



Future Programs

Sonoma County Genealogical Society's Monthly Meeting and Program

"Come and learn about bridging the Genealogical and Historical Societies to complete the story of ancestors."

Date: Saturday, November 19, 2011
 Show and Tell: 12:30 p.m.
 Meeting/Program begins at 1:00 p.m.

Featuring: Janet Mobley
Topic: *The History and Genealogy of Janet Downie Hardie.*

Location: The Finley Community Center
 2060 West College Avenue
 Santa Rosa, CA 95401

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Marriage in America—A Recap of George McKinney's Talk



On September 17th, we were treated to George McKinney's talk on Marriage in America. No rite has a greater impact on genealogy than marriage. To start with, let's look at the 1840 photo of Queen Victoria's wedding to Prince Albert on the left. Here, we are witnessing a significant change that will affect future brides, including those across the pond. The wearing of a white wedding gown was not standard practice until Victoria's big day.

In the early days of America, marriage was based on English Common Law. Marriage was a consensual union, rooted in Christianity. It was a lifetime commitment, implicitly established between Caucasians, in the context of a male dominated society. Before marriage licenses existed, we had banns and bonds. Banns were the process of posting the *intent to marry* for 3 successive holy days in church. Bonds became more popular as people started to move around. For the bond, surety was posted by 2 men who knew the couple. If the marriage contract was violated (This happened primarily due to bigamy), the men who posted the surety for the couple would have to pay the cost of the bond.

Woman had very interesting legal status prior to the Civil War. By marriage, the husband and wife were one person in law; that is, the very being or legal existence of the woman is suspended during the marriage. She was under the wing, protection and cover of the husband. This was referred to as Unity of Person or Coverture.

Two other terms based on English Common Law existed then. They were Feme Sole and Feme Covert. A Feme Sole was an unmarried woman or widow. She had the right to own property and enter into contracts in her own name. A Feme Covert was a married woman. She did not have any legal rights or obligations distinct from her husband. A Feme Covert had the same legal standing as a child, idiot, lunatic, or slave!

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Special Interest Groups

GERMAN: The next meeting of the German Interest Group will be 10 a.m. on Saturday, December 3, 2011. The meeting will be held at the home of Lois Nimmo, 308 Pythian Road, Santa Rosa . Contact Jim Cochran, 526-7331, cougars@sonic.net, for more information or you have questions. **Guten Abend.**

COMPUTER: The Computer Interest Group meets at the Sonoma County Library Annex located at Third & 'E' Streets in Santa Rosa. To be added to the e-mail reminder list or if you have questions, e-mail Maggi Andrews: mizgriz@sbcglobal.net

ITALIAN: Anyone who is interested in doing Italian research contact Ines Williams about future meetings – inesw@comcast.net – (707) 838-0760

BRITISH-IRISH: The British group will meet Thursday January 5th, 2012 at 1:30 PM at the home of Audrey Herman. For information, contact: audreyrae@comcast.net.



Marriage in America, Continued

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This was the law of the United States until the latter part of the 19th Century

Under English law in the USA, married women did actually retain certain rights to realty, called dower rights. This is related to her rights in the property of her husband. This differs from a dowry, which is the property a woman brings to a marriage. A married woman had a right to no less than 1/3 of her husband's realty on his death. A married woman had full rights to her own realty after her husband's death. For example, when Martha Dandridge Custis was widowed, she had 300 slaves; 17,500 acres; and total worth £40,000. However, when she married George Washington, he legally took full control of her property. She could no longer buy or sell any of it or determine its use.

Let's explore a few other religions and their practices. Puritans believed that the husband was the religious head of the family. Wives were expected to be obedient to their husbands beyond question. It was therefore inconceivable that a wife might wish to disagree with an economic decision of her husband. "The woman was made for man's comfort, but the man was not made for the woman's command". The Quaker religion allowed women to freely speak their mind. However, it was the wife's duty to defer to her husband's wishes in all marital matters to maintain the strength of the family. Therefore, if he was categorically convinced to do something, the woman was taught to yield.



How did people manage with these rules? Certainly, marriage was socially & economically necessary. Most marriages worked well due to the good behavior of the husband and community support. Also, wealthy families could establish trusts to protect women, that were managed by relatives. It was often the case that, in order to remain in charge, widows did not remarry until their children by the first marriage came of age.

Things did begin to change regarding a woman's standing around 1848, with New York and Pennsylvania. Laws were passed that did away with coverture and gave married women the same rights as a feme sole. Virginia was the last state to enact these laws in 1877. However, vestiges of the laws remained in place in the following ways:

- Until 1972, there were jurisdictions in the US where a woman could plead "my husband made me do it" and be found innocent of a crime.
- Until 1993, there were still US states where a man could not be convicted of spousal rape (and it is still a lesser offense in most states)

Another term we touched on is Common Law Marriage. This is an unlicensed agreement to be married, or considered cohabitation, or a public representation of marriage. Marriages on the frontier were often Common Law Marriages. There were also a few famous people who entered into this arrangement. First were Andrew Jackson and Rachel Donelson. Rachel previously married Captain Lewis Robards. He abused her and they agreed to a divorce. She married Jackson in a common-law ceremony in 1790, but it turned out the divorce had never been completed, and was

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SCGS Meeting Dates

Sonoma County Genealogical Society's Upcoming Meetings and Programs

- November 19, 2011
- January 21, 2012
- February 18, 2012

All meetings, unless otherwise specified, are held on Saturdays at the Finley Center in Santa Rosa.
Regular monthly programs and meetings are free!

Some Great Websites

1. Check out the photographs of San Francisco: http://blog.eogn.com/eastmans_online_genealogy/2011/10/old-san-francisco-pictures-online.html
2. Family Tree Magazine has some good freebies at: <http://www.familytreemagazine.com/>



Welcome New Members

Welcome to **Peggy McQuade** who moved to Healdsburg last September from Santa Barbara. Last year Peggy retired after 25 years in Distance Learning and Continuing Education. The main joy in life is her family—three sons and, so far, five grandchildren, including twin granddaughters!

“Holidays always hold a special appeal for me. My grandmother lived with us and taught me to make raisin bread in her bread pan which I have, as well as the recipe written in my fourth grade hand. Family photos from the late 1800s graced the house and encouraged discussions about siblings, cousins and life in earlier times.”

“I grew up dancing the Irish Jig and found out in my thirties that my Dad was adopted and his birth parents were Norwegian; I was half Norwegian, not Irish. His birth name was Mork (Langnes, Mork) and I'm now focusing on that line. His adopted parents, which he always said were his family, have been so interesting to research, back to the 1400s at this time. They were Irish, English and German - just like my Mother's family. While his maternal grandparents were born in Ohio (Cook, Harley) and his paternal grandfather (McQuade) in Tennessee and grandmother (Chedville) in Paris, France, all came together in Tennessee. His grandfather was the first Fire Chief of Chattanooga and I have a photograph of him standing next to the city's first aerial ladder, as well as his biography in Goodspeed's History of Tennessee. He met his wife in Nashville, TN where her family relocated temporarily from Louisville, KY during the Civil War.”



My Mother's family came from Europe in the early 1870's; her mother's parents from England/Ireland (Cushing, Clary) and her father's from Germany/Prussia (Baerwald/Berwald, Gallert) both families settling in Cleveland, Ohio. Dr. E. S. Berwald graduated from University of Leipzig in 1868, worked as a laborer initially in USA until approved to open his practice. I have the original photograph of the family and house with medical signage. As I've moved forward with my research the last couple of years I've happily tied family items to the appropriate family member, discover the story and make the historical connections. That's what I love about genealogy!”

Also, welcome to **Kurt Boldt**. He lives in Santa Rosa. Some of the surnames he is researching are Boldt, Brown, Bare, Pearson, Ward, Rowe & Allan.

Last, we welcome **Lenore Lantz**, she lives in Santa Rosa. She is researching the name Robert Clark who is from Missouri.

If you have any items of interest or historical photos that you would like to submit to the monthly newsletter, please e-mail Cindy Brennan at: newsletter@scgs.org
Items must be received by the 25th of the month to be included in the following month.

New Items at the Library

A Dozen New Books at the Sonoma County Local History and Genealogy Library. Come by and check it out!



- The Alamo: An Illustrated History* by George Nelson
ANNEX R 976.403 NELSON
- Annals of Staten Island, from Its Discovery to the Present Time* by J. J. Clute
ANNEX R 929.3747 CLUTE
- Beautiful Camp Meeker* by Melvin Cyrus Meeker
ANNEX R 979.41 MEEKER
- Brief Genealogy of the Descendants of William Hutchinson and Thomas Oliver* by W. H. Whitmore
ANNEX RARE R 929.2 WHITMORE
- Censuses of Indians at Rancherias in 1848*
ANNEX R 970.3 KASHAYA
- The Drake Family of Washington County, Georgia* by Charles Edward Francis Drake
ANNEX R 929.20973

Geyserville: Fuzzy Old Snapshots by Joe Pelanconi
ANNEX R 979.418 PELANCONI

History of Herkimer County, N.Y.: with Illustrations
ANNEX R 929.3747 HISTORY

History of Norwich, Connecticut: from its Possession by the Indians to the Year 1866 by Frances Manwaring Caulkins
ANNEX R 929.39746 CAULKINS

Index to Vital Data in Local Newspapers of Sonoma County, California: Vol. 8 1907-1909 and Vol. 9 1910-1912 by the Sonoma County Genealogical Society
ANNEX R 929.379418 INDEX

Old Families of Staten Island by J. J. Clute
ANNEX R 929.3747 CLUTE

Petitions for Land from the South Carolina Council Journals by Brent H. Holcomb
ANNEX R 929.3757 HOLCOMB

Copyright Myths submitted by Carmen Finley

Here are a few old wives' tales that I have heard recently:

"I found the information on the Internet, so I have a right to copy it and use it on my own Web site."

"Everything on the Web is free."

"If I attribute where I found it, I can copy it and use it."

"I can use that information as long as I don't charge for it."

"The original records are public domain, so I can legally copy that information from a book, CD-ROM or Web site."

"The information was published by a non-profit organization, so I can legally republish it."

"The information was not labeled as copyright protected, so I can use it."

"You cannot copyright facts, and I am only publishing the facts."

"Well, everybody does it!"



One problem: all of the above reasons are wrong. If you republish information without permission, you may find yourself receiving an unpleasant letter from a law firm. Under U.S. copyright laws, all content today is copyrighted unless otherwise specified. It makes no difference if the information comes from the New York Times' Web site, from a non-profit society's site, or from cousin Lew's personal Web site: you cannot copy and re-use that information without permission. It also makes absolutely no difference whether you charge money or not. Likewise, attributing the source makes no difference. Publishing someone else's material without permission is illegal.

For further details, you might want to refer to the following:

U.S. Copyright and Genealogy by Mike Goad: <http://stellar-one.com/copyrightgenealogy/>

Copyrights & Wrongs by Mark Howells: <http://www.oz.net/~markhow/writing/copy.htm>

Marriage in America...continued

(Continued from page 2)

therefore bigamous. They remarried in 1794 after the divorce was complete. Next, we have Benjamin Franklin and Deborah Reed. Franklin proposed when she was 15, but her family rejected him as a suitor. She married John Rodgers, who abandoned her. Finally, Franklin and Reed entered into a lifelong common-law marriage, with two children. After the Civil War, laws turned against common law marriages. By 1880, only 14 states still recognized them (and still do today).

What happened when a marriage ended? Divorce was uncommon until the 19th Century. The most common reasons for divorce were; improper marriage in the first place (bigamy), abandonment, abuse, infidelity, and lack of support. Divorce was a matter of one party being guilty of a crime and the other party the innocent victim. Often, the party at fault could not remarry. In a divorce, legitimate children went with the father, illegitimate children with the mother. The idea of a child's best interest emerged after 1865.

What about citizenship? For a married woman, her suffrage and citizenship was assumed to be carried by her husband's vote. An immigrant woman's citizenship followed that of her husband. When he was naturalized, she became a citizen. In 1855, free foreign white woman marrying a citizen became a citizen. A child of an American male born abroad was a citizen. Beginning in the 1880s and codified in 1907, an American born woman marrying a non-citizen lost her citizenship. This was reversed in 1922 except for those married to Asian men.

Now, that we have this great information, what records can we use to find maiden names and more information about our elusive women folk? Good sources are; Marriage records, Death records, and Census records.

Marriage Records may be found as State or County marriage licenses and records. Marriages can be found online, in church records, newspaper announcements, banns & bonds, and bibles. Some state and church records include the mother's maiden name in a marriage record. Some church records even name others attending the ceremony, including siblings. Here are some tips on locating marriage records; Search groom's name and the bride's first name, Search other locations. Marriages may occur in the bride's community, but the newlyweds will then live at the groom's family home. Also, the marriage may have been prior to immigration to America.



Death records often include a mother's maiden name. Full obituaries usually include living siblings. Church records sometimes include information on parents. Some states have full death records online. They include; AZ, CA, DE, MI, MN, MO, OH, SC, TX, UT, VT, WV.

Don't forget Census Records. Scour these records for any parents, siblings, children, or cousins living with a member of your family. Check records for siblings and children as well. A grandchild may be living with grandparents or a divorced or widowed female may live with her parents. Sometimes a bride- or groom-to-be is living with their in-laws in the census just before the wedding

In closing, George McKinley asked if we knew what was the most famous American Wedding of the 19th Century was. It was in 1863, and it was the wedding of Tom Thumb and Lavinia Warren! Happy Searching.

THE SONOMA COUNTY
GENEALOGICAL SOCIETY IS A
NONPROFIT ORGANIZATION WHICH
ENCOURAGES INTEREST IN
GENEALOGY AND FAMILY HISTORY

"A New Cousin a Day
Keeps the Boredom
Away!"

