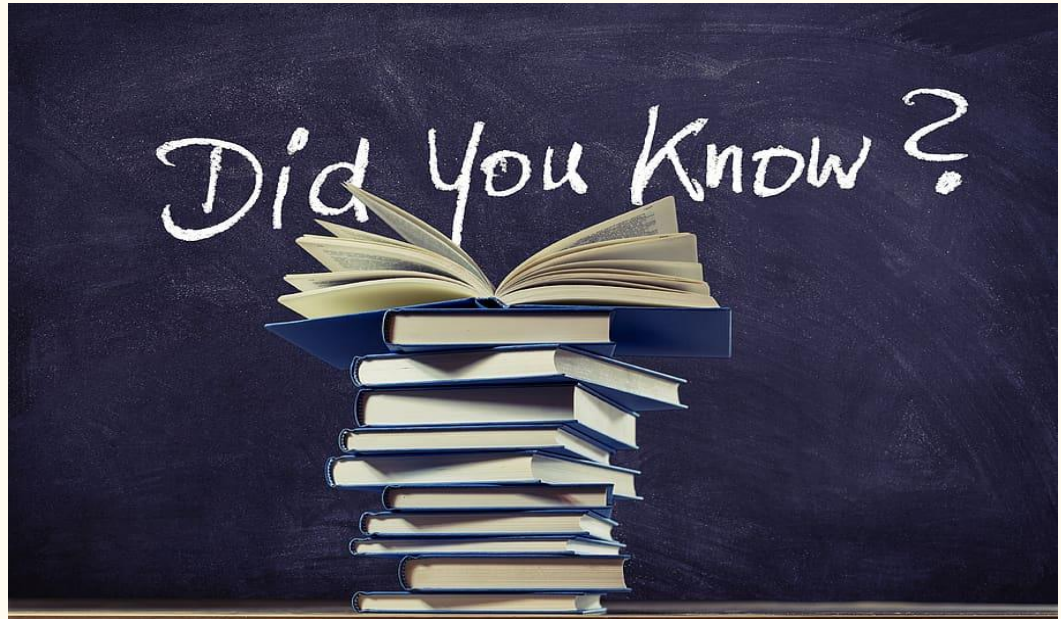


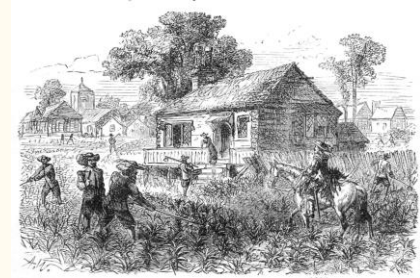
Good to Know: Forgotten Facts of Research

When researching a specific time period it's good to know the language, laws and standards of the day. For Colonial period here are a few things that's Good to Know. (details of each subject follows this slide.)

- Indentured Servants
- Headrights
- Legal Age
- Women's Colonial Rights
- Marriage Laws
- Tithables
- Odd Naming Patterns



Indentured Servants

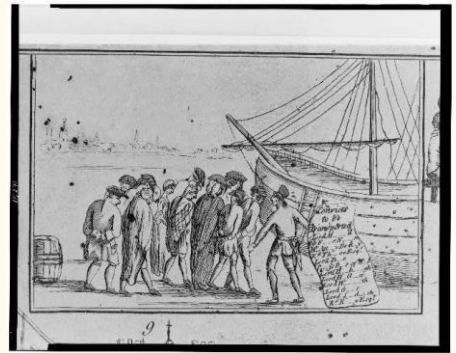


Indentured servants were men and women who signed a contract (also known as an indenture or a covenant) by which they agreed to work for a certain number of years in exchange for transportation to Virginia. Once they arrived, food, clothing, and shelter would be provided. Adults usually served for four to seven years and children sometimes for much longer, with most working in the colony's tobacco fields. The indentured servant had few rights. They could not vote, were not allowed to marry, leave their houses, or travel without permission. Servitude also meant their punishments from the court were more severe

According to 1705 law, young servants imported to the colony were brought to court by their masters in an attempt to determine their ages. If these servants were not indentured, and over the age of 19, they were ordered to serve only five years. If they were under 19, they served until they were 24. If the court was unable to officially judge their age, they were ordered to serve five years. At the completion of servitude, compensation for males was fixed at "10 bushels Indian corn, 30 shillings in money or goods, one well-fixed musket or fusee (a friction match with a large head, able to burn in a wind) of the value of at least 20 shillings". Female servants received 15 bushels of Indian corn and 40 shillings. There are a number of sources in our catalogue using the search "Indentured Servants" for the subject in general and certain areas.

- [Emigrants to America : indentured servants recruited in London, 1718-1733 / John Wareing. CS59 .W37 198](#)
- [The Bristol registers of servants sent to foreign plantations, 1654-1686 / Peter Wilson Coldham. CS49 .C62 1988](#)

Who Were the Indentured?



Apprentices

Traditionally, young people have been bound out to a master as an apprentice to learn a trade from him. The master would feed, clothe and instruct the apprentice in the trade, and the apprentice would provide labor and watch out for his master's interests. At the end of his apprenticeship, the young person received clothes, tools, and became a journeyman who could work for himself.

[Look for indentures of apprenticeship in city and county courthouses.](#)

Transported Convicts

Those who were convicted of felonies sometimes escaped a sentence of death when they were sentenced to transportation to the Americas. This solved two problems for the government: it provided a much-needed workforce for the colonies, and it got criminals out of the prisons and off the streets.

England was not the only government that transported criminals to the Americas. Sweden sent political prisoners to New Sweden, now called Delaware; the Dutch sent vagrants and criminals to New York; and the French also transported criminals to New France. England sent vanquished political foes from Scotland and Ireland. The mayors of London and Liverpool regularly gathered up urchins from the streets of their cities to be sent to America and sold into indentured servitude.

Convicts who had been sold into indentured servitude, and who were making good in their new lives, were sometimes politely referred to as "servants" to avoid stigma.

[Look for records of trials and sentencing in the court records and archives of the government that convicted and transported these individuals.](#)

Where to Look:

- **Court Proceedings** – Disputes were settled in court and records kept. You can look for records of court proceedings and the names of their associates to find out what was important to them and what business they were involved in.
- **Guardianship Records** – Minor children could be assigned to a guardian upon orphanhood, and that guardian could apprentice the child or bind him or her out to another.
- **Land Records** – When an individual finished an apprenticeship, sentence, or servitude, he could then begin to acquire property and influence. Land records can establish relationships and give you an idea of exactly where someone lived and how they prospered.
- **Orphans' Court** – Depending on the jurisdiction, these records might not be limited to guardianships or estates, but could be a rich source of information about families, individuals, and associates.
- **Probate Records** – These includes wills and the settlement of estates. Sometimes a childless couple would leave their estate to an apprentice or indentured servant. These are good documents to establish relationships.
- **Tax Records** – These are often a good indicator of prosperity and status, as well as helping trace locations.
- **Vital Records** – Sometimes the local clerk recorded births, marriages, and deaths. These records might show up in deed books or specially dedicated volumes. The dates when such records were required vary by county and state.





Headrights in Virginia

In order to encourage immigration into the colony, the Virginia Company, meeting in a Quarter Court held on 18 November 1618, passed a body of laws called *Orders and Constitutions* which came to be considered "the Great Charter of privileges, orders and laws" of the colony. Among these laws was a provision that any person who settled in Virginia or paid for the transportation expenses of another person who settled in Virginia should be entitled to receive fifty acres of land for each immigrant. The right to receive fifty acres per person, or per head, was called a headright. The practice was continued under the royal government of Virginia after the dissolution of the Virginia Company, and the Privy Council ordered on 22 July 1634 that patents for headrights be issued.

A "headright" includes both the grant of land and the owner (the head) that claims the land. The person who has a right to the land is the one who paid to transport people to a colony. Lists of headright grants and the names of persons brought to Virginia from 1623 to 1732 were recorded in the county court records and in the secretary of the colony's records. The presence of a name as a headright in a land patent, then, establishes that a person of a certain name had entered Virginia prior to the date of the patent; but it does not prove when the person immigrated or who was initially entitled to the headright.

Age of Consent



Although the age of discretion under common law was 14 for males and 12 for females, there were some exceptions. The age at which a child was considered capable of acting responsibly, the "Age of Reason", was generally the age of seven years. In 18th century Virginia, the legal requirement for a person to be "of age", an adult, was 21 years.

A person had to be at least 21 to *sell* property, to serve on a jury, to sue in his or her own name in a court of law, to sign a bond or promissory note or to marry for the first time without parental consent (males). However, a person did not have to be 21 years of age in order to witness a document (age 14 for males, 12 for females). Only males could be mustered into a militia, as long as they were at least 16 yrs. of age. To take possession of land, in the case of inheritance, a person had to be 16. The phrase "in possession of" on tax rolls meant that the person named was at least 16 yrs. of age. To testify in court, or to be punished for a crime, males had to be 14, females 12.

If circumstances necessitated male children to be bound out until the age of 21, they were apprenticed to tradesmen, merchants, mariners or someone approved by the court. Females were also bound out, but only until age 18 (or earlier, if she married). The master or mistress of each bound child was to provide food, clothing and lodging, and to give each boundee, at the end of their apprenticeship, an allowance equal to that of indentured servants. The master or mistress of a bound child was also required to teach the child to read and write.

Women's Colonial Rights



Women's rights in **Colonial America** differed significantly from women's rights today. In the 16th and 17th centuries, women had few rights outside of their marriages. Females were judged to have reached the age of discretion for purposes of bequeathing a personal estate at 12 years. That is, an unmarried female aged 12 or more could make a will, while a male had to be 14.

- were not allowed to vote,
- could not participate in politics
- could not typically obtain jobs outside of the household.

It is important to put women into their historical context. This framework helps us to understand her circumstances, why she may have made certain choices (if she had a choice at all), and where she may have left records behind.

The term *dower*, is a shortened version of *dower right*: it refers to the portion of a deceased husband's estate to which a widow is entitled to by law for her lifetime. Most of the time, though, we see the term *dower right* when a man is selling property, as there is a clause at the end of the deed where the clerk writes that he has talked to the wife and states that she is giving up her dower right without pressure.

The statutes at large; being a collection of all the laws of Virginia, from the first session of the Legislature in the year 1619. By William Waller Hening. New York, Printed for the editor, 1819-23. KJV2425.2 1619a

Tithables

County for the Year 1770

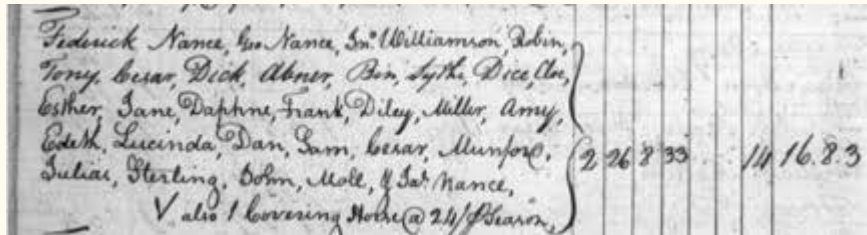
Name	Age	Tithable	Other
Allen James	1	-	8
Allen John	1	-	2
Allen John	8	-	12
Allen John	1	-	4
Allen John	1	-	2
Allen John	1	-	6
Allen John	1	-	2
Allen John	1	-	5
Allen John	1	-	6

- In seventeenth- and eighteenth-century Virginia, the term “tithable” referred to a person who paid (or for whom someone else paid) one of the taxes imposed by the General Assembly for the support of civil government in the colony. In colonial Virginia, a poll tax or capitation tax was assessed on free white males, enslaved people, and Indigenous servants, all age sixteen or older. Enslavers paid the taxes levied on their enslaved workers and servants. Few tithable lists are extant.
- Tithable lists do not enumerate anyone under the age of sixteen or any adult white woman (unless she was the head of household). Laws published in *Hening’s Statutes at Large* may assist the researcher in understanding who was considered tithable and how tithable lists were taken.
- In an attempt to stop fraud concerning the “yearly importation of people into the collonie,” an act was passed in the House of Burgesses in 1649 requiring that all male servants imported into Virginia (“of what age soever”) be placed on the tithable lists. Indigenous peoples of the colony and those imported free who were under the age of sixteen were exempt. (William W. Hening, ed. *The Statutes at Large: Being a Collection of All the Laws of Virginia, from the First Session of the Legislature, in the Year 1619...[1809–1823]*, 1:361–362.)

A source to use; “The 1787 census of Virginia : an accounting of the name of every white male tithable over 21 years ... / compiled by Netti Schreiner-Yantis and Florene Speakman Love ; foreword by Louis H. Manarine. [F225 .Y36 1987 - Three Volumes]

Using Tithable Lists

Frequently researchers attempt to use tithable lists to establish an exact age for an individual. When free males appeared for the first time in the household of an individual having their surname, they were at least sixteen years of age. When a free male appeared under his own name rather than in the household of another, he was probably twenty-one years of age. Tithable lists, however, should not be used to establish the exact year when someone was born. Because the lists record only the taxable workforce, they may not serve as an accurate indication of all enslaved individuals within a household. Researchers must look for a will, appraisal, or inventory for a more complete picture.



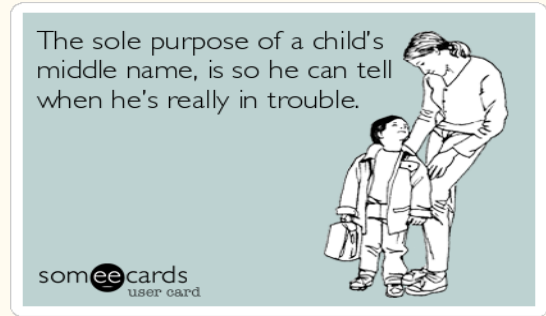
Odd Naming Patterns



- Nephew, sometimes meant Grandson
- Cousin, could be any blood relative
- In-Law could also mean adopted or step-children
- Sister/Brother, could also mean Religious
- Junior, meant named for another, not necessarily the father. Often when Senior died, Junior became Senior

- First son – named after the father's father
- First daughter – named after the mother's mother
- Second son – named after the mother's father
- Second daughter – named after the father's mother
- Third son – named after the father
- Third daughter – named after the mother
- Fourth son – named after the father's eldest brother
- Fourth daughter – named after the mother's eldest sister

The Use of Middle Names



The use of two given names – a first name and a middle name – was essentially unknown in Europe until the late Middle Ages, and even then the practice was limited to a few distinct cultural groups. Middle names among English-speakers were essentially nonexistent until the mid-1600s, remained quite rare for another century or so, and did not become common until well after the American Revolution.. Among the British stock of the southern colonies middle names were rarely bestowed

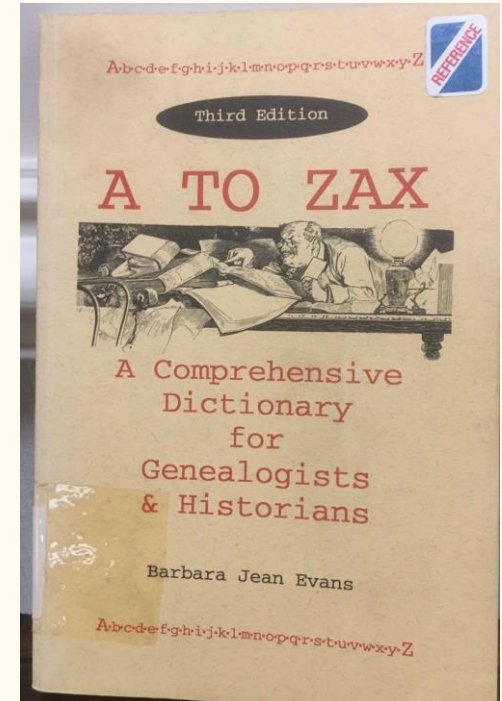
In less than a single century middle names were transformed from a somewhat faddish rarity to a practical requirement. The practice did not really catch on with the middle class until after the turn of the century, and became increasingly common within a generation or two. Although only a small percentage of children born around 1800 were given a middle name, it had become nearly customary by the time of the Civil War. By 1900 nearly every child born had a middle name. In fact, the enlistment form used in World War I was the first government form to provide space to write a middle name – a reflection of the assumption that nearly every man had one. Middle names can therefore be a clue to lineage. But genealogists should be cautious in using names and naming patterns to draw conclusions. The same study showed that one-quarter of the children in the same families born in the early 1800s were named for Revolutionary heroes and another quarter for other unrelated persons. And that proportion increased dramatically as the century proceeded.

Helpful Sources

AT JONES MEMORIAL LIBRARY

When searching the JML catalogue, use a varied of search term such as glossary or dictionary. There are many useful websites to help in your search.

- What did they mean by that? : a dictionary of historical terms for genealogists by Drake, Paul E. PE1667 .D73 1998
- A to zax : a comprehensive dictionary for genealogists & historians by by Evans, Barbara Jean CS6 .E9 1995
- Understanding colonial handwriting / Harriet Stryker-Rodda. Z115 .A58 S8 1986
- Reading early American handwriting / Kip Sperry. Z43 .A5 S37
- Colonial American English, a glossary : words and phrases found in colonial writing, now archaic, obscure, obsolete, or whose meanings have changed / Richard M. Lederer, Jr. PE2838 .L43 1985
- A medical miscellany for genealogists / Jeanette L. Jerger. R123 .J47 1995
- Cassell's dictionary of abbreviations: compiled by J. W. Gurnett and C. H. J. Kyte. PE1693 .C3 1972
- Abbrevs. (A dictionary of abbreviations) compiled by H. J. S. PE1693 .S836a 1943



Websites of Interest



Resources for understanding outdated terms for everyday activities, profession, medical and legal commonly used in Colonial times. Just a few are listed.

[Old Colonial era idioms & sayings we use today | Williamsburg Tours](#)

[Glossary of Medical Terms Used in the 18th and 19th Centuries](#)

[A 19th Century Slang Dictionary Compiled & Edited by Craig Hadley](#)

Questions?



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