

Old Broad Bay Family History Association Newsletter

New Series Volume 1 No. 1 – Winter 2004

The Old Broad Bay Family History Association, P.O. Box 1242, Waldoboro, ME 04572
On the web at: www.rootsweb.com/~meobbfha/

Newsletter format

With this issue the newsletter resumes quarterly publication. For those of you who have subscribed for many years, you will recall that the original publication *Old Broad Bay Bund & Blatt* was published on a calendar year basis with the first issue of each volume being the winter issue. There were usually, but not always, four issues per year. The last issue of *Bund und Blatt* was vol 9 #1&2 (January-June 2000). At the August 2000 reunion, the name of the newsletter was changed and the next issue (August 2000) was labeled vol 1 No 1. This put the newsletter of an annual basis with the first issue of each volume being the fall issue. However, this format and the numbering system fell apart very quickly. The following is a list of newsletters with dates and volume numbers:

August 2000 vol 1 No 1	January 2002 vol 2 No 2
Dec 2000 vol 1 No 2	May 2002 vol 2 No 2
March 2001 vol 1 No 3	Sept 2002 (no vol number)
June 2001 vol 1 No 4	Spring 2003 vol II No 1
Sept 2001 vol 2 No 1	

When the Fall 2003 issue was prepared, there was not time to closely analyze the previous issues and it was felt it was not a good idea to continue any previous numbering system until a full review could be made and other opinions could be obtained. After consulting with the editor of a well known national genealogical journal and with the newsletter committee of the OBBFHA, it was decided to return to the calendar year format and to begin a new series of volume numbers (see masthead). Further, it was decided that pagination will be within each issue rather than sequential through the year's four issues.

Newsletter publication schedule

Working around the holidays, national genealogical conference schedules, and the society's annual meeting, the membership can expect the newsletter to be sent out on the following schedule:

Winter – 3rd week of January
Spring – 2nd week of April
Summer – 1st week of July
Fall – 2nd week of October.

The Identity of Martin Sidelinger's Children as Shown by Probate & Land Records

by Helen A. Shaw

Martin Sidelinger died intestate, a resident of Waldoborough, then in the state of Massachusetts. Two records provide information on his passing and the distribution of his property. The first record is his probate file found in the Lincoln County Courthouse in Wiscasset, Maine. The second is a deed also found in Lincoln County.

The probate record consists of two documents, the first being an order appointing Peter Sidelinger administrator of Martin's estate (dated at Pownalborough, 12 March 1793; Probate Court, vol. 5, p. 130) and the second being an undated *agreement among the heirs of Martin Sidelinger deceased* (Probate Court, vol. 5, p. 102). This document, while undated, is sandwiched between a document dated 17 September 1792 and one dated November 1792. The majority of documents preceding the agreement are dated May to September 1792 while those following the agreement quickly proceed from November 1792 to January 1793.

The first document is the usual form, identifying Peter as being of Waldoborough and setting forth his responsibilities to inventory the property, recover any outstanding credits owed Martin, to pay Martin's debts, and to perform said duties on or before 12 March 1794.

After the formal preamble, the second document states:

We Peter Seitlinger, George Seitlinger, Andrew Storer, Charles Brodman, Charles Seitlinger, Daniel Seitlinger, John Braddock, Heirs of Martin Seitlinger of Waldoborough deceased, Humbly sheweth that whereas your petitioners considering that the expense of settling an estate by law is more than they are able to pay, consistent with their ability, have agreed that the aforesaid George Seitlinger have all the real estate of the aforesaid Martin Seitlinger, deceased, in manner following, that is to say, that he the said George Seitlinger shall pay to each & every of the aforesaid heirs the sum of twenty pounds lawful money each; and likewise twenty pounds like money to Jacob Hominger, one of the Heirs to the said estate, now living in North Carolina, on demand; that is to say the mansion house & farm buildings & appurtenances that the said Martin Seitlinger lived on, in his life time: And therefore pray that this agreement may be recorded in the Probate Office for the County aforesaid....

N.B. It is agreed that the said George Seitlinger pay yearly to Andrew Storer aforesaid, three pounds lawful money, yearly, during the life of the aforesaid Mary Seitlinger, widow of the aforesaid Martin.

The agreement is signed by Peter Sidelinger, George Sidelinger, Daniel Sidelinger, Charles Sidelinger, Andrew Storer, Charles Brodman (by mark), and John Briddock.

The above agreement was followed up with a deed signed 5 January 1793, acknowledged 14 May 1793, and recorded 2 June 1803 (Lincoln County Deeds, vol. 52, pp. 29-30) identifying all the men as being of Waldoborough and reiterating the amount to be paid. The property was in Waldoborough and was described as follows:

...beginning at a stake & stones standing on the West side of Muscongus or Broadbay River running northwest eight hundred poles to a stake & stones called & bounded northward by said Pond until it becomes eighteen poles in Width on a straight line to a stake & stones standing on the side of the Pond aforesaid, thence running to the River aforesaid, bounded Southwardly by the said River until the bounds first mentioned, containing eighty nine acres be it more or less...

The document continues with the widow Mary relinquishing her dower right to George in consideration of the three pounds to be paid annual to Andrew Storer for her upkeep. The document continues:

We Elizabeth Storer Wife of the said Andrew Storer, Catherine Brodman Wife of the said Charles Brodman, Mary Braddock Wife of the said John Braddock, Mary Sidelinger Wife of the aforesaid Peter Sidelinger, Elizabeth Sidelinger Wife of the aforesaid Daniel Sidelinger, Sarah Sidelinger Wife of the aforesaid Charles

Sidelinger in testimony of our free assent & consent to the aforesaid bargain & sale do relinquish unto him the aforesaid George Sidelinger all our right of dower...

The deed was signed by all the men (Charles Brodman again signing by mark and John Braddock again signing his surname as Briddock). Mary Braddock, Catherine Brodman, and Elizabeth Storer all signed by mark; the wives of the Sidelinger men did not sign the document.

What do these documents tell us about Martin and his family? First are the facts either stated or implied. (1) Martin died prior to 5 January 1793, when the deed was signed. (2) Martin's wife at the time of his death was named Mary, she survived him, and was still living as late as 14 May 1793. (3) The deed provides the given names of the wives of all the men except George.

Second are the assumptions one can make about. (1) Martin probably died before September 1792 when the agreement appears to have been recorded. (2) All the men surnamed Sidelinger are close relatives to each other and to Martin. Based on the laws of inheritance in Massachusetts in the 1790s, these men are the sons of Martin and by custom, are listed in descending birth order. (3) Peter, simply as the administrator of the estate, can be presumed to be the eldest son. (4) The men not surnamed Sidelinger in the agreement are paired with wives in the deed. Given the laws and customs of property ownership by women in Massachusetts in the 1790s the women are the daughters of Martin Sidelinger and they (and their husbands) are, again by custom, listed in birth order in both documents. (5) No assumption can be made about the relationship to Martin of Jacob Hominger [sic] beyond his probably being a close relative or the husband of a close relative. (6) No assumption can be made that Mary is the mother of the named heirs.

Three other deeds provide additional information about Martin and his offspring. The first is simply a deed (Lincoln County Deeds, vol 9, p 29; signed 21 September 1763; recorded 16 June 1772) granting Martin Sidelinger the property described in the 1793 deed noted above. In another deed (Lincoln County Deeds, vol 64, p 77; signed 6 January 1808; recorded 25 March 1808) Peter Sidelinger, now of Nobleboro, sold to Samuel Sidelinger *land from my father Martin Sidelinger*.

A third deed (Lincoln County Deeds, vol 54, p 169; signed 20 March 1804; recorded 20 June 1804) answers some questions, but raises others. In it George, Daniel, and Charles Sidelinger, Charles Broadman and his wife Catherine, all of Waldoborough, and Elizabeth Storer, widow, of Warren (in Lincoln County) sell to Michael Sprague their shares of a property in Waldoborough. Each person is specified as having one eighth part of the lot. Further, George Sidelinger acted

as well for himself one eighth part, as for his sister Mary wife of John Braddock their one eighth part & for his other sister Barbary Rominger wife of Jacob Rominger who is settled in North Carolina her one eighth part making in whole seven undivided eight parts of the Lot aforesaid...

The fact George had, in effect, power of attorney to sell the shares of his sisters Mary and Barbary implies they are out of the area and indeed Barbary is so described and no further records for Catherine and Charles Broadman have been found in Lincoln County. However, this raises the question of whether or not Barbary was alive when this deed was written. In the 1792 agreement it is Jacob Rominger (misspelled Hominger) who is specified as the heir and there are family records which state Barbary died in 1792 in North Carolina. It may be that the person recording the 1804 deed did not understand that Barbary was deceased.

From these documents, the following family can be assigned to Martin:

wife Mary who outlived him and who may have died before the land was sold in 1804

his children and their spouses:

Peter Sidelinger (wife Mary)

George Sidelinger (wife not named)
Elizabeth (Sidelinger) & Andrew Storer
Catherine (Sidelinger) & Charles Brodman
Charles Sidelinger (wife Elizabeth)
Daniel Sidelinger (wife Sarah)
Mary (Sidelinger) & John Braddock/Briddock
Barbary (Sidelinger) & Jacob Rominger

Martin Sidelinger passport

At the August 2003 meeting, Francys Sherwood Davis spoke on the Martin Sidelinger passport. This exceptional document was passed down to Ms. Davis from Martin to his son Charles, to his son Samuel, to his daughter Clara Sidelinger Niles, to her daughter Gertrude Niles Moorhouse, to her daughter Helen "Ellie" Moorhouse, and to her niece Francys. The passport was translated for Clara Sidelinger Niles by Perrin of Boston in mid-1899:

We, Charles Frederic by the grace of God - Margrave of Baden & Hochberg, Landgrave of Hasenberg, Count of Sponheim & Eberstein, Baron of Roteln, Nadenweiler Lahn & Mahlberg, etc. etc.

Do hereby attest & proclaim that We, at the humble supplication of Martin Seythlinger hitherto a burgess of Landensteinbach who together with his wife N.N. & their four children N.N intends to emigrate to the Island of New England & there to settle, have graciously released them of that allegiance with & in which they have heretofore adhered & stood to us & do so herewith in such manner & mode that neither we nor our successors shall have or hold claim to him Martin Seythlinger or his descendants by reason of this servitude, unless that as some future time should again establish & settle themselves in some part of our Principalities & Lands where we have subjects, in which case they shall again & all become & remain our Subjects.

In Testimony whereof We have caused the mandate to be issued to said Martin Seythlinger, his wife and children under our own signatures with our Princely Chancery Seal attached thereto given in our Princely Capitol Carlsmuth on the 1st February A.D. 1752 by special order of His Most Serene Highness the Reiging Margrave - executed & delivered by His Most Serene Highness the Regency.

Maine law, 1821 codification

by Helen A. Shaw

Prior to Maine becoming a state in 1820 the laws of Massachusetts prevailed. Unfortunately, those laws were not codified so it is difficult to track Maine's 1821 laws to the Massachusetts laws from which they presumably followed. Why should genealogists be interested in their state's laws? Among other things, knowing the laws that applied at a particular time can help the genealogist to sort out men of the same name living in the same area and can help determine an approximate year, or range of years, of birth based on when a man began serving in the militia, was taxed, or when a person got married.

According to the *Laws of the State of Maine* published in 1821, a man could marry without the consent of his parents or guardian upon reaching age 21, while a woman could do the same at age 18 (vol. 1, chapter LXX, section 5, p. 341). Both men and women had to be 21 or older in order leave real estate to someone in a will (vol. 1, chapter XXXVIII, section 1, p 18). Guardianship laws (vol. 1, chapter LI, OBBFHA Newsletter: New Series, vol. 1, no. 1, Winter 2004

section 46, pp. 212-213) allowed children age 14 or older to chose their guardian while those under age 14 had a guardian appointed for them. Guardianship ended when the minor reached 21 years.

If a person died without a will (intestate) an administrator had to be appointed and papers taken out within 30 days of the decedent's passing. The widow or next of kin (over the age of 21) or both these people could be appointed administrator by the judge of probate. Also, an inventory of the estate had to be filed within three months by three people appointed by the probate judge for this purpose. (vol. 1, chapter II, section 7, p. 193).

If a person died intestate, his/her property was divided equally by his/her children. If a child was deceased and left children, these grandchildren received the parent's share of the estate (vol. 1, chapter XXXVIII, section 17, p. 142). However, if the decedent left a widow, she received her dower portion of the real estate before any other distribution was made (vol. 1, chapter II, section 25, p. 204). At its simplest, dower was the right of a woman to one-third of her husband's real estate. Dower was abolished in Maine in 1895 (*Maine Probate Laws*, 1896). If a woman owned property in her own right and died before her husband, he enjoyed what was called *tenant by the courtesy* which allowed him to hold his wife's estate during his remaining life (vol. 1, chapter XXXVIII, section 17, p. 142).

Maine laws underwent changes every year; after the initial 1821 codification, additional codifications were published in 1841 and 1857 with others following up to the present. Copies of all these codifications can be found at the Maine State Law and Legislative Reference Library located in the state capitol building in Augusta. While the staff cannot do research for you, you are welcome to visit in person, call them (207-287-1600), or e-mail them (Lawlib.Reference@legislature.maine.gov). The Maine State Library also has a web page with a link to the law library ().

The Maine law library also has a large collection of books covering Massachusetts law up to 1821. These laws are more difficult to access as they are organized by the date the law was passed. An e-mail to the Massachusetts State Law Library (Reference.Department@state.ma.us) can usually elicit sufficient information to locate the desired law(s) in the Maine collection. The Massachusetts State Library also has a web page with a link to the law library ().

Contact the editor

Items to be considered for publication in the newsletter should be sent directly to the editor: Helen A. Shaw, 77 Pascal Avenue, Rockport, Maine 04856. E-mail to obbeditor@earthlink.net (subject line OBBFHA).

Articles about Waldoboro families or area history, queries, and milestone news about members are welcome. Material should be typewritten or clearly printed in dark ink. Articles will be reviewed and edited for style and length as needed. Every effort will be made to allow authors a chance to review the edited article before publication. Material submitted by e-mail may be within the body of the e-mail or an attachment. For attachments WordPerfect is preferred, but Word documents can be opened; please specify format in the body of the e-mail.

While there are no formal deadlines for the submission of articles, if there is a specific issue in which you want an article to appear, please have the article in to the editor at least six weeks prior to

the week that issue is scheduled to be mailed out.

Errors: At times errors may occur in the newsletter either as typographical errors, errors in reading difficult handwriting, or simply due to incorrect information. If you find an error in a newsletter, please notify the editor so a correction can be published.

Newsletter back issues sought

The newsletter committee is compiling complete sets of the newsletter for the Waldoboro Public Library and the Waldoborough Historical Society and is collecting individual back issues to help other libraries fill in missing issues in their collections. In particular, the committee is trying to determine if volume 7 #1 (spring or summer 1998) actually exists. If you have extra copies of the newsletter or a copy of vol. 7 #1, please notify the editor. Extra copies may be mailed to the editor or brought to annual meeting. Any copies you can provide will cut down on the cost of photocopying. Thank you for your help.

Bible records sought

Do you have a Bible containing records for a Waldoboro or Lincoln County family? In the last newsletter, records from three Waldoboro family Bibles were published. We would like to continue this valuable service. Please submit a photocopy or photograph of the family data pages and the title page (with publication information) of your Bible. A transcription of the family data would be helpful as you are the person who best knows the family and can recognize family names, but is not necessary. The editor will transcribe the material and give you the opportunity to check it prior to publication.

Share your resources

Do you have a hard to find book about Waldoboro, nearby towns, or about Lincoln County in general? Do you have copies of deeds, probate records, cemetery records, or censuses for Lincoln County and its towns? Are you willing to share what you have with others?

If you are willing to look up a family name in your books or records and pass that on to a fellow researcher, send your name, address, and e-mail address along with a list of the books or records you have to the newsletter editor. Your offer will be published in the newsletter in what is hoped will be a regular feature "Share Your Resources."

Persons asking for assistance should submit only one request at a time along with a SASE directly to the person making the offer. Reimbursement for photocopies should be offered.

Membership

The Old Broad Bay Family History Association is a group of people interested in studying and maintaining the history of the German families who settled what is now Waldoboro, Maine in the mid-1700s.

If you are already a member, thank you for your support. We would ask that you please pass a photocopy of the membership form below on to others you know who have connections to Old Broad Bay or to Lincoln County.

If you are not a member, please photocopy the membership form and join us. (Italicized portion for research facilities only.)

Research facilities (libraries, archives, historical societies, etc.): We welcome the placement of this newsletter in your collection. Please fill out the form except for "Name" and the list of ancestors, but including the italicized portion.

Dues for both individuals/families and research facilities is \$10 a year. Mail application to O.B.B.F.H.A., P.O. Box 1242, Waldoboro, ME 04572.

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**Old Broad Bay Family History Association
Application for Membership**

New Member _____ Renewal _____ Date _____

Name _____

Spouse/significant other: _____

Your Broad Bay Ancestors _____

Name of research facility _____

Contact person _____ *Title* _____

Address _____

City _____ State _____ Zip _____

Telephone _____ E-mail _____

Are you interested in obtaining back issues of the newsletter? Yes _____ No _____
If yes, you will be contacted for further information.