.

Publishing a book on Internet research geared to genealogical newcomers who have not yet learned traditional research methods may seem presumptuous. Some may never discover those methods otherwise. The absence of a chapter on ethics is most regrettable. Beginners would greatly benefit from a discussion of Internet-related legal considerations, ethical behavior, and voluntary standards like those proposed by the National Genealogical Society.

Donald W. Moore, CG
Virginia Beach, Virginia

ETHNIC GUIDE

African Americans in Early North Carolina: A Documentary History. Compiled and edited by Alan D. Watson. Published by Historical Publications Section, North Carolina Office of Archives and History; 4622 Mail Service

Center; Raleigh, NC 27699-4622; <http://store.yahoo.com/nc-historical-publications/>; 2005. ISBN 0-86526-313-2. xiv, 200 pp. Index. Paperback. \$15.00 (shipping: \$6.00).

For about 120 years the State of North Carolina has been publishing its colonial records. In this volume Alan D. Watson, professor of history at the University of North Carolina at Wilmington, uses a wide variety of sources to document African American history in early North Carolina and provides background information on each selection.

Watson divides his discussion of enslaved and free African Americans in early North Carolina through the end of the eighteenth century into eight parts. "Slavery and Slave Trade" deals with the importation of slaves into colonial North Carolina and slavery's legal aspects. "Slaves: Property, Labor, and Emancipation" covers slave hiring and jobs, runaways, the gang or task system, and manumissions. In "Family" Watson maintains that slaves often retained their African names and had control of "naming of their children" as they attempted to form stable unions (p. 39). Some slave owners allowed their bondsmen to attend horse racing events or dances. The system of control necessary for the survival of the slave system is the focus of "The Slave Code," which covers events from 1715, when North Carolina enacted its first slave laws. Slaves were not allowed to travel without permission from their owners, nor could they hunt "with weapons and dogs except on the plantations of their owners" (p. 64). Interracial marriage was not allowed. Slaves demonstrated "Resistance to Slavery" in many ways, including running away, passing as free, or enlisting in the British army. Slaves who failed to comply with the law were subject to various types of "Discipline and Punishment" determined on the plantation or in the courts. Not all slaves resided and toiled on plantations. "Urban Slavery" shows how some lived and labored in towns, including some with considerable independence from their owners. "Free African Americans" reveals that some slaves

purchased their freedom, some free blacks manumitted their slaves, including family members, and "the offspring of interracial unions between unmarried white women (often indentured servants and apprentices) and black men, and the children of free African American women accounted for the preponderance of free blacks in the colony" (p. 150). The author also discusses the legal status of free blacks.

This is a good beginning book for students of early North Carolina African American history. Watson includes documents from county court and slave records, travel accounts, and newspapers. Although he provides a list of cited sources, a bibliography of the secondary literature on slavery and free blacks in the state would have been welcome. Family historians will find the book useful, not only for its historical content, but also for the individuals mentioned throughout.

Christopher A. Nordmann, Ph.D., CG
St. Louis, Missouri

FAMILY HISTORY

Descendants of Richard Coman of Salem, Massachusetts, and Providence, Rhode Island. By Shirley Louise Purtell Beckel; edited by Helen Schatvet Ullmann. Published by Newbury Street Press; 2006. Order from Picton Press; Post Office Box 1347; Rockland, ME 04841; sales@pictonpress.com. ISBN 0-88082-196-5. x, 869 pp. Index. Hardbound. \$60.00 (shipping: \$4.50).

This well-executed publication traces the descendants of Richard Coman, who died in Providence, Rhode Island, on 18 July 1716. Richard Coman, or Comer, was married twice, first at Marblehead, Massachusetts, to Martha (née Gilbert) Rewe on 25 October 1683. He married his second wife, Elizabeth (née Dynn) Callum or Kallum, at Salem, Massachusetts, on 4 February 1692/3. Richard and Martha had one child,

a daughter, Mary Comer, who married Robert Westgate; they had no known children. Richard and Elizabeth had five children, including a daughter, Elizabeth, who married but had no children. Their four sons, however, all married and had children, and those descendants are treated here.

The genealogies are well researched and well documented with footnoted source citations. The book presents eight generations of descendants from the immigrant, Richard, with each generation in a separate chapter. (In an unfortunate error, the running header for the seventh generation chapter is erroneously titled "Fourth Generation.") The generations are given in *Register* format, making navigation up and down the family simple and intuitive.

As we have come to expect—and appreciate—in today's genealogical works, each family receives extensive biographical treatment, to the extent successful research permits. Original sources include census, probate, land, cemetery, and vital records. The author also used derivative sources, including published works and the ubiquitous IGI. Beckel's natural and flowing writing style makes for pleasant reading. The author identifies conflicting information, and she usually provides some analysis to explain her conclusions.

Each married daughter is carried forward for one generation, with a full biographical treatment and list of any children. These children, however, are not carried further. Consequently, most of the families throughout the book carry the surname "Coman" or variants like "Coomer."

Biographies of the first two generations include reproductions of signatures, an interesting way to illustrate early generations before the advent of photography. Unfortunately—yet understandably, given the book's scope—that practice was not continued into the later generations. The book has no other illustrations.

Beckel concludes her presentation with an extensive bibliography and an every-name

personal index. Married women appear once under their maiden names and once under each married name. Bolding indicates the primary entry for individuals mentioned on multiple pages. Places and subjects are not indexed.

The author and editor have served Coman researchers well. Researchers of other families will appreciate the excellent role model.

Ted Steele
St. Louis, Missouri

GENERAL GUIDE

Courthouse Indexes Illustrated. By Christine Rose. Published by CR Publications; 1474 Montelegre Drive; San Jose, CA 95120-4831; <http://www.Christine4Rose.com>; 2006. ISBN 0-929626-17-6. 58 pp. Illustrations, index. Paperback. \$9.95 (shipping: \$2.50).

The word "Indexes" in the title might suggest lists of items, generally names and key words, arranged in strict alphabetical order. Courthouse indexes, however, may be quite different. Researchers viewing records at a courthouse or court records on microfilm will encounter a variety of indexing systems.

The proverbial saying "great things come in small packages" aptly describes *Courthouse Indexes Illustrated*. Fifty-six pages of this small book contain a trove of information regarding the ten most common types of courthouse indexes, numerous variations, and their uses. Rose provides simple, logical explanations of complex indexing systems, including a variety of Cott, Russell, Graves, and Stark indexes. Ample illustrations enhance step-by-step explanations. Readers who incorporate Rose's advice into their research will benefit optimally from courthouse indexes. Rose suggests, "After reading this, it may be a good idea to return to some of those indexes you used years ago, and give them another try" (p. xi). Serious

genealogical researchers and family historians will want to have the volume at hand when researching courthouse records.

Linda Woodward Geiger, CG, CGL
Jasper, Georgia

INTERNATIONAL WORK

Tracing Ancestors in Barbados: A Practical Guide. By Geraldine Lane. Published by Genealogical Publishing Company; 3600 Clipper Mill Road, Suite 260; Baltimore, MD 21211; <http://www.genealogical.com>; 2006. ISBN 0-8063-1765-5. xvi, 155 pp. Appendixes, illustrations, index, maps. Paperback. \$18.95.

For much of the seventeenth century Barbados was England's largest and richest colony. After sugar cultivation was introduced, thousands of Europeans came for quick wealth, and they imported many thousands more white indentured servants and enslaved Africans. Many eventually left the island for better opportunities elsewhere, some taking their slaves with them. Today, many people tracing early colonial families in North America and the British West Indies must look to Barbados before pursuing their lines across the Atlantic.

Despite the danger to records posed by tropical conditions and occasional hurricanes, Barbados has a wealth of records for family historians. Unfortunately, most have not been microfilmed and must be used on site. Lane's book is a good practical guide for using the local repositories and for accessing material from the Family History Library. Coverage of time periods and racial groups is broad.

This book briefly covers published sources, includes a chronology of the colony, and offers in-depth discussions of church records, particularly the Anglican parochial registers. Chapters cover cemeteries, censuses, deeds, immigration and emigration, maps, military records, newspapers and directories, plantation sources, slave records, and wills and

estates. While most genealogical materials are covered, court records are omitted. This guide nevertheless includes many sources that genealogists often overlook.

While this guide is an excellent basic introduction to tracing families in Barbados, it is not a comprehensive manual for Barbadian research. Almost no space is devoted to original records relating to Barbados that are held in other countries. Lane notes that she did not want to duplicate material covered in Guy Grannum's *Tracing Your West Indian Ancestors* (Surrey, U.K.: Public Record Office, 2002), however that work primarily discusses records held by The National Archives in Great Britain. Many other manuscript collections in Britain, Ireland, and North America house important Barbadian research material. This book also omits much of the published literature concerning Barbadian history and some source material.

The subtitle of the book states that it is a practical guide, and it fulfills that promise. It fills a need for information about locally held Barbadian records; however, astute genealogists will supplement this guide with other references.

Jeffrey L. Haines, CG
Rural Hall, North Carolina

MISCELLANEOUS

Emigration From the United Kingdom to America: Lists of Passengers Arriving at U.S. Ports, vol. 1, *January 1870–June 1870*. Edited by Ira A. Glazier. Published by The Scarecrow Press; 4501 Forbes Boulevard, Suite 200; Lanham, MD 20706; <http://www.scarecrowpress.com>; 2006. ISBN 13-978-0-8108-5782-7. xxviii, 457 pp. Index, tables. Hardbound. \$90.00.

This is the first volume in a new series by Dr. Ira A. Glazier, whose previous works include *The Famine Immigrants*, *Germans to America*, *Italians to America*, and *Russians to*

America. The lists in this book come from a database of original passenger arrival records formerly at the Balch Institute for Ethnic Studies in Philadelphia, Pennsylvania, and now housed at the National Archives, Northeast Region, in New York City. Apparently the database was produced for statistical purposes, and entries were later extracted for genealogists' use.

The title implies that the series covers all United States ports, but the introduction states that it includes only English, Welsh, Scottish, and Irish passengers arriving at New York (p. v). Except for some American passengers, shipmates from other countries are not included.

The editor arranges lists for individual ships chronologically by arrival date and provides a personal name index. Passenger data appear in the columnar format that Glazier used in his previous publications. Each passenger's entry includes name, age, sex, and codes for occupation, country, village, and destination. The introduction provides keys to the codes for occupation, destination, and country, but it does not explain the contents of the columns. Readers may have to guess, for example, why columns labeled "VIL" show "ZZZZ" for most passengers, some infants' ages are listed as "00" and others are listed with preceding decimal points, and the country of origin column is labeled "PRV."

Glazier arranges passengers' names alphabetically. This reorganization groups together unrelated persons sharing a surname and separates traveling companions whose surnames differ. Husbands, wives, children, and relatives traveling together appear not as a family group, but in alphabetical order by given name. Unsuspecting researchers could be misled and miss important clues to relationship. Careful genealogists will always consult the corresponding microfilmed passenger arrival list.

Several ship arrivals are inexplicably missing from this volume, each carrying hundreds of passengers from the United

Kingdom. Lists are absent for the *Manhattan* (14 February 1870), *Calabria* (6 April 1870), and *City of Paris* (24 May 1870). Curiously, the names of German passengers from these arrivals are in the corresponding volume of *Germans to America* (vol. 24, pp. 22, 73, and 206, respectively), indicating the original lists were available and legible to the database compilers.

Dr. Glazier, currently director of the Center for Castle Garden Immigration at the Battery Conservancy in New York, developed an online database of passengers who arrived at the port of New York between 1820 and 1892. The database (at <http://www.castlegarden.org>) is apparently derived from the same body of information as Dr. Glazier's books, and it includes the same problems. For example, German passengers from the three arrivals mentioned above appear in the online database, but hundreds of passengers from the United Kingdom arriving at the same time on those same ships do not.

Until recently no comprehensive index to passenger arrival records for the port of New York covered 1847 through 1897, and Dr. Glazier's publications—although flawed—offered a welcome solution. No index or publication is perfect but, as additional options become available (for example, Ancestry.com's "New York Passenger Lists, 1820–1957"), genealogists will undoubtedly choose those prepared with their needs in mind. Unfortunately, Dr. Glazier's unexplained omission of hundreds of passengers and his alphabetizing of names are serious enough to turn this reviewer's eye elsewhere.

Laura DeGrazia, CG
Wantagh, New York

REGIONAL WORKS

Opening the Ozarks: First Families in Southwest Missouri, 1835–1839. 4 vols. By Marsha Hoffman Rising. Published by American Society of Genealogists; Post

Office Box 1515; Derry, NH 03038-1515; 2005. ISBN 1-59975-350-2. xcviii, 2963 pp. Appendix, bibliography, illustrations, index, maps. Hardback. \$189.95 (shipping: \$5.95.)

This four-volume series is the culmination of sixteen years of research. It is based on the hypothesis that one can determine a pioneer's origin by studying his neighbors and associates. Ms. Rising identified the origins of 854 of the first 1,000 Missouri pioneers who purchased land from the Springfield land office between June 1835 and March 1839.

Volume one is the series linchpin, containing information needed to understand what follows. Besides the table of contents and extensive bibliography, it has a detailed introduction, including a concise overview of southwest Missouri history. Rising also explains her research methodology.

Alphabetically, the author provides biographical sketches of pioneers who forged their way into Missouri and descriptions of their land. This work provides invaluable details, sources, and clues. Many of the settlers came along the southern migration path of Kentucky, Tennessee, the Carolinas, and Virginia. Also included is information on settlers from Indiana, Ohio, Pennsylvania, and New England, and immigrants from Canada, England, Ireland, and elsewhere.

The pioneers' land purchases cover four years, but the sheer number of individuals made the research difficult to manage. The author gleaned information from numerous sources, some properly documented, and others undocumented.

Rising should be congratulated on locating the origins of so many of those first one thousand purchasers. Researchers interested in even one of them will appreciate the information and clues to extend their research.

Patricia Walls Stamm, CG, CGL
St. Louis, Missouri

Order of First Families of North Carolina—Registry of Ancestors, vol. 1. By John

Anderson Brayton. Published by the author; 1503 Union Avenue, Suite 205; Memphis, TN 38104; 2005. xxx, 666 pp. Bibliography, indexes. Paperback. \$30.00.

Compared with other colonial states, North Carolina suffers from a dearth of published genealogical compendia. Few published origin studies exist for early Tarheel families, and until recently few scholarly family histories and case studies relating to early Carolina could be found. (The *North Carolina Genealogical Society Journal* began encouraging such submissions in 2006.) The present volume helps fill some of these needs.

The Order of the First Families of North Carolina is a lineage society. Members descend from residents who lived there on or before 12 July 1729, when North Carolina became a royal colony. As the title states, this book is the beginning of a registry of ancestors—individuals whose descendants qualify for membership in the society. It is also much more. Some of the sketches include extensive biographical material and a discussion of origins. Many descents are traced to the fourth generation, though often only through lines that produced member descendants. After the fourth generation, only single-line descents are shown to each member.

The discussions are based on evidence from original documents and reliable derivative sources. The author provides cogent analyses of evidence from less reliable sources and of problems encountered. This volume provides an excellent summary of current scholarship for each family covered. It is not comprehensive, however. Lines that do not lead to members of the society may not be followed at all, even if they produced many descendants. Some of the biographical discussions are limited to data relevant to proving the lineage. As with any compendium, new material may become available. A proposed origin for John Alston appeared in print about the time this volume was pub-

lished. See David L. Kent, "English Origins of the Alston Family of the Carolinas," in *South Carolina Magazine of Ancestral Research* 34 (Spring 2006): 63–68.

The book is handsomely produced. The names of qualifying ancestors and member descendants, printed in red, are easy to distinguish. Separate indexes list personal names, locations, and slaves. Many proof documents are transcribed. Readers should study the introduction carefully, as it includes explanatory material relating to difficulties encountered for each ancestral family.

A list of all of the current qualifying ancestors for the society would have been helpful. The criterion for an ancestor's inclusion in this first volume was the number of member descendants. Readers unfamiliar with the society have no way of knowing whether their ancestors may be covered in future issues.

This book serves its purpose well. It is useful to any student of colonial North Carolina genealogy.

Jeffrey L. Haines, CG

Rural Hall, North Carolina

Records of the Moravians in North Carolina, vol. 13, 1867–1876. Edited by C. Daniel Crews and Lisa D. Bailey. Published by Historical Publications Section, North Carolina Office of Archives and History; 4622 Mail Service Center; Raleigh, NC 27699-4622; <http://store.yahoo.com/nc-historical-publications/>; 2006. ISBN 0-86526-324-8. v, 564 pp. (numbering begins in vol. 1). Appendixes, illustrations, index, map. Hardbound. \$40.00 (shipping: \$10.00).

Another gift comes from the remarkable Moravian Archives. The records open with briefs of world events, followed by annual summaries of congregational life and ministerial diaries. Appendixes include statistics of the eleven Moravian congregations, Salem

lot sales, births, marriages, and deaths, and a map of Winston and Salem. A thorough index gives names, places, and subjects.

The editing is sensitive; reactions to events and personalities stand as originally recorded. Naturally, content focuses on church affairs and evolving traditions: the right hand of fellowship replacing communion kisses because of fear of smallpox, moving from German to English services, discontinuing seating separations of sexes and families, omitting uninvited strangers from "love-feast" services. Accounts of Thanksgiving, Fourth of July, "disarrangement of money matters in the South" (p. 6783), opening Salem lots to Negroes, a rising temperance movement, and the railroad's arrival supply historical perspective. Modern trends of card playing, dancing, abominable tobacco spitting by both sexes, a wedding with six groomsmen and bridesmaids, marital separations, and lotteries are viewed uneasily and accompanied by continuing pessimism about the younger generation. "Tempora mutantur [times change], but not always for the better" (p. 6818).

The diaries' pure humanness is a pleasure. Each scribe's rhythm is preserved—allowing an acquaintanceship—and some become favorites. Moravian kinship is not needed to connect to these expressions of joy, grief, fatigue, exasperation (*dummen Leute* [stupid people]), or Isaac Prince's rueful assessment: "The commentary I have to make on my housekeeping experiment so far is: 1, it is not good for man to be alone; 2, ministers should not serve tables if they can help it. Reflections: Ladies who engage in housekeeping, especially cooking, should have the warm sympathy of the other sex" (p. 6932).

Only volume 12 of the earlier publications is still in print. We are promised at least one more volume.

Kathy Gunter Sullivan, CG

Charlotte, North Carolina

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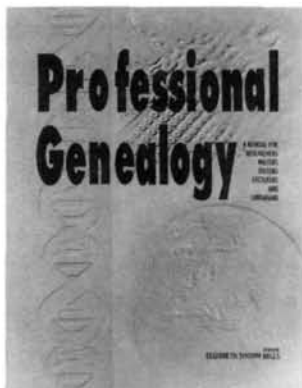
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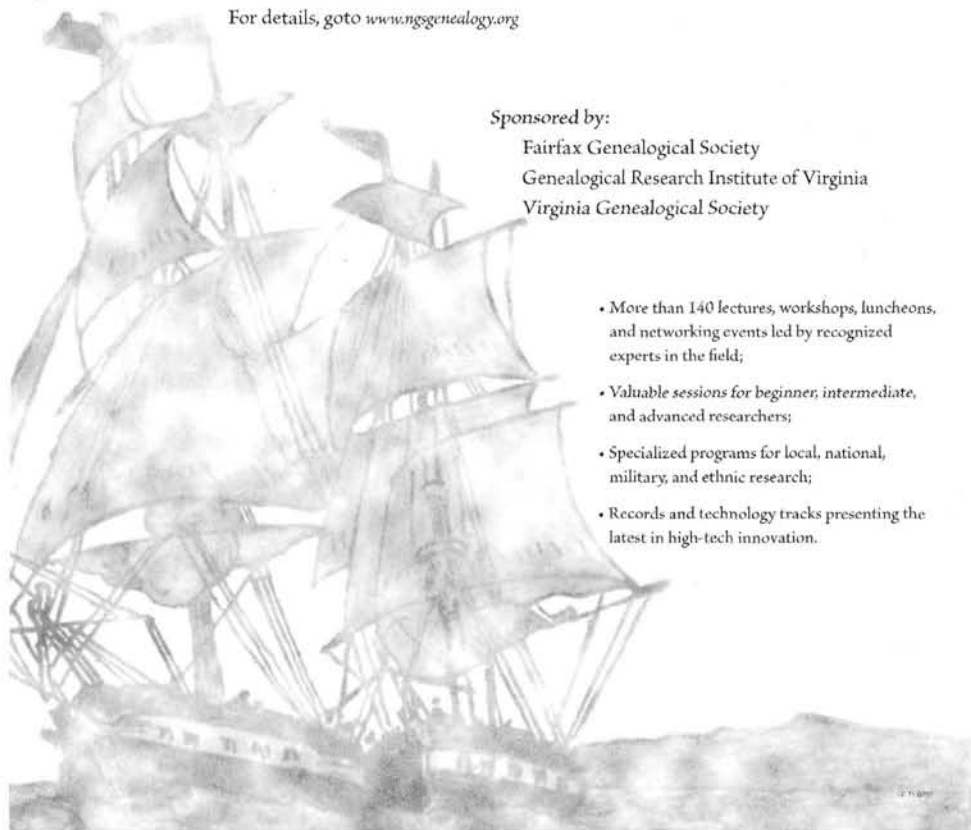
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National Genealogical Society Quarterly



Volume 95, No. 2, June 2007

The
National Genealogical Society

presents . . .

Faces of America

On the Cover:

CAROLINE AUGUSTA WRIGHT, circa 1852

Caroline looks every inch the daughter of a prosperous New York City dry goods merchant. Her bonnet, hair, sleeves, ermine cuffs, and black leather gloves proclaim her to be a young woman of means. Such details help date her sixth-plate daguerreotype almost a century and a half after it was taken. Merchant Edward Augustus Wright (1803–1880) kept a shop in the city as early as 1835. Daughter Caroline lived with him in New York City's Seventh Ward until his death. With her unmarried brother Edward Jr., she moved to Fanwood, Union County, New Jersey, where she died 16 September 1911 in her eighty-first year.

Identifying subjects in daguerreotypes is challenging because the hard plate is difficult to mark with ink or pencil. Fortunately, in this instance a paper resting in the case labels the sitter: "Caroline A. Wright (Carrie) Daughter of Edward A. Wright + Mary Nelson Wright." The handwriting and characteristics of the ink and pen suggest that a contemporary, if not Caroline herself, wrote the caption.

Engraved on the bottom of the plain elliptical brass matte is "J. BRILL 204 Chatham Squ." Julius Brill's studio was active 1852–60 and located just outside the Seventh Ward, in today's Chinatown. Tarnishing on the plate closely matches the matte opening, suggesting the matte, of a type widely used from the late 1840s into the 1850s, is original. Modern archival tape—used to seal the plate, matte, and glass—is visible on the back of the plate. Covered in front by a narrow brass protector strip, it indicates the piece had been opened at least once.

Caroline's face is serene and unlined; she might be in her late teens or early twenties. Light rouge has been applied to the image on her face, wide bow, and sashes. Her eyes show a lively intelligence, undimmed by the long, motionless sitting time typically required for daguerreotypes. No steadying neck brace is visible, but one may have been used. The lighting, usually sunlight admitted through a skylight and controlled using mirrors or reflectors, is superb. No backdrop is visible.

Caroline's low-brimmed bonnet, with flowers below the cheekbones supporting "winged" hair, and exceptionally wide bow were fashions of the late 1840s. In the 1850s this would be yesterday's finery, but finery nonetheless. Her apparent age helps date this image to about 1852.

Credits:

Jim Luedke, jimlue@gis.net, lives in Boston and has collected nineteenth-century hand-held-size photographs, especially portraits, for thirty years. He is a member of the Boston Camera Club and Photographic Historical Society of New England. Documentation of the Wright family is in the files of Melinde Lutz Sanborn, FASG; melinde44@comcast.net.

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EDITORS' CORNER ---

A New "Lost Generation"?

In the ancient world "even to the ten-thousandth generation" meant eternity. After burning historical books in the second century BCE, the "First August Emperor" of China decreed that every succeeding ruler be numbered—second, third, fourth, even to the ten-thousandth generation. Numbering alone does not preserve a lineage. Every generation must create, conserve, and allow access to records.

Most generations forget their ancestors. In this issue, author Robert Hoagland recounts "Mister West's" near brush with oblivion when his family split. Similarly, Ronald Hill tells of a collection of letters, carefully preserved—but not carefully enough. William Lichtman widens a search before drilling down to one particular John Bradberry. Thomas Burgess scrubs lichen off a gravestone to find Mercy.

History treated the subjects of two other articles more kindly. John Bush was on his way to becoming an historical cipher when a fellow prisoner put his name in the newspaper. Cornelius McDermott Roe, who rose from obscurity and touched greatness, found the spotlight in George Washington's published diaries and correspondence.

Access restrictions, an ancestral population of unprecedented size and complexity, and evolving electronic

formats and sources, including biological evidence, will challenge future family historians. Like genealogists struggling to close earlier gaps, future researchers may find it difficult to bridge early twenty-first century records. Today's generations could be lost. Documenting them will require new knowledge, skills, and ethics.

More than ever Canada and the United States are immigrant nations. A half century after Ellis Island closed, orderly comings and goings seem exceptional. Capturing knowledge from those who remember ancestors will help spare descendants of today's African, Asian, Latin American, Middle Eastern, and former Soviet-bloc immigrants the loss experienced by many descendants of earlier immigrants. The skills needed to publish quality family histories will lay a firm foundation.

More than two thousand years ago an emperor imagined a dynasty extending unbroken to the ten-thousandth generation. The more modest goal of preserving what is known deserves as sweeping a vision and immediate attention.

—Thomas W. Jones
and Melinde Lutz Sanborn
NGSQ, JUNE 2007

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John Bush of Shrewsbury, Massachusetts: Master Horn Carver

By Charles W. Thayer, Ph.D., and Melinde Lutz Sanborn, FASG

Connecting one person to masterfully engraved powder horns from the mid-1700s would seem impossible. Nonetheless, interdependent pieces of evidence—including a poignant letter from the artist's father—reveal the carver's identity, his uncommon heritage, and the dramatic story of his capture in the French and Indian War.

Connoisseurs judge graceful copperplate calligraphy on a group of powder horns carved from 1748 to 1757 to be among the finest examples of an early American art form.¹ Collectors attribute the work to John Bush.² See table 1. Direct evidence of the carver's identity is elusive, however. Recent scholarship demonstrates that other artists carved powder horns once credited to Bush.³ Conversely, several horns from the mid-1740s have been credibly added to the group.⁴ Two key questions surround their carver's identity:

- Is John Bush's identification as the artist plausible?
- If John Bush was the carver, who was he? At least three soldiers of that name served in areas and years consistent with the carving of Bush-attributed horns.

© Charles W. Thayer, Ph.D.; charleswthayer@comcast.net; and Melinde Lutz Sanborn, FASG; melinde44@comcast.net. Dr. Thayer holds four degrees from Dartmouth and Yale and is a professor emeritus at the University of Pennsylvania. He pursues history of eighteenth-century New England and New France, especially their arms, accoutrements, and folk art. Ms. Sanborn, author of "Angola and Elizabeth: An African Family in the Massachusetts Bay Colony," *New England Quarterly* 72 (March 1999): 119–29, and numerous other works about African Americans in New England, edits the *New Hampshire Genealogical Record* and *NGS Quarterly*. Like all *NGS Quarterly* submissions, the original essay passed double-blind critiques prior to acceptance. Thomas W. Jones, Ph.D., CG, CGL, edited the article.

1. William H. Guthman, *Drums A'Beating, Trumpets Sounding: Artistically Carved Powder Horns in the Provincial Manner, 1746–1781* (Hartford: Connecticut Historical Society, 1993), 37–38.

2. Rufus A. Grider, "Powder Horns: Their History and Use," *The New-York Historical Society Quarterly Bulletin* 15 (April 1931): 3–24.

3. Lee A. Larkin, "A Case for Mistaken Attribution: Findings of a Study of the Engraving on the Powder Horns Attributed to John Bush," paper presented at the Honourable Company of Horners meeting, Conner Prairie, Ind., 8 April 2000.

4. Charles W. Thayer and Melinde Lutz Sanborn, "The World of John Bush: Origin of an Indigenous American Art Form," paper presented at the Honourable Company of Horners meeting, Deerfield, Mass., 2 March 2007.

Table 1
Carved Powder Horns Attributed to John Bush

ORIGINAL OWNER	DATE OF CARVING	PLACE OF CARVING
Andrew Gardner	1748–9 (estimated)	Probably the fort at No. 4
Fairbank Moor	1749 (estimated)	Probably Fort Dummer
William Williams	Unknown	Unknown
Thomas Williams	Reportedly 1755	Reportedly Lake George
John Magherd	1756	Unknown
Jonathan Ogden	24 February 1756	Fort William Henry
Robert Rodgers	3 June 1756	Fort William Henry
Gershom Burbank	3 November 1756	Fort William Henry
Ebenezer Knap	5 November 1756	Fort William Henry

Note: Attribution to one carver is based on characteristics of the engravings. The only appearance of John Bush's name as carver is in a sketch of the missing Thomas Williams horn. Another artist apparently added Bush's name and the year and place of carving. Otherwise, the original artist engraved the above dates and places on each horn. Estimates of dates and places come from muster rolls. See text for citations.

POWDER HORNS

Most British regulars properly equipped to battle the French and Indians carried gunpowder in a box of laboriously rolled paper cartridges belted around the waist. Provincial troops and British light infantry loaded their muskets with balls and powder from a horn strapped across the body and over the shoulder. Some horns were likely salvaged from cattle used to feed the army, while others were sold in quantities for commanders to distribute to soldiers.

Although horn is easier to engrave than the whales' teeth that became popular "canvases" for scrimshaw in the 1800s, the earliest decorated American horns were crudely carved. Those bearing dates as early as the 1720s and 1730s are of dubious authenticity. In 1746 John Dodd presumably set a precedent by meticulously carving his own powder horn, perhaps the first use of this American art form. Dodd, a clerk in Capt. Melvin's company at the fort at No. 4 on the Connecticut River, was killed in an ambush in spring 1748.⁵ Characteristics of unsigned horn carvings enable collectors to identify works by the same man, even if his name is unknown. For an example of an unsigned horn, see figure 1.

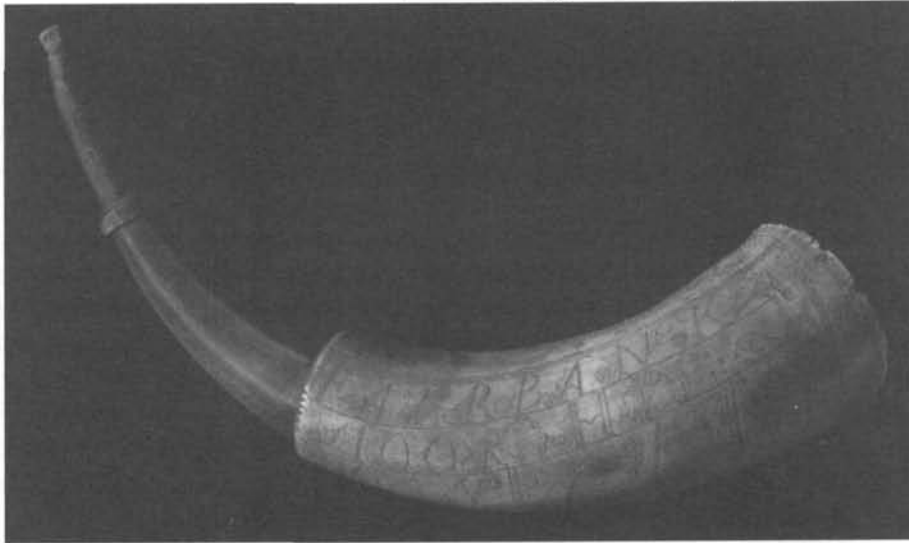
BUSH-ATTRIBUTED HORNS

Of the nine horns engraved for Massachusetts soldiers in 1748 through 1757 and credited to Bush, only one bore his name. This horn, made for Thomas Williams, was last seen in the hands of Thomas's great-grandson, James B.

5. John Dodd entry, muster roll, Massachusetts Archives collection, 1603–1799, disbound papers, 92:70, Massachusetts Commonwealth Archives, Dorchester.

Figure 1

Fairbank Moor Powder Horn, with Carving Attributed to John Bush



Note: The horn, carved probably in 1749, is from the collection of Charles W. Thayer, Ph.D., charleswthayer@comcast.net. Photograph by Dr. Thayer.

Williams of Rochester, New York, in September 1888. Local artist George H. Harris sketched it for Rufus Alexander Grider, a Canajoharie, New York, public school art teacher. Grider subsequently published the drawing, with those of other horns.⁶ No photo is known.

Powder horn carvings are admired for their maps of forts and settlements, popular verses, and intricate designs.⁷ The Thomas Williams horn bore two verses:

*When Bows and weighty Spears were us'd in Fight,
'twere nervous Limbs Declar'd a man of might.
But Now, Gun 'powder Scorns such Strength to own
And heroes not by Limbs but Souls are shown.
W.A.R. Thomas Williams*

This Horn Was made at Lake George The Battle 8th of Sep^r A. D. 1755.

*I Powder, with my brother ball
I'm hero Like, I Conker all.*

*John Bush Fecit.*⁸

6. Grider, "Powder Horns: Their History and Use," 3-24.

7. W. M. Beauchamp, "Rhymes from Old Powder-Horns," *The Journal of American Folklore* 2 (April-June 1889): 117-22.

8. "W.A.R.," indicating the word "war," was common on horns carved at this time. "John Bush Fecit" is Latin for "John Bush made it."

The sentence containing the date is atypical for the 1750s, when the word “was” would not have been used. No other Bush-attributed horns contain the sentence “This horn was made at . . .” Those of the 1740s have only the owner’s name. The 1750s horns provide date and place. Perhaps Bush made the Thomas Williams horn before he began including date and location, and another carver added the lines with the date and Bush’s name. The horn of William Williams, nephew and medical protégé of Thomas Williams, is attributed to Bush.⁹ Perhaps acting on a Williams family tradition that Bush had carved an ancestor’s horn, a descendant engraved the name on the wrong horn. In any case, the original artist apparently did not sign his horns.

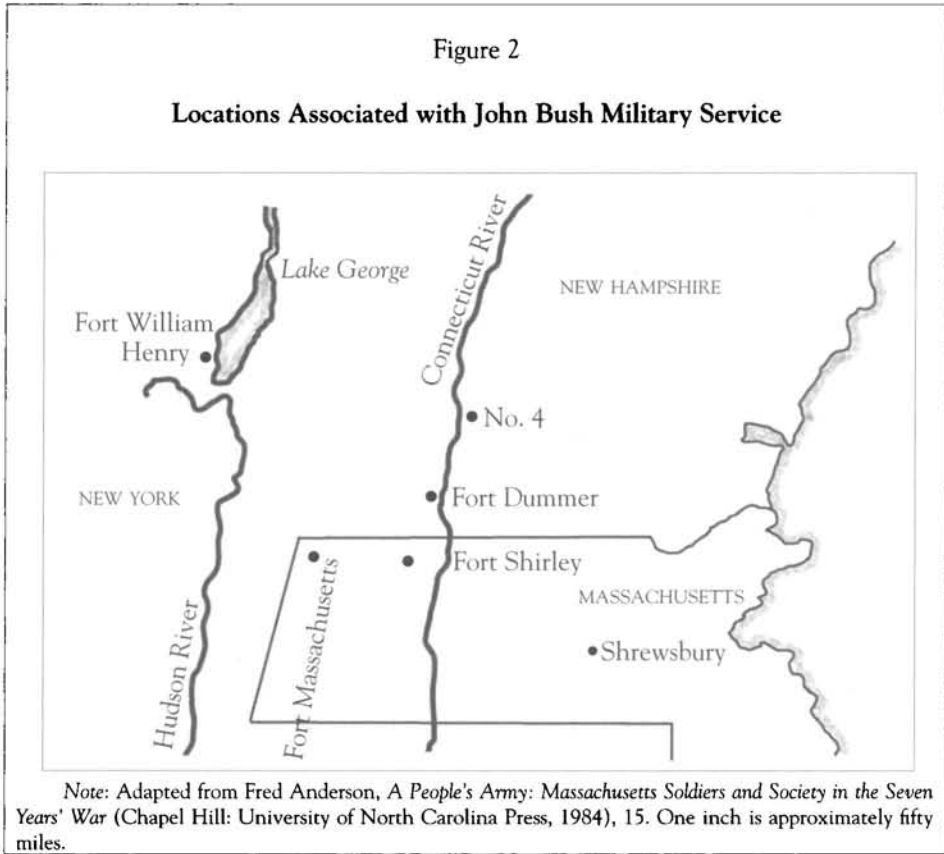
Features of the work—whoever the original carver was—resemble examples in copybooks and suggest a clerk’s training. They include copperplate lettering, elaborate borders, rows, columns, flourishes, knots, and lines connecting unlike motifs. The artist executed tight curves as a series of short, straight segments. They reveal he used a small penknife—a tool clerks needed to trim pens—rather than a graver. For an example of a Bush-carved horn, see figure 1. As table 1 shows, the carver was stationed probably at No. 4 in 1748–49, Fort Dummer in 1749, Fort William Henry or another fort in the Lake George area in 1755, and Fort William Henry in 1756. For these locations, see figure 2.

Military Clues

More than thirty John Bush service records mask a complicated series of interwoven events and interests. The dating is not completely straightforward. Overlapping service dates for one John Bush require explanation. Lieutenant John Catlin’s roll reports Bush’s service at Fort Shirley for 10 December 1747 to 10 June 1748.¹⁰ Catlin noted times for entering or leaving service for most soldiers on the list, but not for Bush, who could have been one of those “Enlisted for other Forts.” That column, however, also lacks an entry for him. This roll is docketed “presented per Collo. Williams,” so it seems Catlin did not include times for Bush and others on his roll because he knew that Colonel Stoddard, who also substituted for Williams at Fort Shirley, had already included those men on his roll. Catlin’s and Stoddard’s rolls end with June 10, and Williams’s roll starts the next day. The three officers evidently coordinated their reporting to eliminate double counting—and double pay. Despite the complications, patterns of service for Massachusetts men named John Bush can be constructed if two assumptions are accepted:

9. Larkin, “A Case for Mistaken Attribution.”

10. John Bush entry, muster roll, Massachusetts Archives 92:96.



1. The same man returned to the same location to serve with the same officers and men.
2. Service records ending within two days of the commencement of a service record at a nearby location refer to the same man, allowing for travel and clerical error.

Short intervals of noncontinuous service are typical of heads of household, especially tradesmen or business owners. In contrast, young bachelors without established careers, attracted to the army by bounties and steady employment, served longer and more frequently.¹¹ Apparently one John Bush had the following service under Ephraim Williams at Fort Massachusetts, near the colony's northwestern corner, where no known Bush horns were carved:

11. Fred Anderson, personal communication to authors, remarks based on his dissertation data, presented at "Steal Not This Horn" symposium, Deerfield, Mass., November 2006. For the dissertation, see Fred Anderson, *A People's Army: Massachusetts Soldiers and Society in the Seven Years' War* (Chapel Hill: University of North Carolina Press, 1984).

- 27 October–18 November 1747
- 1 April–10 September 1748
- 11 September 1748–11 March 1748/9
- 12 March 1748/9–22 June 1749
- 3 June–10 August 1751
- 3 October 1754–28 March 1755
- 29 March–16 June 1755¹²

Although this John Bush served through the winters of 1748–49 and 1754–55, his service pattern suggests he was married.

The earliest Bush-attributed horns probably were carved during the latter part of King George's War, 1740–48, and immediately afterward.¹³ See table 1. At this time a second John Bush served almost continuously—as many young bachelors did—in several locations:

- 10 December 1747–10 June 1748, “of Shrewsbury,” under John Catlin at Fort Shirley
- 11 June–31 October 1748, under Israel Williams at Fort Shirley
- 1 November–27 November 1748, under Israel Williams at Fort Shirley
- 23 December 1748–13 April 1749, under Phineas Stevens at No. 4
- 14 April–28 June 1749, under Phineas Stevens at No. 4 and Northfield
- 26 June–17 July 1749, under Josiah Willard at Fort Dummer
- 18 July–15 October 1749, under John Catlin at Ashuelot and Northfield¹⁴

Tiny garrisons—of ten to forty men—were typical in the 1740s. In this small population, owners of the earliest known Bush-attributed horns served simultaneously with the above John Bush:

- Two Andrew Gardners served at No. 4 in spring 1749. Decorated with four fish, the Gardner horn's design is consistent with Rev. Gardner's position as chaplain at the fort. Yet, this deeply worn horn was carried probably throughout the more strenuous service of private Andrew Gardner Jr.¹⁵
- Fairbank Moor's service overlapped that of John Bush at Fort Dummer.¹⁶ The horn, shown in figure 1, retains its original red wash and unlike most Bush-

12. John Bush entries, muster rolls, Massachusetts Archives 92:70, 142, and 197 and 93:38, 75, 155, and 173.

13. While either horn could have been carved in the 1750s, the suspension system (four holes in the horn body instead of the projecting lobe) and layout argue for origin during King George's War. See Thayer and Sanborn, “The World of John Bush.”

14. John Bush entries, muster rolls, Massachusetts Archives 92:96, 171, 182, and 201; 93:29–30, and 36; 94:221 and 464; and 95:94, 189, and 389.

15. John Bush and Andrew Gardner entries, muster roll, company of Capt. Thomas Stevens, Massachusetts Archives 93:30.

16. John Bush and Fairbank Moor entries, muster roll, regiment of Col. Josiah Willard, Massachusetts Archives 93:36.

attributed horns, both sides were engraved. Later horns were ornamented only on the area visible when soldiers wore them.¹⁷

Most Bush-attributed horns were carved for Massachusetts soldiers in 1756, during the French and Indian War at Fort William Henry, near Lake George. Except for records lost at the 1757 defeat, Massachusetts military muster rolls for this period are reasonably complete. The only John Bush mustered at Fort William Henry in 1756 had served since November 1755:

- 27 November 1755–14 March 1756, under Major James House¹⁸
- 14 March–29 November 1756, “centinel” (a private), age thirty, under Joseph Ingersoll, “out of the Forces that tarried the Winter” at Fort William Henry¹⁹
- 10 October 1756, “clerk,” under Joseph Ingersoll²⁰
- 14 March 1756–29 November 1756, “clerk,” from “St. Borough,” under Joseph Ingersoll²¹

The 1756 clerk wrote in a clear copperplate hand. See figure 3.

John Bush apparently spent the winter of 1755 in House’s company of Dwight’s regiment. By 23 March 1756 he had decided to change units.²² Such moves were rare even among soldiers who wintered at home (although it happened on a massive scale when word leaked about a Connecticut regiment destined for disease-ridden Havana).²³ An opportunity to be a clerk was worth the trouble of transferring—only commissioned officers received more pay.

In 1756 Captain Ingersoll purchased “50 knapsacks & bullet pouches” for three shillings each and “50 powder horns” for one shilling each.²⁴ They provided plenty of blanks for the horn carver.

Muster rolls do not link the 1756 John Bush to either of the 1740s John Bushes. Two details, however, make a connection. Catlin’s 1747–48 list gives Bush’s residence as Shrewsbury and Ingersoll’s 1756 entry gives an age, thirty years. As will be seen, that age matches that of a John Bush in Shrewsbury and no other known John Bush.

17. James R. Johnston, *Accoutrements II* (Ashley, Ohio: Golden Age Arms Co., ca. 1990), 157.

18. John Bush entry, muster roll, Massachusetts Archives 94:221.

19. *Ibid.*, 94:389.

20. *Ibid.*, 94:464.

21. *Ibid.*, 95:189. St. Borough appears to be an abbreviation for Southborough, rather than Shrewsbury. No other known record connects any John Bush to Southborough.

22. John Bush entry, muster roll, Massachusetts Archives 95:56a.

23. Fred Anderson, *Crucible of War: The Seven Years’ War and the Fate of Empire in British North America, 1754–1766* (New York: Vintage Books, 2000), 501.

24. Joseph Ingersoll’s account, Massachusetts Archives 95:188.

Figure 3

Handwriting of John Bush, Company Clerk

James Mass	Sergeant	1718-19	Proctor	1-1
John Bruchardway	ditto	1718-19	Serjeant	1-1
Joseph Thorne	ditto	1718-19	Sabotant	1-1
John Bush	Clerk	1718-19	Proctor	1-1
Benedict Foster	Corporal	1718-19	Proctor	1-1
Joseph Bourne	ditto	1718-19	Proctor	1-1
Nicholas Hooker	ditto	1718-19	ditto	1-1
Jonathan Allen	ditto	1718-19	Proctor	1-1
Andrew Adams	Private	1718-19	Proctor	1-1
Joseph Adams	ditto	1718-19	ditto	1-1
John Bradley	ditto	1718-19	ditto	1-1
Morris Sawyer	ditto	1718-19	ditto	1-1
John Bush	ditto	1718-19	ditto	1-1

Source: Muster roll, Massachusetts Archives collection, disbound papers, 1603-1799, 95:189, Massachusetts Commonwealth Archives, Dorchester.

Shrewsbury Clues

The architecture of Bush-attributed powder horns resembles the structure of horns made in Shrewsbury, Massachusetts. Their spouts are unusually long and the tips reinforced with a raised lip. The Shrewsbury horns, dated in the 1740s, bear the town name.²⁵

TWO JOHN BUSHES

Attribution of artistic horn carving to John Bush, a Bush military record, and features of the horns' architecture point to Shrewsbury, Massachusetts. Two John Bushes lived there. Both were literate, served in the military, and by curious coincidence died the same year. Despite their differing generations, ethnicity, and occupations, they seem nearly indistinguishable on muster rolls.

- Innkeeper John, of English ancestry and son of Abiel Bush, served his town in various elected or appointed capacities, was an ensign in the militia, and died at age fifty-seven in Shrewsbury, 14 July 1757.²⁶

25. Guthman, *Drums A'Beating, Trumpets Sounding*, 37.

26. Abiel Bush and John Bush land entry, Shrewsbury Proprietors' Records 2:17, Town Clerk, Shrewsbury, Mass.; microfilm 0,864,051, Family History Library (FHL), Salt Lake City. John Bush entry, muster roll, Massachusetts Archives 95:255. John Bush death record, Shrewsbury Births, Deaths, Marriages, and Publishments, p. 123, Town Clerk, Shrewsbury, Mass.; FHL microfilm 0,864,064.

- Mulatto John was, according to his father, a “melattor Fellow about 30 years of Eage” in 1758.²⁷ He lived in Shrewsbury by 1730/1.²⁸ His will, dated 25 February 1757 and proved in 1758, links him to his family.²⁹

Historians, re-enactors, and collectors have assumed that mulatto John was the horn carver, but numerous published details are inaccurate.³⁰ The artist’s reputation is intact, but was he mulatto John?

Innkeeper John

On 9 June 1757 innkeeper John, “being sick and under many bodily infirmities,” signed his will shortly before dying.³¹ The tight, cramped letters forming his name were unlike his open relaxed signature a few months earlier. Both featured a long letter “s” and an initial loop in the capital “J.”

This comfortable, educated hand makes innkeeper John an excellent candidate for a master horn carver. His son Jotham’s penmanship was of an even higher quality, arguing for a literate household, typical of prosperous merchants.³² Clerks were responsible for calculating the time served by each soldier and the resultant payroll. Indeed, Jotham Bush was company clerk for Capt. Jabez Beaman in the Shrewsbury second company in April 1757.³³

An additional event argues for inherited artistic talent in the innkeeper’s family. In April 1780 innkeeper John’s grandsons, John and Jotham Bush of Shrewsbury, were charged with counterfeiting eight-dollar denomination bills.³⁴

A son John, born to innkeeper John and his wife Martha in Shrewsbury died supposedly within a day. The infant reportedly was born on 24 December 1724, less than two months after the birth of his sister Martha Bush on 2 November 1724.³⁵ Incompatible records notwithstanding, this child likely predeceased his father, because innkeeper John named only son Jotham in his 1757 will.³⁶ In

27. George Bush letter, Massachusetts Archives 77:700.

28. Shrewsbury warning out, Middlesex Co. Court folio 123-A-4, Massachusetts Commonwealth Archives.

29. John Bush will, Worcester Co. Probate File 9402, Probate Court, Worcester, Mass.

30. Guthman, *Drums A’Beating, Trumpets Sounding*, 37–39. Guthman, a highly regarded collector and dealer in military and Native American antiques, was not a genealogist or historian. He misinterpreted eighteenth-century script, made erroneous unsupported statements, and invented a prison camp “outside Quebec.”

31. John Bush will, Worcester Co. Probate File 9401.

32. Billeting bill, 2 January 1759, disbound vol. 2, 1754–75, Ward family papers, 1721–1953, Massachusetts Historical Society, Boston.

33. Jotham Bush entry, muster roll, Massachusetts Archives 95:255.

34. John Bush and Jotham Bush presentment, Worcester Co. case 153050, original file papers, Superior Court of Judicature, Worcester, Mass.

35. John Bush and Martha Bush birth records, Shrewsbury Vital Records 1:297, Town Clerk, Shrewsbury, Mass.; FHL microfilm 0,864,046. Considerable parts of the original were “lost to decay.” The error is likely in the John Bush record, which says 1724 but is surrounded by events of 1723.

36. John Bush will, Worcester Co. Probate File 9401.

any case, no one in 1756 would mistake innkeeper John—a man in his mid-fifties—for a thirty-year-old clerk. Furthermore, innkeeper John was not among the soldiers at Fort William Henry in 1756—he was busy feeding soldiers at his Shrewsbury inn.³⁷

On 7 April 1757, in his final year, innkeeper John, then in his mid-fifties, was mustered with the local militia.³⁸ He and other able-bodied men between ages sixteen and sixty were required to attend training days and answer alarms. Innkeeper John could not have been a horn carver at Fort William Henry in 1756.

Mulatto John Bush's Family

On 25 January 1730/1 the Shrewsbury selectmen ordered the constable to warn out “George Bush a black fellow with Presilla his wife An[d] five children.” Apparently they had “obtruded themselves on this Town by Resideing in it with out our aprobation.”³⁹ The verso of this warning out shows that the constable served it but did little else. He should have determined when the warned people entered the town, and whence they came, so if it became necessary, they could be returned. In the case of the George Bush family, these typical details were unasked and unanswered. Such an unusual situation might be explained if George and family lived in Shrewsbury all along and had recently become independent. Jotham Bush, the wealthy son and heir of Shrewsbury innkeeper John Bush, had “negroe” servants who had no surname as late as 1771.⁴⁰ By 1790, the only Shrewsbury Bush family with “other free persons” was that of George’s last surviving son, Benjamin Bush.⁴¹ The warning out was not repeated, George acquired land there before 1734, and the family remained more than forty years.⁴²

37. John Bush billeting bill, 14 February 1757, disbound vol. 2, 1754–75, Ward family papers, 1721–1953, Massachusetts Historical Society.

38. John Bush entry, muster roll, Massachusetts Archives 95:255.

39. Shrewsbury warning out, Middlesex Co. Court folio 123-A-4. In this case, the warning out served only as notice that if they became indigent, Shrewsbury would give them no assistance. In contrast, in 1762 a Negro man, William Benson, was forcibly warned out and all the required questions were asked and recorded. See William Benson warning out, Shrewsbury town papers, Ward family collection, Papers, Petitions and Suits 1661–1767, box 32, folder 2, American Antiquarian Society, Worcester, Mass.

40. Marriage record of “Dick and Dinah,” servants of Jotham Bush, Shrewsbury Vital Records, 1:134. The Bushes were not the only slaveholders in Shrewsbury. Nahum Ward purchased a Negro boy named Caesar from Rev. Nathaniel Henchman of Lynn in 1728 just before the George Bush family was warned. See Caesar’s bill of sale, 15 November 1728, Ward family collection, Papers, box 19, folder 21, American Antiquarian Society.

41. 1790 U.S. census, Worcester Co., Mass., Shrewsbury, p. 543. “Other free persons” were nonwhite.

42. Keyes and Ward to Bush, Worcester Co. Land Records 6:77, Register of Deeds, Worcester, Mass.

Andrew H. Ward, a native and historian of Shrewsbury, may have remembered several of the Bushes, particularly youngest son Benjamin. Even so, he claimed in 1847 that George Bush was “colored,” his wife’s name was not on record, they were from “S. America,” and none of their eight children ever married.⁴³ He was wrong on at least three counts.

The George Bush family did not participate in elected or appointed town offices. Their occupations, with one exception, never advanced from basic laborers or husbandmen. But public office holding may be their only omission from the standard colonial Massachusetts lifecycle.

The Bush children participated in Shrewsbury’s religious life. Of George and Priscilla’s ten children, at least eight were baptized, although not as infants. After reaching age fourteen, they came to the church and were baptized on their own account, not that of either parent.⁴⁴ The church disciplined three Bush daughters in 1763:

Being Lecture day the ch[urc]h were desired to tarry and I read to them the confession of Ruth Bush, Susannah Bush and Hannah Bush for making and spreading scandalous reports about their neighbors and such as are in covenant with them and this chh – which confession was accepted and the persons making of it restored to their former privileges.⁴⁵

The family also participated in Shrewsbury’s economic life. From 8 December 1750 through May 1758 George Bush purchased “sundries” from merchant Artemas Ward.⁴⁶ A frequent customer, Bush sometimes visited several times a month. He paid with days of work, cash, “hoops,” a “note of hand,” and once with a yoke of oxen (when settling his son George’s account).⁴⁷

Among the Bush accounts are many mentions of sisters, father, and sons. George Senior’s account mentions “his son George” and “Benja.” George Bush Junior’s account mentions “his father’s note.” Ruth Bush’s account mentions “Susannah her sister,” and “Sarah her sister.” “Sister Susannah” paid Jerusha Bush’s account and that of “Luce Bush.” Sarah Bush’s account mentions “Luce” and Hannah. Ruth signed several original receipts with a clear hand.⁴⁸

The Bush sisters frequented another Shrewsbury merchant, Nathaniel Allen. In 1760 Ruth Bush bought “Cambrick & threed Ribon and Ferrit,” and Hannah

43. Andrew H. Ward, *History of the Town of Shrewsbury, Massachusetts, From Its Settlement in 1717 to 1829, with Other Matter Relating Thereto Not Before Published, Including an Extensive Family Register* (Boston: Samuel G. Drake, 1847), 243.

44. Church minutes, First Congregational Church of Shrewsbury, octavo vols. 1:18 and 2:42, 43, 48, and 55, Octavo volumes series F, American Antiquarian Society.

45. Church minutes, First Congregational Church of Shrewsbury, folio vol. 1:105, Folio volumes series F, American Antiquarian Society.

46. Artemas Ward account book, 1750–58, Ward Family collection, folio vol. 1:13 and 99, Folio volumes series W, American Antiquarian Society.

47. *Ibid.*, folio vol. 1:13, 17, 35, 50, 93, 107, 128, and 148.

48. *Ibid.*, folio vol. 1:22, 37, 42, 50, 93, 107, and 128.

Bush bought five yards of “Black fringe for Ruth.” Their sister Sarah also shows up in this account. No business record mentions this family’s ethnicity.⁴⁹

Most of George and Priscilla Bush’s children made no recorded effort to marry. The entry for daughter Sarah’s second marriage—the only one recorded—does not indicate her ethnicity.⁵⁰

The son John may have managed his money well, as he left a respectable estate.⁵¹ As a husbandman of Shrewsbury on 9 April 1757, he accepted a mortgage from Daniel Stone, husbandman of Rutland, on one hundred acres in western Rutland. Benjamin Bush, as his brother’s principal heir, released the mortgage on 13 August 1760.⁵²

Several of many family land records document familial relationships and illustrate the Bushes’ literacy:

- On 6 February 1760 George Bush “Father of George Bush late of Lancaster Decd” and Benjamin Bush, “Brother of the said George,” both of Shrewsbury, yeomen, quitclaimed all their rights to real estate formerly owned by the late George Bush to “Ruth Bush, Susanah Bush, and Hannah Bush, of Shrewsbury, spinsters,” daughters of George Bush Sr. and sisters of Benjamin Bush.⁵³
- On 14 October 1745, when George Bush, laborer of neighboring Lancaster and son of George and Priscilla, was about twenty-two years old, he purchased four acres and one hundred forty rods of upland in Lancaster, bounded by George Bush’s land.⁵⁴ He continued to buy land in Lancaster until his death, never selling any of it.⁵⁵
- On 24 November 1753 Jonah Wheeler, husbandman of Narragansett No. 6 (present-day Templeton, Massachusetts), sold for sixteen pounds to Joseph Bush, husbandman of Shrewsbury, a house lot in Narragansett No. 6. After Joseph’s death, his brother Benjamin Bush, a husbandman of Shrewsbury, on 18 May 1762, sold the same land for nine pounds to Luke Knowlton, yeoman of Shrewsbury.⁵⁶
- On 4 and 5 October 1763 Ruth Bush, Susanna Bush, and Hannah Bush of Shrewsbury, spinsters, sold the lots their brother George owned at his

49. Account book of Nathaniel Allen, Shrewsbury ledger, general merchandise, unpaginated, entries dated 15 March, 8 April, 23 July, and 26 November 1760, Folio volumes series A, folio 1, American Antiquarian Society.

50. Clowes-Booth intention, Shrewsbury Births, Marriages, Deaths, and Publishments, p. 242. Record of Sarah’s first marriage has not been found.

51. John Bush will, Worcester Co. Probate File 9402.

52. Stone to Bush mortgage, Worcester Co. Land Records 39:145.

53. Bush and Bush to Bush and others, Worcester Co. Land Records 41:33.

54. Goss to Bush, Worcester Co. Land Records 20:552.

55. Goss to Bush, Worcester Co. Land Records 20:553; Goss to Bush, Worcester Co. Land Records 24:249; Goss to Bush, Worcester Co. Land Records 28:279; Goss to Bush, Worcester Co. Land Records 42:317.

56. Wheeler to Bush, Worcester Co. Land Records 34:435. Bush to Knowlton, Worcester Co. Land Records 47:92.

death.⁵⁷ When, on 10 June 1793, Susanna Bush of Shrewsbury, spinster, sold land in Lancaster, she signed her name.⁵⁸

- In no instance did the Bushes make a mark or use initials—all signed their complete names.⁵⁹ No deed mentions their ethnicity.

Mulatto John's Death

When he wrote his will on 25 May 1757, mulatto John said that he was “Engaged in his majestys Service and going forth into the Warr.”⁶⁰ Chronology, a letter, and a newspaper article leave no doubt that John was a soldier at Fort William Henry when it fell to the French and Indians in summer 1757.

No surviving muster roll, however, details this service. Nevertheless, Bush served in or around the fort as General Monro faced overwhelming French and Indian forces. After days of unrelenting cannon fire, sniping, and damage to the fort, Monro pleaded for reinforcements. The messenger carrying General Webb's negative reply was murdered. Monro contemplated surrender and an honorable withdrawal.

General Montcalm promised terms in the best professional tradition—Monro's forces were to be noncombatants for eighteen months, would have safe passage to nearby Fort Edward, and could retain personal effects, small arms, and a few symbolic items like unit colors. After the fact, Montcalm advised his Indian allies of the terms. They listened but, following their own traditions, they plundered and took captives for adoption, sacrifice, or ransom:

On the afternoon of August 9 . . . As they [the English] left, Indians entered the fort in search of booty and, finding little, set upon the seventy or so sick and severely wounded men who had been left to be cared for by the French. The prompt intervention of French soldiers and missionaries saved at least some of them, but many lost their lives when the Indians made trophies of their scalps. . . . [After dawn the next day] other Indians entered the entrenched camp, where the provincial troops and camp followers anxiously awaited the order to march, and began carrying off not only property but all the blacks, women, and children they could find.⁶¹

57. Bush and others to Houghton, Worcester Co. Land Records 48:379. Bush and others to Bennet, Worcester Co. Land Records 48:377.

58. Bush to Goss, Worcester Co. Land Records 130:117.

59. Receipts and probate papers, signatures of George Bush, Sarah Clowes, Hannah Bush, Susannah Bush, and Benjamin Bush, George Bush file, Worcester Co. Probate File 9397. For an interesting discussion of colonial literacy, see E. Jennifer Monaghan, “Literacy, Instruction, and Gender in Colonial New England,” in *Reading in America*, Cathy N. Davidson, ed. (Baltimore: Johns Hopkins University Press, 1989), 53–80.

60. John Bush will, Worcester Co. Probate File 9402. The will was probably signed in Worcester, where two of the three witnesses, Timothy Paine and Luke Brown, resided.

61. Anderson, *Crucible of War*, 195–99. For an excellent and detailed account, see Ian K. Steele, *Betrayals: Fort William Henry and the “Massacre”* (New York: Oxford University Press, 1990).

A few months later paroled soldiers from the fort, or those from nearby Fort Edward with second-hand reports, stopped in Shrewsbury as they trudged home. They informed George Bush that his son John was among those carried off alive by Indians.⁶² Although probably fewer than two hundred captives taken at Fort William Henry failed to return, no news of John arrived as the cold winter months turned into spring and then summer.

After nearly a year of waiting George Bush joined others petitioning for help in redeeming captives.⁶³ In a moving letter he asked the government not to forget his son:

Shrewsbury Septr ye 14th 1758

Honrd Sr: I have a Son In Captivity at Cannaday if he be Living that was Taken Last year at Lake Gorge when yt was redused I never have heard from him Sence he was Taken, only when our men Retoned thay say he was not killed but Carried of by the Indens his Naime is John Bush a melattor Fellow about 30 years of Eage: pray Sr if thair be any opportunity to Exchang Captives let my son be Remembered
In So Doing your Hombl Sarvent will
Be much obliged George Bush

George wrote the document; the numbers are well formed, the letters a little hurried. A proud flourish ends the word "George." Several blotted-out words and one interlining suggest the letter was not executed by a hired scribe.⁶⁴

John Bush was already dead. Less than a month after George wrote his letter, Sergeant Israel Calkins returned from prison in France. In Boston he told the newspapers what he knew of soldiers left behind, sick, or dead:

We are favoured with the following List of Persons that died in Quebec and France, to the 16th of February 1758, by Israel Calkins, who was a Serjeant in the 13th Company, in the Regiment raised in the Colony of Connecticut the last Year, (commanded by Colonel Lyman) who was taken Prisoner August 5, 1757, between Fort Edward, and Fort William-Henry, and carried to France the last Fall, where he remained Prisoner 'til the above Day, when by a Cartel he was sent to England, from whence he arrived here last Week, viz. Died in Quebec, October 27, 1757. Deacon Thomas Adams – 28th, Asa Spafford

Left Sick in Quebec, Sampson Colfax

Died on board in their Passage to France Joseph Webb; Jacob Ames, Ranger; Caleb Woodward; Elihu Warner; Joseph Preston; John Bush.⁶⁵

62. George Bush letter, Massachusetts Archives 77:700.

63. Ledger entry for letter of George Bush, Massachusetts Archives 84:310.

64. George Bush letter, Massachusetts Archives 77:700.

65. News item, *Boston News-Letter*, 12 October 1758, page 3, col. 1.

Shortly after this publication, the family brought John's will to probate. To his father he left three pounds; to his brother George, one pound six shillings eight pence; to his four beloved sisters, Ruth, Susanna, Hannah, and Sarah, twenty pounds between them; and the residue to his brother Benjamin Bush.⁶⁶ No estate inventory survives; no list of powder horns or tools clinches John's identification as a horn carver.

Bush Family Military Service

Mulatto John's family participated in provincial military service, with two exceptions. If his age at death is correct, George was sixty in 1748, old enough to be exempt from the militia. Benjamin Bush, apparently a child of George's old age, also did not serve. George's sons George, Joseph, and John died in the French and Indian War. Muster rolls do not mention their ethnicity.

Joseph Bush, brother of mulatto John, served in Colonel Josiah Brown's regiment on the Crown Point Expedition, where he died about 8 April 1756, the last day he drew pay.⁶⁷ Their oldest brother, thirty-seven-year-old George Jr., who had purchased land in Lancaster, enlisted from there on 6 April 1759, providing his own arms.⁶⁸ He died in service shortly after 19 October 1759.⁶⁹

The brothers served in different regiments, a noteworthy exception. Most soldiers wanted to fight beside trusted neighbors. Yet the Bush brothers did not go to extremes. Massachusetts was waging a two-front war: "to the Westward," to reduce Crown Point; and on "the Eastern Frontier," Maine against Louisbourg and other points. The Bushes never went "to the Eastward"; instead they served in different units in the same theatre.

Mulatto John's Literacy

The art of the master horn carver who created the Bush-attributed horns reflects skilled penmanship similar to that of the company clerk in 1755. See figure 3. Was he mulatto John Bush?

Evidence of literacy in African Americans is rare in pre-Revolutionary New England. Mulatto John's family, however, was literate by any standard, and the autograph on his will shows he wrote exceptionally well. See figure 4. Where did he learn his letters? Born about 1726, John—like his contemporaries—might have attended free schools and learned from "hornbooks." He might have gone to a tutor or learned at home, reading from a Bible. He might have been

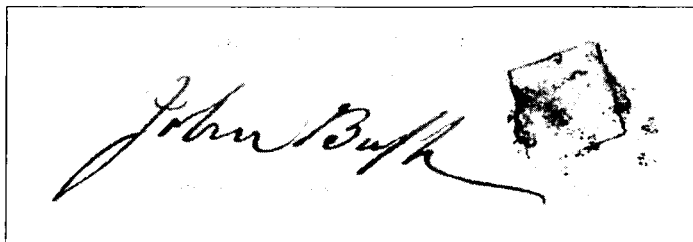
66. John Bush will, Worcester Co. Probate File 9402.

67. Joseph Bush entry, muster roll, Massachusetts Archives 94:222.

68. French and Indian War muster roll, Massachusetts Archives 97:373.

69. George Bush is listed in "Men of Lancaster Lost at the Reduction of Montreal," *New England Historical and Genealogical Register* 22 (July 1868): 282. This was an appendix to a sermon preached in Lancaster, Mass., on 9 October 1760 by Rev. John Mellen, which said in part that most of the men "were lost by Sickness abroad, or Indisposition they brought home with them from the Camp." Also, George Bush Jr. entry, muster roll, Massachusetts Archives 97:310.

Figure 4
Signature of Mulatto John Bush



Source: John Bush will, Worcester Co. Probate File 9402, Probate Court, Worcester, Mass.

apprenticed as a clerk. So similar are the hands of the innkeeper's son, Jotham, and mulatto John Bush, they might have learned from the same master.

Clerk John penned muster rolls with handwriting equal to that of the best professional clerks in Boston. Were muster roll and will, shown in figures 3 and 4, written by the same hand? Variations raise doubt, but, like many accomplished clerks, John may have used different "hands" for different circumstances.⁷⁰ Certainly, both clerk and mulatto John were skilled scribes. The literacy that the two samples indicate may be more significant than differences in letter formation. In any case, mulatto John's father's letter from Shrewsbury shows that his son John Bush, "about 30 years of Eage," was stationed at Fort William Henry in 1757, just a few months after muster rolls list only one John Bush there—a thirty-year-old company clerk.

CONCLUSION

John Bush, master horn carver, came from a literate family. His art reflects skilled penmanship. The times and places of his military service are consistent with those of one John Bush from Shrewsbury. The dates of the carvings span about 1748, when that John Bush was a young man independent of his parents and likely to begin horn carving, to 1756, shortly before his death. No Bush-attributed horns were carved afterward.

Expectations for a free African or mulatto man in pre-Revolutionary New England were nearly identical to those of other free men. He owned land and paid taxes. His records rarely mention ethnicity. He attended church, baptized his children, and was buried in the town cemetery with his neighbors. As a soldier in the colonial wars he was most often a private—but one, at least, achieved the rank of company clerk.

Signed deeds, wills, and receipts ease the task of sorting the Bushes of African descent from their white neighbors of the same surname. African

70. Tamara Plakins Thornton, *Handwriting in America: A Cultural History* (New Haven: Yale University Press, 1996).

American research in colonial New England can be difficult, but this Bush family demonstrates that free people of color, particularly literate landowners, generated as many records as their white counterparts. More significantly to researchers, a large percentage of these records do not mention ethnicity.

Given the enormous build-up in 1756 of military camps around Lake George, connecting one person to specific powder horns would seem impossible. Interdependent pieces of evidence, however, show that the master horn carver was John Bush, a mulatto company clerk from Shrewsbury, Massachusetts, whose long military service ended on a ship to France after his 1757 capture by Indians at Fort William Henry.

GENEALOGICAL SUMMARY

1. **George Bush**, born about 1688; died in Shrewsbury, Massachusetts, 24 February 1767, “in the 80th year of his age.”⁷¹ He married likely about 1719 but certainly before 1730 **Priscilla (née [—?—])**.⁷² She was born say 1700 and died before 1763 when she is not named in her husband’s will. Either or both George and Priscilla were mulatto, African, or Native American. No source specifies they were ever enslaved, and they were free by 1728, when Priscilla gave birth to their son Joseph, later called “free born.”⁷³

George and Priscilla had ten children:

- 2 i. GEORGE BUSH, born about 1720;⁷⁴ died in service during the French and Indian War shortly after 19 October 1759;⁷⁵ unmarried.
- 3 ii. SUSANNAH BUSH, born about 1722; baptized 28 June 1741, age nineteen years;⁷⁶ died after 10 June 1793;⁷⁷ unmarried.
- 4 iii. RUTH BUSH, born about 1724; baptized 28 June 1741, age seventeen years;⁷⁸ died between 22 April and 20 May 1765;⁷⁹ unmarried.
- 5 iv. JOHN BUSH, born about 1726; baptized 29 May 1743, age sixteen or eighteen years;⁸⁰ died as a captive on board a ship bound for France in the fall of 1757 after October 28th;⁸¹ unmarried.

71. George Bush gravestone, Mountain View Cemetery, Shrewsbury, Mass., author Sanborn’s visit, 29 December 2006. The stone’s phrasing indicates George was seventy-nine years old.

72. Shrewsbury warning out, Middlesex Co. Court folio 123-A-4.

73. Joseph Bush baptismal record, First Congregational Church of Shrewsbury octavo vol. 2:42.

74. George Bush, descriptive list, French and Indian War, 14 April 1759, Massachusetts Archives 97:373. He is described as age thirty-seven.

75. George Bush entry, muster roll, Massachusetts Archives 97:310.

76. Susannah Bush baptismal record, First Congregational Church of Shrewsbury octavo vol. 2:36.

77. Bush to Goss deed, Worcester Co. Land Records 130:117.

78. Ruth Bush baptismal record, First Congregational Church of Shrewsbury octavo vol. 2:36.

79. Ruth Bush will and execution, Worcester Co. Probate File 9397.

80. John Bush baptismal record, First Congregational Church of Shrewsbury octavo vol. 2:43.

81. News item, *Boston News-Letter*, 12 October 1758, page 3, col. 1.

- 6 v. JOSEPH BUSH, born about 1728; baptized 17 December 1742, "a negro lad . . . free born son of George Bush," age about fourteen years;⁸² died in service in the French and Indian War shortly after 8 April 1756;⁸³ unmarried.
- 7 vi. HANNAH BUSH, born about 1731; baptized 1 December 1745, age "about fourteen";⁸⁴ died in Shrewsbury 29 September 1781;⁸⁵ unmarried.
- 8 vii. LUCY BUSH, born about 1733; baptized 11 September 1748, age "about fourteen or fifteen";⁸⁶ living in June 1751.⁸⁷
- 9 viii. JERUSHA BUSH, born about 1735; baptized 11 September 1748, age "about thirteen or fourteen";⁸⁸ living on 20 May 1754.⁸⁹
- 10 ix. BENJAMIN BUSH, born say 1737; died after 28 December 1803;⁹⁰ unmarried.
- 11 x. SARAH BUSH, born probably before 1746; baptized 26 July 1793;⁹¹ died after 1799; married (1) before 1766 Thomas Clowes or Clews. He was a mariner, born in England about 1725,⁹² died "late of Grafton [Massachusetts]" shortly before 4 September 1792 when his widow Sarah was granted support.⁹³ Thomas was a French and Indian War soldier and a Revolutionary War soldier with considerable service, on a list of invalids in Capt. Phelps's company and a pensioner on 31 December 1787, age sixty-two years.⁹⁴ By May 1766 they had a child *Betty Clews*.⁹⁵ Sarah married (2), by intention in Shrewsbury dated 6 July 1799, Henry Booth, both "late of Shrewsbury."⁹⁶

82. Joseph Bush baptismal record, First Congregational Church of Shrewsbury octavo vol. 2:42.

83. Joseph Bush entry, muster list, French and Indian War, 24 September 1755, Massachusetts Archives 94:222.

84. Hannah Bush baptismal record, First Congregational Church of Shrewsbury octavo vol. 2:48.

85. Hannah Bush death record, Shrewsbury Births, Marriages, Deaths, and Publishments, p. 147.

86. Luce Bush baptismal record, First Congregational Church of Shrewsbury octavo vol. 2:55.

87. Artemas Ward ledger, 1750–58, Ward Family collection, folio vol. 1:50, American Antiquarian Society.

88. Jerusha Bush baptismal record, First Congregational Church of Shrewsbury octavo vol. 2:55.

89. Artemas Ward ledger, 1750–58, Ward Family collection, folio vol. 1:50, American Antiquarian Society.

90. Bush to Richardson, Worcester Co. Land Records 159:255.

91. Sally Clews baptismal record, First Congregational Church of Shrewsbury octavo vol. 2, unnumbered page.

92. Tho Clowes entry, Muster roll of Major Moses Deshon's Co., 5 May 1756, Massachusetts Archives 94:175. Clowes was twenty-four years old, a mariner born in England, having last resided in "Kingstown" [Jamaica?] or perhaps Kingston, Massachusetts.

93. Tho Clowes estate papers, Worcester Co. Probate File 12495, also Worcester Co. Probate Copybook 180:95.

94. Tho Clowes service record, *Massachusetts Soldiers and Sailors of the Revolutionary War: A Compilation from the Archives*, 27 vols. (Boston: Wright and Potter, 1896), 3:655. Also, Bounty Land Warrant 12950, *Revolutionary War Pension and Bounty-Land Warrant Application Files*, Record Group 15, microfilm M804 (Washington, D.C.: National Archives), roll 597.

95. *Worcester County, Massachusetts, Warnings, 1737–1788* (Worcester: Systematic History Fund, 1899), 60. Sarah, her husband Thomas, and daughter Betty, having arrived from Cumberland, Nova Scotia, on 24 March 1766, were warned from Shrewsbury on 11 May 1766.

96. Clews-Booth intention, Shrewsbury Births, Marriages, Deaths, and Publishments, p. 242.

Using Cluster Methodology to Backtrack an Ancestor: The Case of John Bradberry

By William M. Litchman, Ph.D., CG

Perhaps the most common genealogical mistake is focusing a search too narrowly. Broadening research to include a cluster of migrating families can lead to convincing evidence of birthplace and parents.

Tracing a migrating ancestor's origin requires (1) targeting the correct location, (2) recognizing the person in its records, and (3) identifying the ancestor's parental family. Common complications, however, may block these goals:

- Records in the place of settlement might not specify origin, or they name a general jurisdiction unlikely to have records detailing parentage.
- Name, age, and state of birth may not be enough to identify a settler in a prior location, especially if the name is common.
- When a precise origin is determined, its records do not identify the migrating ancestor directly.

All three problems apply to John Bradberry, a Virginia native who settled in Tennessee and Arkansas. Only censuses report his birthplace.¹ Bradberrys, including several Johns, appear in various Virginia counties. Which—if any—was the Tennessee-Arkansas settler?

Several strategies might lead to an answer, but cluster methodology is the most promising. Because people usually migrated in groups, or followed one another, neighbors often came from the same place. Compared with focusing on one ancestor, studying neighborhood clusters yields more clues to ancestral origin and identity.

© William M. Litchman, Ph.D., CG; 1620 Los Alamos Avenue, S.W.; Albuquerque, NM 87104-1122; wmlitchman@yahoo.com. Dr. Litchman is a retired chemistry professor who has written several NGS *Quarterly* articles. The research reported in this article was commissioned by Mary Price of Boulder, Colorado, who gave permission for its publication.

1. J. Bradberry household, 1850 U.S. census, Weakley Co., Tenn., population schedule, District 7, p. 468 (stamped, recto), dwelling/family 37; National Archives (NA) microfilm M432, roll 899. In 1860 this J. Bradberry appears as John. See John Bradberry household, 1860 U.S. census, Greene Co., Ark., pop. sch., Concord Twp., Oak Bluff post office, p. 112, dwell. 670, fam. 655; NA microfilm M653, roll 42. Also, J. N. Bradberry household, 1870 U. S. census, Greene Co., Ark., pop. sch., Johnson Twp., Big Creek post office, p. 8, dwell./fam. 52; NA microfilm M593, roll 54.

THE BRADBERRY CLUSTER

In 1850 John Bradberry lived in Weakley County, Tennessee, near other Bradberry men born in Virginia between 1800 and 1816. Their children's birthplaces suggest that the fathers—probably brothers or cousins—had left Virginia between 1834 and 1838. See table 1. A source of unknown reliability identifies the parents of one of them, Henry Bradberry, as “Richard and Ann” but does not state his relationship to the others.² Bradberrys do not appear in most Weakley County court records.³ County deeds and tax rolls, however, suggest ties and additional kin among the 1850 Bradberry cluster.

The earliest Bradberry deed in Weakley County is dated 24 October 1823. Elizabeth Dickson of Carteret County, North Carolina, released her rights to 640 acres to James Bradberry of Wayne County, North Carolina.⁴ On 12 November 1823 Samuel and Daniel Smith transferred an adjoining tract to Bradberry.⁵ By 1834 Bradberry, settled in Perry County, Alabama, had sold the land.⁶

Weakley County deeds identify six Bradberrys, including John, living there between about 1837 and 1858:

- On 12 August 1837 James F. Bradberry pledged livestock, a rifle, tools, and household goods to secure \$37.38 borrowed from James Etheridge. The deed mentions a note dated “first of October last” (1836).⁷
- In separate deeds between 1847 and 1855 Richard, Henry, and Joseph Bradberry made or secured loans.⁸
- On 29 August 1847 Robert S. Bradberry purchased one hundred acres from Young P. Bowers.⁹
- On 8 October 1849 John Bradberry also purchased land from Young P. Bowers.¹⁰ He sold it via a deed witnessed by Robert S. Bradberry on 12

2. Henry Bradberry family Bible record, photocopy (in part) and transcription (in part) by Carolyn Wilcoxon (San Antonio, Tex.), publication data not available, in author's files.

3. Weakley Co. wills, 1828–1900, County Court, Dresden, Tenn.; microfilm 0,988,756, Family History Library (FHL), Salt Lake City. Weakley Co. inventories, County Court, Dresden, Tenn.; FHL microfilm 0,988,664. Weakley Co. guardians' settlements, 1843–66, County Court, Dresden, Tenn.; FHL microfilm 0,988,662. Weakley Co. marriages, 1843–66, County Court Clerk, Dresden, Tenn.; FHL microfilm 0,988,668.

4. Dickson to Bradbury, Weakley Co. Deed Book A:328–29, Register of Deeds, Dresden, Tenn.; FHL microfilm 0,988,760.

5. Smith and Smith to Bradbury, Weakley Co. Deed Book A:330–31.

6. Bradbury to Wade, power of attorney, Weakley Co. Deed Book A:331. Bradbury to Blackmore, Weakley Co. Deed Book A:370–71. Bradbury to Smith, Weakley Co. Deed Book B:73–74 and 76–77; FHL microfilm 0,988,760. Bradberry to Gardner, Weakley Co. Deed Book C:397; FHL microfilm 0,988,761.

7. Bradbury to Etheridge, Weakley Co. Deed Book D:412; FHL microfilm 0,988,761.

8. Trent to Richard Bradberry, Weakley Co. Deed Book H:78; FHL microfilm 0,988,763. Henry Bradberry to Cochran, Weakley Co. Deed Book H:318. Henry Bradberry to Trent, Weakley Co. Deed Book J:197; FHL microfilm 0,988,764. Joseph Bradberry to White, Weakley Co. Deed Book J:643. Joseph C. Bradberry to Cochran, Weakley Co. Deed Book M:583–84; FHL microfilm 0,988,765.

9. Bowers to Bradberry, Weakley Co. Deed Book H:97.

10. Bowers to Bradbury, Weakley Co. Deed Book K:272–73; FHL microfilm 0,988,764.

Table 1

Bradberry Families in Weakley County, Tennessee, in 1850

DWELLING AND FAMILY	NAME	AGE	BIRTHPLACE
33	R. Bradberry	34	Virginia
	Elizabeth	22	Tennessee
	Isiah	3	Tennessee
	James	2	Tennessee
	Joseph	36	Virginia
	J. Ford	18	Tennessee
36	R. Bradberry	38	Virginia
	Elizabeth	30	Tennessee
	Ann	13	Tennessee
	George	9	Tennessee
	Richard	2	Tennessee
	A. J. Ford	13	Tennessee
37	J. Bradberry	40	Virginia
	Sarah	29	North Carolina
	George	4	Tennessee
42	H. Bradberry	50	Virginia
	Susan	34	Virginia
	Virginia	26	Virginia
	Elizabeth	24	Virginia
	Susan	22	Virginia
	James	21	Virginia
	Georgiann	18	Virginia
	John	16	Virginia
	Ann	15	Virginia
	Edmond	12	Tennessee
	William	8	Tennessee
	Gabrella	7	Tennessee
Robert	6	Tennessee	

Source: R. Bradberry, R. Bradberry, J. Bradberry, and H. Bradberry households, 1850 U.S. census, Weakley Co., Tenn., population schedule, District 7, p. 468 (stamped, recto and verso); National Archives microfilm M432, roll 899.

October 1852.¹¹ On 1 November 1852 and 5 June 1854 John bought two more tracts from Bowers—acreage adjoining land owned or occupied by Richard and Robert “Bradbury.” Robert Bradberry witnessed this deed as well.¹² After securing a debt on 4 August 1854, John sold his land on 3 November 1854.¹³ John purchased another lot on 10 January 1858.¹⁴ Finding himself in debt, he created a trust deed on 19 August 1858 and sold his land three months later.¹⁵

In Tennessee free white males age twenty-one through fifty paid annual poll taxes. The first payment, therefore, might indicate a birth twenty-one years earlier and the last a birth fifty years earlier. Many men, however, ignored or eluded the collectors.¹⁶ See table 2 for Bradberry tax records in Weakley County.

The 1831–32 tax entries for James Bradberry pertain probably to the James who bought land in 1823, while living in North Carolina, and sold it in 1834, while living in Alabama. Conducting his Weakley County transactions through an attorney, he may have been a nonresident taxpayer. He has no known association with Virginia or the Bradberry cluster from Virginia. Moreover, born apparently in the 1770s, he was too old to be a sibling of any Weakley County Bradberry in 1850.¹⁷

Deeds identify the four household heads in the 1850 Bradberry cluster as Henry, John, Richard, and Robert. A fifth associate, Joseph Bradberry who lived with “R.” Bradberry in 1850, borrowed money in Weakley County in 1851 and 1855. The tax lists in table 2 suggest two more members of the cluster:

- James F. Bradberry paid taxes in the same district as John in 1842. He disappeared from Weakley County after 1846 and left no estate there. He does not appear in any 1850 census index.
- David Bradberry paid taxes in 1848–50 on one hundred acres but no deed identifies him as a grantee. On 29 August 1847, however, Robert S. Bradberry purchased one hundred acres for which he was never taxed. Robert apparently bought the land for David, which suggests a close relationship between them. David’s appearance on the tax list in 1848 implies he was born in 1826–27.

11. Bradbury to Duke, Weakley Co. Deed Book K:281–82.

12. Bowers to Bradbury, Weakley Co. Deed Book K:301–2. Bowers to Bradberry, Weakley Co. Deed Book L:617–18; FHL microfilm 0,988,765.

13. Bradberry to Bowers, Weakley Co. Deed Book M:26. Bradberry to Gill, Weakley Co. Deed Book M:182–83.

14. Finch to Bradberry, Weakley Co. Deed Book O:431–32; FHL microfilm 0,988,766.

15. Bradberry to Drewry, Weakley Co. Deed Book P:32–34; FHL microfilm 0,988,767. The deed mentions debt judgments against John. Also, Bradberry to Brasfield and others, Weakley Co. Deed Book P:156–57.

16. Ann Evans Alley, “Taxation and Politics: Tennessee’s Poll Tax Laws,” *Middle Tennessee Journal of Genealogy and History* 11 (Fall 1997): 51–55. Also, Shirley Wilson, “An Introduction to Taxation for Genealogists,” *Middle Tennessee Journal of Genealogy and History* 13 (Fall 1999): 51–57.

17. Jas Bradberry household, 1820 U.S. census, Wayne Co., N.C., p. 457, line 33; NA microfilm M33, roll 83. The household’s oldest male was age forty-five or above. Also, James Bradberry household, 1830 U.S. census, Perry Co., Ala., p. 76, line 6; NA microfilm M19, roll 3. The household’s oldest male was over age sixty and below age seventy.

Table 2
 Bradberry Taxpayers in Weakley County, Tennessee, 1831–69

YEAR	GIVEN NAME	DISTRICT	TAXABLE ITEMS
1831–32	James		
1838	James F.	3	1 poll
1842	Jno.	3	1 poll
	James F.	3	1 poll
1843	John	3	1 poll
1844	John	8	1 poll
	James F.	14	1 poll
1845	James F.	14	1 poll
1846	John	7	1 poll
	James F.	14	1 poll
1847	John	7	1 poll
1848	John	7	1 poll
	David	7	1 poll, 100 acres, \$150 value
1849	John	7	1 poll
	David	7	1 poll, 100 acres, \$150 value
	Robert	7	1 poll, 100 acres, \$200 value
1850	John	7	1 poll, 54 acres, \$100 value
	David	7	1 poll, 100 acres, \$150 value
	Robert S.	7	1 poll, 100 acres, \$150 value
	Henry	7	1 poll
1851	Jno.	7	54 acres, \$185 value
	Rob. S.	7	100 acres, \$250 value
1858	John	7	103 acres
	Robt.	7	100 acres
	J. R.	7	
1859	R. S.	7	100 acres, \$700 value
	J. R.	7	
	J. H.	7	
1860	J. H.	7	
1862	R. S.	7	100 acres, \$600 value
	J. H.	7	100 acres, \$600 value
1865	R. S.	7	
1866	R. S.	7	100 acres, \$400 value
	E. T.	7	150 acres, \$750 value
	William	7	
1869	J. H.	10	
	R. E.	7	

Sources: Weakley Co. 1828–32 tax lists, County Court, Dresden, Tenn.; microfilm 0,988,756, Family History Library (FHL), Salt Lake City. Also, Weakley Co. Tax Books 1–3, County Trustee, Dresden, Tenn.; FHL microfilm 1,003,115.

Note: Lists before 1828 and for 1833–37, 1852–57, 1861, 1863–64, and 1867–68 are missing. No Bradberrys are listed in 1828–29. Some lists do not specify poll tax assessments, though a listing implies that the man owed or paid a poll tax. The search ended arbitrarily with 1869.

These seven Bradberry men shared proximity, a Virginia birthplace, and socioeconomic status. Furthermore, John lived next to Richard, who associated with Robert, who associated with David. The birth range for the cluster—from 1799–1800 (Henry) to 1826–27 (David)—means they could have been brothers. Additional research might verify or refute this possibility and locate John Bradberry’s Virginia birthplace.

MONTGOMERY COUNTY BRADBERRYS

The 1850 census suggests the Weakley County Bradberrys had moved from Virginia to Tennessee in the 1830s. Only two cluster members, however, headed Weakley County households in 1840:

- John Bradberry, whose household matches his family’s composition in 1850
- James F. Bradberry, who lived with five females perhaps next to John’s home¹⁸

Where were the others from the 1850 cluster? Three Bradberry households in Montgomery County (three counties east of Weakley)—headed by H. L., Richard, and Mrs. A. Bradberry—seem to fill the gap. See table 3.

Montgomery County deeds and a will show that the Bradberrys who paid taxes and voted there in the 1830s and early 1840s moved to Weakley County in the late 1840s:

- The earliest Bradberry deeds involved indebtedness—two for William in 1838 and one for Richard in 1840.¹⁹
- Henry and Joseph Bradberry secured debts between 1843 and 1846.²⁰
- On 26 January 1843 Robert S. and Ann Eliza Bradberry bought 87.5 acres from Samuel Wade. The deed’s phrase “Robert S. Bradberry and Ann Eliza Bradberry, his & her heirs and assigns forever” implies that Ann Eliza was a *feme sole*, not a wife.²¹
- Ann Eliza Bradberry’s will, dated 22 November 1843 and proved in February 1846, mentions her mother, Nancy Bradberry, her brother Robert S. Bradberry, and George W. Bradberry. It refers to about forty-three acres on which “Robert S. Bradberry now lives.”²² The surname of witness Mary “Foard” appears twice within Weakley County Bradberry households in 1850.

18. Jno Bradberry and Jas F Bradberry households, 1840 U.S. census, Weakley Co., Tenn., p. 292, lines 21–22; NA microfilm M704, roll 530. This enumeration is not alphabetized.

19. William Bradberry to Hampton, Montgomery Co. Deed Book P:432, Register of Deeds, Clarksville, Tenn.; and William Bradberry to Edwards, Montgomery Co. Deed Book R:2; both on FHL microfilm 0,320,863. Richard Bradberry to Fanier, Montgomery Co. Deed Book S:24; FHL microfilm 0,320,864.

20. Montgomery Co. Deed Book T:284–85 (Henry Bradberry to Wade), 308 (Joseph Bradberry to Marr), 534 (Henry Bradberry to Johnson), and 584–85 (Joseph Bradberry to Johnson); FHL microfilm 0,320,865. Henry Bradberry to Waller, Montgomery Co. Deed Book W:73 and 518; FHL microfilm 0,320,865.

21. Wade to Bradberry and Bradberry, Montgomery Co. Deed Book T:151.

22. Ann Eliza Bradberry will, Montgomery Co. Probate Record J:321; FHL microfilm 0,321,048.

Table 3
Suggested Composition of Bradberry Households in
Montgomery County, Tennessee, in 1840

SEX AND AGE IN 1840	HOUSEHOLD			
	H. L. BRADBERRY	RICH ^d BRADBERRY	MRS. A. BRADBERRY	
MALES	under 5	Edmond (2) unknown	Unknown Unknown	
	5-9	John (6) James (11)	Unknown	
	20-29		Richard (28) Joseph (26)	Robert (24)
	30-39	Henry (39)		
	under 5	Ann (5) Unknown	Ann (3) Unknown	
FEMALES	5-9	Georgeann (8)	Unknown Unknown	
	10-14	Susan (12)		
	15-19	Elizabeth (14)	Unknown	
	20-29		Elizabeth (20)	Unknown
	30-39	Susan (37)		
50-59			Mrs. A.	

Sources: Rich^d Bradberry household, 1840 U.S. census, Montgomery Co., Tenn., p. 264, line 23; H. L. Bradberry household, 1840 U.S. census, Montgomery Co., Tenn., p. 267, line 29; and Mrs. A. Bradberry household, 1840 U.S. census, Montgomery Co., Tenn., p. 268, line 11; all on National Archives (NA) microfilm M407, roll 532.

Note: Numerals in parentheses are ages in 1840 calculated from possibly corresponding entries in the 1850 census, which had the same enumeration date (1 June) as the 1840 census. See R. Bradberry, R. Bradberry, J. Bradberry, and H. Bradberry households, 1850 U.S. census, Weakley Co., Tenn., population schedule, District 7, p. 468 (stamped, recto and verso), dwellings/families 33, 36, 37, and 42, respectively; NA microfilm M432, roll 899. For the enumeration dates, see Ann Bruner Eales and Robert M. Kvasnicka, eds., "Census Records," in *Genealogical Research in the National Archives of the United States*, 3rd ed. (Washington, D.C.: National Archives and Records Administration, 2000), 24-25.

- On 13 January 1846, probably soon after his sister Ann Eliza's death, Robert Bradberry sold part of the tract purchased from Samuel Wade.²³ On 3 July 1848 Robert, "of Weakley County," sold the remaining portion.²⁴

Six Bradberrys—Henry, Joseph, Richard, William, and two Johns—paid Montgomery County taxes in 1836. Each, apparently between age twenty-one and fifty, lived in District 1 and owned no land or other taxable property.²⁵ Richard may have been the older of the two R. Bradberrys in Weakley County in 1850, because the younger, born in 1815–16, probably was not taxable in 1836. In 1841 Henry, Richard, and William Bradberry, over age twenty-one and living in District 2, were eligible to vote in Montgomery County.²⁶

The cluster of Bradberrys surrounding John Bradberry lived in Montgomery County, Tennessee, from about 1835–6 until about 1846–7, when most of them moved to Weakley County. Records in both counties show their connections. For example, Ann Eliza Bradberry in Montgomery County named George W. and her brother Robert, who associated with John and David in Weakley County. John lived with or near James F. and his land adjoined Richard's farm. Henry's mother was "Ann," and Ann Eliza's mother was "Nancy," a nickname for Ann. Moreover, combining both counties' records provides enough information to identify these increasingly probable siblings in Virginia.

THE BRADBERRY CLUSTER IN VIRGINIA

Seven Bradberrys headed Virginia households in 1830. The names of two in King William County—Henry L. Bradberry and Ann Bradberry—echo those in Tennessee. The makeup of Henry's household matches the 1850 H. Bradberry household in Weakley County. Although the 1830 census does not name most other Bradberry men in the Tennessee counties of Weakley and Montgomery, Ann Bradberry's household accounts for them. They include John Bradberry who, without information concerning his associates in Tennessee, could not have been identified in Virginia in 1830. See table 4.

Few records survived an 1885 courthouse fire in King William County.²⁷ Some refer to Bradberry court actions and deeds concerning John Bradberry who was about a generation older than the John of Tennessee:

23. Bradberry to Merriwether, Montgomery Co. Deed Book W:274.

24. Bradberry to Smith, Montgomery Co. Deed Book Y:508; FHL microfilm 0,320,866.

25. Bradberry entries, Montgomery Co. 1836 Tax List, District 1, p. 352, lines 15 (Richard) and 16 (Wm), and p. 353, lines 1 (John), 2 (John), 3 (Joseph), and 4 (Henry), Trustee, Clarksville, Tenn.; Early Tennessee Tax Lists microfilm 7, Tennessee State Library and Archives, Nashville.

26. Montgomery County Court Minutes 21, District 2, entries 5 (Ric'd), 10 (Robert), and 11 (Wm), County Court, Clarksville, Tenn.; FHL microfilm 0,321,067. For a transcription see, County Court Minutes Book 21: An Enumeration of free white male persons in the county of Montgomery [in] 1841," *TNGenWeb Project* (<http://www.tngenweb.org/montgomery/1841voters.html>).

27. John H. Gwathmey, *Twelve Virginia Counties: Where the Western Migration Began* (Baltimore: Genealogical Publishing, 1979), 61.

- John Bradberry, separately and jointly with Richard Bradberry, defended suits for debt in 1808, 1809, and 1820.²⁸
- On 24 June 1816 Richard Bradberry received payment for “patrolling” or other public activities.²⁹
- On 27 January 1817 Mary Garnett, a childless sister of John Bradberry’s wife, named four of his daughters, Susanna, Polly, Lucy, and Jane Bradberry—names not appearing among the Tennessee Bradberrys.³⁰ Earlier deeds identify John’s wife as Frances Garnett, daughter of “Achilles” Garnett, and suggest that John married Frances soon after 1797.³¹
- John Bradberry bought land in King William County in 1805 and 1810 and sold land there in 1811, 1816, and 1822.³²

Like those of most “burned” Virginia counties, state copies of King William County’s personal property and land tax records have survived.³³ They reveal details about the Bradberry cluster and their probable kin:

- John Bradberry paid taxes in King William County in 1800 through 1826, when tax liability for his land was transferred to Richard Bradberry “by deed.”³⁴ Whether John died or moved away is unknown.
- Richard Bradberry was taxed in King William County in 1800–26. He died in 1826–27, as his estate was taxed in 1827–43.³⁵

28. King William Co. Court Minute Book, pp. 81 (*Richeson v. Richard and John Bradberry*), 82 (*Richeson v. John Bradberry*), 183 (*Richeson v. Richard and John Bradberry, continued*), 253 (*Hill v. John Bradberry and McNab*), and 305 (*Daniel v. Crow and Bradberry*), Clerk of the County Court, King William, Va.; FHL microfilm 1,987,199, item 2.

29. *Ibid.*, unnumbered page near end of book.

30. Garnett to Bradberry, King William Co. Deed Book 7:50, Clerk of the County Court, King William, Va.; FHL microfilm 1,987,190.

31. Garnett to Fleet, King William Co. Deed Book 3:289; FHL microfilm 1,987,187. Bradberry to Smith, King William Co. Deed Book 6:22–23; FHL microfilm 1,988,189. Bradberry to Tuck, King William Co. Deed Book 8:398–99; FHL microfilm 1,987,191.

32. King William Co. Deed Book 5:42 (*Redd to McNab*); FHL microfilm 1,987,188. King William Co. Deed Book 6:22–23 (*Bradberry to Smith*) and 104–6 (*Garnett and others to Bradberry*). King William Co. Deed Book 8:398–99 (*Bradberry to Tuck*); FHL microfilm 1,987,191. King William Co. Deed Book 8:466–67 (*Temple to Bradberry*) and 8:468–69 (*Tompkins to Bradberry*); FHL microfilm 1,987,192.

33. See “Using Land Tax Records in the Archives at the Library of Virginia” and “Using Personal Property Taxes in the Archives of the Library of Virginia,” *Library of Virginia* (http://www.lva.lib.va.us/whatwehave/land/rn1_landtax.pdf) and (http://www.lva.lib.va.us/whatwehave/tax/rn3_persprop.htm).

34. John Bradberry entries, King William Co. 1800–1, 1804–7, and 1809–26 personal property tax lists and 1805–7 and 1809–26 land tax lists, unpaginated but alphabetized by first letter of surname, Virginia Commissioner of Revenue, Richmond; FHL microfilms 0,032,110 (personal property), 0,029,944 (land, 1805–19) and 0,029,945 (land, 1820–26).

35. Richard Bradberry entries, King William Co. 1801, 1803, 1806, 1809, and 1811–26 personal property tax lists and 1826 land tax list. Richard Bradberry estate entries, King William Co. 1827–43 land tax lists.

Table 4
Suggested Composition of Two Bradberry Households in
King William County, Virginia, in 1830

SEX AND AGE IN 1830	HOUSEHOLD		
	ANN BRADBERRY	HENRY BRADBERRY	
MALES	under 5		James (2) ^a
	5-9	David (of age in 1848) ^b	
	10-14	Robert (14)	
	15-19	Joseph (16) Richard S. (18)	
	20-30	James F. (20-30) ^c William W. (of age in 1836) ^d John (20)	Henry (30)
FEMALES	under 5		Elizabeth (4) Susan (2)
	5-9		Virginia (6)
	10-14	Ann Eliza ^e	
	15-19		Elizabeth (14)
	20-29	unknown	
	50-59	Ann	

Source: Ann Bradberry household, 1830 U.S. census, King William Co., Va., p. 92, line 23; Henry L. Bradberry household, 1830 U.S. census, King William Co., Va., p. 86, line 26; both on National Archives (NA) microfilm M19, roll 201.

a. Numerals in parentheses are ages in 1830 calculated from entries in the 1850 census, which had the same enumeration date (1 June) as the 1830 census. See R. Bradberry, R. Bradberry, J. Bradberry, and H. Bradberry households, 1850 U.S. census, Weakley Co., Tenn., population schedule, District 7, p. 468 (stamped, recto and verso), dwellings/families 33, 36, 37, and 42, respectively; NA microfilm M432, roll 899.

b. David Bradberry entry, 1848, district 7, Weakley Co. Tax Book 2, County Trustee, Dresden, Tenn.; microfilm 1,003,115, Family History Library, Salt Lake City.

c. Jas F Bradberry household, 1840 U.S. census, Weakley Co., Tenn., p. 292, line 22; NA microfilm M704, roll 530; shows James as age 30-39.

d. Wm Bradberry entry, Montgomery Co. 1836 tax list, District 1, p. 352, line 16; Early Tennessee Tax Lists microfilm 7, Tennessee State Library and Archives, Nashville.

e. If Ann Eliza was the unknown female age 20-29 in the Mrs. A. Bradberry household in 1840, which seems likely, she was age 10-19 in 1830. See Mrs. A. Bradberry household, 1840 U.S. census, Montgomery Co., Tenn., p. 268, line 11; NA microfilm M407, roll 532.

- Ann Bradberry was taxable in 1828–32.³⁶ She probably was Richard’s widow because (1) she was taxed after his death, (2) his wife reportedly was “Ann,” and (3) Ann Eliza Bradberry’s mother was “Nancy” (a nickname for Ann).³⁷
- Thomas Bradberry was taxable in 1817–19, suggesting that he had moved out on his own in 1817. The decrease from two polls to one in Richard Bradberry’s 1816–17 listings suggests that Thomas was Richard’s son. Richard’s increase from one to two polls in 1813–14 implies the son turned sixteen in 1814.³⁸
- Henry L. Bradberry paid taxes in 1820 and 1826–28.³⁹ The first listing indicates he was born before 1804, which is consistent with the Weakley County, Tennessee, “H. Bradberry” enumeration in 1850.⁴⁰
- Robert Bradberry paid taxes in 1827, pointing to his birth before 1811, and agreeing with his Weakley County listing in 1850.⁴¹
- Except for the land in Richard’s estate, tax listings for the above “free white” Bradberrys cease in 1834, consistent with the appearance of Bradberry families in Montgomery County, Tennessee.⁴²

John and Richard Bradberry, both born 1776–94, headed King William County households in 1820. As shown in table 5, Richard’s household configuration could include the Bradberrys who went to Tennessee. Considering only the composition of both households, however, either Richard or John could be their father. Two points tip the scale toward Richard:

- King William County tax and census evidence suggests John and his children left before 1830 and probably in 1826. In contrast, the Bradberrys appearing in Tennessee in 1838 remained in King William County through 1834.
- The King William County tax records imply that Ann was Richard’s widow. Ann (or “Nancy”) is identified directly as mother of two members of the cluster. Her household accounts for them in King William County in 1830.

CONCLUSION

King William County tax lists, its surviving courthouse records, and gleanings from the Tennessee counties of Montgomery and Weakley provide

36. Ann Bradberry entries, King William Co. 1828–32 personal property tax lists.

37. For Ann’s identity as Richard Bradberry’s wife, see Henry Bradberry family Bible record. For Nancy’s identity as Ann Eliza Bradberry’s mother, see Ann Eliza Bradberry will, Montgomery Co. Probate Record J:321.

38. King William Co. 1814 (Richard Bradberry), 1817 (Richard Bradberry and Thomas Bradberry), and 1818–19 (Thomas Bradberry) personal property tax lists.

39. Henry L. Bradberry entries, King William Co. 1820 and 1826–28 personal property tax lists.

40. H. Bradberry household, 1850 U.S. census, Weakley Co., Tenn., pop. sch., District 7, p. 468 (stamped, verso), dwell./fam. 42.

41. Robert Bradberry entry, King William Co. 1827 personal property tax list. R. Bradberry household 1850 U.S. census, Weakley Co., Tenn., pop. sch., District 7, p. 468 (stamped, recto), dwell./fam. 36.

42. Several “free black” Bradbys and Bradberrys sporadically paid King William Co. personal property taxes between 1798 and 1841. Their given names were Edward, Miles, Ned, Patrick, Richard, and William.

Table 5
Suggested Composition of Richard Bradberry Household in 1820

SEX AND AGE		IDENTITIES
MALES	under 10	Robert (4) ^a Joseph (6) Richard S. (8) John (10)
	10–14	William W. (of age in 1836) ^b James F. (10–20) ^c Henry (20)
	26–44	Richard
FEMALES	under 10	Ann Eliza ^d
	16–26	unknown
	26–44	Ann (“Nancy”)

Source: Richard Bradbury household, 1820 U.S. census, King William Co., Va., p. 334, line 8; National Archives (NA) microfilm M33, roll 136.

a. Numerals in parentheses are ages in 1820 calculated from entries in the 1850 census, which had the same enumeration date (1 June) as the 1820 census. See R. Bradberry, R. Bradberry, J. Bradberry, and H. Bradberry households, 1850 U.S. census, Weakley Co., Tenn., population schedule, District 7, p. 468 (stamped, recto and verso), dwellings/families 33, 36, 37, and 42, respectively; NA microfilm M432, roll 899. For enumeration dates see Ann Bruner Eales and Robert M. Kvasnicka, eds., “Census Records,” in *Genealogical Research in the National Archives of the United States*, 3rd ed. (Washington, D.C.: National Archives and Records Administration, 2000), 24–25.

b. Wm Bradberry entry, Montgomery Co. 1836 tax list, District 1, p. 352, line 16; *Early Tennessee Tax Lists* microfilm 7, Tennessee State Library and Archives, Nashville.

c. Jas F Bradberry household, 1840 U.S. census, Weakley Co., Tenn., p. 292, line 22; NA microfilm M704, roll 530; shows James as age 30–39.

d. If Ann Eliza was the unknown female age 20–29 in the Mrs. A. Bradberry household in 1840, which seems likely, she was under age 10 in 1820. See Mrs. A. Bradberry household, 1840 U.S. census, Montgomery Co., Tenn., p. 268, line 11; NA microfilm M407, roll 532.

enough data to locate the Virginia origins and parents of John Bradberry who settled in Tennessee and Arkansas. Examining the pieces of evidence separately does not reveal John’s parents or an origin more specific than “Virginia.” Only when fragments of information about a cluster are assembled piece by piece does a picture emerge. Remarkably consistently, the bits support the hypothesis that the men in the Virginia-born cluster in 1850 Tennessee, including John, were born to Richard and Ann Bradberry in King William County, Virginia.

Perhaps the most common genealogical mistake is focusing a search too narrowly. Studying only John Bradberry and records he created would never have revealed his origin. Broadening research to include a cluster of migrating families, however, led to convincing evidence of his birthplace and parents.

GENEALOGICAL SUMMARY

1. **Richard Bradberry** was born about 1775.⁴³ He died in King William County, Virginia, in 1826–27.⁴⁴ Richard married **Ann “Nancy” (née [—?—])**, probably before 1797 if she was mother of all his children.⁴⁵ Born about 1780, Ann headed a household in King William County in 1830 and Montgomery County, Tennessee, in 1840.⁴⁶ She died after 22 November 1843, probably in Tennessee.⁴⁷ The evidence discussed above suggests that Richard had eleven children, born in King William County:

- 2 i. THOMAS BRADBERRY, born about 1797–98.⁴⁸ By 1830 he had settled in Augusta County, Virginia, with a young household.⁴⁹
- 3 ii. HENRY L. BRADBERRY, born 1 April 1801. On 15 April 1821, probably in King William County, he married Susan Taylor, born 7 April 1803 to James and Genie Taylor.⁵⁰
- 4 iii. WILLIAM W. BRADBERRY, born about 1805–10.⁵¹ He married on 19 November 1839 in Montgomery County, Ann Ragsdale.⁵²
- 5 iv. JAMES F. BRADBERRY, born about 1805–10.⁵³
- 6 v. JOHN N. BRADBERRY, born 1809–10. He married, apparently, Sarah A. (née [—?—]), who was born in North Carolina, 1820–21.⁵⁴

43. Richard Bradbury household, 1820 U.S. census, King William Co., Va., p. 314, line 8; NA microfilm M33, roll 136.

44. King William Co. 1826 (Richard Bradberry) and 1827 (Richard Bradberry estate) land tax lists.

45. For Ann’s identity as Richard Bradberry’s wife, see Henry Bradberry family Bible record. For her nickname “Nancy,” see Ann Eliza Bradberry will, Montgomery Co. Probate Record J:321.

46. Ann Bradberry household, 1830 U.S. census, King William Co., Va., p. 92, line 23. Mrs. A. Bradberry household, 1840 U.S. census, Montgomery Co., Tenn., p. 268, line 11; NA microfilm M407, roll 532.

47. Ann Eliza Bradberry will, Montgomery Co. Probate Record J:321.

48. King William Co. 1814 (Richard Bradberry) and 1817 (Richard Bradberry and Thomas Bradberry) personal property tax lists.

49. Thomas Bradberry household, 1830 U.S. census, Augusta Co., Va., p. 70, line 3; NA microfilm M19, roll 189.

50. Henry Bradberry family Bible record. The record includes birth dates for Henry’s older children: Virginia A., 22 November 1824; Elizabeth, 25 July 1826; Susan, 7 February 1828; James, 2 March 1830; and George Enor, 25 December 1831.

51. Richard Bradbury household, 1820 U.S. census, King William Co., Va., p. 314, line 8. Ann Bradberry household, 1830 U.S. census, King William Co., Va., p. 92, line 23. William is not named in either census; his enumeration is inferred from his associations with the Bradberry cluster.

52. Bradberry-Ragsdale marriage record, Montgomery Co. Marriage Record 1:25, County Court, Clarksville, Tenn.; FHL microfilm 0,321,021.

53. Richard Bradbury household, 1820 U.S. census, King William Co., Va., p. 314, line 8. Ann Bradberry household, 1830 U.S. census, King William Co., Va., p. 92, line 23. James is not named in either census; his enumeration is inferred from his associations with the Bradberry cluster.

54. J. Bradberry household, 1850 U.S. census, Weakley Co., Tenn., pop. sch., District 7, p. 468 (stamped, recto), dwell./fam. 37. John Bradberry household, 1860 U.S. census, Greene Co., Ark., pop. sch., Concord Twp., Oak Bluff post office, p. 112, dwell. 670, fam. 655. J. N. Bradberry household, 1870 U. S. census, Greene Co., Ark., pop. sch., Johnson Twp., Big Creek post office, p. 8, dwell./fam. 52.

- 7 vi. RICHARD S. BRADBERRY, born 1811–12. He married, apparently, Elizabeth (née [—?—]), born in Tennessee in 1809–10.⁵⁵
- 8 vii. JOSEPH C. BRADBERRY, born 1813–14.⁵⁶ On 10 September 1852 in Weakley County, Tennessee, he married Mary Ford.⁵⁷
- 9 viii. ROBERT SEMPLE BRADBERRY, born 28 September 1816; died 20 March 1875.⁵⁸ On 24 December 1846 in Montgomery County he married Elizabeth Ann Ford.⁵⁹ Daughter of James and Nancy Ford, she was born in Montgomery County on 22 October 1828.⁶⁰
- 10 ix. ANNELIZA BRADBERRY, born 1816–20.⁶¹ She died unmarried in Montgomery County, between 22 November 1843 and February 1846.⁶²
- 11 x. GEORGE W. BRADBERRY, born 25 December 1822; died 8 February 1881.⁶³ On 18 January 1846 in Montgomery County, he married Sarah E. O'Neal.⁶⁴ Sarah was born 19 December 1828 and died 20 August 1879.⁶⁵ George remained in Montgomery County after most of his brothers moved to Weakley County.⁶⁶
- 12 xi. DAVID BRADBERRY, born 1826–27.⁶⁷

55. R. Bradberry household 1850 U.S. census, Weakley Co., Tenn., pop. sch., District 7, p. 468 (stamped, recto), dwell./fam. 36.

56. J. C. Bradberry household, 1870 U.S. census, Weakley Co., Tenn., pop. sch., Civil District 7, Dresden post office, p. 12, dwell./fam. 72; NA microfilm M593, roll 1570. Joseph Bradbury household, 1880 U.S. census, Clay Co., Ark., pop. sch., Bradshaw Twp., ED 32, sheet 23, dwell. 188, fam. 193; NA microfilm T9, roll 40.

57. Bradberry-Ford marriage record, Weakley Co. Marriage Records 1843–66, p. 28, County Court Clerk, Dresden, Tenn.; FHL microfilm 0,988,668.

58. "Bradberry Cemetery," in *Daughters of the American Revolution James Buckley Chapter, Weakley County, Tennessee: Cemetery Listings*, 2 vols. (Sharon, Tenn., 1980), 1:39.

59. Bradberry-Ford marriage record, Montgomery Co. Marriage Record 1:75.

60. Robert Semple Bradbury family Bible record, in *Old and New Testament translated out of original tongues in Philadelphia* (Philadelphia: John E. Potter, no publication date); photocopy by Carolyn Wilcoxon in author's files.

61. If Ann Eliza was the unknown female in the Mrs. A. Bradberry household in 1840, which seems likely, she was born 1810–20. Correlating that entry with those of females of comparable age in likely Bradberry households in 1830 and 1820 yields 1816–20 as the probable time of her birth. See Mrs. A. Bradbury household, 1840 U.S. census, Montgomery Co., Tenn., p. 268, line 11. Also, Richard Bradbury household, 1820 U.S. census, King William Co., Va., p. 314, line 8; and Ann Bradberry household, 1830 U.S. census, King William Co., Va., p. 92, line 23.

62. Ann Eliza Bradberry will, Montgomery Co. Probate Record J:321.

63. Anita Whitefield Darnell et al., *Cemetery Records of Montgomery County, Tennessee*, 3 vols. (Clarksville, Tenn.: Ideal Publishing, 1965–68), 1:61.

64. Bradberry-O'Neal marriage record, Montgomery Co. Marriage Record 1:14.

65. Darnell et al., *Cemetery Records of Montgomery County, Tennessee*, 1:61.

66. Geo. W. Bradbery household, 1850 U.S. census, Montgomery Co., Tenn., pop. sch. [district not specified], p. 223 (stamped, verso), dwell./fam. 1312; NA microfilm M432, roll 891. G. W. Bradbury household, 1860 U.S. census, Montgomery Co., Tenn., pop. sch., "N & E of Cumberland River," Clarksville post office, p. 390, dwell./fam. 482; NA microfilm M593, roll 1266.

67. David Bradberry entry, list for 1848, Civil District 7, Weakley Co. Tax Book 2, unpaginated but alphabetical within each district, County Trustee, Dresden, Tenn.; FHL microfilm 1,003,115.

Reality Behind the Legends: The Search for Nellie West's Father

By Robert E. Hoagland

Family legends are often embellished and distorted with the passage of time. Research proceeding from the known to the unknown can verify—or disprove—undocumented stories.

A dignified, aloof man who frowned upon familiarity, Civil War veteran “Mister West” left a score of family legends in his wake. Even basic facts, like his first name, were lost after a family schism in 1931. Grandson William G. Wearshing mended the break in the late 1980s and his son, William Jr., gathered stories from elderly family members. Almost every one of those fading memories held a kernel of truth.

THE LEGENDS

Initial information about Mister West came from interviews by William G. Wearshing Jr., who interviewed his father, his father's sister Fredricka “Freda” H. (née Wearshing) Hinkle, and his father's niece Emma Sutcliffe, all of whom remembered West vividly.¹ Years after the Civil War Mister West attended family dinners in Camden, New Jersey, at the homes of his daughter Nellie and granddaughter Eva. On these occasions his dinner attire was a Union Army or Grand Army of the Republic uniform.²

No written family records survived the schism, but twelve legends provided clues:

1. Mister West was Isaac Jacob West, Nellie's father. He lived in Philadelphia, Pennsylvania.
2. Isaac had been married twice; his wives' names were unknown. His first wife died early, leaving him with one child.

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1. William Wearshing Jr., Spring Hill, Fla., and Camden, N.J., letters to author, 7 December 1993, 6 January 1994, and 24 March 1994. All three informants have since died.

2. His great-granddaughter Emma (née Russell) Sutcliffe told William Wearshing she remembered West coming to dinner frequently in the late 1910s and 1920s.

3. Isaac served in the Union Army during the Civil War and “participated” in the battle at Gettysburg. One family member emphasized that West attended Gettysburg reunions and on “9/10/01” had his picture taken at Devil’s Den.
4. Isaac worked for many years at the Philadelphia Navy Yard.
5. Isaac died in his early nineties, perhaps in southern New Jersey, between 1932 and 1934. He was buried in the Fernwood Cemetery in West Philadelphia, Pennsylvania.
6. Nellie West was a stage actress in late 1800s Philadelphia.
7. Nellie was married twice. With her first husband—name unknown—she had a daughter Eva who married Mr. Russell.
8. Nellie married, second, William Wearshing and at one time lived at 1231 South Third Street, Camden, New Jersey.
9. William Wearshing married once before marrying Nellie.
10. With her second husband Nellie had three children: William Grover Wearshing, born in August 1906 in Camden, Nellie (married name Erbach), and Freda H. (married name Hinkle). Nellie might have been William Grover Wearshing’s stepmother.
11. William Grover Wearshing had seven brothers who died in a scarlet fever epidemic. They may have been children of William Wearshing’s first wife.
12. Nellie (née West) Wearshing died in Camden about 1938.

VERIFYING THE LEGENDS

Family legends are often embellished and distorted with the passage of time. Research proceeding from the known to the unknown can verify—or disprove—undocumented stories. Mister West might be found through his daughter Nellie.

Finding Nellie West and Her Children

Nellie is a nickname for many names. Nevertheless, using clues from family legends to identify Nellie and her last husband in contemporary records was straightforward. Other details were not. Tabulating Camden, New Jersey, records of Nellie between 1900 and 1930 verified some family stories.

The Wearshings indeed lived at 1231 South Third Street—from 1912 through 1930.³ At this address and at their earlier home on 291 Mechanic Street, William and Nellie’s Wearshing children were identified in the censuses:⁴

3. *Greater Camden City Directory for 1912 . . .* (Philadelphia: C. E. Howe, 1912), 1101. Nellie Wershing household, 1915 New Jersey state census, Camden Co., population schedule, Ward 5, enumeration district (ED) 12, sheet 13, dwelling 262, family 285; microfilm 10, New Jersey Archives, Trenton. William Wearshing household, 1910 U.S. census, Camden Co., N.J., pop. sch., Camden City, Ward 5, ED 29, sheet 11B, dwell. 184, fam. 202; NA microfilm T624, roll 873. William Wearshing household, 1920 U.S. census, Camden Co., N.J., pop. sch., Camden City, Ward 5, ED 31, sheet 10B, dwell. 203, fam. 221; National Archives (NA) microfilm T625, roll 1022. William “Wershing” household, 1930 U.S. census, Camden Co., N.J., pop. sch., Camden City, Ward 5, ED 4-21, sheet 14A, dwell. 219, fam. 235; NA microfilm T626, roll 1320.

4. William Wearshing household, 1900 U.S. census, Camden Co., N.J., pop. sch., Camden City, Ward 5, ED 54, sheer 9A, dwell. 176, fam. 180; NA microfilm T623, roll 958. William Wearshing household, 1905 New Jersey state census, Camden Co., pop. sch., Camden City, Ward 5, ED 2, sheet 13B, dwell. 266, fam. 267; New Jersey State Archives microfilm 7.

- Theodore Wearshing. Son of Nellie "Warshing," he died of diphtheria on 5 August 1903.⁵
- William Grover or Grover William Wearshing. No birth record was found for him in New Jersey. His 1928 marriage record to Doris Lacombe, although hastily written, provided his father's name as "Wm Wearshing" and his mother's maiden name as "Mabel" West.⁶
- Fredericka Wearshing. Fredericka's 1905 birth went improperly recorded until Eva L. Russell filed an amended record in 1959.⁷
- Naomi Wearshing. No New Jersey birth record was found for her. In 1910 she was enumerated as Naomi, age seventeen months. In 1915 she was called "Nellie," age six years, born November 1908. In 1920 she was listed as "Nellie Jr.," age eleven years.

Conflicting information about daughter Eva prompted further research. The 1900 census reports her as William's daughter, "Eva Wearshing," nine years old, born in June 1890 in Pennsylvania. Rather than indicating that William was Eva's stepfather, it implies that Nellie was her stepmother.⁸ In 1905 William Wearshing lived at 291 Mechanic Street with Nellie. Also living there was Eva Mac Neil, a fifteen-year-old pen maker.⁹ Eva Mac Neil's surname and birth month were different from those reported for Eva Wearshing in 1900, but they appear to be one person who had aged appropriately. Eva did not appear again with the Wearshings in later censuses. Perhaps Nellie's first husband was a Mac Neil.

On 21 May 1959 Eva L. Russell filed a notarized statement to correct the birth certificate of "her sister Fredricka Wearshing." In changing the wording from "Fredrick Worshing - Male" to "Fredricka Wearshing - female," Eva testified "I was 15 years of age at the time of [Fredricka's] birth." Eva's daughter Emma R. Sutcliffe witnessed her mother's signature. Both women lived at 425 Richey Avenue, West Collingswood, New Jersey. Fredricka was born 16 August 1905 at 291 Mechanic Street, Camden. Her father was "Wm Worshing," a forty-eight-year-old salesman. Her mother's maiden name was Nellie West, who at that time was thirty-five years old and had given birth "all by this marriage" to

5. Theodore Warshing death record, certificate 15697 (1903), N.J. Bureau of Vital Statistics; New Jersey State Archives microfilm 201.

6. Birth certificates and indexes under "Wearshing" or "Worshing," 1878-1923, N.J. Bureau of Vital Statistics, New Jersey State Archives. Wearshing-Lacombe marriage certificate, no. 401/645, N.J. Bureau of Vital Statistics; New Jersey State Archives microfilm 489.

7. Fredricka Wearshing, birth certificate no. 129 (1905), N.J. Bureau of Vital Statistics; New Jersey State Archives microfilm 271. The notarized form and the original birth certificate no. 251 accompany the new birth certificate.

8. William Wearshing household, 1900 U.S. census, Camden Co., N. J., pop. sch., Camden City, Ward 5, ED 54, sheet 9A, dwell. 176, fam. 180.

9. William Wearshing household, 1905 New Jersey state census, Camden Co., pop. sch., Camden City, Ward 5, ED 2, sheet 13B, dwell. 266, fam. 267.

three children, one “now living.”¹⁰ Fredricka’s corrected birth record supports the family legend that Eva was a child of Nellie’s first marriage and that Eva married a man named Russell. Eva Mac Neil’s birth record was not found in the Philadelphia birth indexes from May 1890 to August 1890.¹¹ No marriage record was found for her in New Jersey or in Philadelphia between 1905 and 1916.¹²

Eva L. Russell was living with her husband, J. Lewis Russell, at 425 Richey Avenue, West Collingswood, New Jersey, when he died on 28 February 1949.¹³ His death notice identified his widow as Eva L. Russell (née Macneal). He was buried in Locustwood Memorial Park.¹⁴ Eva was buried beside him on 7 November 1960.¹⁵ Her death certificate states she was born 6 June 1890 in Philadelphia to Bernard Macneal and Amanda N. West. The informant was Emma R. Sutcliffe, Eva’s daughter.¹⁶

Details found while tracing the children illuminated possible explanations for one family legend and one name variant. The 1910 census uniquely reported that Nellie had given birth to eleven children, four still living.¹⁷ Could this have been a reflection of the tradition of seven brothers who died of scarlet fever?

The 1899 Camden city directory lists William and Nellie, and in 1900 “Nellie L” is in parentheses after William Wearshing’s name at 291 Mechanic Street.¹⁸ City directories rarely show women’s middle initials. In an era when American women commonly adopted their maiden name as a middle name, the initial can point to a possible surname. This was not the case for Nellie.

Evidence of Nellie West

William “Warshing” and Nellie Lucinda West married on 25 January 1900 in Camden. A forty-year-old janitor and son of Godfrey Warshing and Therisa Miller, William was marrying a second time after a “Complete Divorce.” It was a first marriage for twenty-eight-year-old Nellie, daughter of Jacob West and Susen Hogan. The new couple resided at 291 Mechanic Street in Camden.¹⁹

10. Fredricka Wearshing, birth certificate no. 129 (1905), N.J. Bureau of Vital Statistics; New Jersey State Archives microfilm 271. Fredricka was this couple’s first child.

11. Philadelphia County Birth Index, Box 9, 1889 Jan. “M”–1891 Jan. “R,” Philadelphia City Archives, Philadelphia.

12. New Jersey index to statewide marriages, 1905–1913, New Jersey State Archives; and Philadelphia County marriage license index, 1885–1916, “Mc & N” and “R,” Orphans Court, Philadelphia.

13. Russell admin., Camden County Administrations, Book 41:68, Surrogate’s Office, Camden.

14. J. Lewis Russell obituary, *Evening Courier*, Camden, N.J., 2 March 1949, page 23.

15. Letter from Suzanne Nurenberg of Bridgeton, N.J., to author, 24 August 2005.

16. Eva L. Russell death certificate no. 48392 (1960), N.J. Bureau of Vital Statistics.

17. William Wearshing household, 1910 U.S. census, Camden Co., N.J., pop. sch., Camden City, Ward 5, ED 29, sheet 11B, dwell. 184, fam. 202.

18. *Camden City Directory for 1899 . . .* (Philadelphia: C. E. Howe, 1899), 855. *Camden City Directory for 1900 . . .* (Philadelphia: C. E. Howe, 1900), 920.

19. Warshing-West marriage record, New Jersey Marriage Returns W54 (1900), Secretary of State, Trenton; New Jersey State Archives microfilm 142. Rev. John Handley officiated, and L. B. and P. L. Handley were witnesses. The 1910 census entry for Nellie also indicates this was her first marriage.

Some details elude corroboration or refute family legend. William's divorce apparently did not occur in New Jersey.²⁰ No earlier marriage appears in Camden County records or the New Jersey brides' index for Nellie.²¹ No marriage license is indexed for Nellie Lucinda West to a Mac Neil from 1885 through 1916 in Philadelphia County.²² No West–Mac Neil divorce is indexed among the 1890–1900 Philadelphia divorces.²³

Did Nellie die about 1938 at sixty-eight years old? City directories often help to pinpoint death dates. In 1932–39, during the Great Depression, no Camden directories were printed. The 1940 directory lists Nellie Wearshing, “wid[ow of] Wm” at “r[ear] 186 Elm av[enue], W[est] Pen[nsauken] Twp.”²⁴

Nellie L. Wearshing's will dated 2 March 1937, was proved on 15 January 1943. She left to “my son, W. Grover Wearshing of Camden, New Jersey” twenty-five dollars and “to my three daughters, Nellie Erbach of Arlington, New Jersey, Freda W. Hinkle of Camden, New Jersey and Eva Russell of Collingswood, New Jersey” the residue to be divided equally. Nellie appointed Eva as executrix.²⁵

“Naomi” Lucinda Wearshing died 23 December 1942 in Haddon Heights, Camden County, New Jersey, age seventy-two years and two months. Her father was Jacob West and her mother, Susan “Hoogan,” both born in “Penn.” She was buried in the New Camden Cemetery.²⁶ An obituary for “Naomi” L. Wearshing lists her surviving children as Grover W. Wearshing, Eva L. Russell, Freda H. Hinkle, and Naomi L. Erbach. No mention is made of youthful days on the stage.²⁷

If Nellie West performed on the stage in Philadelphia, it probably occurred between 1885 and 1900. Major repositories with theatre collections were searched for “Nellie West” with negative results.²⁸

20. N.J. Chancery Court Index to Cases, 1887–1904, New Jersey State Archives.

21. Marriage card file, Camden County Historical Society, Camden, N.J. H. Stanley Craig, *Camden County New Jersey Marriages* (1932; repr. Merchantville, N.J., 1980). New Jersey Brides' Index, 1875–1900, New Jersey State Archives.

22. Philadelphia County Marriage License Index, “W” and “Mc & N,” 1885–1916, Orphans Court, Philadelphia.

23. Divorces Index, vol. 2, Common Pleas Court, Philadelphia.

24. *Polk's Camden City Directory 1940* (New York: R. L. Polk, 1940), 782.

25. Nellie L. Wearshing will (1943), Camden County Loose Wills, File D16434, New Jersey Superior Court Records Center, Trenton.

26. Naomi Lucinda Wearshing death certificate no. 171 (1942), N.J. Bureau of Vital Statistics. Naomi and Nellie were interchangeable names for Nellie's youngest daughter, as well.

27. *Morning Post*, Camden, N.J., 24 December 1942, page 4. An identical obituary appears in the *Evening Courier*, Camden, N.J., 24 December 1942, page 4.

28. “Temple University Urban Archives: Morgue of the *Philadelphia Evening Bulletin Newspaper*,” cited in Margaret Jerrido to author, memorandum, 31 January 2007. Index to obituaries in *Variety*, index to obituaries in Billy Rose Theatre Collection (Lincoln Center, New York), and obituaries in the clipping and card files, The Free Library of Philadelphia–Theatre Collection. Scrapbooks and playbills about theatre in Philadelphia, New York, and England, 1887–1898, archival boxes 4, 5, 6, 16, 17, 17A, and 18, and a bound volume of theatre programs 1869–1905, Annenberg Rare Book and Manuscript Library, Philadelphia.

Identifying Jacob West

Two independent sources refute the family belief that Nellie's father's first name was Isaac. No Nellie West entry appears in the Philadelphia County birth index for 1870–72.²⁹ Might censuses verify her father's name?

Jacob West appears in two Philadelphia enumerations taken in 1870. On 25 June 1870 Jacob "S." West, a twenty-seven-year-old house carpenter, lived in Mary Harkness's household. Four children, who were probably Mary's offspring, and Susie West, age twenty-four, also lived in the house.³⁰ On 21 November 1870 Jacob headed a household at 912 Souder Street that included Susan West.³¹

Souder Street, now Waverly Street, was just two hundred feet long with only twelve houses numbered from 900 to 922.³² Michael Hogan, a shoemaker, lived at no. 902 in 1861 and 1871.³³ In 1860 his eleven-person household included Susan Hogan, age fifteen, born in Pennsylvania. Both forty-eight-year-old Michael and another Susan, his apparent wife, were born in Ireland.³⁴

No record of Jacob West's marriage to Susan Hogan has been found.³⁵ They were not "married within the year" in 1870, and no children were enumerated with them. No record of Susan's death is known.³⁶

Next door to Jacob West in November 1870, at 914 Souder Street, lived Thomas West, a forty-nine-year-old ladies' shoemaker, and his apparent wife, Amanda E., both born in Ireland.³⁷ Jacob S. West and Thomas West resided together at the 914 Souder Street address from 1865 to 1872.³⁸

29. Philadelphia County Birth Index, 1870–1872, Philadelphia City Archives.

30. Mary Harkness household, 1870 U.S. census, Philadelphia Co., Pa., pop. sch., Philadelphia, Ward 7, 18th District, p. 102, dwell. 632, fam. 653, first enumeration; NA microfilm M593, roll 392.

31. Jacob West household, 1870 U.S. census, Philadelphia Co., Pa., pop. sch., Philadelphia, Ward 7, p. 49, second enumeration; NA microfilm M593, roll 1420.

32. Griffith Morgan Hopkins, *City Atlas of Philadelphia by Wards*, 7 vols. (Philadelphia: G. M. Hopkins, 1875), vol. 6, plate E.

33. *McElroy's Philadelphia City Directory for 1861* . . . (Philadelphia: E. C. & J. Biddle & Co., 1861), 449; *Gopsill's Philadelphia City Directory for 1871* . . . (Philadelphia: James Gopsill, 1871), 724.

34. Michael Hogan household, 1860 U.S. census, Philadelphia Co., Pa., pop. sch., City of Philadelphia, Ward 7, p. 75, dwell. 477, fam. 616; NA microfilm M653, roll 1157.

35. Philadelphia Co. Marriage Index, 1867–79, Philadelphia City Archives.

36. Bernard F. Pasqualini, *Philadelphia Inquirer Death Notice Index, 1870–78* (Philadelphia: Free Library of Philadelphia, 1984–), vols. 10–18.

37. Thomas West household, 1870 U.S. census, Philadelphia Co. Pa., pop. sch., Philadelphia, Ward 7, pp. 49–50, dwell. 631, fam. 652; NA microfilm M593, roll 1420.

38. *McElroy's Philadelphia City Directory for 1865* . . . (Philadelphia: A. McElroy, 1865), 712–13; *McElroy's Philadelphia City Directory for 1866* . . . (Philadelphia: A. McElroy, 1866), 775; *McElroy's Philadelphia City Directory for 1867* . . . (Philadelphia: A. McElroy, 1867), 959; *Gopsill's Philadelphia City Directory and Business Directory for 1867/68* . . . (Philadelphia: James Gopsill, 1867), 1315; *Gopsill's Philadelphia City Directory and Business Directory for 1869* . . . (Philadelphia: James Gopsill, 1869), 1541; *Gopsill's Philadelphia City Directory for 1870* . . . (Philadelphia: James Gopsill, 1870), 1588–89; *Gopsill's Philadelphia City Directory for 1871* . . . (Philadelphia: James Gopsill, 1871), 1472–73; *Gopsill's Philadelphia City Directory for 1872* . . . (Philadelphia: James Gopsill, 1872), 1370; *Gopsill's Philadelphia City Directory for 1873* . . . (Philadelphia: James Gopsill, 1873), 1351; *Gopsill's Philadelphia City Directory for 1874* . . . (Philadelphia: James Gopsill, 1874), 1377–78; *Gopsill's Philadelphia City Directory for 1875* . . . (Philadelphia: James Gopsill, 1875), 1574–75.

Neither Jacob nor Thomas West appears in Philadelphia city directories from 1876 to 1890. Souder Street, in the Seventh Ward, was part of “the cramped streets and alley housing . . . that had served as the Negro ghetto and a white slum for a century,” where “some unemployment each year was a fact of life.”³⁹ The Wests may have moved to find work or a room in a boarding house. Directory compilers might simply have bypassed them. Thomas and Amanda may have been Jacob's parents.

Consistent with family lore, Jacob remarried. On 23 June 1877 Jacob S. West, a thirty-four-year-old carpenter, married Ella E. Herbert, age twenty-nine, in a Methodist ceremony in Philadelphia. Both Jacob and Ella were reportedly natives and residents of the city.⁴⁰

Jacob's family is not in the 1880 census. However, an eight-year-old Nellie West born in Pennsylvania to parents born in Ireland appears boarding in a convent industrial school.⁴¹

In 1880 the school was known as the Immaculate Conception Industrial School operated by the Sisters of the Good Shepherd.⁴² Surviving records do not begin until the early 1900s.⁴³

Ellen Lucinda West was baptized in St. John the Evangelist Church, one of three Catholic parish churches serving 914 Souder Street:

Ellen Lucinda West born 23 October 1870
 Baptized 9 November 1870 Parents: Jacob S. and Susan A. Hogan
 Sponsor: Mary Louise Emmerson
 By Rev. J. J. Fitzmaurice

The record gives Nellie's formal first name and that of her father. The St. John the Evangelist's marriage register has no West-Hogan marriage between 1855 and 1870.⁴⁴

Jacob West the Veteran

On 31 May 1861 Jacob West, age nineteen, enlisted for three years in the Union Army at Philadelphia. On 27 July 1861 he was mustered in as a private in Company E, Seventh Regiment of Pennsylvania Reserve Infantry, in

39. Sam Bass Warner Jr., *The Private City: Philadelphia in Three Periods of Its Growth* (1968; rev. ed., Philadelphia: University of Pennsylvania Press, 1987), 183 and 185.

40. West-Herbert marriage record, Philadelphia Registration of Marriages, 1877, p. 79, Philadelphia City Archive.

41. Mother Superior Mary C. Murray, proprietress of school, 1880 U.S. census, Philadelphia Co., Pa., pop. sch., Philadelphia, Ward 17, ED 584, p. 9, NA microfilm T9, roll 1185.

42. Thomas J. Donaghy, *Philadelphia's Finest: A History of Education in the Catholic Archdiocese, 1692–1970* (Philadelphia: American Catholic Historical Society, 1972), 72 and 94.

43. Sr. Mary O'Brien, archivist, Sisters of the Good Shepherd, interview by author, 1 March 2005.

44. Christine Friend, Philadelphia Archdiocesan Historical Record Center, Wynnewood, Pennsylvania, to author, letter, 24 January 1997. The baptismal and marriage records are on microfilm. The original records were returned to the parishes.

Washington, D.C. He served there from 27 July 1861 to 7 October 1863, when he was detached to the Invalid Corps.⁴⁵ He served in Company F, Sixth Regiment Invalid Corps, until he was “discharged by reason of expiration of term of service . . . June 1, 1864.” West was described as a confectioner, born in Philadelphia, with blue eyes, light hair, light complexion, and 5 foot 7 inches tall.⁴⁶

Jacob probably did not participate in the battle at Gettysburg, Pennsylvania, on 1–3 July 1863. Instead he was “Present” in the Company E muster rolls for March through August of 1863.⁴⁷ Throughout the fight at Gettysburg, the Seventh Regiment performed provost and guard duty at Arlington under the command of General Slough.⁴⁸ Jacob apparently was never stationed elsewhere.

Living at “914 Souder St. in Philadelphia,” Jacob filed a military claim for pay for state service from 15 April 1861 to 31 May 1861 under Captain Hopkins, Company E of the Seventh Regiment of the Pennsylvania Volunteer Corps. The claim was settled for \$19.44 on 27 October 1870.⁴⁹

West is not indexed in the finding aid to Civil War pensions at Pennsylvania State Archives.⁵⁰ No picture of him attending a Gettysburg reunion is found at The Historical Society of Pennsylvania.⁵¹

Jacob West, Navy Yard Worker

Jacob West disappeared from Philadelphia records after 1877. A man of that name appeared sporadically in five Brooklyn, New York, city directories between 1890 and 1901, holding four different occupations while living at 439 Fulton Street: salesman, manufacturer, driver, and Navy Yard machinist.⁵²

45. Jacob/Jacob S. West, compiled military record (private, Company E, 7[th] Pennsylvania Reserve Infantry, 36 Pa. Vols.), *Compiled Service Records of Volunteer Union Soldiers Who Served in Organizations from the State of Pennsylvania*, microfilm M554 (Washington, D.C.: National Archives), roll 136. The Invalid Corps became the Veteran Reserve Corps in March 1864.

46. Jacob S. West, compiled military record (private, Company F, 6th Regiment Veteran Reserve Corps, 15 January 1864), *Compiled Service Records of Volunteer Union Soldiers Who Served in Organizations from the State of Pennsylvania*; microfilm M554, roll 136.

47. Jacob/Jacob S. West, compiled military record (Company E), *Compiled Service Records of Volunteer Union Soldiers . . . from the State of Pennsylvania*. The muster rolls give no regiment locations.

48. Samuel P. Bates, *History of Pennsylvania Volunteers, 1861–5*; *Prepared in Compliance with Acts of the Legislature*, 10 vols. (1869–71; repr., Wilmington, N.C.: Broadfoot Publishing, 1993–94), 2:729.

49. Jacob S. West, no. 1152, Military Claims File, Record Group 2, Department of the Auditor General, Board of Claims, 24 Aug. 1870–29 Dec. 1870; microfilm 117, Pennsylvania Historical Society and Museum Commission, Harrisburg.

50. Cynthia Miller, “Report on the Research for Jacob S. West,” 20 July 1996, author’s files.

51. [Philadelphia] *Record* [newspaper] Photo Morgue vol. 7, 1908–10, 1913–46, The Historical Society of Pennsylvania (HSP), Philadelphia (collection of 106 photos of Gettysburg reunions).

52. *Lain’s Brooklyn Directory 1890–1891* (New York: Lain & Company, 1890), 1289–90. *Lain’s Brooklyn Directory for the Year Ending May 1st 1892* (New York: Lain & Company, 1891), 1233. *Lain & Healy’s Brooklyn Directory for 1897 for the Year Ending May 1st 1897* (New York: Lain & Healy, 1896), 1568. *Lain & Healy’s Brooklyn Directory for the Year Ending May 1st 1898* (New York: Lain & Healy, 1897), 1660. *Brooklyn General Directory for the Year Ending May 1st 1901* (New York: George Upington, 1900), 1633. He was not found in subsequent Brooklyn directories.

Family legend stated he was a Philadelphia Navy Yard teamster. Could he have worked at both Navy yards?

In 1892 Jacob, Ella E., and Ida E. were enumerated together in Brooklyn.⁵³ In 1900 Jacob lived at 727 Fulton Street in Brooklyn. The household consisted of Jacob, born November 1843 in Pennsylvania, married twenty-two years; his wife Ella E., born March 1847 in Pennsylvania, married twenty-two years and mother of one child who was living; and his daughter Ida E., born January 1876 and single. Jacob's occupation, badly overwritten, is followed by the words "Navy Yard."⁵⁴

In 1903 Jacob S. West, born in Pennsylvania, was employed as a teamster at a New York Navy Yard or Naval Station, having been appointed from Kings County, New York.⁵⁵ He also worked there in 1905.⁵⁶

In 1910 Jacob S. West and his wife Ella E. resided at 1240 Fitzgerald Street in Philadelphia, approximately one mile from the Navy Yard. Jacob, age sixty-six, worked there as a teamster. He was reportedly married for thirty-two years and only once.⁵⁷ In 1911 and 1915 Jacob was a teamster at the Philadelphia Navy Yard.⁵⁸ Still in Philadelphia in 1920, Jacob S. West, a seventy-seven-year-old widower and a renter at 1249 Fitzgerald Street, was a retired pensioner.⁵⁹

The Death of Jacob West

Jacob S. West of the 36th Pennsylvania Infantry died in Philadelphia on 21 February 1921.⁶⁰ Of 1240 Fitzgerald Street, he was a seventy-eight-year-old

53. Jacob S. West household, 1892 New York state census, Kings Co., N.Y., Brooklyn, Ward 11, p. 1; New York Public Library microfilm no. 37.

54. Jacob S. West household, 1900 U.S. census, Kings Co., N.Y., pop. sch., City of New York, Brooklyn, Ward 11, ED 156, sheet 7A, dwell. 91, fam. 114; NA microfilm T623, roll 1049.

55. Interior Department, U.S. Civil Service Commission, *Official Register of the United States: Persons Occupying Administrative and Supervisory Positions in the Legislative, Executive, and Judicial Branches of the Federal Government, and in the District of Columbia Government*, 23 vols. (Washington, D.C.: Government Printing Office, 1860–1905), 1903, 1:809.

56. *Ibid.*, 1905, 1:731.

57. Jacob S. West household, 1910 U.S. census, Philadelphia Co., Pa., pop. sch., Philadelphia City, Ward 39, ED 990, sheet 11B, dwell. 256, fam. 250; NA microfilm T624, roll 1409.

58. Census Bureau, *Official Register of the United States: Persons Occupying Administrative and Supervisory Positions in the Legislative, Executive, and Judicial Branches of the Federal Government, and in the District of Columbia Government*, 41 vols. (Washington, D.C.: Government Printing Office, 1908–1932), 1911, 1:819; 1915, [no vol. no.]: 865.

59. Jacob S. West household, 1920 U.S. census, Philadelphia Co., Pa., pop. sch., City of Philadelphia, Ward 39, ED 1425, sheet 12A, dwell. 247, fam. 252; NA microfilm T625, roll 1640.

60. Jacob S. West pension entry, General Index to Pension Files, 1861–1934; NA microfilm T288, roll 508. This index shows an invalid pension, application no. 457,749, certificate no. 939,752, filed from New York by Jacob S. West of Co. E, 36th Pa. Infantry. The soldier's death date and that of Jacob S. West of Fitzgerald Street match. His pension file, no. XC 2,817,356, does not meet the criteria to be retained by the Department of Veterans Affairs, but it apparently remains there. Dennis Edelin, Pension and Military Service Reference Branch, NA, personal communication, 20 June 2007.

widower who had lived at that address “11 yrs, 16 d.” A house carpenter, he was born 16 November 1842 in Philadelphia. Jacob’s parents were Thomas West, born in England, and Amanda Souders, born in Baltimore, Maryland.⁶¹

Jacob West was buried next to his wife Ella E. at Fernwood Cemetery, Delaware County, Pennsylvania—south of Philadelphia—on 25 February 1921.⁶² The “Pa. Reserve Post, No. 191 G. A. R., and Ladies of G. A. R.” were invited to the services.⁶³ Family legend correctly named the cemetery where Jacob was buried, but it incorrectly stated his age, date of death, and the cemetery’s county location.

CONCLUSION

Family legends about Nellie West’s father presented significant problems, such as sorting individuals with nicknames, changed names, and incorrect names. Research ranging from Camden, New Jersey, to Philadelphia, Pennsylvania, to Brooklyn, New York, determined that although several of the West descendants’ legends were incorrect, most contained a “kernel of truth” that helped sort the identities and relationships in this complex family.

61. Jacob West death record, certificate 14[-]15, registered no. 4264 (1921), Pennsylvania Bureau of Vital Statistics, New Castle. The informant was Mrs. Ida Harrison. If correct, Amanda’s name may indicate that Emma Sutcliffe answered with her mother’s grandmother’s name when informing for Eva’s death record. Souder was the street name where the Wests lived in the 1870s.

62. Jacob West interment record (1921), Fernwood Cemetery records, pp. 552–53, HSP; Ella E. West, interment record (1915), Fernwood Cemetery records, pp. 526–27, HSP. Both lived at the Fitzgerald Street address at the time of their deaths.

63. Jacob West obituary, *Public Ledger*, Philadelphia, 22 February 1921, page 17. An identical death notice appeared in *Philadelphia Evening Bulletin*, 22 February 1921, page 23.

An Amazing Meteor

The rector of Langtree Parish in Devon, England, reported the following, probably frightening apparition, among the burial records in the Langtree parish register (1659–1744, 2971A/PR1, North Devon Record Office, Barnstaple, England):

March y^e 19, 1718 ab^t 8 in y^e evening a great amazing meteor light was seen in y^e air: an uncomon Thunder was heard: & y^e light separating ab^t y^e middle soon disappeared

A meteor sufficiently close to cause a sonic boom would indeed be a noteworthy event.

—Contributed by Ronald A. Hill, Ph.D., CG, FASG

A Maiden Name for Mercy: Indirect Evidence of the Wife of Benjamin Burgess of Dartmouth, Massachusetts

By Thomas Knight Burgess

No probate or marriage record directly proves the identity of Mercy, wife of Dr. Benjamin Burgess. A combination of documents builds a case with indirect evidence that is not contradicted by other facts.

Choosing a spouse may depend on proximity, timing, family connections, occupation, religion, social status, and compatibility. Searches for the natal family of a wife with an unknown maiden name can take advantage of these elements. When direct evidence fails to provide her identity, skillful use of such factors, tempered with custom and history may generate invaluable clues. In the case of the Burgess family of colonial Massachusetts, a maiden name is tentatively identified by applying understanding of these features to evidence gleaned from a wife's informative gravestone.

Dr. Benjamin Burgess, "Practitioner of Physick," was born in Plymouth, Massachusetts, 9 July 1709, the son of Ebenezer and Mercy (née Lombard) Burgess.¹ He died 18 September 1748 "in his 40th year" in that part of Dartmouth now Acushnet, Massachusetts.²

Benjamin presumably married in the early 1730s, but no marriage or intention is known. His wife's given name appears in one church admission record, on the birth records of three of their four known children, and on her gravestone: "Mercy Burg, wife of Dr. Benja[mi]n, [died] July 4, 1746, in her 36th year."³

© Thomas Knight Burgess; 658 Main Street; Cotuit, MA 02635. Retired academic dean and Classics Department chair of Brooks School, North Andover, Mass., Mr. Burgess is a tenth generation descendant of Thomas and Dorothy Burgess, early settlers of Sandwich, Mass.

1. Lee D. Van Antwerp, comp., *Vital Records of Plymouth, Massachusetts, to the Year 1850* (Camden, Maine: Picton Press, 1993), 26. This transcription of the Plymouth vital records, undertaken by George Bowman word for word and letter for letter, then proofed by ten acknowledged experts, is considered a highly reliable work.

2. Doct' Benjamin Burg gravestone, Acushnet Cemetery, Dartmouth, Mass., viewed 12 May 2007.

3. Mercy Burg gravestone, Acushnet Cemetery, Dartmouth, Mass., viewed 12 May 2007.

Frequent surname variants in early Plymouth and Bristol counties were “Burg,” “Burge,” “Burgess,” or “Birges.” The common phrases “in his 40th year” and “in her 36th year” indicate that he had reached age thirty-nine but not yet forty, and that she was thirty-five but not yet thirty-six years old.

Genealogical resources for Massachusetts Burgesses are numerous and thorough. However, none has proposed a maiden name for Mercy Burge.⁴

CHURCH AND TOWN RECORDS

Mercy Burge was admitted to the church at Dartmouth on 21 January 1738/9, the same day her son Benjamin was born.⁵ Although not described as the wife of Benjamin Burge, she is the only Mercy Burge known to be in Dartmouth at that time. Benjamin Burge purchased land there in 1738, which, coupled with Mercy’s admission, suggests they established independent housekeeping in Dartmouth that year.⁶

Admission required baptism, but neither Mercy (as a Burge) nor Benjamin is mentioned in the Dartmouth church baptism records, which begin in 1741. Implied membership for Benjamin Burge is found in the 18 September 1743 baptism of their child Thomas Burge, who was called “son of Benjamin.”⁷ At that time ministers commonly recorded only the father’s name if both parents of a baptized child were church members. A mother’s name appeared alone when she was the sole church member of the two. Thomas was this couple’s only child baptized after 1741. Likely both parents were baptized elsewhere as infants.

Did the couple marry before 1731, or before 1736? Absent a marriage intention, marriage contract, prenuptial agreement, or marriage record, the birth date of their first known child—either Seth or Silas—would narrow the calculated range.⁸

4. Ebenezer Burgess, *Burgess Genealogy: Memorial of The Family of Thomas and Dorothy Burgess, Who Were Settled at Sandwich, in the Plymouth Colony, in 1637* (Boston: T. R. Marvin and Son, 1865). Katherine Clarke Watson Hiam, *Burgess Genealogy: Descendants of the Four Sons of Thomas Burgess and Dorothy (Waynes) Burgess: Thomas Burgess, Jr., of Newport, Rhode Island (Those Descendants who returned to Massachusetts), John Burgess of Yarmouth, Massachusetts, Jacob Burgess of Sandwich, Massachusetts, and Joseph Burgess of Rochester, Massachusetts, whose Parents were Settled in Sandwich in 1637* (Boston: New England Historic Genealogical Society, 1997). Paul F. Burgess, *The Burgess History Tree* (Franklin, N.C.: Genealogy Pub. Service, 1993). Winifred Lovering Holman, “Burgess Families,” Mss C 5469, New England Historic Genealogical Society, Boston.

5. Mercy Burge record, Admissions 1732–1758, Dartmouth, Mass., First Church Records, Henry B. Worth, abstractor; microfilm 0,574,891, Family History Library (FHL), Salt Lake City.

6. Survial Spooner to Benjamin Burgess, Bristol County, Mass. Deeds 27:369 and 30:86, Registrar of Deeds, Taunton, Mass.

7. Thomas Burge record, Baptisms 1741–1752, Dartmouth, Mass., First Church Records.

8. Seth Burge and Silas Burge birth records, Dartmouth Town Records, p. 344, Town Clerk, Dartmouth, Mass.; FHL microfilm 0,903,381.

An anomaly in the recording of the Burge children's birthdates leaves several possibilities. Dartmouth vital records were kept in family groups, sometimes on separate pages. In the case of three of the Burge children, their order in the town record does not appear to be chronological:

Seth Burge the son of Benjamin Burge and Marcy his wife was born the 22nd of the month called may 1736

Benjamin Burge the son of Benjamin Burge and Mercy his wife was born the 21st of the month called January 1738[9]

Silas Burge the son of Benjamin Burge and Mercy his wife was born the 20th of the month called february 1730/1⁹

At this time town clerks collected a small fee to record births, deaths, marriages, and intentions, even when the event occurred elsewhere. Typically, a clerk would keep records on various scraps of paper or in a "wastebook" and transcribe groups of entries periodically, rather than write in the town book on each separate occasion.

In 1751 Ebenezer Burge of Wareham became the guardian of Seth, Benjamin, Silas, and Thomas Burge, children of Benjamin and Mercy, all of Dartmouth.¹⁰ Seth, called the eldest in his father's will and the only child to choose his guardian in 1751 (indicating an age of fourteen years or older), is recorded first, yet Silas is chronologically first but appears last in the birth record.

Silas was a minor in September 1752, when his "next friend" Ebenezer Burge of Wareham prosecuted a case on Silas's behalf, so either the name or date in the birth record is wrong, or the Silas born in 1730/1 died and a later, unrecorded son bore the same name.¹¹

The 1730/1 date could have been written at any time, including after the parents' deaths, and at the behest of the guardian or the child himself. Examination of the original town record decides the matter. Comparison with other families' entries makes it clear the clerk was "catching up," entering several years' records in a single sitting sometime near the end of 1742. He erred with one digit on Silas's birth, but not in his placement. A child born in 1740/1 comfortably fits in the gap between the births of known Burge children in 1738/9 and 1743.

9. Children of Benjamin Burge birth records, Dartmouth Town Records, p. 344.

10. Seth Burge, Benjamin Burge, Silas Burge, Thomas Burge guardianships, Plymouth Co. Probate, File 3339, Registrar of Probate, Plymouth, Mass.; FHL microfilm 0,551,539. The four brothers' guardian was of Plymouth Co., explaining the unexpected location of the guardianships.

11. Seth Burge, Silas Burge, and Thomas Burge lawsuit, September Term 1752, Case 2, Plymouth County Common Pleas, Massachusetts Judicial Archives, Columbia Point, Mass.

NEIGHBORS, SOCIAL STATUS, AND FAMILY TIES

In his short life Dr. Burge developed a good practice and left a considerable estate. His will, made 17 May and proved 4 October 1748, was witnessed by Ivory Hovey, Eliakim Willis, and neighbor Hix Jenney. Hovey was both minister and principal physician in Mattapoisett. Willis's wife, Lydia (née Fish), was a bit of a hypochondriac and one Dr. Burge's most frequent patients.¹²

Probates involving minor children of deceased parents often involve the mother's family. Each person mentioned in the probating of Benjamin's estate was identified:

- Cornelius Briggs, husband of Benjamin's sister Thankful Burgess, was sole executor of the will.¹³
- Jireh Swift, alternate executor, was appointed to oversee moveable estate.¹⁴ His "signature appears throughout the medical record book in connection with the settlement of accounts."¹⁵
- Jonathan Hathaway, a cousin; Job Jenney, an in-law of Benjamin's sister's husband; and Paul Mandell, no known relation, were the three "reliable and disinterested men" who made the estate inventory.¹⁶

None of these contemporaries was known to have a sister named Mercy.

12. Benjamin Burge probate record, Bristol Co. Probate File Papers, Series 1, Registrar of Probate, Taunton, Mass.; FHL microfilm 0,572,191. John Langdon Sibley, *Sibley's Harvard Graduates; Biographical Sketches of Those Who Attended Harvard College ... with Bibliographical and Other Notes* (Boston: Massachusetts Historical Society, 1873-), 9:543-48 and 606-11. Hovey and Willis were members of the Harvard class of 1735.

13. Ebenezer Burge probate record, Plymouth Co. Probate File 3336, Massachusetts Archives.

14. Benjamin Burge probate record, Bristol Co. Probate File Papers, Series 1.

15. Barry Hovey Burgess, *Burgess Genealogy, Kings County, Nova Scotia, Branch of the Descendants of Thomas and Dorothy Burgess who came from England in 1630 and settled in Sandwich, Massachusetts* (New York: C. E. Fitchett, 1941), 16. Dr. Burgess's medical record and account book (1742-) descended through Benjamin's eldest son Seth and was made available to the book's author, who commented on it, saying "The book shows that the Doctor had a large and extensive practice, being constantly summoned to communities 15 and 20 miles distant. One of these [patients] was Jireh Swift, a lawyer, who administered the Doctor's estate."

16. Jonathan Hathaway was cousin to both Dr. Burgess and his proposed wife, Mercy Perry. For documentation of their multiple connections, see *Mayflower Families Through Five Generations* (ongoing): Samuel Perry and Esther Taber appear in vol. 12, Ralph Van Wood Jr., *Francis Cooke of the Mayflower: The First Five Generations* (Rockport, Maine: Picton Press, 1996), 135-36 and 339-43. The Burgess family including Benjamin appears in vol. 18, Robert M. Wakefield, *Descendants of the Pilgrims who Landed at Plymouth, Mass., December 1620, Family of Richard Warren*, 3 vols. (Plymouth, Mass.: General Society of Mayflower Descendants, 2004), 1:151-52 and 2:90-93. Job Jenney's wife, Keziah, was sister of Cornelius Briggs, husband of Thankful Burgess. For the Jenney-Briggs marriage, see Rochester First Book of Records, p. 27, Rochester Town Clerk, Rochester, Mass. For the Briggs family record demonstrating that Keziah and Cornelius were siblings, see Rochester First Book of Records, p. 50.

The inventory of the estate “both real and personal” belonging to “Doctor Benjamin Burges late of Dartmouth deceased” was taken 31 September 1748. It was examined for potential clues to his wife’s identity. Mercy is mentioned directly only once, midway through the account: “his wives [sic] waring apparell” was valued at the substantial sum of fifteen pounds.¹⁷

The needles, buttons, linens, and napkins, as well as the pewter, may have been hers, but they are not so labeled in the inventory. Her extensive household included items in the great room, the kitchen, the west room, and the chamber. Four beds with extra bedding were placed throughout the house, and a trundle bed lay under the large bed in the kitchen. Small luxuries were listed: a bathtub, a looking glass, an hourglass, his clock, and his books.¹⁸

Doctor Benjamin Burges’s homestead—a dwelling and the land it stood on—was valued at one thousand pounds, but not described further. Also not described is the origin of his “marsh hay at Wareham.” Other inventoried real estate included “his Land at Hatfield bo[ugh]t of Kenelm Winslow,” “his Land at Hatfield bo[ugh]t of James Foster,” and “his Land at Cornwall bo[ugh]t of Anthony Booth.” Winslow, Foster, and Booth were not known to have a sister named Mercy.

In 1738 Benjamin Burge purchased his homestead dwelling and over fifty acres in Acushnet abutting land Captain Thomas Taber set aside for his sons.¹⁹ In his will proved 20 March 1732/3, Captain Taber left “to my Daughter Esther perry and her Husband” considerable real property in various locations.²⁰

Esther Taber’s husband Samuel Perry and his brothers “were among the pioneer settlers of the section of North Sandwich now called Bournedale.”²¹ Comfortably prosperous, Samuel and Esther (née Taber) Perry kept a tavern there. Samuel’s sister Deborah and her husband, Seth Pope, were landowners in Dartmouth.²² Jireh Swift’s wife, Deborah, was their granddaughter.²³

17. Benjamin Burge probate inventory, Bristol Co. Probate File Papers, Series 1.

18. *Ibid.*

19. Surviah Spooner to Benjamin Burgess, Bristol Co. Deeds 27:369 and 30:86, Registrar of Deeds, Taunton, Mass.

20. Thomas Taber will, Bristol Co. Probate Book 7:512, Registrar of Probate, Taunton, Mass.

21. Lydia B. Phinney Brownson, “Ezra Perry of Sandwich, Mass. (c. 1625–1689),” *New England Historical and Genealogical Register* 115 (April 1961): 91.

22. George and Benoni Shaw to Seth Pope, 27 February 1693/4, Bristol Co. Deeds 3:121. Also Van Wood Jr., *Francis Cooke of the Mayflower*, 122.

23. Deborah Hathaway birth record, Dartmouth Town Records, p. 102. Hathaway-Swift marriage record, 9 October 1730, Dartmouth Town Records, p. 380. Hathaway-Pope marriage record (in which Susanna is called daughter of Capt. Seth Pope), 31 December 1701, Dartmouth Town Records, p. 102. Deborah Perry birth record, Caroline Lewis Kardell and Russell A. Lovell Jr., comps., *Vital Records of Sandwich, Massachusetts to 1885*, 3 vols. (Boston: New England Historic Genealogical Society, 1996), 1:22. The Sandwich book is a word for word and letter for letter transcription. For the marriage of Seth Pope and Deborah Perry, see Sibley, *Sibley’s Harvard Graduates*, 4:528.

FINDING MERCY

A very short list of Mercys of the proper age was developed by searching all recorded 1710–12 births in Dartmouth and adjoining towns. Such town records are admittedly incomplete and surveys of this kind rarely produce promising results. Three candidates were tracked and two were eliminated, leaving one.²⁴

Mercy Perry, was born 8 December 1710 in Sandwich, Massachusetts, to Samuel and Esther (née Taber) Perry.²⁵ In his will of 2 August 1750, proved 7 September 1751, Samuel Perry “of Sandwich ... yeoman, being advanced in years,” gave “the children of my Daughter Mercy Deceased [one quarter part] of my bed and Bedding not before Disposed of.”²⁶

His gift of personal property to be physically conveyed to Mercy’s children implies that they lived reasonably nearby. He provided no surname for his daughter Mercy. No receipts acknowledging delivery of the bed and bedding were signed by the grandchildren of Samuel Perry or by their guardians. Had she lived, Mercy would have been forty years old when her father made his will. At least one of her children would likely have been a minor at the time her father died. Why were there no guardians indicated in Samuel’s probate documents?

The Burge orphans were each placed under guardianship to control the portions accruing “in Right of his [their] aforesaid Father Deceased – or which by any other way or means whatsoever” belonged to them.²⁷ These four actions were dated 1 August (Seth) and 5 August 1751 (Benjamin, Silas, and Thomas), only weeks before Samuel Perry’s will was proved. Their mother had been deceased since 1746, their father since 1748, and for the intervening years no issue had prompted a guardianship. Seth was more than a year older than the minimum age necessary to choose a guardian. Even so, no inheritance from their mother’s father was mentioned when their uncle Ebenezer Burge was appointed.

Mercy was unmarried on 25 October 1728 when she witnessed her uncle Ezra Perry’s will as “Mercy Perry.”²⁸ She died before 2 August 1750, when her father referred to her as “deceased.”²⁹ See table 1.

24. Mercy Ellis birth record, 31 May 1711, Kardell, *Vital Records of Sandwich, Massachusetts to 1885*, 1:74; Marsey Faunce birth record, 31 October 1711, Van Antwerp, *Vital Records of Plymouth*, 36. Contrary records of marriage or death eliminate these candidates.

25. Mercy Perry birth record, Kardell, *Vital Records of Sandwich, Mass., to 1885*, 1:59.

26. Samuel Perry will, Barnstable Co. Probate Book 8:490, Registrar of Probate, Barnstable, Mass.

27. Seth Burge, Benjamin Burge, Silas Burge, and Thomas Burge guardianships, Plymouth Co. Probate file 3339.

28. Ezra Perry will, Barnstable Co. Probate Book 4:516–19 and 535–36.

29. Samuel Perry will, Barnstable Co. Probate Book 8:490.

Table 1

Comparing Mercys

	MERCY ([née —?—]) BURGESS	MERCY PERRY
Born:	About 1710–1712	8 December 1710
Died:	4 July 1746	Before 2 August 1750
Married:	Say 1730 or 1735	After 25 October 1728
Baptised:	Not found but implied	Not found
Children:	Four children living 1751	More than one living 1750
Husband:	Died 18 September 1748	None in father's will

Source: All statements are fully referenced in the text.

Mercy (née [—?—]) Burgess's death preceded Samuel Perry's description of his daughter as deceased. Further, in 1751 Mercy (née [—?—]) Burgess had four surviving children and Samuel's daughter Mercy left "children" behind to inherit from their grandfather in 1750. In the absence of a dead daughter, who left minor children, a testator might shift control of his grandchildren's legacies to his son-in-law. Samuel Perry did not mention such a son-in-law. Perhaps that was because Benjamin Burgess, Mercy's proposed husband, had died two years before Samuel made his will.

SUMMARY

No single record identifies Mercy, wife of Dr. Benjamin Burgess. A combination of documents, however, builds a case with indirect evidence that is not contradicted by other facts. Proximity, timing, family connections, occupation, religion, and social status contributed to the couple's decision to marry. These features also led to Mercy's identity.

When Dr. Burgess and his wife settled in what would become Acushnet, they were supported by the presence of relatives and surrounded by property owned by them. Their friends and associates included Mercy's relatives.

A "Common talk in the Neighbourhood"

[Crandale deposition, sworn 25 September 1804, at Johnstown, Montgomery Co., N.Y., before James McDonald, justice of the peace, for January 1805 court in Rutland Co., Vt. *Transcribed from the original in the hands of the contributor.*]

I william Crandale of Lawfull age Testify & say that I have been Personally acquainted with William Richardson and Martha Richardson his wife for more than Seven years Last past and that I have Lived in the house with them the greatest part of that time—I also Testify that the Said William Richardson is a man that is very frequently intoxicated with Strong Liquer & when in a State of intoxication which often Lasts Six or Eight Days at a time I have frequently Seen him the Said william take the Said Martha his wife by the hair of her head & ha[u]ll her about the house & Some times kick her out of the Doore I have also heard him threaten to burn the house & all in it which—appeared to put the family in great fear So that at one time in particular the [*illegible deletion*] family all fled from the house

I further testify that there was a woman [*interlined: by the name of M^{rs} Crump*] Lived in a room alone in the Neighbourhood of M^r Richardson whose General Charactor was that of a Lewd woman and as M^r Richardson often Left home Late in the Evening and Stayed out all night it became a Common talk in the Neighbourhood that M^r Richardson visited M^{rs} Crump & I having a Curiosity to know the truth of that Report I went one Night in Company with another man and watched the house & I Saw the Said William Richardson Crawl in at the window of the room in which M^{rs} Crump Lived at Some time about 11 or 12 aClock at night & I with the other man watched the house til Just break of Day when I Saw the Said william Crawl out again at the Same window which he went in at—I also Saw a person put the head out at the window after M^r Richardson had got out which talked with him the Said william Richardson & I believe it to be the Said M^{rs} Crump, and when they Parted—myself & the other man followed after him the Said william & Spake to him but on his Discovering that he was followed he fled to a Swamp & Did not return to his own family under two or three days—I further Say that the Said william went off privately from Johnstown in October 1803 and Left his wife & family and that the Said M^{rs} Crump Left the town went off at the Same time and it is now the Common report that the said william Richardson & the Said M^{rs} Crump Cohabit in the—Gennesea Countary and further the Deponant Saith not.

[*signed*] William Crandal

[Deposition taken at request of Martha Richardson] to be used in a Cause to be heard & tried before the Honourable Supream Court, [Rutland Co., Vt., 4th Tuesday of Jan. 1805.]

[Endorsed] [James McDonald knows William Crandle] from his infancy I know him to be a young man of truth & varacity. [But not lubricity?]

—Contributed by David L. Greene, Ph.D., FASG

Cornelius McDermott Roe: Indentured Servant to George Washington

By Nathan W. Murphy, AG

One of thousands of skilled European servants brought to America in the late 1700s, Cornelius arrived as an indentured servant with few possessions. A trail of records, however, documents his remarkable life and points to his origins.

Countless men and women crossed the Atlantic in the 1600s and 1700s as indentured servants. Their contracts required virtual enslavement for their first few years in the American colonies. Such humble origins create two major challenges for researchers:

- *Learning what became of former servants.* Many servants are not traceable. Conversely, many ancestors who are traceable might have been indentured servants, but records identifying them as former servants are scarce.
- *Identifying origins.* Most indentured servants, poor and illiterate, left few records specifying origins. Often their earliest known record was in a European port city or North American location, rather than their original home.¹

Cornelius McDermott Roe, an Irishman with a double surname, arrived in America as an indentured servant in 1784. He died in 1807 in a comfortable home near the White House in Washington, D.C. Records document his life and point to his probable origin. Although his experiences were unique, his case demonstrates that an indentured servant can be traced from arrival to death.

VIRGINIA

On 5 August 1784 an Alexandria, Virginia, newspaper announced the sale of indentured servants who had recently arrived from Ireland:

© Nathan W. Murphy, AG; 609 South 1300 East; Salt Lake City, UT 84102; nmurphy@pricegen.com. Mr. Murphy, employed by Price and Associates Genealogical Services, is a doctoral candidate in United States history at the University of Utah. For Mr. Murphy's collection of more than ten thousand indentured servants, see *Immigrant Servants Database* (<http://www.immigrantservants.com>). He thanks Donald Barnes, Evva C. Benson, Kenneth MacDermotRoe, and Mary V. Thompson for their contributions to this article.

1. For a discussion of the challenges of tracing indentured servants and records in England and the mid-Atlantic colonies that identify them, see Nathan W. Murphy, "Origins of Colonial Chesapeake Indentured Servants: American and English Sources," *NGS Quarterly* 93 (March 2005): 5–24.

Just arrived in the Ship Angelica, Capt. Timothy Parker, and the Ship Washington, Capt. Enoch Stickney, both from Cork, About Three Hundred healthy Redemptioners and four⁽¹⁾ years Servants, among whom are many valuable Tradesmen and Labourers, and a few Women. Their times will be disposed of on the most reasonable terms, by applying to the Captains on board, or to the Subscriber. Tobacco, Wheat, Flour, and Flaxseed, will be taken in payment, by John Fitzgerald. Alexandria, August 2, 1784.²

Among those three hundred indentured servants was Cornelius McDermott Roe, a mason. On 2 August 1784 General George Washington—not yet president—acquired Cornelius’s services for two years.³ Cornelius’s masonry skills may have enabled him to negotiate a term shorter than the customary four or five years.⁴

The arrangement must have benefited both men. On 1 August 1786, as the indenture neared expiration, Cornelius signed a contract to work for Washington one year “as a Stone Mason, Bricklayer, and (when not employed in either of these) in other jobs.” Cornelius agreed to “behave himself quietly, soberly, and orderly in the family”—a standard provision. He also consented to “instruct to the best of his skill and judgement, any person or persons who shall be placed with him for that purpose, in the Art & misteries of his Trade.” For this work, Cornelius would receive thirty-five pounds and board, washing, and lodging “as he has been usually accustomed to in the family.” He also would receive an “allowance of spirit[s]” and “four shirts and two pair of overalls (the Linnen and material therefor [sic] to be found by the said Cornelius),” to be repaired as needed. Washington would pay Cornelius’s taxes and give him one day every three months to transact personal business. Cornelius signed the document with a strong hand.⁵ See figure 1.

2. *Alexandria Advertiser*, Alexandria, Va., 5 August 1784, page 3, col. 2.

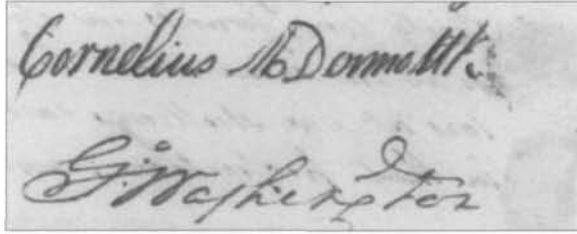
3. Cornelius McDermott entry, “A list of Servants & Redemptions that has been Free’d & Redeemed,” dated 2 August 1784, manuscript RM-545/MS-4193, Library/Special Collections, Mount Vernon Ladies Association of the Union, Alexandria, Va. Donald Sweig, in “White Indentured Servitude in Fairfax County: New Evidence is Discovered,” *Fairfax Chronicles* 2 (Spring 1978): 1–2 and 4, deduces that John Fitzgerald, the Alexandria merchant who advertised the servants’ arrival, compiled the list, which shows purchases by several Fairfax County planters including Washington.

4. The terms of the servants sold on 2 August 1784 varied between one and seven years. See Sweig, “White Indentured Servitude in Fairfax County,” 2. John A. Cantwell, in “Imported Indentured White Servitude in Fairfax and Prince William Counties 1750–1800” (M.A. thesis, George Mason University, 1986) hypothesizes that Americans continued purchasing white servants from Europe during this period, rather than African slaves exclusively, because the Europeans were skilled in trades like carpentry.

5. McDermott Roe to Washington, memorandum of agreement, 1 August 1786; digital image, “George Washington Papers at the Library of Congress, 1741–1799”: series 4, General Correspondence, *Library of Congress: American Memory* (<http://memory.loc.gov/ammem/gwhtml/gwseries.html>), November 10, 1785 to April 5, 1787, images 401–3. Washington’s agreement with Thomas Mahony on the same date used nearly identical wording (*ibid.*, images 404–6).

Figure 1

Cornelius McDermott Roe's and George Washington's Signatures



Source: McDermott Roe to Washington, memorandum of agreement, 1 August 1786, digital image, "George Washington Papers at the Library of Congress, 1741–1799": series 4, General Correspondence, *Library of Congress: American Memory* (<http://memory.loc.gov/ammem/gwhtml/gwseries.html>), November 10, 1785 to April 5, 1787, images 401–2.

At Mount Vernon Cornelius made and laid bricks, acquired sandstone from quarries "down the River," brought a hemlock pine to plant in Washington's shrubbery, laid flagstones in his piazza, dug ditches to drain swampland, laid a foundation for a barn, dislodged rocks with explosives, prepared a container for compost, and constructed a brick chimney in a new room.⁶ (Now called "the Large Dining Room," it is the first room seen by visitors to the mansion.)⁷

Between July and December 1787 two of Cornelius's brothers arrived at Mount Vernon, and Washington employed them through 1 November 1788.⁸

6. Donald Jackson and Dorothy Twohig, eds., *Diaries of George Washington*, 6 vols. (Charlottesville: University Press of Virginia, 1976–79), 4:264–65 (16–17 January 1786, sent for sandstone), 4:264 (30 January 1786, hemlock pine), 4:335 (23 May 1786, "Flags in my Piazza"), 5:64 (8 November 1786, draining a swamp), 5:227 (10 December 1787, brick laying), 5:229 (13 December 1787, deepening a ditch), 5:277 (14 February 1788, foundation for barn), and 5:341 (11 June 1788, bricklaying). Also, W. W. Abbot and Dorothy Twohig, eds., *The Papers of George Washington: Confederation Series*, 6 vols. (Charlottesville: University Press of Virginia, 1992–97), 4:296 (22 January 1787, "blowing rocks"), 5:218 (3 June 1787, chimney), and 5:197 (27 May 1787, repository for compost).

7. Mary V. Thompson, Research Specialist, Mount Vernon Estate and Gardens, e-mail to author, 1 June 2007.

8. Perhaps one brother was expected and two arrived. See Abbott and Twohig, eds., *Papers of George Washington: Confederation Series*, 5:578 (George Washington to George Augustine Washington, letter, 29 July 1787); and Jackson and Twohig, eds., *Diaries of George Washington*, 5:227 (diary entry, 10 December 1787). In July Washington writes "Cornelius's brother . . . [might] not come." In December he notes an agreement "to give the two Brothers of Cornelius McDermot Roe 20 guineas as Ditchers or labourers till the 1st. of Novr. next [1788] the Younger of the two to Work at Brick laying when Cornelius is so employed." In a ledger entry dated 6 November 1788 Washington notes "payment in full for your [Cornelius's] services, the services of your two Brothers & all other demands." See Ledger Book 2, 1772–1793, p. 236; digital image, "George Washington Papers at the Library of Congress, 1741–1799": series 5, Financial Papers 1750–1796, *Library of Congress: American Memory* (<http://memory.loc.gov/ammem/gwhtml/gwseries.html>), Ledger Book 2, image 470.

Cornelius and one brother laid bricks there on 11 June 1788.⁹ That year the three brothers paid taxes in Fairfax County as white males age twenty-one or above.¹⁰ Taxation in their own names implies they had left Mount Vernon.

Cornelius began life in America with no rights, property, or income, but the most important man in the newly independent American states purchased his indenture. Perhaps by pure chance, Cornelius had made a valuable connection.

WASHINGTON, D.C.

About two years after Cornelius McDermott Roe and his brothers left Mount Vernon, Congress established the nation's permanent capital on the banks of the Potomac River.¹¹ On 19 March 1791 President Washington proclaimed a survey of the District of Columbia.¹² The prospect of growth in the new capital city promised plentiful work for a stone mason and bricklayer like Cornelius. The next year, on 8 October 1792, President Washington published a broadside announcing terms for lot sales in the city:

The purchaser is immediately to pay one fourth part of the purchase money; the residue is to be paid in three equal annual payments, with yearly interest of six per cent on the whole principal unpaid: If any payment is not made at the day, the payments-made are to be forfeited, or the whole principal and interest unpaid may be recovered on one suit and execution, in the option of the Commissioners.¹³

Bids began at three dollars. Five days later, Cornelius McDermott Roe of Georgetown, Maryland (now D.C.), purchased three lots. He paid \$293, \$173, and \$173, respectively—one-third the price of each.¹⁴

9. Jackson and Twohig, eds., *Diaries of George Washington*, 5:277.

10. Cornelius McDermott Roe, Edward McDermott Roe, and Timothy McDermott Roe entries, 28 June, Fairfax Co. personal property tax list, 1788, district of James Wren, p. 11, Virginia Auditor of Public Accounts, Richmond; microfilm 0,029,294, item 2, Family History Library (FHL), Salt Lake City. The three brothers did not pay Fairfax County personal property taxes in any other year between 1783 and 1791.

11. "An Act for establishing the temporary and permanent seat of the Government of the United States," *Statutes at Large of the United States of America, 1789–1873* (1845), 1:130; digital image, "Statutes at Large, 1789–1875," *Library of Congress: American Memory* (<http://memory.loc.gov/ammem/amlaw/lwsslink.html>), vol. 1, image 130.

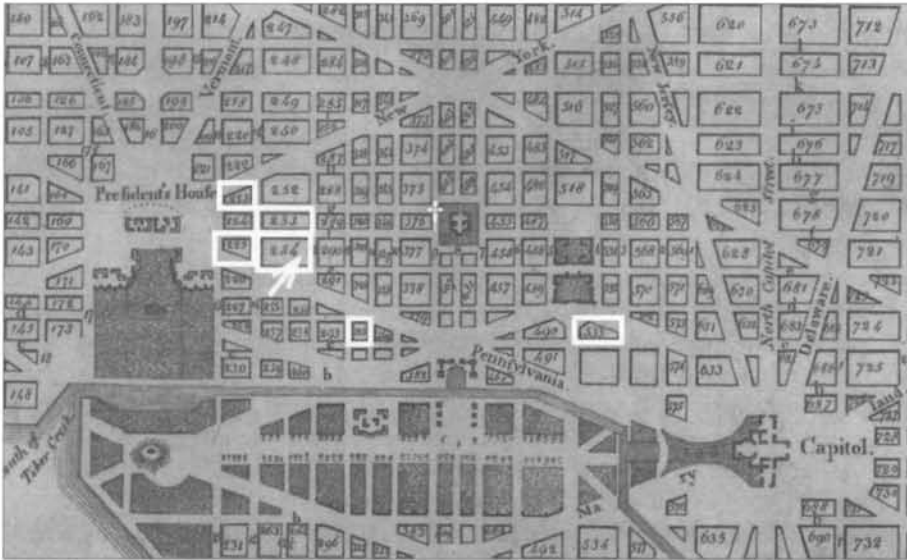
12. "By the President of the United States, A Proclamation," *Statutes at Large of the United States of America, 1789–1873* (1859), 11:752–53; digital image, "Statutes at Large, 1789–1875," *Library of Congress: American Memory*, vol. 11, images 751–52.

13. George Washington, "Broadside on Sale of Lots in the District of Columbia," 8 October 1792; digital image, "George Washington Papers at the Library of Congress, 1741–1799": series 4, General Correspondence, *Library of Congress: American Memory* (<http://memory.loc.gov/ammem/gwhtml/gwseries.html>), May 8, 1792 to January 9, 1793, image 702.

14. Commissioners of the District of Columbia to Cornelius McDermott Roe, D.C. Deed Book B2:408–9, Recorder of Deeds, Washington, D.C.; FHL microfilm 0,899,402.

Figure 2

Cornelius McDermott Roe's Lots in Washington, D.C.



Note: White frames mark the blocks where Cornelius owned property. The arrow points to his home's location, in square 254. The white cross shows the original location of St. Patrick's Roman Catholic Church, square 376, opposite a site reserved for a nondenominational national church.

Sources: The map is from Andrew Ellicott, *Plan of the City of Washington in the Territory of Columbia . . .* (1792); digital image, Map Collections: Cities and Towns, *Library of Congress: American Memory* (<http://memory.loc.gov/ammem/gmdhtml/citymapPlaces03.html>), District of Columbia, map 15. Cornelius's undated will, proved 26 October 1807, identifies the lots he owned in squares 223, 225, 253, 254, 323, and 553. See D.C. Will Book 1:238–40, Register of Wills, Washington, D.C.; microfilm 2,056,752, Family History Library, Salt Lake City. For St. Patrick's Church, see Morris J. MacGregor, *A Parish for the Federal City: St. Patrick's in Washington, 1794–1994* (Washington, D.C.: The Catholic University of America Press, 1994), 28.

In 1794 the commissioners of Washington permitted a Catholic Church to be constructed. Located a few blocks from Cornelius's home and dedicated to Saint Patrick, the parish served Irish Catholic immigrants building the capital city.¹⁵ See figure 2. The registers begin too late to mention Cornelius, but two events, besides location and ethnicity, suggest his membership:¹⁶

15. Morris J. MacGregor, *A Parish for the Federal City: St. Patrick's in Washington, 1794–1994* (Washington, D.C.: The Catholic University of America Press, 1994), 28.

16. The parish registers of St. Patrick Catholic Church are held by the incumbent. Attempts to access these records were denied. St. Patrick's marriage records begin in 1807, baptisms in 1811, and interments in 1860. See "Some Early Churches and Synagogues in the Washington, DC Area," *Washington DC GenWeb* (<http://www.rootsweb.com/~dcgenweb/earlychurches.htm>).

- Father William Matthews, rector of St. Patrick from 1804 through 1854, may have witnessed Cornelius's will in 1807.¹⁷
- In spring 1825 Cornelius's son, Edward McDermott Roe, "won an unrestricted freedom from the Roman Catholic Church."¹⁸

At St. Patrick's Church, Cornelius probably met James Hoban, architect of the White House, supervisor of the Capitol's construction, and a fellow Irishman.¹⁹ Probably early in 1794 Cornelius submitted to the D.C. commissioners a proposal for masonry work on the Capitol. The commissioners referred it to Hoban, who hired Cornelius to lay the foundations of one wing of the U.S. Capitol.²⁰ The project, however, failed:

In the spring of 1794, the commissioners put the foundation work at the Capitol under two contracts and asked Collen Williamson to provide general superintendence. A local mason named Cornelius McDermott Roe was hired to lay the foundations of one wing (probably the south wing), and James and John Maitland, Robert Brown, and John Delahanty, direct from Europe, were employed on the other wing. Roe's contract stipulated that stone was to be brought to the site at the public's expense and that the commissioners would allow him to use some of the laborers on their payroll. He could not find enough hands on his own and would repay their wages from his fee. He was to be paid six shillings (\$0.80) per perch for laying stone in straight walls and seven shillings, six pence (\$1.00) per perch for curving walls. (A perch usually equals about twenty-five cubic feet of stone.) The masons working on the other wing, however, were paid four shillings, six pence (\$0.60) per perch, and this difference soon led to unrest. The team of Brown, Delahanty, and James and John Maitland petitioned the commissioners to speed stone delivery or at least give them preference to Roe when stone was brought to the Capitol. They pointed out that since Roe was being paid more, he "could better afford to be idle."²¹

Reported "scenes of villainy" among the contractors were apparently true. The excellent reputation of the principal contractor of the south wing foundation,

17. For William Matthews's identity as priest, see MacGregor, *Parish for the Federal City*, 35. For Cornelius's will, see D.C. Will Book 1:238–40, Register of Wills, Washington, D.C.; FHL microfilm 2,056,752. William Matthews was a witness.

18. Edward McDermott Roe to James Madison, letter, 7 May 1831; digital image, "The James Madison Papers": series 1, General Correspondence, *Library of Congress: American Memory* (http://memory.loc.gov/ammem/collections/madison_papers/mjmser1.html), January 26, 1830 to February 6, 1833, images 657–58.

19. William Seale, *The White House: History of an American Idea* (Washington, D.C.: American Institute of Architects Press, 1992), 5–15. For Hoban's church membership, see MacGregor, *Parish for the Federal City*, 5.

20. Bob Arnebeck, *Through a Fiery Trial: Building Washington, 1790–1800* (Lanham, Md.: Madison Books, 1991), 206. Arnebeck referenced proceedings in Records of the Commissioners for the District of Columbia, Record Group 42, National Archives, Washington, D.C.

21. William C. Allen, *History of the United States Capitol: A Chronicle of Design, Construction, and Politics* (Washington, D.C.: U.S. Government Printing Office, 2001), 25–26.

Cornelius McDermott Roe, had not justified the faith placed in his work, the true character of which escaped detection. Roe attributed criticism to the “malaise of a party against him,” but his excuses did him no good. He was dismissed and later was sued for the cost of repairing the faulty foundations.²²

On 2 April 1795 Cornelius, Patrick McDermott Roe, and John Delahunty contracted “to do all the brick and stone work on the Capitol and President’s house for the present season.”²³ Cornelius reportedly pledged his real estate to guarantee proper work.²⁴

Perhaps to evade debts or the lawsuit concerning his work on the Capitol, Cornelius moved to Loudoun County, Virginia, between 18 and 27 July 1796. On the latter date—within ten days of his settlement there, as Virginia law required—he swore that he had not imported slaves into the commonwealth “from Africa, or any of the West India Islands” and that he did not intend to sell slaves.²⁵ Cornelius may have brought slaves with him, but in 1797 his only taxable property was a horse.²⁶

In 1797 and 1798 George Washington tried unsuccessfully to rehire Cornelius.²⁷ On 27 April 1798 Washington’s secretary replied, “when I last saw him [Cornelius] he was about removing from Loudon [to] Berkley.”²⁸ By 12 March 1798, however, Cornelius was back in the District of Columbia, having never given up his property there.²⁹

22. *Ibid.*, 30. Allen cites Cornelius McDermott Roe to the Commissioners, 4 August 1795, Records of the Commissioners for the District of Columbia, Record Group 42, National Archives.

23. Michael J. O’Brien, *George Washington’s Associations with the Irish* (New York: P. J. Kenedy, 1937), 187. Martin I. J. Griffin, “Irish Builders of the White House,” *Journal of the American-Irish Historical Society* 7 (1907): 41.

24. O’Brien, *George Washington’s Associations with the Irish*, 187.

25. “Roe’s Certificate [for] Importation of Slaves,” Loudoun Co. Deed Book X: 104, County Court, Leesburg, Va.; FHL microfilm 0,032,308. The law that Cornelius obeyed was “An act for preventing the farther [sic] importation of Slaves.” See William Walter Hening, *The Statutes at Large: Being a Collection of All the Laws of Virginia from the First Session of the Legislature, in the Year 1619*, 13 vols. (Richmond: J. & G. Cochran, 1821), 9:471–72.

26. “Cornelius M: Roe” entry, Loudoun Co. personal property tax list, 1797, Virginia Auditor of Public Accounts; microfilm 929.375538, Thomas Balch Library, Leesburg, Va. Cornelius was taxed for the horse and two “tithables”—himself and Thomas Henderson, perhaps an employee. Dorothy Twohig, ed., in *The Papers of George Washington: Retirement Series*, 4 vols. (Charlottesville: University Press of Virginia, 1998–99), 1:354, note 2, says “Cornelius McDermott Roe lived at Big Spring near Leesburg,” but she does not document this assertion.

27. Twohig, ed., *Papers of George Washington: Retirement Series*, 1:50 and 354 (Washington to Lear, letters, 25 March and 10 September 1797) and 2:249 (Washington to Lear, letter, 26 April 1798).

28. *Ibid.*, 2:250 (Lear to Washington, letter, 27 April 1798).

29. Owen McDermott Roe to Patrick McDermott Roe, lease, D.C. Deed Book D4:365; FHL microfilm 0,899,403. Cornelius witnessed the transaction. Cornelius does not appear in Loudoun Co. personal property tax lists 1797–1800. Neither does he appear in Berkeley Co. personal property tax lists, 1797–1800, Virginia Auditor of Public Accounts; FHL microfilms 2,024,478–80.

Payment for Cornelius's White House work in 1795 was overdue in 1802. He complained to President Jefferson that he was "unable to work at his trade" and support his family because he was "afflicted with a sore Leg, these two years past" (1800–1802).³⁰

Despite Cornelius's setback at the Capitol, nonpayment for work on the White House, and health problems, he prospered in Washington. At his death he owned six city lots and an interest in two others. See figure 2. His home was a "small brick house" fronting Thirteenth Street, between E and F Streets, Northwest—where Washington's National Theatre stands today.³¹ Cornelius also had a "wooden-framed shop" in the same block.³² The house was damaged by fire on Saturday, 17 August 1805.³³

In Cornelius's undated will, proved on 26 October 1807, he left an interest in the family home to his widow, Mary, unless she remarried. He divided his property among five children: Sarah, Mary, Nora, Margaret, and Edward McDermott Roe. Witnesses were William Matthews, Nicholas Callan, and Edward Fennell.³⁴ Extant Washington-area newspapers reportedly contain no death notice for Cornelius.³⁵

Soon after Cornelius's death, his widow married Roger McNamara, forfeiting her claim to the house on Thirteenth Street, which contained the following furnishings in 1808–9:

Four feather beds, five pair of Blankets, four pillows five boulsters, five bed quilts, five bed-steads, three Matrasses, one bureau, one Cupboard, one tea board, sixteen chairs, one Mahogany Table, one walnut table, one pair and-irons, one fire fender, one lot of tin ware, one lot of glass ware, one sett of china Cups & saucers, nine print frames, one case of artificial flowers, one silver sugar tongs, six silver spoons, six knives & forks, one chest three trunks, four iron pots, two Dutch Ovens, one gred iron [gridiron], one frying pan, three washing tubs, one lot of books, six pair of boots, one lot of Lasts, seven pair of Shoes, three pair of boot trees, one Lott of Cordwainers seats, one pair of brass Candlesticks, one Gin case, one Washing stand, four tea Cannesters.³⁶

30. Cornelius McDermott Roe to Thomas Jefferson, 14 July 1802, petition; digital image, "The Thomas Jefferson Papers": series 1, General Correspondence, *Library of Congress: American Memory* (http://memory.loc.gov/ammem/collections/jefferson_papers/mtjser1.html), April 1, 1802 to [unspecified date] August, 1802, images 782–83.

31. Cornelius McDermott Roe will, D.C. Will Book 1:238–40.

32. Roger McNamara to Nicholas Callan, D.C. Deed Book X23:25–26; FHL microfilm 0,907,820.

33. "Fire," *National Intelligencer and Washington Advertiser*, Washington, D.C., 18 August 1805, page 3, col. 2.

34. Cornelius McDermott Roe will, D.C. Will Book 1:238–40.

35. Joan M. Dixon, *National Intelligencer and Washington Advertiser Newspaper Abstracts 1806–1810* (Bowie, Md.: Heritage Books, 1996). Wesley E. Pippenger, *Georgetown, District of Columbia: Marriage and Death Notices, 1801–1838* (Bowie, Md.: Heritage Books, 2004). Staff of the Alexandria Library, *Obituary Notices from the Alexandria Gazette 1784–1915* (Bowie, Md.: Heritage Books, 1987).

36. Roger McNamara to Nicholas Callan, D.C. Deed Book X23:25–26. Nicholas Callan to orphan children of Cornelius McDermott Roe, deceased, D.C. Deed Book Y24:461; FHL microfilm 0,907,821.

Mary became legal guardian of her McDermott Roe children in 1809.³⁷ On Saturday 5 September 1812 “Mary McNamara, Administratrix of Cornelius McDermott Roe,” advertised the sale at auction of “a variety of *Household & Kitchen Furniture*—likewise a *House* for the term of seven years.”³⁸

Changes came to the capital and the McNamara–McDermott Roe family in 1814. On 19 March, before the British Army arrived, Mary apprenticed her son, Edward McDermott Roe, to shoe and boot maker Nicholas Cassidy. (They, however, “rescinded” the apprenticeship on 21 February 1815.)³⁹ On the night the redcoats marched up Pennsylvania Avenue, Mary, her husband, and children may have been among Washington’s “citizens who hastily packed and fled” or among “a group of anxious parishioners gathered to wait out the night with their pastor” at St. Patrick’s Church. The invaders torched the Capitol and the White House.⁴⁰ In October and November 1814, after hostilities ended, two McDermott Roe daughters married.⁴¹

At least three of Cornelius’s brothers settled in Washington: Bernard, Owen, and Patrick McDermott Roe. Patrick died before 11 December 1801 and Owen by 25 January 1815, when Bernard acquired control of their property.⁴² Only Owen appears in a census. It indicates that he and another adult male in his household—possibly Bernard or Cornelius—were born 1755–75.⁴³ Bernard served as a private in the Thirty-fourth Regiment of Maryland Militia during the War of 1812.⁴⁴ He died, probably unmarried and childless, in “Marlborough,” Maryland, about 24 September 1824.⁴⁵

37. Wesley E. Pippenger, *District of Columbia Guardianship Index 1802–1928* (Lovettsville, Va.: Willow Bend, 1998), 257, citing District of Columbia Guardianship Case OS0021, 1809, in Entry 125, “Guardianship Case Files, Old Series, 1801–1878,” Records of the District Courts of the United States, Record Group 21, National Archives.

38. “To Be Sold,” *National Intelligencer*, Washington, D.C., 5 September 1812, page 2, col. 4.

39. “Edward McDermott Roe release of App. from Nicholas Cassidy,” D.C. Apprenticeships 2:102, D.C. Archives, Washington.

40. MacGregor, *Parish for the Federal City*, 45–48.

41. D.C. Marriage Register 1:13 (Canna–McDermott Roe marriage record) and 1:14 (Castleman–McDermott Roe marriage record), D.C. Archives.

42. For Patrick’s death, see Thornton and White, commissioners, to Bernard McDermott Roe, D.C. Deed Book G7:659; FHL microfilm 0,912,602. For Owen, see Thomas Munroe, superintendent, to Bernard McDermott Roe, certificate, 25 January 1815, D.C. Deed Book AH:380; FHL microfilm 0,907,824.

43. Owen McDermotroe household, 1800 U.S. census, Washington, District of Columbia, p. 878; National Archives microfilm M32, roll 5.

44. F. Edward Wright, *Maryland Militia, War of 1812*, 7 vols. (Silver Spring, Md.: Family Line Publications, 1979–86), 6:15 and 18. McDermott Roe served on 27 April–15 May 1813 and 17–24 June 1814.

45. “Died,” *Daily National Intelligencer*, Washington, D.C., 30 October 1824, page 3, col. 1.

IRISH ORIGINS

McDermott Roe is an uncommon Irish double surname, often conjoined as McDermottroe. Even decades after Cornelius and his brothers emigrated, the surname appeared in Ireland only in northern County Roscommon.⁴⁶ A power of attorney dated 1799 connects Cornelius with a specific place in that county:

Know all men by these presents that I Charles McDermot Roe of Keadue in the Parish of Kelvonan [Kilronan],^[1] Barony of Boyle and County of Roscommon in Ireland, Gentleman, do—nominate constitute and appoint Cornelius McDermot Roe of the City of Washington, Archetect my lawfull Attorney to transact business for me in all cases whatever within the Territories of Columbia in the United States of North America.⁴⁷

No record specifies Cornelius's relationship to Charles, but they probably were kin.⁴⁸ If Cornelius's origin was not the townland or village of Keadue, it likely was the parish of Kilronan or a nearby parish in County Roscommon.

CONCLUSION

Cornelius McDermott Roe was one of thousands of skilled European servants brought to the United States in the late 1700s. Though he arrived as an indentured servant with few possessions, he prospered. For Cornelius America was a land of plenty.

GENEALOGICAL SUMMARY

1. [—?—] **McDermott Roe** lived probably in northern County Roscommon, Ireland, in the 1700s. He had six sons, born probably in County Roscommon, who settled in the United States:

- + 2 i. CORNELIUS¹ MCDERMOTT ROE, born before 1767; died by 26 October 1807 in Washington, D.C. He married Mary (née [—?—]).⁴⁹

46. *Index to Griffiths's Valuation of Ireland, 1848–1864*, CD-ROM (Brøderbund, 1998), s.v. McDermottroe and McDermott Roe. The twenty-four entries appear in four contiguous parishes (Ardcarn, Boyle, Kilbryan, and Kilronan) and a nearby parish (Tibohine), all in northern County Roscommon.

47. Charles McDermott Roe to Cornelius McDermott Roe, power of attorney, D.C. Deed Book E5:344; FHL microfilm 0,899,403. This record is a typewritten copy. The original handwriting probably recorded Charles' residence as "Kilronan," but the typist misread it as "Kelvonan."

48. On 11 July 1795 Cornelius assigned rights to a lot to "Charles McDermott Roe in the Kingdom of Ireland" and to Owen McDermott Roe. See D.C. Deed Book B2:347; FHL microfilm 0,899,402. On 8 August 1801, Owen assigned rights to the same lot to Cornelius and "Charles McDermott Roe of the Kingdom of Ireland." See D.C. Deed Book G7:366–67; FHL microfilm 0,912,602. In both cases the brothers may have taken out a loan or mortgage from Charles.

49. For his birth date, see Cornelius McDermott Roe entry, Fairfax Co. personal property tax list, 1788, district of James Wren, p. 11. For his wife and death, see Cornelius McDermott Roe will, D.C. Will Book 1:238–40.

- 3 ii. EDWARD MCDERMOTT ROE, born before 1767; no certain record after 1788.⁵⁰ He died, probably without issue, before 5 January 1826.⁵¹
- 4 iii. TIMOTHY MCDERMOTT ROE, born before 1767; no known record after 1788.⁵² He died, probably without issue, before 5 January 1826.⁵³
- 5 iv. PATRICK MCDERMOTT ROE, died before 1801, apparently unmarried and childless.⁵⁴
- 6 v. OWEN MCDERMOTT ROE, born 1755–75; died before 1815, apparently unmarried and childless.⁵⁵
- 7 vi. BERNARD MCDERMOTT ROE, born probably 1755–75; died about 24 September 1824, apparently unmarried and childless.⁵⁶

2. **Cornelius¹ McDermott Roe**, born before 1767 probably in northern County Roscommon, Ireland; died by 26 October 1807 in Washington, D.C.⁵⁷ Probably about 1792, when he settled in Washington, Cornelius married **Mary** (née [—?—]), who married (2), by 1809, Roger McNamara.⁵⁸ Five children survived Cornelius:⁵⁹

- 8 i. SARAH or SALLY² MCDERMOTT ROE, married John Canna or Kenna, 18 October 1814, District of Columbia.⁶⁰
- 9 ii. NORA or NORAH MCDERMOTT ROE, died before 5 January 1826.⁶¹ She married Thomas Castleman, 3 November 1814, District of Columbia.⁶²

50. Edward McDermott Roe entry, Fairfax Co. personal property tax list, 1788, district of James Wren, p. 11.

51. Edward is not named among the heirs of Bernard McDermott Roe in *Daily National Intelligencer*, Washington, D.C., 5 January 1826, page 3, col. 5.

52. Timothy McDermott Roe entry, Fairfax Co. personal property tax list, 1788, district of James Wren, p. 11.

53. Timothy is not named among the heirs of Bernard McDermott Roe in *Daily National Intelligencer*, Washington, D.C., 5 January 1826, page 3, col. 5.

54. Thornton and White, commissioners, to Bernard McDermott Roe, D.C. Deed Book G7:659.

55. *Ibid.* For his birth date, see Owen McDermotroe household, 1800 U.S. census, Washington, District of Columbia, p. 878.

56. For his birth date, see Owen McDermotroe household, 1800 U.S. census, Washington, District of Columbia, p. 878. For his death, see “Died,” *Daily National Intelligencer*, Washington, D.C., 30 October 1824, page 3, col. 1. Bernard’s only heirs were three of Cornelius’s orphans. See “In the Circuit Court of the Distirct of Columbia for Washington County,” *Daily National Intelligencer*, Washington, D.C., 5 January 1826, page 3, col. 6.

57. For his birth date, see Cornelius McDermott Roe entry, Fairfax Co. personal property tax list, 1788, district of James Wren, p. 11. For his wife and death, see Cornelius McDermott Roe will, D.C. Will Book 1:238–40.

58. Pippenger, *District of Columbia Guardianship Index*, 257.

59. Cornelius McDermott Roe will, D.C. Will Book 1:238–40.

60. Canna–McDermott Roe marriage record, D.C. Marriage Register 1:13.

61. Nora is not named among the heirs of Bernard McDermott Roe. See *Daily National Intelligencer*, Washington, D.C., 5 January 1826, page 3, col. 5.

62. Castleman–McDermott Roe marriage record, D.C. Marriage Register 1:14.

- 10 iii. MARY McDERMOTT ROE, married Andrew Harper, 15 November 1827, District of Columbia.⁶³
- 11 iv. MARGARET McDERMOTT ROE, living on 29 September 1810; died before 5 January 1826.⁶⁴
- 12 v. EDWARD McDERMOTT ROE, born by 18 September 1799 when his father purchased two lots for him at an auction at the "little Hotel in Washington."⁶⁵ He was living in Charleston, South Carolina, in September 1824 and Mobile, Alabama, on 7 May 1831.⁶⁶

63. Harper-McDermott Roe marriage record, D.C. Marriage Register 1, unpaginated section, ninety-eighth page.

64. For 1810, see Callen to orphan children of Cornelius McDermott Roe, D.C. Deed Book Y24:461, in which Mary is named. She is not named among the heirs of Bernard McDermott Roe in *Daily National Intelligencer*, Washington, D.C., 5 January 1826, page 3, col. 5.

65. Commissioners to McDermott Roe, D.C. Deed Book D4:365.

66. "Died," *Daily National Intelligencer*, Washington, D.C., 30 October 1824, page 3, col. 1. McDermott Roe to Madison, letter, 7 May 1831.

A Singular Occupation

[Mathew Berry household, 1870 U.S. census, Allegheny County, Pennsylvania, population schedule, East Birmingham Borough, Buchanan Post Office, p. 228, dwelling 1495, family 1813; National Archives microfilm M593, roll 1293.]

[NAME	AGE	OCCUPATION	BIRTHPLACE]
Berry _[j] Mathew	50	Blows Glass	Penna _[i]
Lucy	50	Keeps House	"
Lewis	18	Home	"
Laura	18	"	"
Emma	12	"	"
Vail _[j] Elizabeth	26	Died this Morning	"

[Contributor's comment: In 1870 Pennsylvania did not keep death records, but enumerator Henry Slocum made one. He did not write the day in the last week of June 1870 that he visited the Berry household in dwelling 1495, but he enumerated dwelling 1408 on 27 June and dwelling 1538 on 30 June. Elizabeth died apparently between those dates.]

—Contributed by Sharon S. Carter

Notes and Documents

Old Letters and Even Older Envelopes: A Hill Family of Cornwall, Wales, and Somerset

By Ronald A. Hill, Ph.D., CG, FASG

Assuming that all previous readers had been meticulous when handling and reading the family letters was a mistake.

Clues sometimes deceive even the most careful researcher. Some clues, taken at face value, may point so certainly to an interpretation of events that proof seems a matter of fact. When the strategy designed around the clues fails, the researcher arrives at an impasse, unable to understand what has gone awry. So it was with an old family letter, discovered in a trove of correspondence dated between 1828 and 1875 from the English counties Cumberland, Yorkshire, and Cornwall.

One undated letter, written on black-bordered paper, was in an envelope, also with a black border, postmarked Bodmin (in Cornwall), January 1872.¹ Black borders traditionally warned that the envelope carried bad news—usually of a death. The letter had been sent from Pontygwaith, Wales, to John and Mary Hill at St. Kew Parish in Cornwall.² Widow Mary Ann Hill was notifying her in-laws of her husband Charles Hill's sudden death, and in closing she asked Charles's mother to forward the letter to his sister, Martha (née Hill) Lean.³

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1. The envelope, addressed to Mr. James Hill, Grandrapids Box 632, Michigan, United States, America, measures 2-5/8 by 4-3/4 inches. The letter and envelope are in the possession of the author.

2. Pontygwaith, in Glamorganshire, is about sixteen miles northwest of Cardiff. St. Kew Parish is near Bodmin.

3. Charles Hill baptism record, 10 April 1831, son of John and Mary Hill, St. Kew register of baptisms, 1813–1838, DDP100/1/4, p. 59, Cornwall Record Office (CRO), Truro, Cornwall, UK; microfilm 1,595,843, Family History Library (FHL), Salt Lake City. Martha Ann Hill baptism record, 24 March 1833, St. Kew register of baptisms, 1813–1838, DDP100/1/4, p. 71, CRO. Lean-Hill marriage record, 18 March 1856, St. Kew register of marriages, 1837–1927, DDP100/1/12, p. 74, CRO; FHL microfilm 1,849,639, item 2.

Martha Lean corresponded frequently with her brother James Hill of Grand Rapids, Michigan.⁴ Apparently Martha then forwarded the letter to Michigan in January 1872.

The letter reads as follows:

Monday, Pontygwaith

My dear Mother

Father sisters and brothers i write you after a long while hoping to find you in good health_[,] i am not very well myself but the children are all well but i am sorry to say my dear Husband is dead_[,] he was taken last thursday week with a violent cold_[,] the docter treated him for rheumatic fever_[,] we did not think there was any danger_[,] the docter said he had checked the fever the tuesday he came and said he was getting round nicely and after the docter went he was taken worse and on wednesday morning we sent for him again_[,] he came and he said he had inflamation on the lungs but we did not think him any way near death but at 3 o clock on thursday morning we sent for a man to come and pray with him_[,] he continued in prayer from 3 in the morning untill eight o clock he died_[,] i am happy to say i believe his soul is received safe home to heaven_[,] Dear Mother it is five years since Charlie first came to newport_[,]^[5] he was there 12 months before me and the family came up to him_[,] he did not stop there but 12 months before he went 30 miles higher up in the country_[,] i did ask him to write home to his mother but he had made his mind up to come home at the feast and bring 3 of his children with him but before the time came the Lord took him and i hope he have received his soul in glory_[,] i am left with 5 little children_[,] my eldest boy is getting eleven shillings per week_[,] little Charlie the eldest boy of your son is 9 years old_[,] jonny is 7 years old_[,] willie is 4½ years old and little Freddy is three years old_[,] i do not know how to struggle to get a living for them_[,] everything here is very dear_[,] house rent 5^s a week_[,] he often spoke of his brother william^[6] and his aunt in plymouth_[,] i would write to them but i don't know their adress_[,] My dear Mother and Father i am almost broken hearted_[,] when you have read this letter please to give it to Mrs Lane_[,]

My dear Mother and Father Believe me your effectionate daughter
Mary Ann Hill

Based on the postmarked envelope, Charles died in the fourth quarter of 1871. The couple with their four young sons should appear in the 1871 census of Pontygwaith in Wales. Yet none of the letter's clues led to supporting documents. No death for Charles appears in the index to the Civil Registration of Deaths,

4. James Hill baptism record, 31 October 1835, St. Kew register of baptisms, 1813–1838, DDP100/1/4, p. 84, CRO.

5. Newport, municipal and county borough of Monmouthshire, Wales, is about eleven miles northeast of Cardiff. Pontygwaith is about twenty miles west-northwest of Newport.

6. William Hill baptism record, 16 April 1826, St. Kew register of baptisms, 1813–1838, DDP100/1/4, p. 40, CRO.

1868–1872.⁷ No births for the sons appear in the index to Civil Registration of Births in the respective time intervals. The 1871 census of Pontygwaith, Wales, reveals no matching Hill family.⁸ The impasse continued for some twenty years.

When the 1871 English census became searchable online, it revealed Charles Hill and his family at St. Ives in Cornwall, lodged at the Red Lion Inn.⁹ Just months before his death, Charles and family should have been in Wales and all four children should have been present and older. But Charles was in Cornwall, with wife Mary Ann, a stepson, James “Polgain,” and just two sons: Charles, age four, and John, age two—whose names match the letter, but whose ages do not.

The widow Mary Ann Hill, her son James (now with the surname Hill), and her Hill sons were enumerated in Bedminster in Somerset in 1881.¹⁰ All four sons were present—Charles, John, William, and Frederick—but again too young. Frederick, the youngest, was born in Newport, Wales, about 1873, seemingly at least two years *after* his grieving mother said he was three years old.

The Hills still lived at Bedminster in 1891. James had moved on, and Mary Ann and her four Hill sons had aged an appropriate decade since 1881. Charles and John, both bakers, and William, a commercial traveler, however, were still five years younger than the letter indicated.¹¹

The censuses resolved one old mystery. James Hill of Grand Rapids, Michigan, his wife Mary Ann and daughter Annie returned to Cornwall in 1891 for a visit. Annie, a young lady of twenty-five, kept a diary of the trip. She mentions visits with Martha Lean in St. Kew Parish and William Hill in Bodmin, and notes the family “went to Bristol to visit our cousins.” Annie writes:¹²

We took a short walk in the forenoon, and looked into the Bakery where my Cousins were mixing bread and putting it into the oven. Saw all of my Cousins at Bristol except William.

7. Indexes to the civil registration of births, marriages, and deaths, are available on both microfiche and microfilm at the Family History Library in Salt Lake City. Indexes to births, marriages, and deaths in the civil registration are also becoming available on the Internet at *FreeBMD* (<http://freebmd.org.uk>).

8. 1871 Wales census, Glamorgan, Pontygwaith, Pontypridd Reg. Dist. 584, Ystradyfodwg Sub-dist. 3D, Enumeration Dist. 10, RG10/5386/584/3D; FHL microfilm 0,849,480. Enumeration districts 9–11 were searched.

9. Charles Hill household, 1871 English census, Cornwall, St. Ives Parish, Penzance Registration Dist. 301, St. Ives Sub-dist. 2C, p. 26, household 165, RG10/2335/301/2C, fol. 16. This census is searchable online at *Ancestry.com* (<http://www.ancestry.com>).

10. Mary Ann Hill household, 1881 English census, Somerset, St. Paul Parish, Bedminster Registration Dist. 319, Bedminster Sub-dist. 1C, p. 2, household 9, RG11/2452/319/1C, fol. 33.

11. Mary Ann Hill household, 1891 English census, Somerset, St. Johns Parish, Bedminster Registration Dist. 319, Bedminster Sub-dist. 1E, p. 17, household 97, RG12/1950/319/1E, fol. 39.

12. Annie Hill diary, unpaginated, entry for 19 August 1891, in possession of the author.

The cousins who were baking bread were Charles's sons. Annie did not see William, who was evidently traveling on business.

Why did the initial search for Charles Hill's death record fail? Another letter in the collection, dated 25 December 1871, also bears a black border. The same size as the later letter, it fits perfectly into the envelope postmarked January 1872. Sometime in the past 130 years someone had mistakenly placed the letter reporting Charles's death in the envelope postmarked January 1872.¹³

Calculating birth dates from ages in the undated letter and matching them with census reports suggests that Charles died in late 1875 or early 1876, five years later than the former target date. Indeed, he died 3 December 1875, in Pontygraith of "catarrh 8 days, double pneumonia 2 days."¹⁴

Charles married on 2 June 1866 at the Register Office in the District of Penzance, Cornwall, Mary Ann Polgrean, a widow, daughter of John Hand, deceased.¹⁵ Birth certificates for their sons state:

6 September 1866, Charles Hill, son of Charles Hill and Mary Ann Hill, formerly Hill¹⁶

27 November 1868, John Hill, son of Charles Hill and Mary Ann Hill, formerly Hand¹⁷

28 March 1871, William Hill, son of Charles Hill and Mary Ann Hill, formerly Hand¹⁸

2 January 1873, Frederick Hill, son Charles Hill and Mary Ann Hill, formerly Hand¹⁹

In her undated letter Mary Ann Hill had written: "it is five years since Charlie first came to Newport." He apparently left Cornwall for Newport soon after the 2 April 1871 enumeration. The family followed and Frederick was born there in 1873.

Assuming that all previous readers had been meticulous when handling and reading the family letters was a mistake. Research beyond the correspondence exposed the problem in dating Mary Ann Hill's letter. Determining its true date—late 1875 or early 1876—resolved the impasse.

13. The January 1872 envelope originally contained a letter written Christmas day, 1871, by Martha Lean, reporting her son Christopher's death in a farm accident. Letter in possession of the author.

14. Charles Hill death record, certificate no. 321, 3 December 1875, age 45, stonemason, Pontypridd Reg. Dist., Pontypridd Sub-dist., Glamorgan, Wales, General Register Office (GRO), Southport, Merseyside, UK.

15. Hill-Polgrean marriage record, certificate no. 148, District of Penzance, Cornwall, GRO. The groom and bride were: Charles Hill, age 35, bachelor, mason, son of John Hill; and Mary Ann Polgrean, age 35, widow, daughter of John Hand, deceased.

16. Charles Hill birth record, certificate no. 24, 6 September 1866, Penzance Reg. Dist., Penzance Sub-dist., Cornwall, GRO.

17. John Hill birth record, certificate no. 54, 27 November 1868, Penzance Reg. Dist., Penzance Sub-dist., Cornwall, GRO.

18. William Hill birth record, certificate no. 360, 28 March 1871, Penzance Reg. Dist., St. Ives Sub-dist., Cornwall, GRO.

19. Frederick Hill birth record, certificate no. 228, 2 January 1873, Newport Reg. Dist., Newport Sub-dist., Monmouth, Wales, GRO.

Reviews

ETHNIC WORK

The Sea Captain's Wife: A True Story of Love, Race, and War in the Nineteenth Century. By Martha Hodes. Published by W. W. Norton and Company; 500 Fifth Avenue; New York, NY 10110; 2006. ISBN 0-393-05266-4. 384 pp. Illustrations, index, maps, photographs. Hardbound. \$24.95.

The art of letter writing with old-fashioned pen and paper is dying out. However, in the 1800s, before e-mail and other forms of modern communication, letter writing was the primary means for individuals to keep in touch. Historian Martha Hodes has written a fascinating account of Eunice Richardson and her family relationships, based on some five hundred Richardson family letters discovered at Duke University. Of these, Eunice penned about one hundred. "The fragility of life and the hardships that precipitated that fragility constitute a theme running through the family's correspondence," writes Hodes, "apparent in their constant efforts to find work, stay warm, or visit one another across distances that today seem small" (p. 33).

Born in New England in 1831, Eunice Richardson, a white woman, was one of eight children of Luther Richardson Sr. and Lois Wright. Eunice had five sisters and two brothers who wrote to one another about typical family issues—health, births, marriages, deaths, and residence. In 1849 Eunice married William C. Stone, who eventually went to Alabama, as did one of Eunice's sisters. Eunice, however, remained in New England where she worked in the mills. Separation from her family was a problem that Eunice often confronted. By 1860 she had joined her husband, sister, and brother-in-law in Mobile, where the population's racial composition differed significantly from that of primarily white New England. The Civil War adversely affected the lives of many

Americans, including the Richardson family. Eunice's brothers Charles "Henry" and Luther served in the Union Army, but her brother-in-law and husband supported the Confederacy. By the end of 1861 Eunice had returned to New England where she would once again deal with economic problems as well as loneliness, as her husband remained in the South. Tragedy struck the family when Eunice learned of the deaths of both Luther and her husband. Eunice's despair, however, would turn to joy when she fell in love again.

After marrying William Smiley Connolly, known as Smiley, "a sea captain from the British West Indies and of African descent," Eunice moved with her three children to Grand Cayman Island to live in Connolly's home (p. 174). Although Connolly may have been able to pass for white, Eunice had to deal with reactions from family and friends to her mixed marriage. Not everyone was happy about this union, but Eunice not only had the home that she always wanted but also was finally happy herself. When the Connolly family was aboard Smiley's schooner a storm destroyed the vessel, and the family was lost in the Caribbean Sea.

Martha Hodes was fortunate to have a collection of family letters and some interesting characters to tell the Richardson family story in a way that keeps the reader interested in the fate of Eunice and her family. The author places that family in historical context, explaining in the process how the events of the day, such as the issues of slavery and the Civil War, affected their lives.

Hodes traces the whereabouts of other Richardson family members after the Civil War. Readers learn, for instance, that it was Henry who kept the family papers intact. Maps, illustrations, photographs, copies of some of the family letters, an essay on sources, and a listing of the names and relationships of

Eunice's family members enhance this work. Birth, marriage, and death dates would have made that list more helpful. The author not only traced descendants of the Connolly family but also discovered how the family papers ended up at Duke University. This volume is a welcome addition to nineteenth-century narrative studies and should serve as a model for family historians.

Christopher A. Nordmann, Ph.D., CG
St. Louis, Missouri

FAMILY HISTORIES

Dennis Darling of Braintree and Mendon and Some of His Descendants, 1662 to 1800.

By William A. Martin and Lou Ella J. Martin. Published by Family Heritage; 2006. Order from William A. Martin; 40686 Via Jalapa; Murrieta, CA 92562. xvi, 721 pp. Appendixes, index, maps. Hardcover. \$55.00.

Presented in *Register* style, this study of Dennis Darling includes eighteen chapters, each beginning with a helpful chart. A prologue offers a brief history of the colonies of Plymouth, Massachusetts Bay, and Rhode Island. It discusses the Darling family's establishment in Mendon, Massachusetts, and the possible relationship between progenitor Dennis Darling and John Darlin/Dayly, both of whom moved from Braintree to Mendon about the same time.

The index includes both maiden and married names of females. Married females whose maiden names are unknown appear under the husband's surname. Birth years, when known, are attached to first names to distinguish among individuals.

The authors cite many original and derivative sources and wisely counsel readers "to check the sources and where possible find additional corroboration." They follow female lines for one generation. Illustrations include four maps, charts of early census returns, and abstracts or transcriptions of relevant wills and deeds. The "Time Line for Ebenezers," depicting details for four men of

the name with unconfirmed identities, is a helpful tool.

As with any book of this size minor typographical errors and inconsistencies can be found. Endnote 5 references "MA Archives, v. 34B, p.164," but note 10 calls it "Mass. Arch. v. 38 B p.164" (p. 486). "John Osborne Austin," the properly-named author of a well-known source is listed as "John Osborne Auston" in endnotes 97 and 102 (pp. 488–89). The "Abbreviated Form of References" lists "*Rhode Island Genealogy Dictionary*" (p. 482). That form, however, is not used in the endnotes. The authors annotated some listings and not others. For example, four listings headed by "Rhode Island VRs" are described as those in the classic book by James N. Arnold, "on Ancestry," "on the Internet," and "on newenglandancestors.org." Such annotations should describe the similarities and differences, if any, among them.

More than five thousand endnotes require readers to turn between text and references at the back of the book. Footnotes, or endnotes after each chapter, would serve readers better.

Such a huge compilation merits appreciation. The authors added new findings to their consolidation of earlier research. It may lead to further discoveries by readers interested in the family of Dennis Darling.

Sandra MacLean Clunies, CG
Derwood, Maryland

Some Descendants of John Sibley of Salem, Massachusetts. By Helen Schatvet Ullmann. Published by Newbury Street Press; 101 Newbury Street; Boston, MA 02116-3007; 2006. Order from Picton Press; <http://www.pictonpress.com>. ISBN 0-88082-202-3. x, 308 pp. Bibliography, index. Hardback. \$34.95.

In her preface Ullman notes contributions, strengths, and shortcomings of previous Sibley genealogies. She explains the word "Some" in the book's title: "John Sibley was my ancestor on both my mother's and my father's sides, my mother through

the Walcott marriage in the second generation. My father's mother, in her pursuit of Revolutionary War ancestors, latched onto the wrong Lucy Sibley. Her real Sibley ancestress was the daughter of Benjamin⁴ and Lucy (Park) Sibley. While this book treats Benjamin's brother Jeremiah's descendants to some extent, the bulk of it covers progeny of Benjamin's son Asa as well as three of Benjamin's daughters, Azubah, Martha, and Eunice" (p. ix).

Chapter one discusses the first generation in America, John¹ Sibley, son of William^A Sibley. John was born in Dorset, England, probably by 1596, "but possibly as late as 1613," and died at Manchester, Massachusetts, before 25 June 1661 (p. 1). Ullman warns "no attempt has been made to search for documentation of the English connection" (p. ix). Each chapter thereafter covers the next generation, ending with the eighth generation and chapter, which names children in the ninth generation.

Ullman's first three chapters present solutions to earlier published problems. Using *Register* style she discusses each individual in a well-written and meticulously documented sketch. The accompanying children's lists provide birth, death, and marriage information. Female lines are carried forward.

An accomplished genealogist, Ullman has provided Sibley descendants with a thoroughly researched and gracefully written genealogy with interesting biographical and historical detail. Anyone with roots in Worcester County or Franklin County, Massachusetts, should consult the many sources in the bibliography and check the all-name index, as Sibleys married into many families.

Joan A. Hunter, CG
Eugene, Oregon

REGIONAL WORKS

Arizona Genealogical and Historical Research Guide: Early Sources for Southern Arizona Including Cochise, Pima, Pinal, and Santa

Cruz Counties. By Barbara Baldwin Salyer and Jean Powell Banowit. Published by Arizona State Genealogical Society; Post Office Box 42075; Tucson, AZ 85733-2075; <http://www.rootsweb.com/~asgs>; 2006. ISBN 0-9773094-0-1. xii, 328 pp. Illustrations, indexes, maps, photographs. Hardback. \$70.00 (shipping: \$4.00).

Access to genealogical information has improved for researchers of Arizona ancestors or collateral lines. Salyer and Banowit have produced a superior guide to southern Arizona genealogical and historical resources. Researchers still need a guide for central and northern Arizona. This book should serve as a model.

Few genealogical books cover Arizona, a young state that will celebrate its centennial in 2012. The Arizona State Genealogical Society has published the most useful resources, including many for which author Salyer provided the impetus.

The book has four divisions:

1. Background on the state with maps, a ten-page historical timeline, and a description of the major communities in southern Arizona
2. The major portion of the book, arranged by thirty-eight record types and including the repositories where they are found
3. Information on the four southern Arizona counties
4. A summary of private, local, state, and national repositories holding information on southern Arizona

Highlighted records include those containing information on mining, railroads, law and order, ranching, and military installations in early southern Arizona. An extensive bibliography lists sources not mentioned in the record sections. The authors seem to have covered all sources valuable to Arizona genealogical and historical research. Because of the title's length, only part—"Arizona Genealogical and Historical

Research Guide”—appears on the spine and cover. Readers may hope it is a series title and other volumes will cover the state’s central and northern regions.

Daniela Moneta, CG
Phoenix, Arizona

Finding Indiana Ancestors: A Guide to Historical Research. Edited by M. Theresa Baer and Geneil Breeze. Published by Indiana Historical Society Press; 450 West Ohio Street; Indianapolis, IN 46202-3269; <http://www.indianahistory.org>; 2007. ISBN 13:978-0-87195-203-5. xii, 289 pp. Appendix, illustrations, index. Paperback. \$29.95.

Finding Indiana Ancestors attempts to expand an often-reprinted Indiana Historical Society pamphlet of the same name into a book-length guide. The editors claim the resulting work supersedes the previous guide to research in the Hoosier State, George Schweitzer’s 1996 *Indiana Genealogical Research*, “by showing how to conduct research in the various facilities and on the Internet, how to draw out the most complete and accurate data from old documents, and how to piece together all the data into a cohesive picture of an ancestor or a topic” (p. xi). Those words pinpoint two areas in which Baer and Breeze’s work shines: it focuses on the state’s research facilities and emphasizes weaving genealogical data into historical context.

Research guides published more than ten years ago, including Schweitzer’s, contain out-of-date information; however, saying *Finding Indiana Ancestors* “goes beyond” previously published Indiana research guides may be unintentionally misleading. It is a collection of stand-alone essays on various aspects of genealogical or historical research in Indiana that were previously published as articles in *The Hoosier Genealogist* and its more recent counterpart, *The Hoosier Genealogist: Connections*. This format distinguishes the book from standard research guides.

The work has six parts: “Getting Started,” “Identifying Resources,” “Researching Records,” “Researching with Maps,” “Researching Ethnic Groups,” and “Providing Context and Accuracy.” The first three are arguably the most helpful and suited to a state research guide. “Researching Ethnic Groups” sounds promising, but it covers only German Americans, African Americans, and Native Americans. Furthermore, the African American essay is more bibliography than guide to African American research in Indiana.

Each section concludes with an essay called a “Model,” which Baer and Breeze say will “inspire readers with the possibilities that loom from conducting genealogical and historical research” (p. xii). The placement of these case studies may puzzle readers who have not read the preface carefully. They do not detract, but they would be less distracting if grouped as a final chapter or appendix.

The book includes helpful basic methodology articles not specific to Indiana research, like essays on labeling and preserving photographs, dating photographs based on clothing styles and other clues, and placing ancestors in historical context. The section on research facilities, written by individuals connected with the facilities is especially useful. It provides up-to-date information on collections and procedures.

In some cases the stand-alone essay format is distracting. For example, two articles about Indiana Civil War research might have been combined into a single chapter. Short articles by the same author in the maps section could have been combined into one chapter with subheadings.

Most essays in the book will help researchers pursuing Indiana ancestors. The pieces on research facilities are invaluable. Nevertheless, the work is not a definitive guide to Indiana research. It complements, rather than supersedes, previous guides, not only *Indiana Genealogical Research* but also *Research in Indiana!* by John D. Beatty and *Who’s Your Hoosier Ancestor?* by Mona

Robinson, both published in 1992. *Finding Indiana Ancestors* is not strictly a research guide. A more accurate title might have been "Finding Indiana Ancestors: A Collection of Essays on Historical Research in Indiana."

Dawne Slater-Putt, CG
Huntertown, Indiana

Proprietary Records of South Carolina, vol. 1, *Abstracts of the Records of the Secretary of the Province, 1675–1695*. Edited by Susan Baldwin Bates and Harriott Cheves Leland. Published by The History Press; 18 Percy Street; Charleston, SC 29403; <http://www.historypress.net/catalogSC.php>; 2005. ISBN 1-59629-043-3. 184 pp. Appendixes, illustrations, index. Paperback. \$24.99.

Proprietary Records of South Carolina, vol. 2, *Abstracts of the Records of the Register of the Province, 1675–1696*. Edited by Susan Baldwin Bates and Harriott Cheves Leland. Published by The History Press; 18 Percy Street; Charleston, SC 29403; <http://www.historypress.net/catalogSC.php>; 2006. ISBN 1-59629-128-7. 224 pp. Appendixes, illustrations, index. Paperback. \$24.99.

These two volumes begin a series of abstracts from the registers of the Secretary and Register of the province of South Carolina from the proprietary period. The colony was first settled in 1670, and the government of the Lords Proprietors lasted until 1721 when it changed to royal control. In 1944 A. S. Salley Jr. published the earliest surviving registers; the present volumes begin with the next books in each series.

While roles of Secretary and Register changed over time, the latter official was primarily responsible for recording deeds, indentures, and letters of attorney. The Secretary entered into his books most other documents, including wills, inventories, estate records, and marriage bonds. The offices split the recording of land grants and related documents. The Secretary kept

records of arrivals to the colony (unfortunately these have not survived), issued warrants for land, and received returns from the Surveyor General. The Register recorded grants. Both officials included letters of attorney, bills of sale, apprenticeships, and occasional slave manumissions.

These volumes provide detailed abstracts of every document recorded in each book covered. The authors describe the histories of the offices of Secretary and Register, the provenance and condition of each book abstracted, and the methodology and editing conventions used for preparing the abstracts. Copious footnotes throughout each work provide additional information about the people or places in the records and flag unusual or problematic sections of the original text. The index is thorough and well explained. Each volume includes color plates with photographs of pages from the original record books and seventeenth-century maps of South Carolina.

These abstracts are done well. A random check against the microfilmed original books revealed no significant inaccuracies. The records have been difficult to use, and thus historians and genealogists have consulted them infrequently. That situation should now change. These books belong in every collection of colonial South Caroliniana, and they are worthy models for anyone contemplating an abstracting project.

Jeffrey L. Haines, CG
Rural Hall, North Carolina

REFERENCE WORK

The Source: A Guidebook to American Genealogy. 3rd ed. Edited by Loretto Dennis Szucs and Sandra Hargreaves Luebking. Published by Ancestry; 360 West 4800 North; Provo, UT 84604; 2006. ISBN 1-59331-277-6. xxiii, 965 pp. Appendixes, illustrations, index. Hardback. \$79.95.

At times, ignorance can be a good thing. For whatever reason, this reviewer had never

seen previous versions of this book and thus reviewed this volume with fresh eyes, ignorant of faults or successes of past editions.

The title suggests the book is the “source” of knowledge, and the subtitle promises to “guide” researchers through American genealogical research. The blurbs say *The Source* is “the essential reference . . . a basic text for beginners and an encyclopedic research tool for experts”; “user-friendly” and “essential”; “a true guidebook. . . provid[ing] researchers from novice to experienced with the information they need . . .” (unpaginated prefatory material); and “each time you open its covers, [it] provides you with a seminar taught by the foremost genealogists in America” (p. xv).

Hefty at more than five pounds, the book is almost two inches thick—a very large, attractive 8.5-by-11-inch volume approaching a thousand pages of content (reflected in the substantial cost). On one hand, having so much information in one volume is reassuring; on the other, the size makes relaxed reading difficult.

Once settled comfortably with *The Source*, however, readers will notice that diagrams, photographs, charts, or visual examples illustrate virtually every nugget of information. Coupled with well-written, well-organized prose, such enhancements help readers understand the topics. The book artfully teaches to different learning styles.

The twenty chapters (including two new ones: “Twentieth-Century Research” and “The Foundations of Family History Research”)—all written by well-known experts—are organized coherently into categories: “The Basics,” “The Records,” and “People and Places.” A prominent box

containing “Chapter Contents”—a sort of mini-index that helps locate information—appears at each chapter’s beginning. Each chapter ends with endnotes, a bibliography, and many helpful references.

The Source seems to cover every relevant topic, all accessible through the fairly comprehensive index. The index unfortunately does not include entries in lists. For example, readers checking the index under “Arkansas” would not learn that the address for the Arkansas Genealogical Society appears on page 888 because the society appears in a list of genealogical societies. (Alas, the address given for the Arkansas Genealogical Society is years out of date, with no Web or e-mail address.) Another interesting choice was indexing “DNA,” but not “genetics,” even though the topic in the text is titled “Genetic Genealogy” (pp. 18–20).

Rather than read the book cover to cover, the reviewer closely examined several wide-ranging topics. The authors paid close attention to the tenets of modern genealogical practices and updated the technology sections. The editors included a good variety of ethnic groups and seamlessly integrated Internet sources and research into the volume. Voluminous visual examples are stunningly helpful.

The Source is, as the book blurbs claim, one of those “essential” works that every serious genealogist, “from novice to experienced” should have at hand. It provides a comprehensive, “user-friendly” overview of genealogical topics and a serious guide for research. Even at the price, it is a great value.

Carolyn Earle Billingsley, Ph.D.
Alexander, Arkansas

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Marriage Records of the Office of the Commissioner, Washington Headquarters of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1861-1869

Microfilm Publication M1875, 5 Rolls

Contains hundreds of marriage records of newly liberated African Americans in the Civil War era collected from 1861 through 1869 by the Union Army and Freedmen's Bureau in its field offices in the Southern States and the District of Columbia, and sent to the Washington, DC, headquarters. Records include unbound marriage certificates, marriage licenses, monthly reports of marriages, and other proofs of marriage. Record type and quantity varies with each state.

Field Office Records of the Bureau of Refugees, Freedmen, and Abandoned Lands (Freedmen's Bureau), 1865-1872

The field office records are organized by state and "M" publication number.

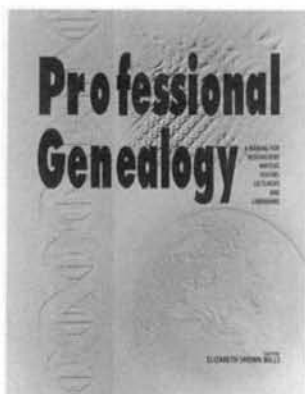
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Arkansas, M1901	Pre-bureau, M1914
District of Columbia, M1902	Bureau, M1907
Florida, M1869	Missouri, M1908
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Kentucky, M1904	South Carolina, M1910
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Professional Genealogy

A Manual for Researchers •
Writers • Editors • Lecturers •
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Elizabeth Shown Mills, Editor



GENEALOGY—the search for “roots”—is a global obsession. The millennium has fueled curiosity about the past and our personal place in history, the Internet is erasing barriers to international communication and record access, and genetic science dangles promises of marvelous new ways to link peoples and cultures. A millennial survey by a marketing research leader found that nearly half of all Americans have created a “family tree,” that more than a third have traveled to an ancestral place, and that nearly as many have written some form of family history. But, as *Time Digital* has cautioned, amid “the forest of genealogy software programs and websites . . . it’s easy to go barking up the wrong family tree.”

Thus the need for **PROFESSIONAL GENEALOGY**, a manual by professionals for everyone serious about genealogy. For family historians who want to do their own study, reliably, it describes the standards. For hobbyists, attorneys, and medical scientists who seek professional researchers, it’s a consumer guide that defines quality and facilitates choices. For academics as they increasingly cross over into genealogy—as well as librarians who struggle to help a whole new class of patrons—it provides a bridge to the methods, sources, and minutiae of “history, up-close and personal.” For established genealogical pro-

fessionals, it offers benchmarks by which they can advance their skills and place their businesses on sounder footing. And for all those who dream of turning a fascinating hobby into a successful career, **PROGEN** details the preparation and the processes.

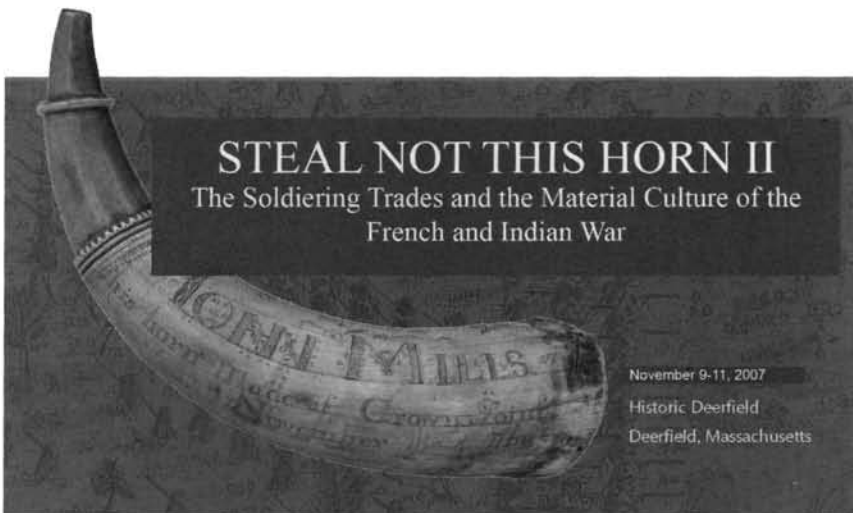
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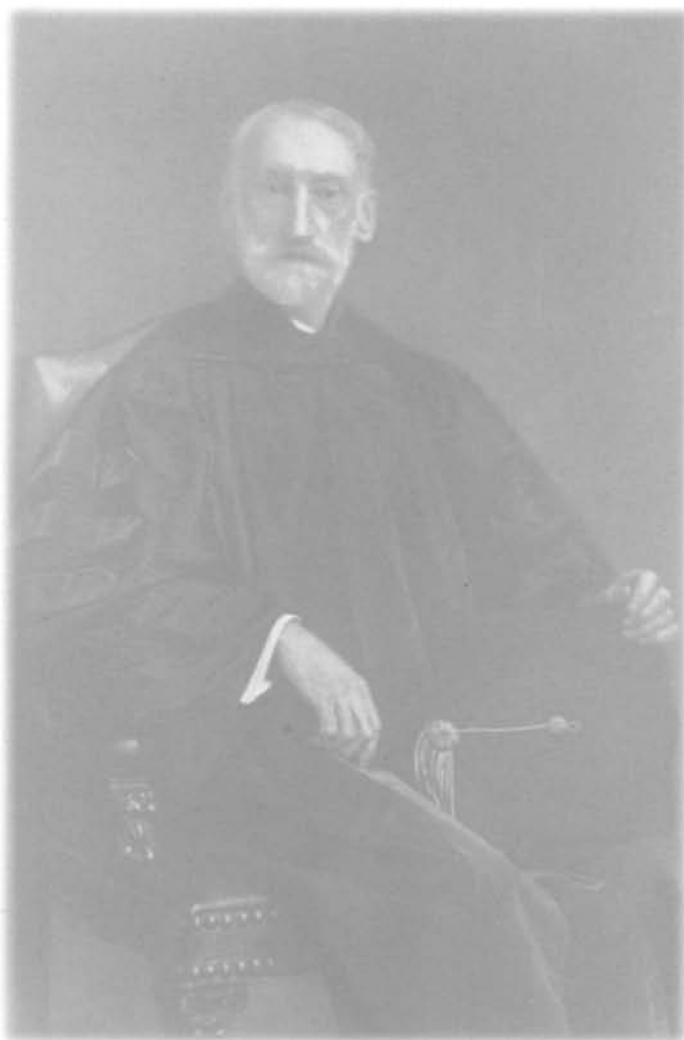
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Two things a parent must give a child. One is ROOTS. The other is WINGS.

Law and Genealogy

A Theme Issue of the National Genealogical Society Quarterly



Volume 95, No. 3, September 2007

The
National Genealogical Society

presents . . .

Faces of America

On the Cover:

HENRY CAMPBELL BLACK
17 OCTOBER 1860–19 MARCH 1927

No law dictionary is as useful to American genealogists as that commenced by Henry Campbell Black in 1891. Early editions of *Black's Law Dictionary* are regularly recommended among the top ten genealogical reference books. Predating the *Oxford English Dictionary*, Black's precise definitions of legal terms are invaluable for English and American research into common and civil law.

Dr. Black's voluminous writings suggest he paid little attention to genealogy. His dictionary was a means to an end. Inheritances from his father and aunt, Catharine C. Jimison, and royalties from his publications enabled Black to focus on his greatest interest, the intricacies and defense of constitutional law. In 1914 he became a founding member of the National Association for Constitutional Government, and in April 1917 he debuted as first editor of *The Constitutional Review*.

A native of Ossining, New York, Henry was one of three children of Rev. John Henry Black, a Protestant Episcopal minister from Scotland, and Caroline Campbell, a native of Pennsylvania. Henry graduated from Trinity College in 1880, acquired from the same institution his A.M. in 1887, and received an honorary doctor of laws degree in 1916.

After being admitted to the bar in Lycoming County, Pennsylvania, in 1883, he practiced briefly in Williamsport, where he lived with his parents and sister, Caroline. He soon moved to St. Paul, Minnesota, where he greatly preferred study and writing to running a law office.

Black settled in Washington, D.C., in 1888 and lived with his parents at 2516 Fourteenth Street, NW. Three years later he published the first edition of *Black's Law Dictionary* to considerable acclaim and satisfactory sales. He published a second edition in 1910. In April of that year he married forty-three-year-old Bertha A. Brown, who had been his mother's companion for more than a decade.

Later editions of the dictionary appeared in 1933, 1951, 1979, 1990, and 1999. The eighth edition, released in 2004, is available both in print and as *Black's Law Dictionary Digital*. Publisher Thompson-West's advertising for this edition calls it "the most cited legal dictionary in print."

Credits:

The cover image is a scan of a photograph of Henry Campbell Black published in his April 1927 memorial in *The Constitutional Review* 11 (April 1927): 76. Thorough searches by Martin Hollick at the Law Library, Harvard University, Cambridge, Massachusetts, and Peter J. Knapp, archivist at Trinity College, Hartford, Connecticut, turned up only this identical image of the infrequently photographed Black. The scan is courtesy of James L. Hansen, FASG, Wisconsin Historical Society, Madison. Documentation of Henry Campbell Black's life is in the files of Melinde Lutz Sanborn, FASG; melinde44@comcast.net.

National Genealogical Society Quarterly

A Journal for Today's Family Historian

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EDITORS' CORNER

Law and the Genealogist

"Allan . . . fell headlong into the bottomless abyss of the English Law The lovers looked at each other, across the insuperable obstacle of Blackstone, in speechless dismay."

—Armada, Chapter 11, "Love and Law," by Wilkie Collins

Few laws govern genealogical and historical research, except perhaps those affecting copyright and records creation, access, and retention. Legislation created most genealogical records and American jurisdictions, but understanding those enactments might not affect research. Laws and court decisions govern inheritance, but the resulting records—not the laws themselves—often provide genealogical information. Why, then, is familiarity with the legal system important for successful genealogical research? The answer is simple: laws provide evidence. Family historians cannot afford to bypass any evidence of relationship.

Ann Fleming explains in this issue that many federal and state statutes directly reveal people's relationships. Such "private" laws, though numerous, are dwarfed in usefulness by law providing indirect evidence of kinship. Several kinds of law, with overlapping jurisdictions offer such evidence:

- Common law has evolved from judgments of ancient English courts to "case law" today. In this issue Donn Devine explains the implications of common law for researchers in England's North American colonies and the early United States.
- Civil law affected families in French and Spanish colonies in the "New World," including those in Canada, the Gulf Coast from Florida to Louisiana, the Mississippi Valley, California, the American Southwest, the Caribbean, and Central and South America. Claire Bettag describes this form of law—now obsolete in most of the United States—and how it applies to genealogy.
- Statute law refers to collected acts of legislative bodies, including the United States

Congress and the states' legislatures and general assemblies. Author Fleming explains how researchers can locate and use these genealogically significant laws.

- In the American colonial period, established churches functioned as part of the government, and the populace was obligated, at least nominally, to follow their laws. After the disestablishment that came with American independence, church laws and customs continued to affect their members and the records they created. David McDonald guides researchers through the maze of Protestant denominations to their many American record repositories.

Laws governed ancestral lives. Frequently applicable common, civil, statute, or church laws clarify the motivation behind an individual's action or record. The legal principle may explain the motivation, or it may reveal an unrecorded "triggering event," like a birth, death, marriage, remarriage, relocation across jurisdictions, or coming of age. Because laws governing actions or activities sometimes suggest relationships, genealogists can use law as a source of evidence for reconstructing and understanding lives and kinship.

As Victorian novelist Collins implies, law can be a complex and foreboding subject, best left to professionals. Genealogists and historians, however, do not need law degrees to locate, understand, and apply law to their research. This theme issue outlines relevant material and encourages researchers to plumb court, legislative, and church records in their work.

—Thomas W. Jones
and Melinde Lutz Sanborn
NGSQ, SEPTEMBER 2007

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The Common Law of England: A Key Resource for American Genealogists

By Donn Devine, J.D., CG, CGL

Gleaning indirect evidence from court records depends on the researcher's understanding of the legal action, applicable common law concepts, and the court's pronouncements.

Settlers in England's American colonies lived under "the ancient unwritten law of England" called common law.¹ It helps explain their customs and actions—especially regarding status, rights, property, inheritance, and personal and legal relationships. It appears in court records, and it affected deeds, marriage bonds, wills, and other records that genealogists use. Knowing common law terms and concepts of the 1600s and 1700s, therefore, helps researchers recognize evidence in English colonial records, understand colonists' lives and families, and avoid errors in establishing family relationships.

EVOLUTION OF COMMON LAW

Between 1100 and 1500 three parallel court systems arose and functioned in England, each with separate but occasionally overlapping jurisdictions:

- Ecclesiastical courts, under Archbishops of Canterbury and York and diocesan bishops, dealt with wills, administration of decedent's estates, marriage, and domestic relations.
- Equity, in the High Court of Chancery under successive lords chancellor, addressed wrongs requiring corrective action other than the limited remedies available from the law courts.
- Law courts—also called king's courts—awarded possession of lands or goods or monetary damages. Decisions reflected the royal judges' common understanding of personal and property rights and duties that had evolved through preceding centuries in cases where no royal decree or parliamentary enactment could guide them. Those principles assumed the character of

© Donn Devine, J.D., CG, CGL; 2004 Kentmere Parkway; Wilmington, DE 19806; donndevine@aol.com. Mr. Devine is a genealogical consultant, attorney for the City of Wilmington and Board for Certification of Genealogists, archivist of the Catholic Diocese of Wilmington, and member of the NGS *Quarterly* editorial board. From 1994 to 2002 he served on the board of the National Genealogical Society and currently chairs its standards committee.

1. Henry Campbell Black, *Black's Law Dictionary*, 4th ed. (St. Paul, Minn.: West, 1968), s.v. "Common Law."

law because judges, in an effort to keep decisions consistent, treated each as a binding precedent for future decisions. Because this evolving body of law reflected law-court judges' common understanding, it became known as "common law." It varied, however, by locality and evolved over time.

Laws passed by Parliament and the King in Council affected all three systems and grafted the ecclesiastical and equity systems onto the common law. English colonists brought this hybrid common law, in various stages of further evolution, to North America, where it assumed an American character. Furthermore, because the colonies functioned independently of each other, the law continued to evolve, but differently in each colony. Researchers cannot assume a Connecticut common-law principle applies to a North Carolina family.

As courts apply precedents to resolve new controversies, ever-growing bodies of common law provide the conceptual foundation for legal systems of most English-speaking jurisdictions. They include Australia, Canada, New Zealand, the United Kingdom, and the United States. Statutes enacted by legislative assemblies have superseded much of the old English common law that governed colonial Americans. Nevertheless, many of its concepts, categories, and principles survive. Many laws affecting Americans throughout United States history have been rooted in old common law concepts and definitions.²

SOURCES FOR COMMON LAW

The original sources for common law, up to the present, are countless court decisions in individual cases recorded and published in books called "law reports." Only derivative works explain common law as a cohesive system of principles and procedures. Those works cite case reports supporting each principle. Three men have been the most successful and influential authors to reduce early English common law to a systematic and coherent written form:

- In 1481 or 1482 Thomas de Littleton described all common law developed to that time.³
- In 1628 Edward Coke updated Littleton.⁴
- In 1765–69 William Blackstone prepared the definitive treatise on historical common law. It is the most useful compilation for American genealogists because it describes the law affecting settlers in North American English colonies. An edition is online.⁵

2. Thomas M. Cooley, ed., *Commentary on the Laws of England*, 3d ed., 4 vols. (Chicago, 1884), 1:vi-xiv.

3. This was one of the first books printed in London. For a recent edition, see T. E. Tomlins, *Lyttleton, His Treatise of Tenures in French and English* (Clark, N.J.: Lawbook Exchange, 2006).

4. Edward Coke, *Institutes of the Laws of England*, 3 vols. (1628–30; reprint in 4 vols., Buffalo, N.Y.: W. S. Hein, 1986).

5. William Blackstone, *Commentaries on the Laws of England*, 4 vols. (Oxford, Eng.: 1765–69); digital image, The Avalon Project at Yale Law School, *Documents in Law, History, and Diplomacy* (<http://www.yale.edu/lawweb/avalon/blackstone/blacksto.htm> : accessed 24 July 2007).

Blackstone's *Commentaries on the Laws of England* covers the parallel traditions of ecclesiastical, equity, and law courts and applicable statutes, which he synthesizes into a cohesive system of legal principles. After a four-chapter introduction, Blackstone divides his analysis among 110 additional chapters in four books:

1. *The Rights of Persons* (including master and servant, husband and wife, parent and child, and guardian and ward)
2. *The Rights of Things* (including property, tenures, and estates)
3. *Of Private Wrongs* (harm or injury done by one person to another)
4. *Of Public Wrongs* (crimes)

Blackstone's *Commentaries* appears in numerous editions, usually with bracketed numbers preceded by an asterisk to indicate the original pagination. Accordingly, authors and researchers customarily cite references to Blackstone's words by the original book and page.

Later works continue Blackstone's tradition. *Halbury's Laws of England*, first published in 1907, covers common and statutory law in England.⁶ Nineteenth- and early twentieth-century American legal scholars wrote treatises on different aspects of United States common law. One example is *The Law of Baron and Femme*, which genealogists occasionally cite.⁷ In 1881 Oliver Wendell Holmes published *The Common Law*.⁸ In 1923 the American Law Institute began publishing *Restatement of the Law*, an ongoing series distilling and organizing common law as new decisions modify it, setting new precedents.⁹

SOURCES FOR GENEALOGISTS

Where the common-law principle is not self-evident, several reference tools can explain unfamiliar terms, clarify a court action or record, or shed light on an ancestor's behavior. What, for example, is the meaning of land owned in "fee tail" or an estate division "per stirpes"? Why are adult heirs sometimes unable to sell their deceased father's land? Why would a father be released of responsibility for his illegitimate child? Why would a married woman seek a court order allowing her to take possession of property someone had already

6. *Halbury's Laws of England*, 4th ed. (London: Butterworth, 1973–). Updated volumes have been selectively reissued and annual supplements published.

7. Tapping Reeve, *The Law of Baron and Femme, of Parent and Child, Guardian and Ward, Master and Servant . . .* (Albany: William Gould, 1862); digital edition, Google Books (<http://books.google.com/books> : accessed 11 August 2007).

8. Oliver Wendell Holmes, *The Common Law* (Boston: Little, Brown, 1881). Many subsequent editions have been published. For an online version, see "The Common Law by Oliver Wendell Holmes Jr.," *Project Gutenberg* (<http://www.gutenberg.org/etext/2449> : accessed 7 June 2007).

9. For a checklist of those published to date and their respective topics, see "Library: Restatement Checklist," *American Law Institute* (<http://www.ali.org/index.cfm?fuseaction=about.checklist> : accessed 24 July 2007).

given her? In each case common law provides an answer and evidence relevant to a genealogical conclusion.

When unfamiliar legal terms appear in documents, researchers should consult law dictionaries containing terminology from the time the document was created. Genealogists frequently consult two such dictionaries:

- *Black's Law Dictionary* is now in its eighth edition.¹⁰ For genealogical purposes, the fourth and earlier editions are preferable to later versions, which dropped obsolete terms of use to historical researchers. Copies are readily available in used-book venues. The first (1891) and second (1910) editions are commercially available in CD-ROM format.¹¹
- *Bouvier's Law Dictionary* was published in eight editions between 1839 and 1914.¹² The sixth edition (1856) is available online.¹³

Encyclopedias cover some common-law topics in greater depth than dictionaries. The eleventh edition of *Encyclopedia Britannica*, sometimes called "the last scholarly edition," has been a reference of choice.¹⁴ Online and CD-ROM versions are available.¹⁵ *Wikipedia*, an online encyclopedia, also provides adequate documented treatments of some common-law material.¹⁶

Historical treatises explain common-law concepts.¹⁷ Modern retrospective works, however, may be more informative, especially when they address inheritance, land ownership, women's rights, and other areas related to genealogy.¹⁸ Previous *NGS Quarterly* articles address the application of common-

10. Bryan A. Garner, ed., *Black's Law Dictionary*, 8th ed. (St. Paul, Minn.: Thompson West, 2004).

11. Henry Campbell Black, *Dictionary of Law Containing Definitions of the Terms and Phrases of American and English Jurisprudence, Ancient and Modern*, 1st and 2nd eds. (1891 and 1910; republished in CD-ROM format, Columbia, Md.: Archive CD Books, 2006).

12. John Bouvier, *A Law Dictionary*, 8 eds. (various publishers: 1839–1914).

13. John Bouvier, *A Law Dictionary Adapted to The Constitution and Laws of the United States of America and of the Several States of the American Union*, revised 6th ed. (1856); digital edition, *Constitution Society* (<http://www.constitution.org/bouv/bouvier.htm> : accessed 26 July 2007).

14. *Encyclopedia Britannica*, 11th ed., 29 vols. (New York: University Press, 1910–11).

15. "Search the 1911 *Encyclopedia Britannica*," *Online Encyclopedia* (<http://encyclopedia.jrank.org/> : accessed 28 July 2007). Also, *Encyclopædia Britannica: The Eleventh Edition 1910–1911*, CD-ROM (Naperville, Ill.: ClassicEB.com, no date).

16. "Welcome to Wikipedia," *Wikipedia* (http://en.wikipedia.org/wiki/Main_Page). Search for specific common-law topics.

17. For example, James Kent, *Commentaries on American Law*, 4 vols. (New York: O. Halstead, 1828); and Reeve, *The Law of Baron and Femme*.

18. For example, Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1987); and Carole Shammas, Marylynn Salmon, and Michael Dahlin, *Inheritance in America from Colonial Time to the Present* (Galveston, Tex.: Frontier Press, 1997).

law concepts to marriage, divorce, married women's rights, and land ownership and usage.¹⁹

Genealogists sometimes consult Blackstone's *Commentaries*, which explains the common law affecting eighteenth-century residents of England and its colonies in North America and elsewhere. Despite Blackstone's largely archaic language, the work can clarify concepts and records. Citing Blackstone may help build a case proving a relationship.²⁰

INTERSECTIONS OF COMMON LAW AND GENEALOGY

The following analysis does not follow Blackstone's time-honored four-part structure. Instead, it considers common-law concepts under five headings, corresponding to types of genealogically significant records they generate. Common-law terms that genealogists might encounter are italicized and briefly defined when they first occur.

Land Ownership, Occupancy, and Transfer During Life

After William the Conqueror won the English crown in 1066, he introduced continental Europe's feudal system, in which the king owned all land in his kingdom. Subjects could "hold" land only as tenants or subtenants, on condition of faithfulness to the king and prescribed services and payments. Land, therefore, was called *real*—meaning "royal"—property.²¹

The only way a landholder—a person *seised* of land—could transfer it to another person was by a ceremony called *livery of seisin*—literally, "delivery of possession." Standing on the land before witnesses, the landholder delivered the property to the new occupant by handing a piece of turf and cup of water from it to the new holder.²² Eventually, written transfers came into fashion. The writing created an *equitable use*—rights to "hold" the land remained with the

19. George R. Ryskamp, "Common-Law Concepts for the Genealogist: Real-Property Transactions," *NGS Quarterly* 84 (September 1996): 165–81, and "Fundamental Common-Law Concepts for the Genealogist: Marriage, Divorce, and Coverture," *NGS Quarterly* 83 (September 1995): 165–79.

20. See, for example, Thomas W. Jones, "The Parents of Maxfield Whiting of Virginia and Kentucky," *The American Genealogist* 80 (July 2005): 195–200, note 19.

21. Robert C. Palmer, "The Origins of Property in England," *Law and History Review* 3 (1985): 1–50.

22. For an American example of this practice, often called "by turf and twig," see J. Thomas Scharf, *History of Delaware*, 2 vols. (Philadelphia, 1888), 1:83, who provides more detail than other authors in his account of the livery of seisin to William Penn. He describes Penn's 28 October 1682 arrival at New Castle on Delaware, bringing deeds from the Duke of York for the three counties that comprise Delaware and letters appointing two local men to deliver possession to Penn on the Duke's behalf. Scharf quotes from a record signed by nine witnesses who saw Penn receive "turf and twig, and soyle and water of the river Delaware," and the key to the old fort. The original record has been lost, but a 1770 transcription appears in *Records of the Court of New Castle on Delaware*, vol. 2, 1681–1699 (Meadville, Pa.: Colonial Society of Pennsylvania, 1934).

original occupant, but the right to use it went to a recipient. In 1535, however, an act of Parliament converted all past and future grants of equitable uses and bargain-and-sale transactions, both of which could be done in writing, into legal estates without need for livery of seisin.²³ Transfers by deeds or indentures from one landowner to another became the norm.

Tenure describes the nature of land holding. By the time of American colonization only *free and common socage* tenure remained, requiring annual payment of a fixed sum to the feudal landlord or sovereign. Colonial landholders paid *quit rents*—a rent “quitting” (exempting) them of further obligation to a landlord. Records of some payments survive.²⁴

Estate describes the duration of an owner’s rights to land. Early American landholders under common law had several kinds of estates; records concerning them appear in deed books. Court petitions, affidavits, minutes, and orders also may address various kinds of estates:

- The estate in *fee simple*, or *fee simple absolute*, gives recipients longer rights to their land than any other kind of estate. Holders of land in fee simple can sell it or devise it in their wills. To create a fee-simple estate under the common law, the conveyance must include, after the name of the grantee, “and his [or her or their] heirs.” Without these words, only a life estate is granted and the land reverts to the grantor when the grantee dies. The words create the fee simple estate, but they don’t limit or restrict the grant to the heirs, even if the words do not include the customary “and assigns.” Most American deeds convey land in fee simple.
- A *life estate* lasts only for the life or lives of one or more persons specified in the deed—often the recipient, but sometimes a young member of the recipient’s family or the English royal family whom the grantee expects will have a long life. The recipient of a life estate can sell the land, but when the last life specified in the deed ends—regardless of who holds the land at the time—it reverts to the original grantor or that grantor’s heirs.²⁵
- A *fee tail estate* or *entail* is created by the formula words “and the heirs of his body” in the deed’s grant clause. Recipients of entailed land cannot sell it. As successive holders die, entailed property passes only to their children, each generation enjoying what in effect is only a life estate. If the line of descent fails to have natural heirs in direct or collateral lines, the

23. Statute of Uses, 27 Hen. 8, c. 10.

24. Beverly Waugh Bond, *The Quitrent System in the American Colonies* (New Haven, Conn.: Yale University Press, 1919).

25. See, for example, Fitzhugh to Coyle, Spotsylvania Co. Deeds H:88–89, County Court, Spotsylvania, Va.; microfilm 0,034,071, Family History Library, Salt Lake City. This is a lease for the lives of the grantee, his wife, and his son.

land reverts to the original grantor's heirs.²⁶ Genealogical works contain many examples.²⁷ A court procedure called *fine and common recovery*, or more popularly "*docking the tail*," could be used to end the restriction on ownership and allow the holder to sell the land.²⁸ Most states abolished entailment after the Revolutionary War, allowing heirs to sell inherited land with no restrictions.²⁹

- An *estate for years (leasehold estate)* has a fixed duration, specified in the deed. In effect, the grantee acquires use of the property for the term of years specified in the agreement. Many American colonists leased their land in this way.³⁰
- An *estate at will* has no fixed duration. Because the grantor can terminate the recipient's occupancy without warning or cause, it is the least desirable way to hold land. Estates at will are rare in American records.

Most landowners in England's American colonies—men, unmarried women, and widows—held their land as individuals. Under the common law, however, landownership can be a *concurrent estate*, held simultaneously by two or more people and called an *estate in severalty*. The owners may have different legal relationships:

- An *estate by the entirety* can exist only between husband and wife. Both own the entire property until their marriage ends with death or divorce, and neither may devise it by will or sell it without the other. If the marriage ends with death, the property belongs to the survivor.³¹
- Holders of a *joint estate*, like one by the entirety, enjoy an undivided right to possession, but they need not be married—for example, siblings, in-laws,

26. "Notes: Estates Tail in the United States," *Columbia Law Review* 15 (November 1915): 618–19. "Estates tail" were never recognized in South Carolina. See C. Ray Keim, "Primogeniture and Entail in Colonial Virginia," *William and Mary Quarterly*, 3rd series, 25 (October 1968): 545.

27. For example, Douglas Richardson, "The English Ancestry of the Merwin and Tinker Families of New England; Part Two: John Tinker of Boston and Lancaster, Massachusetts, and Windsor and New London, Connecticut," *New England Historical and Genealogical Register* 149 (October 1995): 405. In his will, of 23 January 1622/3, Robert Tyncker of New Windsor, Berkshire, England, bequeathed a new tenement to his son Thomas and Thomas's wife Anne "for their natural lives, then to the heirs of the said Thomas begotten on the body of the said Anne." To his son Robert Tincker "his heires & assignes for ever" he gave the dower property held by his widow Mary "during her natural life, if she continue a widow."

28. Blackstone, *Commentaries*, 2:113; and Keim, "Primogeniture and Entail in Colonial Virginia," 547.

29. Cornelius J. Moynihan, in *Introduction to the Law of Real Property* (St. Paul, Minn.: West, 1962), 41–43, reports state-by-state on statutes eliminating entailment.

30. David M. Ellis, "Land Tenure and Tenancy in the Hudson Valley, 1790–1860," *Agricultural History* 18 (April 1944): 75–82. Ellis discusses New York leaseholds and the "ominous fact that [by 1880] one-fourth of all American farmers were tenants [under leaseholds]."

31. Blackstone, *Commentaries*, 2:182, section (j).

or business partners. Joint-estate holders cannot devise it by will or dispose of their interest without the others' participation. When one of the holders dies, the survivors automatically own the entire property.

- Holders of an *estate in common* own a tract together, but their interest extends to only a designated share of the land and its profits. Their interests are divisible, and they can sell them individually or devise them by will. Holders dissatisfied with possession in common can petition a court to set off their shares as separate parcels to be owned individually. Siblings sometimes inherited land in common and petitioned a court to have it divided. Without specific evidence of a dispute, researchers should not interpret such suits as indicating animosity among the parties.³²

One common-law aspect of land transfer during life has particular genealogical significance. A married woman retained a life interest in a portion of any lands owned by her husband during their marriage. The size of her share, called *dower*, varied with time and place but was often one-third. To ensure a clear title, careful purchasers of land required the wife to join in her husband's deed or execute a separate release of dower, particularly when the couple lived on the property. Absence of a dower release can raise a question as to whether the wife was alive when the land was sold. The sale of land previously set off as the widow's dower may be the only evidence that she died before the sale date.

Voluntary Changes in Personal Status—Marriage and Surety

Voluntary acts or agreements can change an individual's legal status. The new status usually continues until an outside agency or party releases the person. The most common example is marriage—a marriage agreement changes the parties' status from single to married, and the status continues until dissolved by death or divorce.

Under the common law the effects of marriage for women were drastic. With a status called *coverture*, they lost legal identity, and their husbands represented them for all legal purposes. Without his wife's consent a husband could sell property she had brought to the marriage or received by gift or inheritance. Married women could not legally object in a court of law. Unfair decisions, however, could be corrected by equity and chancery courts, which could grant relief to a married woman victimized by her husband.³³

Surety, guaranteeing another person's promise to pay a debt or take a certain action, is another voluntarily assumed status. People became sureties

32. See for example, *Jones v. Jones* (1844–48), Caroline Co. Chancery Causes, 1787–1849, Local Government Records Collection, The Library of Virginia, Richmond.

33. A married woman's right to equitable relief when she could not obtain legal remedies may be constitutional where a state constitution recognizes personal rights that existed at the time of separation from Great Britain. See, for example, *duPont v. duPont*, 85 A. 2d 724 (Del. 1951), *aff'd* 103 A. 2d 234 (Del. 1954).

by guaranteeing a *bond*, a formal but conditional promise to pay the stated amount, confirmed with the maker's seal. Because of the implied financial risk, people usually became sureties only for individuals they trusted. Consequently, sureties often are relatives or close associates of the person promising payment or action.³⁴

Other examples of voluntary status changes include taking public office, signing a master-apprentice or master-servant agreement, settlement in a town, or enlisting in the military service. Such status changes involve assuming duties and restrictions not applicable to the public at large.

Judicial Determinations

Courts deal with conflicts between individuals or between individuals and their government, or they determine guilt and punishment for criminal behavior. Court decisions—possibly surviving in packets of court papers and recorded usually in minute and order books—may be the only records surviving from eighteenth- and early nineteenth-century communities. Cases about adoption, child support, divorce, fornication, illegitimacy, and marriage may provide direct evidence of family relationships. Other cases may indirectly provide a wealth of information about family composition and kinships. Gleaning such indirect evidence depends on how well the researcher understands the legal action, applicable common law concepts, and the court's pronouncements.

Transfer of Property after Death—Probate and Intestacy

The Church of England's ecclesiastical courts supervised the distribution of deceased persons' property in England through 1857. American colonies created courts under various names to exercise similar jurisdiction over decedents' estates. Colonies of religious dissenters like Massachusetts and Pennsylvania deviated further from English procedures concerning estates than colonies like Maryland and Virginia, where law recognized the Church of England as the state religion.

In *probate*, survivors prove a will's authenticity before a judge or other public officer and the court supervises the distribution of assets. *Intestacy* refers to a person dying without a valid will. In that case the court appoints an *administrator* (male) or *administratrix* (female) to distribute the decedent's estate according to a standard scheme prescribed by local or common law. If the *executor* or *executrix* named in a will cannot serve, the probate officer appoints an administrator or administratrix to act in his or her place.

States that allowed disposition of real and personal property by will also often added restrictions to assure provision for dependent widows and children. The widow's dower—a life interest in a designated portion, usually one-third, of real

34. Melinde Lutz Sanborn, "Sureties and Widows in 17th Century New Hampshire," *The New Hampshire Genealogical Record* 19 (October 2002): 129–30.

estate owned by her husband during their marriage—offered protection. The widow had to die or abdicate her life interest in the land before her husband's children or other heirs could sell it.

English colonies supplemented common law by enacting statutes prescribing the division of estate shares when no will was involved. Shares frequently were different for land and personal property and depended on heirs' relationships to a decedent. In most jurisdictions widows received designated shares of personal property, with the balance divided among living children or heirs of deceased children *per stirpes* (each child's line receiving an equal share, rather than an equal share to each person).³⁵

Nonvoluntary Personal Status Changes—Birth, Death, Majority

Vital events change an individual's legal status and produce records of genealogical value. Birth begins status as an *infant*, meaning a male under twenty-one years old or a female under sixteen to eighteen. Except in New England, birth was seldom a matter of legal record much before 1900.

Approaching or attaining *majority* was more likely to produce public records, like those dealing with militia service, taxation, voting, and work on public roads. The age when each is first likely recorded varies—researchers must consult cases applicable to the time. For example, orphans coming of age might marry, take possession of parental property, or sell it. In some jurisdictions and time periods infants over age fourteen might testify in court and, if orphaned, choose a guardian.³⁶

GENEALOGICAL EXAMPLES

Several examples demonstrate how old common law helps researchers recognize evidence in American colonial records, understand colonists' lives and families, and avoid errors in establishing family relationships.

Warnings Out

English common law assigned the responsibility for support of the poor to the town or community where they had a "settlement."³⁷ In the early American colonies this status could be achieved through:

35. For a summary of American colonial laws affecting inheritance, see "Table 1.1. Inheritance Laws Circa 1720 in the American Colonies," in Shammass, Salmon, and Dahlin, *Inheritance in America*, 32–33.

36. For an example of a minor over age fourteen testifying in court, see Virginia Jones deposition, Jones v. Jones (1856), Caroline Co. "Ended Papers 1855 E–Z," and Chancery Order Book 2: 247, Circuit Court, Bowling Green, Va. For an example of an orphan choosing a guardian, see Elizabeth Crow guardianship, Orange Co. Minutes 4:538, Circuit Court, Orange, Va.; Orange Co. microfilm 38, Library of Virginia.

37. Gerald L. Neuman, "The Lost Century of American Immigration Law (1776–1875)," *Columbia Law Review* 93 (December 1993): 1833–1901.

- *Birth*. The place of birth became a child's place of settlement. This sometimes precipitated forcible removal of indigent pregnant women from communities when they most needed support.
- *Service*. Men who answered a community's recruitment call for soldiers or served as a resident's replacement might achieve a settlement.
- *Land ownership*. Land ownership and tax payment to a community resulted in settlement.

To protect a community from the expense of supporting the poor, many New England colonies, from earliest times into the early 1800s, practiced "warning out." The resulting records contain key genealogical information. Community leaders, usually town selectmen or county magistrates, sent a warrant to the local constable, ordering him to serve the warning out on an individual or family. The constable was to record the date and place of serving, names of those served, their town of settlement or place of last residence, and their time of first arrival in the community.

Warnings out survive in some selectmen's records. Completed warnings out were frequently reported to the county court of common pleas or general sessions. While simple one-line entries of the order can be useful, the paper warrant with the constable's annotations usually contains the most valuable information.³⁸

A town meeting in Providence, Rhode Island, on 10 August 1687 appointed an officer to go to Boston to inform the selectmen that Anne Waters and her child did not belong to Providence. Meanwhile, the little child, Thomas Waters, and his mother were thought likely to perish if Providence failed to support them. The town appointed three officers to find someone to take them in and to "put the child out until he was twenty-one years old."³⁹ Evidently, Providence doubted Boston would pay for their poor or take them in. Providence recouped its expenses by selling Thomas's future labor. Anna's settlement in Boston and the approximate date of Thomas Waters's birth appear only in this warning out. Boston's response is unrecorded.

Fornication Records

Another outgrowth of common law relates to support of the poor without burdening communities. Fathers of children born out of wedlock were identified

38. Transcriptions of one-line entries from county court minute books or town records have been widely published, but the fully detailed resulting papers are rarely found in print. For a statewide transcription, see Alden M. Rollins, *Vermont Warnings Out*, 2 vols. (Camden, Maine: Picton Press, 1995–97).

39. *Early Records of Providence*, 21 vols. (Providence, R.I.: City of Providence, 1892–1906), 8:169, 172, and 174. Rhode Island had remarkably detailed warnings out. See also Ruth Wallis Herndon, *Unwelcome Americans: Living on the Margin in Early New England* (Philadelphia: University of Pennsylvania Press, 2001).

and required to pay child support. Illegitimacy was determined by statute and the punishment for both parents was an outgrowth of church law, but common law dealt with the financial repercussions of raising fatherless children.

The resulting records may provide the only proof of parentage for children known perhaps by the surname of their unwed mother or the acknowledged father. Couples who married during the pregnancy, or after, might reveal the wife's maiden name during the proceedings. Records might mention her father's name and her place of residence; they also might name a parent or guardian of the purported father, if he was a minor. For example:

Mr. Abraham Adams petition that as his son in law [stepson] is in a delirious & sad condition and can't support himself let alone another, he will take Mary Danforth's bastard child into his house and hold the town of Newbury [Massachusetts] harmless for its maintenance if they [the court] lift the 15d per week charge.⁴⁰

Requirements for prosecuting fornication cases differed by place and time among the American colonies, but the Massachusetts Bay rules may be typical. There, an unmarried woman was expected to make a statement to a local magistrate before giving birth. It might be detailed, giving the time, place, and circumstances of conception, but most important it named the father.⁴¹

During delivery—when the mother might be facing death and was thought unlikely to lie—the midwife was required to ask the mother to name the child's father. If attending women witnessed the childbed accusation, the court rarely ruled against the identification, even if the reported father denied paternity. The one possible exception came if the accused father demonstrated with witnesses that the mother had consorted with other men in the general time period of the conception. For example, Hannah Bligh of Salem accused John Lowther stating that conception occurred in April 1695 at the Exchange Tavern in Boston, where she was a servant. Lowther countered that she had kept company with Capt. Sadler. He was dismissed. She was “whipt ten stripes.”⁴²

An out-of-wedlock birth, or one less than six months after marriage, could produce voluminous records in several jurisdictions. Quarter or general sessions courts heard testimony from the community and statements of the mother, midwife, witnesses, and father in the period surrounding the birth, and the case could be revisited. Fathers who did not marry the mother might petition for relief of child support, as most court orders were open ended. For example:

40. Abraham Adams appearance, term of court beginning 13 April 1697, Essex Co. General Sessions minute book 3:15, Peabody-Essex Library, Salem, Mass.

41. Judith Kimbal deposition, file papers, term of court beginning 29 June 1703, Essex Co. General Sessions, Massachusetts Commonwealth Archives, Dorchester.

42. Hannah Bligh appearance, term of court beginning 13 April 1697, Essex Co. General Sessions minute book 3:9, Phillips Library, Salem, Mass.

Joseph Quinby of Amesbury [Massachusetts] having paid Rachel Morrell towards maintenance of twin illegitimate children of his for 5 years dismissed from further payment.⁴³

Pregnancy could precipitate a marriage, which might result in a civil or church record. When the parents married, the father might appear in court and pay the fine, as in this example:

Samuel Allen of Gloucester came into court and confessed himself guilty of the crime of fornication with Rachel Day who is since become his wife and prays he may answer for her also, she not being able to come.⁴⁴

Parents who married in this situation and wished to be church members or have their child baptized generally had to state acknowledgement and contrition. Statements were frequently recorded in church minutes or as an addendum to a baptism or admission.

Property Laws and Interrogatories

English common law allowed many forms of property ownership or leasing, as discussed previously. Widely published wills of English fathers of American immigrants are replete with examples of various forms of property inheritance. Conflict over property ownership and use might give detailed glimpses of individuals' lives mentioned nowhere else. An example is in the interrogatories taken in Ottery St. Mary manorial court on 15 September 1607 in Sidbury, Devonshire, England:

Nicholas Clappe of Sidbury in the County of Devon husbandman aged xxxix yeers or thereabouts [p]ro]duced to the 1, 10 & 22 Interrogatories & thereupon sworne & examyned.⁴⁵

Although Nicholas Clapp, father of seven New England immigrants, answered only three of many questions about his neighbor's land use, his testimony provides an estimate of his birth date when other sources are not readily available. His answers, couched in archaic terminology, imply intimate knowledge of his neighbor's comings and goings. He talks about whether the neighbor gathered fuel from waste land in Sidbury parish and reported his

43. Joseph Quinby appearance, term of court beginning 25 September 1722, Essex Co. General Sessions minute book 4:85, Phillips Library.

44. Samuel Allen appearance, term of court beginning 27 December 1726, Essex Co. General Sessions minute book 4:198, Phillips Library.

45. Nicholas Clapp deposition, Exchequer Depositions by Commission, p. 508, Calendar James I, Devonshire, 15 September 107, E134/5 Jas I/Mich 1, membrane no. 4, in *The 38th Annual Report of the Deputy Keeper of the Public Records* (London, 1877), appendix 2.

neighbor having being “p[re]sented in the Court of the Mannor of Sidbury, & there fined.” Nicholas further testified:

he hath heard his father & others say that the heapes & burrows of stones linge on the edge of Ottery Hill were the bound betweene the p[ar]ishes of Ottery & Sidbury & hath knowen divers tymes that the sheepe of the Tenants of Ottery have bene put back over Fisherne pathe by the Tenants of Sidbury & he this depon[en]t hath divers tymes soe done.⁴⁶

This portion of the testimony establishes Nicholas’s father as a resident for some time, perhaps for life, in Ottery or Sidbury. At least three generations of the family might have lived there.

Nicholas was deposed at Chancery Court in Lady Radigond Cooke’s case about the reversion of an estate and tenements owned by one Margaret Barnard.⁴⁷ He said that Richard Cole made an estate in reversion of Margaret Barnard of two tenements to Gartride, wife of John Berrie, for the term of her life according to the custom of the manor. He also described Margaret’s age, confirmed Radigond’s marriage to Sir William Cooke, and revealed he was in the court when the issue was first brought.

Baptisms survive for only two of Clapp’s nine children. His deathbed will, of 12 March 1631[/2], named all but daughter Prudence, who had recently married and presumably received her portion in her father’s lifetime.⁴⁸ A post mortem inquisition describes his holdings. These records provide more information than most sources for this time and place. The rich detail adds value to a genealogical account and provides multiple opportunities for understanding the Clapp family and their times.

CONCLUSION

Gleaning indirect evidence from court records depends on how well the researcher understands the common law concepts undergirding a court’s actions, pronouncements, and records. Knowledge of common law is essential to successful genealogical research.

46. Nicholas Clapp deposition, Exchequer Depositions by Commission, p. 508, Calendar James I, Devonshire, 15 September 107, E134/5 Jas I/Mich 1, membrane no. 4.

47. Nicholas Clapp deposition, 9 April 1621, transcribed in part in Dean Crawford Smith, *Ancestry of Eva Belle Kempton, Part IV* (Boston: New England Historic Genealogical Society, 2000), 125–26.

48. Nicholas Clapp will, transcribed in Smith, *Ancestry of Eva Belle Kempton, Part IV*, 126–27. This will names children Barbara, Radigond, John, Ambrose, Thomas, Jane, Nicholas, and Richard.

Civil Law Concepts and Genealogy: Learning from the French Model

By Claire Mire Bettag, CG, CGL

Here is the . . . most important book in your library It is your most important book because it ushers you into society as a member of your parent's family and regulates your life until you reach maturity. It then prescribes the rules for the establishment of your own family by marriage and having children, and for the disposition of your estate when you die, either by law or by testament subject to law. . . . It provides the rules for most of the special contracts necessary for the conduct of nearly all of your relations with your fellowman: sales, loans, . . . leases, usufructs and servitudes; and, finally, all of the rights and obligations governing your relations with your neighbor and fellowman generally.

Col.] John H. Tucker Jr.¹

To accurately interpret many records genealogists must understand prevailing laws at given times and places. When tracing individuals in France, Italy, Spain, many other continental European countries, and elsewhere—including Louisiana, parts of Canada, and Latin America—researchers should understand civil law. Unlike common law, which is rooted in ancient English law, civil law derives from Roman law. It is usually written as a code and then adopted legislatively as a comprehensive body of law.²

An exhaustive examination of civil law is beyond the scope of this article; its modest aim is to present some civil law tenets particularly relevant to genealogical research in Louisiana, France, and elsewhere. First it will present briefly the origins of modern civil law that emerged in the nineteenth century. Then it will focus on aspects of private law in the civil tradition that concern

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1. John H. Tucker Jr., "Foreword," in A. N. Yiannopoulos, ed., *Louisiana Civil Code, 2007, As Revised and Amended through the 2006 First Extraordinary and Regular Sessions of the Legislature*, 2 vols. (St. Paul, Minn.: Edward Thompson Company / West Publishing Company, 2007), 1:XXXV. Col. John H. Tucker Jr. also served as the first president of the Louisiana State Law Institute.

2. Gregory R. Olivier deKeyzer, "The Civil Law in Louisiana," *Louisiana Notary* 4 (March 1987): 3–7. Lawyer deKeyzer's comments refer to civil law in general.

family historians.³ It will conclude with examples of genealogical application of civil law concepts and records.

Origins of the Modern Civil Law and its Code

Discussing the many civil law systems that genealogists might encounter in their research would fill volumes. For practical purposes, the focus here is on the French *Code Civil* promulgated in 1804, just after the French Revolution. Known popularly as the Napoleonic Code, it modernized civil law in the West and was the model for civil codes adopted throughout early nineteenth-century Europe, Louisiana, Quebec, and elsewhere.⁴ The French model serves as a paradigm, then, for this discussion. Familiarity with its structure and content can help genealogists, although determining how it might have been adapted elsewhere requires additional research.

As the code's popular name suggests, Napoleon Bonaparte was the moving force behind its formulation. Along with several other legal codes that he implemented, the *Code Civil* stands as one of his greatest achievements.⁵ Napoleon acknowledged "My true glory will not result from the forty battles that I have won. These will fade away because of Waterloo. My true glory will reside in my Civil Code."⁶ His code is still the basis for French law, and approximately half of its articles, especially those dealing with property and contracts, read today as they were written in 1804. Articles pertaining to family, spousal roles, divorce, and related matters have evolved with changing times.⁷

3. Henry Campbell Black, *Black's Law Dictionary*, 4th ed. (St. Paul, Minn.: West, 1968), s.v. "private law." "As used in contradistinction to public law, the term means that part of the law which is administered between citizen and citizen, or which is concerned with the definition, regulation, and enforcement of rights in cases where both the person in whom the right inheres and the person upon whom the obligation is incident are private individuals."

4. Pierre Briançon, "The 'Other' Little Red Book," *France Magazine* 70 (Summer 2004) (http://www.francemagazine.org/articles/issue70/article94.asp?issue_id=70&article_id=94). The "Little Red Book" is a reference to the published *Code Civil*. The article includes an interview with Professor Jean-Louis Halpérin, legal historian and organizer of the Committee to Celebrate the Bicentennial of the *Code Civil*. For discussion of the French code's influence on Louisiana law, see A. N. Yiannopoulos, "The Civil Codes of Louisiana," in Yiannopoulos, ed., *Louisiana Civil Code*, 2007, 1:XXXVII–L.

5. Richard Moore, "Civil Code or Code Napoleon," *Napoleonic Guide* (<http://www.napoleonguide.com/codenap.htm>: copyright 2006). In addition to the Civil Code, Napoleon also implemented the Code of Civil Procedure, the Commercial Code, the Criminal Code, and the Code of Criminal Procedure.

6. Catherine Delplanque, "Origins and Impact of the French Civil Code," Edith Horak, trans., *Association Française pour l'Histoire de la Justice* (<http://www.afhj.fr/ressources/french-code-civil.pdf>: posted 20 July 2004). This paper was presented at a colloquium in London organized by the French Cultural Institute of London and the Franco-British Lawyers Society, 23 June 2004. Napoleon spoke the often-quoted words on the island of Saint Helena during his exile there.

7. Briançon, "The 'Other' Little Red Book."

Pre-revolutionary Law in France and the Coûtume de Paris

From the sixteenth century to the beginning of the French Revolution in 1789, during the *Ancien Régime* (Old Regime), France had no uniform law. Civil law, customary law, canon law, royal ordinances, and more co-existed, overlapped, and often conflicted. In general, legal systems divided along geographic lines. Northern France was largely influenced by Germanic customary law, with other feudal elements. By contrast, the Roman legal tradition was strong in the south.⁸

Northern France encompassed more than three hundred customary legal systems,⁹ such as those of Burgundy, Orléans, Brittany, and others—principal among them, the *Coûtume de Paris*. The Customary Law of Paris was a sixteenth-century compilation later imposed in French colonies of the New World—Quebec, Acadia, the Mississippi Valley, and the Caribbean. As the basis for colonial legal documents it is significant for many genealogists.¹⁰ It apparently continued in effect for a time after the French period in some places in the Mississippi Valley.¹¹ Although not yet modernized—the *Coûtume de Paris* contained ancient Roman, canon, and feudal law elements—in some ways, including its structure, it foreshadowed the 1804 code.¹² Organizing laws into “chapters,” “parts,” and “titles,” it prefigured the modern code’s formatting into parts and subparts: “books,” “titles,” “chapters,” “sections,” and “articles.”

The laws of the *Coûtume* preserved the patriarchial family structure as the base of the social order. It protected husbands’ marital authority over wives and children and kept patrimonial property intact. The strongest focus of its

8. Claire M. Germain, “Germain’s French Law Guide,” *LLRX.com* (<http://www.llrx.com/features/frenchlaw.htm>; posted August 2001).

9. John A. Dickinson, “New France: Law, Courts and the *Coutume de Paris*, 1608–1760,” *Manitoba Law Journal* 23 (1995): 32–54. The special collections of the law libraries at Harvard University and The George Washington University have copies of many of the French customary laws.

10. Carol Billings, “Early French Sources that Influenced Louisiana Law,” *De Novo: The Newsletter of the Law Library of Louisiana* 1 (November–December 2002): 2. Also, “The Administration of Justice at the Fortress of Louisbourg (1713–1758),” *The Official Research Site for the Fortress of Louisbourg National Historic Site of Canada* (<http://fortress.uccb.ns.ca/justice/CustomOfParis.htm>). For a discussion of judicial institutions, civil law, and the *Coûtume de Paris* in New France, see Dickinson, “New France: Law, Courts and the *Coutume de Paris*, 32–54.

11. A 1779 Kaskaskia, Illinois, marriage contract in possession of Ann Carter Fleming, CG, CGL, states that the *Coûtume de Paris* was still in effect. Also see Jonas Viles, “The Southern States of America, Chapter 1, History of Missouri: The Provincial Period, 1682–1804,” *ElectricScotland.com* (<http://www.electricscotland.com/history/america/south/south51.htm>), which says of the Spanish period: “Apart from the governmental control, exercised largely by Frenchmen, there was little Spanish influence in the Illinois settlements . . . French law, the ‘Coutume de Paris’ seems to have persisted in practice.”

12. Dickinson, “New France: Law, Courts and the *Coutume de Paris*, 39.

sixteen titles was the protection of family and property, with less attention to debt recovery. The *Coûtume* also allotted a strong role to notaries, who had significantly more power than their counterparts in the English legal tradition.¹³ Published versions (in French) of the Customary Law of Paris are in law libraries of Louisiana and elsewhere.¹⁴

NATURE OF THE CIVIL CODE

The Modern Civil Code

By the 1700s the need for a uniform legal system in France was pressing. The French Revolution would provide the impetus for unification, standardization, and reform. Napoleon commissioned jurists to compile the old laws, revolutionary laws, and royal ordinances, and from them to formulate a revised body of law appropriate to France's post-revolutionary society. Though not a lawyer, Napoleon presided over the panel, participating in about half its meetings.¹⁵ The committee's first goal was to render the law clear and accessible. Codification—creating a single body of private law with general rules in logical sequence—was the result.¹⁶

To a large extent, the code reflected the spirit of the Enlightenment that inspired the French Revolution, as expressed in the Declaration of the Rights of Man of 1789. Although today's readers would judge some parts of the code counter-revolutionary and even reactionary, overall the code substantially corrected *Ancien Régime* inequities. It championed economic liberalism, secularism, rationalism, personal freedom, individuality, and equality—all to

13. *Ibid.*, 39–43.

14. François Bourjon, ed., *Le droit commun de la France: et la Coûtume de Paris réduits en principes, tirés des loix, des ordonnances, des arrêts, des jurisconsultes & des auteurs, & mis dans l'ordre d'un commentaire complet & méthodique sur cette coutume: contenant, dans cet ordre, les usages du Châtelet sur les liquidations, les comptes, les partages, les substitutions, les dîmes, & toutes autres matières* [The Common Law of France: and the Customary Law of Paris reduced to principles, taken from laws, orders, decrees, legal scholars & authors, and arranged as a complete & methodological commentary on this customary law: containing, in this order, Châtelet court practices regarding liquidations, accounts, partitions, substitutions, assessments, & all other matters], 2 vols., rev. ed. (1747; reprint, Paris: Chez Grangé [et] Rouy, 1770).

15. Jean-Pierre Royer, "Napoléon et l'élaboration du Code civil" [Napoleon and the development of the Civil Code], *Association Française pour l'Histoire de la Justice* [French Association for the History of Justice], p. 2 (<http://www.afhj.fr/ressources/Ajaccio-Code%20civil-royer.pdf>; posted 2004). Delivered at the Colloque Napoléon et le Code civil [Napoleon and the Civil Code Colloquium] on 5 November 2004 at Ajaccio, Corsica, France. Also, Philip F. Dur, "Louisiana and the Code Napoléon," *Louisiana Bar Journal* 17 (December 1969): 177–82.

16. Shael Herman, D. Combe, and T. Carbonneau, "European Antecedents; The Civil Code's Historical Spirit and Values," in *The Louisiana Civil Code: A Humanistic Appraisal* (New Orleans: Tulane Law School, 1981), 10–11.

an unprecedented extent.¹⁷ It overthrew feudal vestiges that had rigidly ranked nobility, clergy, and peasants in a hierarchical social structure and in so doing represented victory for the bourgeoisie. In a series of essays, legal scholars at Tulane Law School discuss the new spirit of the *Code Civil* and its underlying ideological pillars. They point to three that particularly reflect the spirit of the French Revolution and Enlightenment:¹⁸

- *Freedom of Contract.* The code provided for free men to enter voluntarily into mutually binding “conventional obligations” (contracts). They thereby assumed personal control of the events of their lives. That individuals could decide what was in their best interest contrasted sharply with the feudal notion that one’s social class determined fate and fortune. The legal contract was the instrument whereby mutually agreeing parties, rather than the state or church, put into effect personal choices—buying and selling land and property, giving gifts, establishing businesses, settling estates, establishing marital regimes, and more.¹⁹ Civil law notaries—powerful figures in civil law societies—usually enacted such contracts. The resulting notarial records are an extremely rich body of documents for genealogists to plumb. Typically, such records name all principals; many give a wealth of personal detail.
- *Private Property.* The code guaranteed equal rights for all to own and exploit land and pass it on to heirs. Freedom of contract and private property thus changed how wealth was distributed, controlled, and enjoyed, breaking lord-vassal constraints. This, too, reversed old regime protections of noble and church privileges. The concept of absolute, unrestricted title to land as a universal right was a significant social change guaranteed by the new code.²⁰
- *The Family.* The family was the foundation, or basic building block, of a civil society. The new code viewed the family as a closely knit unit with strong parental, especially paternal, authority. Preservation of earned or accumulated family wealth was one main goal of the new order. From that goal flowed solid civil-law, community-property, and forced-heirship laws that reinforced family ties. The code also imposed spousal and mutual parent-child support obligations.²¹ The code’s more conservative aspects related to the family. For example, it gave the husband power over his wife and children; it allowed divorce, but with considerable restriction; and it limited rights of illegitimate children.²² Many of these provisions were revised later.

17. Catherine DelPlanque, “Origins and Impact of the French Civil Code,” Edith Horak, trans., *Association Française pour l’Histoire de la Justice*, p. 3 (<http://www.afhj.fr/ressources/french-code-civil.pdf>; posted 20 July 2004).

18. Herman, Combe, and Carbonneau, “Humanistic Perspectives on Particular Institutions of the Civil Code,” *The Louisiana Civil Code*, 31. This essay contains a detailed discussion of the three ideological pillars of the code.

19. *Ibid.*, 31–32.

20. *Ibid.*, 31, 35–37.

21. *Ibid.*, 31, 40–42.

22. Briançon, “The ‘Other’ Little Red Book.”

The 1804 code was revolutionary. It abolished feudal inequities, primogeniture, noble privilege, ecclesiastical power over social institutions, and economic prohibitions for the non-noble classes. It articulated legal concepts in clear, concise articles, aiming to replace the old order with a modern civil society.

STRUCTURE OF THE CODE

Organizational structure is one of the main distinctions between uncoded common law and modern civil law. Most modern civil law countries have codified laws similar—at least in format—to the French *Code Civil*. That code will serve here as illustrative of others, as it was the model that many countries—like Belgium, Italy, parts of Germany, the Netherlands, Poland, and others—followed during the nineteenth century. The Louisiana code, too, first adopted in 1808 as the *Digest of the Civil Code*, published in French and English, was strongly inspired by the French code, although it reflected Spanish and other influences as well.²³ The *Code Civil* therefore reflects the type of code, and often the kind of nineteenth-century laws, researchers might find in many countries. Obviously, when documents require legal analysis researchers must determine which specific laws were in effect in the time and place in question.

Unlike common law, civil codes like those of France and Louisiana have a structured format, consisting of *books* subdivided into *titles*, *chapters*, *sections*, and finally discrete *articles* of law. The French *Code Civil* of 1804 contained 2,281 articles; Louisiana's *Digest* of 1808 had 2,160.²⁴ Articles are brief, related statements, flowing logically from one another, and written clearly enough to be understood by people with no legal training. They are numbered continuously through all the books, so specific articles can be cited numerically and readily consulted.

23. Dur, "Louisiana and the Code Napoléon," 177–82. Also, Briçon, "The 'Other' Little Red Book." Scholarly opinions differ on the relative weight of French, Spanish, and other influences upon Louisiana's code. See Yiannopoulos, "The Civil Codes of Louisiana," in Yiannopoulos, ed., *Louisiana Civil Code, 2007*, 1:XXXVII–L. Also, deKeyser, "The Civil Law in Louisiana," 2–7. The Louisiana code was revised, in both French and English, in 1825. A third revision, in 1870 appeared only in English. Subsequent modifications have been incremental rather than revisions of the entire code.

24. The French code currently has 2,534 articles. See "Code Civil" under "Les codes en vigueur" (The codes in force) on the official governmental Web site, *Légifrance* (<http://www.legifrance.gouv.fr/WAspad/RechercheSimplePartieCodehercheSimplePartieCode;jsessionid=FlExXIsqZ3kPICPIbS3RmN1uUDkgmxyEWLZatpiaXPnN2Lr6nVwE!242315918!iwsspad.legifrance.tours.ort.fr!10038!-1!1753401077!iwsspad3.legifrance.tours.ort.fr!10038!-1?commun=&code=CCIVILL0.rcv>). The Louisiana code currently has 3,556 articles. See Yiannopoulos, ed., *Louisiana Civil Code, 2007*, 1:1–796.

Books of the Code

The French code of 1804 has three principal divisions or “books.”²⁵ Briefly outlined below are some 1804 *Code Civil* articles (laws) within the books—cited numerically—that genealogists will find most pertinent, although the listing is not comprehensive.²⁶ Genealogists who familiarize themselves with the code’s content and structure will deepen their research skills by knowing how to interpret material found in legal and official documents. Just as important, if certain expected details—like names of supposed heirs—are omitted in documents, the law may help explain why.

BOOK I

Book I, “Of Persons,” defines and regulates legal persons and their relationships—matters that genealogists deal with frequently. Its eleven titles address the husband-wife, parent-child, minor-tutor or curator (similar to guardian), and other relationships.²⁷ They also treat the legalities of marriage, divorce, separation, adoption, illegitimacy, emancipation, and more.

- *Civil rights.* Title I, “Of the Enjoyment and Privation of Civil Rights,” defines who is a French citizen and distinguishes between rights of Frenchmen and foreigners (articles 7–33). The 1804 code was later criticized for granting citizens certain rights disallowed to noncitizens.
- *Civil records.* Title II, “Of Records of Civil Status,” details precise rules for creating and preserving civil birth, marriage, and death records. Articles specify when to record the life events, who should provide the information, how to maintain records and registers, and so on (34–101). Chapter III, “Of Acts of Marriage,” exemplifies the meticulous record-keeping requirements:

Before the celebration of a marriage, the civil officer shall make two publications, with an interval of eight days between them, one being on a Sunday, before the gate of the town-hall. These publications, and the act which shall be drawn up relating to them, shall set forth the Christian names, surnames, professions, and domiciles of the parties about to be married, the circumstance of their majority or minority, and the Christian names, surnames, professions, and domiciles [*sic*] of their fathers and mothers. This act shall set forth, moreover, the days, places, and hours at which the publications shall

25. The French code now has a fourth book entitled “On Securities” and a fifth book, “Dispositions Applicable to Mayotte.” Louisiana’s code has a fourth book, “Conflict of Laws.” These books are not addressed in this article.

26. Content is based on the online English-language translation of the 1804 Civil Code, *The Napoleon Series* (http://www.napoleon-series.org/research/government/c_code.html).

27. Henry Campbell Black, *Black’s Law Dictionary*, 4th ed., s.v. “tutor.” “In the civil law. This term corresponds nearly to ‘guardian’ . . . except that the guardian of a minor who has passed a certain age is called a ‘curator,’ and has powers and duties differing somewhat from those of a tutor.”

have been made; it shall be inscribed on one single register, which shall be endorsed and marked as directed in article 41, and deposited at the end of every year among the rolls of the court of the circle [*arrondissement*] (63).²⁸

Such precision, applied throughout France and wherever Napoleon's law was in force, resulted in unusually informative genealogical records.

- *Domicile*. Title III, "Of Domicile," defines legal place of residence (102–11).
- *Absent persons*. Title IV, "Of Absent Persons," regulates what laws prevail when an individual disappears (112–43).
- *Marriage*. Title V, "Of Marriage," regulates legal marriages—addressing qualities and conditions required for a legal marriage, civil formalities to be followed, obstacles, annulment, dissolution, rights and duties of the parties, and second marriages (144–228). Some items are particularly interesting to genealogists:
 - Legal age for marriage. Chapter I, "Of the Qualities and Conditions Required in Order to be Able to Contract Marriage," sets the minimum ages for marriage at eighteen for men and fifteen for women (144). It specifies, however, that men under twenty-five and women under twenty-one cannot marry without parental consent (148). If the parents are dead or incapacitated, grandparents must consent (150). Absent the grandparents, a meeting of family members must consent (160). Unacknowledged illegitimate children, or those whose parents are deceased or unable to consent, cannot marry before age twenty-one without a guardian's permission (159). This is only one instance where the 1804 law differentiates between legitimate and illegitimate children.
 - Secularization of marriage. The code makes marriage a secular contract between spouses, formalized publicly before a civil officer where one of the parties lived. It nullifies canon law requirements and makes an additional church ceremony optional (165).
 - Marital obligations, rights, and duties. Chapter V, "Of the Obligations Accruing from Marriage," obliges parents to provide for their children and vice versa (203, 205). Chapter VI, "Of the Respective Rights and Duties of Married Persons," establishes that "the husband owes protection to his wife, and the wife, obedience to her husband" (213). In other ways, too, this chapter subjects the wife to her husband's authority. She needs his consent, for example, to sell important property or enter into contracts, with the exception of a will (217, 219, 226).
 - Second marriages. The single article (228) in Chapter VIII, "Of Second Marriages," prohibits a woman from remarrying until ten months after the end of her previous marriage.
- *Divorce*. Title VI, "Of Divorce," dictates when divorce is allowed, divorce procedure, and property division in the case of divorce (229–311). Chapter I, "On the Causes of Divorce," sheds light on the code and women. It says a man

28. An *arrondissement* is a political subdivision of a large French city or department, the latter being similar to an American state.

can divorce if his wife has committed adultery (229). The wife has the same right, but only if her spouse brings his mistress into their home (230). The code gives women many more rights than in the Old Regime, including the right to sue for divorce, but it does not treat them equally with men.

- *Paternity*. Title VII, “Of Paternity and Filiation,” deals with paternity, illegitimacy, legitimization, and related issues (312–42). Children born out of wedlock, for example, but not of incestuous or adulterous conception, can be legitimized by legal acknowledgment or by marriage of the parents (331).
- *Adoption*. Title VIII, “Of Adoption and Friendly Guardianship,” regulates adoption (343–70), including who can adopt and under what conditions. Adoptive parents must be over fifty years old, without children or legitimate descendants, and more than fifteen years older than the adoptee(s) (343).
- *Paternal power*. Title IX, “Of Paternal Power,” establishes the father’s strong authority over his children (371–87). Until age eighteen, for instance, a child cannot leave home without the father’s permission, except to volunteer for military service (374).
- *Guardianship*. Title X, “Of Minority, Guardianship, and Emancipation,” determines who could serve, the appointment process, and guardians’ obligations (388–487).²⁹ The law allows either parent, for example, to be guardian of minor children, but disallows women except mothers and grandmothers (390, 442). When a mother serving as guardian of her minor children remarries, a family council convenes to decide whether she will continue as guardian (395). Under certain circumstances “family councils,” consisting of three paternal and three maternal relatives from the same place of residence as the minor, appoint guardians (407). Notaries’ records of those family meetings are invaluable genealogical resources. The final chapter addresses emancipation, accomplished by marriage, or for minors at least fifteen years old, by legal act of the father, or by the mother if the father is deceased (476, 477).
- *Majority*. Title XI, “Of Majority, Interdiction, and the Judicial Advisor,” addresses the age of legal majority, set at age twenty-one except for marriage, discussed above (488–515).

BOOK II

Book II, “Of Property, and the Different Modifications of Property,” smaller than the first book, consists of four titles. They govern movable and immovable property, the rights of usufruct—a concept unique to civil law—servitudes, and other matters related to buildings and boundaries.

- *Property*. Title I, “Of the Distinction of Property,” differentiates between movable and immovable property (516–43). Most simply, immovables include the earth, buildings, crops attached to roots or trees, and the like (517–26). Movables, in contrast, can be transported from place to place (527–36).

29. Though the term “guardian” is sometimes used in translation, the terms in French are “tuteur” (male) and “tutrix” (female), often translated into English as “tutor” and “tutrix.”

- *Ownership*. Title II, “Of Property,” regulates ownership of movables and immovables (544–77). Absolute ownership included the right to dispose of property (544). It was one of the most significant changes wrought by the civil code.
- *Usufruct*. Title III, “Of Usufruct, Right of Common, and of Habitation,” defines usufruct as the right to enjoy things owned by another, provided the usufructuary (the person who has the right of usufruct) preserves the property so it can return intact to the owner (578–636). Usufruct is established either by law or by contract; it can be for life, or time limited; it can apply to movable or immovable property (579–81). The usufructuary has both rights and obligations (616). Among them, for example, are the right to enjoy, without owners’ interference, the benefits and revenues derived from the property (582, 599). However, usufructuaries cannot alienate the property, which must be returned whole to the owner (578). Usufruct is similar to “life estate” in common law, and it is a common arrangement mentioned in probate (succession) documents and in some marriage contracts.

BOOK III

Book III, “Of the Different Modes of Acquiring Property,” includes laws regulating the acquisition and disposition of property. Particularly important for genealogists are laws related to succession, donations, and contracts of many kinds. The longest of the three books, it comprises twenty titles (compared with eleven in Book I and four in Book II), and 69 percent of the articles. Many of its laws are reflected in records that genealogists frequently use.

- *General principles*. An introductory section, “General Dispositions,” comprising articles 711–17, sets the framework for the rest of the book. “Ownership in goods is acquired and transmitted by succession, by donation between living parties, or by will and by the effect of obligations” (711). Business contracts can also convey ownership (712).
- *Succession*. Title I, “Of Successions,” determines how succession—or estate distribution—operates in civil law (718–892). Law determines the order of succession. “The law regulates the order of succeeding between legitimate heirs; in defect of such, the property passes to natural children, afterwards to the father or mother surviving; and if there be neither of those, to the state” (723). Some articles that fill in details are especially helpful for interpreting probate documents:
 - Prohibition of disinheriting. Only in three situations can heirs be disinherited: if they kill or attempt to kill the decedent; if they falsely slander the decedent in a capital charge; and—if the deceased is murdered—if they knowingly conceal information about the murder (727). Beyond those extreme situations, no legal heir can be disinherited, either by a will or any other legal act.

- Intestate succession and equal rights for legitimate children. Article 745 abolishes prejudices of gender and primogeniture, and it also gives equal succession rights to children of different marriages. “Children or their descendants succeed to their father and mother, grandfathers, grandmothers, or other ancestors, without distinction of sex or primogeniture, and although they be the issue of different marriages.”
- Intestate succession, with no children. If decedent has no children or siblings, nor descendants from them, the estate divides equally between the most closely related paternal and maternal ancestor (746). The law also covers collateral and other succession possibilities. For example, if parents survive a decedent without issue but with siblings, parents share equally half of the estate. The other half goes to the decedent’s siblings or their children (748). If the parents are deceased, the estate goes to the siblings or their descendants (749). Note that a surviving spouse is not above descendants or siblings in the order of succession. Other articles (750–55) deal with additional regulations in collateral successions. Chapter IV (see below) addresses inheritance rights of illegitimate children, and Title V deals with spousal rights in more detail.
- Intestate succession and natural children. Chapter IV, “Of Irregular Successions,” deals with rights of natural children, surviving spouses, and the state (756–73).³⁰ In 1804 the law did not give natural children the same rights as their legitimate siblings, as does today’s law. Article 756 states it clearly—“Natural children are not heirs; the law does not grant to such any rights over the property of their father or mother deceased, except when they have been legally recognized.” Subsequent articles define rights of natural children—when lawful descendants survive, the illegitimate child’s inheritance is one-third; it is half if no descendant heirs survive, but many ancestors or siblings of the deceased parent survive; and it is three-quarters if the deceased parent leaves no descendants, ancestors, or siblings. The natural child enjoys full inheritance rights only if no relatives capable of succeeding (those within twelve degrees of relationship) survive (757–58). The law distinguishes among types of illegitimacy, granting “a subsistence merely,” for instance, to illegitimate children “of adulterous or incestuous intercourse” (762).
- Intestate succession, spouse and state. When the deceased leaves no relatives capable of inheriting, nor natural children, the property goes to the surviving spouse. If no spouse survives, it goes to the state (767–68).
- Vacant succession. Article 811 calls a “vacant succession” one with no known heirs or with heirs who have renounced.
- Restitution. Article 843 guarantees equal treatment of heirs by requiring restoration of donations: “Every heir . . . must restore to his coheirs all he has received from the deceased by donation during life He cannot

30. In the *Code Civil* of 1804 the term “natural children” (*enfants naturels*) refers to illegitimate children. That is not necessarily the case in other records. Many baptismal records, for instance, refer to the baptismal candidate as “natural and legitimate” (*naturel et légitime*).

retain such gift . . . unless . . . [given] with a dispensation of restitution.” No one while alive can prejudice some heirs by donations to others. Any heir favored that way must “restore” the donation at the time of succession. The heir can restore in kind or by taking a smaller part of the succession (858).

- *Donation.* Title II, “Of Donations During Life, and of Wills,” regulates the distribution of property by these two means—gifts given during the donor’s lifetime (*inter vivos*) and gifts given by will at the time of death (*mortis causa*) (93–1100). This part of the code deals with an important feature, unique to civil law and now called “forced heirship.” (See below.)
 - General principles. The first two chapters (893–912) pronounce general regulations, like the prohibition of entails (897), and specify who can give or receive donations. Minors under sixteen, for example, cannot dispose of property (903). Sixteen-year-old minors can write wills, but they can only dispose of one-half of what adults can (904). Married women cannot make lifetime donations of property without their husbands’ consent or special legal authorization. They can, however, dispose of property in wills written on their own authority, and thus without spousal consent (905; also 934, below). Succession law limits what natural children can accept as donations or from a will (908; also 756–66, in “Of the Rights of Natural Children over the Property of their Father or Mother, and of the Succession to Natural Children Dead without Issue,” in Book III, Title I, Chapter IV, Section I).
 - Chapter I, “General Regulations,” echoes inheritance laws from the previous title, “Of Successions,” and it applies additional rules for donations during lifetime or through wills.
 - Donations and wills. Chapter III, “Of the Disposable Portion of Goods, and of Reduction,” addresses donations and wills (913–30). It prohibits favoring some heirs over others through lifetime donations (*inter vivos*) or wills, introducing the concepts now called “forced heirship” and “forced heirs” (*héritiers réservataires*). Articles in the previous title, “Of Successions,” automatically protect the entitlement of forced heirs in intestate successions, dictating precisely how the estate must be distributed in various situations—to descendants, ascendant heirs, siblings, collateral relatives, and so on, with no consideration of primogeniture, gender, or other bias. This title protects inheritance rights of forced heirs when *inter vivos* gifts or wills are involved, so that heirs prejudiced by wills or lifetime gifts could appeal in court. (See below, article 1078.)
 - Article 913 says “Free gifts, whether by acts during life, or by will, shall not exceed the half of the property of the disposer, if he leave at his decease but one legitimate child; the third part if he leave two children; the fourth part if he leave three or more of them.” By limiting the “disposable portion of goods,” which can be given freely to anyone, the article defines

what must be reserved for “forced” heirs. The latter portion is called the “reserve” (*la réserve*) in France and the “legitime” in Louisiana. “Child” here refers to “descendants in any degree” (914). Other articles stipulate what, if anything, must be reserved for ancestral and collateral heirs (915–19). Note that a spouse is not a forced heir. Title V, “Of the Contract of Marriage and of the Respective Rights of Married Persons,” details spousal rights. Absent all forced heirs, ascendant and descendant, the entire estate is disposable (916).

- Reduction. The section “Of the Reduction of Donations and Legacies” (920–30) dictates how reserved portions, if invaded, are made whole. “Dispositions, either during life, or by reason of death, which shall exceed the disposable proportion, shall be reducible to such proportion at the opening of the succession” (920).
- Documentation of donations by notaries. Chapter IV, “Of Donations During Life,” addresses how to give donations (931–66). “All acts importing donation during life shall be passed before notaries, in the ordinary form of contracts, and a minute thereof shall be left, on pain of nullity” (931). A written estimate, signed by donor and donee and annexed to the notarial record, must accompany any gift of personal property (948). Receipt of gifts might also be before notaries (932).³¹ A previously mentioned article (905) says a married woman could only make donations *inter vivos* with her husband’s consent. Article 934 states she cannot accept a donation without his permission. Numerous articles (931–66) regulate donations—defining who can give and receive, how gifts are made, what can be distributed, implications of gifts, irrevocability, and more.
- Wills. Chapter V, “Of Testamentary Dispositions,” deals at length with laws governing every aspect of writing, witnessing, and preserving wills. It also regulates how wills can and cannot dispose of property (967–1047). Rules govern olographic (handwritten), public (notarial), or mystic (secret) wills. Only males of age [twenty-one] could witness wills (980). Additional laws govern wills written on the high seas, abroad, during military service, and under other unusual circumstances. The law also dictates who can be executors—women need their husband’s agreement, and minors need a guardian’s consent (1029–30).
- Additional regulations on dispositions. The last three chapters include laws regarding dispositions in donations or wills to grandchildren, siblings, collaterals, and spouses (1048–1100). Article 1078 says an estate distribution is null if it prejudices the rights of any “children who shall exist at the time of the death and the descendants of those who have previously died.”

31. Notarial records of this and other types are typically rich with information about the parties, the purpose of the contracts, and more, and are valuable genealogical sources.

- *Contracts*. Title III, “Of Contracts or Conventional Obligations in General,” devotes 269 articles (1101–1369) to regulating legal contracts. The much shorter Title IV, “Of Engagements which are Formed Without Contract,” specifies the few exceptions to the general contract laws (1370–86). Voluntary, mutually binding, legal contracts signed by independent parties were the vehicles citizens normally used to conduct business. Laws regulated how contracts were written, authenticated, and archived; they spell out how obligations are made, how debts are paid, who can enter into contracts, and more.
 - Capacity to contract. “Every person may contract who has not been declared by the law incapable of doing so” (1123). “Minors, interdicted persons (incompetents), married women in the cases expressed by the law,” and those specifically barred by law cannot enter into contracts (1124).
 - Authentic documents / acts. A number of articles (1317–40) dictate the requirements for contracts to be legally binding. The strict controls regulating notarial acts, or contracts, contribute to their authenticity and value for genealogical purposes.

- *Marriage and the Marriage Contract*. Title V, “Of the Contract of Marriage and of the Respective Rights of Married Persons,” defines legal marital regimes (1387–1581). It distinguishes between (1) legal community—the community property arrangement resulting from mere force of law and (2) conventional community—resulting from contractual modifications, especially by the marriage contract. The title details how property is acquired and passed on in each marital arrangement. Community property laws, marriage contracts, and laws of testate and intestate succession all eventually come into play.
 - Among the “General Regulations” in Chapter I is one guaranteeing inheritance rights to legal heirs by barring a married couple from changing the legal order of succession (inheritance) (1389). Another regulation allows a couple to elect marriage “under the law of community, or under the law of dowry,” with a marriage contract required for the latter option (1391–92). Absent stipulations changing the law of community, Part I of Chapter II, “Of The Law Respecting Community,” sets forth the law of France (1393; see details below). The code also requires a notary to write all marriage contracts before the marriage, and it prohibits alteration after the marriage (1394–95).
 - Legal community. “Of Legal Community,” Part I of Chapter II, “Of The Law Respecting Community,” regulates property ownership in a community property marriage, which is the default marital regime in civil law (1400–96). It defines community property, and its administration and distribution when a marriage is dissolved. It defines community property as (1) movable property owned separately before marriage, plus movables received afterwards as inheritance or gifts; (2) revenue earned on all property owned before marriage or acquired afterwards; (3) all property

acquired during marriage (1401). All immovables are assumed to be community property unless otherwise documented (1402). Anything documented as *excluded* from the community is separate property. The husband administers community property and can act alone to sell or alienate it (1421). He cannot, however, give in a will more than his portion of the community property (1423).

- Wife's property. A married woman cannot enter into contracts affecting community property without her spouse's consent—unless she is “a public trader” contracting on her business's behalf (1426).
- Dissolution of community. Community is dissolved by death, divorce, or separation of body or goods. Afterwards community property is distributed according to law (1441). After required deductions the remainder is distributed equally between the two parties or their representatives (1474).
- Conventional community. Articles 1497 through 1539 govern how properly enacted notarial contracts, like marriage contracts, can alter legal community. For example, they can limit or exclude property from community, specify that spouses pay pre-existing debts separately, or stipulate unequal spousal shares in community property (1497). Parties may contract to marry with no community property, in which case the husband administers all property (1531). “Separation of property” wording in the contract gives the wife more authority—“Where the parties have stipulated by their marriage contract that they will be separate in goods, the wife retains the entire management of her property movable and immovable, and the free enjoyment of her revenues” (1536). She cannot, however, act alone to alienate her immovables (1538). Another item requires equal contributions to marriage expenses according to covenants in the marriage contract; absent such covenants, the wife contributes up to one-third of her income (1537).
- Dowry. Chapter III, “Of the Regulation of Dowry,” defines the dowry and addresses related issues like donor obligations, the husband's rights, settlement or restitution when marriage dissolves, management and inalienability, and other matters (1540–81). For example, unless otherwise specified, property identified in the marriage contract as the bride's constitutes dowry (1541). Anything specifically *excluded* from dowry, however, is her “paraphernalia” or personal property (1574), and subject to other rules. The dowry must be documented in the marriage contract, written before marriage, and cannot be augmented or constituted during the marriage (1543). Any contributor to the dowry in the marriage contract is legally bound to pay (1547).³² The husband alone manages the dowry (1549), but laws and the marriage contract limit what he can alienate, especially immovables (1549–63).

32. Subsequent notarial records documenting payment and providing personal information about the payer in cases where dowries were paid over time can be valuable.

- Paraphenalia. Articles 1574–80 regulate the wife’s paraphernal, extra-dotal, or personal, property. All the bride’s property not identified in the marriage contract as part of the dowry is her personal property (1574). Usually it consists of clothing, jewelry, and personal items, but other movables and even immovables like land can be included. The wife manages and enjoys extra-dotal property, but cannot alienate it acting alone (1576).
- *Other means of acquiring property.* The remaining fifteen titles of Book III, with 701 articles (1582–2281), define and regulate other ways of acquiring property—like sale, barter, partnership, loan, and more. Such business transactions are usually legal contracts written by notaries, as are the marriage contract and other acts pertaining to succession previously discussed. Any such business contract can provide personal information of interest to family historians. Space restricts their discussion here.

EXAMPLES

Napoleon’s code had far-reaching and long-lasting impact. A few examples demonstrate the genealogical value of some documents resulting from civil law requirements and how familiarity with civil law principles can help family historians interpret evidence in them.

- Papers filed 7 August 1833 in the succession of Arthémise Dugas include the record of a family meeting to approve retention of property held in common by the decedent’s minor child and his father, the child’s natural tutor.³³ Pursuant to a court order, a family assembly was called on 4 September 1832 in St. James Parish to authorize Dumesnil Mire—parish resident and father of Théodule, his minor son born to his now deceased wife, Arthémise Dugas (her maiden name retained by custom)—to retain ownership of certain property inherited by the child from his mother and owned in common with the father. The child’s uncles—Bélonny Mirre, Drauzin Mirre, Charleville Blouin, Raphaël Gaudin, and Xavier Sarazin, all of age and residents of the parish (except Bélonny Mirre, resident of Ascension Parish)—convened, with under tutor Joseph Hébert present, and authorized the father to retain the property, judging it to be in the child’s best interest.³⁴ The law required such family meetings of close relatives to assure the tutor’s proper handling of the minor’s property.³⁵

33. The Louisiana Civil Code of 1825 required the minor child—“that is, the male who has not arrived to the full age of fourteen years, and the female who has not arrived to the full age of twelve years,” be appointed a “tutor” (similar to a guardian). “Curators” were appointed to older minors. See the *Civil Code of the State of Louisiana* (New Orleans: State of Louisiana, 1825); article 263. Article 268 states that a surviving parent becomes “of right” and “by nature” the tutor of his or her minor children.

34. Théodule Mire tutorship, Probate record 404, St. James Parish Clerk of Court Office, Convent, La. See article 338.

35. *Civil Code of the State of Louisiana*, 1825, articles 305–11. These articles specify the requirements of family meetings, their recording and filing. See also article 338, which states under what conditions such property may be retained rather than sold for the minor’s benefit.

- A will recorded in the usual conversational style by local notary François Huot on 4 October 1869 gives extensive detail beyond the content of the testament. The text reveals how Huot and two witnesses that afternoon hurried to the home of “Mr. Henry Leith, Senior, tailor, living in the neighborhood of St. Jean in the city of Quebec,” and found Leith sick abed but of sound mind. Huot wrote as Leith spoke, and having drawn it up, read it back twice “clearly and distinctly.” Witnesses Joseph Sigfrois, merchant, and Jean-Baptiste Richard, cordwainer, concurred that Leith “declared that he could not write or sign his name because of the weak condition in which he found himself,” but directed that twenty-four words be struck out. The stricken words were stock phrases pertaining to Catholic beliefs, apparently identifying Leith as a non-Catholic.³⁶
- A marriage contract dated 3 January 1828 and written by a notary for Joseph Drosin Mire and Marie Boudreau provides information valuable to the genealogist.³⁷ The groom, Joseph Drosin Mire, is a minor (therefore under twenty-one), legitimate son of the deceased Paul Mire and Marie Scholastique Lanoue, of Ascension Parish.³⁸ Acting with the mother on behalf of the groom is his “curator” (not “tutor”), Donat Landry (probably a close relative), indicating Joseph is at least past his fourteenth birthday.³⁹ The bride, Marie Eulalie Boudreau, is also a minor (therefore under twenty-one), legitimate daughter of Michel Boudreau and Théotiste Bergeron, of Ascension Parish.⁴⁰ Each party’s dowry is spelled out and the fact that their marriage will set up a community property regime, in accordance with state laws that dictated how dowries and community property would be managed during marriage and distributed at death.
- Simeon Landry died on 4 March 1855 in Assumption Parish, Louisiana, leaving a widow and four minor children.⁴¹ Louisiana law allowed the mother to be the natural tutrix “of right,” (not requiring confirmation). It also required natural tutors or tutrices to have an inventory of property made and to have an under tutor appointed.⁴² On 26 December 1856, Rosalie Giroir—Simeon Landry’s widow and natural tutrix of their four minor children—filed a petition for an

36. Henry Leith Sr. will, 1869, no. 4992, notarial records of François Huot, Quebec City, The National Archives of Quebec, Quebec City, Canada.

37. Marriage contract, Joseph Drosin Mire and Marie Boudreau, Ascension Parish Conveyance Book S:53, Clerk of Court Office, Donaldsonville, La.

38. *Civil Code of the State of Louisiana*, 1825; article 41. “Minors are those of both sexes, who have not yet attained the age of one and twenty years complete When they have arrived at it, they then are said to be of full age.”

39. *Civil Code of the State of Louisiana*, 1825; article 357. Age of majority for males was fourteen years; for females twelve years.

40. *Ibid.*, article 41.

41. Succession of Simeon Landry, No. 648, Assumption Parish Court House, Napoleonville, La.

42. *Civil Code of the State of Louisiana*, 1825, articles 265, 268, 269, and 301. Article 301 required the under tutor “to act for the minor, whenever the interest of the minor is in opposition to the interest of the tutor.”

inventory and for the appointment of Cyprien Blanchard as under tutor. The inventory was taken on 30 December 1856. The court-ordered family meeting in Assumption Parish recorder's office on 2 January 1857 convened Appolinaire and Étienne Giroir, Jean-Baptiste Landry, Joseph Monté, and Eugene Dupuis—all parish residents and closest relatives of the minors, as the law required. Rosalie Giroir and Cyprien Blanchard were appointed tutrix and under tutor, and proceedings were recorded and filed by a notary.⁴³

CONCLUSION

Historian Robert B. Holtman theorizes why Napoleon's code, despite shortcomings, enjoyed lasting influence.

The Code contributed greatly to Napoleon's achievement of helping France turn away from the past. It cemented the ideas of freedom of person and of contract (including the right to enter any occupation), equality of all Frenchmen, and freedom of civil society from ecclesiastical control. As the first truly modern code of laws, the Code Napoléon for the first time in modern history gave a nation a unified system of law applicable to all citizens without distinction. By providing uniformity of laws it further promoted the national unity fostered by the Revolution. Its entire outlook gave a further impulse to the rise of the bourgeoisie. A threatened disintegration of the family under the Convention and the Directory was sharply halted, and the family once again became the most important social institution.⁴⁴

Family historians can regard the French code as an archetype and as an educational research tool. Even when it is necessary to go beyond the French model, it nevertheless serves as a starting point, as it reflects French Revolutionary forces that subsequently shaped modern civil law in the West.

43. *Ibid.*, articles 305–11. These articles specify the requirements of family meetings and their recording and filing by the notary.

44. Robert B. Holtman, *The Napoleonic Revolution* (New York: J. B. Lippincott, 1967), 98.

UPDATE

Sorting Relationships among Families with the Same Surname: An Irish-American DNA Study

NGS Quarterly 93 (December 2005): 283–93. The author reports that Ardmore Parish, mentioned on pages 287 and 289, should be Stradbally Parish. Also, Conwal Parish, mentioned three times on page 289, is in County Donegal.

Genealogical Applications of American Statute Law

By Ann Carter Fleming, CG, CGL

Applying laws to genealogical problems requires (1) noting possible intersections between a research subject—a person, family, or topic—and a government agency, record, or law; (2) locating the statute; (3) studying the act to determine its pertinence; and (4), if the law is applicable, extracting and citing the useful information.

Laws make research possible on ancestral kinships, communities, and economies. Laws created—and changed—the jurisdictions where ancestors lived, governed ancestors' actions, and authorized most records documenting ancestral relationships and activities. Laws yield evidence of kinship in innumerable ways, provide documentation, and can lead to accurate genealogical conclusions.

Legislative bodies in the United States enact statutes. Collectively, the acts are called “statute law,” one of several kinds of law. Statute law exists at all governmental levels, but genealogical and historical researchers most often use federal and state laws.

Congress and state legislatures pass public and private acts. Public laws affect all citizens. Private laws, consisting usually of some kind of relief, pertain to only one person or family.¹ Despite the name, they are public records.

Using laws, regardless of their type or origin, is essential to thorough research. This includes knowing applicable federal and state laws, locating specific laws affecting individuals, families, and communities, and incorporating them into discussions of evidence and conclusions.

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1. For a genealogical example of a private law, see Birdie Monk Holsclaw, “Life and Death on the Frontier: The Robert and Loana McFarland Family of Boulder Valley, Colorado,” *NGS Quarterly* 91 (December 2003): 278–97, note 119. The note cites a Colorado private act benefiting an orphan whose father was killed in a skirmish with Indians.

FEDERAL LAW

European legislative bodies—primarily the English Parliament—in countries governing American colonies enacted the first laws affecting territory in today's United States. In 1776 thirteen of those colonies united to reject parliamentary statutes. Subsequently a “continental” assembly passed laws, but states could—and did—ignore them. The most effective legislation during this period of confederation affected land west of the Appalachian Mountains. National laws for 1774–89 are found in *Journals of the Continental Congress*, a thirty-four volume set. Images are searchable and viewable online.²

The states eventually ratified the United States Constitution, which took effect in 1789 and vests binding federal legislative power in Congress.³ Acts of Congress authorize federal records. Its statutes created United States censuses, land records, parks, pensions, post offices, roads, taxes, and much more. Congress legislated documentation of federal civil and military service, immigration and international travel, Indian affairs, and naturalization. Federal laws assisted freed slaves and compensated loyal citizens for property lost or damaged by Union forces.⁴ Acts of Congress established every United States territory and state admitted after 1789 and set its boundaries.

Genealogists regularly use—and cite—federal laws. Recent NGS *Quarterly* articles provide examples:

- An act to compensate slave owners loyal to the North whose slaves enlisted in the Union Army⁵
- The Kansas-Nebraska Act, creating the territories of Kansas and Nebraska and setting their original boundaries⁶
- The Homestead Act of 1862, which for the first time distributed free public land on a large scale, attracting Civil War veterans and others to western states and territories⁷

2. *Journals of the Continental Congress* (Washington, D.C.: Government Printing Office, 1904–37); online at Library of Congress, *American Memory: Journals of the Continental Congress* (<http://memory.loc.gov/ammem/amlaw/lwjc.html>).

3. For further detail, see Carol Berkin, *A Brilliant Solution: Inventing the American Constitution* (New York: Harcourt, 2002).

4. For overviews of genealogically useful federal records, see Anne Bruner Eales and Robert M. Kvasnicka, *Guide to Genealogical Research in the National Archives of the United States*, 3rd ed. (Washington, D.C.: National Archives and Records Administration, 2000); and “Guide to Federal Records in the Archives of the United States,” *The National Archives* (<http://www.archives.gov/research/guide-fed-records/>).

5. Ruth Ann Abels Hager and Ann Carter Fleming, “Slaves, Soldiers, and Citizens: Special Civil War Recruitment Lists,” *NGS Quarterly* 91 (June 2003): 139–43, note 6.

6. Mary Clement Douglass, “Genealogical Research in Kansas,” *NGS Quarterly* 92 (June 2004): 119–42, note 14.

7. *Ibid.*, note 17.

- The Pacific Railway Act, which authorized land grants and loans to railroads and encouraged settlement⁸
- A bounty-land act benefiting veterans—including an ancestor who had served in a state militia during the Whiskey Rebellion⁹
- The act establishing the 1850 census, which directed marshals to send copies of the original schedules to the state and federal governments¹⁰

In each case, authors turned to law to enhance their genealogical research. They followed four steps:

1. Noting possible intersections between a research subject—a person, family, or topic—and a government agency, record, or law
2. Locating the statute
3. Studying the act to determine its pertinence to the research
4. If the law was applicable, extracting and citing the useful information

Statutes at Large

The official source for federal statute law is the *United States Code*, a series of compilations of federal law in force at the time of publication and organized by subject matter. It has been published every six years since 1926, with cumulative supplements in intervening years.¹¹ *United States Code Annotated* and *United States Code Service* are published privately. Print and CD-ROM editions of all three publications are widely available in law libraries and collections of government documents. Availability of obsolete versions varies, however.

Perhaps the most accessible source for early federal statute law is *Statutes at Large*. Publication began in 1845, but the series includes, in order of passage, every public and private law Congress has enacted since 1789.¹² Researchers can find complete or partial sets at law libraries and historical society, public, and university libraries, especially those with a government documents section.¹³ Images of the first eighteen volumes, covering 1789–1875, are online.¹⁴ A

8. Ibid, note 18.

9. Claire Prechtel-Kluskens, "The Robert Archibald–Elizabeth McCormick Marriage and Other Details . . .," *NGS Quarterly* 92 (September 2004): 221–27, note 6.

10. Suzanne Murray, "In Praise of William H. Crouch: The Enumeration of Slaves in the 1860 Census of Washington County, Tennessee," *NGS Quarterly* 93 (March 2005): 52–64, note 1.

11. For searchable versions of the current *United States Code*, see "Office of the Law Revision," *U.S. House of Representatives* (<http://uscode.house.gov/>) and "United States Code," *Government Printing Office Access* (<http://www.gpoaccess.gov/uscode/index.html>).

12. *The Public Statutes at Large of the United States of America* (various publishers, 1845–).

13. To locate libraries with government documents sections, see "Federal Depository Libraries," *Government Printing Office Access* (<http://www.gpoaccess.gov/libraries.html>).

14. Library of Congress, *American Memory: Statutes at Large* (<http://memory.loc.gov/ammem/amlaw/lwsl.html>).

commercial service available in many libraries offers an online edition of the volumes covering 1789–2004.¹⁵

Statutes at Large contains many personal names and private acts for average citizens who appealed to Congress for relief.¹⁶ Each volume contains lists of public and private acts and an index of names and subjects. The free online edition also offers a consolidated index to the first eight volumes (1789–1845).¹⁷ Researchers can use a search engine to locate names, dates, and bill and law numbers in the first eighteen volumes. A searchable list of page headings from the eighteen volumes is also available.

Censuses

Acts of Congress authorized each federal census, defined the information to be collected, and established enumeration procedures. The 9-page, 27-section law establishing the 1850 census, for example, describes the duties of marshals and assistant marshals, the information they were to collect for each of the census's six schedules, and penalties for people refusing to provide information to enumerators.¹⁸ A federal publication outlines the history of the United States censuses through 1900 and the laws affecting them.¹⁹

Land

Predating the United States Constitution, the Land Ordinance of 20 May 1785 established the rectangular survey system. It focused on land now in Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. The act established a

15. "Overview of Collections," *HeinOnline* (<http://heinonline.org/home/about/Overview.html>).

16. Charles E. Schamel, "Untapped Resources: Private Claims and Private Legislation in the Records of the U.S. Congress," *Prologue* 27 (Spring 1995); online edition, "Prologue: Selected Articles," *The National Archives* (<http://www.archives.gov/publications/prologue/1995/spring/private-claims-1.html>).

17. Library of Congress, "Collections Search Page," *American Memory: A Century of Lawmaking* (<http://memory.loc.gov/ammem/hlawquery.html>).

18. "An Act providing for the taking of the seventh and subsequent Censuses of the United States, and to fix the Number of the Members of the House of Representatives, and provide for their future Apportionment among the several States," *Statutes at Large* 9 (1862): 428–36. Also, Opal G. Regan, "Statistical Reforms Accelerated by Sixth Census Errors," *Journal of the American Statistical Association* 68 (September 1973): 540–46. Regan places the motivations for the expanded 1850 census in historical perspective based on errors in the 1840 census.

19. Carroll D. Wright, *The History and Growth of the United States Census: Prepared for the Senate Committee on the Census* (Washington, D.C.: Government Printing Office, 1900). Also, Kenneth Prewitt, "The U.S. Decennial Census: Political Questions, Scientific Answers," *Population and Development Review* 26 (March 2000): 1–16. Prewitt offers useful insights on the scope, content, and purpose of more recent censuses to the present.

survey system that would affect the thirty public-land states, which use sections, townships, and ranges to describe their land.²⁰

In 1776 the Continental Congress encouraged military enlistment by promising free land to Revolutionary War veterans. From 1788 through 1855 Congress passed laws authorizing bounty land for veterans, their heirs, and their assignees from the American Revolution through the Indian wars of the mid-nineteenth century and the Mexican War. The National Archives in Washington, D.C., holds the federal military bounty-land warrant applications and surrendered warrants, all authorized by specific statutes.²¹ A reference work outlines land and bounty acts passed by Congress.²² The acts, spelling out the qualifications to receive land, like the resulting records, are genealogically informative.

In 1862 Congress passed the Homestead Act, the first of a series of homestead law enactments through 1909.²³ The files, at the National Archives, specify the applicable act. Like other federal statutes, homestead laws describe application qualifications and procedures. Thus, they provide evidence of homesteading ancestors' characteristics and actions.²⁴

Military Pensions

Since the American Revolution, Congress has enacted public laws benefiting veterans and their families. Statutes like the Act of 1818 detail eligibility

20. "An Ordinance for Ascertaining the Mode for Disposing of Lands in the Western Territory," in *Journals of the Continental Congress* (Washington, D.C.: Government Printing Office, 1933), 28:375–86; consulted at Library of Congress, *American Memory: Journals of the Continental Congress* (<http://memory.loc.gov/ammem/amlaw/lwjc.html>). Also, William D. Pattison, *Beginnings of the American Rectangular Land Survey System, 1784–1800*, Research Paper no. 50 (Chicago: University of Chicago, Department of Geography, 1957). Pattison gives valuable historical background as well as an account of the first years of use and its effects.

21. Eales and Kvasnicka, "Bounty Land Warrant Records," in *Genealogical Research in the National Archives*, 18. Also, James W. Oberly, *Sixty Million Acres: American Veterans and the Public Lands before the Civil War* (Kent, Ohio: Kent State University Press, 1990). Several researchers like Oberly have done sample studies using thousands of actual warrants and producing descriptive accounts of considerable use to genealogists.

22. E. Wade Hone, "Records Generated by Federal Lands," in *Land and Property Research in the United States* (Salt Lake City: Ancestry, 1997), 115–26.

23. "An Act to Secure Homestead to Actual Settlers on the Public Domain," *Statutes at Large* 12 (1863): 392–93.

24. Hone, "Records Generated by Federal Lands," 140–46. Single women homesteaders were more than 10 percent of the pioneers in the Great Plains. See Sheryll Patterson-Black, "Women Homesteaders on the Great Plains Frontier," *Frontiers: A Journal of Women Studies* 1 (Spring 1976): 67–88.

requirements for pensions.²⁵ A reference source contains military pension laws from 1776 through 1858.²⁶

Many private acts of Congress pertain to veterans and their families who requested relief or compensation or who applied for a pension under special circumstances. Some requested a pension increase or claimed they were not receiving the proper amount. For instance, Kate Ferguson, a Civil War widow from Illinois, received a pension through a special act in 1924, paying her forty-two dollars a month. The private law and pension file do not explain why she sought a special act rather than pursuing the usual pension application process.²⁷

Naturalization

Congress changed naturalization laws frequently. A guide outlines the changing naturalization laws and cites the relevant statutes.²⁸ The first Alien Act, dated 25 June 1798, defined conditions under which an immigrant could be deported.²⁹ Additional acts prescribed eligibility and naturalization processes.³⁰ In 1906 Congress formed the Bureau of Naturalization, moving most naturalizations from local to federal courts. The statute also required applications to include names, birthdates, and place of residence of all family members.³¹

Federal naturalization laws explain the conditions that immigrant families met at different points in history and the procedures they had to follow. For example, before September 1906 an immigrant's wife and minor children

25. "An Act to provide for certain persons engaged in the land and naval service of the United States, in the Revolutionary War," *Statutes at Large* 3 (1845): 410–11. See also the series *Documentary History of the First Federal Congress of the United States of America, 4 March 1789–3 March 1791*, particularly vol. 7, Kenneth R. Bowling, William Charles DiGiacomantonio, and Charlene Bangs Bickford, eds., *Petition Histories: Revolutionary War-Related Claims* (Baltimore: Johns Hopkins University Press, 1997) and vol. 8, Kenneth R. Bowling, William Charles DiGiacomantonio, and Charlene Bangs Bickford, eds., *Petition Histories and Nonlegislative Official Documents* (Baltimore: Johns Hopkins University Press, 1998). Each contains splendidly detailed petition histories and reports, letters, and related documents.

26. Christine Rose, comp., *Military Pension Laws, 1776–1858: From the Journals of the Continental Congress and the United States Statutes-at-Large* (San Jose, Calif.: Rose Family Association, 2001).

27. "Kate Ferguson, widow's application WO1200281, Special Act approved 23 December 1924," *Statutes at Large* 44 (1925): 62.

28. John J. Newman, *American Naturalization Records 1790–1990: What They Are and How to Use Them* (North Salt Lake, Utah: Heritage Quest, 1998).

29. "An Act concerning Aliens," *Statutes at Large* 1 (1845): 570–72.

30. See, for example, "An Act to establish an uniform rule of Naturalization, and to repeal the acts heretofore passed on that subject," *Statutes at Large* 2 (1845): 153; "An Act regulating Passenger Ships and Vessels," *Statutes at Large* 3 (1846): 488; and "Act of 3 August 1882, An Act to Regulate Immigration," *Statutes at Large* 22 (1883): 214.

31. "U.S. naturalization laws, or An Act to Establish a Bureau of Immigration and Naturalization," *Statutes at Large* 34 (1907): 596.

became naturalized when he did, even though their names never appear on naturalization documents. Before 1922 immigrant women became citizens upon marrying an American citizen.³² A law passed on 22 September 1922 required women to become naturalized independently of their father or husband.³³

State and Territorial Government Affected by Federal Law

As the United States acquired land Congressional statutes organized it into territories. When the territory's settlers indicated interest in statehood, Congress passed an act authorizing them to form a constitution and state government. Once the territory met federal requirements, Congress passed another act admitting the state to the Union. A published guide provides details about the statutes establishing each territory and state.³⁴

Example of Genealogical Use of Federal Statute Law

John Aspley served as a sergeant major, a noncommissioned officer rank, during the American Revolution and was discharged on 5 May 1782. On 18 March 1818 Congress passed an act approving pensions for men who had served in the Revolution. It authorized payments of \$20 per month for commissioned officers, and \$8 per month for noncommissioned officers and privates.³⁵ On 1 May 1820 Congress amended the act, requiring an applicant to submit a "schedule of his whole estate and income."³⁶ On 11 February 1828 John applied for a pension, providing details about his service and life. Meeting the 1820 requirement, he itemized his land, livestock, household goods, and tools. He also listed his wife and children and gave their ages. He described his wife, Sally, as "old and infirmed." A pension of \$8 per month started on 1 March 1828. John died in 1835.³⁷

32. "An Act to Secure the Right of Citizenship to Children of Citizens of the United States born out of the Limits thereof," *Statutes at Large* 10 (1855): 604. Also, "U.S. naturalization laws," *Statutes at Large* 34 (1907): 596.

33. "U.S. naturalization law, An Act Relative to the Naturalization and Citizenship of Married Women," *Statutes at Large* 42 (1923): 1022. Also, Ernest J. Hover, "Citizenship of Women in the United States," *The American Journal of International Law* 26 (October 1932): 700–19. This brief article negotiates the very complex citizenship issues facing women in the years following the 1922 Act.

34. Michael Chiorazzi and Marguerite Most, eds., *Prestatehood Legal Materials: A Fifty State Research Guide, including New York City and the District of Columbia*, 2 vols. (New York: Haworth Information, 2005).

35. "An Act to provide for certain persons engaged in the land and naval service of the United States, in the Revolutionary War," *Statutes at Large* 3 (1846): 410–11.

36. "An Act in addition to an act, entitled 'An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war,' passed the eighteenth day of March, one thousand eight hundred and eighteen," *Statutes at Large* 3 (1846): 569–70.

37. John Aspley file no. W2903, *Revolutionary War Pension and Bounty-Land Warrant Application Files*; microfilm publication M804, roll 84 (Washington, D.C.: National Archives).

On 2 November 1843 John's family wrote the Nashville pension office that the pension was not adequate for his long service. They argued that, because John had been a sergeant major, he and his widow were entitled to higher pay than a private. The pension office did not increase the pension. The applicable law explains why: John was a noncommissioned officer and the act specifies that noncommissioned officers receive the same payment as privates.

After John's death Sarah received a widow's pension of \$60 per year. A Congressional act on 7 July 1838 limited payments to Revolutionary War widows. For only five years they would receive payment of the annuity their late husbands would have received.³⁸ An act on 3 March 1843 extended these pensions for one year.³⁹ A statute dated 17 June 1844 extended them for another year.⁴⁰ Sarah received her last payment on 4 September 1845.

Sarah died on 29 July 1851. In 1852 her heirs requested payment for the difference between the annual pension of \$60 that Sarah received and the \$96 her late husband had received and to which she was entitled, according to the 1838 law. On 19 February 1853 they won their complaint and received \$106. In their correspondence her heirs cited relevant federal statutes to prove Sarah's compensation was incorrect. Details in these statutes helped the family make their case. They also helped the family's historians understand the case and process.

STATE STATUTE LAW

Beginning with Virginia's House of Burgesses in 1619, North American colonies established legislative bodies that would enact statutes affecting people and institutions within their boundaries. In 1789 the tenth amendment of the United States Constitution reserved for states all "powers not delegated to the United States by the Constitution." Since then state legislatures—and the territorial legislatures that preceded most of them—have enacted statutes governing their residents.

Information in state laws, like federal laws, can advance genealogical and historical research. Laws specify minimum ages for various legal actions, including, for example, testifying in court and witnessing documents, working on roads, and marrying with and without parental consent. They authorize state censuses and militia service. State laws establish procedures and forms for recording births, divorces, marriages, and deaths. They determine how estates are administered and divided, and how land is acquired. Legislative acts create and divide counties. They govern county record keeping, including titles of record books, courts, and officials; information recorded; and forms used. State laws also address bankruptcy, coverture, dower, free people of color, guardianship,

38. "An Act granting half pay and pensions to certain widows," *Statutes at Large* 5 (1856): 303.

39. *Ibid.*, 647.

40. *Ibid.*, 680.

indebtedness, insanity, licensing, miscegenation, and slavery. State tax laws explain when and why residents pay taxes, delineate criteria for taxation, and identify real and personal property to be taxed. They also specify the age when residents become taxable and the ages or procedures to follow to become exempt from taxation due to age or infirmity.

State laws, like federal acts, may be public or private. Private state laws enact divorces, name changes, and various kinds of relief, and they address other concerns of individual citizens. Although public and private laws in all states cover similar topics, provisions vary from state to state. Researchers should not apply law in one state to research in another.

Despite differences in laws and terminology across states, bodies of state statutes have similar forms:

1. Session law, published after each legislative session, is the original record of each state's statutes. Acts are sequenced by date of passage.
2. Codes, compiled statutes, and digests are compilations of a state's statute law in force at the time of compilation regardless of when they were enacted. The laws are organized into topical chapters and sections. Annotations may refer to related court cases, indicate earlier versions of a law, and cross-reference related laws. Many states have published their current codes online.⁴¹
3. Statutes at large are historical assemblages of laws in order of enactment. Covering many legislative sessions, the compilations' names vary from state to state. They typically begin with a legislature's first session and contain all laws it passed in a decade or more. Coverage by state and time period varies, but such compilations may be the most useful publications of state statute law for genealogical and historical researchers. Because the collections contain in-force and obsolete laws for broad time periods, researchers can conveniently identify the version affecting a person, family, or other research subject. Collections with consolidated indexes may ease the search, especially for private acts naming individuals. Perhaps the best known state statute-law compilation—and most used by genealogists—is the thirteen-volume Hening's *Statutes at Large*, which covers 173 years of Virginia laws.⁴²

Volumes, usually indexed, containing the above works are available in in-state community, law, state, and university libraries and large out-of-state law libraries. Statutes at large may be found in local and state historical societies

41. Every state has been allocated an official Web site at <http://www.state.XX.us/>, with XX replacing the state's two-letter postal abbreviation, but not all states have sites there. Also, "State Government Information," *Library of Congress* (<http://www.loc.gov/tr/news/stategov/stategov.html>) provides links to state government Web sites.

42. William Waller Hening, ed., *The Statutes at Large Being A Collection of All the Laws of Virginia from the First Session of the Legislature in the Year 1619*, 13 vols. (1823; reprint, Charlottesville: University Press of Virginia, 1969). The set also is available as a CD-ROM publication (Westminster, Md.: Willow Bend Books, 2003).

and large genealogical collections. A microfiche set contains session laws for all fifty states from 1775 through 2003.⁴³ The Georgetown University Law Library is collecting and digitizing historic state codes and making them commercially available. The original materials are available only on-site, but researchers can use an online listing to identify volumes covering states and years related to their research.⁴⁴

Many early state laws are available in the "Early State Records" microfilm set. In the late 1940s and early 1950s the Library of Congress gathered and reproduced on microfilm a collection of manuscript and printed records relating to the early history of each state. This massive collection, on 1,875 reels of microfilm, includes legislative, legal, administrative, constitutional, and executive records, newspapers, and more miscellaneous records. Large libraries offer a printed guide.⁴⁵ The entire microfilm series should be available on interlibrary loan.

A few states provide searchable online collections of historical state laws. Five states are illustrative:

- Alabama territorial and state laws, 1818–28, and the state's 1975 code updated to 1999⁴⁶
- Georgia acts of the General Assembly, 1799–1999⁴⁷
- Maryland legislative records, 1634–2006⁴⁸
- Pennsylvania laws, 1682–1809⁴⁹
- A limited selection of early Tennessee statutes dealing with statehood, constitution, marriage, divorce, land, and cemeteries⁵⁰
- Texas laws, 1822–97⁵¹

43. William S. Hein and Co., *Session Laws of American States and Territories: A Compilation of All States and Territories, 1775–2003* (Buffalo, N.Y.: William S. Hein, 2005).

44. "Historic State Codes," *Georgetown Law Library* (http://www.ll.georgetown.edu/states/historic_codes/index.cfm).

45. William Sumner Jenkins, comp., *A Guide to the Microfilm Collection of Early State Records*, Lillian A. Hamrick, ed. (Washington: Library of Congress, 1950); and *Supplement* (1951).

46. "Alabama Legislative Acts, House Journals, Senate Journals," *Alabama Legislature* (<http://www.legislature.state.al.us/misc/history/timeline.html>); and "Code of Alabama: 1975," *Alabama Legislature* (<http://www.legislature.state.al.us/CodeofAlabama/1975/coatoc.htm>).

47. "Georgia Legislative Documents," *Secretary of State* (http://sos.georgia.gov/archives/what_do_we_have/online_records/georgia_legislative_documents/default.htm).

48. Maryland State Archives, "Legislative Records Proceedings, Acts and Public Documents of the General Assembly," *Archives of Maryland Online* (<http://www.aomol.net/html/legislative.html>).

49. "Introduction to Statutes at Large," *Commonwealth of Pennsylvania Legislative Reference Bureau* (<http://www.palrb.us/stlarge/index.asp>).

50. "Tennessee Laws: The Early Days," *TNGenNet* (<http://www.tngenweb.org/law/>).

51. "Gammell's The Laws of Texas," *University of North Texas Libraries* (<http://texinfo.library.unt.edu/lawssoftexas/default.htm>).

Genealogists often use and cite state statute law. Recent issues of the *NGS Quarterly* contain examples:

- Alabama laws concerning estates and guardianship, used to build a case proving a man's unrecorded marriages to two sisters and identifying his children with each⁵²
- A Colorado private act concerning an orphan's name-change and inheritance⁵³
- Indiana and Kentucky statutes specifying the minimum ages to work on roads, witness a deed, and testify in court, which helped prove an ancestor's birth date⁵⁴
- Louisiana and North Carolina laws banning marriages between slaves⁵⁵
- Pennsylvania laws concerning slaves and abolition to explain aspects of a freedman's history⁵⁶
- South Carolina law concerning inheritance, to explain an estate's division⁵⁷
- Virginia statutes concerning county formation and appointment of officers⁵⁸
- Virginia laws to explain a guardianship, marital consent, minor's inability to purchase or sell land, and bride's age at marriage; all to build a case concerning a woman's unrecorded marriages and parents⁵⁹
- A Virginia law concerning minors' land ownership, to explain a family's lawsuit and prove an error in a marriage bond⁶⁰

To apply state statute law in a family history project, researchers must locate the law. Indexes and search engines help locate names and subjects. To avoid citing laws from a wrong time period researchers should examine laws before and after the years of interest to determine which iteration applies to a research problem. Compiled statutes often contain annotations referring to previous acts on the same or a related topic. Once researchers pinpoint a relevant law they

52. Mary McCampbell Bell and MaryAnn Dickey McCrary, "Using Probate Law to Sidestep Missing Records: James Madison McCrary Shows the Way," *NGS Quarterly* 92 (June 2004): 87–95, notes 22–23.

53. Birdie Monk Holsclaw, "Life and Death on the Frontier: The Robert and Loana McFarland Family of Boulder Valley, Colorado," *NGS Quarterly* 91 (December 2003): 278–97, notes 119–20.

54. H. Clark Dean, "Thornton Violet: Two Men or One?" *NGS Quarterly* 91 (March 2003): 31–29, notes 5, 9, and 15.

55. Christopher A. Nordmann, "Jumping Over the Broomstick: Resources for Documenting Slave 'Marriages,'" *NGS Quarterly* 91 (September 2003): 196–216, note 4.

56. Ruth Randall, "Joseph Workman: Reflections of a Former Bondsman," *NGS Quarterly* 94 (June 2006): 125–32, notes 5 and 7.

57. T. Mark James, "Abraham Ott of Orangeburg, South Carolina: Direct vs. Indirect Evidence," *NGS Quarterly* 93 (June 2005): 85–93, note 15.

58. Edgar MacDonald, "The Myth of Virginia County Formation in 1634," *NGS Quarterly* 92 (March 2004): 58–63, note 8.

59. Thomas W. Jones, "Uncovering Ancestors by Deduction: The Husbands and Parents of Eleanor (née Medley) (Tureman) (Crow) Overton," *NGS Quarterly* 94 (December 2006): 287–304, notes 10, 15, 16, and 97.

60. Richard A. Hayden, "Resolving the Inexplicable: The Marriage Bond of Archibald Young and Lettice Morgan," *NGS Quarterly* 95 (March 2007): 5–16, note 45.

can use the annotations to backtrack to the version affecting their research subjects. This could be decades before an ancestor's lifetime. For example, a researcher starting with a present-day marriage statute can track back to a state's 1802 law in force at the time of an 1821 marriage.

Guides to laws touching on genealogical topics are not as plentiful for state statutes as for federal acts. Research in state compilations, therefore, may be more time consuming than in the federal *Statutes at Large*. They are likely to be fruitful, however, because state statutes apply to many genealogical topics and research problems.

Ages

Ages of eligibility for various legal actions are among the more genealogically significant provisions of state laws. They include the ability to choose a guardian, witness a deed, testify in court, pay taxes, inherit property without a guardian, buy and sell property, and marry with and without parental consent. They also may specify ages for which militia service, taxation, and road repair are required or when a resident might be exempt. If an ancestor has engaged in one of these activities the researcher can consult applicable statutes and deduce a range for the ancestor's birth date.

Marriage Records

Every state enacted marriage laws and revised them over time. Some states recorded marriages from colonial times; others did not regulate them until the twentieth century. Most marriage statutes indicate the lawful ages for men and women to marry, prohibit marriages between certain relatives and ethnic groups, describe the kinds of records to be made and their content, and identify the persons responsible for performing marriages and recording them. Some states require that weddings occur in the county issuing the marriage license; others allow couples to obtain a license in one county and marry in another. Many states require marriages to be recorded in the bride's home county, if the parties live in different places or the marriage occurred elsewhere. A finding aid helps researchers locate marriage statutes applying to research problems.⁶¹ Otherwise, researchers must review marriage laws affecting the state of interest to identify the relevant version.

Record Access

State laws can open—or restrict—researcher access to records. Records of adoption, birth, death, divorce, and marriage are most often affected. For example, in 2004 the Missouri State Legislature passed a law directing the

61. S. N. D. North, comp., *Marriage Laws in the United States 1887–1906*, ed. Desmond Walls Allen (Conway, Ark.: Arkansas Research, 1993).

state's vital statistics office to transfer death certificates more than fifty years old to the state archives, opening them to the public.⁶² An index to all Missouri death certificates from 1910 to 1956 is now on the Missouri State Archives Web site, and images of the certificates are being added.⁶³ As the vital statistics office transfers records from subsequent years to the Archives, they also will go online.

World War I Bonus Pay

In the 1920s some state legislatures offered "bonus pay" to veterans of World War I or heirs of deceased soldiers. For instance, in 1921 the Illinois General Assembly created the Service Recognition Board to compensate World War I veterans or their heirs.⁶⁴ The legislature modified the program in subsequent sessions and disbanded it in 1927.⁶⁵ State laws transferred the records to the Adjutant General's office in 1927 and the state archives in 1955.⁶⁶

Example of Genealogical Use of State Statute Law

A simple example illustrates the usefulness of state statute law to genealogical research. In 1816 in Licking County, Ohio, John Berry married Hannah Hull. Each was "of age" and had no recorded parental permission.⁶⁷ No known records give the couple's ages, and the censuses where they were enumerated report ages in ranges only. Ohio marriage statutes in effect at the time help determine their birth dates:

Male persons of the age of eighteen years, female persons of the age of fourteen years, and not nearer of kin than first cousins, may be joined in marriage: Provided always, That male persons under the age of twenty-one years, and female persons under the age of eighteen years, shall first obtain the consent of fathers respectively, or (in case of death or incapacity of their father) of their mothers or guardians.⁶⁸

Therefore, Hannah Hull was over age eighteen in 1816 (born before 1798), and John Berry was over age twenty-one in 1816 (born before 1795). The Ohio

62. House Bill 1634 (2004), Revised Missouri Statute 193.225.

63. "Death Certificates," *Missouri State Archives* (<http://www.sos.mo.gov/archives/resources/deathcertificates/>). As of 13 August 2007 images were available for the years 1910–35 and 1945–56.

64. L. 1921, 66. Citations to *Laws of the State of Illinois* use the preceding format indicating the year and page number of the session law. See Diane Walsh, "Genealogical Research in Illinois," *NGS Quarterly* 59 (March 2006): 59.

65. For example, L. 1923, 92; and L. 1925, 25.

66. For 1927, see, L. 1927, 110; for 1955, see L. 1955, 1069.

67. Berry-Hull marriage record, Licking County Marriage Book 1:46, Probate Court, Newark, Ohio.

68. "An Act Regulating Marriages," Chapter 37 in *Acts Passed By the First Session of the Eighth General Assembly of the State of Ohio* (Chillicothe: J. S. Collins, 1810), 8:119.

legislature revised the state's marriage statute after the Berry-Hull marriage and changed age requirements. As previously stated, state legislatures revise laws over time, and researchers must take care to locate the version applying to their research subjects.

CONCLUSION

Genealogical research that does not address statute law may be incomplete. Statutes create records that genealogists use every day. Specifying why and how people were to interact with national, state, and local governments and agencies, laws provide evidence of ancestors' actions, motivations, and relationships. In some cases, applying statute law to a genealogical problem can lead to its solution.

Family Views Celestial Events

[Jackson Family Bible Record (1816–1951), Miscellaneous Bible Records Collection, DAR Library, Washington, D.C.]

at 3.O.C[lock]. A.M. May 11 — 1910
the following members of the family Viewed Halley's Commet which was in the East Just a little north of the morning Star. Was very plain to the nacked Eye.

	M. R.	Jackson	age	66
Mrs.	M. R.	"	"	64
	L. I.	"	"	36
Mrs.	L I	"	"	34
	Bessie Anna	"	"	12
	Edna May	"	"	7

Knoxville Tenn.

Houston, Tex

At 9³⁰ OC[lock] P. M May 27/1918

The fol following members of the family viewed the first air plane at night[.], it carried three (3) lights and was so high it looked as if three Stars we[re] moving along the sky.

	L. I.	Jackson	age	44	Houston Tex
Mrs.	L I.	"	"	42	
	Bessie Anna	"	"	19	
[at side of page]	Edna May	Jackson	age	15	
	Helen Pearl	"	"	9	

—Contributed by Jane Douma Pearson

Protestant Church Law and Records in America: Some Denominations and Archives

By David M. McDonald, M.Div., CG

Many Protestant churches have avoided anything resembling the established church law practiced by their Roman Catholic precursors.¹ Other Protestant churches have established their own versions of canon law. Each denomination produces records for the knowledgeable genealogist to find.

Religious records offer voluminous genealogical evidence.² Their creation and content depend on denominational laws and customs. International canon law regulates records of Roman Catholic churches.³ Protestant congregations, however, range from strictly adhering to their own canon law to loosely abiding by unwritten customs. Nevertheless, nearly all Protestant churches have practices, if not laws, that produce genealogically useful records.

Protestant religious bodies have been present in North America since colonies were established in the seventeenth century. With the separation of church and state, a massive proliferation of denominations, congregations, and communities of faith developed. Mergers, schisms, and evolving theological perspectives have changed church names, denominational regulations, and religious tenets.⁴ Each denomination has its own records and repositories. Many congregations have published histories, membership lists, and necrologies. Original records may be kept onsite. Most denominations have at least one major archives. Studying the evolution of Protestant traditions will aid researchers in locating genealogically significant records and repositories.

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1. For a discussion of Roman Catholic canon law, see George Findlen, "The 1917 Code of Canon Law: A Resource for Understanding Catholic Church Registers," *NGS Quarterly* 95 (September 2005): 126–47.

2. Val D. Greenwood, "Church Records," in *Researcher's Guide to American Genealogy*, 3rd ed. (Baltimore: Genealogical Publishing, 2000), 489.

3. Findlen, "The 1917 Code of Canon Law," 133.

4. J. Gordon Melton, *A Directory of Religious Bodies in the United States* (New York: Garland Publishing, 1977). Melton determined that 1,187 primary religious groups worship in the U.S.

GENEALOGICAL DATA IN CHURCH LAW

Depending on their denominational laws and practices, Protestant churches may produce genealogically valuable records in six major areas:

- **Membership.** Admissions policies address who may join a church and under what circumstances. Those who enter a community from elsewhere may present a letter of dismissal or transfer from their former church. The letter or record in the receiving church may reveal the member's previous residence. Migration patterns may be deduced from such records. Admission records may provide names of parents, maiden names, ethnicity, and occupation. Most colonial Protestant churches admitted children in their own right at age fourteen. The process usually included baptism, owning the covenant, a "relation," or confirmation. Each action might create a record.⁵ Late joiners might be rebuked from the pulpit.⁶ Excommunication was practiced by some denominations for infractions including swearing, drinking or selling alcoholic beverages (especially on the Sabbath), nonattendance, and murder. In most places, this had little legal effect on the member, who often suffered no material harm and had only to repent to be reinstated.⁷ Discussions or "laboring" with members in danger of such discipline are often informative. Lists of members in church minutes and elsewhere may bracket dates when membership began and ended and indicate the method by which a new member was received into the fellowship or removed from it. Denominational newspapers often include obituaries. Lists naming enslaved members may identify their owners.
- **Baptism.** Depending on its theology, a Protestant denomination may or may not practice infant baptism. In churches practicing infant baptism, the resulting record may substitute for a birth record. Fathers are generally named, and mothers' given names often appear; less commonly, mothers' birth surnames are recorded. Mothers are usually identified if they are church members, especially if the father is not. Most denominations indicate children born out of wedlock, and occasionally a record comments on the parents' marital status. Illegitimate children whose parents marry later are usually baptized after confessions by one or both parents. The entry may be recorded in a visually distinctive fashion (upside down, running vertically in the margin, or in a separate section of the register, for instance). Some denominations practice only adult or "believer's" baptism. Adult baptism records sometimes include occupation, age, or residence.

5. Mary Rhinelander McCarl, "Thomas Shepard's Record of Relations of Religious Experience, 1648–1649," *William and Mary Quarterly*, 3rd ser., 48 (July 1991): 432–66. Required only briefly in some early churches, relations provide a religious biography of the aspiring member.

6. *Watertown Records*, vol. 4., *Watertown Records Comprising East Congregational and Precinct Affairs 1697 to 1737 Also Record Book of the Pastors 1686 to 1819* (Boston: David Clapp and Son, 1906), 119. When admitting six adults on 19 June 1687 the Watertown minister "hinted at Cor. 8.5," a slap at the elderly Richard Cutting, who had refused membership for fifty years.

7. David C. Brown, "The Keys of the Kingdom: Excommunication in Colonial Massachusetts," *New England Quarterly* 67 (December 1994): 531–66. Excommunicated men ceased to be freemen, losing voting rights and the right to serve in elected positions.

- **Marriages.** Who may marry, and to whom, varies with denomination and time. Each church has its opinions on marriage across ethnic lines, first cousin marriage, or marrying a late sibling's spouse. Ministers could not perform marriages in early New England, as it was considered a civil matter.⁸ With the notable exception of early practice in the LDS Church, polygamy is forbidden. Unitarian Universalists and particular congregations among the United Church of Christ have blessed same-sex marriages since the 1980s.
- **Ordination.** Record of ordinations may be found among a congregation's registers. Ordination is the rite whereby a person is set apart for particular service to the church and community, acting in the roles of pastor and teacher, and whereby one is authorized to perform sacramental ministry—to officiate at baptisms or christenings and to celebrate communion—in and for the church. Similarly, registers may indicate licensure to preach the gospel, before formal ordination. Members of the congregation called to service as overseas Christian missionaries may be noted as well, with their postings. Biographical dictionaries of ministers have been published, based on denomination, geographical location, or era.
- **Burial.** After the 1640s early Puritan burial rites included sermons, next-day burial, and modest ceremony.⁹ Some later Protestant denominations accepted considerable ceremony, the giving of gifts such as mourning gloves and rings, and largesse to the poor. The text chosen for funeral sermons may be recorded and may illustrate personality characteristics of the deceased. Such a verse may reiterate a “memory verse,” bestowed as a blessing at the time of confirmation.
- **Miscellaneous Administrative Records.** Disciplinary actions on subjects such as malicious gossip, spousal violence, and breaking of the Sabbath may generate unique records in the minister's notes or minutes of church business meetings. These records may identify trusted deacons and troublesome parishioners. Prior to the twentieth century, the purchase of pews or the payment of pew rent was often done by precedence—the closer to the pulpit, the more prominent the member. The elderly or infirm, particularly the deaf, might be seated up front along with the preacher's family and household. Fiscal accounts, including donations, establish biographical details. The poor often appear on the books, employed as sextons, gravediggers, or bell-ringers. Beneficiaries of aid or those exempted from financial responsibility to the church may also be found.

PROTESTANT DENOMINATIONS

The following denominations have created records useful to American genealogists.¹⁰ Some histories and archives are noted below. Like law dictionaries

8. Chilton L. Powell, “Marriage in Early New England,” *New England Quarterly* 1 (July 1928): 323–34.

9. Achsah Guibory, “‘A rationall of old Rites’: Sir Thomas Browne's ‘Urn Buriall’ and the Conflict over Ceremony,” *The Yearbook of English Studies*, vol. 21, *Politics, Patronage and Literature in England, 1558–1658* (Detroit: Wayne State University Press, 1991): 229–41.

10. “Census of Religious Bodies in United States,” *Annals of the American Academy of Political and Social Science, Organized Religion in the United States* 256 (March 1948): 165–68. Numerous denominations are self-identifying.

and encyclopedias, older editions of denominational histories and yearbooks may be more genealogically useful than recent works. An invaluable handbook of American denominations is available in both hardcopy and downloadable formats.¹¹ Web sites of varying accuracy may be accessed by entering the denomination name and the word “genealogy” into a search engine.

Amish and Mennonites

The Amish, or Old Order Amish, follow the teachings of Jacob Amman, a Swiss-German Mennonite who insisted on extreme shunning as punishment for incorrect behavior. The Amish began emigrating from the Palatinate to Pennsylvania in the 1700s.¹²

Operating from unwritten rules, Old Order Amish do not serve in the military or own cars, and they rarely use electricity.¹³ They build no churches, but hold prayer services, in which men and women sit in separate rooms, in private homes.¹⁴ They conduct believers’ baptism and do not formally educate their children past eighth grade.¹⁵

Mennonites took their name from Menno Simons, a Dutch Roman Catholic priest who became an Anabaptist in 1536.¹⁶ Mennonites reject infant baptism and embrace many of the “plain” policies of their more extreme Amish brethren. Like them, they restrict public education, avoid religious revivalism, and do not serve in the military. Splits have produced Reformed, Holdeman, Old Order, Stauffer, Conservative, Progressive, and Moderate Mennonites, each with slightly different acceptances of dress style, electricity, schooling, or car use.¹⁷

Both the Amish and Mennonite populations suffer to some degree from “founder effect” and have high rates of certain rare genetic diseases, including Crigler-Najjar Syndrome and Cohen Syndrome. Parents of children with these disorders sometimes petition the Amish bishop for special dispensation in the use of medical equipment.¹⁸

There are Amish archival materials, books, and oral histories at Ohio Amish Library, Inc.; 4292 SR 39; Millersburg, OH 44654. The Mennonite Church

11. Frank S. Mead, Samuel S. Hill, and Craig D. Atwood, *Handbook of American Denominations in the United States*, 12th ed. (Nashville, Tenn.: Abingdon Press, 2005). Downloadable versions, protected by copyright, are available from numerous ebook retailers.

12. John A. Hostetler, *Amish Society*, 3rd ed. (Baltimore: Johns Hopkins Press, 1980), 50–59.

13. Donald B. Kraybill, *The Riddle of Amish Culture* (Baltimore: Johns Hopkins University Press, 1989), 166–71 and 217–18.

14. *Ibid.*, 80.

15. *Ibid.*, 100.

16. C. Henry Smith, *The Mennonites of America* (Goshen, Ind.: The Author, 1909), 23, 77.

17. C. Henry Smith, *The Story of the Mennonites* (Berne, Ind.: Mennonite Book Concern, 1941). Smith was most interested in the numerous divisions of Mennonites.

18. CBS Broadcasting, “Genetic Disorders Hit Amish Hard,” *60 Minutes II*, 8 June 2005 (<http://www.cbsnews.com/stories/2005/06/08/60II/main700519.shtml>).

USA Archives are located at 1700 South Main Street; Goshen, IN 46526, and at the Bethel College Library; 300 East 27th Street; North Newton, KS 67117. Both have Amish-related works. Some Mennonite records and reference works are available at the Menno Simons Historical Library and Archives; Eastern Mennonite University; 1200 Park Road; Harrisonburg, VA 22801-2462.

Assemblies of God

Pentecostalism (of which Assemblies of God churches are a part) is the fastest growing form of Protestantism in the world.¹⁹ The name derives from the biblical Pentecost, when believers speaking different languages nevertheless understood each other.²⁰ Eschewing infant baptism, the tradition baptizes believers through immersion in water.²¹

The Flower Pentecostal Heritage Center; 1445 North Boonville Avenue; Springfield, MO 65802, holds the archives of the Assemblies of God. Its collections include published and unpublished histories, personal papers, diaries, photographs, and other genealogically useful documents.

Baptists—Freewill Baptists—Primitive Baptists—American Baptists—Seventh Day Baptists—Southern Baptists

Baptists follow a tradition established among English separatists under the guidance of John Smyth and Thomas Helwys.²² Roger Williams, founder of Rhode Island, established the first Baptist church in the colonies at Providence about 1639. In the prefederal period, Baptists were strongly opposed to a state church and faced oppression in most colonies. Their growth accelerated during the Great Awakening.²³

Freewill Baptists formed when founder Benjamin Randall signed a covenant with other believers on 30 June 1780.²⁴ Following his death the denomination expanded from New England into New York and Ohio. This group's newspapers, particularly *The Morning Star*, published extensive death notices and obituaries

19. Edith L. Blumhofer, *Restoring the Faith: The Assemblies of God, Pentecostalism, and American Culture* (Urbana, Ill.: University of Illinois Press, 1993). This is a revision of an earlier work published in 1985.

20. See Acts 2 for the Biblical account.

21. J. Gordon Melton, *Encyclopedia of American Religion*, 5th ed. (Detroit, Mich.: Gale Research, Ind., 1996), 79–82.

22. Isaac Backus, *A History of New England with Particular Reference to the Denomination of Christians Called Baptists*, 3 vols. (1777, 1784, 1796). This is the classic work on Baptists. See, also, William R. Estep, *New England Dissent, 1630–1833*, 2 vols. (Cambridge: Harvard University Press, 1971). Estep provides a massive examination of the Baptists and the separation of church and state.

23. William Warren Sweet, "Some Significant Factors in American Church History," *Journal of Religion* 7 (January 1927): 1–15.

24. Norman Allen Baxter, *History of the Freewill Baptists; A Study in New England Separatism* (Rochester, N.Y.: American Baptist Historical Society, 1957), 25.

of Freewill Baptists, no matter where they may have settled.²⁵ In 1911 *The Morning Star* merged with the Baptist paper, *The Watchman*.²⁶

Archives and significant collections of Freewill Baptist material are found at the New Hampshire Historical Society Library, 30 Park St., Concord, NH; Bates College Library; 48 Campus Ave.; Lewiston, ME; and, until recently, the American Baptist Historical Society; 1106 Goodman St. S; Rochester, NY 14620.

Primitive Baptists, or “old-school Baptists,” separated from the main body over Dr. William Carey’s organization of a missionary society in Kettering, England, in 1792. About 1827 the split over the direction and support of missionary activities spread to America.²⁷

Baptists again divided in 1845, this time over slavery. American Baptists, known as Northern Baptists until 1950, opposed slavery.²⁸ Since 1972 they have been formally known as the *American Baptist Churches in the U.S.A.*

Archives of the American Baptist Historical Society are in transition, with expected access on the campus of Mercer University, Atlanta, Georgia, in 2008. This facility will house resources formerly held at the American-Baptist-Samuel Colgate Historical Library on the campus of Colgate Rochester Divinity School, Rochester, New York, and will join materials held at Mercer.

Established at Newport, Rhode Island, in 1671, *Seventh Day Baptists* distinguish themselves by observing Saturday as their Sabbath, in keeping with their interpretation of Christian scripture. Consistent with Baptist custom, they practice believers’ baptism.²⁹ Seventh Day Baptist records may be accessed through Seventh Day Baptist General Conference; Post Office Box 1678 (3120 Kennedy Road); Janesville, WI 53547.

Southern Baptists are the largest Baptist tradition in the United States. They conduct baptism by immersion for believers, although many churches now perform a dedicatory rite in lieu of infant baptism. Records may be available in individual congregations. Baptist historical societies in many states hold records of extinct Southern Baptist churches. The Southern Baptist archives are housed at Southern Baptist Historical Library and Archives; 901 Commerce Street, Suite 400; Nashville, TN 37203.

25. David Colby Young and Robert L. Taylor, *Death Notices from Freewill Baptist Publications, 1811–1851* (Bowie, Md.: Heritage Books, 1985).

26. Baxter, *History of the Freewill Baptists; A Study in New England Separatism*, 178–79.

27. John Vinus Kirkland, *A Condensed History of the Church of God* (self-published pamphlet, 1904). Also, “Primitive Baptists,” *New Religious Movements* (http://religiousmovements.lib.virginia.edu/nrms/primitive_baptists.html).

28. John R. McKivigan, *The War against Proslavery Religion: Abolitionism and the Northern Churches, 1830–1865* (Ithaca: Cornell University Press, 1984).

29. Additional material may be found at *Seventh Day Baptist General Conference of the United States and Canada* (<http://www.seventhdaybaptist.org>).

Christian Church (Disciples of Christ)

Established in the early 1830s out of the “New Light” movement, the Christian Church (Disciples of Christ) was founded by Thomas and Alexander Campbell, Walter Scott, and Barton W. Stone.³⁰ The tradition holds weekly communion, over which lay elders typically preside. Adult baptism may be by immersion or sprinkling. Within loose central governance, pastors are engaged for service by the local congregation.

The Disciples of Christ Historical Society; 1101 19th Avenue South; Nashville, TN 37212, has materials related to local congregations and their records. Additionally, congregational and denominational records may be located at the Church Resource Center; Christian Theological Seminary; 1000 West 42nd Street; Indianapolis, IN 46208.

Church of Jesus Christ of Latter-day Saints

In 1830 Joseph Smith founded the LDS church. Adherents view *The Book of Mormon* as a companion volume to the *New Testament*. Throughout its first half-century, the church held polygamy, or plural marriage, as one of its tenets. The church formally renounced plural marriage in 1890.³¹ LDS belief in baptism of the dead by proxy has led to the church’s support of genealogical research on a grand scale. Its extensive microfilm archive of vital records and genealogical data is accessible worldwide through a system of more than 3,500 branch libraries. Its main Family History Library is at 35 North West Temple; Salt Lake City, UT 84101. A useful Web site offers an extensive online index to genealogical records, a collection of compiled genealogies, and a catalog of library holdings.³²

Congregationalists

Congregationalists, members of the Puritan church, dissented from the Church of England in the early seventeenth century. Throughout the eighteenth century Congregational churches were central to New England colonial life, in many cases as the established church. Church membership was a prerequisite to admission as a freeman in many New England locations.³³

30. Henry K. Shaw, *Hoosier Disciples* (Indianapolis: Association of Christian Churches in Indiana, 1966), 64. Also, Lester G. McAllister and William E. Tucker, *Journey in Faith: A History of the Christian Church (Disciples of Christ)* (St. Louis: Bethany Press, 1975).

31. Edwin B. Firmage, “Free Exercise of Religion in Nineteenth Century America: The Mormon Cases,” *Journal of Law and Religion* 7 (1989): 306.

32. *FamilySearch.org* (<http://www.FamilySearch.org>).

33. Verne D. Morey, “American Congregationalism: A Critical Bibliography, 1900–1952,” *Church History* 21 (December 1952): 323–44. In the absence of a single well-received history, this bibliography offers a sampling of historical efforts.

Congregational churches practice both believers' and infant baptism. They may house marriage records after 1686 when some ministers began to officiate at weddings.³⁴

Congregationalists avoided being labeled a denomination until 1871, when the National Association of Congregational Churches was established. The Congregational Churches merged in 1931 with the Christian Church. Most Congregational churches in the United States joined in the merger with the Evangelical and Reformed Churches in 1957, creating the United Church of Christ. Many dissenting congregations did not merge and established the National Association of Congregational Christian Churches, with headquarters at Oak Creek, Wisconsin.³⁵

The Congregational Library; 14 Beacon Street, 2nd floor; Boston, MA 02108 contains many records of churches and ministers of the Congregational Way. Because of common colonial-era roots with Unitarian churches in New England, researchers should also consult the collections of the Unitarian Universalist Association. An annotated inventory of the records of the churches in Massachusetts was published in 1970.³⁶

Episcopalians

Brought to America with the British colonists at Jamestown, the Anglican tradition has been known as the Episcopal Church since 1789. It was the established church in a number of colonies, including Virginia, Maryland, Georgia, and South Carolina.³⁷ Episcopal worship formulas and hierarchical structure closely resemble those of Roman Catholicism. Bishops act as administrative and spiritual heads of a local diocese.³⁸

The extensive canons of the Episcopal General Convention are available online. Canons 18 and 19 treat the subject of holy matrimony, dissolution of marriage, and remarriage. Their various iterations are of interest to the genealogist.³⁹

The archives of the Episcopal Church are at The Episcopal Seminary of the Southwest; Post Office Box 2247 (606 Rathervue Place); Austin, TX 78768.

34. Powell, "Marriage in Early New England," 330. Only a few marriages by ministers date to 1686, it not becoming commonplace until after 1692 in most New England colonies.

35. "Short Course in the History of the United Church of Christ," *United Church of Christ, About Us* (<http://www.ucc.org/about-us/short-course/>).

36. Harold F. Worthley, *An Inventory of the Records of the Particular (Congregational) Churches of Massachusetts Gathered 1620–1805* (Cambridge: Harvard University Press, 1970).

37. Charles H. Lippy, *Bibliography of Religion in the South* (Macon, Ga.: Mercer University Press, 201–9).

38. William Wilson Manross, *A History of the American Episcopal Church* (New York: Morehouse, 1935).

39. "General Convention; Canons of the General Convention," *Church Publishing* (http://www.churchpublishing.org/general_convention/pdf_const_2006/Title_I_OrgAdmin.pdf).

Evangelical Association

By 1923 the Evangelical Association was called the Evangelical Church.⁴⁰ Its rules and regulations were in keeping with Protestant theology of the era. Among the duties of a “preacher-in-charge,” the preferred title for pastors, was the requirement that he “keep a general and permanent church register recording the names of the members of the various appointments [churches] in the charge . . . noting all changes . . . viz: deaths, expulsions, withdrawals and removals.”⁴¹ The Evangelical Church merged with the United Brethren in 1946; this body, in turn, became a part of the United Methodist Church in 1968.

Evangelical Synod of North America

Established at Femme Osage, Missouri, in 1840, this body was made up largely of mid-nineteenth century immigrants from north-central Germany and their descendants. Its adherents were predominantly found in the Midwest, especially in Missouri, Texas, and adjoining states. In county histories of the late nineteenth century, prominent adherents to this tradition were often mistakenly labeled Lutherans. A denominational history was published in 1935.⁴²

Parish records including baptismal records, confirmations, marriages, and burials were generally kept in German, often until the advent of World War II.

In 1934 the Evangelical Synod of North America merged with the German Reformed Church to create the Evangelical and Reformed Church.⁴³ In 1957 the successor church merged with the Congregational Christian Churches to establish the United Church of Christ.

Synod records are located at the Eden Seminary Archives; 475 East Lockwood Avenue; Webster Groves, MO 63119.

Evangelical United Brethren

The Evangelical Church merged with the United Brethren (UB) in 1946, combining to create the Evangelical United Brethren (EUB). Earlier known as the Evangelical Association, it was established by Jacob Albright. Members of the Evangelical and United Brethren churches tended to be of German heritage. The church merged with the Methodist Episcopal Church in 1968, creating the modern United Methodist Church.⁴⁴

40. R. W. Albright, *A History of the Evangelical Church* (Harrisburg, Pa.: Evangelical Press, 1942). Written by an insider with an insider's perspective, this account is one with authority.

41. *The Doctrines and Discipline of the Evangelical Church* (Cleveland, Ohio: Evangelical Publishing House, 1923), 71.

42. Carl E. Schneider, “The Origin of the German Evangelical Synod of North America,” *Church History* 4 (December 1935): 268–81.

43. Julius H. Horstmann and Herbert H. Wernecke, *Through Four Centuries* (St. Louis, Mo.: Eden, 1938).

44. J. Bruce Behney and Paul H. Eller, *The History of the Evangelical United Brethren Church* (Nashville: Abingdon, 1979).

The Evangelical United Brethren Archives; Smith Library; Shenandoah University; 1460 University Drive; Winchester, VA 22601, is the repository for the denomination's records. Researchers should consult United Methodist regional archives and repositories for records of the predecessor body.

Lutherans

Founded by the former Franciscan monk Martin Luther, Lutheranism took root in the Baltic region of Europe in the 1500s.⁴⁵ It came to America with Germanic and Scandinavian immigrants in the 1800s, although Lutherans had been in New Sweden and New Netherlands in the 1600s.⁴⁶ The first German Lutheran service was held at Germantown, Pennsylvania, in 1694.⁴⁷

Three principal bodies of Lutheranism currently exist in the United States. The *Evangelical Lutheran Church in America* (ELCA) was established in 1987 as the successor by merger of a number of forerunner Lutheran churches, most notably the American Lutheran Church and the Association of Evangelical Lutheran Churches.⁴⁸

The *Lutheran Church-Missouri Synod* (LCMS) and the *Wisconsin Evangelical Lutheran Synod* (WELS) tend toward the traditional end of the spectrum in terms of governance and polity.

Among Lutherans baptism has normally been conferred upon infants. Confirmation registers may echo details of baptisms, and in cases where a family moved from another parish notation is frequently made of the former congregation and its location. Adult baptism or confirmation may precede a marriage, because in many instances conversion into the Lutheran faith was a prerequisite to a church ceremony. Burial in a Lutheran cemetery was often limited only to communicants in good standing. Archives of the three denominations can be reached at the following postal addresses:

- *ELCA*. Archives of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, IL 60631. Nine regional archives exist.
- *LCMS*. Concordia Historical Institute; 804 Seminary Place; Saint Louis, MO 63105.
- *WELS*. Wisconsin Lutheran Seminary Library; 11831 North Seminary Drive; Mequon, WI 53092.

45. W. H. T. Dau, "Luther's Relation to Lutheranism and the American Lutheran Church," *The American Journal of Theology* 21 (October 1917): 512–28.

46. J. L. Neve, *A Brief History of the Lutheran Church in America* (Burlington, Iowa: German Literary Board, 1916), 23.

47. *Ibid.*, 35.

48. *Historical Guide to Lutheran Church Bodies of North America*, 2nd ed., Robert C. Wiederaenders, ed., *Lutheran Historical Conference Publication No. 1* (St. Louis, Mo.: Lutheran Historical Conference, 1998).

Methodists

The Methodist Episcopal Church began in the 1730s at Oxford University as a reform movement within the Anglican Church. In the United States it was established by John Wesley in the 1780s, following the Anglican church's refusal to ordain clergy for America.⁴⁹ Until 1845 the Methodist Episcopal Church was a unified body—African American churches excepted. In that year the Northern and Southern branches of the church split apart over slavery. They became the Methodist Episcopal Church and the Methodist Episcopal Church, South. The bodies remained apart until 1939.⁵⁰

By 1900 the Methodist Episcopal Church was requiring pastors to record “the names of all persons received into the church” and “report at each Quarterly Conference all changes that have occurred in the membership.”⁵¹

Free Methodists created a separate structure in reaction to perceived theological liberalism. Led by Benjamin T. Roberts, the church was established at Pekin, New York, in 1860 and met in its first general conference at Saint Charles, Illinois, in 1862.⁵² It is now based in Indianapolis, Indiana.

Primitive Methodists were those who advocated open-air meetings of the faithful, rather than settled worship in traditional church structures.⁵³ On the manner of making and keeping registers or records, the guidelines were decidedly less emphatic: “All our traveling preachers are recommended to keep a journal of their ministerial labors.”⁵⁴ These journals were occasionally held by the circuit-riders' families. The notebooks and logs of a number of former circuit-riding Methodist pastors are scattered in various historical societies, state libraries, colleges, and church repositories.

Today Methodism has several variants:

- *African Methodist Episcopal Church* was founded in 1787 by Rev. Richard Allen and former members of the Methodist Episcopal Church.⁵⁵

49. Wade Crawford Barclay, *Early American Methodism*, 2 vols., History of Methodist Missions (New York: Board of Missions and Church Extension of the Methodist Church, 1949–50). This is a richly detailed history, drawing on diaries, journals, and individual witness.

50. *Ibid.*

51. *The Doctrines and Disciplines of the Methodist Episcopal Church* (Cincinnati: Jennings and Pye, 1900), 35.

52. “1999 Book of Discipline,” *Free Methodist Church; Home Page* (<http://www.freemethodistchurch.org/Sections/Resources/For%20Pastors-Servants/Book%20of%20Discipline%20Menu%20Page.htm>).

53. *Doctrines and Disciplines of the Primitive Methodist Church of the Western Conference*, (Platteville, Wisc. Terr.: J. L. Marsh, 1844), 6–7.

54. *Ibid.*, 50–51.

55. Matthew Simpson, ed., *Cyclopaedia of Methodism . . . with Biographical Notes and Numerous Illustrations*, 4th revised ed. (Philadelphia: Louis H. Everts, 1881), 14–16.

- *African Methodist Episcopal Zion Church* was founded in 1796 by former members of the Methodist Episcopal Church.⁵⁶ They maintain Livingstone College in Salisbury, N.C.
- *Christian Methodist Episcopal Church*, formerly the Colored Methodist Church, was founded in 1870 by former members of the Methodist Episcopal Church, South.⁵⁷
- *United Methodist Church* was established in 1968 with the merger of the Methodist Episcopal Church and the Evangelical United Brethren. The Methodist Episcopal Church had been reconstituted in 1939, a merger of the Northern and Southern Methodist churches. The Evangelical Church and United Brethren Church had merged in 1946 to create the Evangelical United Brethren.

Pastors typically serve a limited term, currently averaging four years. Ordination is a two-step process, first being ordained as a deacon; the final, permanent ordination is as an elder.

The Book of Discipline is the book of laws of the United Methodist Church. The book is revised periodically, and the edition contemporary to the research is naturally preferred.⁵⁸

The Archives and History Center of the United Methodist Church is located at Drew University; 36 Madison Avenue; Post Office Box 127; Madison, NJ 07940.

Moravians

The spiritual descendants of Jan Hus, burned for heresy in 1415, this community began in Bohemia and Moravia in the mid-1400s. A detailed history has been published.⁵⁹ After a faulty effort at colonizing in Georgia, they established firm roots at Bethlehem, Pennsylvania, in 1741. Moravian communities also were established in Maryland and New Jersey. A substantial community was begun in the area of Winston-Salem, North Carolina.

Moravians tended to follow German migration across the United States, notably to the Midwest and Great Plains.⁶⁰ Infants are baptized. The Moravian

56. David Henry Bradley, *A History of the A.M.E. Zion Church*, 2 vols. (Nashville, Tenn.: Parthenon Press, 1956–1970).

57. This church has posted a detailed history. "Roots of the Christian Methodist Episcopal Church: CME Beginnings (From Tender Plant to Sturdy Tree)," *The Christian Methodist Episcopal Church* (<http://www.c-m-e.org/core/roots.htm>).

58. United Methodist Church, *The Book of Discipline of the United Methodist Church* (Nashville, Tenn.: United Methodist Publishing House, 1992).

59. Edward Langton, *History of the Moravian Church* (London: George Allen and Unwin, Ltd., 1956).

60. Gillian Lindt Gollin, *Moravians in Two Worlds; A Study of Changing Communities* (New York: Columbia University Press, 1967).

choir system, a stratified societal structure based on age, sex, and marital status, has been studied and compared to Israeli *kibbutzim*.⁶¹

The congregations frequently have excellent records of genealogical importance. The North Carolina State Archives has produced transcriptions of congregational records in thirteen volumes, covering the period through 1876.⁶² There are two primary archives of the Moravian church, for the southern and northern provinces: Moravian Archives; 457 South Church Street; Winston-Salem, NC 27101; and Moravian Church Archives; 41 West Locust Street; Bethlehem, PA 18018.

Presbyterians

Appearing first in the North American colonies in Virginia in 1611, Presbyterians arrived in greater numbers with the Scots Covenanters in the 1600s.⁶³ As a movement, it was particularly strong in the mid-Atlantic region, with its seminary and college being located at Princeton, New Jersey, where the first American presbytery was established in 1704.

The Plan of Union, which held for the first half of the nineteenth century, created a cooperative relationship whereby Presbyterians and Congregationalists would not set up competing churches in any new community. After the dissolution of the Plan of Union, the Presbyterian Church broke into Northern and Southern churches as a result of the slavery question. The Presbyterian Church in the U.S. (PCUS)—the “Southern Presbyterians”—stood apart from the Presbyterian Church in the U. S. A. from 1861 until they reunited in 1983.

In Presbyterian churches the Clerk of the Session is charged with preparing and maintaining the church’s registers and records. Normally a Presbyterian church keeps records of baptismal, marriage, and burial services; both infant and believers’ baptism are performed. Registers of lay leaders in the local church, ordained as deacons or elders, should be in the custody of the clerk. In governance matters the pastor serves as moderator of the Session or governing board. Pastors are called by the local church to serve, rather than appointed by a bishop.

A vote in 2006 moved selected archival holdings to Philadelphia and others to Columbia Theological Seminary in Decatur, Georgia. The Presbyterian

61. Gillian Lindt Gollin, “Family Surrogates in Colonial America: The Moravian Experiment,” *Journal of Marriage and the Family* 31 (November 1969): 650–58.

62. For example, see C. Daniel Crews and Lisa D. Bailey, eds., *Records of the Moravians in North Carolina*, vol. 13, 1867–1876 (Raleigh: North Carolina Department of Cultural Resources, 2006).

63. Maurice W. Armstrong, Lefferts A. Loetscher, and Charles S. Anderson, eds., *The Presbyterian Enterprise, Sources of American Presbyterian History* (Philadelphia: Westminster Press, 1956).

Historical Society; Genealogical Inquiries; 425 Lombard Street; Philadelphia, PA 19147, can provide assistance and guidance. A guide to PCUS manuscript collections was published in 1990.⁶⁴

Religious Society of Friends (Quakers)

George Fox is widely regarded as the most influential of the early Friends. The religion's most famous adherent in the colonies was William Penn, the founder and proprietor of Pennsylvania. Quakers were present in colonial Massachusetts in the mid-seventeenth century, where they were subject to fines, hanging, or banishment until the 1689 Act of Toleration.⁶⁵

Quakers were often instructed to keep their children separate from non-Quakers. Members of the Society of Friends who married outside the tradition were effectively shunned.⁶⁶ Simplicity of rite was a hallmark of the tradition, with funeral services kept as simple as possible.⁶⁷ While nonmembers could be buried from a Quaker meetinghouse, religious meetings could not be held on their behalf.⁶⁸ The tradition baptizes its adherents, but it does not celebrate communion.

Friends' records are among the most genealogically detailed of the religious registers of the colonial era. As an example, early Quaker marriage certificates signed by the groom and bride, along with witnesses from both families, offer a record of attendance at a wedding ceremony. The recording clerk of a meeting was "to keep faithful records of all business proceedings" and was charged with keeping accurate records of membership, births, deaths, marriages, and transfers.⁶⁹

An extensive, although incomplete, series of abstracts from many Quaker monthly meetings has been published.⁷⁰ An historical roster of Quaker meetings

64. Robert Benedetto and Betty K. Walker, *Guide to the Manuscript Collections of the Presbyterian Church, U.S.* (Westport: Greenwood, 1990).

65. James Bowden, *The History of the Society of Friends in America*, 2 vols. (1850–54; reprint, New York: Arno, 1972).

66. *Rules of Discipline and Advices of the Yearly Meetings of the Religious Society of Friends . . .* (Philadelphia: Religious Society of Friends, 1894), 81–92.

67. Margaret H. Bacon, *The Quiet Rebels; The Story of the Quakers in America* (New York: Basic Books, 1969), 83.

68. *Rules of Discipline and Advices of the Yearly Meetings of the Religious Society of Friends*, 69–70.

69. *Ibid.*, 110–13.

70. William Wade Hinshaw and Thomas Worth Marshall, *Encyclopædia of American Quaker Genealogy*, 6 vols. (1938–1950; reprint, GenealogyCDs.com, 2003), consists of abstracted records of monthly meetings in North Carolina, South Carolina, Tennessee, New Jersey, Pennsylvania, New York, Ohio, and Michigan. When possible, the originals should be examined, as transcribers of varying competencies were used in this project. See "Recent Books and Reprints," *The American Genealogist* 49 (October 1973): 252. Also, *Encyclopedia of American Quaker Genealogy, Vol. 7, Abstracts of the Records of the Society of Friends in Indiana, Parts 1 through 6*, Willard Heiss, ed. (Indianapolis: Indiana Historical Society, 1962–1975).

shows the first organized meeting at Flushing, Queens, New York, in 1657, though others are shown with no date of organization.⁷¹ A biographical treatment of many Quaker leaders was published in 1988.⁷²

The Friends Historical Library is headquartered at Swarthmore College; 500 College Avenue; Swarthmore, PA 19081.

Reformed Church in America

Brought to New Netherlands with the Dutch settlers, the community established Collegiate Church in New York, said to be the oldest Protestant church in continuous service in America.⁷³ The church, which began using English for worship in 1764, was a mission of its European counterpart until the close of the American Revolution.

After an influx of Dutch settlers in 1847 to Zeeland and Holland, Michigan, and Pella, Iowa, the tradition endured a split in 1858 that created the Christian Reformed Church.⁷⁴ What was known as the Dutch Reformed Church became the Reformed Church in America (RCA) in 1867.

In the modern era the church provides explicit instructions to its leadership on the preparation of church records, charging the clerk and the church president with the task of keeping accurate records.⁷⁵

The RCA denominational archives are held at New Brunswick Theological Seminary; 21 Seminary Place; New Brunswick, NJ 08901.

Reformed Church in the United States

The continuing embodiment of the German Reformed Church, the Reformed Church in the United States refused to join the merger with the Evangelical Synod of North America in 1934.⁷⁶ Many churches were founded in the Dakotas and more recently in California. They claim the Heidelberg Catechism as their creed.⁷⁷ Typical records available for these congregations include baptisms, confirmations, marriages, and burials.

71. This roster is accessible at Joanne Todd Rabun, "Quaker Monthly Meetings" (<http://www.rootsweb.com/~quakers/quakmtg.htm>; created 1998).

72. *Rules of Discipline and Advices of the Yearly Meetings of the Religious Society of Friends*, 285–380.

73. "About the Collegiate Church," *The Collegiate Reformed Protestant Dutch Church of the City of New York, Organized April, 1628* (<http://www.collegiatechurch.org/collegiate.html>; copyright 1999).

74. James D. Bratt, *Dutch Calvinism in America: A History of a Conservative Subculture* (Grand Rapids, Mich.: Wm. B. Eerdmans, 1984).

75. *Book of Church Order* (New York: Reformed Church Press, 2006), article 3, section 18.

76. Adolf Keller, "Lutheranism and the Reformed Faith on the Continent," *Church History* 3 (September 1934): 173–86. This contemporary account addressed major movements and goals as the synod merger unfolded.

77. See "Who We Are—What We Are—Why We Are," *Reformed Church in the United States* (http://www.rcus.org/main/intro_history.asp; copyright 2005).

Archives of the early German Reformed Church include the Evangelical and Reformed Historical Society; Philip Schaff Library; Lancaster Theological Seminary; 555 West James Street; Lancaster, PA 17603.

The Salvation Army

The Salvation Army began in England when a renegade Methodist, William Booth, concluded that slum residents lacked sufficient pastoral concern within the church. Soon thereafter the group began operations in the United States.⁷⁸

Baptism and communion, considered sacraments in most western Christian churches, are held to be unnecessary. Babies may be dedicated in infancy. Members, called "soldiers," are sworn in, the equivalent of joining the church. Congregations, called "corps," produce few records typical of other churches.

As a commitment to impoverished communities, by the mid-twentieth century dozens of maternity homes had been opened. These homes, sometimes called Booth Memorial Hospitals, were shelters for pregnant, unmarried women. Records are accessible to birth mothers and children who were adopted out. The Army did not act as an adoption agency, but offers confidential assistance in reconnecting interested parties under its four regions' policies.⁷⁹

Seventh-day Adventists

Established in Washington, New Hampshire, in 1844, the Seventh-day Adventists were known informally as Millerites, as followers of a Baptist preacher, William Miller, who had predicted the imminent "advent" of the Second Coming in that year.⁸⁰ In 1863 the group consciously formed a denomination, known for marking the Sabbath on Saturday. In addition, they practice believers' baptism by immersion and do not report infants or children in their membership.

Congregational and regional records can be found among the archival collections at Del E. Webb Memorial Library; Loma Linda University; Loma Linda, CA 92350; Center for Adventist Studies; James White Library; Andrews University, Berrien Springs, MI 49104; and Archives and Special Collections; Oakwood College; 7000 Adventist Boulevard; Huntsville, AL 35896.

Shakers

Formally the United Society of Believers in Christ's Second Coming, this group of celibate communalists is perhaps best known for sturdy, functional,

78. Mead, Hill and Atwood, *Handbook of Denominations in the United States*, 229–31.

79. For additional information on this service, see "Hospital and maternity home records ministry; Booth Records," *The Salvation Army; USA Western Territory* (http://www1.salvationarmy.org/usw/www_usw.nsf/vwsublinks/88256D3D006526AD88256BD0007B4A98?openDocument). By the 1970s these homes had all been closed.

80. Jonathan Butler, "From Millerism to Seventh-day Adventism: Boundlessness to Consolidation," *Church History* 55 (March 1986): 50–64.

utilitarian wooden furniture.⁸¹ Their name derives from the rapturous movement and dance associated with their worship services.

Led by Ann Lee, an English immigrant to New York, the tradition required sexual separation and advocated gender equality.⁸² Austere burial practices gave each deceased believer a gravestone of equal size in a cemetery where men and women were not segregated and even nonbelievers could be buried.⁸³ Most communities were located in New England and New York. Attempts to establish colonies in Indiana, Kentucky, Georgia, and Florida were unsuccessful.⁸⁴

The Shaker archives are housed in the original 1880 Shaker schoolhouse on the grounds of Sabbathday Lake Shaker Village: Shaker Library; 707 Shaker Road; New Gloucester, ME 04260. A catalog of other Shaker collections was updated in 1986.⁸⁵ A significant collection is held at the Shaker Museum and Library, Shaker Museum Road, Old Chatham, NY 12136.

Unitarians and Universalists

In response to the strict Calvinist mindset of eternal damnation espoused in Congregationalist churches in the late eighteenth and early nineteenth centuries, a number of objectors in New England began to drift toward Universalist and Unitarian congregations. Under the spiritual leadership of William Ellery Channing, the Unitarians split from the Congregationalists. Some of the oldest congregations in Massachusetts were torn by internal strife over the doctrine of the Trinity, and many congregations ultimately chose the Unitarian path. The American Unitarian Association was established at Boston in 1825.⁸⁶

Universalists, who espoused universal salvation, emerged in Britain in 1759 under James Rely. By 1793, a declaration of faith and plan of government was agreed to by local bodies of Universalists in Pennsylvania and New England.⁸⁷

In 1961 these two traditions merged to create the Unitarian Universalist Association. It prides itself on its affirmation of the rights of those marginalized by society and is noted for liberal political stances. The UUA includes "theist and atheist, agnostic and humanist, pagan, Christian, Jew, and Buddhist"

81. Stephen J. Stein, *The Shaker Experience in America: A History of the United Society of Believers* (New Haven, Conn.: Yale University Press, 1992).

82. F. W. Evans, *Shakers: Compendium of the Origins, History, Principles . . .* (1859, repr., New York: Burt Franklin, 1972), 42–55.

83. Scott T. Swank, *Shaker Life, Art, and Architecture: Hands to Work, Hearts to God* (New York: Abbeville Press, 1999), 89.

84. Flo Morse, *The Story of the Shakers* (Woodstock, Vt.: Countryman Press, 1986), xiii, 93–96.

85. *Ibid.*

86. David Robinson, *The Unitarians and the Universalists* (Westport, Conn.: Greenwood Press, 1985). This history is augmented by biographies of more than one hundred early church leaders, including Channing.

87. Mead, Hill, and Atwood, *Handbook of Denominations in the United States*, 369–70.

believers.⁸⁸ Congregational polity prevails, with ministers serving at the pleasure of the local congregation.

Harvard Divinity School's Andover-Harvard Theological Library; 45 Francis Avenue; Cambridge, MA 02138, hosts the Unitarian Universalist archives.

United Brethren in Christ

The United Brethren Church was founded by Philip Otterbein, formerly a German Reformed pastor. Influential in the tradition was former Mennonite Martin Boehm.⁸⁹

Among German-heritage churches, the United Brethren were unique in the early ordination of women to the ministry. They merged with the Evangelical Church (formerly Evangelical Association) in 1946; the combined community was then called the Evangelical United Brethren. In 1968 that body merged with the Methodist Episcopal Church to create the United Methodist Church in the USA. Records can be found in United Methodist archives.

United Church of Christ

The United Church of Christ (UCC) is the successor-by-merger in 1957 of the Congregational Christian Churches and the Evangelical and Reformed Church.⁹⁰ Pastors in the tradition are called by authority of a local congregation. Records are typically held by the congregation. Annual yearbooks for each tradition give the location and membership statistics of the churches.

Churches that were a part of the forerunner traditions—Congregationalist, Evangelical Synod, and [German] Reformed—may now be in the UCC. Records of UCC congregations may be found locally or at the Congregational Library in Boston, the Philip Schaff Library of Lancaster Theological Seminary, or the Archives of Eden Theological Seminary, all mentioned above.

CONCLUSION

America's separation of church and state has fostered many Protestant movements.⁹¹ Understanding the evolution of Protestant church law enables researchers to effectively use many uniquely American church records.

Careful researchers must understand numerous changes in both church names and tenets. Local variations can be significant. Each denomination produces records for the knowledgeable genealogist to find.

88. Mark W. Harris, "Unitarian Universalist Origins: Our Historic Faith" *Archive.uua.org, Programs and Services* (<http://archive.uua.org/info/origins.html>).

89. Daniel Berger, *History of the Church of the United Brethren in Christ* (Dayton, Ohio: United Brethren Publishing House, 1897).

90. Douglas Horton, *The United Church of Christ; Its Origins, Organization, and Role in the World Today* (New York: Thomas Nelson and Sons, 1962).

91. Melton, *A Directory of Religious Bodies in the United States*.

Reviews

ETHNIC GUIDE

Generations of Captivity: A History of African-American Slaves. By Ira Berlin. Published by The Belknap Press of Harvard University Press; 79 Garden Street; Cambridge, MA 02138; 2003. ISBN 0-674-01061-2. 374 pp. Illustrations, index, maps, tables. Paperback. \$16.95.

The history of slavery in the United States can be divided into five parts, writes esteemed historian Ira Berlin. He labels them “generations,” namely charter generations, plantation generations, revolutionary generations, migration generations, and freedom generations. Berlin emphasizes changes in the slaves themselves and in the institution of slavery from one generation to the next. He devotes a chapter to each of the first four generations and discusses the last in his epilogue. Each chapter “begins with the region that best exemplifies the generational experience” (p. 7)—the North, the Chesapeake, Low Country South Carolina, the Lower Mississippi Valley, Florida, and the Southern interior.

“Charter Generations” deals with the beginnings of slavery in New Netherland, the Chesapeake, the Lower Mississippi Valley, and Florida, where Spain offered freedom to fugitives who professed the Catholic faith. Slaves were imported to the United States from Africa about the same time that Europeans settled in the colonies. “Plantation Generations” treats the slaves who worked in tobacco and rice production. Berlin states that “members of the plantation generations worked harder, died earlier, and escaped slavery less frequently than their predecessors” (p. 6). Slavery in Low Country

South Carolina, the Chesapeake, and the Northern colonies became associated with agricultural production in the eighteenth century. However, the opposite was true in the Lower Mississippi Valley. The revolutionary ideology ushered in changes in black life as Northern states gradually manumitted slaves and some Southerners emancipated theirs. In the North freed slaves took new names and had new residences. Berlin also discusses the growth of the free black population and the plight of slaves in Low Country South Carolina, Georgia, East Florida, and the Lower Mississippi Valley and how black life changed from the previous generation. In “Migration Generations” the movement of slaves from the seaboard South to the inland and Deep South, referred to as the “Second Middle Passage,” “was the central event in the lives of African-American people between the American Revolution and slavery’s final demise in December 1865” (p. 161). With the removal of Indians the path was clear for slavery to expand and for cotton production, with its need for a labor force, to grow. The journey slaves took from the upper South to the lower South and their ensuing work clearing lands for cotton, rice, and sugar was difficult. Some planters allowed slaves to maintain their own gardens. Family and church life were important institutions in the black community. “Freedom Generations” traces the Civil War role of African Americans and their adapting to freedom afterward.

This work “reprises and extends” (p. 15) Berlin’s previous book on slavery, *Many Thousands Gone: The First Two Centuries of Slavery in North America*. Readers who want to learn more about this subject should

consult that work or Berlin's referenced secondary sources in *Generations*. Nearly eighty pages of notes enhance the volume, and several useful tables provide slave and free black population numbers in the United States. This is an excellent survey of the history of slavery for family historians, especially those who specialize in African American research.

Christopher A. Nordmann, Ph.D., CG
St. Louis, Missouri

FAMILY HISTORY

Southside Virginia Genealogies. CD-ROM. By John W. Pritchett. Published by Genealogical Publishing Company; 3600 Clipper Mill Road, Suite 260; Baltimore, MD 21211-1953; 2007; <http://www.genealogical.com>. ISBN 978-0-8063-9880-8. 4,045 pp. Appendixes, charts, index. \$39.99.

Southside Virginia covers the area south of the James River, east of the Blue Ridge Mountains, and north of the North Carolina border. This compilation of the author's family history uses the Ahnentafel numbering system. He lists each male ancestor, referred to as a "patriarch," with his parents, spouse, identified children, and their spouses. The listings often include additional generational information, providing extensive coverage of collateral lines. Many lines descend from ancestors in Virginia counties north of the Southside section.

The author includes biographical information culled from military records, tax lists, deeds, probates, censuses, reminiscences, and local histories. "Patriarch" biographies include sections "in his own words," narratives of how individuals might have described their lives. This concept makes some of the biographies awkward and blurs the line between history and fiction. For instance, Thomas Carr who died about 1755 indicates "I may have been the son of John Carr and Catherine of Hanover County" (p. 1,010).

The compilation also includes an "Allied Family" section providing information on

families closely connected to the author's ancestors, broadening the book's scope well beyond the typical family history. The CD contains four appendixes claiming to identify about 45 percent of the tithable residents named in lists of colonial Amelia, Chesterfield, and Henrico counties.

The author uses endnotes after each ancestor's listing, requiring readers seeking documentation to scroll down two or three pages to each section's end. Some sections are extensively documented, while endnotes in others are sparse.

Readers must use Adobe Acrobat's search-feature toolbar to search the CD-ROM; however, as indicated in the explanatory notes, this feature is slow. Fortunately, a full-name index allows searches via page and individual under "Ancestral Family Topic," which may confuse first-time users. The CD is easy to navigate with little practice. Females are indexed under both maiden and married names.

Despite its limitations, the CD-ROM contains an extensive study of Southside Virginia. Genealogists with roots from this region will find this work valuable, regardless of any connection to the author's ancestors.

Victor S. Dunn, CG
Ashburn, Virginia

MISCELLANEOUS

The Civil War Period Journals of Paulena Stevens Janney, 1859–1866. Edited and annotated by Christie Hill Russell. Published for the author by Gateway Press; order from the author; 8 Waters Edge Drive; Paris, IL 61944. 2007. ISBN 0-9792886-090000. xxxv, 446 pp. Illustrations, index, maps. \$35.00.

The diaries of a melancholy young Quaker woman reveal the limited impact of Civil War experiences upon a rural Ohio family. Regrettably, her three volumes have significant gaps between and within them.

Two great-granddaughters of Paulena Stevens Janney transcribed the journals to preserve them for the family. The editor

provides family history and historical context in an introduction, prologue, and annotations. Illustrations are a pedigree chart for the diarist, maps of the area in Clinton County, Ohio, where she lived, family photographs, and companions to the text. A directory of individuals in the journals, including nicknames, is helpful.

At age eighteen, Paulena began writing ten days after her marriage. She and husband, Will, lived on her parents' farm while he built a house in town in his spare time. Brief early entries introduce the people and places of her life. Most important are family, school friends, both local and from the Friends' Boarding School in Richmond, Indiana, and the Newberry Friends Meeting. Death is a recurring topic.

The second volume begins in 1862 with greater detail and insight into Paulena's feelings. Opposed to war in general, she supported Union principles. Her father was too old and her brother too young for military service, but she feared her husband would be drafted. Though a Quaker, Will refused to claim conscience, thinking it unmanly. Many of their friends volunteered, and Paulena worried for them, recording deaths and injuries, but her husband was never drafted. He was one of many civilians who went to the aid of Cincinnati when attack threatened in September 1862.

A major impact of the war was economic. With no local building jobs, Will had to seek work elsewhere. The couple sold their horse and buggy and ended household help.

Following the journals is information about the remainder of their lives. A section on notable kin begins with Nantucket ancestors followed by biographies of notables past and present. Family members may enjoy these tidbits, but they do not tell how the people are connected and add little to the journals. Annotations to the text are helpful, but many are direct quotations from Web sites with extraneous information. Citations often consist solely of URLs.

Paulena Stevens Janney's experience of the Civil War differs vastly from that of famous Confederate diarists Sarah Morgan

and Mary Chestnut and makes an interesting comparison. Each shared common experiences, however, such as unexplained illnesses, helplessness in the face of war, and the divisions of social strata.

Jean M. Hoffman, CG
Cleveland Heights, Ohio

Oral History for the Family Historian: A Basic Guide. By Linda Barnickel. Published by Oral History Association; Post Office Box 1773; Carlisle, PA 17013-2396; 2006. vi, 70 pp. Appendixes, glossary, index. Paperback. \$15.00.

This slim volume, one in a series of pamphlets, is geared toward family historians with no experience conducting oral history interviews. The author aims to provide beginning interviewers with basic information and help them avoid common mistakes. Topics include choosing recording equipment, planning interview questions, using release forms, conducting interviews, following established standards, completing the process with copies, an index, or transcription, and preserving oral histories.

The author summarizes information published elsewhere on memoir writing, social science methodology, oral history, and genealogy. She lists, for example, interview topics covering the life stages of childhood, adolescence, and so on. Such lists are available from many sources. Another list of important events by decade, starting with the 1930s, is similar to lists found in memoir-writing volumes. Many books on oral history discuss standards and ethics of interviewing, equipment, and group-project planning. Barnickel's pamphlet conveniently compiles in a compact volume that basic information relevant to family history interviewing.

Space limitations allow only brief discussions of technical issues like using digital media. The author does, however, provide references to help readers stay current with evolving technology. Discussion of transfer from old media, like reel-to-reel tapes or cassettes, to current technology, like mp3 files or CD-ROMs, would have been helpful. Today's family historian may find material in old formats or wish to use cassette recorders

for interviewing but would prefer digital formats for sharing information.

The author did not cover three interview realms that would interest family historians: life history (personal opinions, experiences, life stages, and role in larger events), family history (family traditions, health history, and folklore), and genealogical pedigree (names, dates, and places). Family history themes are discussed in the text, but the appendixes list questions more relevant to an individual's life history. Obtaining genealogical facts is mentioned briefly, as in: "Be sure to ask about any memories your narrator may have about older relatives" (p. 17).

Family historians know the importance of getting basic facts—including ancestral names, places, and dates—from older family members. Details may not be accurate, but the interviewer can obtain crucial clues to guide research and compare with written records. The standard oral history interview, with its open-ended questions, may not be the best method for obtaining this factual information. It often requires a follow-up interview, in a short-answer format, when facts for a pedigree chart can be discussed.

Barnickel provides basic information in an easy-to-read concise format. Specific information about planning and conducting the interview, with the interviewee in mind, is particularly useful. The pamphlet is also useful for anyone coordinating oral history projects involving multiple interviewees. Guidelines and standards in checklist form may be used to establish group protocols, train project participants, and ensure a consistent quality of interviews.

Carolyn Ybarra, Ph.D.

Redwood City, California

REFERENCE WORKS

Cram's Unrivaled Atlas of 1888 Indexed of the United States and Canada with the GEDCOM Inspector. CD-ROM. Produced by Geneabase; 2690 Walker Avenue; Carmel, CA 93923; <http://geneabase.com>; 2006. Indexes, maps. \$19.99.

Maps are important tools for genealogists who continually seek better and more accurate reproductions. Among the earliest useful commercial databases was Delorme's *Street Atlas USA*, produced in the early 1990s. Later CD publications and Web sites have offered many maps and atlases reflecting both present-day geographical realities and changes over time. Geneabase's present CD-ROM and booklet may help in locating United States and Canadian places of the late 1800s.

An initial difficulty with the book was determining its correct title. The cover has *Cram's Unrivaled Atlas of 1888 Indexed*, seemingly reproduced from the 1888 title page. The CD label is titled *Cram's 1888 Atlas of the United States and Canada*, whereas the company's Web site names it *Cram's Unrivaled Family Atlas*. . . . A uniform title would avoid confusion. The title in this review's heading reflects the CD's contents.

The publisher claims that a large percentage of place names in the 1888 atlas no longer exist. For example, 78 percent of the 1888 Alabama place names do not appear on today's maps. This may be partly due to name changes or absorption into larger entities.

Installation of the CD is fairly simple. Installing only interface software gives reasonably quick access to maps directly from the CD. Installing the map database speeds response time slightly. The decision to install one feature or both is reversible.

The main page displays five pull-down menus:

1. "Catalog" lists the primary maps by region and page number in the original publication (beginning inexplicably on page 27).
2. "Search" enables searches for places.
3. "Descriptions" gives brief sketches of counties and major cities.
4. "GEDCOM [Inspector]." See below.
5. "Help" provides a printable users manual and the reconfigure-software option.

To test the atlas's usefulness, the reviewer searched for familiar places in California, Pennsylvania, Washington, and Wisconsin.

Some places extant in 1888 do not appear, even though they had larger populations than places that are included. A search for Nescopeck, a fairly booming river town in nineteenth-century Luzerne County, Pennsylvania, produced only a green arrow pointing to its present-day location—the 1888 atlas places the town in mountains some twenty miles from the river. The arrow, which appears in initial small-scale maps, disappears when “Expand Map” is selected, making it almost useless.

The CD’s “GEDCOM Inspector” is a useful feature, although other GEDCOM checkers are available from the Internet as freeware or shareware. It offers three options: family-relations check only; date check only; or combined place, date and family check. When the latter is selected and a GEDCOM file imported, a window opens with a report listing anomalies in the file, including inconsistent dates, place names, and relationships. The report can be read onscreen, printed, or saved as a rich text file. For the “full check” mode the file should be no larger than 100K because the check performs a large number of operations. Checking a 12.4K file took about four or five minutes.

Some researchers may find the 1888 atlas and index useful because it covers the United States and Canada; however, the maps lack accuracy that serious researchers require. Many state and county atlases produced during the latter half of the nineteenth century show far greater detail. Scanned images of many are available on the Internet free of charge or as part of a subscription. Still, this CD may be useful in general settings and the included GEDCOM Inspector makes the price acceptable.

Norman Douglas Nicol, Ph.D.
Harvey’s Lake, Pennsylvania

Evidence Explained: Citing History Sources from Artifacts to Cyberspace. By Elizabeth Shown Mills. Published by Genealogical Publishing Company; 3600 Clipper Mill Road, Suite 260; Baltimore, MD 21211-1953; <http://www.genealogical.com/>; 2007. ISBN 978-0-8063-1781-6. 885 pp.

Appendixes, indexes. Hardcover. \$49.95 (shipping: \$4.00).

If researchers purchase one book this year, it should be *Evidence Explained*. Decades of experience uniquely qualify Mills as its author. This 885-page work expands and updates *Evidence!*, published in 1997, creating the first comprehensive style manual for genealogical writing and publishing.

Mills’s foreword identifies two goals: to provide models for most types of sources, particularly original materials not found in other citation guides; and to discuss the nature of sources for improved interpretation of documentary evidence and appraisal of accuracy. Both are superbly fulfilled.

The first two (of fourteen) chapters treat basic research principles. “Fundamentals of Evidence Analysis” updates earlier discussions of standards in Mills’s *Evidence!* and *Professional Genealogy* and in the Board for Certification of Genealogists’ *Standards Manual*. Mills regards textual analysis as a cornerstone of historical research. She exhorts researchers to continually compare new data against old and “appraise the credibility of *each* detail in *each* document.” Hypothesis, theory, and proof are differentiated, and Mills distinguishes levels of certainty for conclusion statements. She advocates the “clear and convincing evidence” standard for historical writing, and she lays out a “process map” for evaluating sources, information, evidence, and proof. Sections about troublesome concepts, record formats, and textual criticism complete this valuable chapter.

Chapter two, “Fundamentals of Citation,” echoes and builds upon the humanities format of *The Chicago Manual of Style* (CMS), which Mills finds most suited for historical research. The chapter lays the foundation for subsequent detailed treatment of citations, which Mills contends is not science but art that must adapt to unique research needs. She adds guidelines to those in CMS and modifies others to address analytical requirements of historical research. “Common Practices for Citing” discusses derivatives and imaged sources,

National Archives materials, personal names, titles, foreign language titles, and more. Most important, it differentiates published from unpublished material. Citation models appear in later chapters.

The chapter addresses other genealogical issues like guidelines for citing Family History Library materials. One section, "Online Materials," discusses citing URLs, digitized databases, images, and articles, and more. Mills also addresses formatting reference notes that depart from CMS. For example, CMS discourages placing reference note markers within sentences; Mills encourages the practice to ensure documenting each detail—especially if sentences contain personal opinion or information from multiple sources. She cautions against superscript reference numbers after given names, to avoid confusion with a person's generation number. A final section deals with "Stylistic Matters"—rules for abbreviation, capitalization, hyphens, dashes, dates, italics, and so on. Often, Mills mirrors CMS, as in now allowing postal codes as state abbreviations. Other items reflect genealogical practice, like indicating married women's maiden names in parentheses.

The heart of the book, its remaining twelve chapters, presents more than one thousand citation models—for business, cemetery, census, church, court, land, probate, and other record types, covering local, state, and federal records and various publication types. Most valuable are models for contemporary sources (Web sites, digital books and journals, DVDs, CDs, audio files, podcasts, e-zines, and others) and genealogical sources not covered elsewhere (artifacts, family group sheets, FHL preservation film, lineage society applications, genetic testing reports, grave markers, blogs, online forums, and such). Something may be missing, but it's hard to imagine what. Beginning each chapter are grey pages with handy "QuickCheck Models" illustrating source list entries, first (full) reference notes, and subsequent (short) notes for various source types.

Before even delving into the book's dense content, readers will be impressed

by its attractive packaging and excellent organizational scheme. Numbered paragraphs discussing each subject and an appended glossary are bonuses.

Forced to find flaws, some might grumble about length (885 pages) and weight (2.5 pounds). A lightweight PDF version can be purchased from Footnote.com. In addition to portability on laptops and other devices, the electronic version offers fully searchable text and the ability to post comments to specific pages—all attractive selling points. Many will still prefer to underline, highlight, scribble marginal notations, and otherwise enjoy the comforts of hard copy. Considering each format's advantages, users may opt for both.

Despite the book's heft, serious researchers will heartily welcome this comprehensive work. In standardizing a family history style, Mills has advanced the discipline. She has given genealogical researchers, writers, editors, and publishers invaluable new tools to bring quality and consistency to their work and distinction to the field.

Claire Mire Bettag, CG, CGL
Washington, D.C.

Great Stories of World War II: An Annotated Bibliography of Eyewitness War-Related Books Written and Published Between 1940 and 1946. By Arthur Coleman and Hildy Neel. Consulting Editor Martin Gordon. Published by Scarecrow Press; 4501 Forbes Boulevard, Suite 200; Lanham, MD 20706; <http://www.scarecrowpress.com>; 2007. ISBN 0-8108-5049-4. viii, 133 pp. Paperback. \$35.00 (shipping: \$5.00).

Genealogy without context is dry and unpalatable. Personal narratives are excellent sources of context, and eyewitness accounts—undimmed by time—are likely to be accurate and detailed. A bibliography provides an easy way to find them. This one deals with books written during and immediately after World War II. The first was published not long after Pearl Harbor, but the government suppressed publication of others during the war. War correspondents, service men and women, civilians on the

home front, and defense workers wrote the accounts. Popular in their time, these narratives provide more information than dry military dispatches found in the press. These detailed accounts inform readers of conditions surrounding fighting men far from home during an anxious period of history. Publishers shared readers' interest, and they produced more than five hundred personal narratives before the war's end.

The combination of authors, sources, War Department reports, Associated Press articles, and other news dispatches make an interesting mix. Here are the words of comedian Jerry Colonna, who traveled with Bob Hope, and Robert Casey, the veteran Chicago journalist whose multiple entries range from the so-called phony war to Midway, submarines, and the end of the war in Europe. Ernie Pyle has four entries, including *Last Chapter*, detailing the days before his death on Okinawa. It mentions George Baker and his cartoon sketches of Sad Sack in two volumes. Near the end, Walter White, executive secretary of the NAACP, writes of racial bigotry as an official policy of the United States military.

The bibliography is alphabetical by creator. A typical entry consists of name of person, title of narrative, place of publication, year of publication, and number of pages. Notes provide insight into each narrative's context. Entries conclude with a list of reviews from *Book World*, *New Republic*, *New York Times*, *Saturday Review of Literature*, *Weekly Book Review*, or *Yale Review*.

An index of occupations, arms of service, theaters of operations, subjects, and topics would have been a useful addition.

Craig R. Scott, CG
Westminster, Maryland

Your Genealogy Affects Your Health: Know Your Family Tree. By F. Clarke Fraser. Published by iUniverse, Inc.; 2021 Pine Lake Road, Suite 100; Lincoln, NE 65812; 2006; <http://www.iuniverse.com>. ISBN 978-0-589-39686. xii, 99 pp. Bibliography, glossary, index. Softbound. \$12.95.

Causes of death and disease are more than mere blanks to be filled in on a family sheet. If someone has a certain disorder, family members want to know if they are at risk for the same disorder, how to diagnose it, and what can be done to prevent or treat it. Dr. Fraser opens with a short, clear chapter presenting genetic information needed to understand the rest of the book. "Family Resemblances" discusses common normal traits and the genetics behind conditions that do not influence health, like perfect pitch, baldness, blood group, hair color, and handedness. "Genetics of Physical Disorders" deals with common physical disorders, including Alzheimer's, bulimia, cancer, clubfoot, heart disease, and psoriasis. "Genetics of Behavior" discusses genetics of behavioral characteristics, including alcoholism, personality, and psychoses.

Geneticists and genealogists chart family relationships differently. Dr. Fraser describes how to draw a family tree in genetics style to track causes of death and life-altering familial diseases. Only grandparents and first cousins need to be charted because diseases in more distant relatives will not likely affect a family member's risk—unless a disease appears in more than one relative.

Dr. Fraser writes concisely without being terse. This is not a cut-and-paste laundry list of diseases, many so rare that they are almost unheard of. Here, common disease means familiar, as well as familial. After fifty years in medical genetics Dr. Fraser has seen or treated every one of the problems. Having taught thousands of medical and genetics students he explains medical issues easily and with humor. There are no source citations, although the addresses of reliable medical Web sites are included. While these sites discuss diseases, they may not have information on the common normal traits in the "Family Resemblances" section. This sensible book shows readers how to add medical information to family research thereby helping reduce health risks to their families and themselves.

Anita A. Lustenberger, CG
Irvington-on-Hudson, New York

REGIONAL WORKS

An Historical Gazetteer of Butler County, Pennsylvania. By Luanne R. Eisler, Glee C. McKnight, and Janet Smith. Published by the Butler Area Public Library, Butler, Pa. Order from Mechling Bookbindery; 1124 Oneida Valley Road, Ret. 38; Chicora, PA 16025-3820; <http://www.mechlingbooks.com>; 2007. ISBN 978-0-9760563-9-3. 373 pp. Illustrations, index, maps. Hardback. \$45.00.

Anyone exploring family genealogy knows the importance of location. Nowhere is this truer than in Pennsylvania, where county boundaries changed repeatedly.

Described most fittingly as a "geographic dictionary with an historical perspective," the book has two divisions. The first begins with a Butler County history and descriptions of its thirty-one townships. Each two-page summary includes a picture and two maps showing the township and its location within the county.

The second and largest section contains informative sketches of boroughs within the townships and hundreds of geographic markers, businesses, and extinct places. This publication has many maps and illustrations, often in color. Tidbits of local lore make it a pleasure to read.

Well footnoted, the book includes an excellent bibliography and every-name index. Three clear layover maps tucked away in an envelope on the back cover show the progression of Butler County from 1800 to 1850. This publication is highly recommended for researchers interested in Western Pennsylvania history.

Susan Koelble, CG

Southampton, Pennsylvania

A Resource Guide to Georgia Marriage Records. Compiled and published by Georgia Genealogical Society; Post Office Box 550247; Atlanta, GA 30355-2747; <http://www.GaGenSociety.org/>; 2006. ISBN 978-0-9789916-0-9. xiv, 281 pp. index. Hardback. \$40.00.

The Georgia Genealogical Society has provided a comprehensive list of published Georgia marriage records, including microfilm, CD-ROM, books, periodicals, and some Internet sources. Especially helpful are alternate sources for burned counties.

The *Guide's* six-page index lists counties, parishes, newspapers, churches, towns, and record types. The book will be updated as new resources are identified.

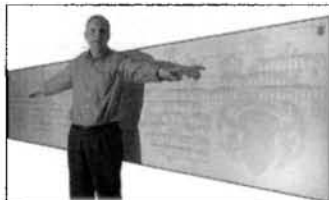
A major portion of the book covers sources of a general or state-wide nature and sources by county. It also includes newspaper sources; colonial Georgia marriages; marriages and divorces among Indians, slaves, and Quakers; divorces; common-law marriages; and contact information for Georgia probate courts. The book quotes and annotates laws relating to marriage in Georgia. Examples of a typical marriage certificate, license, bond, and return appear in the back of the book.

The compilers omitted locations for commonly found resources. An Internet search using Georgia's Galileo catalog at <http://www.galileo.usg.edu> or individual repository catalogs easily locates repositories in which they can be found. Commercial Internet sites with indexes to marriage records for Georgia counties are omitted.

Georgia researchers will appreciate this long-needed research tool.

Barbara Smallwood Stock, CG

Marietta, Georgia



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Marriage Records of the Office of the Commissioner, Washington Headquarters of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1861-1869

Microfilm Publication M1875, 5 Rolls

Field Office Records of the Bureau of Refugees, Freedmen, and Abandoned Lands (Freedmen's Bureau), 1865-1872

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Louisiana, M1905	Tennessee, M1911
Maryland/Delaware, M1906	Texas, M1912
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www.archives.gov/research/african-americans/freedmens-bureau
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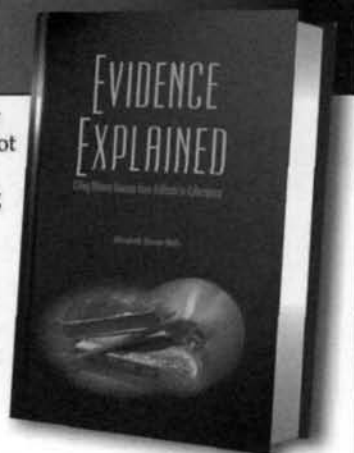
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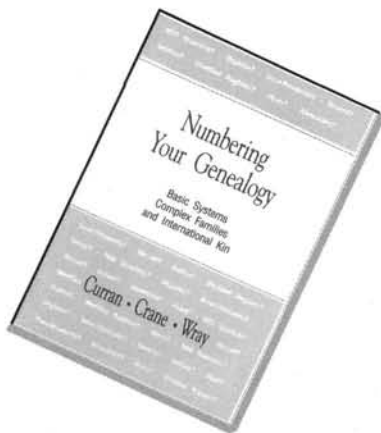
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Two things a parent must give a child. One is ROOTS. The other is WINGS.

National Genealogical Society Quarterly



Volume 95, No. 4, December 2007

The
National Genealogical Society

presents . . .

Faces of America

On the Cover:

HANNAH FRANCES (née DUNN) SWARTZ (1856–1931)
HENRY CARTER SWARTZ (1849–1918)

Economics can explain many significant ancestral actions. Defined as “a social science concerned chiefly with description and analysis of the production, distribution, and consumption of goods and services,” the discipline can put life-defining circumstances in context. Economic forces often motivated, for example, emigration from Europe and elsewhere, immigrants’ choice of destination, and migration across North America. Economics also can influence occupations, community status, roles, relationships, successes, and failures.

Several economies affected family life in the past. Local and national factors were influential. Men and women participated in separate economic systems, especially before the twentieth century. Exploring these micro and macro forces can shed light on how individuals lived.

Hannah Frances “Fannie” Dunn provides an example. She married Henry Carter Swartz on 26 May 1870 in Frederick County, Virginia. Her father, William Dunn, owned a small tract there, probably a subsistence farm. More important, he was a skilled carpenter. Fannie’s groom, in contrast, was an unskilled, landless farm laborer, son of a landless widow. His father, enduring hardship in Reconstruction-era Virginia, had been a day laborer.

In 1879, post-Reconstruction Frederick County remained depressed. Fannie and Henry’s family had expanded to include four children. As she cared for her growing family, Fannie’s ability to contribute to the family income probably decreased, and Henry’s earning power had not improved. In late 1879 or early 1880 they moved to Hagerstown, Maryland. Henry worked, first as laborer and later as “wood machinist,” for the Hagerstown Spoke and Bending Works, which manufactured wheels for wagons and eventually for automobiles. The Swartzes’ move was part of a nationwide migration from country to city—from agricultural to industrial economy—to improve family resources.

The move undoubtedly helped. By 1900 Fannie had raised thirteen children, five still at home. After Henry’s death Fannie took boarders into her rented home to augment her income. The few family members remaining with her worked in Hagerstown factories. Economics, perhaps more than other social sciences, puts the family into context.

Credits:

The photographer was Flynn Photo Company; 459-939 Pennsylvania Avenue; Washington, D.C. The picture and Swartz family history are in the care of descendant Patti Spong Walker; RR 1 Box 152; McRae, GA 31055-9746; pswalker_53@yahoo.com. The quoted definition is from *Merriam-Webster’s Collegiate Dictionary*, 11th ed. (Springfield, Mass.: Merriam-Webster, 2004), s.v. “economics,” definition 1. For information on Hannah Frances Dunn’s maternal ancestry, see “The Bourn Identity” in the present issue.

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EDITORS' CORNER

Odysseus's Scar

Now Autolycus, visiting the fertile land of Ithaca, found there his daughter's son, a child new-born; and after supper Eurycleia laid the child upon his knees, and speaking thus she said: "Autolycus, choose now a name to give your child's own child. He has been wished for long."

The Odyssey, Homer

Nurse Eurycleia has a bit part in *The Odyssey*, yet she keeps the genealogy of the royal houses of Ithaca and Parnassus. Odysseus is famed as the son of Laertes, but Eurycleia tells of his mother, Anticleia, and maternal grandparents, Autolycus and Amphithea. Mythology places gods in the previous generation, but Eurycleia provides eyewitness evidence of flesh and blood. Twenty years after the Trojan War, as she washes his feet, she recognizes Odysseus from his hunting scar.

Oral traditions and naming patterns deserve attention, respect, and evaluation. Where they predate record keeping, they are invaluable. Where they are concurrent, they can prevent erroneous snap judgments by introducing conflicting evidence. In this issue Teri Tillman demonstrates how traditional Hebrew names on Jewish marriage records identify the bride's and groom's fathers. Victor Dunn shows how pronouncing a name leads to significant spelling variants. Dawne Slater-Putt introduces "look-alike" cousins named Eleanor. Family History Writing Contest winner Ruth Randall presents a tiny child for whom no oral tradition survives and whose single name, Suzanne, holds no ancestral clues.

Most cultures find ways to preserve the memory of past generations through naming customs and oral tradition. Motives behind some genealogical recitations bring accuracy

into question. They can be perfectly correct, totally fraudulent, or a blend of fact and fiction. European bards, seeking to please their patrons, named gods as ancestors in generations before living memory. Legitimizing the rule of conquerors, Chinese storytellers often turned fictive kinships into blood relationships. Ancient Israelites recited "begats" long before they began recording them. The African *griot*, *igiiw*, or *jali* has many names, but most can recite a clan genealogy for generations, telling of clever heroism and giving special attention to the principal heir. Some Native American cultures, forbidding written genealogical records, insist on oral transmission of lineages that *all* their listeners memorize to varying degrees.

Eurycleia's memories are rich with detail, ripe for study and evaluation. They cover people like Odysseus's grandparents, whom she knew, and events like his naming, which she witnessed. Sometimes a discovery will support—if not prove—a legend, as Frank Calvert's unearthing historic Troy gives credibility to Homer's account of Odysseus. In future *NGS Quarterly* issues, readers will see how oral traditions and customs—meeting standards of proof or as exceptions—supplement or refute, mislead or redirect, genealogical research.

—Thomas W. Jones
and Melinde Lutz Sanborn
NGSQ, DECEMBER 2007

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Identifying Benjamin W. Cohen of New York and New Orleans

By Teri D. Tillman, CG

Rabbi Malcolm H. Stern, FASG, built his classic book on Jewish families in America on a foundation of thorough understanding of Hebrew customs, skilled use of records, and correspondence with descendants.¹ Decades later, omitted lines require specialized research to tell the rest of the story.

Until recently, published compiled Jewish genealogies were rare. Genealogists researching Jewish families in original American records face dual challenges: to interpret sources related to Jewish customs, and to decipher records created by those unfamiliar with Hebrew names.

Rabbi Stern's *First American Jewish Families, 600 Genealogies, 1654–1988* addresses Jewish families in the United States and Canada before 1840.² Like any compilation of this scope, many lines remain unexplored, as in the case of Benjamin W. Cohen. Despite containing ten Cohen family trees, this fine reference work by the dean of American Jewish genealogy mentions “Benjamin W. Cohen” only once—as the husband of Sarah Soria in the Soria family tree.³

Direct evidence fails to consistently demonstrate the parentage and nativity of Benjamin W. Cohen. Research to resolve his identity began with a brief chronology from Rabbi Stern's book:

© Teri D. Tillman, CG; 314 North Rankin Street; Natchez, MS 39120; natzrose@bellsouth.net. Ms. Tillman earned a master's degree in German. She is a genealogist specializing in research on Jewish families of French and German ancestry.

1. In 1996 Malcolm H. Stern's widow Louise donated his papers to the American Jewish Archives; 3101 Clifton Avenue; Cincinnati, OH 45220. A folder-level listing of more than twenty archival boxes of research and correspondence, as well as related material, is online. See “An Inventory to the Malcolm H. Stern Papers: Manuscript Collection No. 626,” *American Jewish Archives* (<http://www.americanjewisharchives.org/aja/FindingAids/stern.htm#access>). All Web sites cited in this paper were accessed on 5 November 2007.

2. Malcolm H. Stern, *First American Jewish Families: 600 Genealogies, 1654–1988*, 3rd ed. (Baltimore, Md.: Ottenheimer, 1991), 280. A searchable online version is available. See “First American Jewish Families,” *American Jewish Archives* (<http://www.americanjewisharchives.org/aja/FAJF/intro.html>).

3. Stern, *First American Jewish Families*, vii, 31–39, and 280.

- 1810—Sarah Soria, future wife of Benjamin W. Cohen, is born at New York City.
- 21 May 1840—Benjamin and Sarah marry at New York City.
- 31 March 1841—Hyman Emanuel, son of Benjamin and Sarah, is born at New York City.
- 14 January 1843—Aaron, son of Benjamin and Sarah, is born.
- 31 March 1856—Sarah (née Soria) Cohen dies at New York City.
- 14 December 1863—Hyman Emanuel, son of Benjamin and Sarah, dies at New York City.

This information suggests a continuous Cohen family residency in New York from 1840 to 1863. The records have gaps, however, and initially the family was not found in censuses after 1840.

SYNAGOGUE RECORDS

Benjamin W. Cohen's wife's family attended Shearith Israel, the oldest Sephardic synagogue in New York City.⁴ Benjamin also appears in the synagogue records. See table 1.⁵

If all these records refer to the same individual, they reveal three significant facts:

- Sarah Soria's husband made no records in the congregation in the gap years in Stern's chronology.
- After Sarah's death her husband remarried.
- Sarah's husband was a medical doctor.

Grace Seixas, identified in her Shearith Israel burial record as a native of Rhode Island and the daughter of the late Moses and Jochabed Seixas, died on 22 November 1865 as the wife of Benjamin W. Cohen. The record calls her his wife and notes her age at death: seventy-eight years, ten months, and twenty-one days—giving a calculated birth date of 1 January 1787.⁶

4. D[avid] De Sola Pool, "Florence Nightingale Knight Harris," *American Jewish Historical Society Journal* 32 (1928): 258; digital image, *American Digital Archive of the Jewish Experience [ADAJE]* (<http://proquest.umi.com>). In his obituary of Florence Nightingale (née Knight) Harris, a great-granddaughter of Aaron Soria, Pool wrote: "She was a devout Jewess, adhering to the orthodox traditions of the Spanish and Portuguese Shearith Israel, to which synagogue, too, the Soria branch of her family had belonged in previous generations." Definitions are hotly debated, but generally, Sephardim are Ladino-speaking Jews whose ancestors once lived on the Iberian Peninsula. Many of the earliest Jewish immigrants to the United States were of Sephardic ancestry. A considerable majority of present-day American Jews are Ashkenazic Jews, a Yiddish-speaking population tracing ancestry from eastern France and Central and Eastern Europe.

5. Many of the congregation's earliest records are available on microfilm through interlibrary loan from the Jacob Rader Marcus Center of the American Jewish Archives. With the exception of birth, death, and marriage records, most Shearith Israel records are unindexed.

6. Grace Cohen burial entry, Congregation Shearith Israel, New York, N.Y., Births, Deaths, and Marriages, p. 120; microfilm 1-e, Jacob Rader Marcus Center of the American Jewish Archives.

Table 1
 Congregation Shearith Israel Records

Date	Event	Name	Wife's name
21 May 1840 ^a	Marries Sarah Soria	B. W. Cohen Benjamin W. Cohen Binyamin bar Menachem Ha-Cohen	Sarah bat Aharon
31 March 1841 ^b	Son Menagem Mendel born	B. W. Cohen	Sarah
26 January 1856 ^c	Son Aaron's bar mitzvah	Benjamin Cohen	Sara Soria
[31 March 1856] ^d	Wife Sara dies	Benj _i W Cohen	Sara Soria
1 January 1858 ^e	Leases seat in synagogue	B. W. Cohen	
4 December 1863 ^f	Son Hyman Emanuel dies	Benjamin W. Cohen	Sarah Soria
8 January 1865 ^g	Signs membership register	Benjamin W. Cohen	
23 October 1865 ^h	Present at annual meeting	B. M. [sic] Cohen M.D.	
22 November 1865 ⁱ	Wife Grace dies	Benjamin W. Cohen	Grace Seixas
17 June 1867 ^j	Votes in an election	B. W. Cohen	
28 October 1867 ^k	Present at annual meeting	B. W. Cohen	
10 January 1870 ^l	Votes in an election	B. W. Cohen	
20 June 1870 ^m	Votes in an election	Dr. B. W. Cohen	
24 October 1870 ⁿ	Present at annual meeting	B. W. Cohen	

a. Cohen-Soria marriage, Congregation Shearith Israel, New York, N.Y., Births, Deaths, and Marriages, pp. 53–54 (5600 / 1840); microfilm 1–e, Jacob Rader Marcus Center of the American Jewish Archives, Cincinnati, Ohio. The *ketubah* (marriage contract) appears on p. 54.

b. *Ibid.*, p. 104, Menagem Mendel Cohen birth entry. "Menagem" is the Sephardic spelling of the given name "Menachem."

c. *Ibid.*, p. 352, Aaron B. Cohen bar mitzvah entry.

d. *Ibid.*, p. 426, month of Adar, burial entry for "Sara_i wife of Benj_i W Cohen."

e. Congregation Shearith Israel, Minutes of the Trustees, 7 February 1858; microfilm 1–b, American Jewish Archives. Although Benjamin's lease was recorded on 7 February, the minutes note the lease was for six months beginning 1 January.

f. Hyman Emanuel Cohen death entry, Congregation Shearith Israel, Births, Deaths, and Marriages, p. 85.

g. Congregation Shearith Israel, Minutes of the Electors, 8 January 1865; microfilm 1–d, American Jewish Archives.

h. *Ibid.*, p. 37. The register of members' original signatures immediately follows the pages containing the by-laws of Shearith Israel.

i. Grace Seixas Cohen burial entry, Congregation Shearith Israel, Births, Deaths, and Marriages, p. 120.

j. Congregation Shearith Israel, Minutes of the Electors, 17 June 1867.

k. *Ibid.*, 28 October 1867.

l. *Ibid.*, 10 January 1870.

m. *Ibid.*, 20 June 1870.

n. *Ibid.*, 24 October 1870.

Stern's Seixas family tree reports 31 December 1786 as Grace's birth date and 1858 as the year she married "Dr. Benjamin M. [sic] Cohen."⁷

Stern lists only one marriage for Grace, a fact supported by a Seixas family history: Grace "married, for the first time, at the age of 72, to Dr. Benjamin I. [sic] Cohen."⁸ Another Seixas family history notes that Grace was the "2^d wife of B. M. [sic] Cohen."⁹ Although Grace's husband's middle initial varies, her parents' names remain the same, and the two birth dates given for her differ by only one day. Sources for all published accounts indicate Grace, daughter of Moses and Jochebed (née Levy) Seixas married only once, and her husband was Dr. Benjamin W. Cohen, widower of Sarah Soria.

ELIMINATING POSSIBILITIES

Genealogists must not assume that records containing the same name refer to the same person. Benjamin is one of the most common given names among Jewish males,¹⁰ and the surname Cohen (in its various forms) is common among Jews of European descent.¹¹ Did the records created 1865–70 refer to a different Benjamin W. Cohen who joined the congregation after the death or departure of the first Benjamin W. Cohen seen in the 1840s and 1850s?

Original signatures in Shearith Israel records offer a way to determine whether one or more Benjamin W. Cohens belonged to the congregation, 1840–70. When Benjamin married Sarah Soria in 1840, his *ketubah* (traditional Jewish marriage contract usually written in Aramaic), signed by both Benjamin and the witnesses to his marriage, was entered into the records. See figure 1.¹²

7. Stern, *First American Jewish Families*, 263.

8. N. Taylor Phillips, "The Levy and Seixas Families of Newport and New York," *Publications of the American Jewish Historical Society* [PAJHS] 4 (1896): 202–204; American Jewish Historical Society, *ADAJE* (<http://www.ajhs.org/reference/adaje.cfm>).

9. "Items Relating to the Seixas Family," *PAJHS* 27 (1920): 170.

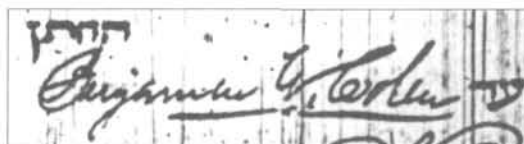
10. Joshua L. Segal, *A Field Guide to Visiting a Jewish Cemetery* (Nashua, N.H.: Jewish Cemetery Publishing, 2005), viii and 39. Segal notes that Benjamin is one of the twenty-five most common men's names found in his survey of more than fifty thousand monuments in about one hundred Jewish cemeteries, mostly located in New England.

11. Executive Committee of the Editorial Board and Joseph Jacobs, "Cohen," *JewishEncyclopedia.com* (<http://www.jewishencyclopedia.com/view.jsp?artid=577&letter=C&search=surnames>). Jacobs writes that about three percent of the English Jewish population bears the surname Cohen or one of its spelling variants. The twelve-volume *Jewish Encyclopedia* was originally published 1901–6.

12. Cohen-Soria *ketubah*, Congregation Shearith Israel, Births, Deaths, and Marriages, p. 54 (5600 / 1840). A brief analysis of the signatures illustrated in this article appears in the appendix.

Figure 1

Cohen-Soria ketubah signature of Benjamin Cohen

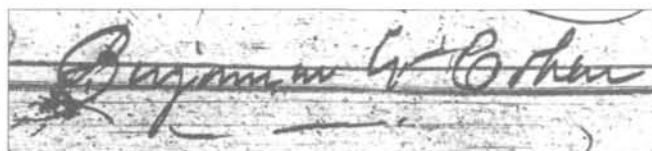

 A black and white photograph of a handwritten signature in cursive script. The signature reads "Benjamin W. Cohen" and is written on a document with vertical lines, likely a ketubah. The ink is dark and the handwriting is fluid.

Congregation Shearith Israel, New York, N.Y., Births, Deaths, and Marriages, Cohen-Soria *ketubah* (marriage contract), p. 54 (5600 / 1840); microfilm 1-e, Jacob Rader Marcus Center of the American Jewish Archives, Cincinnati, Ohio. Published with permission.

Twenty-five years later Benjamin W. Cohen signed the Shearith Israel membership register.¹³ This second signature, dated 8 January 1865, closely resembles the one found on the 1840 *ketubah*. See figure 2.

Figure 2

Shearith Israel membership register signature of Benjamin Cohen


 A black and white photograph of a handwritten signature in cursive script, similar to the one in Figure 1. The signature reads "Benjamin W. Cohen" and is written on a document with horizontal lines, likely a membership register. The ink is dark and the handwriting is fluid.

Congregation Shearith Israel, New York, N.Y., Register; microfilm 1-d, Jacob Rader Marcus Center of the American Jewish Archives, Cincinnati, Ohio. Published with permission.

If these two signatures from 1840 and 1865 were made by the same hand—as it appears they were—then records created at Shearith Israel, circa 1840–65, by or about Benjamin W. or B. W. Cohen refer to one individual who married, first, Sarah Soria and, second, Grace Seixas.

13. Congregation Shearith Israel, Membership Register, p. 37; microfilm 1-d, American Jewish Archives. The register of members' original signatures immediately follows pages containing the by-laws of Shearith Israel.

CLOSING THE FIRST GAP, 1842–56

The Cohens appear in federal censuses from 1840 through 1870. In 1840 “B. W. Cohen” resided in Ward 6 New York City with one other adult male and three adult females. Wife Sarah, born in 1810, probably was one of the adult females.¹⁴ Benjamin probably was the male employed in a “learned profession.”¹⁵

The occupational category designation “learned profession” suggests a match with one of two Benjamin Cohens in the 1839–40 New York City directory: Benjamin W. Cohen, a dentist.¹⁶ If Benjamin the dentist was the B. W. Cohen living in Ward 6 New York City in 1840, his occupation might distinguish him from other Benjamin Cohens in later censuses and match him with the M.D. in Shearith Israel records of 1865.

In the 1850 census, a promising entry was found in an unexpected place—New Orleans. B. W. Cohen, a fifty-two-year-old native of New York, headed a household of nine individuals, including five Louisiana-born Cohen children. All given names appeared as initials. B. W. Cohen’s occupation was “Copper.”¹⁷

Could Benjamin W. Cohen, a New York dentist in 1839–40, be B. W. Cohen, a New Orleans copper in 1850? Several nineteenth-century U.S. city directories identify individuals as both dentist and copper—such as R. Gibney of Baltimore, a dentist, copper, and leecher in 1847–48.¹⁸

S. Cohen, the thirty-eight-year-old female in the New Orleans household, was born in New York about 1811–12, one to two years after the birth date for Sarah Soria in *First American Jewish Families*.¹⁹ Two of the five Cohen children—the oldest boy, “H.,” and the third oldest boy, “A.”—match Hyman Emanuel and Aaron, known sons of Benjamin W. and Sarah (née Soria) Cohen.²⁰

The first gap in Benjamin Cohen’s New York records could be explained if the B. W. and S. Cohen family in New Orleans in 1850 was the family of Benjamin W. and Sarah (née Soria) Cohen. See table 2 for records of all individuals named Benjamin W. or B. W. Cohen and any other individuals named Cohen living at his same address in all available New Orleans city directories for 1842–56.

14. Stern, *First American Jewish Families*, 280.

15. B. W. Cohen household, 1840 U.S. census, New York Co., N.Y., New York City, Ward 6, p. 78; National Archives (NA) microfilm M704, roll 301. The census enumerator noted on p. 99 of his enumeration that he completed it on 31 October 1840—five months after the couple married.

16. Catherine Hollister, comp., *Manhattan, New York City, New York Directory: 1839–1840*; database, *Ancestry.com* (<http://www.ancestry.com>) from *Longworth’s American Almanac, New-York Register and City Directory for 1839* (New York: Thomas Longworth, 1839), 168.

17. B. W. Cohen household, 1850 U.S. census, Orleans Parish, La., population schedule, New Orleans, First Municipality Ward 3, p. 92B, dwelling 997, family 1008; NA microfilm M432, roll 235. Two more individuals lived in the Cohen household in 1850: F. Leviconte and M. Ryan.

18. Henry C. Peden Jr., comp., “Medical Professionals in the Baltimore City Directory of 1847–1848,” *Medicine in Maryland, 1752–1920* (<http://mdhistoryonline.net/mdmedicine/data/medical1.pdf>).

19. Stern, *First American Jewish Families*, 280.

20. *Ibid.*

Table 2

Benjamin Cohen Households in New Orleans City Directories

Year	Name	Occupation	Address
1842	Cohen, R. [sic] W.	surgeon dentist	25 Carondelet
1842 ^a	Cohen, Sarah	leecher	25 Carondelet
1843 ^b	Cohen, B. W.	dentist	5 Carondelet
1846 ^c	Cohen, B. W.	dentist	41 Bourbon St.
1849	Cohen, B. W.	publisher of N. O. and Lafyt. directory	86 St. Louis
1849 ^d	Cohen, Sarah	copper &c	86 St. Louis
1850	Cohen, B. W.	publisher of New Orleans and Lafayette Directory	86 St. Louis
1850 ^e	Cohen, Sarah		86 St. Louis
1851	Cohen, B. W.	compiler, New Orleans and Lafayette Directory	86 St. Louis
1851 ^f	Cohen, Sarah Mrs.		86 St. Louis
1852	Cohen, B. W.	compiler, New Orleans and Lafayette Directory	Camp, n. Lafyt.
1852 ^g	Cohen, Sarah Mrs.		Camp, n. Lafyt.
1853	Cohen, B. W.	compiler of "The New Orleans Directory"	Camp, n. fo. dt.
1853 ^h	Cohn [sic], Mrs. Sarah		Camp, ab. Orange
1854	Cohen, B. W.		Camp, c. Commercial place
1854 ⁱ	Cohen, Mrs. Sarah		Camp, ab. Orange
1855	Cohen, B. W.		Felicity, n. Camp
1855 ^j	Cohen, Mrs. Sarah		Felicity, n. Camp
1856 ^k	Cohen, Dr. B. W.	exclusively for treating and curing Paralysis, and nervous disorders	68 Camp

a. *New-Orleans Directory for 1842, Comprising the Names, Residences and Occupations of the . . . Citizens of New-Orleans . . .* Gretna (New Orleans: Pitts & Clarke, 1842), 83, two entries.

b. *New-Orleans Annual and Commercial Directory for 1843, Containing the Names and Residences of All the Inhabitants of the City and Suburbs of New-Orleans* (New Orleans: Justin L. Sollee, 1843), 72.

c. *New Orleans Annual and Commercial Register . . .* (New Orleans: E. A. Michel, 1846), 168.

d. *Cohen's New Orleans and Lafayette Directory . . .* (New Orleans: D. Davies and Son, 1849), 40, two entries.

e. *Cohen's New Orleans and Lafayette Directory . . . 1850* (New Orleans: Daily Delta, 1849), 32.

f. *Cohen's New Orleans and Lafayette Directory . . . 1851* (New Orleans: Daily Delta, 1850), 37, two entries.

g. *Cohen's New Orleans and Lafayette Directory . . . 1852* (New Orleans: Daily Delta, 1851), 41, two entries.

h. *Cohen's New Orleans Directory . . . 1853* (New Orleans: Daily Delta, 1852), 55, two entries.

i. *Cohen's New Orleans Directory . . . 1854; Portraits of the Citizens of New Orleans, with Their Biographies; Also, A Tableau of the Yellow Fever of 1853* (New Orleans: Picayune, 1853), 55, two entries.

j. *Cohen's New Orleans Directory 1854-1855 . . . with a continuation of portraits of citizens of New Orleans* (New Orleans: Picayune, 1854), 55.

k. *Cohen's New Orleans and Southern Directory for 1856* (New Orleans: Daily Delta Print Shop, 1855), 57.

Information in these directories suggest that:

- one individual named B. W. Cohen lived in New Orleans, 1842–56;
- he worked variously as a surgeon, dentist, compiler of a city directory, and physician specializing in paralysis and nervous disorders;
- a woman named Sarah Cohen, identified as a leecher (1842) and a cupper (1849), resided at the same address as B. W. Cohen in 1842, 1849–52, and 1855; and
- she may have been his wife.²¹

Although New Orleans city directories are not available for 1844–45 and 1847–48,²² other records offer evidence that B. W. Cohen lived there during some of those years. “B. W. Cohen” of New Orleans appears in a nineteenth-century Jewish newspaper, *The Occident and American Jewish Advocate*. “Dr. B. W. Cohen” of New Orleans is on its “Third List of Subscribers, 1845”;²³ articles published in 1845 and 1846 identified him as secretary of the New Orleans Hebrew Congregation Shanarai Chassed (Gates of Mercy).²⁴

None of these records reveal Dr. B. W. Cohen’s given name. A document in an unlikely repository, the University of Notre Dame Archives, provides the needed evidence. Benjamin W. Cohen of New Orleans wrote Bishop Blank [sic] of New Orleans on 10 February 1842 to say he had established a vaccine institution in the city and vaccinated over forty children in the Poydras (orphan) Asylum against smallpox. He offers to vaccinate free of charge children in orphanages under the bishop’s jurisdiction.²⁵ The return address on the letter is 5 Carondelet Str[reet]— B. W. Cohen’s address in the 1843 New Orleans city directory.

21. The difference in addresses for B. W. and Sarah in the 1853 and 1854 directories may indicate that a business address is listed for B. W. while a residential address is given for Sarah. No other women named Sarah Cohen appear in the New Orleans city directories during the period specified above.

22. Church of Jesus Christ of Latter-day Saints, *Family History Library Catalog* (<http://www.familysearch.org>), entry for New Orleans (Louisiana) city directories. No New Orleans city directories were published for 1844–45 and 1847–48. Some New Orleans listings for 1844 may be found in *Kimball & James’ business directory for the Mississippi valley, 1844; including . . . Vicksburg, Natchez, New Orleans . . . and a historical and statistical sketch of the principal cities above mentioned* (Cincinnati: Kendall and Barnard, 1844). No Benjamin W. or B. W. Cohen appears in the New Orleans section of Kimball and James’s directory.

23. Jewish-American History Documentation Foundation, *Jewish-American History on the Web: The Occident and American Jewish Advocate*, Philadelphia, Penn., March 1845, vol. 2, no. 12 (<http://www.jewish-history.com/occident/volume2/mar1845/news.html>).

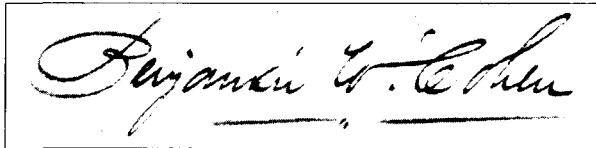
24. *Ibid.*, December 1845, vol. 3, no. 9 (<http://www.jewish-history.com/Occident/volume3/dec1845/elections.html>) and November 1846, vol. 4, no. 8 (<http://www.jewish-history.com/occident/volume4/nov1846/news.html>).

25. “Calendar: 1842,” *University of Notre Dame Archives* (<http://archives1.archives.nd.edu/calendar/cal1842.htm>).

The signature on the letter is nearly identical to the two previously illustrated signatures from records of Congregation Shearith Israel in New York—leaving no doubt its author was the man who married first Sarah Soria and second Grace Seixas. See figure 3.²⁶

Figure 3

1842 signature of Benjamin Cohen



Benjamin W. Cohen (5 Carondelet St., New Orleans, La.) to Bishop Blank [sic] (Ursuline Street Convent, New Orleans, La.), letter, 15 February 1842, University of Notre Dame Archives, Notre Dame, Ind. Published with permission.

Both the signature and the address on the 1842 letter show that Benjamin was the given name of B. W. Cohen, a surgeon, dentist, and physician in New Orleans in 1842–56. Was he also the B. W. Cohen who served as secretary of Congregation Shanarai Chassed in New Orleans? “Benjamin W. Cohen, Sec’y” signed numerous marriage contracts during 1846–47.²⁷ Those signatures match the signature in the 1842 letter in figure 3, confirming that Benjamin was the given name of B. W. Cohen mentioned in newspaper articles.²⁸

Finally, did the medical professional—B. W. Cohen, dentist, surgeon, and physician—also publish a New Orleans city directory? With such common names, could another Benjamin Cohen, also associated with a Sarah Cohen, have lived in New Orleans and published *Cohen’s New Orleans and Lafayette Directory*?

Two notarial records provide the answer. Created on 23 April 1855 by Jacob Soria, Sarah’s brother,²⁹ the first document appoints Benjamin W. Cohen, Esq.,

26. Benjamin W. Cohen (5 Carondelet St., New Orleans, La.) to Bishop [Anthony] Blank [sic] (Ursuline Street Convent, New Orleans, La.), letter, 15 February 1842, papers of Bishop Anthony Blanc, 1835–1860, box V-4-m, Catholic Church, Archdiocese of New Orleans (La.); University of Notre Dame Archives, Notre Dame, Ind.

27. Congregation Shanarai Chassed (Gates of Mercy), New Orleans, marriage records; microfilm 2447, American Jewish Archives. For an example of Benjamin’s signature, see the marriage contract on p. 35 for David Godchaux and Brunette Bloch, dated 31 July 1847.

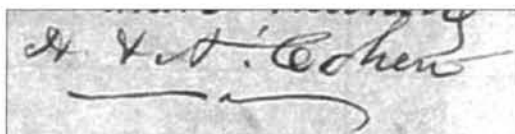
28. *Occident and American Jewish Advocate*, December 1845, vol. 3, no. 9; and *Occident and American Jewish Advocate*, November 1846, vol. 4, no. 8.

29. Soria-Codonot marriage contract, 13 April 1827, New Orleans, La., Hugh K. Gordon, notary, from original contract, 7 February 1827, by Hugh K. Gordon in *Codonot v. Soria*, case no. 19,201, 1st Judicial Dist. Court, Orleans Parish, La.; microfilm 1,065,230, Family History Library (FHL), Salt Lake City. Jacob’s marriage contract identifies him as the son of Aaron and Rachel Soria of New York.

also of New Orleans, as agent of Abraham Micholl of New Orleans for the “purpose of conducting, managing, publishing, and carrying on all that is necessary” to publish the *New Orleans Directory*.³⁰ In the second document Hyman and Aaron Cohen of New Orleans sell their ownership in the *New Orleans Directory* to Abraham Micholl. At the time Hyman and Aaron, known sons of Benjamin W. and Sarah (née Soria) Cohen, would have been approximately fourteen and twelve years old, respectively. The signatures of Hyman and Aaron are written as one: “H & A Cohen.” Their joint signature strongly resembles their father’s, suggesting Benjamin W. Cohen may have signed the notarial record in lieu of his young sons.³¹ See figure 4.

Figure 4

Notarial record signature of Benjamin Cohen



Jacob Soria notarial records, vol. 3, no. 810, sale and transfer, H. & A. Cohen to Abraham Micholl, Notarial Archives Research Center, New Orleans, La. Published with permission.

B. W. Cohen, dentist, surgeon, and physician; B. W. Cohen, city directory compiler; and B. W. Cohen, secretary of Congregation Shanarai Chassed were one man. The documents linking Benjamin W. aka B. W. Cohen to New Orleans suggest a continuous residency from 1842 to 1856. This was the approximate period when Benjamin W. and Sarah (née Soria) Cohen are absent from the records of Congregation Shearith Israel in New York.

Benjamin and Sarah returned to New York about 1855–56,³² arriving no later than 26 January 1856, when their son Aaron became a bar mitzvah.³³ Sarah and the Cohen children may have arrived as early as the fall of 1855: on 8 September 1855 the steamship *Cahawba* arrived in New York from New Orleans,

30. Jacob Soria notarial records, vol. 3, no. 809, New Orleans, La., 23 April 1855, instrument of procuration, Abraham Micholl to Benjamin W. Cohen, Notarial Archives Research Center, New Orleans, La. Abraham Micholl was probably the son of Sarah’s sister, Rebecca (née Soria) Micholl. See Stern, *First American Jewish Families*, 280.

31. Jacob Soria notarial records, vol. 3, no. 810, sale and transfer, H. & A. Cohen to Abraham Micholl, Notarial Archives Research Center.

32. Benjamin’s final entry in a New Orleans city directory is found in *Cohen’s New Orleans and Southern Directory for 1856* (New Orleans: Daily Delta Print Shop, 1855), 57.

33. Aaron B. Cohen bar mitzvah entry, Congregation Shearith Israel, Births, Deaths, and Marriages, p. 352 (5616).

carrying fifty-two passengers, including a “Mrs[_i] S. Cohen[_i] six children[_i] and servant.”³⁴

CLOSING THE SECOND GAP, 1858–63

An unexplained gap still remains for Benjamin W. Cohen and his family in the records of Shearith Israel from 1858 to 1863.³⁵ The Cohens may have lived elsewhere during those years, but entries in several New York City directories suggest Benjamin remained there after Sarah (née Soria) Cohen’s death from consumption in 1856.³⁶

A second search in the 1860 census, this time focused on Benjamin’s second wife, Grace, located the Cohen family. Enumerated as Grace Cole—not Cohen—she was the only Grace in the 1860 federal census of New York City born in Rhode Island.³⁷

Barring the conflicting surname, the composition of the 1860 household is similar to what might be predicted from previously examined records. In several respects the Cole family matches the Cohen family better than the 1850 enumeration in New Orleans. See table 3.

Table 3							
1850 New Orleans census				1860 New York census			
H. Cohen	9 years 10 mos.	male	La.	Henry Cole	21	male	N.Y.
H. Cohen	9 years	male	La.	Aaron T. Cole	19	male	La.
A. Cohen	6 years	male	La.	Abraham S. Cole	18	male	La.
M. Cohen	5 years	male	La.	Mendes Cole	17	male	La.
H. Cohen	4 years	female	La.	Hannah Cole	15	female	La.
				Tilley Cole	9	female	La.

34. “Passengers Arrived,” *New York Daily Times*, 18 September 1855, page 8, col. 6; *ProQuest Historical Newspapers: The New York Times* (<http://proquest.umi.com>).

35. Benjamin did lease a synagogue seat in 1858 but only for six months. See Congregation Shearith Israel Minutes of the Trustees, 7 February 1858; microfilm 1–b, American Jewish Archives. Although Benjamin’s lease was recorded on 7 February, the minutes noted the six-month lease had begun on 1 January.

36. B. W. Cohen appears in *Trow’s New York City Directory for the Year Ending May 1, 1857* (New York: J. F. Trow, 1856), 161, and subsequently. For Sarah (née Soria) Cohen’s death, see Sarah Cohn [sic] entry, *New York City Deaths, Liber 24, A–K 1856*, Dept. of Health, New York, N.Y. Also, Sarah Soria Cohen obituary, *The Weekly Herald*, New York, New York, 5 April 1856, p. 112, col. 4. “On Monday, March 31, of consumption, SARAH SORIA, wife of Dr. Cohen.”

37. M. Panlitsa household, 1860 U.S. census, New York Co., N.Y., pop. sch., New York City, 2nd Dist. Ward 21, pp. 42–43, dwell. 195, fam. 171; NA microfilm M653, roll 819.

Significantly, the five oldest Cohen and Cole children were the same sex. Four Cole children were born in Louisiana during the years the Cohen family resided there (1842–56). The only female child in the 1850 Cohen household was born about 1845–46; the oldest female child in the Cole household was born about 1844–45.

Most of the conflicting entries between the known family and 1850 Cohen and 1860 Cole can be explained by clerical error in 1850. The brief initials used in 1850 are the easily substituted “H” and “A.” The 1860 family repeats the known family’s biblical names of Aaron and Abraham³⁸ and substitutes the English “Henry” for Hyman. The ages of the two younger boys may have been calculated from observation in 1850, but the 1860 ages are a better match for the recorded family.

The rare given name of seventeen-year-old Mendes Cole indicates Sephardic ancestry. Benjamin Cohen’s first wife, Sarah née Soria, was of Sephardic ancestry—and her mother’s maiden surname name was Mendes.³⁹

Benjamin and Sarah’s oldest child, Hyman Emanuel, was born 23 March 1841 at New York.⁴⁰ He could easily have been the H. Cohen, born in New York about 1840, who was enumerated in New Orleans in 1850.⁴¹ But could he also have been Henry Cole, born in New York about 1839 enumerated in New York in 1860? The age difference between the two was less troubling than the difference in names.

Hyman Cohen became Henry E. Cohen, an easily understood Anglicization.⁴² The Shearith Israel burial register noted the Civil War service of Benjamin

38. Stern, *First American Jewish Families*, 280.

39. Soria-Mendes Campos marriage, 10 June 1788; registre des mariages de la nation portugaise de Bordeaux [marriage register of the Portuguese nation of Bordeaux], Synagogue (portugais) de Bordeaux (Gironde), 24 décembre 1775–17 décembre 1792, acte no. 123, Archives municipales, Bordeaux, Gironde, France; FHL microfilm 1,692,582, item 3. Although Malcolm Stern indicates “Mendez Hega” as Rachel’s maiden name, her marriage record clearly says it is “Mendes Campos.” See Stern, *First American Jewish Families*, 280.

40. Stern, *First American Jewish Families*, 280.

41. B. W. Cohen household, 1850 U.S. census, Orleans Parish, La., pop. sch., New Orleans, First Municipality Ward 3, p. 92B, dwell. 997, fam. 1008. The enumeration date was 7 August 1850.

42. Henry E. Cohen, compiled military record, company H, 5th regiment, Compiled Service Records of Volunteer Soldiers Who Served from the State of New York, Records of the Adjutant General’s Office; Record Group 94; National Archives, Washington, D.C. The 5th Infantry Regiment Company H was recruited primarily in New York City, Brooklyn, Flushing, Greenpoint, Tarrytown, and West Point. See New York State Division of Military and Naval Affairs, “5th Infantry Regiment, Civil War,” *New York State Military Museum and Veterans Research Center* (<http://www.rootsweb.com/~nyrichmo/military/5nyinf.html>). The original source for information on the 5th Infantry is Frederick Phisterer, *New York in the War of the Rebellion*, 3rd ed. (Albany: J. B. Lyon, 1912).

W. Cohen's oldest son, Hyman Emanuel,⁴³ and his compiled military record confirms it.⁴⁴ No Hyman Cohen served in the Union Army, but a Henry E. Cohen, Sergeant in Company H, 5th New York Infantry—a New York City regiment—did. His military record does not identify him as the son of Benjamin and Sarah Cohen, but his service, during which he was wounded twice, ends by Hyman Emanuel's burial date.⁴⁵

A Soundex search for a Benjamin and Grace Cole family in the 1850 and 1870 federal censuses was negative. Another Cole family in the 1860 federal census can be proven to have been a Cohen family. Joseph and Caroline Cole, natives of Bavaria, were living in New York City with their five children in 1860.⁴⁶ A search of the 1870 and 1880 U.S. censuses for the Joseph Cole family's records revealed that its surname was not Cole but Cohen.⁴⁷

ORIGIN OF BENJAMIN W. COHEN

Despite searches in New Orleans and New York, Benjamin W. Cohen's date and place of birth remained unknown. Censuses suggested he was born as early as 1779–84 in England,⁴⁸ about 1797 in New York,⁴⁹ and as late as 1810.⁵⁰

43. Hyman Emanuel Cohen death entry, Congregation Shearith Israel, Births, Deaths, and Marriages, p. 85. Hyman's death record at Shearith Israel includes a notation that "He was serving in the U.S. Army when he took sick."

44. Henry E. Cohen, compiled military record, company H, 5th regiment, Compiled Service Records of Volunteer Soldiers Who Served from the State of New York, Records of the Adjutant General's Office; Record Group 94.

45. *Ibid.* Henry E. Cohen enlisted in the Union Army in 1861 from New York at age twenty-one.

46. Joseph Cole household, 1860 U.S. census, New York Co., N.Y., pop. sch., New York City, Ward 11 Dist. 8, p. 75, dwell. 148, fam. 639; NA microfilm M653, roll 801. Joseph is a fifty-five-year-old peddler. His family includes his wife Caroline, sons Jacob, Abram, and Leopold, and daughters Fannie and Katerine. All seven family members were born in Bavaria.

47. H. Cohen household, 1870 U.S. census, New York Co., N.Y., pop. sch., New York City, Ward 19, 18th Dist. (2nd Enumeration), p. 96A, dwell. 595, fam. [not given]; NA microfilm M593, roll 1044. H. Cohen is a sixty-year-old native of Bavaria. His Bavarian-born household includes his wife, Caroline, sons Jacob, Abram, and Leopold, and daughters Fannie and Minnie. Also, Joseph Cohn household, 1880 U.S. census, New York Co., N.Y., pop. sch., New York City, 24 E Dist. of 21st Assembly Dist., Enumeration District (ED) 587, page 513D, dwell. 97, fam. 140; NA microfilm T9, roll 895. Joseph, seventy-four years old, and his wife, Caroline, sixty-four years old, both natives of Bavaria, lived with daughter and son-in-law, Katie and Henry W. Hirshman.

48. Benjamin Cohen household, 1870 U.S. census, New York Co., N.Y., pop. sch., New York City, Ward 15, 13th Election Dist. (2nd Enumeration), p. 351B, dwell. 22, fam. [not given]; NA microfilm M593, roll 1033. Also, M. Panlitsa household, 1860 U.S. census, New York Co., N.Y., pop. sch., New York City, 2nd Dist. Ward 21, pp. 42–43, dwell. 195, fam. 171; NA microfilm M653, roll 819.

49. B. W. Cohen household, 1850 U.S. census, Orleans Parish, La., pop. sch., New Orleans, First Municipality Ward 3, p. 92B, dwell. 997, fam. 1008.

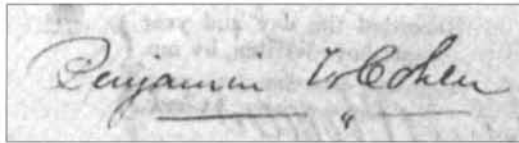
50. B. W. Cohen household, 1840 U.S. census, New York Co., N.Y., pop. sch., New York City, Ward 6, p. 78, line 11. Two males are enumerated in B. W.'s household in 1840, both thirty to forty years of age.

The twelve-to-fourteen year age discrepancy between B. W. Cohen and Benjamin Cole is also significant. The 1860 age more closely matches Benjamin's assumed final census appearance in 1870 when he is age ninety, i.e., born 1780.⁵¹

With a thirty-one year range in birth dates and two different countries as Cohen's birthplace, where should a search for additional records begin? If he were born in England, a naturalization record might reveal his place of birth.

Benjamin W. Cohen from England declared his intention to naturalize on 5 June 1833 in Philadelphia.⁵² He stated he was a British subject, was born 8 August 1807 at Brighton, England, and had migrated from London to the United States, arriving 12 October 1829 at New York City. He signed the declaration with a signature nearly identical to those of 1840, 1842, and 1865 for Benjamin W. Cohen of New York City and New Orleans, husband first of Sarah Soria and second of Grace Seixas. See figure 5.

Figure 5
Declaration signature of Benjamin Cohen



Benjamin W. Cohen declaration of intention, vol. [not stated]:289 (1833), Court of Quarter Sessions, Philadelphia City Archives, Philadelphia, Pa. Published with permission.

Signatures on four documents created in three cities over thirty-two years match Benjamin W. Cohen of New York City and New Orleans with Benjamin W. Cohen of Philadelphia, Pennsylvania, and Brighton, England. Only the conflicting birth dates remained unresolved.

Benjamin W. Cohen said he was born in 1807. Federal censuses indicate he was born circa 1779–1810. Inaccurate informants aside, vanity may explain the twenty-three year gain in Benjamin's age between 1850 and 1860. In 1857 Benjamin married, as his second wife, Grace Seixas—a woman perhaps

51. Benjamin Cohen household, 1870 U.S. census, New York Co., N.Y., pop. sch., New York City, Ward 15, 13th Election Dist. (2nd Enumeration), New York post office, p. 351B, dwell. 22, fam. [not given].

52. Benjamin W. Cohen declaration of intention, vol. [not stated]:289 (1833), Court of Quarter Sessions, Philadelphia City Archives, Philadelphia, Pa.

twenty-one years his senior.⁵³ Grace's birth on 31 December 1786⁵⁴ appears well documented as does her age at her death on 22 November 1865 at New York City: seventy-eight years, ten months, and twenty-one days.⁵⁵ Benjamin might not have wished it known that his wife was considerably older than he, excusing his much earlier date of birth on documents created by or about him after his 1857 marriage to Grace.

A marriage announcement in the *New York Daily Times* on 8 September 1857 does not specify where Benjamin and Grace married, but it does note the Reverend Dr. Adler officiated.⁵⁶ Reverend Samuel Adler was called in 1857 to the pulpit of Temple Emanu-El in New York, where Benjamin and Grace's marriage was recorded. "B. W. Cohen," a native of England, married "Grace Sages [sic]," a native of Road [sic] Island. Written in Hebrew script below the bride's and the groom's names are their Hebrew names—a significant find, because a Hebrew name always includes the given name of the individual's father.

Grace's Hebrew name was *Chana bat Moshe*, or Hannah, daughter of Moses. Benjamin's Hebrew name was *Binyamin bar Menachem Ha-Kohen*, or Benjamin, son of Menachem the Cohen.⁵⁷ This matches the Hebrew name on Benjamin's 1840 *ketubah* at Congregation Shearith Israel. Menagem (Menachem) Mendel was the Hebrew name Benjamin and Sarah gave their first-born son, aka Hyman Emanuel or Henry E.⁵⁸

Benjamin and Sarah may have followed Sephardic tradition by naming their first-born son after his paternal grandfather or Ashkenazic tradition by honoring his deceased paternal grandfather.⁵⁹ Ashkenazim name children in memory of deceased—but never living—relatives.

A well-documented history of a Cohen family that settled in Brighton, England, in 1782 mentions Benjamin's father:

53. Cohen-Seixas marriage notice, *New York Daily Times*, 8 Sept 1857, page 5, col. 6; *ProQuest Historical Newspapers: The New York Times* (<http://proquest.umi.com>). The marriage announcement identifies Benjamin as "Dr. COHEN" and his wife as "Miss GRACE, daughter of the Late Moses Seixas, of Newport, R. I[.]" Also, see Stern, *First American Jewish Families*, 263.

54. Phillips, "The Levy and Seixas Families of Newport and New York," 202–204.

55. Grace Seixas Cohen burial, Congregation Shearith Israel Births, Deaths, and Marriages, p. 120.

56. Cohen-Seixas marriage notice, *New York Daily Times*, 8 Sept 1857, page 5, col. 6.

57. Trauungs-Register der Imanu-El-Congregation in New York (marriage register of Congregation Temple Emanu-El in New York), record 525; microfilm 3606, American Jewish Archives. The Hebrew "*Ha-Kohen*" (the priest) refers to a religious status conferred on Jewish males who are believed to be descendants of Aaron, brother of Moses, and the first consecrated priest of the Israelites.

58. Menagem Mendel Cohen birth entry, Congregation Shearith Israel Births, Deaths, and Marriages, p. 104.

59. For a discussion of naming conventions traditionally followed by Sephardic Jews, see Jeffrey S. Malka, *Sephardic Genealogy: Discovering Your Sephardic Ancestors and their World* (Bergenfield, N.J.: Avotaynu, 2002), 78–79.

The first member of the family known to have emigrated abroad from Niederwerrn was Menachem Hayum Ha-Kohen . . . who settled in Brighton, England, in 1782. He anglicized his forenames to Emanuel Hyam and adopted the surname Cohen, long before the family he left behind in Germany took up the name Kohnstamm.⁶⁰

A Cohen family history identifies twelve children of Emanuel Hyam Cohen and his wife, Hannah Benjamin, including a son Benjamin Nathan Cohen, born in 1807. Table 4 shows striking similarities between Benjamin Nathan Cohen and Benjamin W. Cohen.

	Benjamin W. Cohen	Benjamin Nathan Cohen ^a
Born	8 August 1807 in Brighton ^b	8 August 1807 [in Brighton?]
Emigrated	12 October 1829 to New York ^c	12 October 1829 to New York
Naturalized	5 June 1833 in Philadelphia ^d	5 June 1853 in Philadelphia
Occupation	Doctor, dentist, directory compiler ^e	Doctor
Marital status	Married twice ^f	Married
Children	Four sons and two daughters ^g	Four sons and two daughters
Other	Oldest son, Henry, fought in Civil War and was wounded twice ^h	Two sons fought in Civil War; oldest son severely wounded

a. Henry Robert Cohen, comp., "Cohen Family in Brighton," 7, *Cassirer and Cohen: Histories, Relatives and Descendants* (http://genealogy.metastudies.net/ZDocs/HRCN/HRCN_TOC.html). All information presented in the chart under Benjamin Nathan Cohen's name is found on page seven.

b. Benjamin W. Cohen declaration of intention, vol. [not stated]:289 (1833), Court of Quarter Sessions naturalizations, Philadelphia, Pa.

c. Ibid.

d. Ibid.

e. New Orleans city directories (New Orleans: [various publishers], 1842–56).

f. Cohen-Soria entries, Congregation Shearith Israel Births, Deaths, and Marriages, pp. 53–54 (5600 / 1840). Also, Trauungs-Register der Imanu-El-Congregation in New York, record 525.

g. M. Panlitsa household, 1860 U.S. census, New York Co., N.Y., pop. sch., New York City, 2nd Dist., Ward 21, pp. 42–43, dwell. 195, fam. 171.

h. Henry E. Cohen, compiled military record, company H, 5th regiment, Compiled Service Records of Volunteer Soldiers Who Served from the State of New York, Records of the Adjutant General's Office; Record Group 94. See also Hyman's death record at Shearith Israel with the notation, "He was serving in the U.S. Army when he took sick." Hyman Emanuel Cohen burial record, Congregation Shearith Israel Births, Deaths, and Marriages, p. 85.

60. "Kohnstamm," 5, *Cassirer and Cohen: Histories, Relatives and Descendants* (<http://genealogy.metastudies.net/ZDocs/Kohn/Kohn05.html>). This source suggests the family is Sephardic. Also, Lars Menk, *A Dictionary of German-Jewish Surnames* (Bergenfield, N.J.: Avotaynu, 2004), 431. The first appearance of the name was in Niederwerrn in 1800, indicating the family was likely Ashkenazi. Dr. Sallyann Sack, personal communication, 3 July 2007. Further research may resolve the origin. Mendl is the Yiddish or secular version of the Hebrew name Menachem.

Of the few differences between Benjamin W. and Benjamin Nathan, the most significant are the different middle names. Throughout Benjamin's lifetime his autograph included the middle initial "W." The *kinnui* (secular nickname) for the Hebrew given name Benjamin is Wolf; the two names are often used together.⁶¹ If Benjamin Nathan Cohen merely dropped his middle name, Nathan, in favor of using the first initial of his secular nickname, Wolf, as his middle initial, then the conflict between the two middle names is resolved.

The conflict in naturalization dates—1853 versus 1833—is a simple typographical error. The original source utilized by Henry Robert Cohen to write his brief biographical sketch of Benjamin N. Cohen clearly states that Benjamin N. Cohen was naturalized in Philadelphia in 1833, not 1853.⁶²

The Cohen family history does not indicate that Benjamin Nathan was married twice nor does it say he practiced any profession other than medicine. Yet, since his siblings, the informants, reported that Benjamin was infrequently in touch,⁶³ they may have known little about his later personal life.

David Spector's "Brighton Jewry reconsidered" does not mention the Cohen family's nearly fourteen-year residency in New Orleans.⁶⁴ An 1846 letter from Benjamin Nathan Cohen's brother, L. E. Cohen, to their brother Abraham in Australia, resolved this potential conflict by furnishing proof that Benjamin Nathan Cohen resided in New Orleans in the 1840s:

From Ben we have no letter these three years, I think when last he wrote he had . . . removed from Philadelphia to New Orleans, & was practising as a [illegible word] in which capacity he says he has acquired good proficiency & fame.⁶⁵

61. Benzion C. Kaganoff, *A Dictionary of Jewish Names and their History* (New York: Schocken Books, 1977), 25, 51, 126, and 208. Benjamin was compared to a "ravening wolf" by his father, Jacob, in Genesis 49:27.

62. David Spector, "Brighton Jewry reconsidered," *Transactions of the Jewish Historical Society of England* 30 (1987–88): 106. Cohen notes on page one of his family history that he consulted Spector's material while compiling his history of the Cohen family.

63. Cohen, "Cohen Family in Brighton," 7. The two-paragraph biography of Benjamin Nathan presented in the Cohen family history is far shorter than any provided for Benjamin's five brothers.

64. Spector, "Brighton Jewry reconsidered," 106.

65. L[evy]. E[manuel]. Cohen (Brighton, England) to Abraham Cohen (Port Macquarie, New South Wales, Australia), letter, 25 October 1846; transcription provided by Cohen family researcher, Philip Cohen, Brighton-Le-Sands, New South Wales, Australia. Perhaps Benjamin was in New York only long enough to marry and see the birth of his first son, so the substitution of Philadelphia for New York is not a surprising error for a family out of touch.

Abraham Cohen (son of Benjamin), also known as Edward Cone, applied for a Civil War pension in 1869.⁶⁶ His pension file supplies invaluable genealogical information on the Cone aka Cohen family. In a deposition on 1 March 1911 Matilda Gilchrist states:

My Father was Doctor Benjamin Wolf Cohen and my mother's name was Sarah Sawyer [sic] Cohen. The above named soldier Edward Cone . . . was my brother . . . his original name was Abram Cohen . . . I have another brother who is now living at 400 Manhattan Ave. New York City. His original name was Aaron Sawyer [sic] Cohen but . . . he changed his name some 40 years or more ago to Frank Gray.⁶⁷

The misspelling of "Soria" as "Sawyer" likely reflects Matilda's pronunciation of her mother's surname to a scribe unfamiliar with Hebrew names. The surname "Soria" rhymes with "Gloria," but if pronounced quickly, it could sound like "Sawyer."

Matilda (née Cohen) Gilchrist's testimony offered compelling circumstantial evidence that she and her brothers, Abram Cohen aka Edward Cone and Aaron Sawyer [sic] Cohen aka Frank Gray, were children of Benjamin Wolf and Sarah (née Soria) Cohen and therefore siblings of Hyman aka Henry Cohen, proven son of Benjamin and Sarah.⁶⁸

Two children in the Cohen/Cole household in 1860 remained to be located—Hannah and Mendes. On 25 October 1879 at Manhattan, Anna (née Cohen) Cohen, born in New Orleans to Benjamin Cohen and Sarah Sorrie (apparently Soria) married "Verdalle Achille."⁶⁹ Anna's second husband's name

66. "Civil War Pension Index: General Index to Pension Files, 1861–1934," subscription database, *Ancestry.com* (<http://www.ancestry.com>).

67. Affidavit of Matilda Gilchrist, 1 March 1911, Estelle Cone, Widow, pension application 95,962, certificate 720,619; service of Abraham Cohen a.k.a. Edward Cone (private, Co. I, 10th N.Y. Infantry, Civil War); Case Files of Approved Pension Applications . . . 1861–1934; Civil War and Later Pension Files; Records of the Department of Veterans Affairs, Record Group 15; National Archives, Washington, D.C. Matilda was probably "Tilley" in the 1860 census household of M. Panlitsa. She was enumerated again in 1860 as "Mtilda" in the household of her aunt, Rebecca Micholl. See Rebeca Michael household, 1860 U.S. census, Kings Co., N.Y., pop. sch., Brooklyn, 2nd District, Ward 4, p. 905, dwell. 453, fam. 662; NA microfilm M653, roll 764. Her 1911 deposition confirms "Wolf" as her father's middle name.

68. Hyman Emanuel Cohen entry, Congregation Shearith Israel Births, Deaths, and Marriages, p. 85.

69. Achille-Cohen marriage, 25 October 1879, marriage certificate no. 6477, Borough of Manhattan, Dept. of Health, New York, N.Y. Achille is identified as the son of Jacques Verdalle and Antoinette L'arrive.

was Achille Verdalle, not Verdalle Achille,⁷⁰ and her first husband's surname was Kohnstamm, a variant of Cohen.⁷¹ Anna (née Cohen) (Kohnstamm) Verdalle's identity as the daughter of Benjamin and Sarah (née Soria) Cohen is supported by the presence of Anna's daughters, Sarah and Ida Kohnstamm, in Matilda (née Cohen) Gilchrist's household in 1880, where they are identified as "nieces."⁷²

Benjamin's probable sixth child, Mendes, may have died 1860–70 or like his brothers, Aaron and Abraham, may have changed his name.

CONCLUSION

Despite the challenges of apparent record gaps, the career of Benjamin W. Cohen, husband of Sarah Soria, is revealed through indirect evidence gathered from a wide range of sources, including original signatures. In the absence of a birth or death record, Benjamin's full Hebrew name from his 1840 *ketubah* and his 1857 marriage record documented his father's first name.

Despite Benjamin's eclectic combination of occupations, at least three widely separated residences, and considerable variation in the spelling of his surname, it was possible to construct a continuous chronology of his residence in the United States. Benjamin W. Cohen of Philadelphia, New York City, and New Orleans was identical with Benjamin Nathan Cohen, born 8 August 1807 at Brighton, England, son of Emanuel Hyam Cohen aka Menachem Hayum Ha-Kohen, a native of Niederwerrn, Bavaria, and his wife, Hannah (née Benjamin) Cohen of Hove, England.⁷³

70. Achille Jean Louis Verdalle birth record, 1 November 1847, Cierp, Haute-Garonne, France, Etat civil, naissance [civil record of birth] no. 44; FHL microfilm 1,886,916, items 1–3. Achille is identified as the son of Jacques Verdalle and Antoinette L'arrive.

71. *Summit County Beacon*, Akron, Ohio, 23 May 1883, page 3, col. 2. The article says Mrs. Anna Verdalle of New York, a native of Louisiana, was formerly the wife of Solomon Kohnstaun [sic]. Solomon and Anna may have been cousins, at one time a recommended Jewish marriage pattern. Dr. Sallyann Sack, personal communication, 3 July 2007.

72. Charles A. Gilchrist household, 1880 U.S. census, New York Co., N.Y., pop. sch., Kings Bridge, ED 680, page 551D, dwell. 308, fam. 338; NA microfilm T9, roll 900. Louisiana is the reported birthplace of both Matilda Gilchrist and the absent mother of Sarah and Ida Kohnstamm [sic]. An 1879 passenger manifest confirms Sarah's and Ida's identities as Anna's daughters, saying they are the children of Anna Kohnstamm. See Manifest, S.S. *Suevia*, 11 April 1879, lines 28–30, for Anna Kohnstamm (age 36), Sarah Kohnstamm (age 17), and Ida Kohnstamm (age 9); *Ancestry.com* (<http://www.ancestry.com>). They are indexed as "Kahushamm."

73. Cohen, "Cohen Family in Brighton," page 1, *Cassirer and Cohen: Histories, Relatives and Descendants* (<http://genealogy.metastudies.net/ZDocs/HRCN/HRCN07.html>). Cohen notes that it was in Hove that Emanuel met and married "a local Jewess, Hannah Benjamin."

APPENDIX

Analysis of Signatures⁷⁴

See figures 1–5. The capitals *W* and *C* exhibit the greatest degree of similarity of any letters found in the four signatures created by Benjamin W. Cohen, 1833–65:

- The left-hand valley of the capital *W* always rests slightly above the base line.
- The right-hand valley of the capital *W* is always narrower than the left-hand valley.
- The final ascending stroke of the capital *W* always continues on to begin the capital *C* of Cohen.
- The capital *C* always finishes with a loop at the base and never continues on to form the next letter of “Cohen.”
- A long horizontal flourish interrupted by a mark resembling straight quotations always appears beneath Benjamin W. Cohen’s signature.

74. For examples of the use of signature analysis to help resolve issues of identity, see Ronald A. Hill, “Using Complex Direct Evidence to Sort Colwills of Cornwall,” *NGS Quarterly* 87 (September 1999): 185–98; and Ronald A. Hill, “Which John Bray of St. Gennys in Cornwall Married Hephzibah Lillicrap at St. Juliot?,” *NGS Quarterly* 94 (September 2006): 205–20.

A Disgraceful Condition?

E. Shuttleworth, vicar of Egloshayle Parish in Cornwall, was alarmed at the number of female parishioners who were obviously pregnant on the day of their marriage. He penned the following note in the preface to Egloshayle marriage register, 1837–1895 (DDP52/1/9, Cornwall Record Office, Truro, U.K.; microfilm 1,595,495, Family History Library, Salt Lake City):

In order to declare the shame of those who come to holy matrimony in a disgraceful condition—those who are obviously pregnant—are marked “single woman” in contradistinction to spinster: E. Shuttleworth, Vicar, 1849.

In the span 1849–1860, Shuttleworth recorded 133 marriages: 71.4 percent were spinsters, 23.3 percent were single women, and 5.3 percent were widows.

—Contributed by Ronald A. Hill, Ph.D., CG, FASG

The Bourn Identity: Meredith Bowen Alias Bourn of Frederick County, Virginia

By Victor S. Dunn, CG

The absence of Meredith "Bowen" in certain ordinary records suggested a potential surname anomaly. An appreciation of linguistic principles and study of collateral relatives led to his origin.

Astute genealogists often consider surname variations when researching non-English-speaking families. Similar spelling evolutions and phonetic drift affect English family names, even in those families present in America for multiple generations.¹ These forces are illustrated in the case of Meredith Bowen who lived and died in early nineteenth-century Virginia.

RECORDS OF MEREDITH "BOWEN" IN FREDERICK COUNTY, VIRGINIA

Meredith Bowen married Lucy Drake in Frederick County, Virginia, on 15 November 1810.² On 24 May 1819 he signed a bond there for his marriage to Catherine Carper, daughter of Philip Carper.³ They married that same day.⁴ Meredith died before 3 March 1832 when Philip Carper signed a bond for the

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1. For a discussion of phonetic drift see the classic work, Edward Sapir, *Language: An Introduction to the Study of Speech* (New York: Harcourt, Brace, 1921).

2. Bowen-Drake marriage record, Frederick Co. Marriage Register 1:18, Circuit Clerk, Winchester, Va.

3. Bowen-Carper marriage bond, Frederick Co. Marriage Bonds 11, 1817–20, unpaginated; Frederick Co. microfilm 109, Library of Virginia (LVA), Richmond.

4. Bowen-Carper marriage record, Frederick Co. Marriage Register 1:18.

upcoming marriage of Catherine Bowen “widow of Meredith Bowen, deceased.”⁵ Catherine apparently died between 1870 and 1880 in Frederick County.⁶

Indexed Bowen deed and probate records in Frederick County do not mention Meredith. His sole Federal census listing, in 1820, shows “Merideth” Bowen’s household of two males under ten and two males and one female age sixteen and under twenty-six.⁷ This census record likely misrepresents Meredith’s age since he was probably more than twenty-one when he married Lucy Drake.

An 1898 Frederick County chancery suit involving the heirs of Catherine (née Carper) (Bowen) Carpenter’s niece names Catherine’s children with Meredith Bowen:

- Catherine Carpenter, wife of Alex Carpenter
- Lucy Dunn
- William Bowen
- Meredith Bowen
- Jane Dunn⁸

A 27 December 1861 marriage license for Meredith’s thirty-seven-year-old daughter Lucy A. Bowen to Robert Dunn indicates she was born in Frederick County about 1824.⁹ All documentation of Meredith’s life from 1810 through 1824, and likely until his death before 1832 when his widow remarried there, places him in Frederick County.¹⁰

Since no county court documents identified Meredith’s parents, the search turned to tax lists which often provide clues to father-son relationships. Surprisingly, Frederick County personal property tax lists for the period 1800–25 make no mention of Meredith Bowen.

5. Carpenter-Bowen marriage bond, Frederick Co. Marriage Bonds 16, 1831–34, unpaginated; LVA Frederick Co. microfilm 110.

6. Catherine appears with her husband Zachariah Carpenter in 1870, but he is living alone in 1880 (his marital status is not indicated). See Zachariah Carpenter household, 1870 U.S. census, Frederick Co., Va., population schedule, Gainsborough, p. 30, dwelling 71, family 72; National Archives (NA) microfilm M593, roll 1648. Also, Zachariah Carpenter household, 1880 U.S. census, Frederick Co., Va., pop. sch., Gainsborough, ED 43, page 362, dwell./fam. 2; NA microfilm T9, roll 1366. Catherine’s death is not listed in Frederick Co. death records.

7. Merideth Bowen household, 1820 U.S. census, Frederick Co., Va., pop. sch., p. 34; NA microfilm M33, roll 138.

8. Philip W. Carper v. William P. Carper, Frederick Co. Chancery Causes 1898–1258, accession no. 42505, LVA State Records Center.

9. Dunn-Bowen marriage license, Frederick Co. Marriage Certificates, Consents, Licenses and Minister’s Returns, 1860–64; LVA Frederick Co. microfilm 153.

10. Carpenter-Bowen marriage bond, Frederick Co. Marriage Bonds 16, 1831–34, unpaginated.

ASSOCIATES AND COLLATERAL CONNECTIONS

When records fail to identify an individual's origin, focusing on family associates and collateral surnames may lead to breakthroughs. Two grandchildren of Meredith Bowen married members of the Swartz family of Frederick County:

- On 26 May 1870 Mary Frances Dunn, daughter of William and Milly Jane (née Bowen) Dunn, married Henry Carter Swartz.¹¹
- On 18 October 1887 William A. Dunn, son of Robert and Lucy Ann (née Bowen) Dunn, married Ida Pope, daughter of Michael and Elizabeth (née Swartz) Pope, in neighboring Jefferson County, West Virginia.¹²

On 21 October 1819, Meredith Bowen purchased several items at the estate sale of John Swartz, deceased, as did "Morten" Bowen.¹³ This is the only known record connecting Meredith Bowen with another man of the same surname. On 16 December 1819 "Morton" Bowen married Elizabeth Greenlee in Frederick County.¹⁴

In 1860 Morton Bowen, farmer, age sixty-five, a native of Virginia, resided in Franklin County, Missouri, with another Virginian, John Bowen, farmer, age twenty-five.¹⁵ No Morton Bowen appears in the 1850 census of Franklin County; however, that year a Morton "Bourn," a fifty-five-year-old farmer, headed a household of seven Bourns, all born in Virginia.¹⁶

11. Dunn-Swartz marriage record, Frederick Co. Marriage Register 2:154, Circuit Clerk, Winchester, Va. The register identifies the bride's parents as William and Jane Dunn. On 8 January 1845 William Dunn and Zachariah Carpenter signed a bond for the forthcoming marriage of William to Milly Jane Bowen, stepdaughter of Zachariah Carpenter. See William Dunn-Milly Jane Bowen marriage bond, Frederick Co. Marriage Bonds 9, 1843-47, unpaginated; LVA Frederick Co. microfilm 110.

12. J. Lester Link, *Marriages of Jefferson County, West Virginia, 1801-1890* (Westminster, Md.: Willow Bend, 2001), 153. William A. Dunn is identified as a son of Lucy Ann Dunn per Mrs. Lucy Ann Dunn obituary, *Farmer's Advocate* (Charles Town, W. Va.), 27 November 1909, page 3, col. 3. Ida May Dunn death certificate, no. 1931 (1947), West Virginia State Department of Health; digital image, "West Virginia Vital Research Records," *West Virginia Division of Culture and History* (http://www.wvculture.org/vrr/va_select.aspx : downloaded March 2007) identifies Ida as the daughter of Michael Pope and Elizabeth Swartz.

13. John Swartz estate sale (1819), Frederick Co. Will Book 17:246, Circuit Court, Winchester, Va.

14. Bowen-Greenlee marriage record, Frederick Co. Marriage Register 1:18.

15. Morton Bowen household, 1860 U.S. census, Franklin Co., Mo., pop. sch., Cambelton, p. 18, dwell./fam. 136; NA microfilm M653, roll 619.

16. Morton Bourn household, 1850 U.S. census, Franklin Co., Mo., pop. sch., p. 22, dwell./fam. 15; NA microfilm M432, roll 399.

Although no Morton Bowen was enumerated in Frederick County, Virginia, census records, Morton "Bourne" lived there in 1830.¹⁷ The household's eldest male was between thirty and forty years old, so born between 1790 and 1800, the approximate age of the Morton Bourn or Bowen of Franklin County, Missouri.

FAMILY LORE VERUS DOCUMENTED ANCESTRY

Family papers include an ancient pedigree chart believed to have been drawn by Morton Bourn's granddaughter based on information provided by his daughter. This chart states that Morton was born about 1800 in Fredericksburg, Virginia, to Andrew Jackson Bourn and Jane or Elizabeth (née) Morton. Andrew Jackson Bourn was born in 1760, resided on a plantation five miles from Winchester (Frederick County), and died before 1837. Andrew Jackson Bourn was a son of [Blank] Bourn and Mildred (née) Helm. In 1830 Morton Bourn married Elizabeth Greenlee, daughter of David Greenlee of Frederick County.¹⁸

Evidence in Virginia probate and land records establishes that William Bourn of Frederick County had sons Morton and Meredith "Bourn." It further demonstrates that the Bourn surname was of some antiquity in Virginia:

- The will of William "Bourn" of Frederick County, dated 17 August 1824 and proved 2 August 1830, names sons William, John, Andrew, Morton, and Meredith; daughters Lucy Ann, Jane, and Sarah Hathaway, wife of Francis Hathaway; and wife Milly Bourn.¹⁹
- The will of William Helm of Frederick County, dated 11 February 1815 and proved 3 December 1825, names son-in-law William Bourne/Bourn and son William Helm among others.²⁰
- In his 1829 Frederick County will William Helm left legacies to his niece Lucy Ann Bourn and the children of his sister Milly Bourn.²¹
- On 6 January 1789 William Bourn and wife Milla Bourn of Frederick County sold land in Culpeper County to Joseph Morton.²²
- Andrew Bourn's 1788 will names wife Jane and son William.²³

17. Morton Bourne household, 1830 U.S. census, Frederick Co., Va., pop. sch., p. 101; NA microfilm M19, roll 190.

18. Wes Klang (12220 Evanston Ave. N, Seattle, WA 98133), to author, letter and photocopies, 15 August 2005. Included in the documents is a copy of a pedigree chart which states "The above Bourn family record is authentic, given me by one Sara Jane Bourn Daugherty, sister of Morton Bourn, my father."

19. William Bourn will (1830), Frederick Co. Will Book 16:127. William Bourn indicated that his son Meredith had already received his share of the estate.

20. William Helm will (1825), Frederick Co. Will Book 13:83.

21. William Helm will (1830), Frederick Co. Will Book 16:164.

22. Bourn to Morton deed, Culpeper Co. Deed Book P:134, County Court, Culpeper, Va.; LVA Culpeper Co. microfilm 8.

- William Morton's 1747 will names son-in-law Andrew Bourn,²⁴ and Alvin Mothershead's 1734 will names Jane Morton, daughter of William Morton.²⁵

These documents establish William Bourn as father of Morton Bourn, husband of Milly (née Helm) Bourn, and son of Andrew Bourn and his wife Jane (née) Morton. Jane was probably Morton Bourn's namesake. William Bourn also had a son named Meredith. Was he the Meredith "Bowen" who married Lucy Drake and Catherine Carper?

MEREDITH BOWEN REVISITED

A review of Frederick County personal property tax lists 1809–32 indicates that Meredith "Bourn" paid taxes there in 1820, 1822, 1823, and 1825.²⁶ Some years the tax collector listed only owners of taxable property such as slaves or horses. This may explain Meredith's absence from many of the lists. He apparently died after the 1825 tax list and before March 1832 when his widow Catherine "Bowen" remarried.

An 1848 estate account for Mildred "Bourne" was recorded in Clarke County, Virginia, in 1854.²⁷ The eight shares were distributed as follows:

1. "George F. Calmes & wife." On 1 July 1831 George F. Calmes posted a bond for his forthcoming marriage to Lucy Ann Bourn in Frederick County. William Helm acted as bondsman.²⁸
2. "Felix Metz & wife." William Bourne acted as bondsman for the marriage of his daughter Jane Bourn to Felix "Meetze" on 8 September 1828.²⁹
3. "John Bourne and wife."
4. "William Bourne and wife."
5. "[ditto mark under William above] Hathaway and wife." This was likely Francis Hathaway and wife Sarah.
6. "Newton Bourne," apparently a transcription error of "Morton."³⁰

23. Andrew Bourn will (1788), Culpeper Co. Will Book C:357, Circuit Court, Culpeper, Va.; LVA Culpeper Co. microfilm 32.

24. William Morton will (1747), Orange Co. Will Book 2:131, County Court, Orange, Va.; LVA Orange Co. microfilm 23.

25. Alvin Mothershead will (1734), Richmond Co. Will Book 5:261, County Court, Warsaw, Va.; LVA Richmond Co. microfilm 24.

26. Meredith Bourn entries, Richard M. Sydnor's district (1820) and Wilford G. Settle's district (1822, 1823, and 1825), p. 3 for all years, Frederick County Personal Property Tax Books, Virginia Auditor of Public Accounts; LVA Personal Property Tax Records microfilm 126. Only surnames beginning with the letter B were studied. Occasionally, individuals were listed under other letters of the alphabet if someone else paid taxes on their behalf.

27. Clarke County was formed from Frederick County in 1836.

28. Calmes-Bourn marriage bond, Frederick Co. Marriage Bonds 15, unpaginated.

29. Meetze-Bourn marriage bond, Frederick Co. Marriage Bonds 15, unpaginated.

7. "Andrew Bourne."
8. Meredith Bourne's heirs: (a) "Lucy Bourne," (b) "Jane Dun," (c) "Alex^r Carpenter et ux," (d) "William Bourne," and (e) "Meredith Bourne."³¹

Mildred Bourne must have been William Bourn's wife, called "Milly" in his 1824 will. Meredith Bourne's heirs match his children named as Bowen heirs of Catherine (née Carper) (Bowen) Carpenter in 1898. Therefore, Meredith Bowen alias Bourn was son of William and Mildred "Milly" (née Helm) Bourn.

William Bourn's grandfather, John, left a will in Essex County in 1721.³² Meredith's Bourn ancestors were in Virginia for more than a century and his family's first language was apparently English.³³

The evolution of Bourn to Bowen was not limited to Frederick County since Culpeper County, Virginia, court records imply the name changed there as well.³⁴ In some areas in the South, the letter *r* was pronounced as *uh* when preceded by the vowels *o* or *u*.³⁵ Accordingly, Bourn was pronounced as *boe-uhn*, explaining the spelling variations "Bourn," "Bourne" and "Bowen." In addition, the words "Bowen" and "Bourn" are similar when written in long hand.

CONCLUSION

Southern accents rendered Meredith's surname variously as Bowen or Bourn, an evolution not immediately apparent to twenty-first-century researchers. The failure of Meredith "Bowen" to appear in certain records suggested a potential surname anomaly. Finally, an appreciation of linguistic principles and study of collateral relatives led to his origin.

30. The 1844 court suit *Helm v. Helm* names "Mourton Bourne" as a son of Milly Bourne; no son Newton is listed. See Frederick Co. Chancery Causes 1844-026, Circuit Superior Court of Law and Chancery, Winchester, Va.; LVA Frederick Co. microfilm 398.

31. Mildred Bourne estate account, Clarke Co. Will Book C:245, Circuit Clerk, Berryville, Va.

32. John Bourn will (1720), Essex Co. Will Book 3:258, County Court, Tappahannock, Va.; LVA Essex Co. microfilm 40.

33. Although Virginia was settled primarily by British immigrants, many Germans settled in the Piedmont and Shenandoah Valley regions where Meredith and a number of his ancestors lived. Court records often indicate if a document was signed in German script. This was not the case with any of Meredith Bowen's ancestors.

34. See Culpeper Co. General Index to Wills 1, 1749-1930, p. 34. The index cross-references Bowen and Bourn probates.

35. Walt Wolfram and Ralph W. Fasold, *The Study of Social Dialects in American English* (Englewood Cliffs, N.J.: Prentice-Hall, 1974), 140.

Who was Eleanor Saxon of Fayette County, Indiana?

By Dawne Slater-Putt, M.L.S., CG

Even when a conclusion seems sound, a paradoxical record may render it invalid.

Ancestors did not live in isolation. They belonged to and participated in communities. They witnessed neighbor's deeds and wills; they signed affidavits for associates' court cases; they were witnesses for friends' military pension applications. Before automobile travel increased mobility, they married into nearby families.

Community interaction aids, but also hinders, research. The propensity to marry neighbors narrows the pool of possible ancestral spouses—helpful in the absence of a marriage record. However, that pool may also include related and unrelated people with the same name, age, and other characteristics. Incomplete research in such situations risks tracking incorrect ancestry.

ELEANOR NASH

In 1850 sixteen-year-old Eleanor Nash lived with her apparent parents, Richard and Margaret Nash, in Fayette County, Indiana.¹ Ten years later their

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1. Richard Nash household, 1850 U.S. census, Fayette Co., Ind., population schedule, Orange Twp., p. 258, dwelling 44, family 45; National Archives (NA) microfilm M432, roll 144. Also, "Richard Nash," in *The History of Fayette County, Indiana* (Chicago: Warner, Beers and Co., 1885), 301. This census, typical of pre-1880 enumerations, does not specify intrahousehold relationships. No probate record or other original source identifies Richard's offspring more definitively.

household included twenty-seven-year-old Eleanor Saxon and three young Saxon children born reportedly in Indiana:

- Robert J. Saxon, born 1855–56
- Susannah A. Saxon, born 1857–58
- James A. Saxon, born 1858–59²

The 1850 and 1860 enumerations suggest Eleanor Nash married a Saxon in the intervening decade, became widowed, and settled with her young family in her parents' household.

Despite the census's implication, no Fayette County record documents Eleanor Nash's marriage to Mr. Saxon. Conversely, Eleanor Nash married Joseph Turner in Fayette County on 8 November 1857, between the birth dates of the two oldest Saxon children.³ This paradox raises several questions: Who was Mr. Saxon? Was the 1860 census—or its implication—incorrect? Did Eleanor Nash marry Saxon and Turner, or were there two Eleanors? Research on extended Nash and Saxon families in several counties in two states and careful evidence analysis provided answers.

THE NASHES

Richard Nash married Mary "Haistings" on 14 August 1823 in Adams County, Ohio.⁴ They moved to Fayette County, Indiana, in the early 1820s.⁵ Richard and Mary reportedly had two children, Robert and Matthew Nash. Mary died in 1827, and Richard went to work as a river man on the Ohio River, an occupation he had followed before his marriage.⁶

Richard returned to Fayette County by 1832, and he married Margaret Moffett on 8 October of that year.⁷ They reportedly had seven children, probably all born in Fayette County:

2. Richard Nash household, 1860 U.S. census, Fayette Co., Ind., pop. sch., Fairview Twp., pp. 740–41, dwell. 185, fam. 180; NA microfilm M653, roll 256.

3. Turner-Nash marriage record, Fayette Co. Marriage Book F:392, Clerk's Office, Connersville, Ind.

4. Adams County Genealogical Society, *Some Marriage Records of Adams County, Ohio*, 2 vols. (Marceline, Mo.: Walsworth Pub. Co., 1988–95), 1:15. The original Nash-Hastings marriage record is in Adams Co. Marriage Book 3:67, Probate Court, West Union, Ohio.

5. "Richard Nash," in *History of Fayette County, Indiana* (1885), 301 (1821 migration); and "Fayette County References: Fairview Township," in *An Illustrated Historical Atlas of Fayette Co., Indiana* (Chicago: Higgins, Belden, and Co., 1875), 20 (1822 migration). Both years predate Richard's marriage to Mary Hastings. He may have emigrated and returned to Adams County for her, or he may have come to Fayette County in 1823 or 1824.

6. "Richard Nash," in *History of Fayette County, Indiana* (1885), 301.

7. Nash-Moffett marriage record, Fayette Co. Marriage Book B:350.

- i. ELEANOR JANE NASH, born 1833–34
- ii. WILLIAM G. NASH, born 1834–37
- iii. SARAH M. NASH, born 1837–38
- iv. ISAAC T. NASH, born 1839–40
- v. ELIZA NASH, born 1841–42
- vi. JOHN S. NASH, born 1843–44
- vii. OLIVER L. NASH, born 1846–47⁸

THE SAXONS

Alexander and Mary (née Baldwin) Saxon moved to Fayette County a decade before Richard Nash settled there.⁹ Saxon was an early Fayette County landowner.¹⁰ Richard Nash was a contemporary of Alexander Saxon's children. One of Alexander's sons, Alexander Gillespie Saxon, worked alongside Nash on a salt boat running from Kaney Salt Works at the head of the Ohio River to New Orleans. Another son, Robert F. Saxon, died before 1844. "After gathering up a string of horses one day he headed for New Orleans to sell them. He never again was heard of. He probably was killed by Indians."¹¹

8. "Richard Nash," in *History of Fayette County, Indiana* (1885), 301. The children's birth years are calculated from entries in the 1850 and 1860 censuses. See Richard Nash household, 1850 U.S. census, Fayette Co., Ind., pop. sch., Orange Twp., p. 258, dwell. 44, fam. 45; and Richard Nash household, 1860 U.S. census, Fayette Co., Ind., pop. sch., Fairview Twp., pp. 740–41, dwell. 185, fam. 180.

9. A record of Alexander and Mary Saxon's wedding has not surfaced; however, all sources giving a maiden name for Alexander's wife call her Mary Baldwin, including historical articles and letters written by their great-grandson, Arthur Gillespie "A. G." Saxon. See, for example, Arthur Gillespie Saxon (Connersville, Ind.), letter to "Sister Marion," 12 January 1964; photocopy in author's files. Saxon signs this letter, "Your unc, A. G. S." Sister Marion probably was A. G. Saxon's niece on his wife's side and a Catholic nun. Saxon writes, "My ancestor Alexander Saxon and wife Mary Baldwin Saxon with their children came to Connersville Oct. 1811." A. G. Saxon's father, Robert Saxon, lived in the same township as Mary (née Baldwin) Saxon until her death when he was age twelve. Probably knowing her well, he most likely heard her maiden name.

10. List of land entries in Fayette County, Township 14 North, Range 12 East, p. 25, Fayette Co. Recorder's Office, Connersville, Ind. Also, Frederic Irving Barrows, ed., "Townships of Fayette County: Connersville Township," *History of Fayette County, Indiana* (Indianapolis: B. F. Bowen, 1917), 225.

11. Arthur Gillespie Saxon, "O Yez! O Yez!" *Connersville News-Examiner*, Connersville, Ind., about 1946. Saxon probably based the article on a paper on the Saxon family that he had presented to the local historical society. See A. G. Saxon, letter to Fayette County Historical Society, 3 October 1946, 11 pp.; photocopy in author's files. The author received photocopies of Saxon's newspaper columns from Marita Robbins Saxon (Brookville, Ind.) in a letter dated 10 July 1991. Mrs. Saxon received the photocopies from Mary Saxon Wiley on 21 April 1978. Mrs. Wiley was A. G. Saxon's niece. A. G. Saxon spent his life in the neighborhood where his Saxon great-grandparents settled in 1811. Acquainted with his grandparents and other elderly relatives, he had at least second-hand knowledge of early Saxon family events in Indiana. Virtually all his data tested against other sources has proven accurate.

Alexander and Mary Saxon's daughter Celina married Robert McCrory. The Robert McCrory and Richard Nash families were neighbors from 1840 through at least 1875.¹² The families interacted for almost a half century:

- As a justice of the peace in 1847, Richard Nash officiated at the marriage of Robert and Celina's daughter Mary to William E. Ball.¹³
- James M. "Ocheltree," enumerated in Richard Nash's household in 1860, married Jane McCrory, Robert and Celina's daughter, on 28 May 1861 in Fayette County.¹⁴
- Richard Nash's son Oliver submitted an affidavit as neighbor and acquaintance of Robert and Celina's son Samuel when Samuel's widow applied for a Civil War pension in 1892.¹⁵

THE SAXON CHILDREN'S FATHER

Given that birth, marriage, death, probate, guardianship, or other records do not identify the Saxon children's parents directly, several points suggest James Newton Saxon was their father:

- Apparently widowed, Eleanor Saxon married Albert Linton in Fayette County on 26 June 1861.¹⁶ Nine years later, in February 1870, she died of consumption.¹⁷ Her eldest Saxon child, Robert, apparently left no record after 1860, but the Linton household in 1870 included "Bell" Saxon, about the same age as Susannah A. Saxon in the 1860 Nash household.¹⁸ The

12. McCrory-Saxon marriage record (26 January 1823), Fayette Co. Marriages, vol. A, unpaginated. The Nash and McCrory households appear consecutively on the 1840 and 1860 censuses, and one household lies between them in 1850. See Richard Nash and Robert McCrory households, 1840 U.S. census, Fayette Co., Ind., pop. sch., Orange Twp., p. 85 (165 handwritten); NA microfilm M704, roll 79. Also, 1850 U.S. census, Fayette Co., Ind., pop. sch., Orange Twp., p. 58, dwell. 42, fam. 43 (Robert McCrory household), and dwell. 44, fam. 45 (Richard Nash household); and 1860 U.S. census, Fayette Co., Ind., pop. sch., Fairview Twp., pp. 740–41, dwell. 185, fam. 180 (Richard Nash household), and dwell. 186, fam. 181 (Robert McCrory household). "Map of Fairview Township," in *Illustrated Historical Atlas of Fayette Co., Indiana*, 39, shows Richard Nash's land abutting that of R. McCrory in Fairview Township.

13. Ball-McCrory marriage record, Fayette Co. Marriage Book F:8.

14. Ochiltree-McCrory marriage record, Fayette Co. Marriage Book 1:170.

15. Oliver L. Nash affidavit, 13 October 1892, in Samuel McCrory (Wagoner, Co. K, 18 Ind. Infantry) file, certificate 438,764; Case Files of Approved Pension Applications . . . 1861–1934; Civil War and Later Pension Files; Department of Veterans Affairs, Record Group 15; National Archives, Washington, D.C. Based on his acquaintance with the couple, Oliver swore Samuel McCrory and his wife, Martha (née Zeek), were not previously or subsequently married.

16. Linton-Saxon marriage record, Fayette Co. Marriage Book 1:176.

17. Ellenor Linton entry, 1870 U.S. census, Fayette Co., Ind., mortality sch., Orange Twp., p. 297; microfilm 3, Allen County Public Library, Fort Wayne, Ind.

18. Albert Linton household, 1870 U.S. census, Fayette Co., Ind., pop. sch., Orange Twp., p. 117, dwell. 168, fam. 173.

third Saxon child, James, still lived in Richard Nash's household in 1870.¹⁹ The census enumerator reported Iowa birthplaces for them.

- In Keokuk County, Iowa, in 1856 Robert J. "Sexton," a baby less than a year old, lived with his apparent parents, James N. and Eleanor Sexton. Except for the infant, all household members were Indiana natives who had lived in Iowa for three years.²⁰
- The locations of James and Susannah A. "Bell" Saxon in 1860 and 1870 suggest they were Robert J. Saxon's siblings—children of his apparent parents in 1856.²¹
- Oral tradition identifies James Saxon, the youngest Saxon child, as James Newton Saxon's "orphan who lived with Oliver Nash," Richard's son.²²
- James Newton Saxon was a grandson of Alexander and Mary Saxon. James's parents, Robert F. and Eliza (née Porter) Saxon, married in Fayette County on 8 September 1829.²³ Born about 1835, James was orphaned by his father's death before 1844 and his mother's death before 1854.²⁴ Fatherless by age ten and orphaned by twenty, James Newton Saxon probably spent considerable time with various family members, including his Uncle Robert and Aunt Celina (née Saxon) McCrory, neighbors and apparent friends of the Richard Nashes. James probably knew Richard and his daughter Eleanor Jane. The Saxon children were enumerated in Nash's home in 1860.

James N. Sexton married Eleanor "Moffett" in Keokuk County, Iowa, on 15 February 1855.²⁵ The record seems to explain the enumeration of Robert A. Moffatt, age eight, and Thomas W. Moffatt, age eighteen, in the Sexton household in 1856, although twenty-two-year-old Eleanor was too young to

19. Richard Nash household, 1870 U.S. census, Fayette Co., Ind., pop. sch., Fairview Twp., p. 68, dwell. 125, fam. 13.

20. James N. Sexton household, 1856 Iowa state census, Keokuk Co., pop. sch., Jackson Twp., p. 760, dwell./fam. 57; microfilm 1,021,304, Family History Library (FHL), Salt Lake City.

21. Richard Nash household, 1860 U.S. census, Fayette Co., Ind., pop. sch., Fairview Twp., pp. 740–41, dwell. 185, fam. 180; and Richard Nash household, 1870 U.S. census, Fayette Co., Ind., pop. sch., Fairview Twp., p. 68, dwell. 125, fam. 131.

22. Marita Saxon, "James W. Saxon family group sheet"; photocopy in author's files. Corroborating this allegation, James Saxon and Oliver Nash were enumerated in Richard Nash's household in 1860 and 1870.

23. Saxon-Porter marriage record, Fayette Co. Marriage Book B:128.

24. James inherited from both his grandfathers, whose probate records indicate his parents had predeceased them. See Alexander Saxon estate records, Fayette County Complete Probate Order Book F:14–25; FHL microfilm 0,469,773. Also, Silas J. Porter estate records, Hancock Co. Probate Order Book 1:243, Court of Common Pleas, Greenfield, Ind.; FHL microfilm 1,314,614.

25. Sexton-Moffett marriage record, Keokuk Co. Marriage Book B:22, Courthouse, Sigourney, Iowa; FHL microfilm 1,005,837, item 2.

be their mother.²⁶ If James N. Sexton was James Newton Saxon from Fayette County, Indiana, the Iowa marriage record raises a new question and leaves an earlier one unanswered:

- Had Eleanor Jane Nash married a Mr. Moffatt before wedding James Saxon?
- How could Eleanor Nash have married Joseph Turner between the births of her eldest Saxon children?

POSSIBILITIES

No marriage record appears for Eleanor Jane Nash and a Mr. Moffett or James Newton Saxon in any Indiana county where they had known connections: Fayette; neighboring Rush where many Saxons lived, including James' parents shortly before his birth;²⁷ or Hancock, where James Saxon's maternal relatives—the Porters—lived.²⁸ Keokuk County, Iowa, also has no Moffett-Nash or Saxon-Nash marriage record. James and Eleanor lived in Appanoose County, Iowa, in May 1857, but Eleanor Nash does not appear in its records.²⁹ No record seemed to identify the maiden name of the Saxon children's mother, Eleanor:

- Her children's birth records might identify her maiden name, but neither Indiana nor Iowa recorded births in the 1850s and 1860s.³⁰
- Eleanor Jane Nash's apparent parents, Margaret and Richard Nash, died in 1872 and 1888, respectively.³¹ If Eleanor (Saxon) Linton, who died in 1870, was their daughter, their probate files might name Saxon and Linton

26. James N. Sexton household, 1856 Iowa state census, Keokuk Co., pop. sch., Jackson Twp., p. 760, dwell./fam. 57.

27. Saxon to [Helms?] deed, 21 October 1834, Rush Co. Deed Book F:121, Recorder's Office, Rushville, Ind.

28. Silas J. Porter estate record, Hancock Co. Probate Order Book 1:243. The record says "James N. Sexton is one of the legal heirs at law of Eliza Sexton, Deceased, who was a daughter and heir at law of Silas Porter, Decd." Also, see Silas Porter household, 1840 U.S. census, Hancock, Co., Ind., Green Twp., p. 206; NA microfilm M704, roll 82.

29. Sexton [sic] to Hawkins, Hancock Co. Deed Book Q:23, Courthouse, Greenfield, Ind.; FHL microfilm 1,302,954. James and Eleanor of Appanoose County in May 1857 signed a quit-claim deed in connection with the estate of James's maternal grandfather, Silas J. Porter of Hancock County, Indiana.

30. Indiana birth records begin in 1882 and those for Iowa in 1880. See Carol L. Maki and Michael John Neill, "Indiana" and "Iowa," in Alice Eichholz, ed., *Red Book: American State, County, and Town Sources*, 3rd ed. (Provo, Utah: Ancestry, 2004), 199 and 213, respectively.

31. Daughters of the American Revolution (Indian Hills Chapter), *Old Cemeteries: Fayette County, Indiana* (Connersville, Ind.: Indian Hill Chapter, NSDAR, 1964), 223. Richard and Margaret were buried in Wiley Chapel Cemetery on the Fairview-Harrison Township line.

children as heirs because Eleanor predeceased them. Probate records for Richard and Margaret do not appear in Fayette County, however.³²

- Saxon children's marriage license applications or death records might provide their mother's maiden name. No record of Robert appears after 1860, however, nor of James A. and Susannah A. "Bell" Saxon after 1870.

Absent the above sources, a marriage record should link James Newton Saxon and Eleanor Jane Nash. Civil marriage records were commonplace in Indiana and Iowa in the 1850s, and those in the likely counties appear complete. Despite the lack of record, a chain of indirect evidence suggests a Saxon-Nash marriage occurred:

- Sixteen-year-old Eleanor Nash lived in Richard Nash's household in 1850.
- James Saxon's wife in 1857 was twenty-two-year-old Eleanor.
- Twenty-seven-year-old Eleanor Saxon and three young Saxon children, born 1855–59, lived in Richard Nash's household in 1860.
- Oral tradition identifies James Saxon, the youngest Saxon child, as James Newton Saxon's "orphan who lived with Oliver Nash," Richard's son.³³

The conclusion seems sound, except for two marriage records:

- Eleanor Moffett to James N. Sexton in 1855
- Eleanor J. Nash to Joseph Turner in 1857

For Eleanor Jane Nash to be Eleanor Saxon, she would have had to marry four times within eleven years:

1. [—?—] Moffett, between 1850 and 1855
2. James N. Saxon in 1855
3. Joseph Turner in 1857
4. Albert Linton in 1861

No record of the first marriage exists. Records of the other marriages suggest if Eleanor (née Nash) (Moffett) (Saxon) (Turner) Linton existed, she followed unlikely practices:

32. Margaret Nash's name does not appear in Fayette Co. General Index to Estates, vol. 1 (1864–81), Courthouse, Connorsville, Ind.; FHL microfilm 1,870,131, item 2. Nor did she leave a will recorded in Fayette Co. Will Book C (1846–77) or D (1878–95); FHL microfilm 1,863,940. No probate file for Richard appears in Fayette Co. Probate Order Book 9; Allen County Public Library microfilm 22. His name does not appear in the index or the pages containing records dated January 1888 through October 1889.

33. Saxon, "James W. Saxon family group sheet."

- Dropping her Saxon surname and reverting to her parental surname after giving birth to a Saxon child and before marrying Turner
- Bearing two Saxon children soon after marrying Turner
- Resuming Saxon's surname before marrying Linton

If so, Eleanor's successive marriages to Saxon and Turner ended by death or divorce before she married Turner and Linton, respectively. No evidence supports these possibilities.

An alternative must be considered: Eleanor Jane Nash married only Joseph Turner, and another Eleanor—perhaps née Moffett—married James Saxon and Albert Linton. The above paradoxes would be resolved if that were the case. At the same time, however, the possibility of two Eleanors raises additional improbabilities:

- Both Eleanors were born in 1833–34 in Indiana.
- Richard Nash's daughter Eleanor lived in his household in 1850 and the other Eleanor lived there in 1860.
- The Eleanor not Nash's daughter married a Nash family friend.
- The son of the Eleanor not Nash's daughter lived with him in 1870.

TWO ELEANORS

Simultaneous listings of Eleanor Turner and Eleanor Saxon would identify two Eleanors, but Joseph Turner and apparent wife Eleanor do not appear in the 1860 census. In 1870, however, Turner and his presumed wife, "Elenor J.," age thirty-six, lived in Tipton County, Indiana.³⁴ The Nash family had no known ties to Tipton County, but the couple's names and ages suggest they were the pair who married in Fayette County in 1857. On 2 April 1878 Joseph and Eleanor Turner of Tipton County sold land to Richard Nash of Fayette County.³⁵ Connecting the families, the sale suggests Turner's wife was Nash's daughter Eleanor Jane. Reinforcing this thesis, a derivative source identifies "Mrs. Jane Turner" as sister of Nash's children.³⁶ Selling land in 1878, she could not have been Eleanor (Saxon) Linton, who died in Fayette County in 1870.

Who, then, was Eleanor Moffett, wife of James Newton Saxon, and why did she live with Richard Nash's family? In 1822 a widow Moffitt moved her children—Thomas, Robert, Jane, John, Margaret, William, and Andrew—from Pennsylvania to Ohio to Fayette County, Indiana.³⁷ The 1830 census identifies

34. Joseph Turner household, 1870 U.S. census, Tipton Co., Ind., pop. sch., Liberty Twp., p. 520, dwell. 190, fam. 200; NA microfilm M593, roll 363.

35. Turner to Nash, Tipton Co. Deed Book 7:411, Courthouse, Tipton, Ind.; FHL microfilm 2,318,054.

36. Barrows, ed., "Richard Elliott," in *History of Fayette County, Indiana* (1917), 652–53.

37. "Andrew Moffitt," in *History of Fayette County, Indiana* (1885), 296.

the widow, born 1770–80, as “Ellenor Moffitt.”³⁸ Her apparent daughter Margaret married Richard Nash in Fayette County in 1832. They named their daughter, Eleanor Jane Nash, after Margaret’s mother. One of Ellenor Moffitt’s sons, reportedly Robert, also named a daughter after her.³⁹ The young widow, Eleanor (née Moffett) Saxon, and her three small children lived with Richard and Margaret (née Moffett) Nash in 1860 probably because Margaret was Eleanor’s aunt, sister of her father.

CONCLUSION

Eleanor Moffett (wife, successively, of James Newton Saxon and Albert Linton) and Eleanor Jane Nash (wife of Joseph Turner) were first cousins. Their similar ages and names—both women were named after the same grandmother—invited confusion. One source—the Turner-Nash marriage record—suggested unlikely possibilities, alerting researchers to a common genealogical problem: contemporary individuals in the same location with the same name. Richard Nash had a daughter Eleanor born 1833–34 in Indiana. But the Eleanor born 1832–33 in Indiana, who married a Nash family friend and lived in Richard’s household in 1860, was not that daughter.

38. Ellenor Moffitt household, 1830 U.S. census, Fayette Co., Ind., pop. sch., p. 2; NA microfilm M19, roll 26. Thomas Moffitt (apparently Ellenor’s son), Silas Porter, Robert McCrory, and James Nash (Richard’s brother) were listed on this census page.

39. Laura Tomky Cassaday, “Ancestors of Laura Tomky,” *Ancestry World Tree Project* (<http://www.ancestry.com/search/> : accessed 18 October 2007). For Eleanor Moffitt’s father, Cassaday cites “Maffett Family Bible, copyrighted 1853, formerly in the possession of Mildred (Brunton) Daehn.”

The Waye to Hell?

[Morwenstow parish register, 1558–1695, unpaginated, DDP158/1/1, Cornwall Record Office, Truro, U.K.; microfilm 236,556, Family History Library, Salt Lake City.

Occasionally, one encounters a baptismal record in a parish register that paints a colorful picture of life as observed by the rector. So it is with the baptism of Thamsyn Cleverdon, recorded 5 March 1591[1/2] in the Morwenstow baptismal register in Cornwall.]

Thamsyn the daughter of Allice Cleverdon comon whoare
The waye to whoares and to Hell is broade and manye followe yt

—Contributed by Ronald A. Hill, Ph.D., CG, FASG

Sidelight: The Newgent Family

[*Paris Mercury*, Paris, Missouri, 25 November 1879]

The following is a historical sketch of the family and descendants of Thomas Newgent, taken from the family statistics at a re-union held in Putnam county, Indiana, Sept. 19th, 1879, showing the number of children, grand children, and great grand children, and great great grand children now living and the States in which they reside.—

Thomas Newgent was born in Forquier county, Virginia, June 10th, 1770, of Irish parentage; his father, Edward Newgent, was a native of Ireland, and emigrated to the colony of Virginia some time before the revolutionary war and took an active part in the cause of freedom, and died in 1790, aged 64 years.—Thomas Newgent studied surveying, and crossed the mountains at eighteen years of age, with one of the first surveying parties to Kentucky, and assisted in laying out some of the first claims in that State; remained one year and returned to Virginia and was married to Miss Philadelphia B. Spilman, daughter of John Spilman, of Culpepper county, Virginia, the 10th day of June, 1791. Had born to them eleven children, all lived to be heads of families; none died under fifty years of age.

BIRTHS AS FOLLOWS.

Elizabeth B., July 2d, 1792; Nancy, Jan. 17, 1795; Polly, Sept. 27, 1797; Edward and John S., Jan. 18, 1801; Charles, Nov. 23, 1803; Francis, March 13, 1806; Conway, Nov. 11, 1808; Sophia, Feb. 26, 1811; Wm. K., May 27, 1815; Sarah, Nov. 27, 1818. Of the eleven, there are three now living—Elizabeth, Sophia and Wm. K. Thomas Newgent emigrated to Kentucky in 1798, and settled in what is now known as Mercer county, and followed the occupation of school teaching and surveying for several years and then removed to Franklin county, and remained until the war of 1812, when he enlisted in the service of the United States and marched to the Lakes under Col. Caldwell, and being a frontiersman and an expert woodsian he acted as scout and messenger for General Harrison most of the time, and participated in the battles of Fort Meigs, Fort Stevens, Frenchtown and River Reason; at the latter place he was wounded but made his escape; was picked up by some friendly Indians and taken to Fort Meigs and was shortly after discharged, returned to Kentucky and moved to Shelby county, remained there until the death of his wife in August, 1823; he then moved to Putnam county, Indiana, and remained the most of the time until his death, which occurred Feb. 4th, 1863, aged 92 years. The number of his descendants now living: Children, 3; grand children, 75; great grand children, 263; great great grand children, 108; total, 449. They are living in the following States, to-wit: Kentucky, Indiana, Illinois, Iowa, Nebraska, Kansas, Missouri, Arkansas and Tennessee.

—Contributed by Kenneth E. Weant

2007 Winner:
Family History Writing Contest

A Family for Suzanne

By Ruth Randall

As an enslaved person, Suzanne owned nothing, not her children nor her self. Regarded as personal property, she had no surname. When Missouri abolished slavery, her descendants were freed and able to unite their families and form their own households.

The old Negro spiritual, “Sometimes I Feel Like a Motherless Child,” captures emotions of the enslaved. The words might apply to Suzanne, just three-and-a-half or four years old on 16 September 1801, when Alexander Baillie traded her to Samuel Randol for “one bay mare, two cows, and two pigs.”¹ The lyrics continue with the words “a long way from home.” Permanent removal from her biological family distanced Suzanne from her mother’s home—emotionally if not physically. The 1801 bill of sale provides no clue to her parents’ identities, but it says “the seller acquired [Suzanne] from Sieur [Mr.] Terence Dial, his beau-père,” meaning either father-in-law or stepfather.²

In the Louisiana Territory where Samuel Randol lived the *Code Noir* (black code) constituted part of the legal system. Rooted in a 1685 decree of Louis XIV, enacted in Louisiana in 1724, and expanded by the territorial legislature,

© Ruth Randall; 12428 Prospect Avenue, NE; Albuquerque, NM 87112-3649; aitchpe54@msn.com. Ms. Randall, who mentors family historians searching for enslaved ancestors, is a retired human resources specialist who has volunteered for several years in a local Family History Center. For their assistance in obtaining documents she thanks Jane Randol Jackson and Steve Pledger, Cape Girardeau County Archive Center; Sharon Sanders, *Southeast Missourian* librarian; and staff of the State Historical Society of Missouri. Except as otherwise noted, Web sites referenced herein were accessed on 11 November 2007.

1. Alexander Baillie to Samuel Randol, slave bill of sale, Bills of Sale, Missouri, Cape Girardeau County Records 1794–1842, Western Historical Manuscript Collection-Columbia, University of Missouri, Columbia. Translated from French by Elizabeth Shown Mills.

2. *Merriam-Webster's French-English Dictionary* (Springfield, Mass.: Merriam-Webster, 2000), s.v. “beau-père.” The standard translation is “father-in-law,” but the word could also have meant “stepfather.” Also, in this context “Sieur Terence Dial” could be translated as “the said Terence Dial.”

it regulated slaves and their conduct.³ One provision prohibited separating children under age fourteen from their mothers.⁴ Consequently, if the transfer of Suzanne from Dial to Baillie occurred in Louisiana, it may have been illegal.⁵

After the trade Suzanne lived with Samuel Randol, his wife Mary, daughters Melinda and Amanda, sons John and Jeremiah, and an enslaved child named Ralph.⁶ Mary thus already had five children to care for, including one under age two.⁷ Slaves too young to work were investments, and Randol may have invested in Suzanne and Ralph for breeding.⁸ In any event, circumstances surrounding Suzanne's acquisition and the Randol family's situation suggest she may have received minimal care and nurturing.

On 14 October 1801, twenty-eight days after acquiring Suzanne, Samuel suffered six stab wounds in an altercation.⁹ Acknowledging his imminent death, Samuel dictated his will on 22 October 1801. He desired "that a negro Girl named Susanna Serve my Dear & Loveing wife during the term of her natural Life and then to Revert to my Son Jirah [Jeremiah]." Samuel further declared "that a certain Negro boy named Ralph be given to my Son John Randol when

3. Shael Herman, David Combe, and Thomas Carbonneau, *The Louisiana Civil Code: A Humanistic Appraisal* (New Orleans: Tulane Law School, 1981), 47.

4. "Article XLI, XLII," in "Louisiana's Code Noir (1724)," *BlackPast.org: Remembered and Reclaimed* (<http://www.blackpast.org/?q=primary/louisianas-code-noir-1724>).

5. Annette Gordon-Reed, "Sacred Legacies," in Howard Dodson et al., *Jubilee: The Emergence of African American Culture* (Washington, D.C.: National Geographic, 2002), 114, says "Often slaves, especially children, were given as gifts from a slaveholder to members of his own family."

6. Mary Randol will (1814), Cape Girardeau Co. Will Book A:34, Cape Girardeau County Archive Center, Jackson, Mo. The will names Samuel and Mary Randol's children. For Ralph, see Samuel Randol will, Cape Girardeau Co. probate file box 55, bundle 1093, Cape Girardeau County Archive Center. For ages of Ralph and Suzanne, see "Mrs. Samuel Randol household, 1803 Cape Girardeau District, population schedule," in *History of Southeast Missouri* (1888; reprint, Greenville, S.C.: Southern Historical Press Inc., 1990), 264. Mrs. Randol reportedly had two slaves, one male and one female, both listed under the heading "First Class," indicating they were children. See Ann Roberts (Reference Archivist, Missouri State Archives), e-mail to author, 18 September 2006.

7. The tombstone of Jeremiah Randol, Samuel's youngest son, shows his birth date as 16 December 1799. Jeremiah Randol gravestone, cemetery formerly owned by Samuel Randol, on property owned by John G. and Martha Muench, Cape Girardeau, Mo.; viewed by author on 20 March 2001.

8. Kenneth M. Stamp, in *The Peculiar Institution: Slavery in the Ante-Bellum South* (New York: Vintage Books, 1956), 245–47 writes, "numerous shreds of evidence exist which indicate that slaves were reared with an eye to their marketability Many masters counted the fecundity of Negro women as an economic asset one of the early propagandists for Florida proclaimed: 'The climate is peculiarly adapted and fitted to the constitution of the Negro. It is an excellent and cheap climate to breed and raise them. The Offal of the Sugar House fattens them like young pigs.'"

9. Thomas Rodney deposition, 14 October 1801, and Samuel Randol deposition, 18 October 1801, miscellaneous documents, 1800–36, Missouri, Cape Girardeau County Records, 1794–1842, Western Historical Manuscript Collection-Columbia. Translated from French by Claude Marie Senninger.

of the age twenty-one.”¹⁰ Thus the widow Randol became responsible for six minors, including two who were enslaved.

THE FAMILY EMERGES

Apparently anticipating her impending death, Samuel Randol’s widow Mary had her will prepared on 3 April 1814.¹¹ Her estate on 17 May 1814 included “one mullattoe Boy named Ralph” and “a woman named Susy & her child a girl.”¹² With a daughter, motherless Suzanne, about seventeen years old, had a family, tenuous though it may have been.

On 19 July 1814 Robert English and Stephen Byrd became guardians for Samuel and Mary Randol’s minor orphan, Jeremiah. His property included Suzanne. Honoring his guardianship bond to improve “the estate of the said Jeremiah Randol . . . an orphan,”¹³ English hired “Susan” out to work for an unidentified person “for twelve months commencing 30 July 1814.”¹⁴ On 15 May 1815 English paid a “midwife . . . for tending on a negro woman”—Suzanne apparently delivered another baby around that date.¹⁵ On 1 April 1818 she was Jeremiah Randol’s “negra with children.”¹⁶ Both Suzanne’s family and Jeremiah’s estate had increased. “Susan” was hired out through August 1820, when Jeremiah turned twenty-one.¹⁷

THE FAMILY GROWS

In 1830 Jeremiah Randol owned four slaves:

- One male under ten
- Two males ten and under twenty-four
- One female ten and under twenty-four¹⁸

10. Samuel Randol will (1801), Cape Girardeau Co. probate file box 55.

11. Mary Randol will (1814), Cape Girardeau Co. Will Book A:34.

12. “Appraisalment of Three Slaves Belonging to the Estate of Samuel Randoll decd,” Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau County Archive Center.

13. Robert English and Stephen Bryd, bond, Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

14. Receipt dated 15 March 1815 for hire of Susan for twelve months, commencing 30 July 1814, Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

15. Jeremiah Randol to Robert English, receipt, 15 May 1815, “Midwife’s fee for tending a negro woman,” Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

16. Receipt, 1 April 1818, for payment to Jeremiah Randol’s estate, Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

17. Robert English to Jeremiah Randol, payment receipt for lease of Susan, Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

18. Jeramiah Randol household, 1830 U.S. census, Cape Girardeau Co., Mo., p. 464; National Archives (NA) microfilm M19, roll 72. This is Missouri’s earliest surviving federal census.

The household does not include a slave of Suzanne's age, about thirty-three years. The female's age is compatible with her daughter born around 1814, and all but the youngest may have been Suzanne's children.

Jeremiah's slave holdings increased between 1850 and 1860 from four to twelve people.¹⁹ Between 1860 and 1862 he acquired two additional slaves.²⁰ See table 1.

The ages and sexes of four people Jeremiah held in bondage are consistent from 1830 through 1862. All can be identified:

- Jeremiah's will directed that Betsy remain with his widow until her death. If Betsy outlived the widow, she was to choose one of Jeremiah's children to live with, rather than be sold. Jeremiah requested she "be cared for and made comfortable in her old days in account of her fidelity to me and her mistress and family."²¹ Jeremiah's concern and chronology suggest Betsy was Suzanne's baby daughter born by 17 May 1814.²² Consistent with an 1814 birth, her age reported on 23 June 1862 was forty-eight.²³
- Alex, age forty-six in 1862, probably was Suzanne's baby born about 15 May 1815.²⁴
- Dick, born 1818–19 was either Suzanne's son or a child Jeremiah Randol acquired between 1820 and 1830.²⁵ Dick's apparent residence on the Randol plantation with Suzanne's children between 1830 and 1862 is the only known evidence linking them.
- Bob, age thirty-two in 1862, headed a household in 1868 and 1870 including Betsy, also called Elizabeth.²⁶ Bob, apparently Betsy's son, likely was the male Randol slave under age ten in 1830.²⁷

19. Jeremiah Randol household, 1850 U.S. census, Cape Girardeau Co., Mo., slave schedule, District 14, p. 284; NA microfilm M432, roll 422. Jeremiah Randol household, 1860 U.S. census, Cape Girardeau Co., Mo., slave sch., Cape Girardeau and Randol Twp., p. 9; NA microfilm M653, roll 661.

20. Jeremiah Randol estate inventory (23 June 1862), probate file box 41, bundle 824, Cape Girardeau County Archive Center.

21. Jeremiah Randol will (1862), Cape Girardeau probate file box 41, bundle 824.

22. "Appraisalment of Three Slaves Belonging to the Estate of Samuel Randoll decd," Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

23. Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824.

24. Jeremiah Randol to Robert English, receipt, 15 May 1815, "Midwife's fee for tending on [n]egro woman," Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co. For Alex's age in 1862, see Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824.

25. For Dick's age in 1862, see Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824.

26. Robert Randol entry, 1868 Cape Girardeau Co. census, pop. sch., Twp. 30, unpaginated, hand-counted p. 71, County Clerk, Jackson, Mo.; microfilm 1,006,668, Family History Library (FHL), Salt Lake City. Robert Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwelling 79, family 75; NA microfilm M593, roll 765.

27. Jeremiah Randol household, 1830 U.S. census, Cape Girardeau Co., Mo., p. 464.

Table 1
 Jeremiah Randol's Slaves, 1830–62

1830	1840	1850	1860	1862	COMMENTS
Female 10–24	Female 10–24	Female 40	Female 46	Betsy 48	Willed to Polly
Male 10–24	Male 10–24	Male 38	Male 44	Alex 46	
Male 10–24	Male 10–24	Male 36	Male 40	Dick 43	Willed to Polly
Male under 10	Male under 10	Male 20	Male 30	Bob 32	
			Female 22	Francis 26	Dick's wife
			Female 18	Clara 20	Willed to Polly
			Female 14	Mary 15	
			Female 10	Susan 13	
			Male 9	Edward 8	Dick's son
			Male 3	Henry 6	Dick's son
			Female 1	Ann 4	
			Female 1	Hannah 3	
				Matilda 1	Dick's daughter
				Douglas 6 mos.	Dick's son

Notes: Numerals are reported ages in years. Polly (aka Mary) was Jeremiah's wife. The 1870 and 1880 censuses, cited below, indicate the relationships mentioned in the right-hand column.

Sources: Jeremiah Randol will (30 May 1862) and estate inventory (23 June 1862), Cape Girardeau Co. probate file box 41, bundle 824, Cape Girardeau County Archive Center, Jackson, Mo. Jeremiah Randol household, 1830 U.S. census, Cape Girardeau Co., Mo., p. 465; National Archives (NA) microfilm M19, roll 72. Jeremiah Randle household, 1840 U.S. census, Cape Girardeau Co., Mo., Randol Twp., p. 281; NA microfilm M704, roll 221. Jeremiah Randol household, 1850 U.S. census, Cape Girardeau Co., Mo., slave schedule, District 14, p. 284; NA microfilm M432, roll 422. Jeremiah Randol household, 1860 U.S. census, Cape Girardeau Co., Mo., slave sch., Cape Girardeau and Randol Twp., p. 9; NA microfilm M653, roll 661. Richard Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., population sch., Cape Girardeau, Ward 1, p. 43, dwelling 349, family 345; NA microfilm M593, roll 765. Richard Randol household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Enumeration District 32, p. 14, dwell. 123, fam. 131; NA microfilm T9, roll 678.

A line-by-line search of the 1868 Cape Girardeau County census failed to produce candidates for Mary, Susan, Ann, and Hannah, whom Jeremiah Randol owned in 1862.²⁸ On 11 January 1865, a little more than two-and-a-half years after Jeremiah's death, Missouri abolished slavery.²⁹ The fourteen people whom Jeremiah's heirs owned became free and able to unite their families and form their own households.

GENEALOGICAL SUMMARY

Generation One

1. **Suzanne**¹—known also as **Susan** or **Susie**—was born about 1796, possibly in Maryland or North Carolina.³⁰ Her mother probably was owned by Terence Dial, who gave Suzanne to his son-in-law or stepson, Alexander Baillie. The latter sold Suzanne to Samuel Randol on 16 September 1801.³¹ Randol's son Jeremiah inherited Suzanne from his widowed mother in 1814.³²

Suzanne died probably in Cape Girardeau County, Missouri, before 1830. No evidence suggests Jeremiah sold her, and no female of Suzanne's age was enumerated among his slaves in 1830.³³ Her grave may be marked by one of twelve small blocks of Thebes sandstone possibly indicating slave graves in a cemetery on Jeremiah Randol's property.³⁴ See figure 1.

28. Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824; and 1868 Cape Girardeau Co. census, pop. sch., Twp. 30, unpaginated.

29. "Ordinance Abolishing Slavery in Missouri," 11 January 1865; digital image, *Missouri Secretary of State* (http://www.sos.mo.gov/archives/resources/africanamerican/guide/image005c_1.html). For Robert's age in 1862, see Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824.

30. Alexander Baillie to Samuel Randol, slave bill of sale, Cape Girardeau Co., describes Suzanne as between three-and-a-half and four years old. The Terrence Dyall household, 1800 U.S. census, Allegany Co., Md., Georges Creek, p. 31; NA microfilm M32, roll 9, includes two slaves. If Dyall was the man named as Suzanne's owner before 1801, his slaves may have been Suzanne and her mother. An enumerator of Richard Randol, who may have been Suzanne's son, indicated Randol's mother was born in North Carolina. See Richard Randol household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, enumeration district (ED) 32, p. 14, dwell. 123, fam. 131; NA microfilm T9, roll 678. Also see Alex Bailey household, 1790 U.S. census, Burke Co., N.C., p. 105; NA microfilm M637, roll 7. Bailey's household included one slave, but this census predates Suzanne's birth.

31. Alexander Baillie to Samuel Randol, slave bill of sale, Cape Girardeau Co.

32. Mary Randol will (1814), Cape Girardeau Co. Will Book A:34.

33. Jeremiah Randol household, 1830 U.S. census, Cape Girardeau Co., Mo., p. 464.

34. Edison Shrum, *The Slaves and Slave Owners of Cape Girardeau County* (Scott City, Mo.: privately printed, 1987), 40.

Figure 1

Block of Thebes Sandstone Appearing to Mark a Slave's Grave



Notes: Pieces of Thebes sandstone, a particularly durable rock found near the upper Mississippi River valley and elsewhere, are believed to mark sites of slave burials on property once owned by Jeremiah Randol. See Edison Shrum, *The Slaves and Slave Owners of Cape Girardeau County* (Scott City, Mo.: privately printed 1987), 40. Photograph by author, 20 March 2001.

As an enslaved person, Suzanne owned nothing, not her children nor her self. Regarded as personal property, she had no surname. As chattel, she could not make contracts. Slave marriages, not legally binding, offered no protections.³⁵

No document records a marriage for Suzanne.³⁶ Ralph, another Randol slave, may have fathered Suzanne's first child. Because Jeremiah Randol's parents died when he was a minor, an inventory identifies Suzanne's children.³⁷

Suzanne had probably two or three children born in Cape Girardeau County:

35. Missouri Monthly Reports of Marriages, July 1865–August 1865, Marriage Records of the Office of the Commissioner: Washington Headquarters of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1861–1869; National Archives (NA) microfilm M1875, roll 3.

36. Stamp, *The Peculiar Institution*, 198.

37. "Appraisalment of Three Slaves Belonging to the Estate of Samuel Randoll decd," Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

- + 2. i. ELIZABETH "BETSY"² RANDOL, born by 17 May 1814;³⁸ died in Cape Girardeau apparently 1870–76.³⁹
- + 3. ii. ALEXANDER "ALEX" RANDOL, born on or about 15 May 1815;⁴⁰ died 4 January 1885;⁴¹ married on 25 July 1865 Louise Marrs.⁴² The 1880 census describes Alexander as "mullato."⁴³ His father therefore may have been white, possibly the unnamed person renting Suzanne when Alexander was conceived.⁴⁴
- + 4. RICHARD "DICK" RANDOL, born about 1818–19;⁴⁵ living in Cape Girardeau in 1880.⁴⁶ Apparently a Randol slave by 1830, Dick was in the right place at the right time to have been Suzanne's son, but no evidence other than proximity links him to Suzanne's descendants.

Generation Two

2. Elizabeth "Betsy"² Randol (Suzanne¹) was born by 17 May 1814 in Cape Girardeau County.⁴⁷ She died there 1870–76.⁴⁸ Her death predates Cape Girardeau and Missouri death records, and the exact date and place are unknown. In 1868 and 1870 Betsy lived in Cape Girardeau with her son and his family.⁴⁹

38. Jeremiah Randol to Robert English, receipt, 15 May 1815, Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

39. Betsy was enumerated in 1870 but not in 1876. See Robert Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 79, fam. 75. Also, Robert Randol household, 1876 Cape Girardeau Co. census, pop. sch., Cape Girardeau Twp., p. 454, County Clerk, Jackson, Mo.; FHL microfilm 1,006,667.

40. Jeremiah Randol to Robert English, "Receipt for Midwife's fee for tending on a [n]egro woman," 15 May 1815, Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

41. Alex Randol entry, City of Cape Girardeau Mortuary Records, no. 171, City Hall, Cape Girardeau, Mo.

42. Randol-Minton marriage record, 18 July 1865, Missouri Monthly Reports of Marriages, pp. 60–61, Bureau of Refugees, Freedmen, and Abandoned Lands.

43. Alexander Randol household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 9, dwell. 75, fam. 79; NA microfilm T9, roll 678.

44. Receipt dated 15 March 1815 for hire of Susan for twelve months, commencing 30 July 1814, Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

45. Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824.

46. Richard Randol household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 14, dwell. 123, fam. 131.

47. Jeremiah Randol to Robert English, receipt, 15 May 1815, Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co.

48. Betsy was enumerated in 1870 but not in 1876. See Robert Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 79, fam. 75; and Robert Randol household, 1876 Cape Girardeau Co. census, pop. sch., Cape Girardeau Twp., p. 454.

49. Robert Randol household, 1868 Cape Girardeau Co. census, pop. sch., Twp. 30, unpaginated, hand-counted p. 71. Betsy is listed immediately below Robert's wife and children. The document does not delineate families. Also, Robert Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 79, fam. 75. The latter enumeration identifies Betsy as "Elizabeth."

While enslaved Betsy had no right to a surname. Provisions in Jeremiah Randol's will show he held her in high regard.⁵⁰ After slavery ended in Missouri Betsy, her brother Alexander, and her son adopted the surname of their owners.

Betsy probably had only one child:

- + 5. i. ROBERT "BOB"³ RANDOL, born about 1830;⁵¹ died 13 October 1882 in Cape Girardeau;⁵² married 19 July 1865 Maria Thomas or Smarr.⁵³

3. Alexander "Alex"² Randol (Suzanne¹) was born on or about 15 May 1815, probably in Cape Girardeau County and died in Cape Girardeau 4 January 1885.⁵⁴ Rev. E. O'Brien, Chaplain of the 17th Illinois Cavalry in Cape Girardeau, solemnized Alexander's marriage to **Louise Minton**, also known as **Louisa**, on 25 July 1866.⁵⁵

Alexander and Louise were enslaved until 11 January 1865, when Missouri abolished slavery. Living on separate farms, they might have had a "broad marriage."⁵⁶ Alexander was one of four million illiterate people freed in the United States and challenged to provide homes for their families.⁵⁷ Just three years after his emancipation, however, Alexander owned ten hogs, twenty-five bushels of wheat, two hundred bushels of corn, and twenty-five pounds of

50. Jeremiah Randol will, Cape Girardeau Co. probate file box 41, bundle 824.

51. Jeremiah Randol household, 1830 U.S. census, Cape Girardeau Co., Mo., p. 464.

52. Robert Randol entry, Cape Girardeau Mortuary Records, no. 30.

53. Randol-Thomas marriage record, 17 July 1865, Missouri Monthly Reports of Marriages, pp. 60–61, Bureau of Refugees, Freedmen, and Abandoned Lands.

54. Jeremiah Randol to Robert English, "Receipt for Midwife's fee for tending on a [n]egro woman," 15 May 1815, Jeremiah Randol guardianship file, box 11, bundle 305, Cape Girardeau Co. Alex Randol entry, Cape Girardeau Mortuary Records, no. 171.

55. Randol-Minton marriage record, 18 July 1865, Missouri Monthly Reports of Marriages, pp. 60–61, Bureau of Refugees, Freedmen, and Abandoned Lands.

56. Reginald Washington, "Sealing the Sacred Bonds of Holy Matrimony: Freedmen's Bureau Marriage Records," *Prologue: Journal of the National Archives* 37 (Spring 2005): 58–65; electronic edition, "Prologue Magazine," *The National Archives* (<http://www.archives.gov/publications/prologue/2005/spring/freedman-marriage-recs.html>). Herbert G. Gutman, *The Black Family in Slavery and Freedom 1750–1925* (New York: Random House, 1976), 131. A former Missouri slave reported "The men all had wives at other homes in the vicinity and on Saturday nights they spruced up and visited their wives and some of them had children also." See Dela Handy, "I have Talked with Grandma Handy," in "American Life Histories: Manuscripts from the Federal Writers' Project, 1936–1940," *Library of Congress: American Memory* (<http://lcweb2.loc.gov/ammem/wpa/15100203.html>). Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824, does not name Louise.

57. Willie E. Gray et al., "Making the Case for Racial Reparations," *Harper's Magazine* 301 (November 2000): 37–51. Alexander Randol entry, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 77, fam. 73. Alexander reportedly could not read or write.

58. Alexander Randol entry, 1868 Cape Girardeau Co. census, pop. sch., Twp. 31, unpaginated, hand-counted p. 67.

tobacco.⁵⁸ While enslaved, he probably had been allowed to farm and possibly to sell produce, as Missouri slaves could do, with their masters' written consent.⁵⁹

Alexander and Louise Randol had two children born probably in Cape Girardeau County:

6. i. ALEXANDER BUTLER³ RANDOL, called "Butler," born 14 December 1864; died 15 April 1917 in Cape Girardeau at his stepsister Rhoda Cravens's home.⁶⁰ A bachelor known for his culinary skills, Butler worked for several years as chief cook at St. Vincent's College in Cape Girardeau. He also was a cook at a Catholic college in Texas and other cities in the North and was the prosperous owner of real estate in Cape Girardeau and Canada.⁶¹
- + 7. ii. CHARLES LOUIS RANDOL, born 1867–68; died 27 December 1958 in Cape Girardeau.⁶² He married (1), on 17 April 1892, Sarah Anna Johnson and (2), on 11 August 1923, Mabel Lucille Sides.⁶³

Alexander Randol had a stepdaughter born reportedly to his wife Louise and Jim James:

- + 8. RHODA OR RODI JAMES, born 10 November 1851 in Cape Girardeau; died there 25 February 1919.⁶⁴ Rhoda bore children fathered by Jefferson Williams.⁶⁵ She subsequently married on 26 September 1892, in Cape Girardeau, William Cravens.⁶⁶

59. Dodson, et al., *Jubilee*, 95.

60. Butler Randell death certificate, no. 14059 (1917); digital image, Missouri State Archives, "Missouri Death Certificates 1910–56," *Missouri Secretary of State* (<http://www.sos.mo.gov/archives/resources/deathcertificates/>). Alexander Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 77, fam. 73. Butler's birth year is incomplete on his death certificate. The age given is consistent with his age in 1870. Alexander's middle name, Butler, prompted a search of Civil War enlistment records to determine if his parents' choice of that name was influenced by his father's Civil War service. The search produced negative results. See "U.S. Colored Troops Military Service Records 1861–1865," *Ancestry.com* (<http://www.ancestry.com>); and Missouri State Archives, "Soldiers Database: War of 1812—World War I," *Missouri Secretary of State* (<http://www.sos.mo.gov/archives/soldiers/>).

61. Butler Randol obituary, *Daily Republican*, Cape Girardeau, 16 April 1917, page 4, col. 2.

62. Alexander Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 77, fam. 73. Charles Louis Randol death certificate, no. 58-043473 (1958), Missouri Department of Health and Senior Services, Bureau of Vital Records, Jefferson City.

63. Randol-Johnson marriage record, Cape Girardeau Co. Marriage Book G:31; and Randol-Sides marriage record, Cape Girardeau Co. Marriage Book N:585; both at Cape Girardeau County Archive Center.

64. Rhoda Cravens death certificate, no. 5020 (1919); digital image, Missouri State Archives.

65. Jefferson Williams household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 16, dwell. 138, fam. 147.

66. Cravens-James marriage record, Cape Girardeau Co. Marriage Book G:36.

4. Richard “Dick”² Randol (possibly Suzanne¹) was born 1818–19, probably in Cape Girardeau County⁶⁷ and died there 4 May 1895.⁶⁸ Apparently a Randol slave by 1830, Dick was in the right place at the right time to have been Suzanne’s son, but no known evidence identifies his parents or links him to Suzanne’s known descendants. His wife, **Mary Francis (née [—?—]) Randol**, was born 1835–36.⁶⁹

Richard and his family lived probably in one of the two slave houses on the Randol property.⁷⁰ On 18 August 1862 “Dick” purchased a calf for sixty cents and a large stack of oats for \$14.55 from the estate of his deceased “master,” Jeremiah Randol. On 21 August 1862—what must have been a bleak day for Richard and his family—his wife and children were parceled out to two of Jeremiah’s descendants.⁷¹ Richard, as Jeremiah’s will stipulated, remained property of Mary Randol (Jeremiah’s widow).

In 1876 Dick served as a trustee of St. James African Methodist Episcopal [AME] Church.⁷² Founded in 1863, it is the oldest black church in Cape Girardeau County and a historical monument.⁷³

Dick and Mary Francis Randol apparently had six children, born probably in Cape Girardeau County:⁷⁴

9. i. EDWARD³ RANDOL, born 1853–54; died probably between 1891 and the 1900 census. Edward married (1) Hannah Renfro 27 May, 1880 in Cape Girardeau. Hannah apparently died and Edward married (2) Rosa Carrol

67. Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824.

68. Richard Randol death notice, *Cape Girardeau Democrat*, Cape Girardeau, 5 May 1895, page 5, col. 3.

69. In Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824, she appears as “Francis.” In 1870 she was enumerated as “Mary F.” and in 1880 as “Mary A.” See Richard Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 43, dwell. 349, fam., 345; NA microfilm M593, roll 765. Also, Richard Randol household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 14, dwell. 123, fam., 131.

70. Jeremiah Randol household, 1860 U.S. census, Cape Girardeau Co., Mo., slave sch., Cape Girardeau and Randol Twp., p. 11.

71. Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824.

72. “Mechanic’s lien” against Richard Randol and the seven other trustees of St. James AME Church, 17 April 1876, case 804, Court of Common Pleas, Cape Girardeau Archive Center. A contractor placed a lien against the church to cover payment for building materials.

73. “St. James African Methodist Church (Saved),” *Southeast Missourian* (<http://www.semissourian.com/landmarks/st-james-ame>).

74. Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824; Richard Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 43, dwell. 349, fam. 345; and Richard Randol household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 14, dwell. 123, fam., 131.

on 4 April 1891.⁷⁵ In 1900 Edward and Hannah's children lived with Rosa.⁷⁶

10. ii. HENRY RANDOL, born 1855–56; living in 1880.
11. iii. MATILDA RANDOL, born 1860–61; living in 1880.
12. iv. FREDERICK DOUGLAS RANDOL, born about January 1862; living in 1880.
13. v. JAMES MILTON TURNER RANDALL (née RANDOL), born in November 1866; living in 1930.⁷⁷ Turner married on 27 October 1892, in Grand Tower, Jackson County, Illinois, Mary J. Clark.⁷⁸
14. vi. NELLIE RANDOL, born 1867–68.

Generation Three

5. Robert “Bob”³ Randol (Betsy², Suzanne¹) was born about 1830 in Cape Girardeau.⁷⁹ He died there on 13 October 1882.⁸⁰ Rev. E. O'Brien, Chaplain of the 17th Illinois Cavalry, garrisoned in Cape Girardeau, solemnized Bob's marriage to **Maria Thomas** or **Smarr** on 17 July 1865.⁸¹

Maria's surname on her marriage record is Thomas, but it is Smarr on her son Samuel's death certificate.⁸² The difference suggests Maria chose to associate her name with a former owner or with her biological family.⁸³

Maria belonged to the Union and Excelsior Courts, branches of a Masonic order, and St. James AME Church. Her funeral was held there after her death on 7 September 1906.⁸⁴

75. Randol-Renfro marriage record, Cape Girardeau Co. Record of Marriage D:475, Recorder of Deeds, Jackson, Mo.; FHL microfilm 0,925,662. Randol-Carroll marriage record, Cape Girardeau Co. Record of Marriages F:501; FHL microfilm 0,925,663. No record of the dissolution of the marriage between Edward and Hannah has been found, which suggests Hannah died before Edward married Rosa.

76. Rosa Randal household, 1900 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 2, ED 26, sheet 11B, dwell. 246, fam. 265; NA microfilm T623, roll 845.

77. Turner Randalls household, 1930 U.S. census, Jackson Co. Ill., pop. sch., Grand Tower Township, ED 39-18, sheet 10A, dwell. 232, fam. 235; NA microfilm T626, roll 520.

78. Randall-Clark marriage record, Jackson Co. Marriage Register D, County Clerk, Murphysboro, Ill.; FHL microfilm 0,968,928.

79. Jeremiah Randol estate inventory (1862), Cape Girardeau Co. probate file box 41, bundle 824, shows Bob as thirty-two years old. Also, Jeremiah Randol household, 1860 U.S. census, Cape Girardeau Co., Mo., slave sch., p. 11.

80. Robert Randol entry, Cape Girardeau Mortuary Records, no. 30.

81. Randol-Thomas marriage record, 19 July 1865, Missouri Monthly Reports of Marriages, pp. 60–61, Bureau of Refugees, Freedmen, and Abandoned Lands.

82. Samuel Randol death certificate, no. 11653 (1921); digital image, Missouri State Archives.

83. For a discussion of slave surname-selection practices, see DeWitt S. Dykes Jr., “Slave Naming Practices,” in Paula K. Byers, ed., *African American Genealogical Sourcebook* (Detroit: Gale Research, 1995), 11–12.

84. Maria Randol obituary, *Daily Republican*, Cape Girardeau, 7 September 1906, page 2, col. 2.

Like his Uncle Alexander, Robert adjusted to freedom. On 31 March 1865 he purchased land.⁸⁵ Three years after emancipation, he raised wheat and corn to support his family, and he owned two horses, a mule, and two head of cattle.⁸⁶

Robert and Maria Randol had eight children born in Cape Girardeau:

15. i. SARAH A.⁴ RANDOL, born 1851–58; died probably by 1870.⁸⁷ Perhaps she died in the yellow fever epidemic that ravaged Cape Girardeau between 1870 and 1873.⁸⁸
16. ii. LOUISIANA “ANNA” RANDOL, born about 1856; died probably 1870–80.⁸⁹ Louisiana may also have died of yellow fever.
- + 17. iii. SAMUEL RANDOL, born 2 April 1860; died 13 May 1921 in Cape Girardeau;⁹⁰ married on June 1880, in Cape Girardeau, Sidney Williams.⁹¹
18. iv. WILLIAM R. “WILLIE” RANDOL, born 1865–66;⁹² married on 22 July 1896 Minnie Bell Penny.⁹³ In 1900 the couple shared their home with Minnie’s sisters, fourteen-year-old Margaret and twelve-year-old Julia.⁹⁴ Census and death records reveal no death dates or places for William or Minnie. No evidence suggests they moved to another state. They may have succumbed to the Cape Girardeau typhoid epidemic in October 1901.⁹⁵
19. v. JAMES RANDOL, born 1867–68; died perhaps by 1880.⁹⁶

85. Filburn-Randol deed, Cape Girardeau Co. Deed Book B:286, Recorder of Deeds, Jackson, Mo.

86. Robert Randol household, 1868 Cape Girardeau Co. census, pop. sch., Twp. 30, unpaginated, hand-counted p. 71.

87. *Ibid.* Sarah was reported between ages of ten and seventeen. She does not appear with her family on any subsequent census.

88. Felix Eugene Snider and Earl Augustus Collins, *Cape Girardeau: Biography of a City* (Cape Girardeau: Ramfre Press, 1956), 157.

89. Robert Randol household, 1868 Cape Girardeau Co. census, pop. sch., Twp. 30, unpaginated, hand-counted p. 71. Louisiana’s age is between ten and seventeen. Robert Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 79, fam. 75. Louisiana is listed as fourteen years old and called “Anna.” Louisiana “Anna” is not named in Robert Randall household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 9, dwell. 77, fam. 81.

90. Samuel Randol death certificate, no. 11653 (1921); digital image, Missouri State Archives.

91. Randol-Williams marriage record, Cape Girardeau Co. Marriage Book D:478.

92. Robert Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 79, fam. 75. William is listed as four-year-old Willie.

93. Randol-Penny marriage record, Cape Girardeau Co. Marriage Book G:475.

94. William Randol household, 1900 U.S. census, Cape Girardeau Co., pop. sch., Cape Girardeau, Ward 4, ED 26, sheet 223B, dwell. 442, fam. 515.

95. “Cape Girardeau County: County Board of Health,” in *Annual Report of State Board of Health, Missouri* (Jefferson City, Mo.: Tribune Publishing Co., 1901), 51.

96. Robert Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 79, fam. 75; and 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, sheet 266A, dwell. 77, fam. 81.

20. vi. MARIETTA RANDOL, born 1870–76; living in 1876; died perhaps by 1880.⁹⁷
21. vii. MARTHA RANDOL, born 1870–71; living in 1876; died perhaps by 1880.⁹⁸
22. viii. CLARA RANDOL, born circa 1878–79; living in 1880.⁹⁹

7. **Charles Louis³ Randol** (Alexander², Suzanne¹) was born 1867–68 in Cape Girardeau and died there on 27 December 1958.¹⁰⁰ He married (1) **Sarah Anna “Annie” Johnson** on 16 April 1892 at her parents’ home.¹⁰¹ She deserted Charles Louis and their two sons on 29 March 1908.¹⁰² She subsequently moved to St. Louis and lived in a rooming house, supporting herself as a maid.¹⁰³ Charles Louis raised his sons with his mother’s help.¹⁰⁴ On 10 November 1917, after his sons reached adulthood, Charles’s uncontested petition for divorce was granted.¹⁰⁵ He married (2) **Mabel Lucille Sides** on 11 August 1923.¹⁰⁶ She died in Sikeston, Missouri, on 20 April 1975.¹⁰⁷

In 1887 Missouri required districts with more than fifteen “Negro” children to establish a school for them. Residents of districts with fewer than fifteen such children had to attend school elsewhere.¹⁰⁸ Similar “Jim Crow” laws that promoted segregation restricted Charles Louis and his family throughout their

97. Marietta Randol entry, 1876 Cape Girardeau Co. census, pop. sch., Cape Girardeau Twp., p. 454. Marietta reportedly was under ten years old. The document does not delineate families. She is not included on the 1868 Cape Girardeau Co. census. Nor is she included on the 1870 or 1880 federal censuses of Cape Girardeau Co. The possibility of her living with someone other than her parents was explored with negative results.

98. Martha Randol entry, 1876 Cape Girardeau Co. census, pop. sch., Cape Girardeau Twp., p. 454.

99. Robert Randoll household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 9, dwell. 77, fam. 81.

100. Alexander Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 77, fam. 73. Charles Louis Randol death certificate, no. 58-043473 (1958), Missouri Department of Health and Senior Services.

101. Randol-Johnson marriage record, Cape Girardeau Co. Marriage Book G:31.

102. Charles Randol petition for divorce, 10 November 1917, Randol v. Randol papers, Cape Girardeau Court of Common Pleas, Cape Girardeau County Archive Center.

103. Frank Marchbanks household, 1910 U.S. census, St. Louis (indep. city), Mo., pop. sch., ED 93, sheet 7A, dwell. 110, fam. 114; NA microfilm T624, roll 813.

104. Louise Randol household, 1910 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, ED 292, sheet 10B, dwell. 198, fam. 231; NA microfilm T624, roll 774. Charles Louis’s sons, Ernest and Oscar, are members of their paternal grandmother’s household. Charles Louis is in the same dwelling.

105. Charles Randol petition for divorce, 10 November 1917, Randol v. Randol papers, Cape Girardeau Co. Court of Common Pleas.

106. Randol-Sides marriage record, Cape Girardeau Co. Marriage Book N:585.

107. Mabel Randol obituary, *Southeast Missourian*, Cape Girardeau, 21 April 1975, page 4, col. 2.

108. “Jim Crow Laws: Missouri,” *The History of Jim Crow* (<http://www.jimcrowhistory.org/scripts/jimcrow/insidesouth.cgi?state=Missouri>).

lives.¹⁰⁹ The term “Jim Crow” evolved from a character in a song and refers to laws and customs oppressing people of African descent.¹¹⁰

In 1930 Charles Louis and Mabel lived in Cape Girardeau next to the household of James Randol, his second cousin once removed, at 420 and 422 North Street, respectively, land that Robert³ Randol had purchased in 1865.¹¹¹

Charles Louis and Anna Randol had two children born in Cape Girardeau:

23. i. ERNEST⁴ RANDOL, born 29 July 1892;¹¹² died January 1921 in St. Louis.¹¹³ On 25 December 1916 he married Sarah J. Criddle, daughter of Bern and Harriet (née Elim) Criddle.¹¹⁴ On 24 December Bern Criddle had signed a consent for his seventeen-year-old daughter to marry.¹¹⁵ Sarah was the sister of Arie Bern Criddle, Ernest’s coworker at the American Steel Company in East St. Louis, Illinois, where the couple lived.¹¹⁶
- + 24. ii. OSCAR RANDOL, born 14 December 1894; died 11 May 1932 in Cape Girardeau.¹¹⁷ Oscar fathered a child with Helen Johnson, but they apparently never married.¹¹⁸

Charles Louis Randol had a stepdaughter born to Mabel Lucille Sides and an unidentified man:

- + 25. EDITH MARTIN⁴, born 6 November 1909 in Allenville, Missouri; died 4 January 1979 in Carbondale, Illinois.¹¹⁹

109. Missouri State Archives, “Progress Amidst Prejudice: Portraits of African Americans in Missouri, 1880–1920; Introduction to the Collection,” *Missouri Secretary of State* (<http://www.sos.mo.gov/archives/education/aapc/intro.asp>).

110. Jan Biles, “The Original Jim Crow,” *Topeka Capital-Journal*, Topeka, Kans., 16 May 2004; *Topeka Capital-Journal, CJOnline* (<http://www.ferris.edu/jimcrow/links/newslst/original.htm>).

111. 1930 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, ED 16-9, sheet 7A, dwell. 131, fam. 140 (Charles L. Randol household) and sheet 7B, dwell. 132, fam. 142 (James E. Randol household); NA microfilm T626, roll 1180. For the land purchase, see Filburn-Randol deed, Cape Girardeau Co. Deed Book B:286, Recorder of Deeds, Jackson, Mo.

112. Ernest Randol World War I draft registration card, draft board 1, East St. Louis, St. Clair Co., Ill.; NA microfilm M1509, roll IL258; digital image, “World War I Draft Registration Cards, 1917–1918,” *Ancestry.com*.

113. Earnest A. Randell death certificate, no. 2717 (1921); digital image, Missouri State Archives.

114. Criddle-Elim marriage record, 26 August 1865, Missouri Monthly Reports of Marriages, pp. 62–63, Bureau of Refugees, Freedmen, and Abandoned Lands.

115. Randol-Criddle marriage record, Cape Girardeau Co. Marriage Book H:86.

116. Bern Criddle household, 1920 U.S. census, Cape Girardeau Co., Mo., pop. sch., Apple Creek Twp., ED 14, sheet 5B, dwell. 92, fam. 93; NA microfilm, T623, roll 845. For the American Steel Company, see Arie Bern Criddle and Ernest Randol World War I draft registration cards, draft board 1, East St. Louis, Ill.; NA microfilm M1509, rolls IL257–58.

117. For his birth date, see Oscar D. Randal World War I draft registration card, draft board 17, St. Louis Co., St. Louis, Mo.; NA microfilm M1509, roll MO104; digital image, *Ancestry.com*. Oscar D. Randol death certificate, no. 15496 (1932); digital image, Missouri State Archives.

118. William Randol death certificate, no. 30613 (1916); digital image, Missouri State Archives.

119. Edith Martin obituary, *Southeast Missourian*, Cape Girardeau, 5 January 1979, page 4, col. 4.

8. Rhoda “Rodi”³ James (stepdaughter of Alexander² Randol, Suzanne¹) was born in Cape Girardeau 10 November 1851 and died there 25 February 1919.¹²⁰ Enslaved until she was thirteen years old, Rhoda bore children fathered by Jefferson Williams.¹²¹ She married William Cravens on 28 September 1892 in Cape Girardeau.¹²²

The surname James appears on Rhoda’s marriage license. The father’s name on her death certificate is Jim James.¹²³ Except for 1900, censuses consistently report Rhoda’s race as mulatto.¹²⁴ (Instructions to enumerators for 1900 do not mention mulatto as a race designation.)¹²⁵ James M. James, a thirty-four-year-old white farmer, married with a one-month-old daughter in 1860, may have been her father.¹²⁶

To the apparent offspring of a white man and a slave of African descent, an 1866 Missouri statute prohibiting marriage between whites and blacks might have seemed absurd. In 1879 the Missouri law prohibiting miscegenation was expanded to forbid marriage between persons with at least one eighth Negro blood and whites. Based on appearance, juries determined the amount of Negro blood.¹²⁷

Rhoda James and Jefferson Williams had four children born probably in Cape Girardeau County:

26. i. ANNA³ WILLIAMS, born about 1869. In 1870 one-year-old Anna and her mother lived in the household of Rhoda’s stepfather, Alexander Randol.¹²⁸

120. Rhoda Cravens death certificate, no. 5020 (1919); digital image, Missouri State Archives.

121. Jefferson Williams household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 16, dwell. 138, fam. 147.

122. Craven-James marriage record, Cape Girardeau Co. Marriage Book G:26.

123. Rhoda Cravens death certificate, no. 5020 (1919); digital image, Missouri State Archives.

124. William Cravens household, 1900 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 2, ED 12, sheet 7A, dwell. 138, fam. 149. William Jefferson household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 16, dwell. 138, fam. 14. Alexander Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 73, fam. 77.

125. Bureau of the Census, *Measuring America: The Decennial Censuses From 1790 to 2000*. (Washington, D.C.: Government Printing Office, 2002), 36.

126. James M. James household, 1860 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau Twp., p. 200, dwell. 568, fam. 568.

127. Ronald L. F. Davis, “Creating Jim Crow,” *The History of Jim Crow* (<http://www.jimcrowhistory.org/history/creating.htm>).

128. Alexander Randol household, 1870 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, p. 11, dwell. 73, fam. 77. Jefferson Williams is not listed with or near Alexander Randol.

- In 1876 Anna lived with her parents, Rhoda and Jefferson Williams.¹²⁹ In 1880 she was called Laura.¹³⁰
27. ii. LEONA WILLIAMS, born 2 February 1869; died 10 August 1948.¹³¹ She taught at John S. Cobb School and Lincoln School, both “colored” schools.¹³² Never marrying, Leona lived her entire life in Cape Girardeau.¹³³ Until 1947 the St. Louis Board of Education did not allow married females to teach.¹³⁴ Perhaps a similar policy in Cape Girardeau precluded Leona’s marrying. Leona and her colleagues at John S. Cobb School earned monthly salaries of sixty to eighty-five dollars, while teachers at white schools received eighty-five to one hundred fourteen dollars per month.¹³⁵
28. iii. FLORENCE WILLIAMS, born about 1876.¹³⁶
29. iv. CHARLES A. WILLIAMS, born 9 December 1882; died of pulmonary tuberculosis on 29 November 1917; unmarried.¹³⁷ No known source suggests he married or had children.

Generation Four

17. **Samuel⁴ Randol** (Robert³, Betsy², Suzanne¹) was born 2 April 1860 in Cape Girardeau and died there on 13 May 1921.¹³⁸ On 10 June 1880 he married **Sidney Williams**,¹³⁹ a daughter of Bartley Williams and Agnes Jane (née Miller) Williams.¹⁴⁰

129. Anna Williams entry, 1876 Cape Girardeau Co. census, pop. sch., Cape Girardeau Twp., p. 454. Anna is listed under her parents.

130. Jefferson Williams household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 16, dwell. 138, fam. 147.

131. Leona Williams death certificate, no. 25685 (1948); digital image, Missouri State Archives.

132. Leona Williams entry, list of teachers assigned to the John S. Cobb School, in List of Teachers’ Salaries, Minutes of Meeting on 29 May 1934, p. 85, Board of Education, Cape Girardeau. Rhoda’s daughter reportedly taught also at Lincoln School. See Rhoda Cravens obituary, *Southeast Missourian*, Cape Girardeau, 26 February 1919, page 7, col. 7.

133. Leona Williams death certificate, no. 25685 (1948); digital image, Missouri State Archives.

134. American Federation of Teachers, “Married Teachers, 1939–1940,” box 8, folder 32, Paul W. Preisler papers, collection SL 498, Western Historical Manuscript Collection, University of Missouri, St. Louis.

135. List of Teachers’ Salaries, Minutes of Meeting on 29 May 1934, p. 85, Board of Education, Cape Girardeau, Mo.

136. Jefferson Williams household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 16, dwell. 138, fam. 147.

137. Charles A. Williams death certificate, no. 40190 (1917); digital image, Missouri State Archives.

138. Samuel Randol death certificate, no. 11653 (1921); digital image, Missouri State Archives.

139. Randol-William marriage record, Cape Girardeau Co. Marriage Book D:478.

140. Williams-Miller marriage record, 5 August 1865, Missouri Monthly Reports of Marriages, pp. 62–63, Bureau of Refugees, Freedmen, and Abandoned Lands. For Sidney’s parents, see Bartley Williams household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Dist. No. 23, Byrd Twp., ED 23, p. 11, dwell. 94, fam. 100.

Samuel and Sidney, both former slaves, lived their entire lives in Cape Girardeau. Samuel supported his family by delivering coal. He reportedly was a “well known ice dealer by both black and white residents throughout the city. Randol was among the better colored citizens of Cape Girardeau and stood high both among the people of his race as well as among white citizens.”¹⁴¹ In June 1905 Samuel and Sidney celebrated their silver wedding anniversary. They renewed vows and held a party at their home, described as the season’s “biggest event in colored society.” “Fine presents” included those from “many of the honorees’ white friends.”¹⁴²

Samuel belonged to St. James AME Church and the Colored Masonic Lodge.¹⁴³ Black fraternal organizations strongly advocated self-reliance.¹⁴⁴

Sidney supplemented the family income by working as a cook in a cafe at a shoe factory.¹⁴⁵ She died on 8 January 1926 of heart failure.¹⁴⁶ Sidney belonged to St. Vincent’s Roman Catholic Church, where her funeral was held after a service at home on 13 January 1926.¹⁴⁷

Samuel and Sidney Randol had four children born in Cape Girardeau:

30. i. WILLIAM MADISON⁵ RANDOL, born 6 April 1881.¹⁴⁸ In 1920 his wife was Rose, but no marriage record has been found. The couple lived two doors from William’s sister, Ercie, and her husband, Walter Montjoy.¹⁴⁹ Walter may have employed William as a farm laborer as he did his brother James Ellsworth Randol.¹⁵⁰ Before 1920 William worked for the International Shoe Factory in Cape Girardeau.¹⁵¹ By 1942 he was a “helpless invalid” living in Middleburg, Virginia.¹⁵² Nothing further is known.

141. Samuel Randol obituary, *Southeast Missourian*, Cape Girardeau, 13 May 1921, page 1, col. 3.

142. “Randol Silver Anniversary Celebration,” *Daily Republican*, Cape Girardeau, 13 June 1905, page 4, col. 3.

143. Samuel Randol obituary, *Southeast Missourian*, Cape Girardeau, 13 May 1921, page 1, col. 3.

144. Gary R. Kremer, *James Milton Turner and the Promise of America* (Columbia: University of Missouri Press, 1991), 174.

145. Sidney Randol obituary, *Southeast Missourian*, Cape Girardeau, 8 January 1926, page 8, col. 2. Samuel Randol household, 1920 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, ED 12, sheet 10A, dwell. 190, fam. 240.

146. Sidney A. Randal death certificate, no. 400 (1926); digital image, Missouri State Archives.

147. Sidney Randol obituary, *Southeast Missourian*, Cape Girardeau, 8 January 1926, page 8, col. 2.

148. William Madison Randol, World War I draft registration card, Cape Girardeau Co., Mo.; NA microfilm 1509, roll MO11; digital image, *Ancestry.com*.

149. William Randol household, 1920 U.S. census, Mississippi Co., Mo., pop. sch., James Bayou Twp., ED 106, sheet 7B, dwell. 140, fam. 141; NA microfilm T625, roll 932.

150. James Ellsworth Randol World War I draft registration card, Mississippi Co., Mo.; NA microfilm M1509, roll MO62; digital image, *Ancestry.com*. The card identifies Walter Montjoy as William’s employer.

151. William Madison Randol World War I draft registration card, Cape Girardeau Co., Mo.

152. William Randol card, World War II Draft Cards (Fourth Registration) for the State of Virginia; FHL microfilm 2,370,463.

31. ii. JAMES ELLSWORTH RANDOL, born 11 June 1882;¹⁵³ died in Cape Girardeau 19 August 1950.¹⁵⁴ He married (1) 23 August 1912, in Cape Girardeau, Gertrude Fulenwider¹⁵⁵ and (2), 9 October 1920, in Charleston, Missouri, Mattie Gray.¹⁵⁶ A record of the dissolution of the first marriage has not been found. James was a farm hand for his brother-in-law Walter Montjoy in Medley, Missouri.¹⁵⁷ Between 1920 and 1930 James returned to Cape Girardeau where he worked at odd jobs including as porter for a bus company.¹⁵⁸ Montjoy's relocating to St. Louis may have prompted James's return to his hometown.
32. iii. ERCIE RANDOL, born 19 January 1884; died of pneumonia 20 March 1925 in St. Louis.¹⁵⁹ Eracie married (1), 14 April 1909, Sidney Rowan, a son of Henry Rowan Sr. and Annie Harrell.¹⁶⁰ The marriage ended tragically on 27 May 1910 when Sidney shot himself.¹⁶¹ Before going upstairs at home where he fired the fatal shot Sidney asked Eracie to tell his employer he was ill and would not return to work after dinner. He reportedly was despondent for several weeks before the suicide. He carried a three-hundred-dollar insurance policy with the Knights of Pythias, a benevolent organization with several thousand Missouri Negro members.¹⁶² Eracie married (2) Walter Montjoy on 23 November 1912 in Charleston, Missouri.¹⁶³ They shared their home with Eracie's maternal grandmother, Jane Williams, and maternal aunt, Marjorie Morgan.¹⁶⁴ Eracie's brother James worked for

153. James Ellsworth Randol World War I Draft Registration Card, Mississippi Co., Mo.

154. James Randol death certificate, no. 26247 (1950); digital image, Missouri State Archives.

155. Randol-Fulenwider marriage record, Cape Girardeau Co. Marriage Book L:19.

156. Randol-Gray marriage record, Mississippi Co. Marriage Book 14:373, Courthouse, Charleston, Mo.; FHL microfilm 0,925,722.

157. James Ellsworth Randol World War I Draft Registration Card, Mississippi Co., Mo.

158. James E. Randol household, 1930 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, ED 19-9, sheet 7B, dwell. 132, fam. 142. Marjorie Morgan household, 1930 U.S. census, St. Louis (indep. city), Mo., pop. sch., Ward 20, ED 96-72, sheet 14B, dwell. 198, fam. 315; NA microfilm T626, roll 1238. Marjorie Morgan, aunt of Walter Montjoy's deceased wife, Eracie, shared her living quarters with Walter and his two teenaged children.

159. Eracie Montjoy death certificate, no. 9990 (1925); digital image, Missouri State Archives.

160. Randol-Rowen marriage record, Cape Girardeau Co. Marriage Book J:385. For Sidney's parents, see Henry Rowan household, 1880 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, ED 32, p. 4, dwell./fam. 31. Also, Sidney Rowan death certificate, no. 12476 (1910); digital image, Missouri State Archives.

161. Sidney Rowan death certificate, no. 12476 (1910); digital image, Missouri State Archives.

162. Sidney Rowan obituary, *Daily Republican*, Cape Girardeau, 27 May 1910, page 1, col. 3. For Knights of Pythias, see Arthur Mastick Hyde Papers, Western Historical Manuscript Collection-Columbia.

163. Montjoy-Rowan marriage record, Mississippi Co. Marriage Book 11:73, Courthouse, Charleston, Mo.; FHL microfilm 0,925,722.

164. Walter L. Montjoy household, 1920 U.S. census, Mississippi Co., Mo., pop. sch., James Bayou Twp., ED 106, sheet 7B, dwell. 138, fam. 139.

- Walter, a self-employed farmer.¹⁶⁵ Between 1920 and 1925 Erchie, Walter, and their family moved to St. Louis, where Walter worked as a porter.¹⁶⁶
33. iv. HERBERT SAMUEL RANDOL, born 27 June 1885;¹⁶⁷ died 11 July 1930 in Cape Girardeau.¹⁶⁸ On 17 November 1917 he married Eva Louise Gray, sister of his brother James's future wife Mattie Gray.¹⁶⁹ Herbert worked in a St. Louis laundry¹⁷⁰ and as a cook in Cairo, Illinois¹⁷¹ and Cape Girardeau.¹⁷² Cape Girardeau's racial climate during Herbert's lifetime shows in a newspaper advertisement for a Ku Klux Klan lecture by the "Hon. Zack Harris" at the city's Baptist Church Tabernacle. The notice includes the church's disclaimer of support for the lecture.¹⁷³

24. Oscar⁴ Randol (Charles Louis³, Alexander², Suzanne¹) was born 14 December 1893 in Cape Girardeau¹⁷⁴ and died there 11 May 1932.¹⁷⁵ He fathered a child with **Helen Johnson**, of Cape Girardeau.¹⁷⁶

Oscar held various jobs including "chipper" in the American Steel Foundry in East St. Louis, Illinois.¹⁷⁷ In 1920 he was a farm laborer in Randol Township, in Cape Girardeau County.¹⁷⁸ In 1930 he lived in St. Louis with his mother, Anna, and his stepfather, Charles Hockett.¹⁷⁹ Perhaps he left Cape Girardeau for better employment opportunities. At his death Oscar worked in a Cape Girardeau laundry.¹⁸⁰

165. James Ellsworth Randol World War I Draft Registration Card, Mississippi Co., Mo.

166. Marjorie Morgan household, 1930 U.S. census, St. Louis (indep. city), Mo., pop. sch., Ward 20, ED 96-72, sheet 14B, dwell. 198, fam. 315.

167. Herbert Randol, World War I draft registration card, Alexander Co., Ill.

168. Herbert Randol death certificate, no. 22170 (1930); digital image, Missouri State Archives.

169. Randol-Gray marriage record, Mississippi Co. Marriage Book 13:104; FHL microfilm 1,977,444. For the Grays, see Van H. Gray household, 1910 U.S. census, Mississippi Co., Mo., pop. sch., James Bayou Twp., ED 95, sheet 6B, dwell./fam. 104; NA microfilm T624, roll 799. Eva and Mattie were daughters of Van Gray.

170. Samuel Thompson household, 1910 U.S. census, St. Louis (indep. city), Mo., pop. sch., Ward 19, ED 320, sheet 13B, dwell. 187, fam. 277; NA microfilm T624, roll 820. Herbert boarded in the Thompson household.

171. Herbert Randol, World War I draft registration card, Alexander Co., Ill.

172. Herbert Randol death certificate, no. 22170 (1930); digital image, Missouri State Archives.

173. Advertisement, *Southeast Missourian*, Cape Girardeau, 18 June 1923, page 3, col. 3.

174. Oscar D. Randal World War I draft registration card, draft board 17, St. Louis, Mo.

175. Oscar Randol death certificate, no. 15496 (1932); digital image, Missouri State Archives.

176. William Randol death certificate, no. 30613 (1916); digital image, Missouri State Archives. William's mother, the informant, identified Oscar Randol as William's father.

177. Oscar D. Randal World War I draft registration card, draft board 17, St. Louis, Mo.

178. Fred Butterworth household, 1920 U.S. census, Cape Girardeau Co., Mo., pop. sch., Randol Twp., ED 33, sheet 5B, dwell. 101, fam. 102. Oscar boarded in the Butterworth household.

179. Charles Hockett household, 1930 U.S. census, St. Louis (indep. city), Mo., pop. sch., Ward 19, ED 531, sheet 11B, dwell. 126, fam. 203; NA microfilm T626, roll 1243.

180. Oscar Randol death certificate, no. 15496 (1932); digital image, Missouri State Archives.

Oscar Randol had only one known child:

34. i. WILLIAM⁵ RANDOL, born 14 January 1916 in Cape Girardeau; died there at his mother's home on 21 September 1916 of colitis.¹⁸¹

25. Edith⁴Martin (stepchild of Charles Louis³ Randol, Alexander², Suzanne¹) was born in Allenville, Missouri, about November 1910 to Mabel Lucille Sides. She died 5 January 1979 in a nursing home in Carbondale, Illinois. She belonged to St. James AME Church in Cape Girardeau.¹⁸² Edith, for whom no evidence of marriage is known, bore two children:

35. i. VIRGINIA³ MCGEE, born about 1925 in Missouri.¹⁸³ Marriage and death records provide no further information.
36. ii. LILLIAN MCGEE, born 22 June 1928 in Cape Girardeau;¹⁸⁴ died there 10 September 1981,¹⁸⁵ married, on 24 May 1956, John La Joie.¹⁸⁶

CONCLUSION

Casting a wide net for records created by Jeremiah Randol and his forebears yielded a prize catch—a slave bill of sale and a record of facts surrounding his father's death. Those documents provided keys to the family of a young enslaved woman named Suzanne. Records reconstructed the life of the child sold to Samuel Randol in 1801.

Until their emancipation on 11 January 1865, enslaved persons in Missouri could be bought, sold, willed, inherited, hired out, and seized for debt.¹⁸⁷ “Despite the great difficulty that slave families had establishing and maintaining themselves in a system that neither respected nor valued their relationships with one another, enslaved Africans established the foundations of family life.”¹⁸⁸ Suzanne's descendants maintained a strong sense of family. For several decades they lived near one another in Cape Girardeau, Missouri, and shared living quarters with extended family members. Some who found employment in neighboring towns and cities returned home to die among family members.

181. William Randol death certificate, no. 30613 (1916); digital image, Missouri State Archives. William Randol obituary, *Daily Republican*, Cape Girardeau, 22 September 1916, page 3, col. 4.

182. Edith Martin obituary, *Southeast Missourian*, Cape Girardeau, 5 January 1975, page 2, col. 5.

183. Charles L. Randol household, 1930 U.S. census, Cape Girardeau Co., Mo., pop. sch., Cape Girardeau, Ward 1, ED 16-9, sheet 7B, dwell. 132, fam. 142.

184. LaJoie-McGee marriage license application, 10 May 1956, Cape Girardeau County Archive Center.

185. Lillian La Joie obituary, *Southeast Missourian*, Cape Girardeau, page 4, col. 2.

186. LaJoie-McGee marriage record, Cape Girardeau Co. Marriage Book 32:629.

187. Missouri State Archives, “Black Marriage Records, 1865,” *Missouri Secretary of State* (<http://www.sos.mo.gov/archives/education/teaching/modocs41.asp> : accessed 20 August 2002.)

188. Howard Dodson et al., *Jubilee*, 114.

Editors' note: Since 1984 NGS has sponsored the Family History Writing Contest. Judges rate entrants on research skills, story, and format, including use of NGS standards and the NGS *Quarterly* numbering system. Winners receive an expense-paid trip to the NGS Annual Conference and Genealogy Expo. For further information see Carmen J. Finley, *Creating a Winning Family History: A Guide to the NGS Family History Writing Contest* (Arlington, Va.: National Genealogical Society, 2002); and "The Family History Writing Contest, *National Genealogical Society* (<http://www.ngsgenealogy.org/comfamhist.cfm>).

Marriages of Stubborn Mules to Fine Fillies (or Brood Mares?)

Experienced researchers know that records relating to marriages can be found in all sorts of historical resources, but rarely does one expect to find them in animal registers. In 1861 the Sutton, Massachusetts, town clerk used a blank page between two parts of an old register to transcribe three marriage intents from the summer of 1743—something done typically when old records were in disrepair. The volume he chose for the rerecording underscores why "thorough research" means consulting every type of record that survives. Between registrations of stray animals taken up by townsmen and the cattle marks and brands they registered, the three marriage intents the clerk transcribed on 8 June 1861 were these:

"Sutton, July: 7-23-1743. These may certifie that marriage is Entended Between Thomas Lowel and Eunice Putnam_{i,j} Booth [both] of Sutton. [Signed] Elisha Putnam, Clerk [the clerk of 1743, not that of 1861].

"Sutton, July: 7-23-1743. These may certifie that marriage is Entended Between Samuel Marble and Patience Gale_{i,j} Booth of Sutton. Elisha Putnam. Clerk.

"Sutton, August the 26th 1743. These may certifie that marriage is Entended Between Nathan Hiscock and Hannah Goodet (the widdow), Booth of Sutton. Elisha Putnam, Clerk."

It is worth noting that the Lowel marriage also appears in the vital records of Middleton, Massachusetts, several towns and a county removed from Sutton.

Sources: "Sutton's Book of Records of Estrays & Marks, Dom. 1732–Dom. 1816," unnumbered page between part 1 (stray records) and part 2 (marks and brands), Town Clerk's Office, Sutton. Middleton Births, Marriages, and Deaths, 1703–1822, p. 52, Town Hall, Middleton, Mass.; microfilm 0,876,103, items 3–4, Family History Library, Salt Lake City.

—Contributed by Elizabeth Shown Mills, CG, CGL, FNGS, FASG

Bible Record

Jennings Family Bible Record

Contributed by Arlene V. Jennings, CG

[*The Holy Bible, Containing the Old and New Testaments* (Philadelphia: Harding, 1860)]¹

[Data page 1 (all in the same ink and hand)]

MARRIAGES.

Jotham S. Jennings was married to Elizabeth Hill A.D. 1822. Dec. 3rd.

Jotham S. Jennings and Mary Seymour were married A.D. 1836. March 10th.

John H. Keigley and Sarah Jennings were married Sept. 26th AD 1844.

Harrison V. Conway and Elizabeth Jennings were married May 30th A.D. 1849.

John H. Jennings and Elizabeth Ewart were married A.D. 1852

James Bebout and Ruth Anna Jennings were married Oct. 30th A.D. 1862.

John B. Williams and Susan R. Jennings were married Feb. 22nd A.D. 1866.

Samuel H. Jennings and Mary Ellen Veatch were married Sept. 20th A.D. 1866.

James B. Jennings and Sarah Laura Williams were married Sept. 3rd A.D. 1868.

[Data page 2 (in the same ink and hand as the first page)]

BIRTHS.

Jotham S. Jennings was born on the 9th day of April A.D. 1800.

Elizabeth Jennings was born on the 1st of April A.D. 1801.

John Hill Jennings was born on the 3rd of April A.D. 1825.

Sarah Jennings was born on the 17th of June A.D. 1826.

Mary Jane Jennings was born on the 16th November A.D. 1827.

Nathaniel Jennings was born on the 6th of April A.D. 1829.

Elizabeth Jennings was born on the 26th of September A.D. 1830.

Samuel Hill Jennings was born on the 4th November A.D. 1832.

Mary Seymour, wife of Jotham S. Jennings was born on the 19th day of October
A.D. 1813.

Arlene V. Jennings, CG; 306 State Street; Brooklyn, NY 11201-5821; arlenevj@earthlink.net. This record is a contribution to the National Genealogical Society's Bible records project. For further information, see Cyndi Howells, "The National Genealogical Society Digital Bible Archives Project," *NGS Quarterly* 90 (December 2002): 301-3.

1. Several pages, including the volume's title page, are missing from the front of the Bible. Publication details for its New Testament section suggest the title cited here.

[Data page 3 (in the same ink and hand as the first page)]

BIRTHS.

Infant son born on January 21st A.D. 1837.

Susan Ross Jennings was born on the 20th day of March A.D. 1838.

James Ball Seymour Jennings was born December 20th A.D. 1839.

Ruth Anna Jennings was born on the 4th day of June A.D. 1841.

William Thomas Jennings was born July 21st A.D. 1843.

Jesse Hanson Jennings was born June 10th A.D. 1845.

Lydia Seymour Jennings was born January 16th A.D. 1848.

Jotham Scudder Jennings was born May 12th A.D. 1850.

Mary Amelia Jennings was born December 29th A.D. 1851.

Clarence Septimus Jennings was born January 9th A.D. 1857.

[Data page 4 (in the same ink and hand as the first page)]

DEATHS.

Elizabeth Jennings, wife of Jotham S. Jennings departed this life March 15th A.D. 1834, aged 32 years 11 months and 15 days.

Infant son of Jotham and Mary Jennings Deceased Jan. 26th A.D. 1837 Aged 4 days and 8 hours.

Mary Jane Jennings Deceased Oct. 1st A.D. 1850.

Jotham Scudder Jennings, son of Jotham and Mary Jennings Deceased Jan. 4th A.D. 1851.

Jotham Scudder Jennings departed this life Jan. 3rd A.D. 1870, Aged 69 years 8 months and 24 days.

Nathaniel Jennings died Aug. 25th A.D. 1862.

William Thomas Jennings died Sept. 19th A.D. 1863.

[Data page 5 (in a different hand from the above)]

Mary Amelia Jennings, daughter of Jotham and Mary Jennings deceased

Mary Seymour Jennings wife of Jotham Jennings departed this life January 31, 1873

Ruth Anna Bebout, daughter of Jotham and Mary Jennings, departed this life October 10, 1883 – 42 yrs, 4 mo, 6 days [date added by a third hand using different ink]

Samuel Hill Jennings, son of Jotham and Elizabeth Jennings, departed this life May 30, [blank]

James Ball Jennings, son of Jotham and Mary Jennings, departed this life

John H. Jennings, son of Jotham and Elizabeth Jennings, departed this life

Sarah Kegley, daughter of Jotham and Elizabeth Jennings, departed this life

Elizabeth Jennings Conway, daughter of Jotham and Elizabeth Jennings, deceased

Susan Ross Williams, daughter of Jotham and Mary Jennings, departed this life June 5, 1918 = 80 yrs, 2 mo, 16 da.

[Stitched into the Bible, on top of each each other on the verso of the same page, are three additional sheets of paper, each in a different hand.

Sheet 1, recto]

AD 1750

Thomas Scudder Born Aug 23rd

March 20th

Abigal Scudder Born ^ 1756

Sarah Scudder Born May 1st 1774

Jotham Scudder Born Nov 4 1776

Abigal Scudder April 17 – 1779

~~Abigal~~

Ruth Scudder Born Nov 3 1782

James Scudder Born Jan 27th 1787

Jane Scudder Aug 8th 1789

21th

Daniel C. Scudder Born April 21 1795

Polly Scudder Born Nov 4 – 1797

Sarah Jennings wife of N Jennings Died July 26th 1819

Thomas Scudder Died Ap 15 – 1828

Abigal Scudder Died April 14th 1846

Ruth Ross Died May 1852

James Scudder Died March 24 – 1857

[Sheet 1, verso]

[torn] ndage

Post office

Abigal Hixenbaugh

Scotland County

Missourie. Dairy.

[Sheet 2—a small piece of ruled paper]

N. Jennings was borne Jan. 2nd 1770 and died Apr 30th 1844

Sarah Scudder “ “ May 1st 1774 “ “ July 26th 1819

Anna Jennings “ “ July 27th 1794

Salome “ “ “ May 13th 1797 “ “ Feb 22nd 1862

Jotham “ “ “ April 9th 1800 “ “ Jan 3rd 1870

Ruth “ “ “ Feb 12th 1807

Sarah “ “ “ Jan 19th 1821

[Sheet 3 (entries on the back of a page from another Bible showing text from the Apocrypha)]

Nathaniel Jennings was born January 2

In year of our Lord 1770 ~~~

Sarah Scudder was born May 1 —

In the year of our Lord 1774 ~

Funeral Sermon
of my wife by M^r
Brooks Revelations
14 Chap 13 verce^[2]

Nathaniel and Sarah was Married

September 30 In the year of our Lord 1793

funeral by Elder
Small from
Hebrews 4 and 9

Anna Jennings the daughter of —

Nathaniel Jennings and Sarah Jennings

Was Born in the year of our Lord 1794

July 27 11h — Aft^[3] ~ [Following very faded.] Salome Jennings the daughter
[illegible] Nathaniel and Sarah Jennings

[Remainder not legible. The page is faded and torn.]

CONTRIBUTOR'S NOTES

The record documents the Jennings family of Essex County, New Jersey; Greene County, Pennsylvania; Knox County, Ohio; Boone County, Iowa; and Osage County, Kansas. It originally belonged to Jotham Scudder Jennings Sr. (1800–70). Before 1909 Jotham's daughter, Susan Ross (née Jennings) Williams (1838–1918), owned the Bible.⁴ Subsequently it passed to Jotham's grandson, John David Jennings (1877–1963), son of Jesse Hansen Jennings (1845–1932); to John's son, Dolf Jesse Jennings (1905–2001); to Dolf's nephew; and to Dolf's daughter, the contributor.

Although Jotham Jennings was the record's original owner, another family member was the recorder, because Jotham's death is entered in the same hand as earlier entries. Entries in a new hand begin with the death of Jotham's second wife, Mary Seymour Jennings (1813–73), suggesting she was the earlier scribe. A receipt in the book for items "Bought of The American Sunday-School Union" and dated "Philadelphia, May 20th, 1862, No. 1122 Chestnut Street," implies the Bible was put to use shortly after the 1860 publication date.

2. The notation describing Sarah (née Scudder) Jennings as "my wife" suggests that Jotham's father, Nathaniel Jennings (1770–1844), penned it.

3. This phrase seems to signify "the eleventh hour in the afternoon," meaning eleven o'clock p.m.

4. Wm. Hayson (Notary Public, Burlingame, Kans.) to Hon. V. Warner (Commissioner of Pensions, Washington, D.C.), letter, 9 April 1909, in Jesse H. Jennings (Private, Company I, 142 Ohio Infantry) file XC2653688, Case Files of Approved Pension Applications of Widows and other Dependents of Veterans of the Army and Navy who Served Mainly in the Civil War and the War with Spain ("Civil War and Later Widows' Certificates"), Records of the Department of Veterans Affairs, Record Group 15, National Archives, Washington, D.C.

Reviews

ETHNIC GUIDE

Finding Oprah's Roots: Finding Your Own.

By Henry Louis Gates Jr. Published by Crown Publishing; 1745 Broadway; New York, NY 10019; <http://www.crownpublishing.com>; 2007. ISBN 978-0307-38238-2. 191 pp. Appendix, illustrations, photographs, index. Hardback. \$19.95.

Hosted by Henry Louis Gates Jr., the television series *Finding African American Lives* (2006) offered a guided tour of the journeys of several African American celebrities to find their family origins. Gates shares his case study of Oprah Winfrey, narrating the discovery of her family's meager beginnings. "There are so many obstacles for African Americans who want to trace their family trees," Gates remarks as he offers encouragement in researching an ethnic group that slavery makes a challenge to retrace (p. 29).

Finding Oprah's Roots is not a step-by-step guide to genealogy but a window into the methodical process necessary to undertake an African American research project. Gates details his investigative thoughts and methods and emphasizes how to make use of family events, memories, and folklore, to compare them with historical accounts in a paper trail. For example, education, an important aspect in Winfrey's life, was also a common element in the lives of her ancestors, from her paternal great-great-grandfather, Constantine Winfrey, who sponsored a black schoolhouse in Montgomery County, Mississippi, in the late 1800s, to her maternal great-grandmother, Amanda Bullocks, trustee of a black school district in Attala

County, Mississippi. Researching records surrounding their educational affairs led Gates to little used documents to bring the former slaves' stories to light.

Gates recommends analyzing every morsel of information and moving beyond family facts to history, making use of the Internet, visiting repositories, and employing professional genealogists. DNA technology picked up where the paper trail faded and genetic testing advanced the research to her maternal family's likely origins: Liberia, Cameroon, or Zambia.

The book is easy to read with various photos of Oprah, her family, and a few documents illustrating several ancestors. Of the documents uncovered, just a sampling was included. A pedigree chart would have helped readers visualize the family structure.

Overall, *Finding Oprah's Roots* is likely most effective in conjunction with the television series. It provides inspiration to African American researchers desiring to recover the lost history within their families.

LaDonna Garner, CG
Bloomsdale, Missouri

FAMILY HISTORIES

Abraham Chatten (c1692-1761) and Grace Mills of Woodbury Creek, New Jersey, and Their Descendants. By William Brooke Fetters. Printed by Anundsen Publishing Co.; order from William Brooke Fetters; 10450 Lottsford Road, #5017; Mitchellville, MD 20721; 2007. xiii, 411 pp. Appendices, illustrations, index, maps. Hardback. \$40.00.

The agnate lineage of Abraham Chattin is more than the story of an early, indomitable Quaker family. Because of family members' intermarriage with other early settlers, this book is a rare and fascinating study of the English genesis of West New Jersey, later known locally as South Jersey.

Born to Abraham and his first wife Grace Mills were eight sons and three daughters. Using three original sources, the author builds a solid second generation. The third generation and some fourth generation names are problematic. Basic evidence could not be found to link some grandchildren to the proper parents. In these instances a full analysis is provided. A discussion of the identity problems concerning three unattached Chattins appears in chapter twelve.

Biographical contents vary with each chapter, but are extensive for the progenitor, Abraham. Some lines are carried to the sixth and even the eighth generation. A separate chapter is devoted to the first wife and six of the sons.

Coupled with the narration are verbatim vital records, critical maps, Bible records, and photographs. Facsimiles of numerous Chattin signatures add touches of reality. Historical detail abounds.

Citations are grouped by chapters and arranged by subgroups. This seems logical in some chapters, but in others it may cause confusion. The citations reference a wide range of source material with the majority noted as original sources.

This book is a successful interweaving of history and genealogy, enriched by careful scholarship.

June Zublic, CG

Turnersville, New Jersey

The Ancestry of Alila May Miller (1881–1960) of Miller Place, Long Island, New York. By Willis H. White. Published by Penobscot Press, 2007. Order from Willis H. White; 12779 Flat Meadow Lane; Herndon, VA 20171. ISBN 0-

89725-815-0. 282 pp. Appendix, index, maps, photographs. Softcover. \$25.00.

The Miller family of Long Island suffered the tragedies of war and disease, yet it survived and prospered. Extensive writings from this family have also survived—diaries, account books, and letters. The author uses this trove of personal literature to reveal the lives of Miller family members.

White's book is divided into three sections and an appendix. The first section contains biographical chapters for each ancestor of Alila May Miller. It begins with a discussion of four Miller men—Andrew, John, George, and William—of East Hampton, Long Island, during the mid- to late-1600s who may have been brothers. The author also discusses a tentative father, John. He acknowledges that the relationships are unproven and the family origin is still being investigated.

The remaining biographical sketches begin with Andrew Miller (ca. 1631–1717) and flow through eight generations to Alila May (née Miller) Tuthill. Each sketch puts the individual in the context of his or her time and place as the family moves from East Hampton to Setauket and "Old Man's" in the town of Brookhaven, where Andrew consolidated his extensive land holdings into an eighty-one-acre parcel ultimately part of the community of "Miller Place." These were subsistence farmers who held many positions within the community. As the family grew, many collateral lines moved from Miller Place to New Jersey. Each sketch is followed by endnotes citing sources used to reconstruct the lives of Alila's ancestors.

The book's middle section contains a genealogical summary, from John Miller and his four possible sons, through eleven generations to Alila's children. The summary shows known children and grandchildren of each generation. In the genealogical summary, the four potential brothers are shown as "Children of John Miller." If taken out of context, the relationship may be mistaken as proven.

The final section includes transcriptions of records pertinent to the Miller families, including entries from five diaries, an account book, and a parish census. Of considerable value is a list of deaths recorded by Rev. Aaron Snow after his tenure as the pastor of Mt. Sinai Congregational Church. The transcripts mention many old Long Island families in addition to the Millers. The timeframe for the records is 1763 to 1892. Their inclusion is a boon as most are unpublished. Readers need to be aware that the transcriptions included are selective. The author chose entries supporting his research and the stories being told. It would have been impractical to include all the diary entries. For example, the diary of Samuel Hopkins Miller is a series of books covering sixty-five years.

The appendix contains two sketches of family members not in the direct line of descent and an essay on the "Old Miller Burial Ground." The index includes all people and places mentioned in the book, including women's maiden and married names. Dates distinguish those of common names.

The Ancestry of Alila May Miller combines both narrative and source information into one volume. It will benefit researchers of old Eastern Long Island from Setauket to Rocky Point.

Amy Larner Giroux, CG, CGL
Orlando, Florida

MISCELLANEOUS

Obstetrical Casebooks of Dr. Ferdinand E. Chatard: An Alternative Genealogical Resource for Baltimore City, Maryland, 1829-1883. By Gary B. Ruppert. Published by Heritage Books; 65 East Main Street; Westminster, MD 21157-5026; 2007. ISBN 978-0-7884-4331-3. xxiv, 221 pp. Graph, index, tables. Paperback. \$25.50 (shipping: \$4.00).

This book helps fill the distressingly empty spaces for Baltimore birth records of the mid-nineteenth century. Baltimore City civil birth registrations don't begin until 1875.

The author, a physician, creates a valuable index from an alternative source of birth data—three volumes of handwritten chronologically listed obstetrical notes kept by Baltimore physician Ferdinand E. Chatard and preserved at the Maryland Historical Society Library. The alphabetic index of birth mothers and their 5,285 deliveries for years 1829 to 1883 displays the case number, birth or miscarriage date, gender of the child when the case specifies, and remarks. The remarks often note the number of deliveries or children associated with the listed woman and, if applicable, may state her slave or minority classification, her death date, the death date of her infant, and other useful comments. The original records lack first names of infants and frequently of married mothers, whom the index identifies with the initials or first names of their husbands. Missing first names may be discovered in censuses or other records.

A spot-check for accuracy provides an example. The index catalogues the sixth pregnancy, a male, for Mrs. Joseph Grafflin on 15 August 1868. The 31 January 1870 Baltimore *Morning Sun* death notice (p. 2) supports the entry, providing the 15 August 1868 birth date for baby William Stewart Grafflin, son of Joseph and Sidney A. N. Grafflin of Baltimore, who suddenly died at 17 months and 15 days on 29 January 1870.

The introduction presents pertinent case material and information concerning Dr. Chatard. The discussion includes non-uniform case content and mentions problems of variable surname spellings and handwriting interpretation. Tables and a graph enhance summary statistical information. Detailed excerpts from a few cases paint touching pictures of personal labor and delivery journeys and indicate obstetrical practices of the

era. Descriptions, medical terminology, and references help the reader. Of some concern is that only one source documents pages of biographical and lineage information concerning Dr. Chatard.

A couple of case dates from excerpted passages in the introduction do not match the dates for the same cases in the index. An index of names other than those of birth mothers could aid the researcher.

Dr. Ruppert provides a significant resource to genealogical researchers seeking Baltimore vital records. His attractive book displays well-organized and extraordinary birth data based on an overlooked, unpublished original source.

Jane F. Burgess, CG
Rockville, Maryland

The History and Master Roll of the King's Royal Regiment of New York. Revised edition. By Ernest A. Cruikshank and Gavin K. Watt. Published by Global Heritage Press; 43 Main Street South; Campbellville, Ontario, Canada L0P 1B0; <http://www.GlobalHeritagePress.com>; 2006. ISBN 1-897210-83-3. ix, 395 pp. Appendices, illustrations, index, maps. Hardback. \$64.95 (Canadian).

This book will interest researchers of Loyalists in New York and those tracing English-American, English-Canadian, Scottish-American, Scottish-Canadian, Dutch-American, and Native-American heritage. This detailed history of the Revolutionary War era in New York is written by a Brigadier General with considerable insight into period military matters.

In the original 1931 edition, Brigadier General Cruikshank describes the tragic consequences of the British high command's attempts to control military actions from abroad. Correspondence brings the period to life and personalizes the hardships of colonists and their families. The predicament of the British colonists is poignantly clear. After the war, many colonists sought relief

and their losses were documented.

Watt's painstaking index adds a useful surname concordance identifying the service of thousands of individuals in Cruikshank's "Master Roll." The book provides surname, given name, birth and death dates, enlistment date, battalion, highest rank held, details of service, domicile, trade, where settled, and with what family.

Watt has created an essential book for researchers studying the identity, whereabouts, and fate of Loyalists actively engaged in the Revolutionary War in New York.

Cornelia W. Bush, CG
Pinehurst, North Carolina

REFERENCE WORKS

Finding Answers in British Isles Census Records.

By Echo King. Published by Ancestry; 360 West 4800 North; Provo, Utah 84604; 2007. ISBN 13-978-1-59331-300-5. vii, 126 pp. Illustrations, index, tables. Paperback. \$16.95.

This volume presumes to instruct beginning genealogists about searching census records in England, Wales, Scotland, and Ireland. More informational publication than instruction manual, it provides data about censuses without actually instructing the student how to use or understand the records. Readers receive information about the English census, including history, format, availability, and geographical guides, but few, if any, examples show how they can use the records.

Ancestry.com, the leading resource for online census records, provides indexes and digital images for all censuses pertaining to England, Wales, the Channel Islands, and Scotland from 1841 to 1901. The digitization and indexing of these records has dramatically changed the means and ways census information is searched. What has often been a laborious first step in the genealogical search has turned into a quick and easy

method to identify family groups and place them in a context. Unfortunately, *Finding Answers* timidly approaches the issue of online research, providing simple details such as where information can be found online or what data might be found in the documents. It offers little on how to use online records in solving research problems.

One of the most important aspects of census research is the relationship of the census to other sources. Understanding how to use census information with civil registration, city directories, or maps, for example, is vital to research methodology. The book however, provides no connection of censuses to other records. Examples of problems and pictures of census documents also would have been helpful.

Finding Answers in British Isles Census Records suggests it offers a comprehensive study of censuses in England, Wales, the Channel Islands, Scotland, and Ireland, but in fact, the volume concentrates on England. It does provide a small discussion regarding Scottish records and mentions a few words in the Welsh language, but it lacks an indepth evaluation of the censuses of these countries. A chapter is allotted to Irish censuses, but it provides only basic descriptive information and no discussion of their use.

Ancestry has missed an opportunity to teach genealogists how to use the Internet to study a series of valuable records.

James W. Petty, AG, CG
Salt Lake City, Utah

REGIONAL WORKS

Virginia Immigrants and Adventurers, 1607-1635: A Biographical Dictionary. By Martha W. McCartney. Published by Genealogical Publishing Co.; 3600 Clipper Mill Road, Suite 260; Baltimore, MD 21211-1953; <http://www.genealogical.com/>; 2007.

ISBN 978-0-8063-1774-8. 833 pp. Glossary, index, map. Hardback. \$49.95 (shipping: \$4.00).

This biographical dictionary of over five thousand early Virginia immigrants, adventurers, and residents presents information from more than seventy sources in an alphabetical compilation. It provides sketches of Englishmen, continental Europeans, and Africans who came to Virginia, as well as prominent Virginia Indians. The 1635 cut-off date is not strictly observed, with many later biographical details referenced. Sources include reliable published transcriptions of original sources and manuscript collections in the United States and United Kingdom.

The author defines geographical divisions of the area and ties each biography to one or more of those locations. Helpful in assembling information from various sources into one biography, location also helps differentiate individuals of the same name. An outline map shows locations.

The book is documented except for the general history section. Readers should use the name index to find all the information available on a person. For example, the biography of Thomas Warnet (p. 720) mentions his bequests to "several" Virginia residents (no names given). The index shows that Thomas Warnet is listed in seventeen other biographies. Of those seventeen biographies, sixteen were recipients of the bequests and the other was overseer of Thomas's will.

A consideration for any future edition would be an index to geographical locations and ships' names. More detail on the map, like the boundaries of the eight counties of 1634, which are used as overall geographical divisions in the book, would be helpful.

The book is a valuable research tool for those interested in early Virginia history. A single index of names, giving access to many different sources for this time period, is very useful.

Darlene L. Hunter, CG
Woodbridge, Virginia

RESEARCH GUIDES

Ancestral Trails: The Complete Guide to British Genealogy and Family History. 2nd ed. By Mark Herber. Published by Genealogical Publishing Co.; 3600 Clipper Mill Road, Suite 260; Baltimore, MD 21211-1953; 2006. ISBN 10-0-8063-1771-X. xxi, 873 pp. Appendices, illustrations, index. Paperback. \$34.95.

When *Ancestral Trails* first appeared in 1997 it received justified acclaim as the definitive source for British research. This valuable update recognizes the growth of the Internet and newly available collections, as well as the methodology needed to use them.

For a manual to succeed it must be more than informative, it must be instructive. In *Ancestral Trails*, Herber not only identifies the available records and tells how to use them, he explains why they were created, which is important to understanding the people to whom the records pertain.

Genealogical researchers in any country should study this volume. Herber has extended the scope of his study beyond England, with chapters on English connections to America, Australia, South Africa, and other countries tied at some point to the British Commonwealth. English systems of law, business, and society have been the foundation for government and cultures of many countries. Understanding those systems can advance research.

One important discussion is lacking in *Ancestral Trails*, perhaps because the author is English and the concept is second nature to him. Social classes in English history must be considered with regard to marriage, property, military rank, and even seating in the parish church. Researchers unfamiliar with traditional English social orders might undertake many unnecessary searches.

Despite this shortfall, *Ancestral Trails* is a most impressive, instructive, and readable research guide.

James W. Petty, AG, CG
Salt Lake City, Utah

Tracing Your Irish Ancestors: The Complete Guide. 3rd ed. By John Grenham. Published by Genealogical Publishing Co.; 3600 Clipper Mill Road, Suite 260; Baltimore, MD 21211-1953; 2006. ISBN 0-8063-1768-X. xxiv, 526 pp. Illustrations, maps. Paperback. \$24.95.

Archives, libraries, and Family History Centers in Ireland have this book on reference desks, and experts have it in their hands. This is the third edition of John Grenham's invaluable guide. It makes considerable advance planning possible before traveling for research.

The current edition has a general introduction to Irish records, including civil records, 1901 and 1911 censuses, church records, deeds and other land records, and wills. It also covers supporting materials, like newspapers and directories of towns and occupations. It provides each record's location and National Archives of Ireland and National Library of Ireland reference numbers.

The first edition's county source lists are expanded and even more informative. The county name is the starting point for locating nineteenth-century Irish birth, baptismal, and marriage records. For each county Grenham lists relevant records and their available span of years. Each county's bibliography of published sources notes articles, local histories, and Web sites.

New in the second edition and even more helpful in the third is a section on Roman Catholic parish registers. For each county's parishes Grenham provides the span of years of the surviving registers, repository, reference numbers, and Family History Library film numbers. Most useful are the parish maps for each county, revised and redrawn for this edition.

The book is invaluable for family historians and professional genealogists conducting research anywhere in the Irish diaspora or at record repositories in Ireland.

Anne Rodda, M.A., CG
Little Falls, New Jersey

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Index to Volume 95
2007

Dawne Slater-Putt, Compiler
Thomas W. Jones, Editor
Melinde Lutz Sanborn, Editor

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Index to Volume 95

Entries for persons with no surnames or with unknown surnames are found at the beginning of this index. They include those who lived in a time or culture without surnames or who were enslaved and never took a surname. The modifiers *ackn.* (acknowledged, for assistance rendered) and *cited* (for sources of information) refer to individuals in text and notes. Authors, contributors, and reviewers are identified as such, to distinguish them from individuals treated historically. Known maiden names appear in parentheses, as do dates and other information that distinguish people of the same common name.

Subject entries appear also under the following broader headings:

computers and software	ethnic and immigrant groups
health	methodology and subject areas
records and sources	religions and religious groups
ships	

Abbreviations are limited to geographic sites, titles, and the following identifiers:

<i>ackn.</i>	acknowledged	<i>aka</i>	also known as
b.	born	Ch.	Church
Cem.	Cemetery	Co./co.	Company/County/county
Cong.	Congregation	d.	died
dau.	daughter of	Dist.	District
f.	father of	h.	husband of
Inf.	Infantry	m.	married
Par.	Parish	prob.	probably
Regt.	Regiment	s.	son of
sis.	sister of	St.	Saint, Street
Twp.	Township	Univ.	University
<i>var.</i>	variously spelled	w.	wife of

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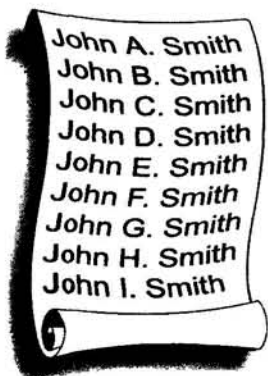
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About Your Society...

PURPOSE: The National Genealogical Society, a non-profit organization founded in 1903 is the premier national society for the beginner to the most advanced family historian. NGS serves its members by providing genealogical skill development through education, information, publications, research assistance, and networking opportunities; establishing and promoting the highest standards of ethical research principles and scholarly practices; establishing important links with other groups worldwide; providing depth and breadth of knowledge and opportunities for members; creating programs to increase public awareness of opportunities to discover family history; and promoting interest in the fascinating field of genealogy and family history.

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MEETINGS: The society holds many events. The Society's annual "Conference in the States and Family History Fair" features a BCG co-sponsored skill-building track and the NGS GENTECH track which focuses on technology. In addition to networking, attendees gain research skills and learn about new research resources. Sites alternate among different regions across the nation. Locations and dates are widely announced in genealogical publications for two or more years in advance. Periodically, the society sponsors regional seminars and workshops on subjects of genealogical interest. Please consult the current *NGS NewsMagazine* or the NGS Web site for details.

TAX-EXEMPT STATUS: The society is a tax-exempt organization within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986. Donations of funds, books, or other property to the society are deductible contributions on federal income-tax returns; testamentary bequests are likewise deductible for purposes of federal and State of Virginia estate-tax returns. The proper form of the legacy is as follows: "I give and bequeath to the National Genealogical Society of Arlington, Virginia, the sum of . . ."

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Louisiana, M1905	Tennessee, M1911
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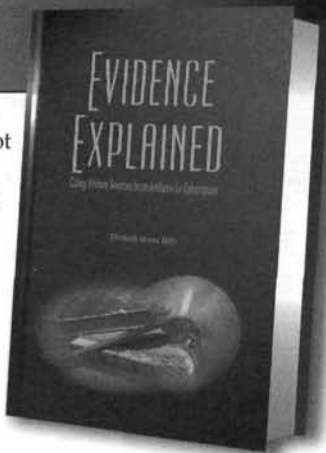
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