

# Intermediate Genealogy

Julia Coldren-Walker  
FamRSearch@aol.com

## INTERMEDIATE GENEALOGY

- Citing Your Sources
- Genealogical Proof Standard
- Military Records
- Courthouse Research
  - Land Records
  - Tax records
  - Wills and Probates
  - Civil and Criminal Court Records
  - Voting Rolls
- Immigration & Naturalization

And there is only one fault so obvious, so fundamental, that it instantly brands a piece of work as the product of an amateur or careless researcher: poor source citations.

Elizabeth Shown Mills, "Citing Your Sources"  
*Onboard* 1 (Sep 1998), 24

## CITING YOUR SOURCES – WHY BOTHER?

- Let others know what source you used
- Remind yourself where you found the fact
- Help to weight conflicting evidence
- Help evaluate where to go next

## WHAT IS IN A CITATION

- Basic Information
  - Creator of the record
  - Identification of specific record (title or description)
  - Publication Information
    - Internal Locator (page or item number)
    - Access information (where and when)
- Elizabeth Shown Mills
  - Evidence
  - Evidence Explained

## RULES FOR WHEN AND HOW TO USE CITATIONS

- 1. If the fact is not public knowledge, provide a specific source to reliable evidence.
- 2. Use words carefully. An application is not a license is not a certificate.
- 3. Citations exist in two forms: working notes and final form.
- 4. Never use *ibid.* in working notes.
- 5. Distinguished between published and unpublished sources.
- 6. Give credit to format of source (original, microfilm, online).
- 7. Identify sources completed without use of personal or regional shorthand, informal names and abbreviations

## SOURCES vs INFORMATION vs EVIDENCE

- **SOURCES**
  - Original – first written statement of event
  - Derivative – Subsequent copy
- **INFORMATION**
  - Primary – recorded by a knowledgeable eyewitness
  - Secondary – other the actual eyewitness
- **EVIDENCE**
  - Direct – explicitly stated fact
  - Indirect – fact inferred from one or more sources

## Genealogical Proof Standard

- Reasonably exhaustive search
- Complete and accurate citation of sources
- Analysis and correlation of the collected information
- Resolution of conflicting evidence.
- Soundly reasoned, coherently written conclusion.

## MILITARY RECORDS

- Military Service Records
- Federal Pension and Bounty Land Records
- Draft Registrations
- Congressional Records

## MILITARY SERVICE RECORDS

- Service records are extracts of company reports and may contain comments of injury, illness or absence
- Filed by name of soldier – be sure to check all spellings
- Once company information is identified, check out company histories to see where it was located and battles it fought.
- Major Wars
  - Colonial Wars – records with the various colonies
  - Revolutionary War – records may be Federal, state, or local
  - War of 1812 and Mexican American War – Federal records
  - Civil War – Union soldiers – Federal; Confederate – State

## Federal Pension and Bounty Land Records

- Federal Records except for Confederate Pensions
- Often contains birth, death, and marriage information
- May contain lists of residences and children
- Invalid means disabled
- Rules changed from Congress to Congress, so become familiar with Federal Law covering application
- Check of applications of all persons who provided statements for soldier if available.
- Bounty land script was transferable

## DRAFT REGISTRATIONS

- Colonies required all able-bodied men to take part in militia
- Once USA became involved in war, the Federal Government needed to know how many men were available to service in the army.
- There are 3 sets of records.
  - CIVIL WAR DRAFT
    - 2% were draftees, and another 6% were substitutes paid by draftees
  - WWI DRAFT
    - universal and included blacks on the same terms as whites
  - WWII and KOREAN WAR DRAFTS

## CONGRESSIONAL RECORDS

- If turned down by War Department, many soldiers and widows then wrote their Congressman for relief.
- If he felt there was merit, he could enter a bill in Congress granting them a pension or reimbursement.
- Bills passed are found in the American State Papers or the U.S. Serial series.
- Both sets are on line at the Library of Congress and are searchable.

## COURTHOUSE RESEARCH – LAND

- Federal Land Records
- Deed Books
  - Grantee
  - Grantor
- Tax Records

## FEDERAL LAND RECORDS

- Land in original 13 colonies granted by the colonial government
- After Revolution, Congress claimed all land outside original colonies and negotiated with states with claims to it
- This Federal Land was sold or given as bounty for service in the military.
- The term patent is the paper granting title to the property.
- Patent indicates the first sale of a piece of property. After that time sales followed state or county law.
- Early patents by US government are in American State Papers

## HOMESTEAD ACT

- Began in 1862 and covered open Federal land
- Required filing fee, residence, cultivation, and improvement of land.
- Approximately 285 million acres given to citizens or intended citizens.
- Allotted to heads of households, widows, single persons of either sex over the age of 21.
- Records found in General Land Office
- Records often contain genealogical information

## LOCAL LAND RECORDS

- Records kept at the county level
- Deeds are usually indexed in two books
  - Grantee – by name of person getting the land
  - Grantor – by name of person selling the land
- Deed may contain:
  - Bordering neighbors;
  - Witnesses – often relatives or neighbors;
  - Description and acreage;
  - Dates (written and recorded);
  - Dower release;
  - Previous owner's name;
  - County and state of residence of both seller and buyer

## USES OF TAX LISTS

- Learn tax laws of area of interest. Were males and females taxed or just males? Were they taxed at age 16, 18 or 21. Were Indians and free blacks taxed
- Disappearance from tax list may indicate migration or death.
- Tax lists also show occupation and for farmer the types of crops.
- Indicate the amount and type of property owned.
- Determine birth and death dates

## TYPES OF TAXES

- Federal Taxes
  - 1798 Direct Tax
  - Civil War
    - Property
    - Income
- State Local Taxes
  - Personal Property tax lists
  - Tithables
  - Poll Lists
  - Land Tax Lists
  - Rent Rolls

## COURTHOUSE RESEARCH – WILLS & PROBATE

- Probate
- Estates – testate or intestate
- Wills
- Executor - Executrix
- Administrator – Administratrix

## WHAT IS PROBATE

- Probate is the legal dispersal of the property (or estate) of someone who died.
- •Probate process involves:
  - Collecting a decedent's assets (Inventories)
  - Liquidating liabilities (sale notices and registers)
  - Paying necessary taxes
  - Distributing property to heirs

## PROBATE COURT FUNCTIONS

- Court usually called Probate but may also be called Surrogate or Orphan's Court.
- Duties of Court
  - probate of wills
  - administration of estates
  - in some states, is empowered to appoint guardians or approve adoption of minors.
- Separate Indexes may exist for each action

## COURTHOUSE RESEARCH - COURT RECORDS

- Civil Records
  - Divorce
  - Law Suits
- Criminal Records
  - State
  - Federal

## CIVIL COURT

- Civil Courts deal with legal disputes that are not crimes.
- Plaintiff files an official complaint with the appropriate civil court.
- Defendant has the chance to respond to the complaint, with a formal answer.
- Process then moved to discovery where witnesses are interviewed, evidence is collected, and statements are taken.
- If dispute is not resolved, then go to trial.
- A "preponderance of evidence" is enough in most cases.
- Results are monetary relief or equitable relief.

## CRIMINAL COURT

- Deals with breaches of law.
- Trial court depends on whose law is broken.
- Action is brought by the government
- Guilt of the defendant must be proven beyond a reasonable doubt.
- If found guilty, may appeal to higher court. Government cannot appeal innocent verdict.
- Punishment in form of fine or time in jail.

## COURTHOUSE RESEARCH –VOTING ROLLS

- Poll tax lists.
  - Colonial and 19<sup>th</sup> century counties usually taxed free adult males (poll or head tax)) when the young man reached 18 or 21 and ceased when the man reached 50 or 60.
  - Records found on county poll tax lists and sometimes property tax lists.
- Voting Rolls
  - Current voting rolls do not require payment of a tax
  - May contain birth place, age, party affiliation.
  - Use to determine approximate arrival, departure and death.

## IMMIGRATION and NATURALIZATION

- Passenger Lists
- Naturalization Papers
- Passport Applications

## PASSENGER LISTS

- Before 1820 no passenger lists were required
- Steerage Act of 1819 required a list of passengers be submitted to customs collector
- 1891 Immigration Act established the Commissioner of Immigration. Ellis Island (New York) and Angel Island (San Francisco) established as federal immigration stations.
- Fire destroyed New York immigration forms for 1892-18
- Forms changed and included more info such as name and address of nearest relative in place of embarkation.

## NATURALIZATION PAPERS

- Naturalization is the process by which an immigrant became a citizen
- From the first naturalization law passed by Congress in 1790 through much of the 20<sup>th</sup> century, an alien could become naturalized in any court of record.
- Between 1868 and 1906 naturalization matters were within the jurisdiction of the U.S. District court or the district or supreme courts of the territories
- In 1906 congress created the Immigration and Naturalization Service (now called the U.S. Citizenship and Immigration Service).

## NATURALIZATION PROCESS

- There are three steps to the naturalization process:
  - Declarations of intention (or first papers) (most data).
  - Petition(second or final papers).
  - Certificates of naturalization issued.
- Process took a minimum of 5 years.
  - After residing in the United States for 2 years, an alien could file a "declaration of intent"(so-called "first papers") to become a citizen.
  - After 3 additional years, the alien could "petition for naturalization."

## PASSPORT APPLICATIONS

- The U.S. government issued passports to U.S. citizens since 1789 but they were not required.
- They were mandatory for a short time during the Civil War (Aug. 19, 1861–Mar. 17, 1862).
- During World War I, an Executive Order given in 1915 and a later act of Congress in 1918 established the passport requirement for citizens traveling abroad. This law lapsed with the formal termination of World War I.
- With the onset of World War II In 1941, the Congressional act of 1918 was reinstated requiring U.S. citizens to carry a passport for foreign travel as is required today.

## LAST WORD - EDUCATION

- V. Greenwood American Genealogy
- Local Family History Centers
- State or National Conferences
- Gen Fed Workshop & GRIP Workshop \$
- On-line education
- Family Search Learning Center
- Pro-Gen and Gen-Prof Study Group
- National Institute for Genealogical Study &