



## THE BIRMINGHAM GENEALOGICAL SOCIETY

Founded March 15, 1959

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

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

THE PIONEER TRAILS NEWSLETTER

SEPTEMBER 2019

**General Meeting for September:** The Birmingham Genealogical Society will meet at 2:00 p.m. on **Saturday, September 28th** 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 Donna Cox Baker presents: “Zotero: a free, easy-to-use, open-source tool to help you collect, organize, cite, and share your research sources.”** Donna Cox Baker is the blogger behind The Golden Egg Genealogist and the co-founder of the Beyond Kin Project. Donna has a PhD in history and is editor-in-chief of *Alabama Heritage* magazine. Her first book, *Views of the Future State: Afterlife Beliefs in the Deep South*, was published in January 2018. Zotero is a free and open-source reference management software to manage bibliographic data and related research materials (such as PDF files). Notable features include web browser integration, online syncing, generation of in-text citations, footnotes, and bibliographies, as well as integration with the word processors Microsoft Word, LibreOffice Writer, and Google Docs. It is produced by the Center for History and New Media at George Mason University. *Please join us!*

### Research & Genealogical Tips

© Michael John Neill, “Genealogy Tip of the Day,”

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

**The Preemption Act of 1841:** The Preemption Act of 1841 permitted “squatters” who were living on federal government-owned land to purchase up to 160 acres for \$1.25 per acre, before the land was to be offered for sale to the general public. To qualify under the law, the squatter had to be: a head of a family; a single man over 21 or a widow; a citizen of the United States (or an immigrant who has filed a declaration of intention); and a resident of the claimed land for a minimum of 14 months. The Bureau of Land Management website indexes federal land patents that were issued under this act. View the actual patent to determine if the patent was issued under the Preemption Act as not all patents issued under this act are tagged as being issued under this act in their database. The application materials for these claims are at the National Archives.

**Gaps in Children?** Census records suggest that there are “gaps” in the dates of birth for the children of an ancestral couple. Don’t just conclude that they didn’t have any more or that they died young at birth. While those situations are indeed possible, it is also possible that some children were apprenticed out or lived with other family members who needed extra help in one way or another. It’s also possible your ancestor had more than one spouse and that those “gaps” are when the ancestor was not married.

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

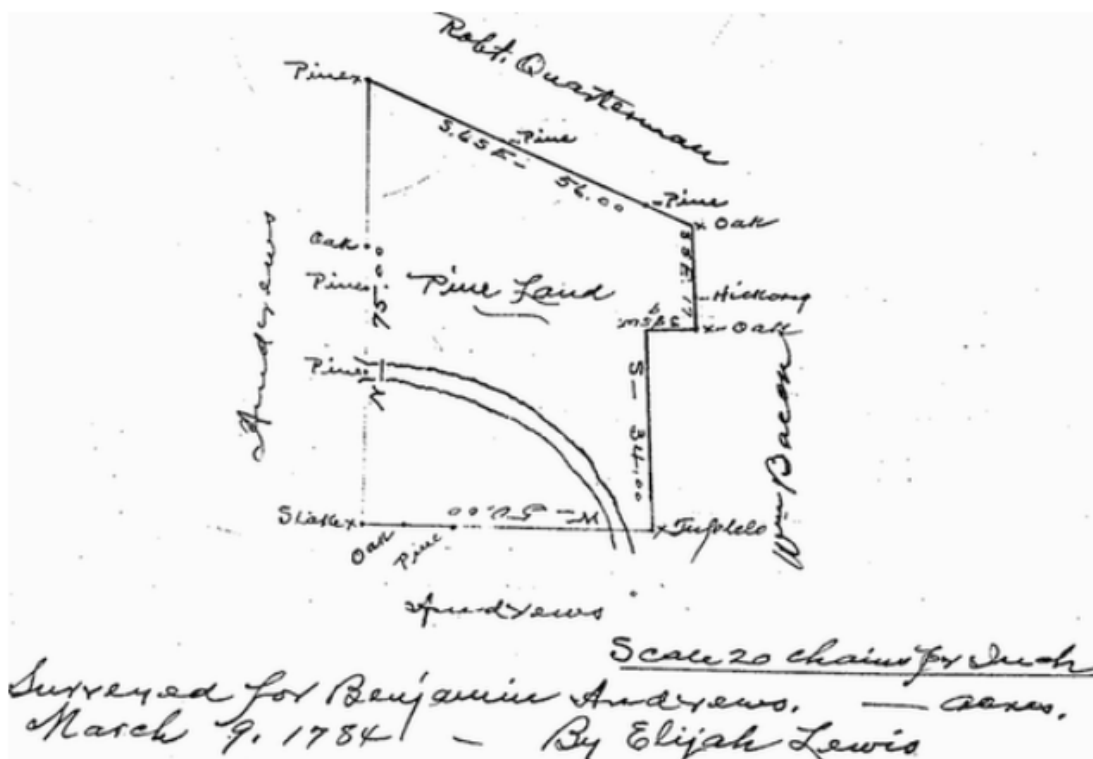
*Scott A. Martin, BGS Newsletter Editor*

## Why Deed Records Are So Important

By Jeannette Holland Austin

Courtesy of Yesterday Newsletter

As our ancestors wrote their last wills and testaments, they also designated where the farm lands would go. The eldest son would inherit the family seat, with younger sons getting other tracts of land. As one reads the document carefully, noting the number of acres and location, it is possible to zero in on specific areas. The inherited land could easily lay in another county, state, or country. If we know where that is, that is where we will search next. Although the early deeds listed no adjoining neighbors or tracts, one can examine subsequent deeds and tax digests. The tax digests will list all persons with the same surname, the county and specific acreage. So, if you did not find a deed, the tax digest is helpful in narrowing it down by adjoining neighbors, waterways, and dates of ownership. Deed records also contain Marriage Contracts. The reason is that the husband possessed legal ownership of land inherited by his wife. When he married a widow woman, her land was legally his land. The ownership was clarified with a Marriage Contract which stated such preferences as the specifics of the widow's land, where she got it, and who she wished to have it after her death. The names of tracts listed in the deeds should be respected. Example: Mary Jones was the widow of Abraham Jones. Her second husband was John Brown. John Brown mentions in his last will and testament his "Jones Place." (This is a clue that he either purchased the land from Jones, or married his widow). This is another reason why the names of witnesses of documents should always be written down for later reference. Imagine, if you will, a community of small farms. A neighborhood of people purchasing, trading and marrying. These are the names of witnesses. These same people will be discovered in church records and local cemeteries and on burial grounds of your own relatives! The below photo is a plat. Plats are also found at the county court house. (The adjoining neighbors are also possible suspects for undiscovered names of brides and grooms within the family.)



## Where Do I Find It?

Contributed by Michael John Neill, *Ancestry Daily News*, 03/30/2005

The key to locating many genealogical records is location. The location where an event took place, the location where any events were recorded, and the current location of those records are all key factors in proving that an event took place. This week we discuss some ways to determine where records of vital events might have created.

**Marriage Records:** Civil records of marriages are usually a local responsibility, either at the county, town, or city level. The laws governing marriage are typically determined by the state. Consequently records within a specific state are relatively uniform, although there can be differences from one county or town to another. As a marriage is usually a contract between two individuals, records of marriages typically begin before records of births and deaths. A record of a marriage puts a man and a woman in the same place at the same time. The record may also provide additional information about the couple including their age, residence, and religious affiliation. Later materials may be even more detailed.

Locating where a marriage took place can be difficult in some situations. There are several things to think about when trying to find where your ancestors got married:

- Did they get married in the county in which they lived?
- Did they marry in an adjacent state that might have had marriage laws that were more lax?
- Where was their first child born?
- Did they marry where the bride was from or where her parents were living?
- Did they take the train and ride to an adjacent county (or a county a few counties over)?
- Were they married by an itinerant minister who left no records?
- Might they have gone to a nearby county to find the right church?
- Did they elope in a county where no one would know them?
- Were they ever "officially" married?

Marriage records may come in many forms and will vary from one time period and one locality to another. Some records created at the time of the marriage may include:

- Marriage contracts
- Marriage bonds
- Marriage licenses
- Banns
- Church records
- Announcements in newspapers

Keep in mind how your ancestors likely met. They may have been neighbors or they may have attended the same church. They might have been members of the same ethnic group or had parents of the same social class. A couple often met because they had something in common. Determining that commonality is the difficulty.

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Other records besides marriage records may provide information about the marriage even if the records are not technically marriage records and even if they were created years after the marriage took place. These secondary sources of marriage information should be compared with other known information to determine if the information is consistent or not.

Other records that may document a marriage include:

- Pension papers
- Inheritance papers
- Death certificate
- Court papers

A question to ask: Did anything in my ancestor's life require them to prove their marriage? If so, are there records of that proof?

**Birth Records:** The civil recording of births in the United States typically began in the late nineteenth and early twentieth centuries. In the early days of recording these events many were not recorded, and slowly the proportion of events recorded increased over time. Birth records are recorded in the jurisdiction where the birth took place, not necessarily where the mother was living (especially if the bride returned to have the baby). And a birth in specific location proves only that the mother was in that location on that date.

Some questions to ask when trying to locate a birth record:

- Did the family move frequently?
- Are you certain of where the family lived?
- Did the family live near the county line?
- Would the family have cared if the birth were recorded?
- Might there be a church record of the birth?
- Is there a pension record that might prove the age?
- Is there a guardianship or other estate record that might provide information on the person's age?

Again, if you cannot find the record, might your ancestor have had to prove his birth at some later point in his life? If so this record might assist you in locating birth information. If a delayed certificate of birth was filed, it probably was filed where the event took place but might have been filed where the individual resided at the time the record was filed.

**Death Records:** Determining where your ancestor died is usually the first step in locating a record of his death. When the record is not in the obvious location, consider:

- Did the ancestor die while en route to a new location?
- Did the ancestor die in an adjacent county?
- Did the ancestor die at a hospital, state home, or veterans' facility a distance from his actual home?
- Did the ancestor move in with a child and die in that location?

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Other records besides the civil record of death may provide death information. These records could include:

- Pension records
- Newspapers
- County histories
- Estate or probate records
- Cemetery records or tombstone inscriptions
- Land sales of property after the death may list the ancestor as deceased.

**Wrapping It Up:** There are many sources that might provide the information you need. Ideally a primary source will be located, one that was created relatively close to the time of the event by someone who logically had firsthand knowledge of the event. When primary sources cannot be located, secondary sources must be used. These secondary sources may be in records or documents filed hundreds of thousands of miles from where the event took place. For example, if you are looking for the birth of Johann Schmidt, ask yourself where that date or location could be written. It could appear on:

- Johann's death record
- Johann's obituary
- Johann's children's death records
- Johann's children's biographies
- Johann's manifest listing when he came back from a 1912 return trip to Europe
- etc.

Expand your circle and you may end up snaring the information for which you are looking.

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**Do you have a golden nugget to share?**

**If you have broken through a brick wall  
or have genealogical news to share,  
please share & forward to the newsletter editor,  
Scott Martin - BEVEL67@aol.com**

**REMINDER: MEMBERS MAY SUBMIT QUERIES TO  
"PIONEER TRAILS" FOR FREE (Limit 4 queries per  
family per issue). NON-MEMBERS may submit queries  
@ \$5.00 per query, limited to 52 words per query, not  
including address.**

**Please forward to Scott Martin, BGS Newsletter Editor  
at [BEVEL67@aol.com](mailto:BEVEL67@aol.com)**

**REMINDER: PLEASE SUBMIT YOUR ANCESTORS  
FOR THE BGS SURNAME DIRECTORY! PLEASE  
SUBMIT UP TO SIX NAMES AND AREA OF  
RESEARCH. YOU MAY USE THE ATTACHED  
FORM FOR YOUR SUBMISSION.**



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