



# Ohio Genealogical Society Quarterly

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2017 OGS Conference “Genealogy Gone Wild”

Cheryl Brown Abernathy and Tom Neel



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# Using Indirect Evidence and Sibling Relationships to Prove Mary Duey as the Mother of Samuel Joyce

by Dr. Jan Joyce Ahrens

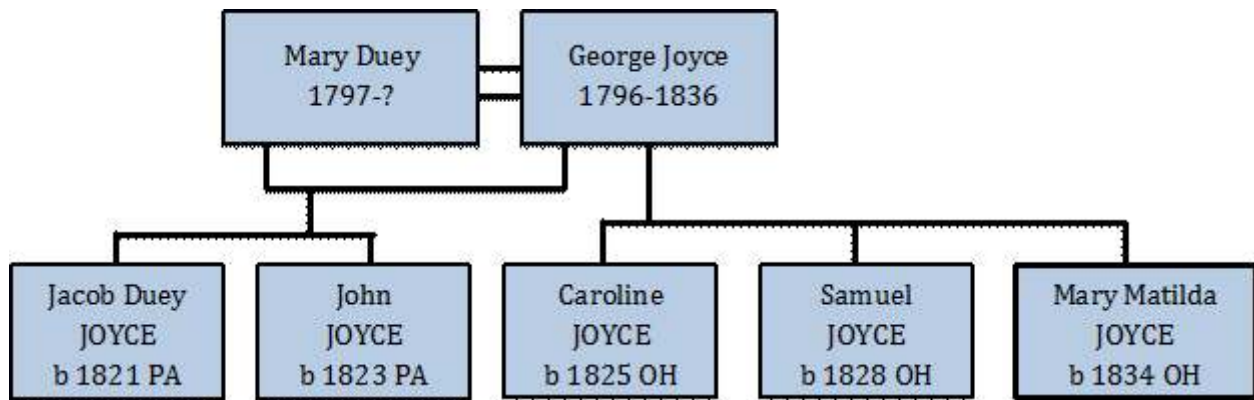
Samuel Joyce was born in 1828 and died in 1864 during the Civil War. Samuel's father, George, died in 1836 when Samuel was only seven years old. The probate and guardian papers generated from George's death provide evidence of their father-son relationship. However, Samuel's mother was not mentioned in any of these papers. No birth or baptismal record for Samuel has been found nor has any other direct evidence of Samuel's mother's identity.

## Introduction

Samuel Joyce's father, George Joyce, married Mary Duey on 13 Jan 1820 in the First Presbyterian Church of Carlisle in Cumberland County, Pennsylvania.<sup>1</sup> They had two sons, Jacob and John, who were baptized in the same church.<sup>2</sup> The baptismal records provide the parents' names of George and Mary and therefore serve as direct evidence of these first two sons' parentage. Three more children were born into the family after the first two sons. The Joyce family moved from Pennsylvania to Ohio sometime between 1823 and 1825, between the birth of the second child and the

third child.<sup>3</sup> In the new Ohio location, no church records have been found for the family. Thus, no baptismal records exist documenting Mary (Duey) Joyce (or someone else) as the mother of the three youngest children: Caroline, Samuel and Mary Matilda.

The following family tree depicts the Mary (Duey) Joyce family that includes direct evidence only. The three youngest children are linked to their father, George Joyce, through probate documents,<sup>4</sup> but have no direct evidence linking them to Mary (Duey) Joyce.



## A Lack of Vital and Church Records for Samuel

Samuel Joyce's 1828 birth in Ohio was during a time when civil registrations of births were not required.<sup>5</sup> Ohio required county-level registrations of births and deaths in 1867, nearly 40 years after Samuel's birth.<sup>6</sup> Thus, not surprisingly, a birth record for him could not be found.<sup>7</sup>

In the absence of a birth record, often a baptismal record provides both parents' names. No baptismal record could be located for Samuel using both a general search as well as a targeted search within local church and Presbyterian Church records.<sup>8</sup>

In more recent marriage records, the parents'

names can often be found on a marriage record. No marriage was found for Samuel and his wife, Eliza Ann Correll.<sup>9</sup> Even if one could be found, it would be unlikely that a 1848 Ohio marriage record would contain the names of the bride's and groom's parents. Samuel Joyce died during service in the Civil War and then Eliza lived for many decades afterwards. This entitled her to a pension. Eliza's Civil War Widow's Pension File validated that no civil marriage record ever existed because the Justice of the Peace who performed the ceremony did not create one.<sup>10</sup> Though two witnesses to the marriage validated the marriage, the lack of a record allows no opportunity to learn of Samuel's parents.

Shortly after enlisting and serving in the Civil War, Samuel died of typhoid fever on 12 Jul 1864.<sup>11</sup> This military death record was quite generous in providing personal information about the soldier. It described that Samuel was born in Wayne County, Ohio, he was 5' 11" tall, had blue eyes and auburn hair, and that he was a carpenter by trade. Unfortunately, the names of the soldier's parents were not a part of the discharge form.<sup>12</sup> No civil death record was generated by Samuel's death either, which could have been a source of parents' names.

Samuel's military death record notes that he was "embalmed to be sent home."<sup>13</sup> His body was buried in the Wooster Cemetery in Wayne County, Ohio.<sup>14</sup> Other headstones in the same lot as Samuel's appear to have no familial relationship. However, his uncle and aunt, John and Isabella Joyce, are buried in the same cemetery.<sup>15</sup> Samuels' father, George, was buried approximately sixteen miles away in the Lakeville Cemetery, Holmes County, Ohio.<sup>16</sup> No grave for a Mary (Duey) Joyce was found in either of these locations or other nearby cemeteries.<sup>17</sup>

### **Exploring Samuel's Other Records**

Having exhausted the search of Samuel's vital records to identify Samuel's mother, the search was broadened to include other sources that may typically include parents' names. Census records could not recreate his nuclear household because in 1830 and 1840 only the heads of household were recorded. One 1863 newspaper account listed Samuel Joyce on the Committee of Arrangements from Relief Fire Company Number 4 for the Firemen's Celebration on the Fourth of July 1863.<sup>18</sup> But no other newspaper articles were found to help identify

Samuel's parents. No obituary was found for Samuel.<sup>19</sup>

In the Civil War Widow's Pension file, a family Bible was referenced to validate Eliza Ann Correll's birthdate.<sup>20</sup> However, no indication to Samuel's parents was made in the reference and the family bible has not been located.

Though a variety of documentation for Samuel Joyce exists, none of it references his mother directly or indirectly. So, other paths must be taken such as exploring his sisters' and parent's information.

### **Records of Samuel's Siblings – Caroline and Mary Matilda**

Samuel's older sister, Caroline, was born on 21 Jul 1825.<sup>21</sup> No birth or baptismal record has been found, and thus provides no evidence of her parents' names. The 1830 census record for George Joice<sup>22</sup> records one female under the age of five, which confirms that there was a female child of Caroline's age in the household during this time.

On 26 Oct 1843, Caroline married Robert T. Thom [sic] in Holmes County, Ohio.<sup>23</sup> These early marriage records provided very little insight into the lives of our ancestors. The limited information included the groom and bride's names, county and state, date of the marriage, date of the return, and who performed the marriage. Thus, no information regarding Caroline's parents was provided.

Caroline and Robert Thome had one son, John R. Thome. It is through his 1910 death certificate that we confirm that his mother, Caroline (Joyce) Thome, was born in Ohio.<sup>24</sup> This validates that the family moved from Pennsylvania to Ohio between the births of John and Caroline. Additionally, this explains why only the first two children, Jacob Duey Joyce and John Joyce, had baptismal records because they were the only two children baptized while the family lived in Pennsylvania near a church whose records are available today.

Caroline (Joyce) Thome died on 15 Nov 1845. Only one record of her death has been found which is a transcription of headstones in the Lakeville Cemetery, Washington Township, Holmes County, Ohio<sup>25</sup> (the headstone itself can no longer be located or identified<sup>26</sup>). This record provides no clues to her parentage, but it is insightful to note that she is buried in the same cemetery as her father, George Joyce.<sup>27</sup> No civil death records were required in

Ohio until 1867, therefore there is no death record or certificate for her.

Samuel's younger sister, Mary Matilda, was born 5 Oct 1834.<sup>28</sup> No birth or baptismal record was found and therefore provides no evidence of her parents. Mary Matilda's record of marriage to Joseph R. Peckham in 1854<sup>29</sup> provided no more information than her sister Caroline's did, thus there is no evidence on the marriage record of Mary's parents' identities.

Mary Matilda (Joyce) Peckham died 5 Apr 1902 in Holmes County, Ohio.<sup>30</sup> Most Ohio death records at this time were ledger-based, not certificate-based. Mary's ledger did provide columns for parents' names but these were left blank for nearly all entries in the book including Mary Matilda's.

If evidence were found linking Samuel's sisters, Caroline and Mary Matilda, to Mary (Duey) Joyce, then it would support the argument that she was also Samuel's mother. However, no such evidence was found.

### Records of Samuel's Parents - Mary Duey & George Joyce

Mary (Duey) Joyce seemed to have disappeared from any records after the baptism of her second son, John, in 1823. There was no link to her being the mother of Caroline, Samuel and Mary Matilda. Likely events for Mary (Duey) Joyce may have been another marriage or even her death after John's birth. No record of either one was found.

Between 1829 and 1835, George Joyce purchased three pieces of land in Wayne and Holmes Counties, Ohio.<sup>31</sup> It was common during this time period and in this area to omit a wife's name from the deed as a grantee. This was the case with these three deeds. None of them included a mention of a wife for George. However, a little over four years later on 14 Sep 1833, George Joyce sold one of the pieces of land for \$1000.<sup>32</sup> It was typical to include a wife's name as a grantor during this time period and geography. And fortunately that was the case.

The deed reads: "*Know all men by these presents [sic] that George Joyce and Mary Joyce his wife...*"<sup>33</sup>

This gives evidence that George Joyce was married to a woman named Mary in 1833. However, it can't be known for certain it was Mary Duey especially with a name as common as Mary.

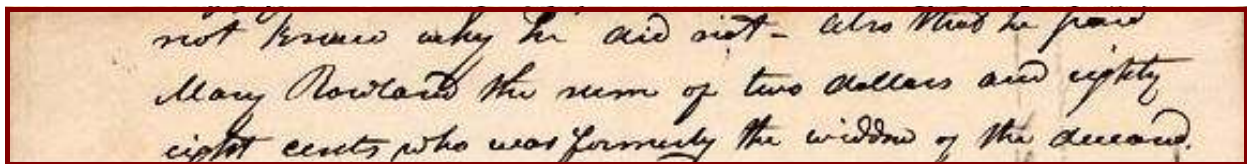
George Joyce, Samuel's father, died in 1836. Five children were recorded in the probate file, specifically in guardian papers.<sup>34</sup> The five children were noted with birthdate references as follows:

Jacob Duey Joyce	b 24 Feb 1821
John Joyce	b 14 Feb 1823
Caroline Joyce	b 21 Jul 1825
Samuel Joyce	b 31 Aug 1828
Mary Matilda Joyce	b 5 Oct 1834

No mention of the children's mother was made in these guardian papers. A lack of the widow's name in the guardian records is not unusual for this time period in Ohio. It has no bearing on if the mother of the children was living or not. The guardian named for the children was George Ligget<sup>35</sup> and appears to have no kinship to the family but was a close neighbor.

A will or probate record can be a rich source of family information. If Mary was mentioned in her parent's wills or probate records, it could prove she was living during a certain time period and with what name. However, no will or probate record was found for either Conrad or Rachel Duey, Mary's parents.<sup>36</sup>

An extensive review of George Joyce's 68-page probate file included monies due to and from the estate. An excerpt from one 1842 administrator's affidavit reads "*...also that he paid Mary Rowland the sum of two dollars and eighty eight cents who was formerly the widow of the deceased...*"<sup>37</sup> as shown in the image below. Thus, a Mary Joyce had been married to the deceased, George Joyce, and she had married a man with the surname Rowland sometime after George Joyce's 1836 death and before this 1842 affidavit. Again, there is no proof that it was Mary Duey.



not known why he did not - also that he paid  
Mary Rowland the sum of two dollars and eighty  
eight cents who was formerly the widow of the deceased.

Though no marriage record could be found for Mary Joyce and a man named Rowland,<sup>38</sup> the couple was identified through census and other records. In the 1850 census,<sup>39</sup> the household was enumerated as follows:

Name	Age	Gender	Place of Birth
John Rowland	60	M	PA
Mary "	53	F	PA
Elmer "	24	F*	OH
Matilda "	15	F	OH
James H "	10	M	OH

\* The enumerator appeared to make an error on the gender of this child. The name is clearly written as Elmer and he is documented in other Rowland family records.

Elmer was John Rowland's son from a prior marriage.<sup>40</sup> Matilda was likely the Mary Matilda from George and Mary (Duey) Joyce's marriage and of the appropriate age corroborating the guardianship records. And James H. was likely a child of John Rowland and Mary (Duey) Joyce Rowland.<sup>41</sup> The other Joyce children were old enough to be out of the household and living on their own. Yet, there is no proof that this Mary was Mary Duey Joyce.

James H. Rowland appears to be the only child from the hypothesized union of Mary (Duey) Joyce Rowland and John Rowland. James moved to Indiana and died there on 25 Mar 1915. His Dekalb County Death Certificate was recorded with his parents' names of John Rowland and Mary Dewey. The spelling of Dewey was a common variant of Duey at this time. It is interesting to note that her maiden name was referenced and not her married name of Joyce. This final piece of the puzzle solidifies the case that Mary (Duey) Joyce married John Rowland after George Joyce's death.

No obituary or death record could be located for

Mary (Duey) Joyce Rowland. Her headstone is located in a Holmes County cemetery with the inscription "Mary wife of John Rowland."<sup>42</sup>

### Conclusion

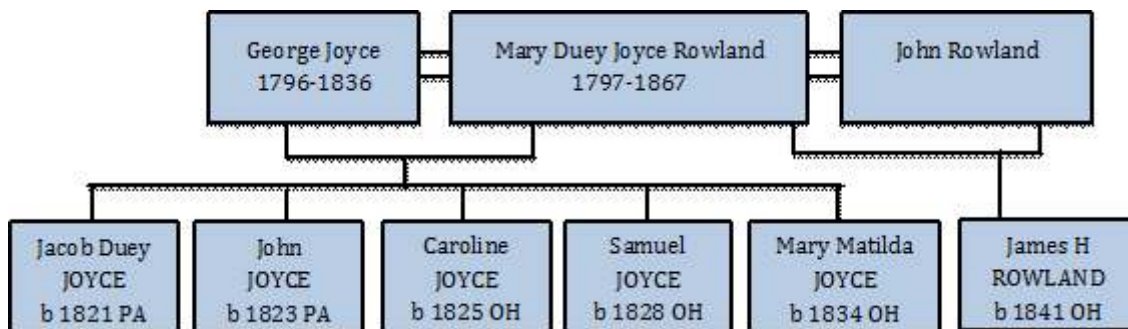
There is no direct evidence that Mary (Duey) Joyce was the mother of Samuel Joyce or his sisters. Baptismal records prove that Mary was the mother of Samuel's two older brothers, Jacob and John. Guardianship records from the death of George Joyce prove that the five children were his, though there was no record of the children's mother.

In one 1833 land transaction, George Joyce sold land and as was typical of the time period, the reference to the grantors included the wife's name. In this case it included Mary Joyce. Thus Mary was still alive after the birth of Samuel and likely to be his mother. However, an argument could be presented that this Mary is a second wife. No maiden names were mentioned and the given name of Mary was common.

George Joyce's 1842 probate file referenced his widow Mary Rowland. This indicates that she had married someone named Rowland sometime after George died in 1836 and before the 1842 affidavit. Again, it could be argued that this Mary could be a second wife to George, and not Mary (Duey) Joyce.

However two key pieces of evidence solidify that Mary (Joyce) Duey was the new Mrs. John Rowland. First, Matilda, George Joyce's youngest child often called Mary Matilda, was living in the 1850 Rowland household with her mother, Mary Duey, and her stepfather, John Rowland. Second, the death certificate for James H. Rowland includes his mother's name of Mary Dewey. Therefore, it can be concluded that Mary Duey Joyce Rowland was the mother of Samuel Joyce.

The following tree depicts the Joyce family composition proved using indirect evidence and sibling relationships.



## Endnotes

1. "Pennsylvania and New Jersey, Church and Town Records, 1708-1985," database with images, *Ancestry* <<http://www.ancestry.com>>: accessed 21 Mar 2016, entry for George Joyce and Mary Duey, 13 Jan 1820, p. 269 (penned); citing records First Presbyterian Church of Carlisle, Cumberland, Pennsylvania 1785-1918.
2. *Ibid.*, entry for Jacob Ducy Joyce, 24 Nov 1822, p. 136 (penned). *Ibid.*, John Joyce, 11 May 1823, p. 137 (penned).
3. On John R. Thome's (son of Caroline nee Joyce Thome) death certificate, it notes Caroline was born in Ohio. "Ohio Deaths, 1908-1953", database with images, *FamilySearch* <[www.familysearch.com](http://www.familysearch.com)>: accessed 5 Apr 2016, entry for John R. Thome, 20 Jul 1910; citing Nashville, Holmes, Ohio, [deaths] reference file number 38397: FHL microfilm 1,952,492.
4. Holmes County, Ohio, Probate Court Files, box E-L, for George Joyce, Guardianship Bonds, for "Samuel Joyce et al," 1837.
5. "U.S., Civil War Draft Registrations Records, 1863-1865," database with images, *Ancestry* <[www.ancestry.com](http://www.ancestry.com)>: accessed 16 Apr 2016, digital image, 14<sup>th</sup> Congressional District, Samuel Joyce, Holmes County, Ohio; citing NA Identifier 4213514, Consolidated Enrollment Lists, 1863-1865 (Civil War Union Draft Records); Records of the Provost Marshal General's Bureau (Civil War), Record Group 110; National Archives, Washington D.C.
6. Ohio History Connection, *Ohio History* <<https://www.ohiohistory.org/learn/archives-library/birth-records>>: accessed 16 Mar 2016, "Birth Records." District, Samuel Joyce.
7. Sources searched included "Ohio Births and Christenings, 1774-1973," database, *Ancestry* <[www.ancestry.com](http://www.ancestry.com)>: accessed 21 Mar 2016, search for Samuel Joyce; "Ohio, County Marriages, 1789-1994," database with images, *FamilySearch* <[www.familysearch.com](http://www.familysearch.com)>: accessed 21 Mar 2016, search for Samuel Joyce.
8. "Ohio Presbyterian Church Records", database, *FamilySearch* <[www.familysearch.org](http://www.familysearch.org)>: accessed 21 Mar 2016, search for Samuel Joyce. "Pennsylvania and New Jersey, Church and Town Records, 1708-1985," database with images, *Ancestry* <<http://www.ancestry.com>>: accessed 21 Mar 2016, search for Samuel Joyce.
9. "Ohio, Marriages, 1803-1900," database, *Ancestry* <[www.ancestry.com](http://www.ancestry.com)>: accessed 22 Mar 2016), search for Samuel Joyce and Eliza Ann Correll. Also, "Ohio, County Marriages, 1789-1994," database, *FamilySearch* <[www.familysearch.org](http://www.familysearch.org)>: accessed 22 Mar 2016, search for Samuel Joyce and Eliza Ann Correll.
10. "Samuel Joyce" (Pvt., Co. E, 169th OH National Guard Infantry, Civil War); digital images in "Civil War Widows' Pensions," database, *Ancestry's Fold3* <<http://www.fold3.com>>: accessed 20 Mar 2016, images 269206395 and 269206397; imaged from *Case Files of Approved Pension Applications of Widows and Other Dependents of Civil War Veterans, ca. 1861- ca. 1910, Civil War and Later Pension Files*, roll name WC54415-JOYCE-Samuel; citing Record Group 15: Records of the Department of Veterans Affairs, 1773-2001.
11. *Ibid.*, image 269206390.
12. Compiled service record, Samuel Joyce, Pvt., Co. E, 169<sup>th</sup> Ohio National Guard; Carded Records, Volunteer Organizations, Civil War; Records of the Adjutant General's Office, Record Group 94: National Archives, Washington, D.C.
13. *Ibid.*
14. *Find A Grave*, database with images <<http://www.findagrave.com>>: accessed 22 Mar 2016, memorial 14413327, Samuel Joyce (1828 – 1864), Wooster Cemetery, Wooster, Wayne County, Ohio; created by Karen (Billheimer) Fisher, gravestone photographs by John E Bastin and Bill Miller.
15. *Ibid.*, memorial no. 97461802, John Joyce (d 1879), Wooster Cemetery, Wooster, Wayne County, Ohio; created by and gravestone photographs by hgilly.
16. *Ibid.*, memorial no. 145016814, George Joyce (d 1836), Lakeville Cemetery, Millersburg, Holmes County, Ohio; created by and gravestone photographs by Jan Ahrens.
17. *Ibid.*, search for Mary Joyce.
18. "Firemen's Celebration," *Wooster (Ohio) Republican*, 2 July 1863, p. 2, col. 2, image copy, *GenealogyBank* <<http://www.genealogybank.com>>: viewed 19 Mar 2016.
19. *GenealogyBank* <[www.genealogybank.com](http://www.genealogybank.com)>: accessed 22 Mar 2016, search for Samuel Joyce. Also, *Newspapers* <[newspapers.com](http://www.newspapers.com)>: accessed 22 Mar 2016, search for Samuel Joyce. Also, surname searches conducted at Wayne and Holmes County Libraries.
20. "Samuel Joyce" (Pvt., Co. E, 169th OH National Guard Infantry, Civil War); "Civil War Widows' Pensions," digital image, *Ancestry's Fold3*, image 269206446.
21. Holmes County, Ohio, Probate Court Files, box E-L, for George Joyce, Guardianship Bonds, for "Samuel Joyce et al," 1837; Court of Common Pleas records, Holmes County Genealogical Society, Millersburg, Ohio.

22. 1830 U.S. census, Wayne, Ohio, Plain township, p. 32 (penned), line 23, George Joice; image, *FamilySearch* <<https://familysearch.org/ark:/61903/1:1:XH5X-Q9C>>: accessed 5 April 2016; citing NARA microfilm publication M19, roll 142.
23. Holmes County, Ohio, Marriages (1843): page no. 212, for Joice-Thom; Holmes County Probate Court, Millersburg, Ohio.
24. "Ohio Deaths, 1908-1953", database with images, *FamilySearch*, entry for John R. Thome, 20 Jul 1910.
25. Holmes County Library Ladies, compiler, *Lakeville Cemetery – Washington Township, Holmes County, Ohio*, (Millersburg, Ohio: for the Holmes County Public Library Genealogy Department, 2011), listing for Caroline Thome 20 yr. wife of R.T. (1845), p. 2; portable document format downloaded from *Holmes County Cemeteries*.
26. In a search of the cemetery by the author on 24 Apr 2015.
27. *Find A Grave*, database with images <<http://www.findagrave.com>>: accessed 5 Apr 2016, memorial 145016814, George Joyce (1796-1836), Lakeville Cemetery, Millersburg, Holmes County, Ohio; memorial created and gravestone photographs by Jan Ahrens.
28. Holmes County, Ohio, Probate Court Files, box E-L, for George Joyce, Guardianship Bonds, for "Samuel Joyce et al," 1837.
29. Holmes County, Ohio, Marriages (1854): 100, for Mary M. Joice to Joseph Peckman; Holmes County Probate Court, Millersburg, Ohio.
30. Holmes County, Ohio, death certificate no. 5665 / 10 (1902), Mary M. Peckham; Holmes County Health District, Millersburg, Ohio.
31. Wayne County, Ohio, Deed Books, George Metcalf and Dorcas Metcalf to George Joyce, 1829; Recorder's Office, Wooster. Also, Holmes County, Ohio, Deed Books, 23: 510, Elijah Yocum to George Joyce, 1833; Recorder's Office, Millersburg. Also, Holmes County, Ohio, Deed Books, 3: 390, Thomas Beall and wife to George and John Joyce, 1835; Recorder's Office, Millersburg.
32. Wayne County, Ohio, Deed Book, Vol. 23, George Joyce to Charles Oldryd, 1833; Recorder's Office, Wooster, Ohio.
33. Ibid.
34. Ibid., Holmes County, Ohio, Probate Court Files, box E-L, for George Joyce, Guardianship Bonds, for "Samuel Joyce et al," 1837.
35. Ibid.
36. "Pennsylvania, Wills and Probate Records, 1683-1993," database, *Ancestry* <[www.ancestry.com](http://www.ancestry.com)>: accessed 5 Apr 2016, search for Rachel Duey and Conrad Duey, including name variants.
37. Ibid., Estate of George Joyce, p. 9 (unpaginated), 1838.
38. "Ohio, Marriages, 1803-1900," database, *Ancestry* <[www.ancestry.com](http://www.ancestry.com)>: accessed 22 Mar 2016, search for Mary Duey Joyce and John Rowland. Also, "Ohio County Marriages, 1789-1994," database, *FamilySearch* <[www.familysearch.org](http://www.familysearch.org)>: accessed 22 Mar 2016, search for Mary Duey Joyce and John Rowland.
39. 1850 U.S. census, Holmes County, Ohio, Ripley Township, p 605 (penned), dwelling 725, family 740, John Roland; digital image, *Ancestry.com* <[www.ancestry.com](http://www.ancestry.com)>: accessed 22 Mar 2016; citing NARA microfilm publication M432, roll 696.
40. "Ohio Probate Records, 1789-1996," images, *FamilySearch* <[www.familysearch.org](http://www.familysearch.org)>: accessed 22 March 2016), Holmes Probate records 1868-1872 no 523-590, image 616 of 3173; citing County Courthouses, Ohio.
41. Dekalb County, Indiana, death certificate no. 1915-4 (1915), James Harrison Rowland; Dekalb County Health Department, Auburn, Indiana.
42. *Find A Grave*, database with images <<http://www.findagrave.com>>: accessed 5 Apr 2016, memorial 51884483, Mary Rowland, wife of John Rowland (Died May 22 1867 Aged 70 years), Nashville Methodist Church Cemetery, Nashville, Holmes County, Ohio; created by and gravestone photograph by Bill Miller.

### About The Author

Dr. Ahrens is a genealogy researcher whose personal work has focused on Ohio and Pennsylvania in the country, and on England, Germany, Ireland and Norway outside of the United States. She began researching in 1998 to better understand genealogy customers when she managed the marketing initiatives at a genealogy company. Before beginning her genealogy career in writing and speaking, Jan earned a B.S. in Business, Marketing, from Miami University; and an MBA, Marketing, from The Ohio State University and a Doctor of Business Administration from Golden Gate University. She has completed the Boston University Certificate in Genealogy Research (OL15), the ProGen Study Group (25), Advanced Genealogical Methods Course at the Salt Lake Institute of Genealogy (SLIG), Intermediate Genealogy & Historical Studies Course at the Institute of Genealogy and Historical Research (IGHR), British Institute - Researching Your English Ancestors, and the Writing & Publishing for Genealogists Course (IGHR) among others.