

**OGEN 150: Genealogy Principles**

**Faculty**

Boston University

Fall 2020



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Boston University

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# Random or Systematic?

## An Evaluation of the Probate Process

Holly V. Izard

**T**O HISTORIANS and material culture scholars, probate records offer valuable clues to understanding past material and social worlds. The wills, inventories, accounts, dower descriptions, notices of insolvency or sale, partition agreements, and other related documents found in individual probate files offer glimpses into the lives of ordinary people, and they open windows into specific vanished landscapes. When studied over time, they delineate broad social, cultural, and economic transformation.

However, probate records are not without their difficulties. As Gloria Main discussed in her 1975 essay "Probate Records as a Source for Early American History," although a valuable resource, they are "rarely susceptible of direct, unqualified use." She encountered several problems in using inventories for quantitative comparison of communities in seventeenth- and early eighteenth-century Maryland and Massachusetts: how to determine relative money values for inter-regional analysis, how to evaluate the representa-

tiveness of probated estates, and how to correct the inherent biases within the system. "Most probated decedents," she observed, "were males who tended to be older and richer than their neighbors still living." To get a better picture of overall economic well-being, she used probate records in conjunction with tax lists, which identified poorer and younger residents—an approach also employed by Kevin Sweeney in his study of inventories for seventeenth- and eighteenth-century Wethersfield, Connecticut.<sup>1</sup> Main offered formulas to correct for biases, but one nagging issue remained unresolved: the *why* of inclusion in the probate process. Some of the richest as well as the poorest were omitted. Inclusion, in short, seemed unsystematic.

The same issue of *William and Mary Quarterly* that contained Main's article also included an essay by Daniel Scott Smith in which he compared tax lists, a register of deaths, and probates filed for eighteenth-century Hingham, Massachusetts, decedents and determined that court records showed underregistration and a bias comparable to Main's findings. To his mind, this made probate records problematic sources for a quantified analysis of wealth. "Like other seemingly broad sources in social history," he concluded, "probate records represent the experience of an atypically prosperous segment of the population."<sup>2</sup> He

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This article is based on her dissertation, "Another Place in Time: The Material and Social Worlds of Sturbridge, Massachusetts, from Settlement to 1850," completed in the American and New England Studies Department at Boston University in 1996. The author thanks Richard Candee and Shirley Wajda, who guided her dissertation and encouraged her to move this essay into print; colleagues Donna and John Baron, for their critical read of the text; yeoman John Partridge Allen, whose 1843 probate inventory inspired her study; and John Worrell, former director of research at Old Sturbridge Village, whose vision and support made the project seem wieldy.

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<sup>1</sup> Gloria L. Main, "Probate Records as a Source for Early American History," *William and Mary Quarterly* 32, no. 1 (January 1975): 95, 96. Kevin M. Sweeney, "Using Tax Lists to Detect Biases in Probate Inventories," in Peter Benes, ed., *Early American Probate Inventories*, Dublin Seminar for New England Folklife Annual Proceedings, vol. 12, 1987 (Boston: Boston University, 1989), pp. 32–40.

<sup>2</sup> Daniel Scott Smith, "Underregistration and Bias in Probate Records: An Analysis of Data from Eighteenth-Century Hingham,

also offered mathematical equations for correcting age and wealth biases and wondered at the reasons for underregistration among even the elite.

Despite their concerns with these inherent problems, both scholars saw the enormous potential value of probate studies. And although they were interested in using probate inventories for broad quantitative analysis, both pointed to other, perhaps more wieldy uses. As Main astutely observed, "Household items reflect not only the standard of living of their owner but also the cultural assumptions that guided their purpose." (Sweeney has elegantly explored the relationships among furnishings, domestic arrangements, and underlying cultural assumptions in an inventory-based study of early Wethersfield, Connecticut.) Smith concluded that "in general, probates are a much better source for the analysis of change over time within a small area than for the study of differences between regions and classes."<sup>3</sup>

The interpretation of the probate system presented by Main and Smith as somewhat random and with records biased in favor of older and wealthy men has become accepted convention. Later evaluations have expanded the list of inherent biases to include gender, race, ethnicity, and stage in life.<sup>4</sup> Certainly, biases exist in probate records, and they have to be used carefully and in context. But these obstacles do not diminish their extreme usefulness for qualitative study of individuals and communities. Also, in places rich in documentary evidence, apparent randomness can be resolved and dismissed.

Thorough documentary research on unprobated and probated decedents in one New England town prior to 1850 reveals that there is a system to entry in the probate process. Without exception, persons were probated only if they met one or more of five criteria: if they had written a will; if they owned real property (land and buildings) at the time of death; if they left minor heirs; if there were outstanding notes due them;

Massachusetts," *William and Mary Quarterly* 32, no. 1 (January 1975): 100–110.

<sup>3</sup> Main, "Probate Records," p. 92. Kevin M. Sweeney, "Furniture and the Domestic Environment in Wethersfield, Connecticut, 1639–1800," in Robert Blair St. George, ed., *Material Life in America, 1600–1860* (Boston: Northeastern University Press, 1988), pp. 261–90. Smith, "Underregistration and Bias," p. 106.

<sup>4</sup> Peter Benes and Jane Montague Benes, "Introduction: Unlocking the Semantic and Quantitative Doors," in Benes, *Early American Probate Inventories*, pp. 5–16.

or, if they died in debt. These five criteria, not specifically age or wealth, determined entry into the probate process. They tend to support the age and wealth bias documented by Main and Smith, but at the same time they explain why some marginal and poor people entered the system. As Main observed, writers of wills tended to be mature men of middle- or upper-level wealth, although certainly that was not exclusively the case. Wills were also written by men who were desperate to make some order of their affairs despite overwhelming debt, by men of modest means who wanted to ensure that advancements made to some heirs during their lifetimes were accounted for in property distribution after death, by men with marginal estates who wanted to exercise some control over meager assets, and by widows and single women who wished to see personal effects or savings go to favorite relatives or causes. Persons who owned real property tended to be to be middle-aged or older and from middling or higher economic ranks, while the presence of minor heirs pulled young to middle-aged men and widows from all economic backgrounds into the probate system. Notes due were a wild card, bringing in single women as well as mature men and widows of widely varying degrees of wealth. Debt as a single factor for entry into the probate system tended to be the disproportionate plague of young men. It also proved to be a secondary factor for a number of middle-aged farmers who, either by faulty management or failure to adjust to the changing economy, died severely overextended.

The rural farming town of Sturbridge, Massachusetts, located in the southwest corner of Worcester County in the heart of the Commonwealth, was my laboratory for analysis. It is a typical inland New England town in patterns of settlement and in economic and material development. In the early eighteenth century, men and women from increasingly similar New World traditions moved inland from the seaboard to form permanent new communities in the densely wooded country between the ocean and the Connecticut River, an area that for many centuries was largely the province of the Nipmuc Indians. Anglo-American settlers, who first inhabited the valleys that had been cleared and cultivated by the Nipmucs and then later moved into hillsides, formed towns according to the formula that had been worked out by coastal New Englanders the century before: areas of roughly thirty-six square

miles, with a central meetinghouse and dispersed farms.<sup>5</sup>

Sturbridge was incorporated in 1738, having met the general court's requirements that: "In seven year's time to settle and have actually on the spot 50 families, each of which is to build an house of 18 feet square at least. To break up, and bring to, fit for ploughing and mowing (and what is not fit for ploughing to be well stocked with English grass) seven acres of land. To settle an orthodox minister, and lay out to him an home lot equal to the home lots; which lot shall draw the fiftieth part of the Province land now granted, and to be accounted as one of the 50 that are to be settled." The preponderance of Sturbridge's initial settlers came from Medfield and vicinity, so many, in fact, that the town was originally named New Medfield. Pioneers in Sturbridge and other later-settled New England towns brought with them colonial laws and customs that were based on English models and refined over two generations in the New World as well as familiar habits and patterns of living from their coastal hometowns.<sup>6</sup>

Throughout the eighteenth and early nineteenth centuries, the economy in Sturbridge, and Worcester County as a whole, was based on agriculture and small-scale artisanal production. Like much of inland New England, the town's terrain is rugged, with numerous ponds and a swift-flowing river, the Quinabaug. As Rev. Timothy Dwight observed during his travels in the early 1800s, "the surface of this county is universally undulating. . . . There are no large lakes . . . but about forty small ones. . . . There are no large rivers; but, it furnishes the fountains and headstreams of many rivers, and is abundantly watered with springs, brooks, and millstreams." Inhabit-

ants quickly recognized that it was a surface and a relatively poor-quality soil well suited to cultivating grasses and grazing cattle.<sup>7</sup>

Overall, the county's early growth was slow; on the eve of the Revolution much of it was still wilderness. David Wight, who journeyed to Sturbridge from the seaboard town of Medway with his parents and brothers in the 1770s, explained in his reminiscences that "there were but few settlements on the route from Medway to Sturbridge. Consequently the road over a good part of the way was but a mere cart path and in fact a portion of it was but a single path traced by a line of marked trees."<sup>8</sup> Despite the continuing difficulties of travel and the lingering, densely wooded landscape, Sturbridge enjoyed a unique geographical advantage. It was located on an old east-west Indian path that led from Boston to Springfield, and on the north and south it bordered the older, well-established communities of Brookfield, Massachusetts, and Woodstock, Connecticut. As such, it stood at an early crossroads for travel and the exchange of goods and ideas, and, as a result, emulation of both Connecticut River valley and Boston styles occurred.

The turnpikes that threaded through rural New England in the opening decades of the nineteenth century, bringing with them a steady flow of stagecoaches and market wagons, encouraged development of commercial center villages. Clusters of federal-style white-painted houses, professional offices, and artisanal shops soon surrounded old meetinghouses and taverns on town commons.<sup>9</sup> The new roadways led to further change: they drew Sturbridge and other hinterland towns into more direct contact with the larger world and entwined them in the larger marketplace. Factory villages began to develop along inland waterways, their growth spurred by the opening of the Providence-to-Worcester

<sup>5</sup> For a comprehensive overview of Worcester County, see *Historic and Archaeological Resources of Central Massachusetts* (Boston: Massachusetts Historical Commission, Office of the Massachusetts Secretary of State, 1985).

<sup>6</sup> Records of the General Court, vol. 14, p. 254, copied by clerk Abraham Harding into the proprietor's record book, Office of the Town Clerk, Sturbridge, Mass. Bernard Bailyn presents an excellent overview of English settlement patterns and the working out of Old World regional differences to create fairly homogeneous Anglo-American cultures in the various parts of the colonies in *The Peopling of British North America* (New York: Vintage Books, 1986). Robert Blair St. George examines this phenomenon in a particular region and trade in "Fathers, Sons, and Identity: Woodworking Artisans in Southeastern New England, 1620–1700," in Ian M. G. Quimby, ed., *The Craftsman in Early America* (New York: W. W. Norton for the Henry Francis du Pont Winterthur Museum, 1984), pp. 89–125.

<sup>7</sup> Timothy Dwight, *Travels in New England and New York*, 4 vols. (1821; Cambridge: Belknap Press of Harvard University Press, 1969), 1:271–73. Dwight's impressions are corroborated in *Historic and Archaeological Resources*.

<sup>8</sup> David Wight, "Reminiscences" (Unpaginated manuscript, Wight Family Papers, Manuscript Collection, Old Sturbridge Village Research Library, Sturbridge, Mass. [hereafter OSVRL]).

<sup>9</sup> See Joseph S. Wood, "The Origin of the New England Village" (Ph.D. diss., Pennsylvania State University, 1978), and Joseph S. Wood, "The New England Village as an American Vernacular Form," in Camille Wells, ed., *Perspectives in Vernacular Architecture II* (Columbia: University of Missouri Press, 1986), pp. 54–63.

Blackstone Canal in 1828 and the Boston-to-Worcester Railroad in 1835.

Attending these changes, Worcester County's population dramatically increased, and its forests gave way to expanded cultivation and development. In 1765 there were 28,371 inhabitants in fairly scattered settlements connected at times, as Wight has informed us, by no more than "a mere cart path" or "a line of marked trees." By 1840 the population reached 95,313 and was distributed in well-settled towns that were connected by roadways. Sturbridge mirrored this pattern: the population of 896 in 1765 more than doubled by 1840, to 2,005, despite the loss of the relatively densely settled southeast part of town in 1816.<sup>10</sup>

Traveling through Worcester County in 1839, John Warner Barber observed that "till within a few years almost all the people were farmers, and the great body still are. For the last few years many of the inhabitants have been employed in manufactures." As national and international market forces permeated the countryside, rural households combined farming and traditional small-scale domestic production with market specialization, maintained face-to-face economic relationships and developed distant and impersonal ones, and slowly watched their world transform. By midcentury in Sturbridge and throughout most of New England, local economies were increasingly based on manufacturing, although it would not overshadow farming until after the Civil War. By midcentury as well, the familiar face-to-face commodity-based local exchange system that intimately connected rural households to a great extent had been eclipsed by impersonal, currency-based, often extra-local, economic relations.<sup>11</sup>

<sup>10</sup> Wight, "Reminiscences." J. H. Benton, Jr., *Early Census Making in Massachusetts, 1643–1765, with a Reproduction of the Lost Census of 1765 (Recently Found)* (Boston: Charles E. Goodspeed, 1905); "Population Tables—Worcester County," in *The Gazetteer of Massachusetts* (Boston: John Hayward, 1846), pp. 322–30; and *Vital Records of Sturbridge, Massachusetts, to the Year 1850* (Boston: New England Historic and Genealogical Society, 1906).

<sup>11</sup> John Warner Barber, *Massachusetts Historical Collections* (Worcester: Dorr, Howland, 1839), p. 550. See Christopher Clark, *The Roots of Rural Capitalism: Western Massachusetts, 1780–1860* (Ithaca, N.Y.: Cornell University Press, 1990); Steven Hahn and Jonathan Prude, eds., *The Countryside in the Age of Capitalist Transformation: Essays in the Social History of Rural America* (Chapel Hill: University of North Carolina Press, 1985); Jack Larkin, "Massachusetts Enters the Marketplace, 1790 to 1840," in Martin Kaufman, John W. Ifkovic, and Joseph Carvalho III, eds., *A Guide to the History of Massachusetts* (New York: Greenwood Press, 1988), pp. 69–82; Andrew H. Baker and Holly V. Izard, "New England Farmers and the Marketplace, 1780–1865: A Case Study," *Agricultural History*, 65, no. 3 (Summer 1991): 29–52; and Myron O. Stachiw, "The Color of Change: The Bixby House and the So-

The material culture of the central uplands of Massachusetts is distinct from the much older Anglo-American settlements along the seaboard and Connecticut River valley. Coastal and river valley towns were flourishing socially, economically, and culturally in the early eighteenth century, when Sturbridge and other inland settlements were fledgling agricultural outposts. Coastal and river valley mercantile elites, whose business connections kept them to varying degrees in touch with the larger world, patronized local craftsmen who emulated British examples to produce fine and distinctive mansions and furniture. Substantial gambrel-roof houses with bold doorways and exuberant furniture bespeak mid eighteenth-century wealth and style in the Connecticut River valley. Similarly, large and classically proportioned Georgian houses and elegant, restrained furniture defined high taste among the seaboard colonial elites. In contrast, full "coming of age" for most towns in the central uplands occurred after turnpikes and canals opened in the early nineteenth century and coincided with the regional mass production of inexpensive commodities and the frenzied growth of a young nation. Inland colonial gentry who achieved above-average levels of economic and material comfort remained a tiny minority amidst the ordinary farmers and farmer/artisans who devoted their full energies to meeting essential family needs. As a result, the distinctive, highly refined regional styles that developed under the patronage of affluent colonial households in the older areas for the most part did not develop in Worcester County. By the time hinterland towns such as Sturbridge matured, prevailing standards of comfortable habitation could be achieved by patronizing local warerooms and stores filled with ready-made goods. In poignant recognition of this fact, the last custom furnituremaker in Sturbridge, Oliver Butler Wight, closed his shop early in the 1840s. A local historian remembered Wight as an "old fashioned cabinetmaker who made bureaus, tables, and coffins entirely by hand."<sup>12</sup>

cial and Economic Transformation of the Household, 1807–1850," in Robert W. Moss, ed., *Paint in America: The Colors of Historic Buildings* (Washington, D.C.: National Trust for Historic Preservation, 1994), pp. 135–48.

<sup>12</sup> On river valley elites, see Kevin M. Sweeney, "From Wilderness to Arcadian Vale: Material Life in the Connecticut River Valley, 1635–1760," Robert Blair St. George, "Artifacts of Regional Consciousness in the Connecticut River Valley, 1700–1780," and "Catalogue of the Exhibition," in *The Great River: Art and Society of the Connecticut Valley, 1635–1820* (Hartford, Conn.: Wadsworth Atheneum, 1985); Kevin M. Sweeney, "Mansion People: Kinship, Class, and Architecture in Western Massachusetts in the Mid Eighteenth Century," *Journal of American History*, 78, no. 3 (1991): 770–92.

Of course, local craftsmen produced furniture in their shops at least on a part-time basis prior to mass production. The few surviving examples indicate emulation of Boston design, including a swelled-front bureau made by Sturbridge resident George W. Holmes probably in the 1820s (fig. 1). Surviving bills and memoranda kept by gentleman Josiah Walker, who ordered furniture from local cabinetmakers on the occasions of his daughters' betrothals in the early nineteenth century, indicate the types of objects local craftsmen were making. In 1803 cabinetmaker Oliver Wight, whose family was originally from Medway and who routinely visited Boston, crafted "one 4 foot table, one 3 foot do [ditto], one card table, one maple buro, one chest of drawers, blue, one stand, six windser chares, twelve dining chares, nine kitchen chares, one tea bord, one hi cherry bed stid, do short posts, do maple" for Violet Walker. In 1804 he made "one maple case of drawers, one cherry buro, one blue chest, six green dining chares, six blue dining chares, four winser chares, eight common chares, one rocking chare, one 4 foot table, one card table, one breakfast table, one pine table, one candle stand, one tea bord" for daughter Lucinda. Before Jerusha Walker married in 1811, her father ordered "eight fancy chaires, 6 common chaires, one rocking chair" from cabinetmaker Lemuel Hooker (Wight had temporarily departed town) and "one swell front bureau, one chest with two drawers, one tea tray, two three foot tables, one

teenth Century," *Winterthur Portfolio* 19, no. 4 (Winter 1984): 231–55; Sweeney, "Furniture and the Domestic Environment"; Amelia F. Miller, *Connecticut River Valley Doorways: An Eighteenth-Century Flowering*, Dublin Seminar for New England Folklife Occasional Publication, vol. 1 (Boston: Boston University, 1983). On seaboard elites, see Brock Jobe and Myrna Kaye, *New England Furniture: The Colonial Era* (Boston: Houghton Mifflin Co., 1984); Brock Jobe, ed., *Portsmouth Furniture: Masterworks from the New Hampshire Seacoast* (Boston: Society for the Preservation of New England Antiquities, 1993); Richard H. Randall, Jr., *American Furniture in the Museum of Fine Arts, Boston* (Boston: Museum of Fine Arts, 1965); Richard M. Candee, *Building Portsmouth: The Neighborhoods and Architecture of New Hampshire's Oldest City* (Portsmouth: Portsmouth Advocates, 1992). For a regional comparison, see Peter Benes, ed., *The Bay and the River*, Dublin Seminar for New England Folklife Annual Proceedings, vol. 6, 1981 (Boston: Boston University, 1982). On the material development of Worcester County, see Donna K. Baron, "Definition and Diaspora of Regional Style: The Worcester County Model," in Luke Beckerlite and William N. Hosley, eds., *American Furniture 1995* (Milwaukee, Wis.: Chipstone Foundation, 1995), pp. 168–90; and Donna Keith Baron, "Furniture Makers and Retailers in Worcester County, Massachusetts, Working to 1850," *Antiques* 143, no. 5 (May 1993): 784–95. On the last local cabinetmaker, see Charles V. Corey, "Sturbridge and Its Industries" (Paper presented at the Quinabaug Historical Society, January 31, 1910, published in *Leaflets of the Quinabaug Historical Society*, 3 vols. [Southbridge, Mass.: By the society, n.d. (hereafter LQHS)], 2:230).

stand, one ketchen table, a high post bedsted, a common bedsted" from Brady Walker. Hooker was also a member of the Worcester South-West United Architectural Society.<sup>13</sup>

Wight, who in 1793 advertised in the *Massachusetts Spy* that he offered a "complete assortment of all kinds of furniture made in the newest fashion" and who also did architectural finish work, shifted his production to keep up with the times (fig. 2). By the 1830s, he was turning out ready-made, utilitarian objects including washstands and boxes like the one he gave to his granddaughter at her birth in 1832 (fig. 3).<sup>14</sup> Oliver Butler Wight, the last custom cabinetmaker in town, was his son.

Architecturally, traditional early English hall/parlor and "cape" or three-room plan houses predominated until after the Worcester-and-Stafford turnpike opened in 1811, while simple one-room structures endured as a common house form throughout the eighteenth century. The grandest house in colonial Sturbridge belonged to its leading citizen, Moses Marcy. As of a 1750s remodeling, it was a large, slightly asymmetrical central-chimney dwelling, the first "up-right" or two-story house in town (fig. 4). Although it was eighteenth-century in form, in finish it represented the hand of a builder trained in the Connecticut River valley. Marcy's overmantel painting, which hung in his back parlor and probably also dates to the 1750s, reflects not this inland gentleman's material reality but rather his aspirations for the more refined and worldly accoutrements of river valley and seaboard gentility (fig. 5). Several vernacular, federal-style man-

<sup>13</sup> "Mr. Walker Bot of John Winslow . . . , " Boston, October 24, 1802; "Mr. Josiah Walker Bought of Oliver Wight . . . , " Sturbridge, January 11, 1803; "Mr. Josiah Walker Bought of Oliver Wight . . . , " Sturbridge, November 2, 1804; "Oliver Wight's Bill," [1803]; "Bot of Bennoch & Bedford . . . , " Boston, September 20, 1804; "Made [by] Lemuel Hooker [for Josiah Walker] . . . , " Sturbridge, March 20, 1811; "Mr. Josiah Walker bought of Brady Walker . . . , " March 22, 1811; "Account of things to fit out Violet Hebard," March 3, 1803; "Lucinda Walker to her father . . . , " September 19, 1804; "Bought and Provided the Following Articles for my Daughter Jerusha Walker now Jerusha Morrice . . . , " March 1811; all in Walker Family Papers, OSVRL. Hooker was listed, probably as an officer, in *The Carpenter's Rules of Work, for the South-West United Architectural Society* (Worcester, Mass. [?], 1815) (microfilm, American Antiquarian Society, Worcester, Mass. [hereafter AAS]).

<sup>14</sup> *Massachusetts Spy* (Worcester, Mass.), July 4, 1793. Among Oliver Wight's small array of indoor movables were "3 sets of toilets & washstands \$8.50, 3 washstands partly finished \$2.25, 27 small boxes \$2.16," as well as his "chest and tools \$13.00" (Oliver Wight probate inventory, 1837, docket #65419, Worcester County Probate Records, Worcester County Courthouse, Worcester, Mass. [microfilm, OSVRL] [hereafter WCPR]).



Fig. 1. George W. Holmes, swelled-front bureau, 1820s. Cherry with unidentified conifer; H.  $42\frac{3}{8}$ ", W.  $42\frac{3}{4}$ ", D.  $21\frac{3}{8}$ ". (Old Sturbridge Village; Photo, Thomas Neill.)

sion houses were built in town in the 1780s by Scituate housewright Samuel Stetson.<sup>15</sup> They stood amidst the preponderantly "low" or single-story landscape. It was not until the advent of a commercial center village in the early 1800s that two-story houses began to appear in any numbers. With industrialization in the 1830s, unadorned gable-to-the-road, or Greek revival, structures became the predominant new house form in mill villages and in the countryside.

Because of these regional material differences, interpreting the contents of Sturbridge probate inventories and the town's built landscape sheds light on conditions in an overlooked part of New England but does not represent the conditions of the entire region. However, all An-

glo-Americans who settled the various parts of New England were governed by the same English-based laws and customs and shared to some degree a common culture and society. Therefore, the probate system as it operated in Sturbridge is representative of the whole.

#### A Primer on the Probate System

Before explaining the methodology employed in this study, an explanation of the probate system is in order. Estates were processed at county probate court. Court was held principally in the county seat of Worcester although in pre-turnpike years, court sessions also were held at Brookfield and other outlying towns, no doubt to ease travel difficulties. Probate court officials, who were provincial (later state) appointees, followed a well-regulated process of steps established by statutes and mostly fashioned after customary English law. The purpose of probate court

<sup>15</sup> Mrs. Calvin D. Paige, "The Marcy Family," (Paper presented at the Quinabaug Historical Society, March 31, 1902, *LQHS*, 1:134); and *Southbridge Centennial: One Hundredth Anniversary of the Incorporation of the Town of Southbridge, 1816-1916* (Southbridge, Mass., 1916). On Stetson, see Holly V. Izard, "Who Built the Salem Towne House: A New Answer to a Long-Standing Question," *Old Sturbridge Visitor* 34, no. 4 (Winter 1994): 4-6.



Fig. 2. Sarah Perkins, portrait of Oliver Wight, ca. 1786. Oil on canvas; H. 34 $\frac{1}{4}$ ", W. 25 $\frac{1}{2}$ ". (Abby Aldrich Rockefeller Folk Art Center, Williamsburg, Va.)



Fig. 3. Oliver Wight, box, 1832. Pine; H. 4 $\frac{3}{4}$ ", W. 10 $\frac{3}{4}$ ", D. 6 $\frac{1}{2}$ ". (Old Sturbridge Village; Photo, Thomas Neill.)

was to validate wills and to ensure a full and fair accounting and distribution of a decedent's property among creditors and heirs.<sup>16</sup> There were three principal forms of probate documents: wills, inventories, and accounts of administration. As an estate moved through administration, related documents filed might include a setting off of the widow's dower, assignment of guardianship, partition or release agreement of heirs, and a petition of insolvency followed by a notice and affidavit of sale.

If a decedent left a will, the court's first task was to evaluate its validity. If it was "proved," meaning affirmed by witnesses or their representatives to be the decedent's last will and testimony, the judge ordered the named executor or executrix to settle just debts (always the first priority), collect moneys due, and then honor bequests so far as the balance of resources allowed. Sometimes bequeathed estates were inventoried, and sometimes executors filed accounts. This mostly occurred when the estate could not meet claims filed against it, although in some cases it seems the inventory process cleared potential conflicts among legatees.

In the absence of a will, the probate judge appointed an administrator—usually the widow, an adult son, a relative, or a neighbor—to settle the estate. He also named a committee of three "impartial men," most often neighbors or local artisans in the same line of work, to assess the decedent's real and personal estate and present an inventory, a process that also occurred when bequeathed estates were inventoried. Values assigned by appraisers reflected their estimation of market value, should there be a sale of the estate. Real property included land, buildings, and church pews and horse sheds. Personal property included everything else: indoor movables of all types (furniture, household linens, cooking pots, table ceramics, fireplace apparatus, etc.), livestock, farm equipment and other tools of trade, looms and wheels, churning and cheese presses, the decedent's clothing, cash on hand, and financial assets such as money on loan at interest or turnpike stock. Family items that were not truly the possessions of the decedent, such as a wife's personal effects and sewing basket or children's

<sup>16</sup> For a handbook on probate law, see *The Probate Directory; or, An Assistant to Probate Courts, Executors, Administrators, and Guardians* (1795; Boston: J. T. Buckingham, 1812); see also Carole Shammas, Mary Lynn Salmon, and Michael Dahlin, *Inheritance in America from Colonial Times to the Present* (New Brunswick, N.J.: Rutgers University Press, 1987).



Fig. 4. "Birthplace of Hon. William Learned Marcy," Moses Marcy's homestead, ca. 1870s. (Private collection.)

clothing and playthings, were customarily exempt from men's inventories. Frequently, things with personal but not market value, such as family portraits, were not inventoried, nor were tools or household items that were homemade at little cost and routinely replaced.

In the formal language of probate, the administrator or executor presented an accounting to the court in which he or she "chargeth himself [or herself] with the foot of the inventory," meaning the value of the personal estate, and "prays allowance for the following sums," which were the payment of debts and settling costs. Creditors and expenses were paid out of the personal estate, first out of cash in the hands of the administrator, which he was collecting from persons indebted to the deceased. If the collected sum was not sufficient, creditors were paid out of the proceeds of the sale of "so much of the personal estate" as was necessary to cover the balance. If creditors' demands exceeded the personal estate, the administrator or executor posted notice that "by license of Court, will be sold at public auction" either "so much of the real estate" as to raise the needed amount or the decedent's whole property. If debts exceeded total assets, the estate was declared insolvent. After sale at vendue, debts were prorated against available funds, and (aside from people who provided final

services in illness and death, who received full amounts due) creditors were paid dividends.

In the instance of a will, the husband generally bequeathed to the wife lifetime use of a portion of his dwelling, outbuildings, and personal estate. Although such bequests most commonly included one-third of the real property (with no standard formula for personal estate), terms and conditions varied widely depending on family structure, wealth, and domestic harmony. In the absence of a will, a widow received a "right of dower" in the estate, meaning lifetime use, but not ownership, of one-third of her husband's real and personal property. Children, or blood relatives if the decedent had no offspring, inherited the other two-thirds outright as well as the rights to the dower third upon the widow's death. Although a widow's rights in her husband's personal estate were subject to payment of debts, her real property rights were inviolate. Even if an estate proved insolvent, if the decedent owned real property, his widow was guaranteed house room and some acreage for the remainder of her life unless she elected to relinquish her right of dower. Widowhood was far more precarious for women whose husbands died without owning real property.

By law, unless a couple signed a prenuptial agreement, aside from clothing and personal ef-



Fig. 5. Overmantel panel from the Moses Marcy house, 1750s. Oil on wood; H. 41 1/2", W. 27 7/8". (Old Sturbridge Village; Photo, Henry E. Peach.)

fects, the property a woman owned by inheritance, wedding dower, or wages became her husband's at marriage. As such, it was under his control to will to the next generation and was considered part of his assets at probate court.

The process of settling estates was a cog in the wheel of economic shifts, or convulsions, that early New England communities experienced, for households were tied together in intricate webs of exchange and obligation. It was a face-to-face world wherein neighbors traded goods and services and individuals made loans and held mortgages for others in the community. Economic relationships among known parties were generally forgiving in nature, as they were predicated on social relationships. Officially, loans and mortgages were due either on demand or in a specified time frame with interest. In fact, settlements very often

exceeded terms by many years. Account books, records of local exchange, show debts were sometimes carried a decade or more between trading partners whose economic relationships were embedded in friendships and community equilibrium.<sup>17</sup>

Within this context, death was an event that could send more than emotional tremors through a community. The elasticity of a decedent's economic relationships suddenly snapped when an administrator called for prompt cash payments of outstanding debts so that the estate could be settled. People might find themselves brought to their knees when a local money lender died and large notes were suddenly due in full, as was the case at wealthy merchant Benjamin Bullock's untimely death in 1845. Or, neighbors might learn they could never recover money due them on accounts or loans upon the death of a financially strapped trading partner, such as Joseph Cheney Allen, a flashy young horse breeder who maintained the pretense of well-being at the price of extreme over-extension of his resources. He drove around in a fancy gig and appointed his rented center-village dwelling with fashionable furniture, for all appearances doing grandly. But when he died in 1835, Cheney Allen's estate was worth \$219.36, not counting property under chattel mortgage. This amount was to offset forty-eight claims against him amounting to \$1,442.26.<sup>18</sup> Because account keeping was a record of personal transactions between individuals, and even borrowing money was a bargain struck between two parties in a community, unless a person had defaulted on loans with enough fre-

<sup>17</sup> Susan Geib, "Changing Works: Agriculture and Society in Brookfield, Massachusetts, 1785–1820" (Ph.D. diss., Boston University, 1981); Baker and Izard, "New England Farmers and the Marketplace"; and Stachiw, "Color of Change." Not all lenders were patient or understanding, however. In Thomas Walter Ward, Sr.'s, legal files from his years as chief sheriff of Worcester County, there are hundreds of writs of execution wherein creditors filed suits to collect debts ranging from small overdue account book balances to large loans; see Ward Family Papers, Manuscript Collection, AAS.

<sup>18</sup> When Bullock died, at age 45, individuals in the community owed him nearly \$5,700. People in Illinois owed him another \$880; see Benjamin Bullock inventory and administrator's account, docket #8909, WCPR. The value of Cheney Allen's estate excluded high-style furniture that he had mortgaged in 1833 for a loan of \$207.30; see Chattel Mortgages, 1832–42, book 1, Office of the Town Clerk, Sturbridge, Mass.; Cheney Allen inventory, book 78/1, declaration of insolvency, book 208/329, administrator's account, book 81/521, WCPR. Probate records are referred to by book/page when accessed on microfilm at OSVRL; records dating to 1833 and later are referenced by original docket number and are located in court archives.

quency to earn a bad credit rating among neighbors, debt was only discovered after death.

In cases of severe debt, like Cheney Allen's, what was formerly private knowledge became public when the administrator posted notices for auction, an affair that was probably a source of deep embarrassment for all involved. A widow, if she attended, would witness neighbors bidding on her deceased husband's land, livestock, tools, and clothing, as well as family furniture and other household items. At a later date, she might call on a friend or meet with a future employer and find herself seated at her own table. Further, settling was sometimes a time of contention and acrimony among neighbors, as administrators did not always accept claims submitted. To varying degrees, depending on a decedent's financial status and family structure, death rippled through a community of interdependent households, affecting the way people organized their lives. Once the rituals attending burial were over and legal settling completed, neighboring households adjusted to new economic relationships with the bereaved family, and the family had to adopt new strategies for its maintenance.

### Uncovering the System within the System

The answer to the question of why persons were, or were not, included in probate records was found through detailed record linkage based on documentary and secondary research. The first step in the process was to compile, from the series A probate index for Worcester County, a roster of names of Sturbridge decedents whose estates entered the probate system prior to 1850. The second was to transcribe their probate records (table 1), and the third was to develop biographical portraits. Names were traced through manuscript collections of family papers and account books, local histories, and genealogies and through public records, including published vital records of births, marriages, and deaths; federal census schedules; district school and local property valuations and tax lists; deeds; and maps.<sup>19</sup>

<sup>19</sup> Manuscript collections used in this study are housed at the OSVRL and the AAS. Public records used are located at the OSVRL, the Worcester County Courthouse, and the Office of the Town Clerk in Sturbridge, Mass. My principal sources for local history are Joseph S. Clark, *Historical Sketch of Sturbridge, Mass.: From Its Settlement to the Present Time* (Brookfield, Mass.: E. and L. Merriam, Printers, 1838); George Davis, *A Historical Sketch of Sturbridge and Southbridge* (West Brookfield, Mass.: Power Press of O. S. Cooke, 1856); Levi Chase, "Sturbridge," in D. Hamilton

Together these sources yielded information on place of origin, time of personal or ancestral migration to town, nuclear family structure and household composition, extent of property ownership, geographical location(s), occupation(s), and family persistence. Whenever possible, dwelling houses—still standing or seen through old photographs—were added to biographical files, and eighteenth-century structures were checked against the 1798 Federal Direct Tax for context. Finally, names were indexed and biographies sorted to identify instances of multiple probates filed over two or three generations for the same properties and/or personal possessions.

After completing research files on probated persons—there were 299 in all—a second roster was compiled from the published vital records of 440 male decedents who seemingly were "eligible" for entry into the probate system (table 2).<sup>20</sup> It was clear from the portraits of persons whose estates entered the probate system that eligible parties were preponderantly married men and widowers. A few single men had estates that were probated, largely because of indebtedness, but most were propertyless and young and thus fell outside the system (table 3). The names of all the adult males were checked through vital records and deeds to verify this presumption. A few single women who had inherited real property from their fathers entered the probate system; as a general category, however, they were not considered eligible because the preponderance did not own property or have economic entanglements. Married women were not eligible because their husbands, not they, owned family property; in no instance did a woman who was survived by her husband appear in probate records. As a group, widows were also not considered eligible. Those who had inherited real property from husbands or fathers or had affairs that required settling for the sake of minor heirs were probated, but they were a tiny minority. In most cases, widows died as mature adults rather than as young or middle-aged mothers with dependents, and only rarely did they hold title to real estate.

With the two rosters, consisting of names of seemingly eligible decedents and names of persons who actually had entered the probate process, the next step was to subtract the probated

Hurd, comp., *History of Worcester County, Massachusetts*, 2 vols. (Philadelphia: J. W. Lewis, 1889), 1:102–20; and the LQHS, available at OSVRL and other New England repositories.

<sup>20</sup> *Vital Records of Sturbridge*. Published vital records exist for most towns in Massachusetts.

Table 1. Sturbridge, Massachusetts, Probate Files

	Total Probates Filed	Wills and Inventories	Wills Only	Inventories Only	Neither or Unknown*
to 1750	0	0	0	0	0
1750-59	6	1	0	5	0
1760-69	2	2	0	0	0
1770-79	20	2	4	14	0
1780-89	19	4	5	9	1
1790-99	24	4	10	10	0
1800-1809	42	12	9	20	2
1810-19	48	16	9	22	1
1820-29	42	6	9	27	0
1830-39	37	7	5	24	0
1840-49	59	12	12	33	2
Total	299	66	63	164	6

\* Three files are missing from the probate office: John Harding (d. 1780), Henry Fiske (d. 1815), and Chester Stone (d. 1849). For three persons, documents that were filed did not include wills or inventories: Samuel Hamant (d. 1803), agreement of heirs; Isaac Upham (d. 1808), quitclaim and release; and Jonathan Upham (d. 1840), certificate of pension.

Table 2. Recorded "Eligible" Deaths and Probates Filed from Settlement to 1850, Sturbridge, Massachusetts

	Total Eligible Deaths	Total Probates Filed	Percent of Deaths Probated	Usable Probates	Percent of Total Usable Probates, 1750-1850
to 1750	0	0	0	0	—
1750-59	7	6	86%	4	2%
1760-69	3	2	66%	2	1%
1770-79	23	20	87%	15	9%
1780-89	28	19	68%	11	6%
1790-99	31	24	68%	8	5%
1800-1809	60	42	77%	24	15%
1810-19	74	48	70%	30	18%
1820-29	60	42	65%	23	14%
1830-39	56	37	70%	22	13%
1840-49	98	59	60%	28	17%
Total	440	299	68%	167	100%

Table 3. Age Distribution of Single, Propertyless Men Who Did Not Enter the Probate System

	Ages							Total
	21-29	30-39	40-49	50-59	60-69	70-79	Unknown	
to 1750	0	0	0	0	0	0	0	0
1750-59	0	0	0	0	0	0	1	1
1760-69	0	0	0	0	0	0	1	1
1770-79	5	0	0	0	0	0	1	6
1780-89	1	0	0	0	0	0	3	4
1790-99	5	0	0	0	0	0	0	5
1800-1809	6	2	1	0	1	1	0	11
1810-19	3	2	1	0	0	0	2	8
1820-29	6	0	2	2	0	0	2	12
1830-39	3	2	3	0	0	0	2	10
1840-49	10	1	2	2	0	0	1	16

Table 4. Age Distribution of Eligible Decedents Who Did Not Enter the Probate System

	Ages									
	21-29	30-39	40-49	50-59	60-69	70-79	80-89	90-99	Unknown*	Total
to 1750	0	0	0	0	0	0	0	0	1	1
1750-59	0	0	0	0	0	0	0	0	1	1
1760-69	0	0	0	0	0	0	0	0	0	0
1770-79	1	0	0	0	1	1	0	0	0	3
1780-89	0	1	0	2	0	1	1	0	5	10
1790-99	0	0	0	0	0	2	2	2	1	7
1800-1809	0	1	2	2	5	4	2	1	0	17
1810-19	0	0	2	2	3	5	10	0	5	27
1820-29	0	1	2	1	3	5	5	1	0	18
1830-39	0	3	2	3	1	5	4	1	0	19
1840-49	0	4	3	6	4	10	11	0	0	38

Note: Decedents who were entered in the death records from sources such as family diaries who were not actually residents of Sturbridge were discounted, as were decedents listed as "non compos," "insane," "stranger," "transient," or "pauper."

\* Of the decedents of unknown age, seven could be identified as elderly parents who had come to town to live with adult children.

list from the eligible list and research those who fell outside the system. These decedents were checked through all the same sources to create biographical portraits and kin linkages. The two sets of information, on those who were probated and on those who were not, revealed the system within the probate system. As stated earlier, decedents entered the system only if they met at least one of five conditions: if they had written a will or if they died in possession of real property, with responsibility for minor heirs, with notes due, or with outstanding debts. (See table 4 for the age distribution of seemingly eligible decedents who did not enter the probate system. The preponderance, 75 percent, fell outside for reasons that are discussed below.)

Not surprisingly, a will virtually guaranteed entry into the probate process, no matter how modest the estate, as probate court provided the legal channels through which to execute a decedent's last wishes. Inventories sometimes accompanied wills of solvent decedents, though they were often incomplete and only occasionally were followed up with accounts. Inventories and accounts always accompanied wills of insolvent decedents.

Real estate ownership generally ensured entry, but a careful study of property transactions revealed why apparently wealthy, propertied decedents fell outside the probate system. It was not random. Rather, deed research revealed an oft-repeated pattern of men owning real estate during years of family formation and child rearing and then conveying title to one or more adult sons in their later years, generally with a provision for lifetime support written in the deed of the

home farm. This represents a strategy of intentionally mapping out the well-being of the next generation through title transfer rather than by will, and it was used especially by wealthy landholders.<sup>21</sup>

One gentleman who fits this category is Nehemiah Allen, who was born in the seaboard town of Medfield in 1699 and was an original proprietor in the new township. He was the son of Joseph and Hannah Allen, and his cousins Joseph, Moses, and Aaron Allen were also original proprietors. Nehemiah came to Sturbridge with his wife, Mary Parker, and children in 1741 from Sherbourn, a town near Medfield. Two more babies were born in their new home, totaling nine sons and two daughters. Beginning in 1765, by which time all but the youngest sons had reached majority, Nehemiah began to parcel out his very substantial real estate holdings to his heirs. When he died in 1785, at age eighty-six, he owned no property, had no debts, and had no dependents; he therefore was not probated. In 1773 Nehemiah had deeded his home farm to son Jacob, who in his old age conveyed title to nephew Abraham Allen of Salem, New York. Thus Jacob, too, was omitted from the probate process. John Taylor of Charlestown, Rhode Island, who purchased the farm from Abraham, in turn, deeded it to his

<sup>21</sup> Toby Ditz, "Ownership and Obligation: Inheritance and Patriarchal Households in Connecticut, 1750-1820," *William and Mary Quarterly* 47, no. 2 (April 1990): 235-65. Philip Greven documented this as a strategy of control among fathers in colonial Andover, Mass., in *Four Generations: Population, Land, and Family in Colonial Andover, Massachusetts* (Ithaca, N.Y.: Cornell University Press, 1970).

son during his lifetime. In consequence, this estate eluded the probate process for more than a century.<sup>22</sup>

Henry Clark, as another example, owned a large farm in the northwest part of town that he acquired soon after he and his wife, Sarah Wheat, moved from Medway to Sturbridge in 1752. Sarah died twenty years later, having borne six children, only one of whom survived to adulthood. In 1773 widower Clark married widow Martha Hubbard Bond, who died in 1804; this mature couple had no children. Prior to his own death in 1816, Clark deeded the farm to his only heir, son Phineas, and thus the estate did not enter the probate process. Phineas, who died without offspring or living blood relations just five months after his father, willed the property to his wife, Prudence Chapin Clark. At this point the estate entered the probate process, as the will was proved and recorded, but because the estate was solvent and there were no other heirs, the document was filed without inventory or accounts. It was not until Prudence died in 1837, her affairs deeply mired in complicated economic entanglements with a son from her first marriage, that the old Clark estate was inventoried and carried through administration at probate court. The low values assigned to most of Prudence's possessions suggest that they had been in the household since Henry Clark owned the property. (The little information that can be gleaned about her first husband, Luke Chapin, suggests he was a transient laborer with no assets. Prudence came to Sturbridge a poor widow; what she had at death she acquired as the result of her second marriage.)<sup>23</sup>

While a cross-check of nonprobated names with tax lists—a corrective offered by Gloria

Main, Daniel Scott Smith, and Kevin Sweeney—may suggest that persons with property were omitted from the probate process, a cross-check with deeds can tell a different story: debt sometimes forced liquidation of estates before death. For example, Oren D. Bachellor purchased a six-acre lot, with buildings, in center village at the time of his marriage in 1818. On the 1824 tax list (the first extant list with complete valuations), he is listed with the property, which could suggest that his omission from the probate process when he died in 1833 reflected random underregistration. However, mortgage deeds reveal that debt forced him to relinquish title, and subsequent attempts at securing real property were equally unsuccessful. When he died, at age forty-seven, his widow retained whatever household possessions they may have owned; there were no children, he was no longer in debt, he had no assets, and he was not probated.<sup>24</sup>

Penuel Belknap provides another illustration. His father, Peter, moved to Sturbridge from the northern Massachusetts town of Haverhill in the 1760s and established himself as a farmer and cooper. Penuel inherited the property when his father died in 1818, at age seventy-four. In 1824 Penuel was assessed for two houses, a barn, a shop, and two hundred acres, plus livestock and a chaise, making an estate worth nearly \$2,300 and ranking him among the wealthiest men in the community (he placed at the middle of the top fifth, thirty-third of 320). However, over the next several years he lost everything to debt. Thereafter Penuel rented the farm from his eldest son, who had purchased it when his father's economic world collapsed. Eventually Penuel's youngest son, James, acquired title and provided his parents with lodging. When Penuel died in 1842, at age seventy-two, there was no estate to probate.<sup>25</sup>

In another case, tanner Benjamin Brown, who died in October 1774, at age twenty-eight, owned property as far as tax assessors were concerned because he had purchased from his brothers the rights to their deceased father's farm. But in fact he had not yet paid them for it before his death; therefore, the land and buildings reverted to the

<sup>22</sup> Nehemiah Allen's deeds to sons, books 51/286, 53/553, 62/159, 81/18, 84/152 (home farm), 172/61, 173/7 for land in Sturbridge; books 153/55, 239/55 for land in Barre and Oakham; Jacob Allen to Abraham Allen, book 151/391; Abraham Allen to John Taylor, book 181/396; John Taylor to Avery P. Taylor, book 225/68, Worcester County Deeds, Worcester County Courthouse, Worcester, Mass. (microfilm, OSVRL) (hereafter WCD). On the Allen family, see William S. Tilden, *History of the Town of Medfield, Massachusetts, 1650–1856* (Boston: George H. Ellis, 1887), pp. 294–97; *Vital Records of Sherborn, Massachusetts, to the Year 1850* (Boston: New England Historic and Genealogical Society, 1911); *Vital Records of Sturbridge*; Davis, *Historical Sketch*, pp. 69–70, 110–12; Chase, "Sturbridge," p. 109, 118; Helen Holley, "Nehemiah Allen" (Undated typescript, OSVRL).

<sup>23</sup> Rev. E. O. Jameson, *The History of Medway, Mass., 1713 to 1885* (Providence, 1886), p. 463; *Vital Records of Medway, Massachusetts, to the Year 1850* (Boston: New England Historic and Genealogical Society, 1905); *Vital Records of Sturbridge*; book 310/53, WCD; Phineas Clark will, book 48/210, WCPR; Prudence Clark inventory and accounts, docket #12266, WCPR.

<sup>24</sup> Oren Bachellor deeds, books 241/28, 247/43, 253/48, 279/66, WCD; *Vital Records of Sturbridge*.

<sup>25</sup> For the Belknap family, see Davis, *Historical Sketch*, p. 183; Peter Belknap will, book 50/362, WCPR; Penuel Belknap to son Daniel, deed, book 266/475, Daniel Belknap to brother James, deed, book 301/571, WCD; executions against Penuel Belknap, books 272/227–38, 271/209–530, 271/559 (making in all 16 executions), WCD.

surviving heirs. As the other heirs all lived elsewhere, they most probably struck an informal agreement with the widow whereby she (and possibly a tenant family) remained on the property at least for a while. Any need for legal clarity (that is, formal probating to arrive at dower rights) in this arrangement became moot the following autumn, when an epidemic that swept through the town claimed her life as well as those of her two young children.<sup>26</sup>

Conversely, propertyless heads of household sometimes appear to own real estate on tax lists and thus seem to have been inexplicably omitted from the probate process at death. Rental agreements were variable, and if the lessor required that the lessee pay the property taxes, tenant status was not necessarily recorded. For example, because Thomas Ward of Shrewsbury and Stephen Salisbury of Worcester specified in leases that tenants were responsible for paying property taxes, assessors' records suggest that men such as David Nelson, Daniel Maynard, Samuel Brigham, Peter Williams, and James Raymond, all life-long laborers, owned real property. Likewise, the names of factory operatives at the Fiskdale mills in Sturbridge most frequently appeared on local tax lists with the notation "ten. to Henry Fiske" or "ten. to Josiah Fiske," making their status clear. But in other instances, when operatives rented from private parties in the neighborhood rather than mill owners Henry and Josiah Fiske, they were simply listed as property tax payers. It was only by reading through the Worcester County deed index (or, in the case of Ward and Salisbury employees, through family papers) that tenant status became apparent.<sup>27</sup>

Another arrangement in this category of apparent-versus-actual property ownership is illustrated by the case of William Webster. After his second marriage, he paid taxes on half a dwelling and half a barn, plus acreage and livestock, that he shared with his brother-in-law Stephen Harding. In fact, it was Harding's property, and when he died with enormous debts in 1845, the farm was sold at auction to meet creditor's demands. Webster died two years later with no assets or, apparently, debts.<sup>28</sup>

<sup>26</sup> Benjamin Brown deed, book 72/648, WCD.

<sup>27</sup> Salisbury and Ward Family Papers, AAS; town and district school tax lists, WCD index.

<sup>28</sup> *Vital Records of Sturbridge*; town and district school tax lists; Stephen Harding property acquisitions, books 213/423, 262/48, 262/49, 262/50, WCD. Most, if not all, the land once belonged to his father. Stephen Harding inventory, petition to sell real estate, administrator's account, docket #27021, WCPR. In one of

Family reconstitutions also identified a cohort of elderly gentlemen who came to town in their old age. Not unlike today, old or infirm adults sometimes relocated to a son or daughter's home. Men like David Brayton, who died at age seventy-four in 1834, and Noah Ledoyt, who was seventy-eight when he died of lung fever in 1842, accompanied adult children when they moved to town or joined their households later. In either case, these men died propertyless in Sturbridge, although they may have been landholders elsewhere in earlier years.<sup>29</sup>

Documentary research explains the absence from the probate files of some middle-aged men who otherwise might appear as random omissions—men who never owned property and did not head households. This category included single men, married men, and widowers. Among them were Isaac Abbott, who died in his fifties in 1826, and "Mr." Charles R. Bowler, who died in 1802 at age forty-eight, both of whom were most probably transient laborers, employed at the time of their deaths by farmer Henry Fiske, whose diary supplied death information for entry in the vital records.<sup>30</sup>

Enoch Corey, the middle-aged son of a wealthy doctor, died a widower in 1827, having lost his wife and daughter eleven years earlier. Abner Allen, Jr., also died a widower, in 1812. Both men resided in their fathers' households and worked their fathers' land. In another case, Phineas Benson, who died in 1839 at age forty-nine, was married but did not have property or dependents. The couple boarded with another as-yet-unidentified family. (His father, David, owned a small farm, which was sold to pay debts when he died in 1847.) Perly Dunton, who died in 1834 at age thirty-four, was also married; in this case, the young couple resided with Dunton's parents.<sup>31</sup>

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Harding's deeds (262/50), there is a reference to land being conveyed to William Webster, but no deed was filed, and available evidence suggests this transaction never occurred.

<sup>29</sup> Men in this cohort were identified through town and district school tax lists, federal census schedules, published vital records for Sturbridge and other Massachusetts towns and for Woodstock, Conn., the WCD index, and in a few cases from genealogies and local histories.

<sup>30</sup> Isaac Abbott's name was appended "a stranger." After deed and genealogical research, Abbott and others like him were discounted as eligible. "Mr." entered into the vital records implies the person is unknown to the community. There are other cases of probable Fiske laborers and household help similarly recorded in *Vital Records of Sturbridge*.

<sup>31</sup> Most of the debt was to his son Cyrus—the 6th of 14 children in the family, see David Benson inventory, sale of real estate and account, docket #5152, WCPR. Individuals' household status

Although the majority of men who died with dependents were probated, family reconstitutions identified nineteen family men who were not. Included in this category were one each in the 1750s, 1760s, 1770s, and 1780s; two in the 1810s; three in the 1820s; two in the 1830s; and eight in the 1840s. They were omitted for the following reasons: they were recent arrivals—would-be farmers or artisans not yet known to townsfolk or established and integrated into an economic network; they were part of the fluid industrial population that operated largely on the periphery of local society; or they owned little and owed nothing. Overwhelmingly, they were men who never owned real property or who lost it during their lifetimes.<sup>32</sup> In many instances these men never actually headed households, residing instead with parents or as boarders.

This last category includes Joseph Sollis, who came to town a young and single man in the 1750s. He had a child with Susanna Johnson in 1755, married her in 1756, and died in 1757. He never owned property and was in town too briefly to become established; he may, in fact, have been in Johnson's father's employ. Also included is Albon Allen, whom the census taker listed as a head of household in 1820. In fact, he and his young family actually lived under his parents' roof until his death in 1823. Personally, he owned no real property.<sup>33</sup>

Edward Chatman was among those who apparently headed households but owned nothing. He moved to town with his wife and children in the late 1840s, probably finding work as a tenant farmer. In the spring of 1849, death claimed a daughter, and dysentery took the lives of a newborn, an older son, and Edward that autumn, after which widow Amelia and any remaining children departed town without a trace.<sup>34</sup>

Henry Bartlett also came to Sturbridge with his wife and children in the 1840s; a shoemaker by trade, he hoped to earn a livelihood in Sturbridge's burgeoning shoe industry. However, he

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was determined from town and district school tax lists, federal census schedules, and the WCD index.

<sup>32</sup> One decedent, Jacob Corey, Jr., may have owned property by inheritance, although it is not clear that the administration of his father's substantial estate was completed before he died. Benjamin Brown, as noted previously, appeared to own family property but had not actually bought out his siblings before he died.

<sup>33</sup> Identification and status for persons in this category was determined from *Vital Records of Sturbridge*, federal census schedules, town and district school tax lists, and the WCD index.

<sup>34</sup> At his death, the town clerk noted this propertyless man was a "farmer, b. East Port"; *Vital Records of Sturbridge*; federal census schedules for 1840 and 1850; town and district school tax lists; the WCD index.

succumbed to typhoid fever before becoming established socially or economically. The town clerk entered his death with the notation "b. Granby, s. Aaron" (meaning he was born in Granby, Massachusetts, and his father was named Aaron)—supplementary information outside of local knowledge that became increasingly commonplace in the records as strangers died in town. There is no evidence that he had any estate to probate. Widow Sarah Bartlett persisted in the community with her children and found a niche in the growing industrial sector. In 1850 she headed a household in the mill village of Fiskdale; two teenaged sons worked as spinners, another as a shoemaker, and one who recently married was a weaver.<sup>35</sup>

The numbers of men with dependents who did not enter the probate system began to increase after the Fiskdale textile mill opened in 1828, when many new families, largely from Rhode Island and lower Massachusetts, were drawn into town. This increase also coincided with the beginning of the slow transition in local exchange from traditional commodity-based relations to cash transactions. As traditional networks of face-to-face exchange contracted, the intricate webs of obligation that pulled marginal descendants into the probate system in earlier decades began to disappear, and the first to be affected by this transition were newcomers in town like Edward Chatman, Henry Bartlett, and the mill workers.

As already noted, a check of household structure, vital records, and deeds indicates that young men listed in death records but not probate books were not independently established in the community. For example, when Silas Boyden died of an epileptic fit in 1803, he was thirty-two, single, and still living with his parents on the farm they had owned for twenty years. Joel Allen was twenty-two and living with his mother and siblings when fever claimed his life in 1790; his father Eliphalet Allen's severe indebtedness, uncovered upon his death two years earlier, had dislocated the family. When typhus killed twenty-six-year-old Alexander Brown in the autumn of 1810, the young man was engaged as a farmhand for Henry Fiske. Like the middle-aged men previously mentioned who were added to town records from the Fiske family diary, he was a transient laborer without roots in the community. Ebenezer Clark, Jr.,

<sup>35</sup> Information on the Bartlett family compiled from *Vital Records of Sturbridge*; federal census schedules for 1840 and 1850; town and district school tax lists; and the WCD index.

was probably also in Fiske's employ when he died in 1808 at age twenty-six, as his death entry came from the diary. His yeoman father had died mired in debt two years earlier. Similarly, Adam Corbin died in town in 1846 when he was twenty-two and most probably working as a farmhand (perhaps he, too, was employed by his uncle Henry Fiske). The omission of these young men from probate records is not evidence of random underregistration. Rather, it helps to explain the system inherent in the process: lacking debts, dependents, property, or in some cases even roots, there was no reason for them to enter into the arena of probate court. Not surprisingly, the number of young and middle-aged men who eluded the probate system increased after the Fiskdale mill opened.<sup>36</sup>

Some young men were probated, most often because of debt. For example, when center-village tailor Baruche Clemence died in 1831 at age twenty-three, his tiny personal estate was inventoried down to remnants of thread and then auctioned to pay dividends to creditors at the rate of two cents and eight mills per dollar. When Elisha Smith Holbrook arrived in the early 1800s, hoping to open a doctor's office in the center of town, community members provided generous financial assistance. When he fell sick and died in 1807 at age twenty-six, his personal property—primarily physicians' books and tools of his profession—was inventoried and auctioned to compensate his numerous backers at the slightly better rate of six cents and eight mills to the dollar.<sup>37</sup>

Shoemaker Luther Pellet, who died in 1839 at age twenty-seven, was probated because he had a wife and two young children and, relative to the total value of his small estate, had considerable amounts of money due him that would aid in the support of his family once it could be collected. The modest estate of Alpheus Hyde, who was twenty-nine when he died in 1842, was similarly probated because he left dependents and some resources for administrators to tap for their sup-

<sup>36</sup> Sources used to identify individuals in this category include *Vital Records of Sturbridge*, federal census schedules, town and district school tax lists, and in some cases probate records. Eliphalet Allen inventory, book 19/158, administrator's account, book 20/354, and debts and declaration of insolvency, book 20/355, WCPR. Ebenezer Clark will, book 34/360, inventory, book 34/406, administrator's account, book 40/624, WCPR.

<sup>37</sup> The total value of Clemence's property equaled \$41.33; see Baruche Clemence inventory, book 68/541, declaration of insolvency, book 210/157, and administrator's account, book 70/608, WCPR. Elisha Smith Holbrook inventory, book 37/233, declaration of insolvency, book 208/441, administrator's account, book 37/426, WCPR.

port. After debts and settlement costs, the balance of property, worth \$234.48, was left in the widow's hands to provide for the family. Other young men whose estates entered the probate system include: shoemaker John Davis, who owned a small farm and had a wife and three young children when he drowned in 1820 at only twenty-six; carpenter Enoch Knapp, who left dependents as well as a small estate and enormous debts when he died of consumption in 1815; and physician Masheck Remington, who left a substantial personal estate in 1757, just two years after marrying a daughter of Sturbridge's most elite citizen, Moses Marcy.<sup>38</sup>

Overall, 267 or 61 percent of apparently eligible decedents—married men and widowers whose deaths were recorded in town records—had estates that entered the probate process. Another 32 Sturbridge estates were probated, 3 for single men and 29 for women. The sharpest early disjuncture between apparently eligible decedents and probated estates occurred in the 1780s—the traumatic postrevolutionary decade when currency dramatically inflated, land values stagnated, and New England farmers by the scores lost their property to creditors. But the biggest disparity occurred in the 1840s, by which time Sturbridge had to a great extent industrialized, and the numbers of propertyless working-class households had swelled.

Of the twenty-nine women whose estates were probated, eight owned interests in real estate—six by virtue of bequests from fathers, two from husbands. Nine had written wills, including fifty-year-old schoolteacher Harmony Allen who died in 1844, leaving inherited money and personal property to her siblings but stipulating that “all the money I have earned for myself (after just debts and expenses are paid) is to go in equal proportions to the American Board for Foreign Missions, the American Board for Home Missions, the Bible Society, [and] the American Education Society.” In six cases, heirs brought estates into the probate process because of outstanding

<sup>38</sup> Furnishings, textiles, agricultural apparatus, and the tools of Pellet's trade amounted in value to \$133.16, his clothing to \$35. The balance of his personal estate, \$391.84, was notes due him; see Luther Pellet inventory and administrator's account, docket #45863, WCPR. Alpheus Hyde inventory and administrator's account, docket #32676, WCPR. John Davis inventory, book 53/405, petition to sell real estate, book 262/225, administrator's account, book 54/268, WCPR. Enoch Knapp will, book 46/592, inventory, book 47/7, executor's account, book 47/643, WCPR. Masheck Remington inventory, book 5/459, administrator's report, book 7/296, WCPR.

moneys due. As one example, Jabez Harding, a prosperous farmer who died in 1800, bequeathed to his wife, Miriam, "the improvement of the whole of my real estate whereof I shall die seized to be at her disposal during her natural life, and all the stock and money I shall die seized of after my just debts and funeral charges be paid." When she died in 1822, heirs brought her estate to probate in order to collect the \$722.88 Miriam had loaned to men in the community. Hannah Humphrey, a single woman who worked at the Walcott and Groves Manufacturing Company in Southbridge, and Deborah McIntire, an elderly widow, both died with debts that creditors wanted to collect.<sup>39</sup>

Four women who entered the probate system were middle-aged widows who died leaving minor children. Their administrators inventoried and auctioned their estates and turned the proceeds over to court-appointed guardians. While procedurally this sounds cut and dry, it was wrenching. Cynthia Freeman Child and her children present a particularly tragic story. The family was torn from a life of relative comfort to barely scraping by after Cynthia's husband died in 1828, when his enormous debts were revealed. Creditors were paid dividends, most of the estate was sold, and the young family relocated to a small dwelling house on a five-acre parcel set as the widow's dower. Just two years later, Cynthia died at age forty-five, leaving seven children who ranged in age from four to twenty-one (the eldest, Alphonso, would die a month later; the eighth, and youngest, an infant, had died the year before). The surviving heirs, whose future seemed so promising when their father was alive, received \$26.44 apiece from their mother's estate for their legacies.<sup>40</sup>

Without exception, if women died intestate, did not own property, had no outstanding financial entanglements, and did not have guardian-

ship of dependent children, they did not enter the probate process. Simply put, the majority of women were not eligible.

By virtue of their status, women and single men were largely excluded from the probate process, and roughly one-third of married men and widowers also fell or placed themselves outside of the system. Still, based on existing records, it is possible to interpret material conditions at different economic levels at particular points in time, to extrapolate information about living populations and those who were omitted from the process, and to chart changes over time. For example, probate records for husbands and fathers catch families at a pivotal point in time and offer insight into what would follow economically and materially, as illustrated by the experiences of Cynthia Child and her children, Miriam Harding, and poor young laborer Joel Allen. When probate records can be linked with personal papers, we can see with remarkable clarity particular family conditions. For instance, after farmer/miller Ziba Plimpton died in 1842, still in his prime and well-off economically, a daughter opened a window on family life in letters to a friend. In one she explained, "My father who died about the same time [as sister Mary Eliza] I consider the best man that ever lived. My oldest brother who took the place of a father to the family has proved himself well worthy of his station." In another she wrote, "Last eve was seated five persons in a room 14 feet by 12 which fronts the road and I shall picture them to you. In the rocking chair by the table sits a lady of about 60 knitting. . . . By the stove is cousin Silas Plimpton who has come in to sit a while and he loves a hearty laugh. The teacher Paul is endeavouring to instruct George, a boy who lives with us, in writing, while upon the lounge is seated a certain person called Sarah, and she is pretending to sew a little."<sup>41</sup> Matched with Ziba's inventory, the family lived at mid nineteenth century much as they had during his lifetime, having added only the lounge to their sit-

<sup>39</sup> Harmony Allen will, inventory, and executor's account, docket #1297, WCPR. Jabez Harding will, book 29/382, inventory, book 30/41, WCPR. Miriam Weld Harding inventory, book 58/72, WCPR. Hannah Humphrey inventory, book 58/560, administrator's account, book 61/66, WCPR. Deborah McIntire inventory, book 44/150, administrator's account, book 45/82, WCPR. Humphrey's debts were small book accounts; after settlement, a credit balance of 59¢ remained in the hands of her administrator (her total estate was assessed at \$65.10). McIntire's estate proved insolvent.

<sup>40</sup> Amasa Child inventory, book 67/404, administrator's first account, book 64/471, second account, book 70/131, dower, book 65/687, declaration of insolvency, book 210/489, WCPR. Cynthia Freeman Child inventory, book 68/399, administrator's account, book 70/314, WCPR.

<sup>41</sup> Sarah Lovina Plimpton to Lucius Benham, May 24, 1853, and December 29, 1853, Plimpton Family Papers, OSVRL. The house is still standing. Ziba Plimpton's inventory and other probate documents, docket #4715, WCPR. On the Plimpton family, see also Levi B. Chase, *A Genealogy and Historical Notes of the Family of Plimpton or Plympton in America, and of Plimpton in England* (Hartford, Conn.: Plimpton Manufacturing Co. 1884); Haven D. Bracket, "The Hyde Box Shop and Vicinity" (Paper presented at the Quinabaug Historical Society, April 24, 1905, *LQHS*, 2:47–51). Architectural drawings and site report on Ziba Plimpton's house and outbuildings, prepared by Holly V. Izard, Aimee Newell, and Myron O. Stachiw, is on file at OSVRL.

ting room. Sarah's numerous letters indicate they were well pleased with their situation.

Laborers and mill workers present a greater challenge than nuclear families; still, it is possible to understand the types of material conditions they experienced by using existing inventories coupled with census schedules. For example, lead-mine workers Otis McClintock and Freeman Cleaveland died in 1830 when a mine shaft collapsed. At the time, McClintock and his wife were renting a small house, which they shared with five male boarders and two women, the latter probably his sister and mother. McClintock's probate inventory illuminates the material conditions experienced by laborers Cleaveland, William Mason, and the anonymous others who shared the dwelling, as well as those of his own family. McClintock owned three bedsteads with bedding, a bureau, a pine chest with drawers, a light stand, a pine table, six kitchen and six dining chairs, a rocking chair, two small trunks, kitchen apparatus, and a relatively large quantity of pewter and ceramic tableware.<sup>42</sup> The most expensive bed stood in the northwest room, probably for the couple's use; the next best was in the chamber (a finished garret space); and the least expensive was in the bedroom, a first-floor room used primarily as sleeping quarters. It seems likely the family's boarders had use of dining furniture and perhaps a bed, but at least some of the laborers rolled their own bedding out each evening. At the same time, family and boarders probably constantly overlapped in the cramped quarters they shared.

In another example, Ira Carpenter and his wife kept a boarding house in the Westville factory village. In 1830, two years before he died, the household included ten female factory operatives in addition to Ira, his wife, and their five young children. His slim array of furniture clearly met only family needs; boarders provided their own beds and bedding. The Carpenters' kitchen, like the McClintocks', was amply stocked with tableware for everyone's use. Inventories for Fiskdale landlords indicate operatives there experienced similar material conditions. An extant building contract for one of the factory-owned Fiskdale tenements provides information on the size of a typical rental unit. The four-family building, erected in 1828, was twenty-two by twenty-six feet

<sup>42</sup> Otis McClintock inventory, book 68/459, administrator's account, book 70/616, WCPR; *Vital Records of Sturbridge*; federal census schedule for 1830; town and district school tax lists.

and was two stories, making each unit twenty-two by thirteen feet minus space given over to common staircases and entryways. A dozen or more family members and boarders routinely occupied these apartments, always sharing crowded space if not possessions.<sup>43</sup>

In contrast to mill workers and the miners who boarded with McClintock, farm laborers lived quite separately from their employers, and their material conditions were bleak. Hired hands entered farm kitchens and perhaps sitting rooms for meal taking but otherwise were removed from domestic space. Customarily they slept in raw garrets, sometimes in barn lofts. They came to work with just a few personal effects and left with the same. Life-long laborers, such as Charles Bowler and Isaac Abbott whose deaths were recorded from Henry Fiske's diary, were among the very poorest members of a community. Names of some farm laborers can be found in farmers' account books or work diaries, sometimes in accounts of administration, and on tax lists. But, for the most part, farm laborers remain anonymous—little lines scratched in age columns on census schedules who cannot be identified as nuclear family members.

Historically, Native and African Americans—the people of color in the countryside—have been consistently underregistered in all public records. They often lived on the fringes of the dominant society, largely beyond the reaches and perhaps the understanding of official record-keepers. Put simply, their omission from mainstream conventions was systematic rather than random, although it does not excuse historians from the task of finding different sources to interpret their material conditions. The relatively few probate records that exist for these groups need to be mined and studied in the context of supplementary documentary and secondary information. In Sturbridge, Guy Scott, who was of Native and African American ancestry, was probated when he died of consumption in 1848 at age fifty-six. He was a foreman at the lead mine where Otis McClintock worked and had business dealings with Frederick Tudor, the mine owner in Boston, as well as with resident overseer David Wight and

<sup>43</sup> Ira Carpenter inventory, book 72/257, administrator's account, book 70/608; *Vital Records of Sturbridge*; federal census schedule for 1830; survey map, Wight Family Papers, OSVRL. Agreement between housewright Samuel Shepard and Henry Fiske, February 10, 1828, book 264/38, WCD. For reconstitution of the population in 1830, see Holly V. Izard, "1830 Sturbridge Families and Households" (Typescript and database, OSVRL).

the miners he supervised. Economically, the Scott family was lower middle class, but materially they were very much in step with their time and place. In the late 1830s or early 1840s, Guy replaced a small house the family occupied with a vernacular but still somewhat fashionable 1½-story Greek revival dwelling. They heated and cooked in their new house with stoves rather than old-fashioned open hearths. At his death, Guy owned several bedsteads with bedding, two chests with drawers, several tables, a rocking chair, an armchair, six old dining chairs, and a wooden timepiece—an array of furnishings that had supplied the needs of Guy and his second wife and four children. In their values and descriptions, his household objects were not distinguishable from things found in other lower-middling Sturbridge households at the time. Archaeological evidence at Robert Croud's mid nineteenth-century dwelling—the house miner McClintock was renting when he died in 1832—revealed the same ordinariness of possessions. Croud was a Punkapoag Indian and Guy Scott's son-in-law.<sup>44</sup>

Moving a century earlier, Abigail Quitticus of Dudley, Massachusetts, made bequests of fine clothing and household textiles in 1757 that reveal only her level of affluence in the community. In fact, Quitticus and all her beneficiaries were Nipmuc Indians. Like Scott and Croud's possessions, her belongings indicate her active participation in the dominant culture rather than her continuing Indian traditions. The inventory of Mary Pegan's possessions, taken in 1761, similarly reveals adoption of English-style clothing and household objects. She was also a Nipmuc Indian, a resident of Leicester. Alternatively, when Samuel Bowman of Worcester died in 1748, appraisers listed only a few tools and debts due. The utter lack of indoor movables suggests that this middle-aged Nipmuc Indian and his family eschewed English ways.<sup>45</sup>

<sup>44</sup> Donna K. Baron, J. Edward Hood, and Holly V. Izard, "They Were Here All Along: The Native American Presence in Lower Central New England in the Eighteenth and Early Nineteenth Centuries," *William and Mary Quarterly* 53, no. 3 (July 1996): 561–86. Guy Scott inventory, administrator's accounts, widow's allowance, docket #52729, WCPR; book 310/473, WCD. Mine records in Wight Family Papers, OSVRL; Frederick Tudor Papers, Baker Library, Harvard University School of Business, Cambridge. Robert Croud inventory and executor's accounts, docket #8073, ser. B, WCPR. Baron, Hood, and Izard, "They Were Here All Along," pp. 284–85. Also see Daniel T. V. Huntoon, *History of the Town of Canton, Norfolk County, Massachusetts* (Cambridge: John Wilson and Son, 1893), chap. 2.

<sup>45</sup> Baron, Hood, and Izard, "They Were Here All Along," pp. 573–74. Mary Pegan inventory, book 7/366, administrator's ac-

For Native Americans, with whom nineteenth-century antiquarians were quite intrigued, detailed information about material conditions to supplement the probates that were filed can be culled from published histories and reminiscences. For African Americans, who did not enter antiquarians' popular imagination, it is more difficult. The avenues for study lie in using existing probate records, compiling thick descriptions of people and their particular economic and social circumstances from public and town records (minutes of town meetings and Overseers of the Poor reports can be very informative) and from available secondary sources, and extrapolating what general material conditions might have been.

Although it was far less than comprehensive for people of color, for the vast majority of the Anglo-American population, the probate process was neither random nor unsystematic. Probate records do in fact overrepresent persons of property, as Main and Smith have charged. This is the result of the system's express intent to settle the financial affairs and distribute the material effects of decedents. Thus these scholars were correct in concluding that probate files provided insufficient data for statistical analysis of a community or a region's economic hierarchy. People who fell or placed themselves outside the condition of having estates to settle—single young men with no debts, transient laborers, married women with no assets, and older men who distributed property during their lifetimes—were simply not included. The probate process caught individuals, including those at the very bottom of the economic ladder, who had outstanding family and/or financial obligations.

Understanding the reasons for the absence of certain individuals illuminates aspects of community life that would otherwise elude probate analysis. When linked with deeds, family, and tax information, probate records contribute significantly to a comprehensive exploration of a community's economic organization, material possessions, and social structure; they are an excellent source not for quantitative economic analysis but for qualitative social, cultural, and material culture analysis.

Family reconstitutions and record linkage offer another benefit to scholars pursuing qualitative analysis: these processes identify the stage in life, household composition, and living arrange-

count, book 9/345, WCPR. Samuel Bowman inventory, book 3/103, administrator's account, book 3/258, WCPR.

ments of decedents—critical information for interpreting the contents of probate inventories. For example, by all accounts Moses Marcy was the wealthiest and most influential man in Sturbridge prior to the Revolution. He owned the first upright (two-story) house in town, consistently held positions of leadership in local and provincial politics, and exerted unparalleled influence in ecclesiastical and civic affairs. But by the time he died in 1777, his son was in charge of the farming and milling operations and, with his young family, occupied half the dwelling house. That knowledge gives new meaning to Moses's bequest to his wife, Prudence, of "all my household and indoor movables and also the use and improvement during her natural life of the east half of the upright house that I now live in, with the cellar under the same." It was full use of all their shared space and its contents. The Marcys' indoor movables, inventoried when Prudence died two years later, reflected the couple's possessions not when they were raising eleven children in a large and rambling house but late in life when they occupied just three ground-floor rooms and two chambers above.<sup>46</sup> The Marcys' indoor movables far surpassed the possessions of anyone else in town at the time in quality, which is not surprising given their stature and wealth; however, the quantity and range of things only made sense in the contexts of stage in life and family structure.

Or, in another case, when yeoman Abner Dunton died in 1789 at age thirty-five, he was farming "in common and undivided" with his father. The two households shared a modest but new single-story dwelling, an addition to a structure built earlier in the century to meet immediate need for shelter. The furniture that belonged to the young family—a best bed and bedding, a trundle, three chests, a table, seven chairs, and a looking glass—reflected their limited use of the dwelling; the

<sup>46</sup> Moses Marcy will, book 14/214, WCPR. Rooms were derived from the dower description in 1811 for the widow of Jedediah Marcy, Jr., Moses and Prudence's grandson. Commissioners set "the west half of the house, viz., the three west rooms on the ground floor and the two west chambers, the cellar under the same, the front entry in common with Jedediah Marcy [III], as also the well and the dooryard" for her use (Jedediah Marcy, Jr., dower, book 43/211, WCPR). Prudence Marcy will, book 15/115, inventory, book 20/182, WCPR. On the Marcy family, see Charles Edney Marcy, *History and Genealogy of John Marcy, 1662–1724, Woodstock, Conn., and Many of His Descendants* (Redlands, Calif.: C. E. Marcy, 1980); Paige, "Marcy Family"; Clark, *Historical Sketch*, pp. 35–36; Chase, "Sturbridge," p. 113; Davis, *Historical Sketch*, pp. 10–12.

complement of kitchen items inventoried suggested cooperative meal preparations.<sup>47</sup>

In another example, Abner Dunton's widow, Mary, married widower Jesse Rice, a farmer/blacksmith, and they raised her three and his five children in an L-shape single-story dwelling that included a parlor, a sitting room, and a bedroom along one axis, a kitchen and dairy room, another bedroom, and storage closet along another. However, the meager amount of furniture inventoried when Jesse died in 1831—two tables, a chair table, a portable desk, three chests, a bed and bedding, a looking glass, and some chairs—represented not the entire contents of this house but only the indoor movables the now-elderly couple kept after debt forced them to give up the farm and move to rented quarters.<sup>48</sup>

The inventory and family information for Joshua Hyde, on the other hand, showed that for his entire lifetime this wealthy farmer retained full ownership of his extensive farmlands, large two-story house, and the possessions he and his wife had accumulated over the years. In an informal arrangement, the couple shared use with their five sons who, with their three married sisters, inherited all the property upon Joshua's death in 1838 at age seventy-seven.<sup>49</sup>

Knowledge of life cycle and space use is crucial for interpreting probate inventories. Without it,

<sup>47</sup> Abner Dunton inventory, book 26/201, notice of appraisal, book 26/290, administrator's account, book 26/292, account of sale, 26/394, WCPR. One marker in the division of property between father and son, for the purpose of settling Dunton's estate, was "the southeast corner of the northeast room in the new house." It was valued at \$300 on the 1798 Federal Direct Tax and owned at that point by Dunton's brother-in-law Ebenezer Cutting. Based on analysis of existing structures and their values, the \$300 value suggests a single-story dwelling, probably with 3 principal rooms. John Dunton to Abner Dunton, deed, book 91/245, WCD.

<sup>48</sup> Jesse Rice inventory, book 71/384, WCPR, property transactions, books 208/455, 220/531, 224/622, 225/92, WCD. On the Rice family, see Andrew Henshaw Ward, *A Genealogical History of the Rice Family* (Boston: C. B. Richardson, 1858); *Vital Records of Brookfield, Massachusetts, to the End of the Year 1849* (Worcester, Mass.: Franklin P. Rice, 1909). Architectural drawings and site report on Jesse Rice's Brookfield house, prepared by Myron O. Stachiw, Holly V. Izard, Aimee Newell, and Amy S. Hill, is on file at OSVRL.

<sup>49</sup> Joshua Hyde will and inventory, docket #32697, WCPR. The homestead was subject to the widow's lifetime use. FitzHenry Hyde, who by will jointly inherited the home farm with his brother John, died before his father. Son Benjamin Dwight farmed until 1828, when he entered law school. He returned to Sturbridge in the 1840s and built the only Gothic revival house in town. On the Hyde family, see Davis, *Historical Sketch*, pp. 93–95.

lists are free-floating; they can be decoded for their itemized contents, but without specific human context their meaning becomes hazy. Biographical information provides the corrective for scholars who lament incompleteness in probate inventories.

The deepest value of probate records, then, lies in what they can evoke of past material and social worlds in specific human contexts. Tax lists, deeds, and census schedules (with households reconstructed to determine the presence of paid help, boarders, or extended kin) provide more accurate indices for reconstructing a communi-

ty's social and economic structure. Probate records provide indices to gauge availability of goods in a particular time and place, clues to how a community looked, and how the local material landscape changed over time. The filing of wills that were unaccompanied by inventories and intentional property distribution prior to death often kept substantial estates out of the records. Therefore, the contents of estates that were inventoried do not represent the total material goods in a community. However, they are evocative of material conditions and as such remain valuable tools for analysis.



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