

Prudence Belcher's Husband, Franklin County, Virginia

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When Prudence Belcher first appeared in Franklin County, Virginia records in 1815 she was already middle aged and had four children. She was born with the Belcher surname, and the conventional assumption has been that she was married to a Belcher, perhaps a cousin.¹ Was she married? If married, who was her husband?

No direct evidence of Prudence's marriage has been located. Census, property and tax records contain negative and indirect evidence that help clarify her marital status.

What we know about Prudence Belcher

Prudence Belcher was born about 1774,² the daughter of Francis Belcher and Phebe Cabiness, almost certainly in Amelia County, Virginia.³ She died in Franklin County, Virginia before 7 September 1846, when her will was presented for probate.⁴ Her mother Phebe moved from Amelia County west about one hundred twenty-five miles to Franklin County probably in 1789,⁵ apparently with her children,⁶ who all except Prudence married in the county.⁷

¹ For example, 'Genealogy.com user' (user 835558440), "Prudence Belcher of Franklin Co, VA," *Belcher Family Genealogy*, discussion list, 11 Oct 1998 (<http://www.genealogy.com/forum/surnames/topics/belcher> : accessed 15 July 2016).

² Estimated birth year is based on census records and birth order. Correlated census records indicate she was born between about 1771 and 1775. 1820 U.S. census, Franklin County, Virginia, population schedule, p. 163 [stamped], Joseph Swinney; NARA microfilm M33, roll 136. Sorted by first letter of last name. 1830 U.S. census, Franklin Co., Va., p.50, Prudence Belcher; NARA microfilm M19, roll 192. Sorted by first letter of last name. 1840 U.S. census, Franklin Co., Va., p.291, Prudence P. Belcher; NARA microfilm M704, roll 559. Her parents married in Dec. 1771, and she apparently had 1 older sibling, perhaps born in 1772. See, "North Carolina, Marriage Records, 1741-2011," Francis Belcher and Phebe Caviness, 23 Dec 1771; database and images online, *Ancestry* (<http://search.ancestry.com/search/db.aspx?dbid=60548> : accessed 15 June 2014); from North Carolina County Registers of Deeds; RG 48, North Carolina State Archives, Raleigh. Franklin County, Virginia, Deed Book 7:134, Swinney Declaration, 29 May 1818; Circuit Court Clerk, Rocky Mount; Library of Virginia (LVA) Franklin Co. microfilm reel 4. Prudence is the second on the list of offspring, apparently named in birth order.

³ For parentage, Franklin Co., Va., Deed Book 7:134, Swinney Declaration, 29 May 1818. Francis Belcher's will written in Amelia Co., see Franklin County, Virginia, Will Book 2:512-513, Belcher Francis Copy Will etc.; Circuit Court Clerk, Rocky Mount; LVA Franklin Co. microfilm reel 18.

⁴ Franklin Co., Va., Will Book 6:131-132, Belcher P. dec'd last will etc, 13 Nov. 1842, probate 7 Sept 1846; Circuit Court Clerk, Rocky Mount; LVA Franklin Co. microfilm reel 20. She was alive in early 1846. See, Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin County, 1846, Hairston's distr., Apr 2, Prudence Belcher; Library of Virginia, Richmond; LVA property tax microfilm reel 123. Tax lists sort surnames within each district by their first letter.

⁵ Last taxed in Amelia, Virginia Auditor of Public Accounts, Personal Property Tax Records, Amelia County, 1788, April 26, Phebe Belcher; Library of Virginia, Richmond; LVA property tax microfilm reel 15. One district, alpha by last name. First taxed in Franklin, Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1790, Hairston's district, July 24, Phebe Belcher; Library of Virginia, Richmond; Family History Library (FHL) film 2024540. Residence was determined on Jan. 31, so she probably settled in Franklin Co. in the previous year For date of taxation see, *Revised Code of the Laws of Virginia: being a collection of all such acts of the General Assembly, of a public and permanent nature, as are now in force; with a general index*, Vol.II (Richmond: Thomas Richie, 1819), XII, C.191 4 (p.62); online image, *Google Books* (<https://books.google.com/books?id=TDIwAAAAYAAJ> : accessed 15 June 2014).

⁶ For names of Prudence's siblings see, Franklin Co., Va., Deed Book 7:134, Swinney Declaration, 29 May 1818. For half-sister Amey (Belcher) Cook see, Franklin Co., Va., Deed Book 7:133, Belcher etc from Swinney, 29 May 1818.

⁷ Franklin Co., Va., Marriage Bond Book, No. 1, John Paulevon and Keziah Belcher, bond 5 Apr 1790; Ischam Belcher and Patsy Hodges, bond 3 Jan 1791; Francis Belcher and Charlotte Dunn, bond 1 Aug 1809; Wiat

Prudence named four children in her will, sons William and Elias Belcher, and daughters Evalina Dearing and Polly Bennett.⁸ A genealogical summary is provided for them at the end of this work. They were born from about 1798 through 1812, the oldest born while she was in her mid-twenties, and the youngest before she turned forty.

From 1815 through 1821 Prudence Belcher appears on Franklin County personal property tax lists with Joseph Swinney, her stepfather.⁹ This is direct evidence that she owned taxable property and was unmarried. Only white male tithables and those with "property in his or her possession or care, on which any tax is imposed" were to be listed.¹⁰ If Prudence's husband had been living, any property she owned would have been controlled by and taxed to him.¹¹

Comparison of Joseph Swinney's 1820 household with Prudence Belcher's family profile confirms what the joint tax records suggest, that Prudence and her children lived with her parents Joseph and Phebe Swinney in 1820, and probably from 1815 through 1821.¹²

Comparison of Households of Joseph Swinney and Prudence Belcher

Names ¹³	Joseph Swinney's household in 1820 ¹⁴	Prudence Belcher's household in 1830 ¹⁵
Joseph Swinney	male, 45 or older	male, 70-79
Phebe Swinney	female, 45 or older	[died 1822]
Prudence Belcher, b. abt. 1774	female, 45 or older	female, 50-59
Evalina Belcher, b. abt. 1801	female, 16-25	female, 20-29
Polly Belcher, b. 1807	female, 10-15	[married 1829]
Elias Belcher, b. abt. 1812	male, under 10	male, 15-19

Warwick and Polley Belcher, bond 25 Nov 1805; Amey Belcher and John Cook, bond 14 Dec 1805; Franklin Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm, reel 38.

⁸ Franklin Co., Va., Will Book 6:131-132, Belcher P. dec'd last will etc, 13 Nov. 1842.

⁹ Franklin Co., Va., Marriage Bonds, Joseph Swinney and Pheba Belcher, bond date 4 July 1791; Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm, reel 42. Filed by year, and then by grooms last name with some sorting errors. For tax records see, Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1815, Prunty's distr., p.26, 15 Mar., Jos Swinney & Prud. Belcher; Library of Virginia; LVA Personal Property Tax Records, microfilm reel 122 (1822-1841). Ibid., 1816, Prunty's distr., p.25, 12 Mar., Jos Swinney & Prudence Belcher. Ibid., 1817, Prunty's distr., p.23, 11 Feby, Joseph Swinney & Prudence Belcher. Ibid., 1818, Prunty's distr., p.22, 7 Feby., Joseph Swinney & Prudence Belcher. Ibid., 1819, Prunty's distr., p.24, 20 Mar., Jos Swinney & P Belcher. Ibid., Prunty's distr., 1820, p.25, 10 Mar., Joseph Swinney & Prudence Belcher. Ibid., 1821, Prunty's distr., p.20, 5 Feby., Joseph Swinney & P Belcher.

¹⁰ *Revised Code of the Laws of Virginia: being a collection of all such acts of the General Assembly, of a public and permanent nature, as are now in force; with a general index*, Vol.II (Richmond: Thomas Richie, 1819), XV, C.183, 34 (p.25); online image, *Google Books* (<https://books.google.com/books?id=ChVEAAAAYAAJ>) : accessed 15 June 2014).

¹¹ William Blackstone, "Of Husband and Wife," *Commentaries on the Laws of England Book the First* (Oxford, Clarendon Press, 1765), Ch.15, III; online transcription, *Project Gutenberg* (<http://www.gutenberg.org/ebooks/30802>) : accessed 15 June 2014).

¹² 1820 U.S. census, Franklin Co., Va., pop. sched., p. 163 [stamped], Joseph Swinney.

¹³ Birth dates for Prudence's offspring are documented in the genealogical summary at the end of this article.

¹⁴ 1820 U.S. census, Franklin Co., Va., pop. sched., p. 163 [stamped], Joseph Swinney.

¹⁵ 1830 U.S. census, Franklin Co., Va., p.50 [penned], Prudence Belcher.

Prudence's mother Phebe died before August 21 in 1822,¹⁶ and Joseph Swinney no longer appears on tax lists after this year. Prudence is taxed alone starting in 1823.¹⁷ However, Joseph is probable the elderly male in Prudence's household in 1830.¹⁸

In 1840 Prudence was in her mid-sixties and Evalina and John Dearing, her daughter and son-in-law, appear to live with her. Their children match the ages and sexes of children in her household.¹⁹ John is not enumerated in the census as a head of household, although he is taxed, evidence he lived in the area.²⁰

Although Prudence died owning nine slaves, she had modest resources otherwise.²¹ She never owned land.²² At her death she had no luxuries such as mirrors, fancy furniture, books or weapons; and no forks or knives, only spoons.²³ Her estate did include a dozen sheep and sheep shears, and equipment for processing fibers, but no loom.²⁴ As modest as her household goods were, Prudence owned quite a few coverlets and quilts, sheets and table clothes, and their value reflects their high quality.²⁵ It appears her household produced fabrics. A female might engage in this kind of home-based industry for income.²⁶

Prudence had close relationships with her extended family at least from 1815. She lived in multi-generational households for most of the rest of her life, first supporting her elderly parents, later being supported by her daughter's family in her old age.

¹⁶ Franklin Co., Va., County Court Order Book, 1822-1824:30, 21 Aug. 1822, Francis Belcher's will recorded, and inventory ordered; Circuit Court Clerk, Rocky Mount; FHL microfilm 31518. "Phebe Belcher the Executrix.being dead."

¹⁷ Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1822, Prunty's distr., Feby 4, Joseph Swinney. Ibid., 1823, Prunty's distr., no Joseph Swinney entry. Ibid., 1823, Prunty's distr., Apr. 10, Prudence Belcher.

¹⁸ He may have died, since all males should have been on the tax rolls, even if not taxed. No entry exempting Joseph Swinney from taxation or other mention is found in county Court Orders from January 1822 through 1824. See, Franklin Co., Va., County Court Order Book, 1818-May 1822, read unsuccessfully for Joseph Swinney Jan. - May 1822; Circuit Court Clerk, Rocky Mount; Family Search microfilm 31517. Also, Franklin Co., Va., County Court Order Book, June 1822-1824, index includes no entries for Joseph Swinney.

¹⁹ 1850 U.S. census, Franklin Co., Va., pop. sch., 180B, dwell.1777, fam.1769, household of John Dearing; NARA microfilm M432, roll 944. Henry 16, Frances (f.) 13, Elizabeth 11. Compare to, 1840 U.S. census, Franklin Co., Va., p.291, Prudence P. Belcher. 1 male 5-9, 2 females under 5.

²⁰ "1840 United States Federal Census," online database, *Ancestry* (<http://search.ancestry.com/search/group/usfedcen> : accessed 29 July 2016), search for Dearen, sounds like and similar; Franklin County, Virginia, USA [exact]; filtered for 1840. No result. For taxes, Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1840, Hairston distr., May 4, John A. Deering; Library of Virginia; LVA Personal Property Tax Records, microfilm reel 122.

²¹ Franklin Co., Va., Will Book, 6:131-132, Belcher P. dec'd last will etc, 13 Nov. 1842. Ibid., 6:267-268, Inventory of Estate of Prudence Belcher, 24 Oct 1846.

²² Franklin Co., Va., General Index to Deeds, No. 1, 1786 - 1897, Grantees, A -K; Circuit Court Clerk, Rocky Mount; LVA Franklin Co. microfilm reel 16. Also Franklin Co., Va., General Index to Deeds, No. 1, 1786 - 1897, Grantors, A -K; Circuit Court Clerk, Rocky Mount; LVA Franklin Co. microfilm reel 15. All Belcher deeds before 1845 read for reference to Prudence - none found.

²³ Franklin Co., Va., Will Book 6:267-268, Inventory of Estate of Prudence Belcher, 24 Oct 1846.

²⁴ Ibid. Including: clock reel, folding table, cotton wheel, stocking wheel and swift, spool frame and 31 spools, 2 smoothing irons.

²⁵ Ibid. Including: woollen coverbed (snow ball figure), woollen coverbed shanks and islands, 2 cotton counterpanes, 3 bed quilts, 2 bed blankets, 2 coverbeds, 2 thread sheets, 2 tow sheets, 3 cotton sheets, 3 table clothes, total value \$30.20. The total value of the estate excluding the slaves totaled \$174.24 and, for comparison, a cow was appraised at \$7.

²⁶ Rudi Volti, *An Introduction to the Sociology of Work and Occupations*, 2nd ed. (Los Angeles, Cal.: SAGE Pub., 2012), p.260. "home-based manufacture continued to employ large numbers of women for the production of textiles and clothing. The great majority of these workers were single--both widows and young, unmarried women."

Prudence Belcher before 1815 - Hypothesis One: She Was Married

No documents created before 1815 have been located naming Prudence Belcher. This great divide, in a less extreme form, is quite common for married women at this time, since they had no legal existence separate from their husbands under common law.²⁷ They might be named on a marriage record, appear in a parent's or sibling's will, or have waived their dower claim to land being sold by their husband. The name of a man's wife can be difficult or impossible to determine if all these are absent.

Prudence's life after 1815 shows that she had property and an intact family. The simplest explanation is that she was a widow. Supporting this hypothesis:

- Prudence owned property in 1815 but was not taxed herself earlier.
- Most, if not all, of Prudence's children, male and female, could write.²⁸ In the period before free public education,²⁹ this is evidence the family could pay for education and valued literacy.³⁰
- Prudence's children all married at typical ages for the period and led mostly conventional lives as adults.

Where were Prudence's children born?

By determining where Prudence's children were born, we can focus our search for her husband in the correct area. Census records consistently indicate they were all born in Virginia,³¹ and other evidence supports the births of two of them in Franklin County.

Although death records have not been located for any of Prudence's children, seven death certificates located for children of William, Mary "Polly," and Elias indicate their Belcher parent was born in Virginia, and four specify Franklin County.³² One such death certificate

²⁷ Blackstone, "Of Husband and Wife."

²⁸ For sons signatures, see, Original indenture between William Belcher and Josiah W. Dickenson & Samuel Cook, 22 Nov. 1821; img 20-21, Franklin County Chancery Suit index 1851-014, *Innis v Belcher heirs*; "Chancery Records Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1851-014 : accessed 15 June 2014). Franklin Co., Marriage Bonds, 1 Apr. 1833, Elias Belcher-Nancy Belcher; Circuit Court Clerk, Rocky Mount; LVA Franklin Co. microfilm reel 51 (1832-1834). Signatures seem to be in the clerk's hand, but it does indicate the original was signed. Franklin Co., Marriage Bonds, 20 Jan 1834, John A. Dearin-Evalina Belcher, consent 9 Jan. 1834. Consent in her hand.

²⁹ Free public education in Virginia was first mandated in the Underwood Constitution of 1869, adopted during the Reconstruction. See, Commonwealth of Virginia, Department of Education, *A History of Public Education in Virginia* (2003), 5; online image, Virginia's CTE [Career and Technical Education] Resource Center (http://www.cteresource.org/TFTfinalWebFiles/OtherDocuments/history_public_ed.pdf : accessed 20 Aug 2016)

³⁰ By 1870 literacy was about 65% in Franklin Co., see "School Attendance and Illiteracy, Table X, State of Virginia," Interior Department, Ninth Census – Volume I: The Statistics of the Population of the United States... (Washington, D.C.: Government Printing Office, 1872), 432; online image, U.S. Census Bureau (<https://www.census.gov/prod/www/decennial.html> : accessed 10 Aug 2016.) Literacy was lower among farmers and women, as well as among blacks. See, Jack Lynch, "Every Man Able to Read, Literacy in Early America," *CW Journal*, Winter 2011; online version, *Colonial Williamsburg* (<https://www.history.org/Foundation/journal/Winter11/literacy.cfm> : accessed 16 July 2016).

³¹ Typical entries, 1880 U.S. census, Lincoln Co., W.Va., pop. sch., Sheridan, E.D. 68, sheet 400D (stamped), p. 18 (written), dwell./fam. 123, Evalina Dearin in household of John A. Dearin; NARA microfilm T9, roll 1406. Also, 1850 U.S. census, Barren Co., Ky, pop. sch., Div.2, p. 409B, dwell.92, fam. 96, Elias Belcher; NARA microfilm M432, roll 191. Also, for Polly Bennett, see parents' birth locations, 1880 U.S. census, Iredell, N.C., pop. sch., Statesville, ED 138, sheet 4D, dwell./fam. 46, Thomas J. Bennett; NARA microfilm T9, roll 968. For William, see parents' birth locations, 1880 U.S. census, Franklin Co., Va., pop. sch., Snow Creek, E.D. 109, sheet 193A, dwell./fam. 42, Sisley Barbour; NARA microfilm T9, roll 1366.

³² For William, "Virginia, Death Records, 1912-2014," *Ancestry* (<http://search.ancestry.com/search/db.aspx?dbid=9278> : accessed 15 June 2014), death certificate image, Julia

would not be a good source, since this information is third-hand, at best. However, these four records have independent informants, adding to their credibility.

There is another much earlier document that indirectly suggests at least one of Prudence's children was born in Franklin County. When Polly Belcher married, her uncle John Cook made oath that she was the daughter of Prudence Belcher, born in mid-February 1808.³³ The legal context implies he had direct knowledge of these facts, and he lived in Franklin County when Polly was born.³⁴

Search for a husband candidate

If Prudence was married the following are likely to have been the case.

- Her husband was named Belcher and he died between about 1811 and 1814.
- Prudence married by 1798 when her first child William was born.
- The family lived in Franklin County or nearby.

Franklin County had a number of Belcher residents. Men taxed in the county from 1797 through 1814 have all been examined and evaluated as possible husbands for Prudence.

Present for only part of this time include:

- Isam Belcher was taxed in Franklin County only in 1809 and 1810.³⁵
- Two William Belchers lived in the county from about 1809 through about 1815.³⁶ Marriages recorded during this time frame are probably for these men.
 - William Belcher married Patty Hartwell in Franklin County on 31 August 1809.³⁷ He died on 18 February 1814 in the military. Martha Howard, born Hartwell, and her second husband later applied for a pension on William Belcher of Franklin County's service.³⁸

F. Belcher, 6 Aug. 1923, no. 20028, Virginia Department of Health, Bureau of Vital Records. Also, "Virginia, Death Records, 1912-2014," *Ancestry*, death certificate image, Sallie F. Byrd, 7 Dec. 1925, no. 27227. For Mary, "Virginia, Death Records, 1912-2014," *Ancestry*, death certificate image, Sarah Bennett, 6 Apr 1919, no. 26980. Also, "Virginia, Death Records, 1912-2014," *Ancestry*, death certificate image, Julia Law, 7 Sept. 1914, no. 2100.
³³ Franklin Co., Va., Marriage Bonds, 1828-1831, Preston Bennett and Polly Belcher, consent, filed with bond, 24 April 1829; Circuit Court Clerk, Rocky Mount; LVA Franklin Co. microfilm, reel 50.

³⁴ Residence, see 1810 U.S. census, Franklin Co., Va., p. 319, John Cook; NARA microfilm M252, roll 68. Franklin Co., Va., Marriage Bonds, John Cook and Amey Belcher, bond 14 Dec. 1805, consent 13 Dec. 1805; Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm, reel 45.

³⁵ Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1809, Greer, 6 Mar (all same date), Isham Belcher; 1810, [no date], Greer, Isam Belcher; Library of Virginia; FHL film 2024540.

³⁶ In Greer's district from 1810 to 1815 see, Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1810, Greer district, William Belcher; 1811, Greer distr., 6 May, William Belcher; 1812, Greer distr., [no date], William Belcher; 1813, Greer distr., 11 [nd], William Belcher; 1814, Greer distr., [nd], William Belcher; 1815, Greer distr., 17 Apr., Wm Belcher. Also, in Prunty's district from 1809 to 1814 see, Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1809, Prunty district, 5 Apr., William Belcher; 1810, Prunty distr., 13 March, William Belcher; 1811, Prunty distr., 6 May, William Belcher; 1812, Prunty distr., no date, William Belcher; 1813, Prunty distr., 11 March, Wm Belcher; 1814, Prunty distr., 16 March, William Belcher.

³⁷ Franklin Co., Va., Marriage Bond Book, No. 1, Belcher and Hartwell, bond and marriage 31 Aug 1809; Franklin Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm, reel 38.

³⁸ War of 1812 Pension and Bounty Land Warrant Application Files, William Belcher, Martha Howard widow; NARA R.G. 15, roll RG15-1812PB-Bx0252; *Fold 3* (<https://www.fold3.com/image/291484670> : accessed 15 June 2014).

- The second William is probably William Belcher who married Sally Kingery on 11 October 1809 in Franklin County.³⁹ Undocumented family trees identify them as William and Sally Belcher enumerated in 1850 in Tazewell County.⁴⁰
- John Belcher lived in Franklin County between 1810 and 1815.⁴¹ His military pension records state he married Permelia Biggers in Franklin County in 1812, enlisted in 1813, moved to Monroe, Kentucky in the fall of 1816, and died there in about 1870.⁴²

Only three Belcher men lived in the county for the entire period of Prudence's possible marriage.⁴³

- Francis Belcher and Isham Belcher, Prudence's brothers, are both named among Phebe (Cabiness) Belcher Swinney's heirs with their sisters, including Prudence.⁴⁴
- Benjamin Belcher appears in Franklin County starting in 1797, about the time Prudence may have married.⁴⁵ He seems the only candidate to be Prudence's husband.

Benjamin Belcher

Benjamin Belcher appears to be a good candidate for Prudence's husband. Benjamin's family closely resembles Prudence's, but he must also be eliminated.

Benjamin Belcher was first taxed in Franklin County in 1797.⁴⁶ In 1810 the first census preserved for Franklin County lists Benjamin with a household that could accommodate Prudence and her known children.⁴⁷ He moved to Patrick County in about 1817 and died there in early 1824.⁴⁸ His 1820 Patrick County census entry is still a good match for

³⁹ Franklin Co., Va., Marriage Bonds, William Belcher and Sally Kingery, bond 11 Oct 1809, consent 3 Oct 1809; Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm, reel 45.

⁴⁰ Gaylynn Ramey Wells, "William Floyd Belcher," *Belcher Family Genealogy Research* (<http://freepages.genealogy.rootsweb.ancestry.com/~genbel/main/willfb.html> : accessed 29 July 2016). Refers to, 1850 U.S. census, Tazewell Co., Va., pop. sch., Western District, p.272A, dwell./fam. 281, Wm Belcher; NARA microfilm M432, roll 979.

⁴¹ Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1810, Greer distr., John Belcher, [n.d., alpha list]; 1812, Greer distr., John Belcher; 1813, Greer distr., John Belcher; 1814, Greer distr., John Belcher. Ibid., 1815, Prunty distr., p.4, John Belcher.

⁴² War of 1812 Pension and Bounty Land Warrant Application Files, John Belcher, WO pension 8006, WC pension 6821, img 1, marriage; img 42-43, move to Ky, death; N.A.R.A., R.G.15, roll RG15-1812PB-Bx0252; digital images, *Fold 3* (<https://www.fold3.com/image/291484384> : accessed 15 June 2016).

⁴³ 1810 U.S. census, Franklin Co., Va., p.481, Benjamin Belcher. Ibid., p. 492, Frances Belcher. Ibid., p.492, Isham Belcher. Ibid., p.501, William Belcher.

⁴⁴ Franklin Co., Va., Deed Book 7:134, Swinney Declaration, 29 May 1818. Frances Belcher's heirs by Phebe Swinney named.

⁴⁵ Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1787, Benjamin Belcher, Turnbull district, May 25.

⁴⁶ Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1797, Turnbull distr., May 25, Benjamin Belcher.

⁴⁷ 1810 U.S. census, Franklin Co., Va., pop. sched., p. 310, Benjamin Belcher.

⁴⁸ For date of move, for last year present in Franklin Co. see, Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., Personal Property Tax records, 1817, Prunty distr., p.3, Apr 8, Benjamin Belcher. For first year taxed in Patrick Co. see, Virginia Auditor of Public Accounts, Personal Property Tax Records, Patrick Co., 1818, Sandefur distr., Apr 10, Benjⁿ Belcher. For death, Patrick Co., Va., Order Book 3, 18 March 1824, Administration of estate of Benjamin Belcher dec.^d granted to Benjamin Belcher; Clerk of Court, Stuart, Va.; LVA Patrick Co. microfilm reel 18. Virginia Auditor of Public Accounts, Personal Property Tax Records, Patrick Co., 1824, Richard Thomas Distr., 7 Feb., Benjⁿ Belcher, Benjⁿ Belcher jr.

Prudence's household, including a male born in about 1812, who could be Elias.⁴⁹ But, Prudence began appearing as an unmarried woman in Franklin County in 1815.⁵⁰

Comparison of Prudence Belcher's family and Benjamin Belcher's census household:

Prudence's Family	Prudence's family in 1810	Benjamin's household in 1810 ⁵¹	Prudence's family in 1820	Benjamin's household in 1820 ⁵²
[husband]	unknown	male 45 or over	unknown	male 45 or over
William, b. abt. 1798	male 10-15	male 10-15	male 16-25	male 16-25
		male under 10		male 16-18
Elias, b. abt 1812	[not yet born]		male under 10	male 10-15
Prudence, b. abt. 1774	female 26-44	female 45 or older	female 26-44 or 45 or older	female 26-44
Evalina, b. abt. 1801	female under 10	female under 10	female 16-25	female 16-25
Polly, b. 1807	female under 10	female under 10	female 10-15	female 10-15

Despite Prudence's appearance as a single woman in 1815, this comparison matches so closely it demands we consider a scenario where Prudence *was* Benjamin's wife, and the couple separated by 1815, particularly in light of claims that his wife was named Prudence.⁵³ This hypothesis can be shown to be baseless.

- There were younger Belchers not connected to Prudence or her brothers living in the area who could have been Benjamin's children, so it is not necessary to recruit Prudence's children to explain his household. In 1820 Benjamin Belcher, Jr. and Thomas Belcher appear with Benjamin Belcher on the personal property tax list, and seem to be living in his household.⁵⁴ Marriage records are preserved in Patrick

⁴⁹ 1820 U.S. census, Patrick Co., Va., pop. sch., p.120, Benja^a Belcher; NARA microfilm M33, roll 141.

⁵⁰ Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1815, Prunty distr., p.26, Mar 15, Jo^s Swinney & Prud. Belcher.

⁵¹ 1810 U.S. census, Franklin Co., Va., pop. sched., p. 310, Benjamin Belcher.

⁵² 1820 U.S. census, Patrick Co., Va., pop. sch., p.120, Benja^a Belcher.

⁵³ Benjamin's wife is frequently given as Prudence online, for example see, Gaylyne Ramey Wells, "Benjamin Belcher Sr.," *Belcher Family Genealogy Research* (<http://freepages.genealogy.rootsweb.ancestry.com/~genbel/main/benjamin.html> : accessed 15 June 2014).

⁵⁴ Only Benjamin appears in the 1820 census in Patrick County, but Benjamin, Jr. and Thomas were taxed with him that year. See, 1820 U.S. census, Patrick Co., Va., pop. sch., p.120, Benja^a Belcher. Virginia Auditor of Public Accounts, Personal Property Tax Records, Patrick Co., 1820, Sandefur distr., Mar 23, Benjn Belcher, Benjn Belcher Jr., Thos Belcher.

County that match each of the children in Benjamin's household.⁵⁵ Age, associates, and location suggest these were Benjamin's children.

- Comparison of known associates of Prudence and Benjamin shows no overlap at all. A list of associates in Franklin and Patrick counties of Benjamin Belcher and his three possible sons Benjamin, Thomas and Noah totals 21 individuals. A list for Prudence, her children, her mother and siblings totals 83 individuals. No individuals, or even individuals with the same surname other than Belcher, appear on both lists.⁵⁶
- The tax commissioner would be very unlikely to list Prudence in 1815 by name if she were married since this was contrary to the legal status of married women.
- In 1820 Joseph Swinney and Benjamin Belcher both had households that could have contained Prudence's children. In a period before joint custody and when transportation was difficult, it seems highly improbable the children would be listed twice, whatever the status of the marriage.

Further Afield

Prudence and her husband did not live in Franklin County, but they may have lived close by in a neighboring county. However, records for Henry, Patrick, Pittsylvania, and Bedford counties, the counties bordering Franklin County east of the Blue Ridge Mountains,⁵⁷ do not offer many possible Belchers, and none are candidates to be Prudence's husband.

- No Belchers were living in Bedford County in 1810. (Census records are not preserved for Henry, Patrick, or Pittsylvania counties for 1810.)⁵⁸ Also, no Belchers are listed in indexes to Bedford County marriage, land, and estate records through 1815, other than an early deed for land on Blackwater River, an area that has been in northern Franklin County since it was formed.⁵⁹
- No Belchers are listed in indexes to marriage, land, and estate records for Henry and Pittsylvania counties through 1815.⁶⁰

⁵⁵ Patrick Co., Va., Marriage Bonds, 1822, bond 11 Jan., Richard Manor and Nancy Belcher; surity Benjamin Belcher; County Court Clerk, Stuart; LVA Patrick microfilm 54. Patrick Co., Va., Marriage Bonds, 1823, Stephen Hubbard return, Benjamin Belcher and Sally Jones, 22 June. Patrick Co., Va., Marriage Bonds, 1824, bond 5 May, Thomas Belcher and Catherine Stanley; surity Richard Mayner. Patrick Co., Va., Marriage Bonds, 1828, John Turner return, James Cox and Elizabeth Belcher; 28 Oct; also bond 25 Oct., surity Richard Maynor. Patrick Co., Va., Marriage Bonds, 1831, John Turner return, Noah Belcher and Jane Maynor, 3 March; also bond 2 March, surity Richard Maynor.

⁵⁶ Research by author. Associates were compiled from marriage, land, estate and court records.

⁵⁷ Mathew Carey, *Carey's General Atlas, Improved And Enlarged ...* (Philadelphia: Published By M. Carey. 1814), 17, "A Correct Map of Virginia;" digital image, *David Rumsey Map Collection* (<http://www.davidrumsey.com/view/view> : accessed 15 August 2016). Western neighboring counties are not considered because difficulty crossing the mountains made them remote, despite their nearness on a map.

⁵⁸ "1810 United States Federal Census," online database, *Ancestry* (<http://search.ancestry.com/search/db.aspx?dbid=7734> : accessed 29 July 2016). Searched for Bet*r and Bel*r; no entries in Bedford. For preserved census records see, Val D. Greenwood, *The Researcher's Guide to American Genealogy*, 3rd ed. (Baltimore, Md.: Genealogical Pub. Co., 2000), 248.

⁵⁹ Bedford Co., Va., General Index to Deeds, 1754-1930, Grantees, A-D, Richard Belcher, 1773; Circuit Court Clerk, Bedford: LVA Bedford microfilm, reel 22. 100 acres on Blackwater River. For Blackwater River in Franklin Co., see Carey, *Carey's General Atlas*, 17, "A Correct Map of Virginia." For marriages and wills, Earle S. Dennis & Jane E. Smith, comp.s, *Marriage Bonds of Bedford County Virginia 1755-1800*; and Rowland D. Buford, ed., *Bedford County, Virginia: Index of Wills From 1754-1830* (reprinted together, Baltimore, Md.: Genealogical Publishing Co., 1976). No Belcher entries in either work.

⁶⁰ For Henry Co., Lela C. Adams, *Abstracts of Deed Books, Henry County, Virginia, Books III & IV, August 1784 - June 1792* (Bassett, Va.: L.C. Adams, 1975). Also, Lela C. Adams, *Abstracts of Deed Books, Henry County, Virginia, Books V & VI, Oct. 1792 - Dec. 1805* (Bassett, Va.: L.C. Adams, 1979). Also, Lela C. Adams, *Henry County, Virginia, Will Abstracts, Vol. I & II, 1777-1820* (Easley, S.C.: Southern Historical Press, 1985). Also, Virginia Anderton Dodd,

- No Belchers are listed in indexes to land and estate records for Patrick County through 1815, and the two Belcher marriages indexed were not for Prudence.⁶¹

Less plausible because of its distance, Amelia County, where Prudence was born, was also examined. Richard Belcher was the only Belcher living there in 1810 with a household that could have accommodated Prudence and her children.⁶² However, Richard Belcher married Usley Hastins in 1787,⁶³ and died in Smith County, Tennessee in 1829.⁶⁴

Although marriage bonds were not required to marry, the alternative, to marry by bans read in church, was not the practice in this family.⁶⁵ Bonds are preserved not only for Prudence's mother Phebe and all her siblings, but also for all her children.⁶⁶ Prudence is the lone exception. A search of standard indexes including vital records for names like Prudence Belcher from 1790 through 1800 located no marriage records anywhere in the United States.⁶⁷

Prudence Belcher before 1815 - Hypothesis Two: She Was Unmarried

The search for Belchers who might have married Prudence Belcher did not locate any plausible candidates. Can we explain her property and social stability without a husband?

Henry County, Virginia, Marriage Bonds, 1778 - 1849 (Baltimore, Md.: Genealogical Publishing Co., 1976). For Pittsylvania Co., T.L.C. Genealogy, *Pittsylvania County, Virginia Deeds, 1791-1794* (Miami Beach, Fl.: TLC Genealogy, 1991). Also, Pittsylvania Co., Va., General Index to Wills I, 1767-1948; LVA Pittsylvania Co., microfilm reel 34. Also, Anne Vestal-Miller, *Marriage Records of Pittsylvania County, VA, 1767-1819* (Rocky Mount, Va.: Old Mill Printers, 1996). No Belcher entries in any.

⁶¹ Lela C. Adams, *Marriages of Patrick County, Virginia, 1791-1850* (Bassett, Va.: L.C. Adams, 1972), 8, Bartlett Belcher & Ailsey Lawson, 1800. Ibid., John Belcher & Permely Biggers, 1813. For land, Patrick Co, Va., General Index to Deeds, 1791-1949, Grantors: A-L, earliest entry Obadiah Belcher, 1821; Clerk of Court, Stuart; LVA Patrick Co. microfilm, reel 10. Also, Patrick Co, Va., General Index to Deeds, 1791-1949, Grantees: A-L, earliest entry Obadiah Belcher, 1819; Clerk of Court, Stuart; LVA Patrick Co. microfilm, reel 12. For wills, Patrick Co., Va., General Index to Wills I, 1791-1949, earliest Belcher entry in 1857; Clerk of Court, Stuart; LVA Patrick Co., microfilm, reel 17.

⁶² 1810 U.S. census, Amelia County, p. 246, Rich^d Belcher.

⁶³ Amelia Co., Va., Marriage Bonds, 1787, Richard Belcher and Usley Hastins, 3 Jan 1787; Clerk of the Circuit Court, Amelia; LVA Amelia Co. microfilm, reel 100.

⁶⁴ 1820 U.S. census, Wilson Co., Tenn., pop. sch., Lebanon, p.412, Richard Belcher; NARA microfilm M33, roll 122. His will was recorded in neighboring Smith Co. See, Smith County, Tennessee, Wills, Box 2, Richard Belshaw, 1829; consulted as "Tennessee Probate Court Books, 1795-1927," images database, *Family Search Records* (<https://familysearch.org/search/collection/1909088> : accessed 15 June 2016), path: Smith > Wills 1825-1840, Vol. 02 > images 199-203. Richard Belcher of Tennessee can be linked to Richard of Amelia Co. through his sons Isaac and Sutton Belcher. They were named in his Tennessee will, and provided affidavits in Amelia Co. in a suit filed by Richard Belcher before his departure. See, Affidavits of Sutton H. Belcher, Isaac Belcher, 9 Sept. 1809; digital image 7 of Amelia Co., Va. Chancery Causes index 1810-073, Belcher v. Lane; "Chancery Records Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=007-1810-073 : accessed 15 June 2016).

⁶⁵ Carol McGinnis, *Virginia Genealogy; Sources & Resources* (Baltimore, Md.: Genealogical Pub. Co., 2005), 29.

⁶⁶ Franklin Co., Va., Marriage Bonds, Joseph Swinney and Pheba Belcher, bond date 4 July 1791. Franklin Co., Va., Marriage Bond Book, No. 1, John Paulevon and Keziah Belcher, bond 5 Apr 1790; Francis Belcher and Charlotte Dunn, bond, 1 Aug 1809; Wiat Warwick and Polley Belcher, bond 25 Nov 1805; Amey Belcher and John Cook, bond 14 Dec 1805; Ischam Belcher and Patsy Mitchell, bond 4 Jan 1836; Franklin Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm, reel 38. Marriage records for offspring cited in genealogy summary at the end.

⁶⁷ A search on *Ancestry* (<http://search.ancestry.com> : accessed 15 Aug 2016) for- first name: 'Prudence,' exact, sounds like, and similar; last name: 'Bel*'; marriage date: 1795 +- 5 years; United States collections, returned no close matches. A search on *Family Search* (<https://familysearch.org/search/> : accessed 15 Aug 2016) for- first name: 'Prudence,' not exact; last name: 'Belcher,' not exact; marriage date: 1790-1800; country: United States, returned no marriage related records.

Property

In 1815 Prudence appeared on the personal property tax list along with her stepfather Joseph Swinney. From 1810 through 1814 Joseph was listed with no taxable property, so it seems that the four slaves taxed in 1815 belonged to Prudence. Where did this property come from, if not from a husband?

It appears that the slaves came from the estate of Francis Belcher, Prudence's father. Phebe had use of her first husband Francis' estate for her life, to go to their children on her death. Personal property, including slaves, was taxed to the one in possession, not the owner. The chart below suggests possession of the slaves stayed in the family. When examining the number of slaves taxed to members of the family during the decade 1806 through 1815, we see a slow, apparently natural, increase of one every two years, with no larger jump in 1815.⁶⁸

Total slaves taxed to Joseph Swinney and his stepchildren

Name	1806	1809	1810	1811	1812	1813	1814	1815
Joseph Swinney	4		0	0	0	0	0	
Isham Belcher*	0	[1]	[1]	[1]	[1]	[1]	[1]	2 [3]
Francis Belcher	0	4	4	5	5	6	6	1
Jos Swinney & Prud. Belcher								4
TOTAL	4	4	4	5	5	6	6	7

* Franklin Co., Va., Deed Book 5:368, Isham Belcher from John Cook, a female slave, 10 Jan. 1807.
1806: Virginia, Auditor of Public Accounts, Franklin Co., Personal Property Tax Records, 1806, Hairston's district, 5 Apr, Joseph Swinney; Isham Belcher; Francis Belcher.
1807: Joseph Swinney listed with no property, tithes, or tax; Isham had no slaves; and Francis not listed. Virginia, Auditor of Public Accounts, Franklin Co., Personal Property Tax Records, 1807, Hairston's distr., 6 Apr., Joseph Swinney; 4 May, Isam Belcher.
Taxes were not levied in 1808.
1809: Ibid., 1809, Hairston's distr., 19 Mar, Isham Belcher; 8 Mar, Francis Belcher. Joseph not listed - may be 2nd tithable in Isham's listing.
1810: Ibid., 1810, Prunty's distr., 14 Apr, Joseph Swinney; 21 Mar, Isham Belcher, Francis Belcher.
1811: Ibid., 1811, Prunty's distr., 8 Mar., Joseph Swinney; 24 Mar., Isham Belcher; 8 Mar., Francis Belcher.
1812: Ibid., 1812, Prunty's distr., 30 Mar., Joseph Swinney; 4 Apr., Isham Belcher; 11 Apr., Francis Belcher.
1813: Ibid., 1813, Prunty's distr., 10 Apr., Joseph Swinney; 20 Mar., Isham Belcher; 11 Apr., Francis Belcher.
1814: Ibid., 1814, Prunty's distr., [pg. marked out], 7 Mar., Joseph Swinney; p.3, 4 Mar., Isham Belcher; p.4, 9 Apr., Francis Belcher.
1815: Ibid., 1815, Prunty's distr., p.26, 15 Mar., Jos Swinney & Prud. Belcher; p.3, 23 Feb., Isham Belcher; p.3, 15 Feb., Francis Belcher.

Phebe and Joseph Swinney appear to have turned possession of the slaves from her first husband's estate over to her younger son Francis perhaps around the time he married.⁶⁹

⁶⁸ *The Revised Code of the Laws of Virginia: Being a Collection of All Such Acts of the General Assembly, of a Public and Permanent Nature, as are now in force, with a General Index*, vol II (Richmond, Va.: Thomas Richie, 1819), 25, C.183, "Ascertainment and Collection of Taxes," §34; online digital image, *Google Books* (<https://books.google.com/books?id=VVhRAAAAYAAJ>) : accessed 29 July 2016).

⁶⁹ Franklin Co., Va., Marriage Bonds, Francis Belcher and Charlotte Dunn, bond 1 Aug 1809; Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm, reel 46. Sorted by year, and then last name of groom, with some errors.

Phebe and Joseph in their old age may have found it difficult to run a farm, and may not have wanted to split up a slave family with young children. They apparently redistributed them in 1815. Isham's slave did not come from the estate since she was purchased in 1807.⁷⁰

Isham's purchase of his slave and other property in 1807 may be connected to this transaction if Phebe assisted him in compensation for this unequal treatment.⁷¹ In 1815, Joseph and Phebe may have chosen to reclaim some of the slaves for their own use since Prudence's family, including her son William, old enough to provide labor, now lived with them. Whether or not this interpretation is accurate, we do not see the increase in total slave numbers we would expect if Prudence had arrived with additional slaves.

Stable, established lifestyle

Prudence's children enjoyed a stable childhood, as reflected in their having enough education to be literate, and enough social status to marry at typical ages. Her son William was able to obtain a deed of trust that made it possible for him to purchase land about the time he married.⁷² If Prudence's husband had enough property to make this possible, it is likely we would be able to find records for him.

Prudence clearly had support for her young household. Typically, a woman would depend on her husband or his estate, and often would remarry. Prudence lived within a strong extended family from at least 1815, and the family shared a legacy of slaves from Francis Belcher. Her male family members and the slaves could have supported Prudence and her children as well before 1815, but would her family have supported her if she were unmarried?

Social Factors

Examination of the lifestyles of Belcher family members reveals a pattern that casts light on how they might have reacted if Prudence were unmarried. All in the extended family eventually married, but some had a lax attitude toward extra-marital relationships.

- Prudence's mother Phebe bore her sister Amey (Belcher) Cook in about 1785, between the death of Francis Belcher in 1781 and Phebe's second marriage in 1791.⁷³ Though Amey's birth date is not directly attested, Phebe did not name Amey among the heirs of Frances Belcher in a declaration recorded on the same date as a deed in which she left personal property to her three daughters, including Amey Cook.⁷⁴

⁷⁰ Franklin Co., Va., Deed Book 5:368, Isham Belcher from John Cook, 10 Jan. 1807. a female slave.

⁷¹ Franklin Co., Va., Deed Book 5:340, Isham Belcher from John Cook, 28 Mar 1807, livestock, household items, and tools.

⁷² Franklin Co., Va., Deed Book 10:162, Josiah W. Dickenson and Samuel Cook from William Belcher, deed of trust, 22 Nov 1821; Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm, reel 5. The deed for the purchase was never recorded, probably because William did not succeed in paying for the land.

⁷³ Correlation of census records gives a birth date range of 1785-1790. See, 1810 U.S. census, Franklin Co., Va., p. 319, John Cook. female 16-25: b. 1785-1794. Also, 1820 U.S. census, Franklin Co., Va., pop. sch., p. 138 [stamped], John Cook. female 26-44: b. 1776-1794. Also, 1830 U.S. census, Franklin Co., Va., p.56 (written), John Cook Sr. female 40-49: b. 1781-1790. Also, 1840 U.S. census, Franklin Co., Va., p.294, John Cook. female 50-59: b. 1781-1790.

⁷⁴ Franklin Co., Va., Deed Book 7:134, Swinney Declaration, 29 May 1818. Ibid., 7:133, Belcher etc. from Swinney, 29 May 1818.

- Isham Belcher, Prudence's older brother, married Patsy Mitchell in 1836,⁷⁵ but there is direct evidence they lived together as early as 1818 "in a State of fornication."⁷⁶
- Francis Belcher, Prudence's younger brother, married Charlotte Dunn on or after 1 Aug 1809, but there were two young girls in his household a year later.⁷⁷ His older daughter Nancy Belcher was almost certainly born before the marriage. She is consistently reported in censuses and on her death record as born in 1807.⁷⁸

Social standards of the time discouraged a woman having a family without a husband and if she did, her children would suffer from their illegitimacy. Such a shadow could have contributed to Prudence's youngest son Elias's marriage to his first cousin and early departure for Kentucky.

Prudence's Residence before 1815

If Prudence was heading her own household before 1815, escaping taxation because she had no property, she should still appear in the 1810 census, the earliest preserved for Franklin County. However, she does not appear in Franklin County or elsewhere under her own name.⁷⁹ Instead, we find evidence of her already living with family.

In 1810 Francis Belcher, Prudence's younger brother, had been married a year,⁸⁰ but his household contains nine white persons.⁸¹ Based on Francis' age and the heirs named in his will, this was probably his first marriage.⁸² His household in 1810 includes a female and two children; an older woman; and individuals who match Prudence and her children. Prudence's youngest child Elias was not born until about 1812, but there is no male in the household who could have been Prudence's husband.

Although only Francis is named, the family profile and Prudence's later pattern of living within her extended family supports her family's presence in Francis' household in 1810. It is possible Prudence lived with him and kept house for him earlier, before he married.⁸³ The growth of his family may have led to Prudence's move to her parents' household by 1815.

⁷⁵ Marshall Wingfield, *Marriage bonds of Franklin County, Virginia, 1786-1858*, 62, Isham Belcher and Patsy Mitchell, bond 4 Jan. 1836.

⁷⁶ A charge of "living in a State of fornication" was made against them and two other unmarried couples, but later discharged. See, Franklin Co., Va., Order Book 1817-1822:86, 4 Aug. 1818; Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm, reel 29 (pt.2 1817-1822). *Ibid.*, p.101, 2 Nov. 1818.

⁷⁷ 1810 U.S. census, Franklin Co., Va., p 315 [stamped], Frances Belcher.

⁷⁸ 1850 U.S. census, Franklin Co., Va., pop. sch., sheet 180A, dwell. [1772], fam. 1764, Nancy White in household of James M. White. 43 years old, that is born about 1807. "Virginia, Deaths and Burials Index, 1853-1917," Nancy White, 10 Sept 1883, index online, *Ancestry* (<http://search.ancestry.com/search/db.aspx?dbid=2558> accessed 15 June 2016). age 76, that is born about 1807, father Francis Belcher.

⁷⁹ "1810 United States Federal Census," online database, *Ancestry*. Searched for Prud* B*cher

⁸⁰ Franklin Co., Va., Marriage Bonds, Francis Belcher and Charlotte Dunn, 01 Aug 1809.

⁸¹ 1810 U.S. census, Franklin Co., Va., p 315 [stamped], Frances Belcher. For relationship see, Franklin Co., Va., Deed Book 7:134, Swinney Declaration, 29 May 1818.

⁸² Frances was about 27 in 1810. For age estimate see, 1850 U.S. census, Franklin Co., Va., pop. sch., p.244, dwell.1776, fam.1768, Francis Belsher. Aged 68. In 1890, the first year census records recorded age at first marriage, the median age for men was 26. See, United States Census Bureau, "Marital Status," *Families and Living Arrangements*, Table MS2 (<http://www.census.gov/hhes/families/data/marital.html> : accessed 15 July 2016). Will of Isham Belcher, image 25-26, Franklin Co., Va., Chancery Causes Index no. 1878-005, Matthew C. Belcher etc v Admr of Isham Belcher Sr etc.; "Chancery Causes Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1878-005 : accessed 24 Sept. 2015) .

⁸³ Joseph Swinney had 2 tithables most years from 1799 through 1803, and Francis is first taxed on his own in 1806. See, Virginia, Auditor of Public Accounts, Franklin Co., Personal Property Tax Records, Hairston's district,

Francis Belcher's household in the 1810 census

Francis's Family in 1810 ⁸⁴	1810 census for Francis Belcher ⁸⁵
Francis, b. abt. 1781 - male 26-44	male 26-44
Charlotte, b. abt. 1788 - female 16-25 ⁸⁶	female 16-25
Nancy, b. abt 1807 - female under 10 ⁸⁷	female under 10
Jane, b. abt. 1809 - female under 10 ⁸⁸	female under 10
taxed for 4 slaves, 12 years and older ⁸⁹	female 45+ 10 slaves (all ages)
Prudence's Family in 1810	
Prudence, b. abt. 1775 - female 26-44	female 26-44
William, b. abt. 1798 - male 10-15	male 10-15
Evalina, b. abt. 1801 - female under 10	female under 10
Polly, b. 1807 - female under 10	female under 10

Conclusions

The Belcher family is interesting in many ways and belies preconceptions of farm life in the eighteenth and nineteenth centuries in remote, rural Virginia. The females as well as the males, were educated. They had property and understood the power of the courts and legal instruments, providing us with a lot of financial information and direct evidence of their relationships. Phebe Swinney was the matriarch while she lived. Although her husband Joseph Swinney legally controlled Phebe's property, it appears that he acquiesced to her decisions about its disposition.

Assumptions about the consequences of bearing bastard children in the early nineteenth century seem to be in conflict with the stable family Prudence maintained. A rural life where families were fairly isolated, and where neighbors depended on each other for

Joseph Swinney: 1799, July 25; 1800, Apr 12; 1802, Apr 10; 1803, Apr 4. Ibid., 1806, Hairston's dist., Joseph Swinney, Apr 5; Francis Belcher, Apr 5.

⁸⁴ Based on 1820 census entry see, 1820 U.S. census, Franklin Co., Va., pop. sch., p.4, Frances Belcher. For names of children see, Bill filed by George W. Belcher and Henry S. Belcher, Franklin County Chancery Causes Index 1856-049, Belcher v Belcher, image 2; "Chancery Records Index," *Virginia Memory*: Library of Virginia (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1856-049 : accessed 5 May 2015). The list of heirs starts with the only son, then the daughters are listed in order by age.

⁸⁵ 1810 U.S. census, Franklin Co., Va., p 315 [stamped], Frances Belcher.

⁸⁶ Charlotte died before 1850 so her age is estimated based on marriage at age 21, since there was no consent on file with the marriage bond. See, Franklin Co., Va., Marriage Bonds, Francis Belcher and Charlotte Dunn, bond 1 Aug 1809. If she was younger, she still would be between 16 & 25 in 1820.

⁸⁷ Age, see 1850 U.S. census, Franklin Co., Va., pop. sch., p. 180, [dwell.1772], fam. 1764, Nancy White in household of James M. White. age 43.

⁸⁸ Age, see 1850 U.S. census, Cedar Co., Missouri, pop. sch., District No. 17, p. 157, dwell./fam. 437, Jane Pinkard in household of Robert Pinkard; NARA microfilm M432, roll 395. age 41.

⁸⁹ Virginia, Auditor of Public Accounts, Franklin Co., Personal Property Tax Records, 1810, Prunty's distr., 21 Mar.; Francis Belcher. For ages of taxable slaves see, *The Revised Code of the Laws of Virginia: Being a Collection of All Such Acts of the General Assembly, of a Public and Permanent Nature, as are now in force, with a General Index*, vol II (Richmond, Va.: Thomas Richie, 1819), p. 29, C.183,"Collection of the Revenue," §47; online digital image, Google Books (<https://books.google.com/books?id=VVhRAAAAYAAJ> : accessed 29 July 2016).

essential assistance, may have buffered Prudence and her children from social ostracism.⁹⁰ Fallout from illegitimacy was compounded by poverty, and the financial stability of the Belcher clan may have protected Prudence and her children somewhat. The objective of the legal code was primarily to prevent these children from becoming a charge on the county or town, not to enforce social standards.⁹¹

- No evidence has been found for a Belcher male who could have been married to Prudence.
- There is no evidence that Prudence ever lived outside Franklin County, where excellent record preservation makes it likely we would find evidence of her husband, if he existed.⁹²
- There is no sign that Prudence and her children had Belcher associates who were not Prudence's close kin. If she had been married for close to fifteen years, ties to her husband's family would certainly have been made and would almost certainly not have escaped documentation.
- On her mother Phebe's death Prudence inherited property both from her father's estate and from her mother. She was a spinster (in the original sense of a woman who spins⁹³), which would also have helped support her household.

The sum of the evidence, although negative and indirect, supports only one conclusion, that Prudence Belcher never married. Her family's property and social network provided sufficient support for her and her children.

Genealogical Summary

Prudence Belcher was born about 1774,⁹⁴ the daughter of Francis Belcher and Phebe Cabiness, almost certainly in Amelia County, Virginia.⁹⁵ She died in Franklin County, Virginia before 7 September 1846, when her will was presented for probate.⁹⁶

⁹⁰ Testimony of Marlin Dillon in 1857 about his Franklin Co. acquaintance William Belcher before 1812 gives the flavor. He lived within a mile of William, "close to him and usually in Company with him at Log rollings house and Barn raising." See, Deposition of Marlin Dillon, War of 1812 Pension and Bounty Land Warrant Application Files, William Belcher, Martha Howard widow; NARA R.G. 15, roll RG15-1812PB-Bx0252; *Fold 3* (<https://www.fold3.com/image/291484682> : accessed 15 June 2016).

⁹¹ Joseph Tate, *Digest of the Laws of Virginia which are of a permanent character...* (Richmond: 1823), 21, "Adultery, Fornication, &c."; digital copy, Google eBooks (<http://google.com/books?id=b4U0QAAMAAJ> : accessed 15 June 2015).

⁹² Franklin Co. was formed in 1785 from Bedford and Henry counties, and no major county record losses were experienced. See, John Frederick Dorman, "A Guide to the Counties of Virginia: Franklin County," *Virginia Genealogist* 10 (issue 3, July-Sept 1978),123-125

⁹³ Stuart Berg Flexner, ed., *Random House Dictionary of the English Language*, 2nd ed., unabridged (New York: Random House, 1987), spinster.

⁹⁴ Estimated birth year is based on census records and birth order. Correlated census records indicate she was born between about 1771 and 1775. See, 1820 U.S. census, Franklin County, Virginia, population schedule, p. 163 [stamped], Joseph Swinney; NARA microfilm M33, roll 136. Sorted by first letter of last name. Also, 1830 U.S. census, Franklin Co., Va., p.50, Prudence Belcher; NARA microfilm M19, roll 192. Sorted by first letter of last name. Also, 1840 U.S. census, Franklin Co., Va., p.291, Prudence P. Belcher; NARA microfilm M704, roll 559. Her parents married in Dec. 1771, and she apparently had 1 older sibling, perhaps born in 1772. See, "North Carolina, Marriage Records, 1741-2011," Francis Belcher and Phebe Caviness, 23 Dec 1771; database and images online, *Ancestry* (<http://search.ancestry.com/search/db.aspx?dbid=60548> : accessed 15 June 2016); from North Carolina County Registers of Deeds; RG 48, North Carolina State Archives, Raleigh. See also, Franklin County, Virginia, Deed Book 7:134, Swinney Declaration, 29 May 1818; Circuit Court Clerk, Rocky Mount; Library of Virginia (LVA) Franklin Co. microfilm reel 4. Prudence 2nd on list of offspring, apparently named in birth order.

Prudence Belcher named four children in her will.

- i. WILLIAM BELCHER was born, about 1798, probably in Franklin County; and died, probably in Franklin County, Virginia, about 1843.⁹⁷ He married in Franklin County on 4 March 1822, Celia White.⁹⁸ She was born about 1802 in Franklin County, the daughter of Isaiah and Polly [-?-] White,⁹⁹ and died in Franklin County after 1870.¹⁰⁰

William purchased 250 acres of land secured with a deed of trust in about 1822.¹⁰¹ This mortgage and other debts led to lawsuits against William Belcher, his wife Celia, and their children.¹⁰² Prudence left slaves to three of her children, but not to William. Instead she left one to William's children, perhaps in an attempt to protect this bequest from his creditors.¹⁰³

In 1840 there was only one adult William Belcher in Franklin County.¹⁰⁴ It is remotely possible Prudence's son William lived elsewhere, as did her son Elias, but the William in Franklin County shared associates with Prudence. Isham Belcher,

⁹⁵ For parentage, Franklin Co., Va., Deed Book 7:134, Swinney Declaration, 29 May 1818. Francis Belcher's will written in Amelia Co., see Franklin County, Virginia, Will Book 2:512-513, Belcher Francis Copy Will etc.; Circuit Court Clerk, Rocky Mount; LVA Franklin Co. microfilm reel 18.

⁹⁶ Franklin Co., Va., Will Book 6:131-132, Belcher P. dec'd last will etc, 13 Nov. 1842, probate 7 Sept 1846; Circuit Court Clerk, Rocky Mount; LVA Franklin Co. microfilm reel 20. She was alive in early 1846. See, Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin County, 1846, Hairston's distr., Apr 2, Prudence Belcher; Library of Virginia, Richmond; LVA property tax microfilm reel 123. Tax lists sort surnames within each district by their first letter.

⁹⁷ For birth location, see, "Virginia, Death Records, 1912-2014," *Ancestry* (<http://search.ancestry.com/search/db.aspx?dbid=9278> : accessed 15 June 2016), death certificate image, Julia F. Belcher, 6 Aug. 1823, no. 20028, Virginia Department of Health, Bureau of Vital Records. Father William Belcher b. Franklin Co., Va.

Birth date based on census record age (born 1791-1800) and on his first appearance under his own name in the tax rolls in 1819, which often happened about age 21. See, Virginia Auditor of Public Accounts, Va., Personal Property Tax Records, Franklin Co., 1819, Prunty distr., p. 4, 11 Feb., William Belcher; Library of Virginia, Richmond; LVA Personal Property Tax Lists microfilm 121. Also, 1830 U.S. census, Franklin Co., Va., p. 51, William Belcher. Also, 1840 U.S. census, Franklin Co., Va., p. 290, W^m Belcher. For death, Virginia Auditor of Public Accounts, Personal Property Tax Records, Franklin Co., 1843, Thomas Greer's distr., William Belcher, May 15; Library of Virginia, Richmond; LVA Personal Property Tax Lists microfilm 123. *Ibid.*, 1844, Hairston's distr., read for all Belchers, no William present.

⁹⁸ Franklin Co., Va., Marriage Bonds, William Belcher and Celia White, 4 Mar 1822; Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm reel 48.

⁹⁹ bill of legatees of Isaiah White; digital image 2 of Franklin Co., Va., Chancery Causes index 1835-033, Legt(s) of Isaiah White, etc. v. Polly White widow; "Chancery Records Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1835-033 : accessed 18 Aug 2015). For birth year, see 1850 U.S. census, Franklin County, Virginia, pop. sch., p.171B, dwell.1651, fam.1645, Celia Behelor. 48 years old.

¹⁰⁰ Last census listing, 1870 U.S. census, Franklin Co., Va., pop. sch., Gladehill, p.17 (written), dwell.109, fam.120, Seley Belcher; NARA microfilm M593, roll 1647. Aged 68.

¹⁰¹ Franklin Co., Va., Deed Book 10:162, Josiah W. Dickenson and Samuel Cook from William Belcher, deed of trust, 22 Nov 1821.

¹⁰² Franklin Co., Va., Chancery Causes index no. 1842-018, Gravely Asgn v Belcher & wife; "Chancery Records Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1842-018 : accessed 15 June 2014). Also, Franklin Co., Va., Chancery Causes index no. 1842-025, Adms of Henry D. White v William Belcher etc; "Chancery Records Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1842-025 : accessed 15 June 2014). Also, Franklin Co., Va., Chancery Causes index no. 1851-014, Innis v Belcher's heirs; "Chancery Records Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1851-014 : accessed 15 June 2014).

¹⁰³ Franklin Co., Va., Will Book, 6:131-132, Belcher P. dec'd last will etc, 13 Nov. 1842.

¹⁰⁴ 1840 U.S. census, Franklin Co., Va., p. 290, Wm Belcher. Aged 40-48; the only William Belcher.

Prudence's brother, stood bond for his marriage, and he had a daughter named Sicily Prudence.¹⁰⁵ Neither of Prudence's brothers were this William's father. Francis was about 16 in 1798 when William was born, and Isham's son William was much younger, born in about 1828.¹⁰⁶

- ii. EVELINA BELCHER was born about 1801 in Virginia and died after 1880, probably in Sheridan, Lincoln County, West Virginia.¹⁰⁷ She married 20 January 1834, in Franklin County, John A. Dearing,¹⁰⁸ born about 1802, in Bedford County, the son of Lewis Dearing.¹⁰⁹ He died after 1880, probably in Sheridan, Lincoln, West Virginia.¹¹⁰ Evelina and John left Franklin County in later life, after 1860.¹¹¹

Prudence Belcher's will names her daughter Evelina Dearing; and John A. Dearing was one of two administrators of Prudence's estate, the other being Stephen P. Bennett, her other son-in-law.¹¹²

- iii. MARY "POLLY" BELCHER was born in the middle of February 1808 in Virginia, probably in Franklin County, and died there in the fall of 1859.¹¹³ She married about 24 April 1829, in Franklin County, Stephen Preston Bennett.¹¹⁴ He was born 24 February 1804 in Pittsylvania County, the son of Micajah Wheeler Bennett and Patsy Pullen.¹¹⁵

¹⁰⁵ Franklin Co., Va., Marriage Bonds, William Belcher and Celia White, 4 Mar 1822. For list of children, newspaper notice, image 18, Franklin Co., Va., Chancery Causes index no. 1851-014, *Innis v Belcher's heirs*.

¹⁰⁶ 1850 U.S. census, Franklin Co., Va., pop. sch., sheet 182A, dwell.1791, fam. 1789, William Belcher in household of Isham Belcher. Also, will of Isham Belcher, image 25, Franklin Co., Va., Chancery Causes index no. 1878-005, *Belcher v Belcher*; "Chancery Records Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1878-005 : accessed 15 June 2014).

¹⁰⁷ 1850 U.S. census, Franklin Co., Va., pop. sch., sheet 180B, dwell. 1777, fam. 1769, Eveline in household of John Dearing. age 49. Later census records make her one year younger, b. 1802. For instance, last census record, 1880 U.S. census, Lincoln Co., W.Va., pop. sch. Sheridan, E.D.68, p.16, dwell./fam. 123, Evalina Dearing in household of John A. Dearing.

¹⁰⁸ Franklin Co., Va., Marriage Bonds, John A. Dearing and Evalina Belcher, 20 Jan. 1834; Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm reel 51.

¹⁰⁹ The only Dearen in Franklin Co. of his father's generation, Lewis Dearen, did not appear there until 1814. He is taxed for an additional male 16 or older starting in 1819, fairly consistent with John's age. Virginia, Auditor of Public Accounts, Franklin Co., Personal Property Tax Records, 1814, Prunty's district, Mar 16, Lewis Deering; Library of Virginia; LVA Personal Property Tax Records, microfilm reel 121. *Ibid.*, 1819, Prunty's distr., Mar 19, Lewis Deering. Lewis was taxed in Bedford Co. through 1812. Va., Auditor of Public Accounts, Bedford Co., Personal Property Tax, 1812, Southside Distr., [np], Lewis Dearing; FHL film 2024473, images viewed online (<https://www.familysearch.org/catalog/search> : 15 June 2017). *Ibid.*, 1813, Southern district, no Lewis Dearing entry. Others from 1812 still present.

¹¹⁰ Birth and death based on census data. See 1880 U.S. census, Lincoln, W.Va., pop. sch., Sheridan, Enumeration District 68, p. 16 (hand written), dwell./fam. 123, John A. Dearin; NARA microfilm T6, roll 1406. age 78, last census enumerating him.

¹¹¹ 1860 U.S. census, Franklin Co., Va., pop. sch., S.W. distr., p. 92 (written), dwell. 646, fam. 644, Jno. A. Dearing household; NARA microfilm M593, roll 1691.

¹¹² Franklin Co., Va., Will Book 5: 267-268, Inventory of Prudence Belcher, 24 Oct. 1846. Names administrators John A. Dearin, Stephen P. Bennett.

¹¹³ For birth, see Franklin Co., Va., Marriage Bonds, Preston Bennett and Polly Belcher, 24 Apr 1829; Circuit Court Clerk, Rocky Mount; LVA Franklin microfilm reel 50. Consent says "Polly Belcher (daughter of Prudence Belcher) ... being born about the middle of February Eighteen hundred & Eight." For death, Bill of John Finney, image 3, Franklin Co., Va., Chancery Causes index no. 1868-010, *John Finney v Thomas Bennett*; "Chancery Causes Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1868-010 : accessed 15 June 2016).

¹¹⁴ Franklin Co., Va., Marriage Bonds, Preston Bennett and Polly Belcher, 24 Apr 1829.

¹¹⁵ Mary Foote Wingfield Lund, "Parents of Stephen Preston Bennett of Franklin County, Virginia," *National Genealogical Society Quarterly* 102 (March 2014): 5-10.

The consent filed with Preston and Polly's marriage bond is an affidavit that she was over twenty-one and names her mother Prudence Belcher.

- iv. ELIAS "SI" BELCHER was born about 1812 probably in Franklin County, Virginia¹¹⁶ and died in Barren County, Kentucky, before 1 April 1861 when an administrator of his estate was appointed.¹¹⁷ He married first, about 1 April 1833, in Franklin County, Nancy Belcher, his first cousin, daughter of his uncle Isham Belcher.¹¹⁸ He married second, about 1852, in Kentucky, Mary (Piercall) Ramey.¹¹⁹

No Elias Belcher was ever taxed by name, or enumerated in census records in Franklin County. He was probably the male aged 15 to 19 in Prudence's household in 1830.¹²⁰ He and his young family moved to Kentucky by 1834.¹²¹

Only one Elias Belcher was enumerated in U.S. census records from 1840 through 1860. He lived in Kentucky and was born in Virginia. Elias had children William, Mary, and Evaline, apparently named for his siblings.¹²²

¹¹⁶ For birth estimate of year, 1850 U.S. census, Barren Co., Ky, pop. sch., Div.2, p. 409B, dwell.92, fam. 96, Elias Belcher. 38 years old. For nickname, see, "Kentucky Death Records, 1852-1963," *Ancestry* (<http://search.ancestry.com/search/db.aspx?dbid=1222> : accessed 15 June 2016), death certificate image, James Belcher, 27 Jan. 1923, no. 136, Kentucky State Board of Health, Bureau of Vital Statistics. Father "Si Belcher."

¹¹⁷ "Kentucky Wills and Probate Records, 1774-1989," Barren Co., Ky., Administrator's Bonds, Joseph C. Davis administrator for Elias Belcher, 1 April 1861; online index and images, *Ancestry* (<http://search.ancestry.com/search/db.aspx?dbid=9066> : accessed 15 June 2016); from Mixed Probate Records, 1799-1884, Barren County Court Clerk's Office, Glasgow, Ky.

¹¹⁸ Franklin Co., Va., Marriage Bonds, Elias Belcher and Nancy Belcher, 1 Apr 1833. For her father, see Will of Isham Belcher, image 25-26, Franklin Co., Va., Chancery Causes Index no. 1878-005, Matthew C. Belcher etc v Admr of Isham Belcher Sr etc.; "Chancery Causes Index," *Virginia Memory: Library of Virginia* (http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=067-1878-005 : accessed 24 Sept. 2015) . He left property to the children of his deceased daughter Nancy, "late wife of Elias Belcher."

¹¹⁹ Date of marriage to Mary is estimated from her oldest Belcher child, 7 years old in 1860. See, 1860 U.S. census, Barren Co., Ky., pop. sch., District 1, dwell./fam.449, p.68, Elias Belcher; NARA microfilm M653, roll 354. Her previous married name is taken from the Ramey children in the household. Her maiden name from various birth records, for example, "Kentucky, Birth Records, 1852-1910," Eveline Belcher, 17 Jan. 1857; index and images, *Ancestry* (<http://search.ancestry.com/search/db.aspx?dbid=1213> : accessed 22 Oct. 2015); image from Ky. Dept. for Libraries and Archives, Frankfort, Ky., *Kentucky Birth, Marriage and Death Records - Microfilm*.

¹²⁰ 1830 U.S. census, Franklin Co., Va., pop. sch., p.50, Prudence Belcher.

¹²¹ 1850 U.S. census, Barren Co., Ky, pop. sch., Div.2, p. 409B, dwell.92, fam. 96, Elias Belcher household. Franklin, 17, born Va.; William, 16, born Ky.

¹²² 1850 U.S. census, Barren Co., Ky, pop. sch., Div.2, p. 409B, dwell.92, fam. 96, William, 16, and Mary, 5 in Elias Belcher household. 1860 U.S. census, Barren Co., Ky., pop. sch., Distr.1, Glasgow, p. 68 (penned), dwell./fam. 449, Mary, 14, and Eveline, 3, in Elias Belcher household.