



## THE BIRMINGHAM GENEALOGICAL SOCIETY

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[www.bgsal.org](http://www.bgsal.org)

<http://birminghamgenealogy.wordpress.com/>

THE PIONEER TRAILS NEWSLETTER

MARCH 2019

**General Meeting for March:** The Birmingham Genealogical Society will meet at 2:00 p.m. on **Saturday, March 23rd** on the fourth floor of the Birmingham Public Library (in the Computer Lab next to the Arrington Auditorium). The Board of Directors will meet at 1:00 p.m. in the same room.

**Please join us as Bob Davis, Senior Professor of History and Director of Genealogy Program of Wallace State Community College, Hanceville, Alabama, presents: “Looking for your Alabama Family in 1819.”** The Alabama Territory was organized on March 3, 1817. The State of Alabama was created as the 22nd state on December 14, 1819. Learn what resources are available to search for your ancestors in early Alabama. **Please join us!**

### Research & Genealogical Tips

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<http://genealogytipoftheday.com/>, TIPDATE

**Chattel Mortgages:** Some towns and counties kept records of chattel mortgages. These mortgages generally are for property other than real estate and can include: livestock, tools of a trade, merchandise in a store, household goods, and similar items. These records may or may not be available on microfilm or in digital format. Like other records, they can provide additional background on your relative’s life, social standing, and family relationships (sometimes). One advantage to these records is that your relative did not have to own real estate in order to appear in them.

**Probate May Not Mention All Property:** In some locations during some time periods, probate files may not mention all property owned by the deceased. This is more likely to be the case if the deceased owned real estate and did not mention it in his will or did not even leave a last will and testament. If you have good reason to believe the deceased owned real property on his or her death, search land records to determine what happened to the property. If there is a land record for the person’s property created after their death, it will not list them as the grantor—the heirs will be listed. For this reason, search the grantor index for these records using all the names of the deceased’s heirs. Deeds are usually only indexed in the grantor index once and any of the heirs could be the name under which the land record is indexed. Property tax records may also help in determining what happened to a deceased person’s real property. Of course, the probate is the first place to look, but don’t only look there.

**The past is not dead. It isn't even past. --William Faulkner**

*Scott A. Martin, BGS Newsletter Editor*

## 5 Types of Ancestors' Land Records You Should Look For

**Headrights:** During the Colonial period of roughly 1619 to 1705, the British government offered 50 acres of land for every “head” (person) transported to the Colonies. Headright papers list the names of those people—the person who sponsored the transportation as well as those transported (such as his relative or an indentured servant).

**Bounty Land Warrants:** In 1776, the Continental Congress incentivized men to serve in the Revolutionary War with promises of 50 to 1,000 acres of land, depending on their rank. This offer extended to conflicts through 1856. Keep in mind that often, recipients sold their land to speculators without ever seeing it.

**Patents:** US and state governments encouraged settlement with various offers of free land in exchange for certain conditions, such as living on the land for a certain number of years and improving it with trees or structures. A key to westward expansion, the Homestead Act of 1862 granted 160 acres of federal government land to those who'd settle and improve it for five years. This generated a paperwork, including a land claim (or application) and the patent transferring the land to the claimant once the conditions were met.

**Deeds:** Also familiar to modern-day homeowners, property deeds (usually created in county or town courts) record the transfer of land between private parties. The legal terminology can take a bit of parsing, but deeds may contain information from land descriptions to family relationships. If property was sold very cheaply, it might have been to a relative.

**Dower Claims:** Although men generally owned property, you can find your female relatives by their right of dower. This right, intended to prevent women from becoming dependent on the county or state, entitled a widow one-third interest in her husband's property. A wife had to consent to the sale or disposition of land, and when a husband died, his widow was allowed to stay on the land for the remainder of her life before it was transferred to her husband's heirs.

Source: <https://www.familytreemagazine.com/premium/5-types-of-old-land-records/>



### **“Loyola University to Create a Database of Loyalist Americans’ Claims”**

Loyalists, the women and men who chose to stay loyal to the British Crown during the American Revolution, have been the subject of a resurgence of scholarly interest over the past decade. Many of the Loyalists moved to Canada as the U.S. Revolutionary War came to a close and a few others moved to England. Previously dismissed as the losers in the conflict, scholars have turned their attention to those who separated themselves from their friends and neighbors and gave up their land and possessions when they chose to leave the new United States at the end of the American Revolution. The story of that difficult decision recorded in the Loyalist Claims Commission is one that has been largely overlooked since the end of the war. The Omohundro Institute of Early American History and Culture at the College of William & Mary has awarded Benjamin Bankhurst, assistant professor of history at Shepherd University, and Kyle Roberts, associate professor of public history and new media and director of the Center for Textual Studies and Digital Humanities at Loyola University Chicago, with a \$5,000 Lapidus Digital Collections Fellowship for “The Maryland Loyalist Project.” The project is a collaboration between Bankhurst and Roberts, aiming to make the letters and petitions of British loyalists who fled the American Revolution housed in the British National Archives available in a digital archive.

Source: <https://blog.eogn.com/2019/03/18/loyola-university-to-create-a-database-of-loyalist-americans-claims/#more-27944>

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### **Loyalists During the American Revolution**

Americans today think of the War for Independence as a revolution, but in important respects it was also a civil war. American Loyalists, or "Tories" as their opponents called them, opposed the Revolution, and many took up arms against the rebels. Estimates of the number of Loyalists range as high as 500,000, or 20 percent of the white population of the colonies.

What motivated the Loyalists? Most educated Americans, whether Loyalist or Revolutionary, accepted John Locke's theory of natural rights and limited government. Thus, the Loyalists, like the rebels, criticized such British actions as the Stamp Act and the Coercive Acts. Loyalists wanted to pursue peaceful forms of protest because they believed that violence would give rise to mob rule or tyranny. They also believed that independence would mean the loss of economic benefits derived from membership in the British mercantile system.

Loyalists came from all walks of life. The majority were small farmers, artisans and shopkeepers. Not surprisingly, most British officials remained loyal to the Crown. Wealthy merchants tended to remain loyal, as did Anglican ministers, especially in Puritan New England. Loyalists also included some blacks (to whom the British promised freedom), Indians, indentured servants and some German immigrants, who supported the Crown mainly because George III was of German origin.

The number of Loyalists in each colony varied. Recent estimates suggest that half the population of New York was Loyalist; it had an aristocratic culture and was occupied throughout the Revolution by the British. In the Carolinas, back-country farmers were Loyalist, whereas the Tidewater planters tended to support the Revolution.

During the Revolution, most Loyalists suffered little from their views. However, a minority, about 19,000 Loyalists, armed and supplied by the British, fought in the conflict.

The Paris Peace Treaty required Congress to restore property confiscated from Loyalists. The heirs of William Penn in Pennsylvania, for example, and those of George Calvert in Maryland received generous settlements. In the Carolinas, where enmity between rebels and Loyalists was especially strong,

few of the latter regained their property. In New York and the Carolinas, the confiscations from Loyalists resulted in something of a social revolution as large estates were parceled out to yeoman farmers.

About 100,000 Loyalists left the country, including William Franklin, the son of Benjamin, and John Singleton Copley, the greatest American painter of the period. Most settled in Canada. Some eventually returned, although several state governments excluded the Loyalists from holding public office. In the decades after the Revolution, Americans preferred to forget about the Loyalists. Apart from Copley, the Loyalists became nonpersons in American history.

Source: <http://www.let.rug.nl/usa/outlines/history-1994/the-road-to-independence/loyalists-during-the-american-revolution.php>

# Just Counting Time

## THE CALENDAR CHANGE

Our calendar is based on nature and the rotation of the earth around the sun.

Unfortunately, this event is not an even one. In one year, the earth does not come back to exactly where it was the year before. Calendar

changes are man's attempt to get the calendar back in sync with nature's calendar. In 1752, England and America

made the change from the Julian calendar to the Gregorian calendar. Several things happened.

Under the old (Julian) calendar, years ran from 25 March (Lady Day) to 24 March. Under the new (Gregorian) calendar, New Year's Day became 1 January, rather than 25 March. For the first time in English history, the year changed on 1 January, and 31 December 1751 was followed by 1 January 1752.



Interestingly, this makes 1751 the shortest year in modern history; it ran from 25 March to 31 December!

## THE LOST DAYS

By 1752, the Julian calendar and the rotation of the sun were out of sync by 11 days. A correction was needed.

The decree that changed the beginning of the year also ordered that 11 days be dropped from the calendar. This correction was postponed until a

doldrum period in September, during which there were no major festivals and the English law court was not in session. 2 September 1752 (Wednesday) was followed by 14 September 1752 (Thursday). Thus, September 1752 was the shortest month in modern history with only 19 days.

Publicity before the change instructed that things depending on elapsed time, such as mortgages and periods of servitude, would be governed by the time period (and there-

fore were to adjust the completion date). the general interpretation was that this also applied to birthdays. The emphasis was on age, not on immutable birth date. In other words, people who were 50 years and one day old on 2 September 1752 (i.e., born 1 September 1702) considered themselves 50 years and two days old on 14 September 1752; so they "changed" their birth dates to 12 September 1702, which would have been their birth date if the new calendar had been in effect when they were born.

As you may recall from lessons in school, George Washington was born on 11 February (under the old calendar), but when he was an adult, his birthday was considered to be 22 February (under the new calendar). This is an important reason not to separate the date from the information about the source record. It is perfectly valid for an ancestor to have two birth dates, both of them correct.

### **Birmingham Cholera Outbreak of 1873**

Just two years after its founding, Birmingham, Jefferson County, was beset by a deadly cholera epidemic during the summer months of 1873 that killed 128 people. The disease spread rapidly throughout the city after it entered the water supply. As the death toll rose, people fearing for their lives flooded out of the city; many chose not to return. Cholera, an intestinal infection caused by the bacterium *Vibrio cholerae*, is passed by contaminated food and water and causes severe diarrhea and dehydration. Birmingham was founded near profitable natural resources and not in the vicinity of a major water supply, a factor which greatly assisted the spread of the disease. The city's residents had only one sanitary source of water in 1873, a creek's reservoir located nearly two miles outside of the city. In contrast, ground wells were the city's other option, but were located in the city's lowest elevations and filled with groundwater that ran down from higher elevations, making them far less sanitary.

The first reported case of cholera in Birmingham dates to June 12, 1873. The individual considered to be the first to carrier of the disease, known to history only as Mr. Y., had recently moved to Birmingham from Huntsville. Mr. Y. was in Birmingham six weeks before falling ill with cholera, displaying symptoms three days after his bed and bed accessories arrived from Huntsville, which was suffering through its own epidemic at that time. Thus, the disease is believed to have arrived in Birmingham by way of Mr. Y.'s belongings. Mr. Y. died shortly after he began suffering from the vomiting and diarrhea associated with cholera. Local physician Mortimer H. Jordan suspected cholera, but his records indicate that the doctors who treated Mr. Y. did not identify the disease as the cause of death. Thus, doctors did not demand the proper disposal of Mr. Y.'s bodily fluids or bedding. Typically, bodies, body fluids, and other items contacted by cholera victims were disinfected with carbolic acid and buried, and bedding and clothing would have been burned. On June 17, two sisters came down with the disease and died shortly after falling ill. As with Mr. Y., no one properly disposed of the sisters' body fluids.

The impoverished, primarily African American neighborhood known as the "Baconsides" faced the greatest hardship during the first days of the epidemic. The sisters who contracted cholera after the death of Mr. Y. lived on the hill just above the Baconsides, and it is believed that their improperly managed body fluids contaminated the water supply in the community. Cholera was rampant in the neighborhood during the final days of June. After roughly 10 days of widespread deaths there, the disease migrated into the general population.

None of the doctors in the Birmingham area had any direct experience with cholera, and they worked under several false assumptions. At the time, they thought that the disease plaguing the city was airborne in nature. Therefore, pots of tar were burned on street corners in the belief that the smoke would disinfect the air. On July 1, however, doctors acknowledged that the deaths were the result of cholera, which was known to be transmitted by water. After that, community leaders took steps to rid the city of the disease, including cleaning streets, draining and disinfecting city cesspools, and disinfecting and burying cholera-infected body parts and fluids.

Many of the city's doctors, including James B. Luckie and Jordan, remained in the city, as did a number of individuals who stayed and bravely attempted to aid the ill. These community-minded residents included local madame Louise Wooster and city alderman Francis P. O'Brien, who became so sick a casket was ordered and his obituary printed in a local paper, but he survived. Such acts of selflessness, however, were overshadowed by a mass exodus of people who feared for their lives. Whereas approximately 4,000 people had settled in the city by June of 1873, only half that number remained by the end of the summer. The local economy was devastated by the loss of population and an accompanying sharp decline in property values. Further, a national economic depression arrived on the heels of the cholera epidemic, significantly adding to the city's problems. One positive development arose out of the epidemic, however. City leaders, faced with the inadequacy of water services, improved sanitary systems and increased the capacity of the recently established Birmingham Water Works.

Died, at Springville, on the 7th inst., of congestion of the brain, Jas. P. Herring, formerly of this place. Near Trassville, in the county on the 11th inst., of pneumonia, J. O. Blythe.

**Birmingham Iron Age**  
13 March 1878

NOTICE TO NON-RESIDENT.

The State of Alabama, Jefferson County—C. Miller vs. Mattie Miller—In Chancery—At Birmingham, Alabama, Fifth District, Northwestern Chancery Division of Alabama.

In this cause it being made to appear to the Register by affidavit of J. C. B. Guin, solicitor and agent of complainant, that the defendant, Mattie Miller, is a non-resident of Alabama, or secretes herself so that her residence is unknown and cannot be ascertained, and further that, in the belief of said affiant, the defendant is of the age of twenty-one years, it is therefore ordered by the Register that publication be made in the Jones Valley Times, a newspaper published in the city of Birmingham, Alabama, once a week for four consecutive weeks, requiring her, the said Mattie Miller, to answer or demur to the bill of complaint in this cause within thirty days after the 22nd day of March, 1906, or a decree pro confesso may be taken against her, the said Mattie Miller.

Done at office in Birmingham, Alabama, this 21st day of February, 1906.  
J. W. ALTMAN,  
41 Register.

**Jones Valley Times**  
1 March 1906

**CAR LOAD NEW SHOES.**

**Ladies** I have received New and Stylish Black and Tan Oxford Shoes in a, b, c, d and e last. Sizes 13½ to 7. Please call 'Phone 922 and we will be glad to send some for inspection.

**Gentlemen** 500 pairs Banister's Newest Style Shoes received. Price \$4.75. Same grade elsewhere \$6 and \$7.

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