

16 February 1985

Dear Robert,

I greatly appreciate your letter of 30 November 1984, and the enclosures therewith. The holiday season, income tax preparation, and other matters prevented an earlier reply.

I have never done any research on the De Witt family. However, I note that the surname appears in Salley's History of Orangeburg County and in the 1790 census for South Carolina. It is probable that mention of this family is included in Salley's write-up on the Bumph family, a copy of which I once read. The original of this write-up perhaps now is either in the State Archives or the Caroliniana Library in Columbia. You apparently are familiar with these three sources.

As to two names for William the son of Jacob and Ann Zeigler, — all known records give him but one name. My youngest sister (Mel-bred) has but one name, while the nine other children in my parents' family were given two names. In my late wife's family her older brother was given two names, while the seven other children were given only one name.

I do not have photographs of Jacob Levi and Elizabeth Ann Folk. If you have any please lend them to me so that I may have copies made for inclusion in the Folk book; or, if you will have copies made for me I will reimburse you for the cost. During the early 1900s I was furnished with a copy of the family record contained in the family Bible of Levi Folk, which

(Over)

shows Jacob's second name as "Sagorus." I suppose that he changed it to "Zevi" after he grew up.

Ercell McGowan is much interested in the proposed 30th book, and has offered her assistance. I will request her to search the Hampton County records for data to be included in the book.

Due to physical handicaps my handwriting is slow and tedious; therefore, my former letters did not give full details of my findings on Mrs. Ann Daniel and her first husband and children in relation to James Daniel and Jacob Zeigler. This letter contains additional information and my final ^{concluding} comment, Mary the daughter of Mrs. Ann Daniel (by her first husband) and Ann the wife of Jacob Zeigler, whom you consider to be one and the same person. No known record shows the double name "Mary Ann" for the daughter of Mrs. Daniel nor for the wife of Jacob, this also being true as to double names for other children of Mrs. Daniel.

In 1921 Holman Murchison Zeigler (1845-1925), grandson of Conrad and Elizabeth Zeigler, wrote a letter to his cousin - Mrs. S. O. Jackson (servant of Jacob and Ann Zeigler) - in which he mentioned Jacob's first wife as Polly (nickname for Mary). He also said that she had no brothers, but this statement evidently was in reference to Ann (Jacob's second wife) whose only brother died in childhood. Holman was 16 years old when Ann died in 1861, and certainly must have known her by that name and not as Polly. All known Bible records and her tombstone inscription show her name only as Ann, and she has always been

mentioned only as Ann.

Certain deeds and court records (heretofore mentioned) indicate that, before making his will in 1804, James Daniel deeded 7000 acres of land and a number of slaves to Michael Zeigler in trust for his daughter Ann who became the second wife of Jacob Zeigler in 1805. The remainder of his estate was, by the said will, given unconditionally to his wife Ann. This doubtless was done in accordance with a previous marriage agreement (record destroyed by fire at the courthouse in Orangeburg) made prior to 1800. In view of this transaction it was not necessary that James' daughter Ann be named in his will. — If Ann was not his daughter why would he have given her the said land and slaves? — The mention of her as "daughter" in the will of Mrs. Daniel is either an intended term of endearment or the result of a misunderstanding on the part of the person who wrote the will. It is certain that Mrs. Daniel did not write it. In view of all circumstances mentioned in this letter it is evident that the writer made a mistake when he mentioned Ann as the daughter of Mrs. Daniel. However, in a certain sense she was her daughter.

Mrs. Daniel's will was made on 11 February 1827, without naming an executor or executrix. The larger portion of her estate was given to her daughter Ursula (wife of Philip Jennings, Jr.). This daughter and her children were living with Mrs. Daniel in the family home at the time of her death, and had lived there a number of years before the occurrence of that event. Conrad Zeigler filed a complaint in protest against such disposition of Mrs.

Daniel's estate, claiming that she was of unsound mind when her will was made. However, prior to his death her husband (James Daniel) had stated that, in view of all circumstances, it was Mrs. Daniel's duty to give Uncle more of her estate than to any of her other children. The person who is erroneously mentioned as a witness to the will evidently was Mrs. Daniel's daughter-in-law - the widow of her son James whose children could not legally witness the will in which they were named as beneficiaries.

John J. Chappell, a resident of Newberry County, S.C., was the solicitor and wrote the complaint for Gideon Jennings et al in their suit of 1811. In 1811-12 he was a trustee of the South Carolina College (University of South Carolina) and was living in 1892 - (Annals of Newberry, p. 373. - By O'Keell and Chapman.) He doubtless was not familiar with the families named in the complaint, except as was told to him by Gideon Jennings. The informant apparently was not clear in stating particulars (or the solicitor misunderstood) concerning Mary as the wife of Jacob Zeigler. Such lack of clarity or misunderstanding is evidenced by the changes made in the original wording of the pertinent part of the complaint. After mentioning the names of other children of Mr. Daniel's first husband, it read as follows: - "Elizabeth and Mary Zeigler his sons and daughters." The first change made in this wording was the word "now" squeezed in between "Mary" and "Zeigler." The second change was the insertion of "and the wives of Jacob and Conrad Zeigler" in the narrow space above "his sons and daughters." Elizabeth should have been mentioned as "now the wife of of Conrad Zeigler" and Mary should have been mentioned as

"now the deceased wife of Jacob Zeigler." This mistake was overlooked or disregarded by the complainant (2) and was not questioned by the judge who heard the complaint in court at Lexington, S.C. The principal complainant was Gideon Jennings who apparently was a 21-year old son of Philip (jr) and Ursula Jennings.

The Congressional Act establishing the so-called 1790 census required that the enumeration for the census start on the first Monday in August 1790 and close on 30 April 1791. In South Carolina an assistant marshal was appointed in each judicial district to take the enumeration. Daniel Green was appointed assistant marshal for the South Part of Orangeburgh District, where Mrs. Daniel then lived with her first husband and their children. John Gray and James Craig were appointed assistant marshals for Camden District (included Fairfield County, where James Daniel then lived). The enumeration for the whole State of South Carolina was not completed until 14 June 1792. On 28 April 1792 Henry Simrod certified that the census for Orangeburgh District was "lawfully advertised at the public places by Daniel Green." — On 14 June 1792 Martyn Ather made oath that he "received from James Craig a copy of the census for Camden District, which said copy he put up in the town of Columbia last fall." — As a result of the late dates of completion, together with the overlapping of years (August 1790 - April 1791) specified in the Act, many persons who were born or married during the period of 1 January 1791 - 14 June 1792 were enumerated and included in the 1790 census. Also, many persons who died before they were enumerated during the period of 1 January 1791 - 14 June 1792 were never included in any census. This situation is puzzling to

people who think that the 1790 census reflects conditions as they existed only during the calendar year 1790.

The 1790 census for the South Part of Orangeburgh District shows that the family of Mrs. Ann Daniel's first husband then included six persons whose names have been determined as shown below. Besides the parents there were four children who herein are named in the order given in the complaint of 1811. Ursula*, the oldest daughter, then was married and living with her husband in the home of his father (Philip Jennings, Jr.). She probably was married in 1791 before the death of her father and included thus in the so-called 1790 census.

Father: - Joseph (ca. 1748 - 1791; md. Ann Salley ca. 1770.)

Mother: - Ann (1752 - 1828; after 1791 md. 1st John Robinson and 2nd James Daniel.)

Children: - James (ca. 1771 - bef. 1828; md. Ann Catherine ___? and had issue.)

William (ca. 1775 - after 1828; md. Elizabeth Zeigler.)

Elizabeth (11 October 1781 - 5 November 1826; md. Conrad Zeigler and had issue.)

Mary (ca. 1783 - 1804; md. Jacob Zeigler as his 1st wife, and died without issue.)

(* Ursula was born about 1773 and died after 1828.)

The gap of six years between the birth of William and the birth of

Elizabeth covered most of the period of the Revolutionary War, in which Joseph was engaged as a Drury. During much of that period he probably was not at home, and any children who were born during the said period died before the 1790 census was taken. One of the deceased children could have been a daughter Ann, whose memory and the sameness of names inspired her mother (later Mrs. Ann Daniel) to a strong and deep love for her stepdaughter Ann — the daughter of James Daniel by his first wife. As a result of this endearment, in the will of the then Mrs. Ann Daniel her stepdaughter was mentioned as "my daughter Ann Ziegler." At the time of the 1800 census — their father then being dead, their brothers then being married or living elsewhere, and their mother then being the second wife of James Daniel — Elizabeth and Mary were living with their mother and stepfather. It is most important to note the dates of their births, and their ages as reported in the 1800 census.

It is evident that when he was enumerated for the so-called 1790 census for Camden District James Daniel of Fairfield County was a widower with an infant son (b. 1789 or 1790) and an infant daughter (Ann - b. 24 June 1791). These two children were members of his household at the time of the 1800 census for Orangeburg County and after his marriage to Mrs. Ann Robinson as her third husband and his second wife. The 1790 census shows the ages for free white males in two groups — "16 years and upward" and "under 16 years." In the following illustration the symbols 16+ and 16- are used in lieu of the lengthy wording. Only a single figure is shown for the number of free white females. In the 1800 census the symbols 10-; 10/16; 16/26; 26/45; 45+ represent age groups for both free white males and females. These groups indicate, respectively, persons under 10 years of age; persons

from 10 to 16 years of age; etc., to over 45 years of age.

<u>James Daniel</u>	<u>Males</u>		<u>Females</u>				
1790 (Fairfield County)	16/-	16/4	(16/-)	-	-	-	♀
1800 (Orangeburg County)	10/16	24/45	10/-	(10/16)	10/16	26/45	♀
Due to the late date on which the 1790 census for Fairfield County was completed, as heretofore mentioned, James' daughter Ann was included in that census though she was born in June 1791.	1	1	1	1	1	1	1
	son Daniel	James Daniel	Ann Daniel	Mary Pendarvis	Elizabeth Pendarvis	2nd wife of James Daniel	1st wife of James Daniel
				(step-daughters)			

Due to the late date on which the 1790 census for Fairfield County was completed, as heretofore mentioned, James' daughter Ann was included in that census though she was born on 24 June 1791. Despite the complaint of 1811 and the will of Mrs Ann Daniel, the census records illustrated above prove that the second wife (Ann) of Jacob Zaigler and the mother of his children was the daughter of James Daniel. The gift to her of land and slaves is supportive of this fact. As to Bible records, see my letter of 29(?) August 1984. Jacob's first wife (Mary) was about eight years old when his second wife (Ann) was born. If you should be inclined to do so, I would be pleased to receive your comment

in this connection.

Best wishes to you and Cora for a New Year filled with health, happiness, and many other good things.

Sincerely,
Earle

P.S.

In further regard to my letter of (29?) August 1985 — "they did not know Jacob's parentage...." in addition to giving the wrong maiden ^{name} for his second wife (Ann), the name of his father was given as "Alexander Zeigler of parts unknown, whose children were George of Texas, Benjamin of Pennsylvania, and Jacob of South Carolina." The documented proof is that Jacob was a son of Michael, whose father Frederick/Baitz or Britz came as an emigrant from Germany to South Carolina in 1752/3. He had no son Benjamin, but he did have a son John George who lived and died in South Carolina.

Earle