

Old Buncombe County Genealogical Society

Presenter – Linda Brown

April 24, 2021

“What Happened to the Children?”

Finding children in apprentice & bastardy bonds

Definitions

- Bastardy - the crime of having a child without marriage
- Bond – promise to complete a task
- Bondsman - surety
- Orphan – no father
- Infant – under age 21
- Apprentice – child who was “bound out”
- Master – made a promise to provide for the child

History of Bastardy Bonds

- 1531
- 1736 – 1933
- 1814
- 1830
- 1933

The Process

- Notification
- Cross-examination of woman
- Accusation or silence
- Cross-examination of man
- Admission or denial
- Bastardy bond filed

Notification

State of North Carolina

Haywood County

Whereas information has this day been made to me Jeremiah RATCLIFF Jr one of the acting Justice, of the peace in and for said county That **Martha F. LOVE** a Single woman has been delivered of a child and which child is a bastard and liable to become chargeable to Said county These are Therefore To command any lawful officer To take Said woman and cause her To appear before Some acting Justice of the peace within Thirty days Sundays, excepted To answer The matter alleged against her given under my hand and seal This The 16th day of August 1867

/s/ J. RATCLIFF Jr J.P.

Examination

Haywood County

This day was brought before me R.L. OWEN one of the Justices of the peace of said County **Minda McCRACKIN** on the within warrant and being sworn according to law says that she is a single woman of Color and Citizen of the County of Haywood and that she was delivered of a bastard child that is under three years old and that may become a county charge and that **Green JOHNSTON** a man of Color is the father of said bastard child This the 22^d day of May 1869

Bastardy Bond

Know all men by these presents that we **Minday McCRACKEN** (colored) and ---- are held and firmly bound unto the state of North Carolina in the sum of five hundred dollars lawful money for the payment of which we bind ourselves our heirs Executors & administrators jointly and severally firmly by these presents sealed with our seals and dated this *[blank]* day of October 1870

The condition of this obligation is such that whereas **Mindy McCRACKEN** hath been delivered of a bastard child liable to become a county charge and on her oath hath refused to declare the father of said child now if the said **Minday McCRACKEN** shall support said child and save the county of Haywood from the support of said child and keep the same from becoming a county charge then this obligation to be void otherwise to remain in full force and effect

Whereas **Minda McCRACKIN**, (was arrested and brought before me R.L. OWEN one of the Justices of the peace of said County, upon a warrant charging her with the delivery of a bastard Child and she being sworn according to law says that she is a single woman and citizen of the County of Haywood and that she was delivered of a bastard Child that is under three years old and that may become a County Charge and that **Green JOHNSTON**, (a man of Color), is the father of said bastard child You are therefore Comanded forthwith to take the said **Green JOHNSTON** and to bring him before the said Justice to be dealt with according to law

Appearance bond

Came to hand Nov 6th /s/ A.J. MURRAY shff

We **Green JOhNSON** & [blank] Acknowledge ourselves indebted to the State of north carolina in the sum of Two Hundred Dollars current Money in this state void on conditions that **Green JOHNSON** do make his personal apperance before the Judge of our Superor court at the next court to be held for the county of Haywood at the court House in Waynesville on the 6th monday after the 3rd Monday in March next and not depart the said court without leave first had otherwise to remain in full force and virtue given under our hands and seals this the day of 1870

Alleged father

Haywood No 15 State vs **Green**
JOHNSON Capias

To Spring Term 1870 Haywood Sup^r Court

Clks fee \$1.00 due G.S. FERGUSON

Due search made and the Defendant not
found in my county /s/ A.J. MURRAY hff

Woman Declaration

Lula ENLOE being duly sworn deposes and says that she is a single woman and now big with child and that the father of said child yet unborn is **Robt CARSON** of Haywood County North Carolina and that the said child yet unborn was begotten by the said **Robt CARSON** upon the body of this affiant by reason of the said **Robt CARSON** having promised and agreed to unite himself in marriage with this affiant. And affiant further says that if the said **Robt CARSON** had not agreed and solemnly promised to marry the affiant, he would never have had an opportunity to become the father of the unborn child above mentioned of which said **Robt CARSON** is the father - Wherefore affiant prays that a warrant issue for the said **Robt CARSON** to the end that he may be compelled to support said child or make his promise good as to uniting himself with this affiant in holy matrimony so that the father and mother of said child may each become liable for its maintenance.

Sworn to and subscribed before me this the 29th day December A.D. 1898

Alleged Father

North Carolina

Haywood County

Before R.Q. McCRACKEN J.P.

To the Sheriff or other lawful officer of Haywood County:

Whereas affidavit has been filed before me that **Robt CARSON** is the father of a bastard child yet unborn by **Lula ENLOE** who alleges that said **Robt CARSON** is the father of said child.

Now therefore you are commanded forthwith to arrest the said **Robt CARSON** (col) and have you him the said **Robt CARSON** (col) before me or some other Justice of the Peace for Haywood County without delay, to answer the charges made by the said **Miss ENLOE** at my office without delay and herein fail not at your peril.

This Dec 29th 1898

State vs **Sallie CAMPBELL**

Bastardy

05739

State of North Carolina

Haywood County

Wheras information has this day bin made to me Jeremiah RATCLIFF Jr one of the acting Justices of the peace in and for Said county that **Sally CAMBLE** a Single woman of color has being delivered of a child and which child is a bastard and liable To become chargable to the county These are Therefore to command any lawful officer to Take The Said woman and cause her To appear before Some acting Justice of the peace within Thirty days Sundays excepted to answer The matter alledged against her given under my hand and Seal This The 16th day of August 1867

Woman's Answer

State vs **Sallie CAMPBELL**, Bastardy,
Defendant this case refuses to disclose the
name of the father of child and pays her
fine and costs viz \$5.75 enters into bond
with Andrew CAMPBELL security that said
Bastard child shall not become a county
charge

State of North Carolina

Haywood County

Know all men by these presents that we **Sallie CAMPBELL** and Andrew CAMPBELL are held and firmly bind in the sum of Two Hundred Dollars lawful money for the payment of which we bind ourselves our heirs, executors & assigns

The conditions of the above obligation is such that whereas the said **Sallie CAMPBELL** is a mother of a bastard child now if the said **Sallie CAMPBELL** shall provide for and support said Bastard child for the space of Three years so that said child shall not become a charge to the county then the above obligation to be void otherwise to remain in full force and virtue Sept 4th 1867

A.L. HERREN J P

Why can't I find Sarah Brown?

- Not all unwed mothers went through this process.
- Some women hid the pregnancy. No bond was issued if the woman's family had the means to support the child.
- Wealthy fathers made private arrangements to support their children.
- Many records have been lost or destroyed.

What may we find?

- Mother's name
- Maybe her parents
- Year of the case
- Age of the child maybe the birth date
- Alleged father
- Bondsman

Documents

- Warrants to pick up the mother either before the birth or after.
- Result of questions to the mother about the father of her child
- Warrant to arrest the alleged father
- Appearance bonds made by the alleged father setting a date for him to appear and answer the paternity charge
- Bastardy bond promising the child would not have to be supported by the state

Apprentice Bonds

Apprentice Bonds

- 1601 Voluntary apprentice “Poor Laws”
- 1715 North Carolina Compulsory indenture
- 1755 Age and education
- 1762 Age requirement change
- 1836 Black children
- 1915 Compulsory indenture ended

Court ordered indenture

- With or without the approval of parents
- Parents rights or the child's best interest
- Compulsory labor
- Replaced slavery
- Labor shortage
- Child labor
- Born in during slavery

Who was compelled to be Indentured?

- Orphans
- Abandoned children
- Illegitimate children
- Mixed race children of white women
- Poor children of people of color including Native Americans

Newspaper Ads

- August 26, 1789
- Wanted , in a small family, A young girl between 9 and 13 years of age. One who is capable, active and obliging. Apply to the printer.

Mathias Gahagan

- Who was bound to me by the Court of Buncombe as an apprentice in the hat making business eloped from my factory in Buncombe County. I offer a reasonable reward to anyone that will return him to his duty. Said apprentice will be 21 years of age on the 24th of July, is 5 ft 8 inches tall, dark hair , complexion pitted with smallpox.

"This is to certify that it is my desire that my son Andrew Johnson is bound an apprentice to James J. Selby to learn the taylor's trade, and that he is to serve him faithfully until he is 21 years old.

"Andrew Johnson was born in the year 1808, December 29th.

Mary Daughtry,

"By

"Turner Daughtry

"Novm. 7th, 1818."

Andrew Johnson AD 1824

1824: Star of Raleigh, tailor James J. Selby

“RAN AWAY from the Subscriber, on the night of the 15th instant, two apprentice boys, legally bound, named WILLIAM and ANDREW JOHNSON. The former is of a dark complexion, black hair, eyes, and habits. They are much of a height, about 5 feet 4 or 5 inches. The latter is very fleshy, freckled face, light hair, and fair complexion. . . . They were well clad — blue cloth coats, light colored homespun coats, and new hats, the maker’s name in the crown of the hats, is Theodore Clark. I will pay the above reward to any person who will deliver said apprentices to me in Raleigh, or I will give the above Reward for Andrew Johnson alone.

- “All persons are cautioned against harboring or employing said apprentices, on pain of being prosecuted.”

Who were the masters?

- Relatives
- Farmers
- Women that needed help with children and housework
- Factory owners
- Orphanages