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## Applying the Preponderance-of-the-Evidence Principle to a Southern Frontier Problem: William Medders of Alabama

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*"Cases built upon the preponderance of the evidence obviously entail an exhaustive amount of research. Usually, the genealogist must examine all records created by associates, neighbors, and potential kinsmen. One must continually monitor, process, and sift this data—isolating points of similarity and dissimilarity between people, records, and circumstances."*

**I**n most states that were settled between the American Revolution and the Civil War, researchers face a common frustration: many early pioneers seem to have created no record that names parents or states relationships to any other people. In Alabama, as elsewhere in the Lower South, most men and women of that period left no wills. Many adults owned no property worth probating at their deaths. Those who bought land often did so through low-cost purchases of raw government land. Even when the diligent researcher goes beyond local courthouse work to seek documents created by the federal government's General Land Office, specific family information is not the norm for the registers and files maintained there. The churches these men and women joined were seldom those that created sacramental registers, and many of their grave markers have perished. School records of that era are rare. Indeed, a public-education system often did not exist—a fact evidenced by the meager numbers of newspapers and family Bible records across the frontier. In some states—Alabama included—virtually no tax rolls or militia lists survive to help the researcher flesh out skeletal lives and make family connections.

Relationships that are "documented" for frontier families often rest upon a *preponderance-of-the-evidence* decision, rather than a direct statement within a specific document. This is not to say that one can simply gather whatever few records were created by a problematic man or woman, or those conveniently available, and decide that such and such *must have been* the case. Nor can one fall back on family tradition and argue its acceptance for want of written documentation. To build a genealogical case on the basis of the preponderance of the evidence, the researcher is obliged to accumulate a *significant body* of evidence—original,

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primary, direct, and indirect<sup>1</sup>—to justify the conclusion drawn. If evidence is insufficient in quality, breadth, or depth, then a judgment is simply premature and few sound genealogists will take the argument seriously.<sup>2</sup>

Cases built upon the preponderance of the evidence obviously entail an exhaustive amount of research. Usually, the genealogist must examine all records created by associates, neighbors, and potential kinsmen. One must continually monitor, process, and sift this data—isolating points of similarity and dissimilarity between people, records, and circumstances. Often, diligence will be rewarded, and a significant body of *convincing* evidence can be extracted and assembled—evidence that overwhelmingly points in one logical direction and adequately rebuts all seemingly reasonable arguments to the contrary. In most cases in the era and locale treated in the present paper, success proves possible—if the support network of the elusive ancestor is adequately investigated.

#### THE CASE

William Medders provides an instructive example of the manner in which frontier settlers of few records can be grafted onto an appropriate family tree. The full range of materials pursued for Medders and his kith and kin cannot be treated within the confines of a journal article. The synopsis that follows should still demonstrate the principles to practice, the weight to be put on various types of indirect evidence, and the nature of some arguments that are normally deemed acceptable.

Three sets of information were “known” about William when he came to this writer’s attention:

- Descendants thought his father’s name was Ruben and his mother was Nancy Martindale Humphries. An undocumented family chart attributed a dozen siblings to “William (Enoch) Medders”—i.e., George W., Ruben, Washington, James, Jesse, Mary, Margaret, Ann, Martha, Elizabeth, Susan, and Nancy. No dates, places, spouses, or other personal information was supplied for any of these siblings by the anonymous compiler of the chart.
- On 5 January 1840 in Bibb County, Alabama, William wed Rebecca Hubbard.<sup>3</sup>
- William had been found on one census only, the 1850 Bibb County return, which provides the following data for his household:<sup>4</sup>

Medders, William, 50, male, white, b. Ga. [no property]  
" Rebecca, 31, female, white, b. S.C.  
" Martin V. B., 10, male [all children of white race, b. Ala.]  
" Adaline S., 8, female  
" Sarah Ann, 6, female  
" Sylvester K. P., 4, female  
" Miner C., 2, male  
" Edy, 1, female

Prior census readers had searched statewide indexes for *Medders* and variant spellings in order to connect William to a birth family. They reported two items:

- None of William's alleged brothers or sisters could be found in Bibb County. One Ambrose Medders appeared "on the same page" with William; but since he was not one of the "known" siblings, his entry was not extracted.
- The only Medders of appropriate name that could be found in Alabama in 1850 was R. R. Meadors of Randolph County.<sup>5</sup> Aged forty-five years, R. R. was clearly too young to be William's father. On the presumption that he was the alleged brother Ruben, his census entry had been added to the family notes.

#### EVIDENCE ANALYSIS

The information provided above is of highly variable quality. Marriage and census data for William proved sound when checked against the originals, although a presumably first and only marriage for William, at age forty, would be unusual. Of dubious weight is the undocumented chart alleging siblings of common name and no known personal data. Strikingly odd, on that chart, is the identification of William's mother by three names—two of them distinctive—when the father and siblings are cited by one name only and no married names are known for sisters. Also problematic is the treatment of census evidence—the short shrift given to Ambrose Medders "on the same page" as William, in favor of R. R. Meadors, who lived five counties to the east.

Genealogists are not mere name-gatherers. Naming *patterns* are important considerations in the evaluation of evidence—and will be heavily treated herein—but presumptions of relationship must be based on far more factors than similarity of name. Proximity of residence is a crucial consideration, personal interaction is expected between relatives, and no one of the same surname in the same area can be ignored so long as the subject's birth family remains in question.

Given the present evidence, the weight of probable relationship tilts heavily toward the man of the "wrong" given name (Ambrose), who is in the "right" place (William's neighborhood), rather than the man of possibly "right" name (R.R.), who lived half a state away. William's known locale in Bibb County should be the focus of the search. If, indeed, he left no records there to name parents, siblings, or origins, then the records of Ambrose and their other neighbors might fill the void.

#### CENSUS REVIEW

Thorough extraction of census data is an appropriate first step for most research projects. Not only does it introduce all individuals of the same surname within geographic proximity, but it also identifies neighbors and other potential relatives of *different surnames* whose records can be examined once the courthouse search is launched. Not surprisingly, a closer study of the Bibb County censuses yielded useful clues. To summarize, by moving backward through the decades:

1860:

The mortality schedule reveals that William died of typhoid fever in March 1860, aged fifty-eight. On the population schedule, his widow appears without him. Five children had been born since the 1850 enumeration:<sup>6</sup>

Tempie Jane	born about 1850
Kesiah	born about 1851
Talitha E.	born about 1853
Leah C.	born about 1855
John Calhoun	born about 1856

1850:

Ambrose Medders was not merely listed on “the same page” with William. The two men were *next-door neighbors*. Ambrose, aged forty-seven, was three years younger than William and shared the same state of birth (Georgia). Children named for Ambrose were Job, Mary A., Samuel, William, Elizabeth, and Sylvania. Of these, only one clearly matched the names within William’s family unit—that is, Ambrose’s third son, William.<sup>7</sup> (A point of similarity is perhaps suggested between the *Sylvania* attributed to Ambrose and the female *Sylvester* in William’s household—considering the degree to which not-so-common names are mangled by census takers.)

1840:

Neither William nor Ambrose could be located in Bibb or elsewhere in Alabama. Only one Medders (or variant) was enumerated in Bibb: Job—a man bearing the same name as the first child of Ambrose.<sup>8</sup> The census data given below suggest a remote possibility that William (born 1800–1802, according to various censuses) might be the oldest man in Job’s household, but it would not account for the wife (aged twenty-one) William married in January of this year, unless Job were single:

Meadows, Job	1 male 40–49	1 female 20–29	3 slaves
	1 male 20–29	2 females 10–19	3 in agriculture
	1 male 0–4	2 females 0–4	

1830:

Again, only one family of this surname appears in Bibb County:<sup>9</sup>

Meders, Job	1 male 20–29	1 female 20–29	0 slaves
		2 females 0–4	

A mere record search for individuals of the “right” name might bring this line of research to an abrupt halt. William’s neighbor of 1850, Ambrose, named sons William and Job; but William, himself, gave neither name to his own offspring. More discouraging is the failure to find either William or Ambrose before 1850 and the omission of Job on the one census found for William. Superficially, no record places this Job in proximity to the man whose family we seek—*superficially*.

When a *community* study is conducted on each census, extracting the names of neighbors for twenty or so households in either direction, a significant connection emerges. There was the usual variation each year; but *the families of long-standing*

residence who surrounded Job in 1830 were the same ones who peopled William's neighborhood in 1850. The community study also spotlighted two other households of potential value:

1850: Dwelling/family 210

[10 houses from William; 9 houses from Ambrose]

Hubbard, Minor C., 20 [sic], male, white, born Ala., \$200 in property

" Elizabeth, 38 [sic], female, white, born Ala.

Medders, Theophilus, 8, male, white, born Ala.

" Martha, 6, female, white, born Ala.

" Edy, 3, female, white, born Ala.

Dwelling/family 209

Murphy, Jno. W., 24, male, white, born Ga., \$450 in property

" Sylvesta, 21, female, white, born Ala.

" Job, 3, male, white, born Ala.

" Josephine, 1, female, white, born Ala.

A genealogical eye that incessantly seeks connections should spot several within these adjacent households. William Medders married Rebecca *Hubbard* in 1840 and named children *Minor C.* and *Edy*—names appearing in the Minor C. Hubbard household. He also named a daughter *Sylvester*, while Minor C. Hubbard and the Medder children lived adjacent to a female *Sylvesta*, whose son was named *Job*.

#### LITERATURE SURVEY

A preponderance-of-the-evidence case in this society cannot be built upon published sources alone. Nonetheless, it is appropriate to follow the basic census search with a survey of literature available for the region, family, and associates. Bibb County is one for which precious few materials have appeared in print—and none of them treat Ambrose—but they do link other individuals under consideration and introduce a possible matriarch for the family:

- |                   |  |
|-------------------|--|
| 10 August 1825    | Job Medders married Betsey Ann Miller, minor daughter of Ezekiel Miller (Nathan Taber, J.P., officiating). <sup>10</sup>   |
| 23 January 1826   | Annor Meadows [as a female head of household] entered government land in section 27, township 24 north, range 8 east, of Bibb County—a half-mile from the tract taken out by Elizabeth in 1847. <sup>11</sup> (See figures 1 and 2.) |
| 19 September 1845 | John W. Murphy married Silvesta Meddows. <sup>12</sup>   |
| 27 November 1847  | Elizabeth Medders [as a female head of household] and John W. Murphy took out adjacent government land in section 26, township 24 north, range 8 east, of Bibb County. <sup>13</sup> (See figures 1 and 2.)                          |
| 10 December 1849  | Minor C. Hubbard married Elizabeth Medders. <sup>14</sup>  |
| 14 July 1855      | Jesse Miller filed guardianship accounts on Theophilus, Martha, and Edith Meadows, minor heirs of Job. <sup>15</sup>   |

Multiple ties now seem to bind Job of the 1830 and 1840 censuses with William and Rebecca (Hubbard) Medders of 1850—all of an indirect evidentiary nature. Unless contradictory evidence develops, then the following reconstruction is justified for these individuals.

- Job Medders married the thirteen-year-old Elizabeth “Betsey Ann” Miller in 1825 and died before 1847, leaving at least three minor children. Subsequently, his widow married the much-younger Minor C. Hubbard.
- Silvesta Meddows, whose age corresponds to the two older daughters of Job and Elizabeth, married John W. Murphy in 1845, bought land with and next door to Job’s widow in 1847, and gave Job’s name to her first son.
- William Medders and Job Medders’s widow married into the same family, they made their homes just ten doors apart, and William named his son for Widow Job’s new husband.

It is not unreasonable now to *hypothesize* that William and Job are closely related—likely brothers. However, it would be premature to *assert* that relationship on the basis of the seriously incomplete job of research that has been done up to this point.

#### EXPANSION OF LITERATURE SURVEY

The two tracts of public land that were patented by the two female heads of household of the surname *Medders* were laid out near the fluctuating boundary line that has separated Bibb County from neighboring Tuscaloosa. That fact suggested the inclusion of Tuscaloosa County in the survey of published literature; and the results justified the additional effort. Seven other marriage records were gleaned for contemporary individuals named Medders (or variants)—including a possible earlier marriage for William.

Combined with previously known data, the full list of potential kinsmen who married in the two counties between 1825 and 1850 seems to be as follows:

10 Aug.	1825	Bibb	Job Medders & “Betsey Ann” Miller (Nathan Taber, J.P.)
27 May	1826	Bibb	Anner Medders & John White (Nathan Taber, J.P.) <sup>16</sup>
29 Aug.	1826	Bibb	Nancy Meddows & Uriah Smith (Nathan Taber, J.P.) [consent by “parents of Nancy Meddows.”] <sup>17</sup>
07 Jan.	1829	Bibb	Keziah Medders & Mark Yager <sup>18</sup>
08 May	1829	Bibb	Telitha Medders & Baley Reach (Nathan Taber, J.P.) [consent by John and Anner White for “their daughter”] <sup>19</sup>
02 Jan.	1832	Tusc.	Anna A. Meaddows & John White, Jr. (Thos. Fox, J.P.) <sup>20</sup>
11 Aug.	1832	Tusc.	William Meadows & Cynthia White (Thos. Fox, J.P.) <sup>21</sup>
05 Jan.	1840	Bibb	William Medders & Rebecca Hubbard
19 Sep.	1845	Bibb	Silvesta Meddows & John W. Murphy
23 Mar.	1847	Bibb	Parthana Meddows & Martin Shuttlesworth <sup>22</sup>
10 Dec.	1849	Bibb	Elizabeth [Widow Job] Medders & Minor C. Hubbard

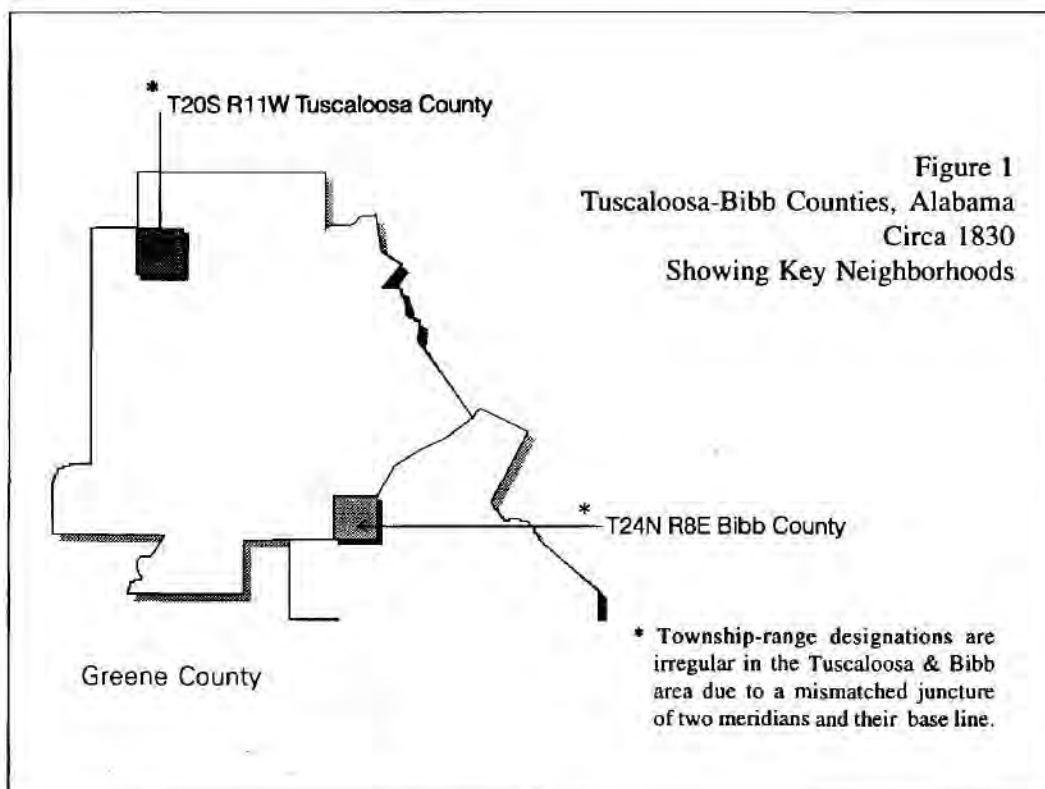
Again, numerous lines of parallel data weave through the above extracts. Several hypotheses can be proposed—each and all of which would demand more significant supporting evidence before acceptance is deserved.

**ANNE MEDDERS** who married John White, [Sr.], is adequately established as the mother of Telitha, who married in 1829. *Hypothesis*: chronologically, Anner could be the mother of the other five Medders youths who married in the 1820s and 1830s.

**NATHAN TABER, J.P.**, officiated at the marriages of Anner, Nancy, and Telitha—as he had done in 1825 for Job Medders. A justice of the peace normally served this function for families in his own community. *Hypothesis*: the four Medderses who called upon the same neighborhood justice of the peace likely belong to the same family unit.

**WILLIAM AND ANNA A. MEDDERS**, who wed in adjacent Tuscaloosa County, married individuals of the same family name as the older Anner's new husband. *Hypothesis*: the grown children of Anner Medders may have married grown children of John White.

**THOMAS FOX, J.P.**, officiated at the 1832 marriages of William and Anna Mea(d)dows to Cynthia and John White. *Hypothesis*: the 1832 couples who were wed by the same neighborhood justice of the peace likely belong to the same family group. [Thomas Fox resided in township 20 south, range 11 west, of northwest Tuscaloosa County,<sup>23</sup> some fifty miles from the Bibb County area in which Anner, Job, Keziah, Nancy, Talitha, and William Medders all married. However, the associational link between the two neighborhoods is defined on page 44 as this account of the evidence progresses.]





WILLIAM MEDDERS of Bibb County, who came to adulthood in the 1820s, gave to his daughters the names of all four of the Medders/Meddows females who married in the 1820s—Ann (nickname “Nancy”), Keziah, and Telitha. *Hypothesis*: William named his daughters for his mother (Anner) and sisters.

One potential problem is evident with the foregoing hypotheses: there are two marriages under the name *William Medders/Meadows*. Either one man married twice or two contemporaneous men of same or similar name should be found in the area. Sociologically, the one-man hypothesis is more logical than an assumption that William wed for the first time at the age of thirty-eight or forty.

#### CENSUSES RECONSULTED

Upturning new evidence in a literature survey or records search usually requires a reexamination of materials already used. In this case, a second reading of the Bibb County censuses and a scan of the Tuscaloosa returns—for all Medders or intermarried households—yielded two useful results. First, it revealed no other William Medders/Meadows in either county during the 1820–60 period and no widowed Cynthia of that surname. Second, it spotlighted several significant parallels that support the previous hypotheses.

ANNER (MEDDERS) WHITE, in 1850, is found in Tuscaloosa County, where she and the man she married in 1826, John White, are enumerated *next door* to the younger John White who married Ann A. Medders in 1832.<sup>24</sup> Part of their census data appears below in the left column. At right are points of similarity with William Medders:

John White, Sen.	
Mary A[nn]er], b. ca. 1782	William Medders, b. ca. 1802, named daughter Ann
John White, Jr.	
[Ann] Adaline, b. ca. 1818	William Medders named daughter Adaline

TELITHA (MEDDERS) REACH, the directly identified daughter of Anner (Medders) White, appears on the 1850 Bibb County census in the same neighborhood with William Medders.<sup>25</sup> Part of Telitha’s household data appears below in the left column. Points of similarity with William et al. are added at right:

Telitha (Medders) Reach	William Medders named daughter Telitha
b. ca. 1811, Ga.	William Medders, b. ca. 1802, Ga.
m. Baley Reach	William Medders’s son Martin m. Milly Reach <sup>26</sup>
<i>Children (partial list):</i>	
Kizziah	{ William Medders named daughter Kesiah One Keziah Medders married same year as Telitha
Cynthia, born about 1835	

NANCY (MEDDOWS) SMITH, in 1850, lived with her husband Uriah in Bibb County, *next door* to Telitha (Medders) Reach.<sup>27</sup> Given the fact that a contemporary and primary record makes a direct statement identifying Telitha as daughter of Mary Ann “Anner”

(Medders) White, then the fact that Nancy and Telitha settled with their husbands in adjacent dwellings adds considerable weight to the hypothesis that Nancy is Telitha's sister and another daughter of Anner.

Part of the Smith household data from the 1850 census appears below in the left column. At right are points of similarity with William and the other Medders men and women under consideration:

Nancy (Medders) Smith b. about 1809, Ga. m. Uriah Smith	William Medders named daughter Nancy William Medders b. ca. 1802, Ga.
<i>Children (partial list):</i>	
Sylvania	Ambrose Medders named daughter Sylvania
Mary "Polly"	Bore name of Mary Ann "Anner" Medders
[Par]thena Ann	Bore name of Mary Ann "Anner" Medders
Elizabeth	Bore name of Mrs. Job Medders
Mariah	Bore name of Mrs. Ambrose Medders
Job, born about 1846	Bore name of Job Medders (c. 1800–1846)

#### PRIMARY-RECORDS SEARCH

Obviously, many pieces of circumstantial and indirect evidence weave this family into a loosely spun net, enmeshing William Medders. That weave tightened as research progressed into the original records of both Bibb and Tuscaloosa counties. While Ambrose remained elusive and William created few records, the legal activities of their proposed relatives were exceedingly helpful.

#### *Bibb County Marriage Records:*

The published abstracts, from which hypotheses have been drawn, proved to be basically correct, though not complete. The most significant marriage information omitted from the literature was found in the record of Telitha Medders to Baley Reach. John and Anner White did indeed file consent for the bride, calling her "our daughter"; but the witness who went unmentioned in the published abstract was Uriah Smith, husband of Nancy Medders.<sup>28</sup> Nancy's placement into the family of Telitha and her mother Anner seems virtually assured now.

#### *Bibb County Land Records*

The initial survey of Bibb's deed indexes yielded no record of William's having purchased land there. That finding concurred with the 1850 census, which attributes no property to William's household. However, neither of these negative indications in any way eliminates land records as a potential means to identify William's neighborhood and tie him to potential kin.

Deed records represent only one type of land acquisition in public-land states such as Alabama. Purchases of public-domain land, prior to the late-nineteenth century, were customarily made from the federal land office; and those records are

maintained at the federal level. Patents from the federal government were rarely recorded at the county level in Alabama until the twentieth century. Still, Bibb County, like most others within public-domain states, maintains an unindexed tract book in which the acquisition of each piece of government land is registered.

Therefore, the land-records search in Bibb extended into two directions. First, the deed work included all other Medderses, in-laws, and associates who had been identified thus far. Then the unindexed tract book was combed page-by-page<sup>29</sup>—for all these individuals. The result was still no record that *directly* stated any relationship for any person, but the search yielded several pieces of extremely important *indirect* evidence.

In order to interpret this data properly, a researcher needs to bear in mind three points relevant to the settling of government land in this period. *First*, many small-scale farmers did not purchase land until they had made a clearing and tested its productivity for one or more crop years. Thus, a family or individual often resided on the land for some time—even a considerable number of years—before appearing in the registers of the federal land office. *Second*, in a newly opening area, the initial settlers planned “growing room” for themselves and their children. Most began with a small tract along a watercourse, leaving for later purchase the unwatered lands behind. Thus, kinsmen might settle “adjacent” to each other, on different watercourses, leaving varying amounts of vacant land between them. *Third*, creeks, streams, and rivers were natural paths for community growth. Original land purchasers settled the prime sites; their offspring then spread up and down the same watercourse until all the productive land was under tillage.

These patterns characterize the Medders settlement in Bibb County, as evidenced by the following highlights and the accompanying figure 2, page 42.

24 January 1826

Anner Medders, Ezekiel Miller, and Ezekiel’s putative brother Theophilus<sup>30</sup> simultaneously patented land in sections 23, 27, and 35, T24N R8E. (See tracts A, B, C.)<sup>31</sup> *Significance*: Anna’s land “neighbored” that of Ezekiel, with each allowing a “back forty” [the prevailing term for forty acres to the rear] for expansion. Ezekiel’s daughter, five months earlier, had married Job Medders. Thus Job, as Anner’s proposed son (at tract A), would have married the proverbial girl-next-door (at tract B).

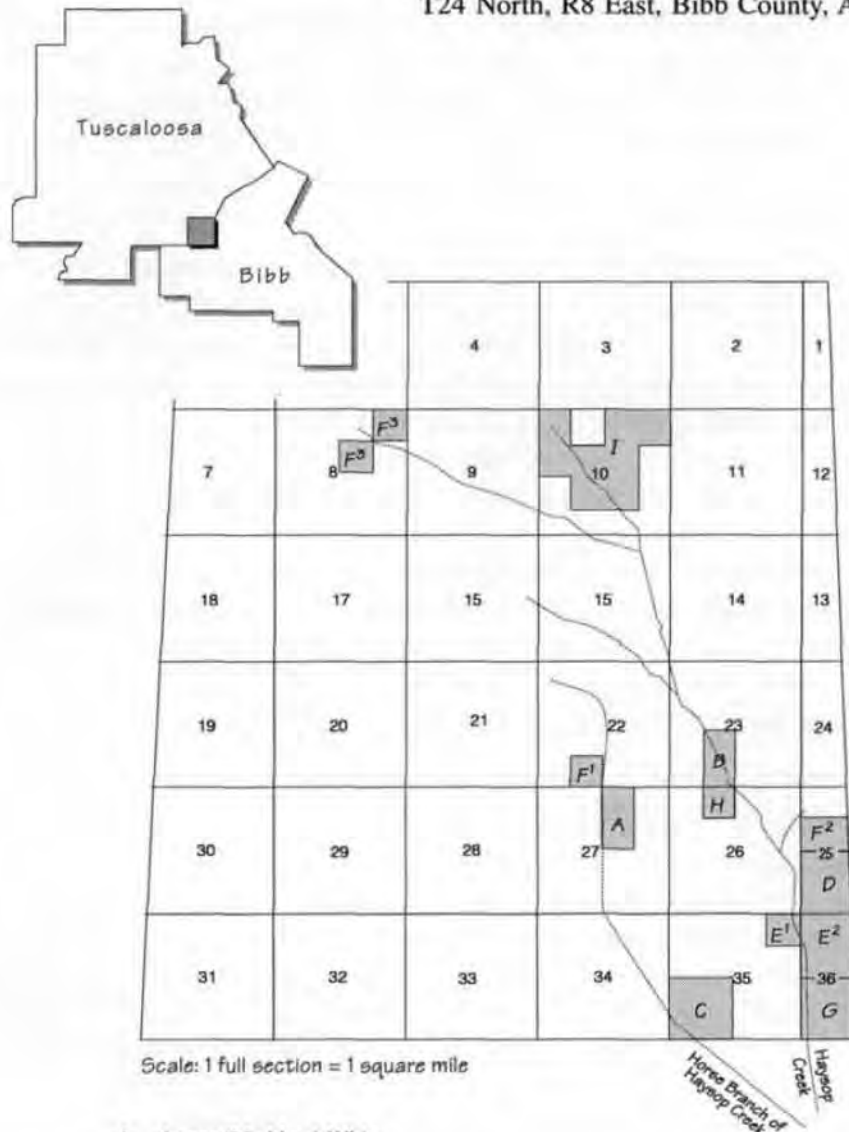
26 December 1827

John White and wife Anner sold the tract she had patented as Anner Meadows, described as W½ NE¼ S27 T24N R8 E. Witnesses: Job Meddows and Ezekiel Miller.<sup>32</sup> *Significance*: Anner’s selection of Job and Job’s father-in-law as witnesses to her sale helps to strengthen the hypothesis that she is Job’s mother.

6 July 1835

Baley Reach entered government land on Haysop Creek—NE¼ of NE¼ S35 T24N R8E.<sup>33</sup> (See tract E.) *Significance*: Reach married Telitha Medders, the proved daughter of Mary Ann “Anner” (Medders) White. Reach’s new land neighbored Theophilus Miller—the uncle-in-law of Job Medders, for whom Job named a son.

Figure 2  
Landholdings: Medders and Selected In-laws  
Haysop Creek and Horse Branch of Haysop  
T24 North, R8 East, Bibb County, Alabama



- Scale: 1 full section = 1 square mile
- A Anner (Medders) White  
 B Ezekiel Miller [father of Elizabeth, who married Job Medders]  
 C Theophilus Miller [brother of Ezekiel; Job Medders named son for Theophilus]  
 D Charles Reach [father of Baley]  
 E Baley Reach [son of Charles Reach; married Telitha Medders, daughter of Anner]  
 F Uriah Smith [married Nancy Meddows; was witness at Reach-Medders marriage]  
 G Job Medders [married Elizabeth Miller, daughter of Ezekiel]  
 H Elizabeth (Miller) (Medders) Hubbard [daughter of Ezekiel and widow of Job]  
 [William Medders neighborhood on 1850 census]  
 I William Medders, 1851–60 [married the stepdaughter of Anner (Medders) White  
 and the sister-in-law of Elizabeth (Miller) (Medders) Hubbard]

11 January 1836

Uriah Smith entered government land on Horse Branch of the Haysop, SE<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub> of S22 T24N R8E.<sup>34</sup> (See tract F<sup>1</sup>.) *Significance*: Smith married Nancy Meddows in 1826, with the permission of her unnamed parents. The land he settled adjoined that patented by Annor in 1826.

12 December 1840

Job Medders bought the S<sup>1</sup>/<sub>2</sub> of fractional S36 T24 R8E.<sup>35</sup> (See tract G.) *Significance*: Adjacent landowner until 1847<sup>36</sup> (see tract E<sup>2</sup>) was Baley Reach, whose wife Telitha (Medders) Reach was the proved daughter of Mary Ann “Anner” (Medders) White.

16 February 1849

Uriah Smith entered a second government tract down Haysop Creek, the S part of NW<sup>1</sup>/<sub>4</sub> S25 T24 R8E.<sup>37</sup> (See tract F<sup>2</sup>.) *Significance*: this land adjoined acreage settled in 1826 by Baley Reach’s father Charles (see tract D) and left by Charles to his widow and children in 1833.<sup>38</sup> Consequently, Uriah and wife Nancy (Meddows) appear on the 1850 census as next-door neighbors to Baley Reach and wife Telitha (Medders).

While most of the Medders youths and their spouses were establishing family farms, William and Ambrose appears to have rented. Not until 1851, after the better lands in his neighborhood had been settled, did William acquire his first parcel. Following the Haysop northward, some two to four miles from the original family cluster, he and Uriah Smith that year purchased land at the points labeled *I* and *F*<sup>3</sup>. William would expand his holdings during the prosperous fifties—accumulating (and partly disposing of) more than half a section.<sup>39</sup> But the marginal quality of the land denied him the prosperity that many achieved in that decade. When he died in 1860, he left his large family in straitened circumstances.

#### *Bibb County Court Records*

Most of the legal appearances that William Medders made in Bibb County are found in the circuit-court series. Warrants were issued for him in the periods October 1832–September 1834 and April–September 1850. His first offenses went unspecified and apparently did not come to trial; in the 1832–34 case, he foiled process servers by going to the adjacent county of Greene. In the last case, after whatever evasions a poor married man with six children could muster, he paid a fine of twenty dollars for having “play[ed] at cards against the peace and dignity of the state” in a “store House where spiritous liquor were then & there retailed.”<sup>40</sup>

At William’s death in 1860, probate was opened on his estate. His heirs were cited as his widow Rebecca, the twelve previously named children whom he had fathered by her, and another daughter, Elizabeth “Betsy Ann,” wife of Rufus Lucas. (Elizabeth’s mother went unidentified. Aged eighteen at her marriage in October 1850, Elizabeth assuredly was the child of William’s first marriage to Cynthia White, and she bears both the name and nickname of Mrs. Job Medders.) Not surprisingly, the administrator of William’s estate in 1860 was John W. White.<sup>41</sup>

*Tuscaloosa County Records*

William Medders's legal appearances in Tuscaloosa were no more frequent than in Bibb. The most-significant records in that county were unearthed not by following the Medders surname, but by pursuing the records created under associated names: principally, the second husband of William's hypothetical mother and the husband of Nancy Meddows Smith.

14 January 1841 & 17 February 1857

John White (with wife Anner) and John White, Jr. (with wife Ann), sell land in S6, 21, and 28 of T20S, R11W.<sup>42</sup>

12 February 1855 & 19 February 1857

Uriah Smith buys two tracts of land in S28 T20S R11W.<sup>43</sup>

Two important links exist in this set of deeds. One is obvious: John and Anner (Medders) White and John, Jr., and Ann White are again joined into a family group. The second link becomes apparent only when one uses the legal descriptions of the lands to plat them on a map: T20S R11W was the site of Thomas Fox, the justice of the peace who officiated at the 1832 marriages of John White, Jr., to Anna A. Meaddows and Cynthia White to William Meadows. Section 6, where the Whites owned 120 acres, adjoins section 5, where Fox entered his first land.<sup>44</sup>

Tuscaloosa deeds yielded yet another White document of immeasurable value, even though it did not name our problematic man, William Medders/Meadows:

18 January 1830

John White and wife Anner White authorize James Fears to take possession of land in Habersham County, Georgia, designated as lottery land by its number 29, 3d district—land "which was drawn by Anner Meddows, now Anner White."<sup>45</sup>

*Georgia Land Records*

The state of Georgia, immediately east of Alabama, gave away much of its public domain. As inducement for settlers, it held periodic land draws. Regulations varied from lottery to lottery; but, in general, chances were allotted to males of legal age who had resided in the state for a specified period of time and to widows and orphans.<sup>46</sup> Habersham County, where Anner's land was located, opened in the lottery of 1820. The standard reference work on that lottery includes both the widow Anner and her orphans—citing the father by name.<sup>47</sup>

Name of successful drawer:	Anna Meddows, widow
County of residence at time of lottery:	Twiggs Co., Georgia
District of residence within that county:	Evans
Location of land drawn:	Lot 29, Dist. 3, Habersham
Name of successful drawer:	Reuben Meddows (orphs)
County of residence at time of lottery:	Twiggs Co., Georgia
District of residence within that county:	Evans
Location of land drawn:	Lot 36, Dist. 9, Appling

Family tradition had been at least partly correct—"Ruben" had been cited as father of "William (Enoch) Medders" of Bibb County. No record has documented the middle name that descendants assigned William in ambiguous fashion. The list of siblings attributed to him is impossible to reconcile with the extant evidence. But what of the mother? No record thus far has pointed to a birth family for Mary Ann "Anner" (Medders/Meddows) White. The identity attributed to her—"Nancy Martindale Humphries"—seems dubious. Nancy is indeed a nickname for Ann, but no Martindale or Humphries links exist.

The discovery of Anner's birth family came from pursuing the files of yet another county, one to which court evidence pointed during the on-site work in Bibb.

### *Greene County Records*

On Wednesday, 17 October 1832, in the Bibb County case of *State v. Riley Smith and William "Medars"* [later "corrected" to *Medors, Meadows*, and then *Medders*], a writ was issued to the sheriff of adjoining Greene County, Alabama, to which Medders was said to have removed. Apparently, the summons was never served on him there, as he was not brought back for trial.<sup>48</sup> Whether he actually moved to Greene—or just found it convenient to visit there—remains equally uncertain. Nonetheless, his alleged presence there mandated a search.

That search exposed another sizable grouping of individuals by the surname *Meadors*—none of whose records specifically state any relationship to William or to the Bibb County cluster. But the literature survey that prefaced on-site work in the original records provided the maiden identity of Mary Ann "Anner" (Medders) White. Again, the answer was not found by searching for the surname *Medders*—rather, it surfaced by combing resources for the surname of the man who married Widow Medders: John White, Senior.

16 January 1832

Job Springer. Last will and testament . . . to my wife [not named]; to Nancy Jackson, my oldest Daughter; to *Anna White*, my second Daughter; to Mary Norsworthy, my third Daughter; to Keziah Elder, my fourth Daughter; to John Springer; to heirs of Job Springer. Executor, Ezekiel Miller. Witnesses: John Gilmore, Solomon McAlpin, John Springer.<sup>49</sup>

24 July 1834

*John White*, William Jackson, Mary Norsworthy, and Kizziah Elder acknowledge receipt of their inheritance from the estate of Job Springer.<sup>50</sup>

### FAMILY SUMMARY

That ubiquitous sage "Anonymous" is alleged to have said that success comes not so much from making great discoveries as from seeing the connections between small ones. His platitude holds true for many genealogical efforts. Numerous researchers—and good ones<sup>51</sup>—over the years have sought in vain for a record that

specifically names the orphans whom Reuben Medders left by his wife Anna Springer. Other researchers—descendants of William and genealogists commissioned by them—have tackled the problem from the opposite direction, attempting to link William to a Reuben, *any* Reuben, in satisfaction of the family tradition.

The desired records have never surfaced, but that is not to say that a connection does not exist between William Medders of Bibb and the Reuben Medders whose widow and orphans moved to Bibb. That connection surely exists. Tuscaloosa and Bibb counties, where a widow and seven young men and women of the same name emerged in the 1820s, contained over two thousand square miles. The concentration of all these individuals on a string of small, closely placed farms along Haysop Creek and its Horse Branch cannot be mere coincidence.

Proofs of relationship can be derived from many factors. In the present case, it is attested by naming patterns, migration patterns, settlement patterns, parallel lifestyles, and interpersonal actions displayed by individuals who were of no known relationship at the start of this project. None of these elements could alone suffice to make the case. Together, they present a persuasive argument by which innumerable pieces of primary, contemporary evidence—some direct, most indirect—point in the same direction, leaving virtually no room for reasonable doubt.

William Medders, assuredly, was the son of Reuben—but not of a woman named Nancy Martindale Humphries. William carried no middle name *Enoch*, insofar as known records are concerned. Neither were his siblings the dozen alleged to be George W., Ruben, Washington, James, Jesse, Mary, Margaret, Ann, Martha, Elizabeth, Susan, and Nancy. Beyond reasonable doubt, his actual birth family is more accurately summarized as follows:

**Reuben Medders**, born about 1775–80, of unproved parents, married before 1800, **Mary Ann(a) Springer**, daughter of Job Springer, Sr., by an unidentified wife. Reuben appears variously in the records of Warren, Clarke, and Baldwin counties, Georgia,<sup>52</sup> prior to 1807, at which time he received lottery land that eventually drew his family to the part of Georgia that became Twiggs.<sup>53</sup> Reuben died before 1818, the year that the widowed Anna was first taxed on his lottery land.<sup>54</sup> As her second husband, on 27 May 1826, Anna married John White, Sr.,<sup>55</sup> by whom she bore no offspring.

The reconstructed list of the children of Reuben Medders and Mary Ann(a) “Anner” Springer includes

1. Job Medders, born about 1800,<sup>56</sup> possibly in Warren or Clarke County, Georgia; married 11 August 1825, Bibb County, Alabama, Elizabeth “Betsey” Ann Miller;<sup>57</sup> died before 27 November 1847.<sup>58</sup>
2. William Medders, born about 1802, in Georgia;<sup>59</sup> married (1) 11 August 1832, Tuscaloosa County, Alabama, Cynthia White;<sup>60</sup> married (2) 5 January 1840, Bibb County, Rebecca Hubbard;<sup>61</sup> died March 1860, Bibb County.<sup>62</sup>



3. Ambrose Medders, born about 1803, in Georgia;<sup>63</sup> married 26 August 1833, Greene County, Alabama, Mariah P. Ware.<sup>64</sup>
4. Nancy Medders, born about 1809, in Georgia;<sup>65</sup> married 29 August 1826, Bibb County, Uriah Smith.<sup>66</sup>
5. Telitha Medders, born apparently between 9 June 1810 and 9 May 1811, in Georgia;<sup>67</sup> married 10 May 1829, Bibb County, Baley Reach.<sup>68</sup>
6. Keziah Medders, born about 1815, allegedly in South Carolina; married 10 January 1829, Bibb County, Mark Yager.<sup>69</sup>
7. Ann Adaline, born about 1818, Georgia;<sup>70</sup> married 2 January 1832, Tuscaloosa County, John White, Jr.<sup>71</sup>

#### NOTES AND REFERENCES

\*1732 Ridgedale Drive, Tuscaloosa, AL 35406. Ms. Mills, a Certified Genealogist who specializes in the resolution of "brick wall" problems in the American Southeast, has published widely in genealogical, historical, and sociological journals. She has edited the *National Genealogical Society Quarterly* since 1987 and serves as vice-president of the Board for Certification of Genealogists.

A portion of the research upon which this paper is based was performed for the writer by Donna Rachal Mills, C.G.R.S. An oral presentation of this case study was included in the writer's unpublished paper presented at the 1988 NGS-Biloxi Conference in the States, "Tracking Elusive Ancestors."

1. Excellent instruction in these different types of evidence is provided by the NGS home-study program, *American Genealogy: A Basic Course*. For further guidance in the evaluation of evidence, see Walter Lee Sheppard, Jr., "What Proves a Lineage?: Acceptable Standards of Evidence," in "Documentation for Lineage Papers: Two Perspectives," *NGS Quarterly* 74 (June 1987): 124-30; Noel C. Stevenson, *Genealogical Evidence: A Guide to the Standard of Proof Relating to Pedigrees, Ancestry, Heirship, and Family History* (Laguna Hills, Calif.: Aegean Park Press, 1979); and Eugene A. Stratton, *Applied Genealogy* (Salt Lake City: Ancestry Publishing, 1988).

Sheppard, a senior fellow of the American Society of Genealogists, provides this definition of the preponderance of the evidence: "When direct evidence is lacking, but there is contemporary, primary evidence of a number of related matters all pointing in the same direction, and the evidence so accumulated leaves no doubt in the reader's mind that only one reasonable conclusion can be drawn from it, then it is appropriate to say that a fact can be established by the preponderance of the evidence. However, if there is found a single contemporary document that points in a different direction, and if it is not possible to show clearly that this document is in error, then the argued case has not been proved acceptably."

2. Researchers should note that the genealogical approach to the preponderance of the evidence is more demanding than the legal interpretation of this term. Juries charged with making a prompt decision as to guilt or innocence on the basis of whatever evidence is presented, may legally content themselves with the knowledge that one probability seems more likely than another. However, genealogical study—with extremely rare exception—does not face a compelling urgency to decide a relationship before adequate research is completed. Thus, for the student of genealogy, a simple "greater weight" for one theory than another is a weak basis for conclusions. The sound genealogist refrains from making definitive assertions so long as there is contradictory evidence that cannot be validly explained, so long as there are resources that have not been exhausted, and so long as all relatives and associates have not been diligently studied.

For a discussion of the legal view of preponderance of the evidence and its genealogical implications, see Donn Devine, "Do We Really Decide Relationships by a Preponderance of the Evidence?" *NGS Newsletter* 18 (September-October 1992): 130-33; and Val D. Greenwood, *The Researcher's Guide to American Genealogy*, 2d ed. (Baltimore: Genealogical Publishing Co.), 68.

3. Marriage Book D, 1839-45: 152; Bibb Co., Ala.
4. 1850 U.S. Census, population schedule, Bibb Co., Ala., p. 16, dwelling 220, family 220.
5. 1850 U.S. Cens., pop. sch., Randolph Co., Ala., p. 398, beat 15, dwell. 371, fam. 371.
6. 1860 U.S. Cens., pop. sch., Bibb Co., Ala., p. 673, dwell. 177, fam. 173. See also Marilyn Davis Barefield, *Alabama Mortality Schedule, 1860* (Easley, S.C.: Southern Historical Press, 1987), 8.

The birth year implied for William on the mortality schedule (1802) will be used in this paper as more probable

than the 1800 date implied by the 1850 population return. This decision, still tentative, is based upon the final reconstruction of William's family. Two censuses (1830 and 1840) dovetail to suggest an 1800 birth for Job. If that date is correct, then an 1800 birthdate for William would be possible only if he and Job were twins.

7. 1850 U.S. Cens., pop. sch., Bibb Co., Ala., p.16, dwell. 219, fam. 219.
8. 1840 U.S. Cens., Bibb Co., Ala., p. 117.
9. 1830 U.S. Cens., Bibb Co., Ala., p. 162.
10. Pauline Jones Gandrud, *Alabama Records*, vol. 31, *Bibb Co.* (typescript, 1935; published, Easley, S.C.: Southern Historical Press, 1980), 49–50, citing Marriage Book A–B: 102. An examination of the original court-house records confirms this data, as well as other Gandrud citations herein—unless otherwise noted.
11. Marilyn Davis Barefield, *Old Tuskaloosa Land Office Records & Military Warrants, 1821–1855* (Easley, S.C.: Southern Historical Press, 1984), 25.
12. Gandrud, *Alabama Records*, vol. 178, *Bibb Co.* (typescript, 1958; 1980), 94, citing Marriage Book D: 332.
13. Barefield, *Old Tuskaloosa Land Office Records*, 103.
14. Gandrud, *Alabama Records*, 225: 55, citing Bibb Co. Marriage Book D: 439.
15. Gandrud, *Alabama Records*, v. 225, *Bibb County* (typescript, 1967; published 1980), 12–13. Gandrud cites Probate Book H: 162–63, 166.
16. Gandrud, *Alabama Records*, 31: 53, citing Bibb Co. Marriage Book A–B: 127.
17. *Ibid.*; citation of Bibb Co. Marriage Book A–B: 128.
18. *Ibid.*, p. 68; citation of Bibb Co. Marriage Book C: 32.
19. *Ibid.*; citation of Bibb Co. Marriage Book C: 36.
20. Gandrud, *Alabama Records*, vol. 25, *Tuscaloosa County* (typescript, 1934; published, 1980), 6, citing no source; the record is found under the cited date in Tuscaloosa Marriage Book 1.
21. Gandrud, *Alabama Records*, vol. 8, *Tuscaloosa County* (typescript, 1933; published, 1980), 49, citing Tuscaloosa Marriage Book 1823–1845: 273. The cited volume in the Tuscaloosa Co. probate office carries a clerical notation on page 2: "In abstracting this book, it has been called Marriage License Book 'C'."
22. Gandrud, *Alabama Records*, vol. 194, *Bibb Co.* (typescript, 1969; published, 1980), 23; citation of Marriage Book D: 366.
23. Barefield, *Old Tuskaloosa Land Office Records*, 26.
24. 1850 U.S. Cens., pop. sch., Tuscaloosa Co., Ala., p. 255, dwell. 916–17, fam. 916–17.
25. 1850 U.S. Cens., pop. sch., Bibb Co., Ala., p. 21, dwell. 273, fam. 273.
26. Bibb Co. Marriage Record E, 1850–1968: 300.
27. 1850 U.S. Cens., pop. sch., Bibb Co., Ala., p. 21, dwell. 274, fam. 274.
28. Bibb Co. Marriage Licenses (1829–1834): 36. The groom is identified as the son of Charles Reach.
29. Tract-book searches for public-land states are being drastically simplified by an automation project of the General Land Office. At press time, computerized statewide indexes—accessible by modem—were available for Arkansas, Florida, Louisiana, Michigan, Minnesota, Mississippi, Ohio, and Wisconsin—with Arkansas, Florida, and Louisiana being available for sale on CD-ROM. Inquiries should be addressed to the Bureau of Land Management—Eastern States; 7450 Boston Blvd.; Springfield, VA 22153.
30. The case for a sibling relationship between Theophilus and Ezekiel Miller rests upon another chain of evidence too lengthy to treat in the present essay.
31. U.S. Tract Book, Bibb Co., citing Bureau of Land Management certificates nos. 5373–5376. Theophilus subsequently acquired Anner's tract and its backlands. See Miller and wife to Reach grandchildren, Bibb Co. Deed Book I: 71.
32. Bibb Co. Deed Book A: 58.
33. U.S. Tract Book, Bibb Co., citing BLM certificate no. 15000.
34. U.S. Tract Book, Bibb Co., citing BLM certificate no. 17671.
35. Bibb Co. Deed Record E: 47.
36. Bibb Co. Deed Record F: 241.
37. U.S. Tract Book, Bibb Co., citing BLM certificate no. 25089.
38. U.S. Tract Book, Bibb Co., citing BLM certificate no. 5730; Bibb Co. Estate Packet: Charles Reach, filed in Drawer R: Old Estates. See also Gandrud, *Alabama Records*, vol. 166, *Bibb County* (typescript, 1956; published, 1980), 26–28.
39. For William Medders, see U.S. Tract Book, Bibb Co., citing BLM certificates nos. 10233, 33333, 33487,

and unnumbered entry of 3 March 1856. For Uriah Smith's 1851 acquisitions in section 8, see *ibid.*, BLM certificates nos. 26425 and 26426.

40. Bibb Co. Circuit Court Series, Minute Book A: 186, 309; and Record Q (1850–1854): 28.

41. Bibb Co. Estate Packet: William Medders, filed in Drawer M: Old Estates. See also Bibb Co. Orphan's Court Minute Book G: 235–41, 316, 331–32, 368–69. For the marriage of Betsy Ann, see Tuscaloosa Marriage Book 1848–1855: 117. For her age, see 1850 U.S. Cens., pop. sch., Tuscaloosa Co., p. 219, dwell. 380, fam. 380.

42. Tuscaloosa Co. Deed Book S: 58–59, and 4: 305.

43. Tuscaloosa Co. Deed Book 4: 108, 131.

44. Barefield, *Old Tuscaloosa Land Office Records*, 26.

45. Tuscaloosa Co. Deed Book G: 718.

46. For additional background, see Farris W. Cadle, *Georgia Land Surveying: History and Law* (Athens: University of Georgia Press, 1991).

47. *The Third and Fourth (or 1820 and 1821) Land Lotteries of Georgia* (Easley, S.C.: Southern Historical Press, 1973), 247.

48. Bibb Co. Circuit Court Series, Minute Book A: 186, 309.

49. Gandrud, *Alabama Records*, vol. 14, *Greene County* (typescript, 1933; published, 1980), 43. The family record submitted by Springer descendants to June Reese et al, *Pioneers of Tuscaloosa County, Alabama, Prior to 1830* (Tuscaloosa: Tuscaloosa Genealogical Society, 1981), cites "Annar" as the third child of Job Springer, Sr., and identifies John White as her "2nd" husband, but provides neither data on the first marriage nor identity for the first husband.

50. Gandrud, *Alabama Records*, vol. 120, *Greene County* (typescript, 1951; published, 1980), 54.

51. Among these, notice should be taken especially of Stan Medders of Pacifica, Calif., who has independently arrived at many of the same conclusions presented in the present paper.

52. To contain the length of this essay, these activities will not be recounted here. It suffices to say that none of the Georgia records found to date provide explicit statements as to the identities of Reuben's children.

53. *The Second or 1807 Land Lottery of Georgia* (Vidalia, Ga.: Georgia Genealogical Reprints, 1968), 121.

54. 1818 Twiggs Co., Ga., Tax Digest, Capt. Bullock's Dist., unnumbered p. 2, charges "Aner Meaders" for lottery land of the same description as Reuben's Baldwin Co. lot; the list was certified correct on 1 November 1818.

55. Bibb Co. Marriage Book A–B: 127.

56. Job was born 1790–1800, according to 1840 U.S. Cens., Bibb Co., p. 117. His birth occurred 1800–1810, according to 1830 U.S. Cens., Bibb Co., p. 162.

57. Bibb Co. Marriage Licenses (1820–1828): 101–2.

58. Job should have died some while before this date on which Elizabeth obtained federal land in her own name; see Barefield, *Old Tuscaloosa Land Office Records*, 103.

59. *Ibid.*; 1850 U.S. Cens., pop. sch., Bibb Co., Ala., p. 16, dwell. 220, fam. 220; Barefield, *Alabama Mortality Schedule, 1860*, 8.

60. Tuscaloosa Marriage Book 1: 273.

61. Bibb Co. Marriage Book 1839–45: 152.

62. Barefield, *Alabama Mortality Schedule, 1860*, 8.

63. 1850 U.S. Cens., pop. sch., Bibb Co., p. 16, dwell. 219, fam. 219.

64. Gandrud, *Alabama Records*, vol. 28, *Greene County* (typescript, 1935; published, 1980), 39.

65. 1850 U.S. Cens., pop. sch., Bibb Co., p. 21, dwell. 274, fam. 274.

66. Bibb Co. Marriage Book A–B: 128.

67. The 1850 census attributes to Telitha a birth between 1 June 1810 and 31 May 1811; she was under the age of 18 at her marriage on 10 May 1829. If both records are correct, then her birth should have occurred between 1 June 1810 and 9 May 1811. See 1850 U.S. Cens., pop. sch., Bibb Co., p. 21, dwell. 273, fam. 273; and Bibb Co. Marriage Book C: 36.

68. Bibb Co. Marriage Book C: 36.

69. Bibb Co. Marriage Book C: 32.

70. 1850 U.S. Cens., pop. sch., Tuscaloosa Co., p. 255, dwell. 917, fam. 917.

71. Tuscaloosa Co. Marriage Book 1: 273.