



IN DEFIANCE!

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The MacBrair Family Association, Inc.
Researching the variations of the surnames
MacBrair, McBrayer and Brier in searching for
our Scottish roots

Officers

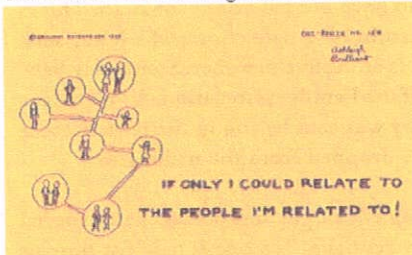
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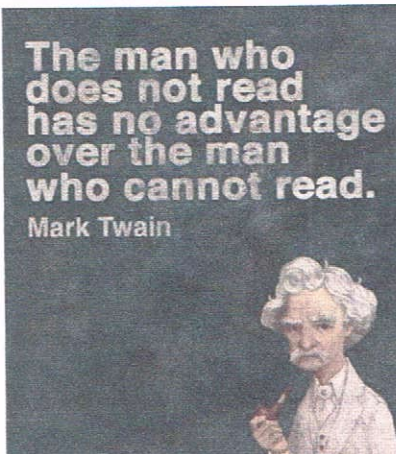
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POT-SHOTS — Brilliant Thoughts in 17 words or less



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From the President ♦♦♦♦♦♦♦♦

As we start the New Year, let us not forget our ancestors and what sacrifices they made to allow us to live in this great country. I would like to encourage all McBrairs to study their family history and to learn as much as possible from older McBrairs about the family. These stories should be written down and recorded for future generations. We are fortunate, as a family, to have many good researchers in our family. They have shared the information they have uncovered with our family.

I would like to thank all of you who were able to attend the MacBrair Family Reunion in Cullman, Alabama, this past October. For those who were not able to attend, we missed you. It was a great time for those in attendance. I would like to thank Roger Reehl and Susan Mallet for organizing this reunion. They did a great job and deserve the credit for the event's success. Also, I would like to thank Dianne Crawford and Bob McBrayer for their contributions to the reunion. Dianne spoke on genealogy and Bob spoke on DNA analysis and the history of McBrayer whiskey.

I would encourage all of you to consider doing a DNA test and have the results shared with our family to further aid in our genealogy research. I have had this done and had an interesting result that I was not aware of in regards to my heritage. It showed that I had a significant bloodline going back to Scandinavia. I was not previously aware of this. We will be trying to work with those with variations of our surname MacBrair in Ireland and the UK on this project. Bob has info on this DNA project if you are willing to participate in helping us increase our data base in regards to our DNA.

With the beginning of the New Year, I encourage you to send in your MacBrair Family Association dues to help in the costs of publishing our family newsletter and possible genealogy projects requiring the services of overseas professionals. I wish each of you a Happy and Prosperous NEW YEAR.

In Defiance
William F. Smith

Musings from the Editor

Contributions from any family member are appreciated and are useful in completing our family's history.



Like all families we have our black sheep and stories which might be left in the back of the closet to wait another day to see bright daylight. Here are some of the things that have happened or could have happened in our family, the given names below are to be considered fictitious and are used only for the purpose of illustration.

- Great-grandpa Henry's second marriage was without a divorce from his first wife. In hard times, such as the Great Depression, families were separated as the men left their homes to find work or mothers went back to their parents to get support. Sometimes those separated just never got back together and they remarried, establishing new families, maybe even after taking a new name.
- Grandma Matilda described herself as a widow even though in fact she was divorced and her former husband was still alive. As recently as 100 years ago a divorced woman might be considered a "loose woman," but a widow would be treated more sympathetically.
- Cousin Charlie was known to have a problem with the bottle and often spent more than a night in jail. Alcoholism was often hidden even though today it is considered an illness.
- Aunt Alice, who grew up in the 1960's, does not want it known she was arrested for possession of hallucinogenic drugs. Remember that this was a rebellious time in history and she may not want it known now, even though times are changing.
- Your grandfather was born just a couple of months after his parents married. Keep in mind the circumstances may have delayed marriage, such as living in a remote area where there was no access to a "Marryin' Sam" or real preacher.
- A member of the family was a member of the Ku Klux Klan. This is something we know occurred in our family more than once as documented, but living family members may be sensitive to having it reported.
- Great-great-grandpa Willy got friendly with the girl next door even though he was married. The resulting child was given the surname of her unmarried mother. Another GGGF did the same but accepted the child as his and the child carried his surname. DNA projects may bring some of these cases to the forefront. (Ideas for this paragraph were obtained in the article "Black sheep, Loose Nuts, and Family Secrets" in the January/February issue of **Family Chronicle** magazine.)

As a matter of policy, such situations will be handled independently considering the risk of offending family members. If something happened in the past and all the participants are now deceased, that is different from reporting events involving living family members. If you provide me with information for the files and want the information kept for present private, this will be done.

With this newsletter, notices for 2015 dues are being sent to those who have not paid dues for 2015. This is noted on the mailing label. Between the first and last name there is in parentheses a date code and a letter such as (14A). This means the last year dues were paid for 2014 and the person is an Active member. Some may have a R instead of A, that is the same now since the change in the constitution of the Family Association. A "S" means sustaining member. Life members have only "L." If a complementary copy was sent to you in the past, there is no code, we ask only that you pay dues for this year, otherwise you will be dropped from the mailing list.

Dues are used only for printing and mailing of the newsletter (including envelopes and postage) and special mailings of contributions such as our contribution to "Light Up a Life" in Scotland. No one is paid for time or supplies used in preparation of the newsletter or any documents forwarded for family records. The leadership is considering the services of a paid professional to do some additional research in Scotland and Ireland to try to find the link between Scotland and America. Some dues money may be required to make this possible. Everyone can help. Please do your part.



2014 National Reunion



The 2014 MacBrair Family Association National Reunion was held in the small Southern city of Cullman, Alabama. Our hosts were **J. Roger Reehl** and his sister **Susan Mallet** assisted by other local family members who are descendants of early German and Scots-Irish pioneers. Cullman is off Interstate 65 about 50 miles north of Birmingham and is the county seat of Cullman County. Current population is about 15,000. It is located on a high spot of the state on the Brindley Mountain Plateau an off-shoot of Sand Mountain, the southern most extension of the Appalachian Mountains. It is in what was the territory of the Cherokee Nation and was prominent in the Indian Wars. The Civil War Battle of Day's Gap was fought here on 8 April 1863. Cullman was founded in 1873 by Col. John G. Cullmann, a German immigrant from Bavaria. He had engineering and marketing talent which helped to make the town grow as a railroad provided access and farming and manufacturing opportunities came about. Cullman calls itself "Alabama's Unforgettable German Colony."

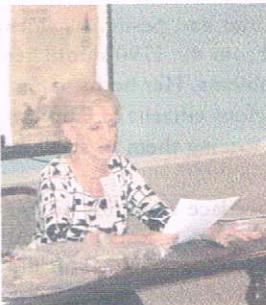
For our family members, the first ancestor to Cullman was Nicholas "Nick" Andreas Ruehl who was born in Alsfeld, Hessen-Darmstadt, Germany 16 October 1848. He and his cousin Heinrich Graf came to America in 1865 in indenture and were first in New Jersey learning the carpentry and cooper (barrel) trades. They then went to Kentucky and there is some thought that they there made whiskey barrels. In 1871 they headed to Cincinnati where he met and married his wife, Catherine "Kate" Stamm and in 1873 headed to Cullman. He built a cabin and German style "bank" barn, both of which were relocated and we saw later during the reunion. Nick was renowned as the consoling county undertaker, since he had a spring suspension wagon for carrying the wooden coffins he had manufactured. The family was also in the wagon manufacturing business.

On the McBrayer side of the family, an ancestor came to Cullman who was of Scots-Irish and German descent. This was Sarah Susannah McBrayer, daughter of Andrew Erwin McBrayer (4th generation in America, William, Samuel, John B.). Her mother was Nancy Ann Leathers who was the great-granddaughter of the German immigrant to America, Johann Paulus Lederer (Leathers). Sarah married William Carroll Waldrop in Georgia and in 1905 they moved to Cullman. One of their sons, Thomas Oscar Waldrop, married Miss Clarence R. Leavie Patterson, a daughter of the local mill owner. Thomas was a master cotton farmer who pioneered many progressive farming techniques. Their daughter Betty Sue Waldrop married James William Ruehl, the great-grandson of Nick and Kate Reuhl. The spelling of the surname was changed to Reehl. So now you know the connection.

Susan Mallet was the one to welcome most of us as we gathered for the first time in the second floor meeting room of the Cullman County Museum shown at right. It is located in the historic warehouse district where there are a number of shops and eating establishments in nicely restored old buildings. This nice small museum has many exhibits of interest from the early days of Cullman and is worth the time to visit. The numbers attending the reunion varied from time to time as kin came and left. We did have the opportunity to meet relatives we had not even known about before and everyone seemed to enjoy the discussions and tours.



Roger Reehl started off our scheduled program with a discussion of the the events surrounding the known McBrayer immigrants to Northern Alabama which brought together the McBrayer, Waldrop and Reuhl families. He pointed out that the McBrayers into the area were descendants of John B. McBrayer who also is counted as the ancestor of many of our Georgia cousins. Two of his sons, Joseph Russell and Andrew Erwin, married daughters of German descent as mentioned above. and so the mix of Scots-Irish and Germans played a role in the history of northern Alabama. Roger had some fine maps as well as photographs of the early families to illustrate his points.



Diane Crawford then told of the history of Andrew Erwin McBrayer and Nancy Ann Leathers. A greater portion of her talk dealt with the grandmother of Andrew, Nancy Ann Ashworth. She has graciously provided information which formed the basis of her story of the "First Doctor" in Fairview, North Carolina.

The following is an article from copyrighted material copied with permission by "The Fairview Town Crier", Buncombe Co. NC. The article written by Bruce Whitaker. Bruce writes a column called "Days Gone By...In Fairview" (<http://www.fairviewtowncrier.com/towncrier/archives/jan00h.cfm>)

NANCY ANN ASHWORTH – FAIRVIEW'S FIRST DOCTOR

John and Nancy "Ann" Ashworth were two of Fairview's first settlers. They bought land in Fairview as early as 1792, according to Buncombe County records. They were, in all probability, living here much earlier,

but the land was recorded in Rutherford County, which Fairview was a part of until 1791.

John Ashworth, Sr., was born on February 25, 1735, probably in Virginia. He married around 1762 to Nancy "Ann" Wood. Nancy was born on September 18, 1745, probably in Rowan, North Carolina. She was the daughter of James Wood(s) and his wife, Margaret. Nancy Wood Ashworth always went by the nickname Ann. Since she preferred the name Ann, and almost all her papers and deeds list her as "Ann," that is what I will call her.

John Ashworth, Sr., bought land in Tryon (now Rutherford) County, North Carolina, as early as April 18, 1772. On that date, he bought 300 acres on McFadden's Creek on the Second Broad River from John Turner for 100 pounds "including the said improvements where Ashworth now lives.

John and Ann Ashworth built their Fairview home at Hickory Nut Gap. The house was high above the flatland swamps of Fairview. All of Fairview's first settlers built on hills and on the sides of mountains to be away from the unhealthy swampland that caused malaria, typhoid fever (Fairview's #1 cause of death in the 1800's), and other swamp-related diseases.

John and Ann were hard working, industrious people. By 1800, they owned at least 2,250 acres of land in Fairview and three slaves. John died on April 29, 1805, at age 70. A lot of people thought that since her husband was dead, Ann Ashworth might be taken advantage of for some cheap land and good business gains. They were soon disappointed. Ann was a tougher, more strong-willed person to deal with than her husband. John Ashworth had been a moderating influence on his strong-willed wife. After his death, there was no one to hold her back. She did as she pleased and had the wealth and power (real or imagined) to back it up.

Ann was a self-trained doctor (some said witch). She had studied plants and herbs from the time she was a little girl. Western North Carolina was, and is, blessed with more plants and herbs used in medicine than any other place in the United States. As early as the 1770's, botanists began coming to the North Carolina mountains to gather plants to be used for medicine both here in the United States and in Europe.

Ann Ashworth knew them all, and used them to treat the sick. She would dig Ladyslipper roots, boil them, and make a tea that would treat heart trouble. Ann would use the plants and herbs, along with spells, to treat disease. She even wrote down several of her formulas, which still exist today:

1) **To Cure Cancer:** Go to a Savannah bush and say what did you come here for, to cure a cancer and brake off a twigg, then say who it is on, brake another twigg then say where the cancer is, brake another twigg down and go away, this must be done before sunrise three mornings in succession before speaking to any person.

2) **The Cure for Heart Dropsy** (heart failure): A cure for Dropsy, Take one gallon of hard cider and one hand full of mile cama and a quantity of nales (nails) or other iron and some Horse Radish Roots, put it into a pot and over it. Close and boil it moderately down to one Quart, churin to top it. Close covered then take out the nales (nails), root and thin, add one quart of honey then boil down the whole of it to one quart.

3) **A Cure for the Scald Head** [if you know what this is, let me know (B.W.) Take one pound of May Butter one pound of green Tobacco, beat the Tobacco well and stew them moderately together untill the strength is intirely out of the tobacco, then take it out, then add one quarter of a pound of Black pepper when cool and mix them properly together, thin it fitt fur use, shave the Head with sope (soap) and water, then grease the head and keep the same cloth untill the cure is finally cured.

Ann had a mortar and pestle she used to churn out powders made from herbs. As late as the early 1960's, this mortar and pestle still existed. Sadie Smathers Patton, the author of *The Story of Henderson County*, and the great-great-granddaughter of Ann Ashworth, still had her ancestor's mortar and pestle. Its sides were covered with crude metal patches, having been worn thin from years of use. From the 1790's until her death in the 1830's, friends and foes came to Ann Ashworth with their health problems. Her herbs, cures, and spells were famous for their good results. The better educated and the more religious citizens of Fairview could hardly stand her spells and incantations—but they seemed to usually work, forcing them to swallow their pride and pay Ashworth a visit when they were ill.

Ashworth was considered a very worldly woman for her day. She drank, wore lace and frills on her petticoats, was a tough businesswoman, craved money and worldly possessions, had slaves, cast spells, put curses on people who crossed her, and did as she pleased with no regard to what anyone thought. This did not sit well with most Fairview residents, most of whom were Baptists and almost all of whom had Quaker backgrounds. More than once Ann was brought up on charges by Cane Creek (now Fairview) Baptist Church. She would threaten to put a curse on her accusers, and, since her curses nearly always seemed to come true, they would always back out at the last minute.

On October 11, 1827, Ann Ashworth wrote her will. She called for her grandson John Hill to receive \$100, and her daughter Nancy Bridges to receive her slave Hannah. After her daughter Nancy's death, Hannah was to be set free, and Nancy's sister, Betsy Merrell, was to look after Hannah after she was freed. Ann's grandson Shadrack Ashworth was to receive her slave Dempsey. Her grandson Johnson Ashworth (Morgan and Mays Ashworth's grandfather) was to receive her slave George. She gave her daughter Polly Williams \$100, and to Polly's son, David, \$500, with the request that he take care of his mother. Ann Ashworth left her daughter Sarah McBrayer \$100, and her daughter Susannah Withrow her "negro wench, Nellissy. She left her daughter Elizabeth Merrell her slave Caroll, and her daughter Nancy Bridges "my waiting clothes. You can tell from Ann Ashworth's will that she was well off for her day (one acre of land sold for \$5 or less) and that she made no attempt to evenly divide her estate. She had many grandchildren, but left only a certain few anything, and even they received unequal amounts. Thus, Ann Ashworth proclaimed which grandkids she liked best and did not care what the other grandchildren thought.

Ann Wood Ashworth died on February 17, 1833. She was buried in the Ashworth Cemetery next to her husband. Ann left a gallon of whiskey for the men who dug her grave.

An estate auction was held at her home on May 7-10, 1833, to dispose of her worldly goods. No land was sold, only personal possessions and a few slaves not already given away in her will. The sale brought in over \$3,030 a huge amount of money for 1833, especially when you consider nearly all bids went down to the penny and a lot of sales went down to one quarter of one cent.

Ann Ashworth's medical skills did not die with her. Her granddaughter, Margaret Williams Casey (Keezey) carried them on after 1850. She passed them to her daughter, Rachel Casey (Keezey) Sumner (1817-1913), who, in turn, passed them to her daughter, Nancy Albertine Sumner Wright (1837-1917).

John Ashworth, Sr., and Nancy Ann Wood Ashworth had seven children:

- 1) **Alsa Ashworth** (1763-1823) who married **George Hill** and moved to Pickens County, South Carolina.
- 2) **Nancy Ashworth** (1769-1837) who married **James Bridges** and lived in Rutherford County, North Carolina.
- 3) **Mary "Polly" Ashworth** (1773-1865) who married **John Williams**. Mary is buried in Cane Creek Cemetery in Fairview. Mary and John are the parents of most of the Fairview Williamses.
- 4) **John Ashworth, Jr.** (1775-1827) who married **Celia Nettles**, the daughter of Soloman Nettles. John is buried in Ashworth Cemetery.
- 5) **Sarah Ashworth** (born 1780) who married **John McBrayer** and moved to Paulding County, Georgia.
- 6) **Susannah Ashworth** (1782 after 1850) who married **John Withrow** and moved to Gilmer County, Georgia.
- 7) **Elizabeth Ashworth** (1785-1853) who married **William Merrell** and moved to Little River in Transylvania County.

Abstracted from an article printed in Asheville Newspaper, written by John Parris, "**Roaming the Mountains....She Mixed Magic With Science**":

Hickory Nut Gap: Nancy Ann Ashworth was a pioneer doctor with a penchant for frilled petticoats.

She may have been the first woman to dispense medicine in these mountains. When she rode in here around 1800, she brought with her a mortar and pestle, a trunk full of prescriptions and remedies, and an uncommon insight into human nature.

The trunk also held some frilled petticoats she had fetched from the old country which were destined to create quite a stir.

Nancy Ann was self-trained and the sources of her practicing knowledge went back a thousand years or more.

Sometimes she mixed a bit of magic with her science.

She had a reputation of being worldly minded, which to some folks back then was worse than dabbling in superstition and strange beliefs. This almost got her churched. Nancy Ann was called before her church to face a charge that she was "of worldly mind, since she had been wearing petticoats adorned with frills."

There is no record that she admitted or denied the charge. And since she wasn't churched it seems it didn't matter if her petticoats had frills or not as long as she continued to doctor folks.

With her mortar and pestle she churned out powders and concoctions for the whole frontier.

From the papers she left behind, Nancy Ann was a wise woman in the use and knowledge of herbs. Apparently she was quick to realize that these mountains of Western North Carolina provided a medicine chest unequaled in the world.

Today, 80 percent of the crude drug supply for the US is gathered within a hundred miles of Asheville, North Carolina.

NOTE: The above mentioned trunk was bought by Solomon Casey from an estate sale and later passed to Sarah Williams Rickman who later made a gift of the trunk to John Rickman, passed to Mary Rickman Smathers, and last to Sadie Smathers Patton.

This mortar and pestle is in the collection of the North Carolina Museum of History. It is identified as having been used by Nancy Ann Wood Ashworth (1745-1833) of Buncombe County, NC to prepare herbs for the sick in Fairview.

HOW MADE: Materials: Cast Iron

EXPANDED DESCRIPTION:

Mortar and pestle. Mouth of mortar tapers to bottom of footed base.

Mortar is in one-piece with a repair bolted on outside. Mortar also has a small chip in mouth. Pestle has rounded ends that slope towards middle where a raised band encircles pestle. Pestle is from a 2-piece mold. On sides of pestle running entire length you can see where seams are joined.

Mortar measures: 7-⁵/₈ inch (h) by 5-⁹/₁₆ inch (dia) pestle measures: 8-¹⁷/₆₄ inch (l) by 1-⁴⁹/₆₄ inch (dia)

<http://collections.ncdcr.gov/dcr/ProficioScript.aspx?IDCFile=DETAILS.IDC,TITLE=NEW%20SEARCH,URL=search.html,SPECIFIC=65824,DATABASE=WebTaqSet635563413538600140>



Bob McBrayer made two presentations of family interest: DNA and whiskey. The following are expanded versions of these presentations.

DNA



DNA is probably the hottest topic in genealogy circles today. You can find mention almost every day in newspapers, magazines, on the internet, and on TV. But what does it mean and what can it do? This presentation is meant to be just a primer, I am not a trained geneticist but I have been looking at the subject for a number of years and hope to give you enough basics to help you understand the subject and how you can help further looking into the roots of our families.

First off, let's consider some misconceptions about the use of DNA which we can call genetic genealogy.

- A DNA test will fill in all the blank spaces in my family tree. – Not so when used alone. You must have some strong, what we might call hard paper, data to do the job. Without this information we can only come up with possibilities for many of the family relationships. You won't suddenly find long lost cousins.
- DNA testing is painful! – In the early days of DNA testing blood samples were drawn, people don't like being poked with needles. This is why Bryan Sykes, author of one of the early studies of tracing ancestry "The Seven Daughters of Eve," and his teams collected their samples at blood donation stations. Today's sample collection is as simple as a cheek swab or spitting into a collection tube.
- I can't learn anything about my great-grandfather's DNA because he died some time ago. – As long as there is a direct line of male descent from him, you will be able to predict what his Y-DNA is from a living direct line male relative (more about this later).
- As a woman, I cannot learn anything about my deceased father's Y-DNA. – If your father has a direct line male relative living, have that man do the test and you will have a good match for your father.
- As a man, why should I have a mitochondrial DNA (mtDNA) test which women test for? – This test will help you trace the female side of your family as will be explained later on.
- DNA testing will provide medical information about me. – Unless you have intentionally tested with a company that provides such information, the genetic genealogy test does not look for or disclose health information. That does not mean there is no possibility for this to happen, you are still protected by laws which prohibit disclosure without your approval.

- My sibling or parent or grandparent did a test, so there is no reason for me to do a test. – Unless you are an identical twin or triplet, your DNA is unique to you. Having more immediate family members tested will provide more information to help identify more distant family members.
- I tested with one company. There is no reason for me to test with another. – The total number of people tested by any one company is not very big considering the population of the world. If you test with more than one company, you may find more relatives. I personally have been tested with all four of the companies named below. In one case, a relationship was found using matches of two types from different companies. As more complete information is found, this will be reported in a future newsletter.

To use genetic genealogy you must of course be tested, but without a robust family tree you will not get far in finding family, even if that test is called "Family Finder." For the testing company to give you what you need, they must do extensive computer analysis.

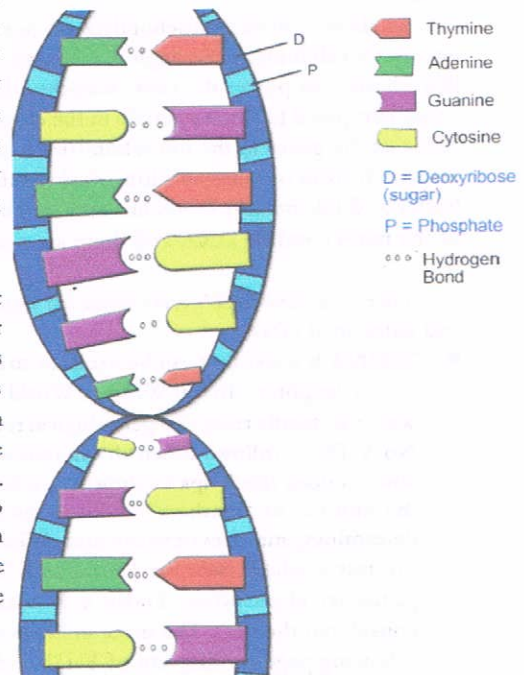
Without a computer it would be nearly impossible to use DNA results for genealogical purposes. But to make a computer do anything, you need a program detailing what it is to do, step by step. You also get to choose how it's going to do it. That is called an **algorithm**. Here's an example, your long lost cousin Henry is arriving at the airport, and he needs to get from the airport to your home. Here are four algorithms that you might give him (note, in each there are some obvious additional steps to take.):

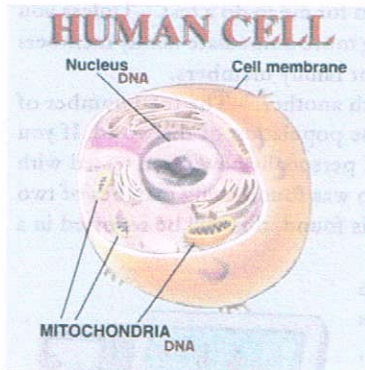
- Taxi:** 1. Go to taxi stand. 2. Get in taxi. 3. Give driver address.
- Call-me:** 1. After your plane arrives, call my cell phone. 2. Meet me outside baggage claim.
- Rent-a-car:** 1. Take shuttle to rental car pick up. 2. Rent car. 3. Follow directions to get to my home.
- The bus:** 1. Outside baggage claim, catch bus number 70. 2. Transfer to bus 14 on Main Street. 3. Get off on Elm Street. 4. Walk two blocks north to my home.

All four algorithms get you to my home, but each does it in completely different way. Each algorithm also has a different cost and a different travel time. Taking a taxi, for example, is probably the fastest way, but also the most expensive. Taking the bus is definitely less expensive, but a whole lot slower.

The DNA testing companies have the problem of giving you a connection to potential relatives. They do this without really knowing who you are and who that relative you are looking for is. So each develops its own algorithm to provide you with matches. They use the data from sampling your DNA sample and genetic principles to compare your data with that of all the other people they have in their data base. From this they come up with "matches" which might more properly be called possibilities. The more people they have in their test program, the more matches you can expect. Results of ethnic origin are highly dependent of numbers of people tested and where they come from. This is a reason why you will see different ethnic background results if you have been tested by more than one company and the number of people in the specific program. You may also see changes in ethnic composition as more people are tested. Some researchers say that Asian populations are greatly under represented and this can skew results.

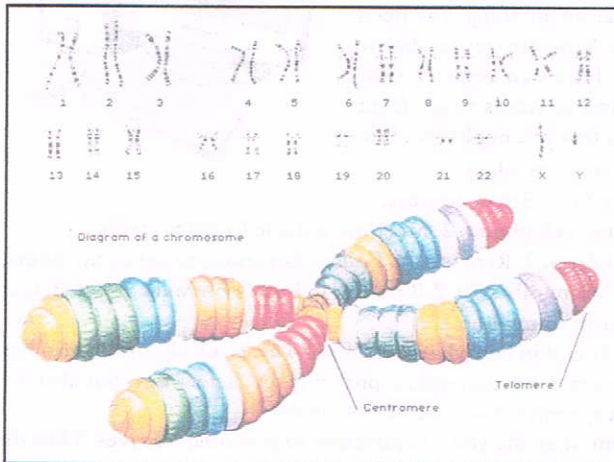
So, What is DNA? Chemically it is Deoxyribonucleic Acid and it looks like this, a twisted ladder with sugar phosphate backbones as the side rails and base pairs connecting the rails. The base pairs are Tyminine which always pairs with Adenine and Guanine which always pairs with Cytosine. These four, T, A, G, and C are the "letters" of the language that tell us who we are and how we do what we do. DNA is found in the cells of every part of our bodies in two places. Those are in the nucleus, or center of the cell, and in the mitochondria. They are enclosed by the cell membrane and separated by a thick, gel like material called the cytoplasm. (picture on following page)





There is one exception to this cell structure, red blood cells do not contain a nucleus. Every other cell contains a set of chromosomes which encode all the genetic information of an individual. Through a process called expression, only the portion needed for the specific cell is active. For example, in a brain cell, only the portion of the brain cell is used even though the DNA for liver cell (or any other organ) is contained in that cell.

The DNA in the nucleus makes up chromosomes which are microscopic structures with all of a person's genetic information. In humans, there are 23 pairs of chromosomes, one of each pair from the mother and one from the father. The **non-sex or autosomal** pairs are numbered 1 through 22 based on the length of the chain of DNA, and two sex chromosomes, X and Y. Females have two X chromosomes and males have one X and one Y. The chromosomes are visible with a glass microscope as the cells are dividing.



When a cell divides, each of the 46 Chromosomes is duplicated and each of the new cells contains an exact duplicate of the original cell. As the egg or sperm cell divide one more time, only one chromosome from each pair remains. When the sperm fertilizes the egg, the fertilized egg now should have 23 chromosomes from each parent, for a total of 46. What makes people different is that the chromosome selection is randomized by a process not yet understood.

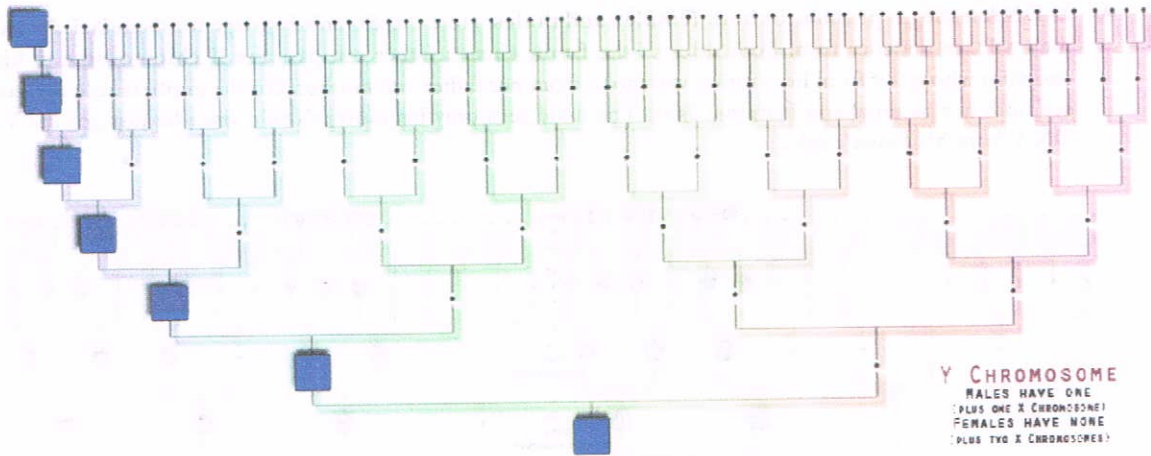
Genes are the basic physical and functional parts of heredity. They are made up of the DNA in the Chromosomes. Every person has two copies of each gene, for example the one that determines hair color. Since that gene may be different from the mother and father, a dominant gene will control the color of the child. Most

of the genes are the same in all people, only less than 1 percent are different, but those contribute to each person's distinct physical characteristics, again except for identical twins or triplets when cell division is different.

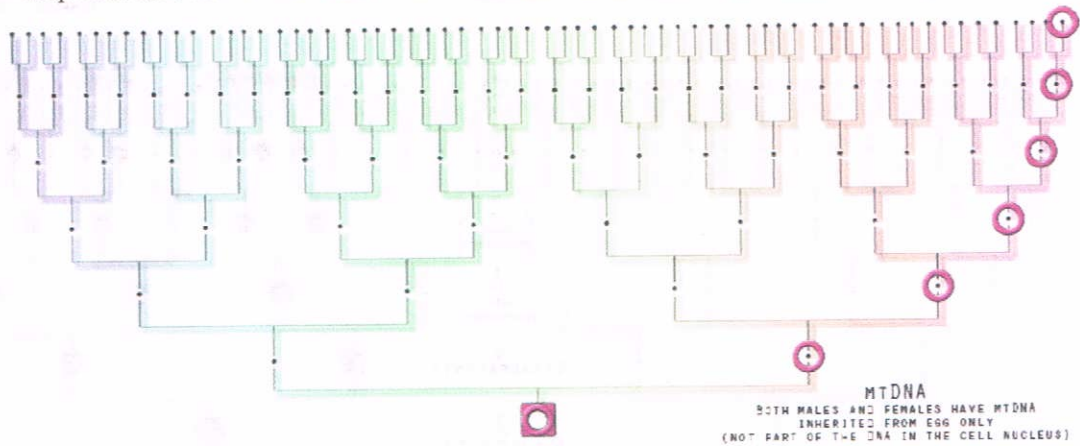
As shown above, mitochondria are not in the nucleus of the cell. What do they do? They generate the energy for cell function through the formation of a chemical adenosine triphosphate (ATP). It works basically like a battery to power the cells. Mitochondrial DNA is much smaller than the nuclear DNA having only 37 genes compared to the thousands in the chromosomes. But these genes are important to make our cells work. None of the genes in the mitochondria change our appearance but mutations (changes) can be the cause of disease. Instead of being in a long chain as in the nucleus, mitochondrial DNA is circular, similar to DNA in bacteria. While nuclear DNA has only two copies of each chromosome, each mitochondria has many copies of the mitochondrial DNA and there are many mitochondria in each cell.

There are four DNA tests done for genealogical purposes: Y-DNA, mtDNA (mitochondrial), X-DNA and autosomal DNA.

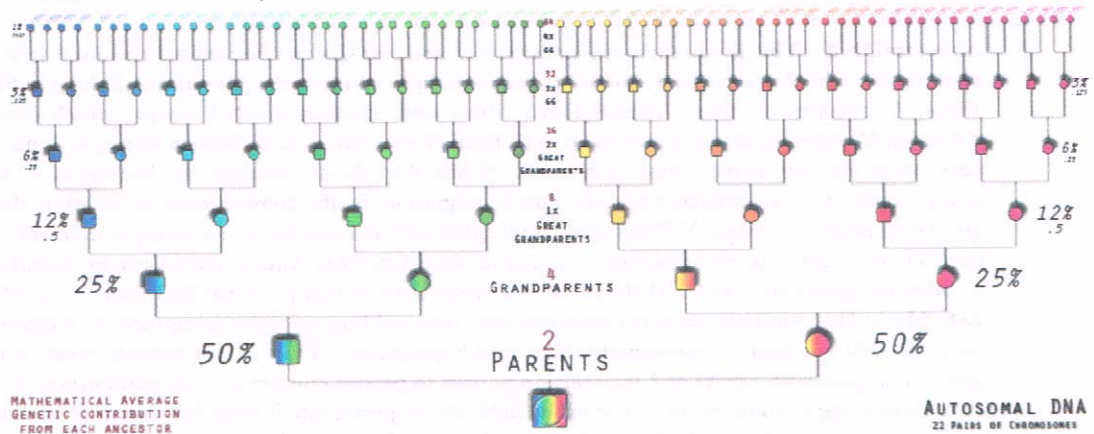
- **Y-DNA** is a test that can be used for **males only** since Y-DNA is passed directly from father to son and not to daughters. In our Western World it is the test used for surname studies which is one of the primary ways our family trees and genealogical records are maintained. The pattern of inheritance is shown below. No Y-DNA follows down the maternal side of any branch of the tree. Y-DNA is slow to change but when it does this helps to show when branches in a family line occurred. Tests are usually designated by the number of "markers" or locations on the DNA strand. These are the comparison points used in determining matches between men. When the Family Association began to consider DNA testing in 2001, the test available was for 12 markers. Today such a test would be considered quite useless for good genealogical purposes. Today a 37 marker test is considered the basic test and 111 marker tests are considered the best. The more markers that are tested, the more accurate the matches become. (See the following page for diagram of Y-DNA descent. The blue boxes represent the direct male line.)



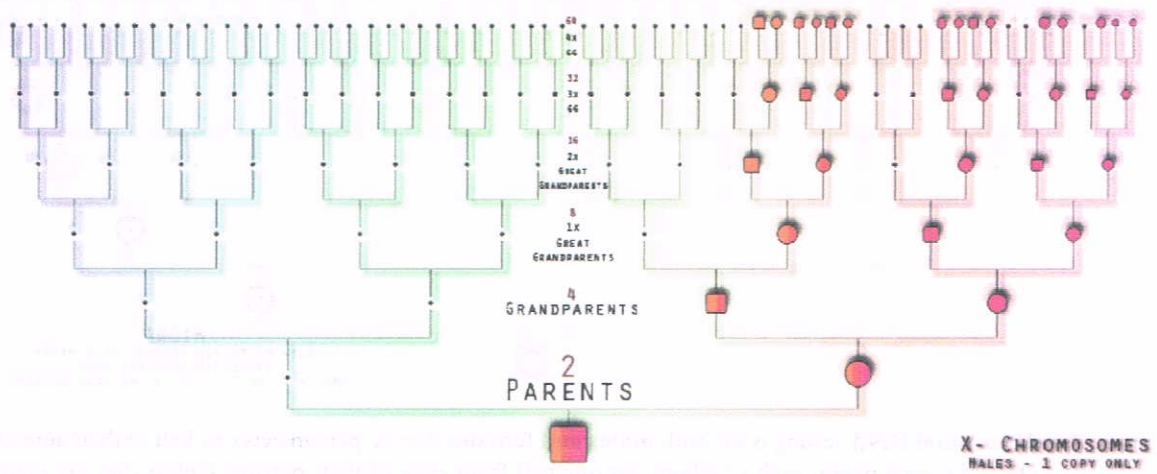
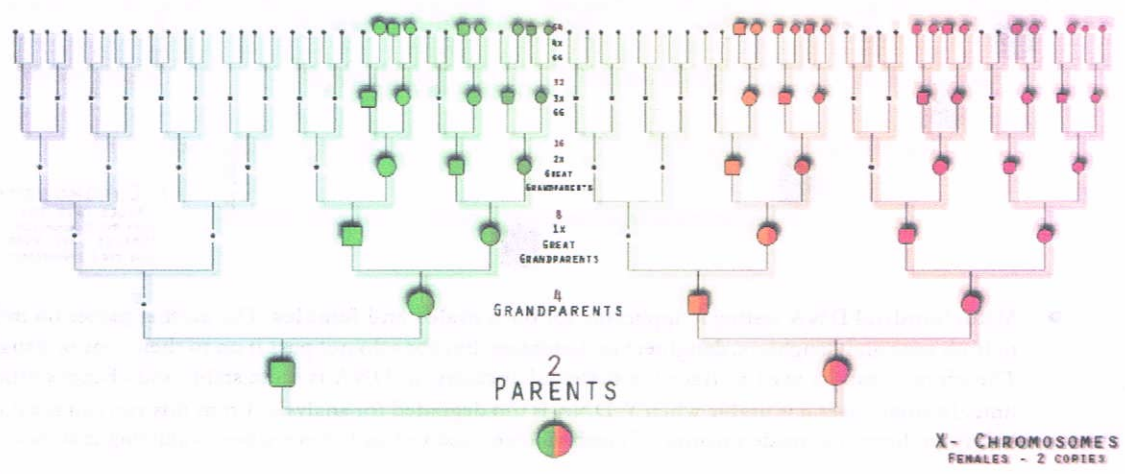
- **Mitochondrial DNA testing is applicable for both males and females.** The mother passes on mtDNA to both sons and daughters, daughters to daughters, but sons do not pass it on to their sons or daughters. Therefore, it can be used to trace the maternal ancestry. mtDNA is quite stable and changes little with time. In some cases it is usable when Y-DNA is too degraded for analysis. From this you can see it is very helpful to have the maiden names of mothers identified in family trees when evaluating matches.



- **Autosomal DNA testing is for both males and females.** Every person gets one half of their autosomal DNA for each parent each of whom got one half from each of their parents. Unless they are identical twins or triplets, siblings do not have exactly the same autosomal DNA results. You can see that you share some DNA with all your relatives.



- **X-DNA testing is possible for both females and males.** Here there is an advantage for the females since they will see matches from both sides of the family since a father can pass the X chromosome to his daughter who got it from her mother who got it from her father and mother. On the mothers side she can see both her paternal and maternal lines. The male sees only his mother's side since he just got the Y-DNA from his father's side.



While many companies do DNA testing, the ones most suitable for our purposes are:

1. **AncestryDNA** - This is a branch of Ancestry.com and test kits can be ordered and used without a subscription with Ancestry.com, however when you do so you lose the potential of linking to Family Trees. At the present time, AncestryDNA offers only autosomal DNA testing which they call "Member Matches" and customers have to be from North America, no foreign testing is done. They also report ancestry composition (ethnicity). While they do not identify the haplogroups (major groups of mankind associated with early human migration) by the conventional designation, they do give small migration maps. Y-DNA data from other testing companies can be input manually at no cost. There seems to be no advantage to doing so. Raw data from AncestryDNA can be downloaded to other programs such as GEDMatch or to services such as that provided by Family Tree DNA.
2. **23& Me** – This company tests for maternal line, paternal line, ancestry composition, Neanderthal ancestry, DNA Relatives (autosomal DNA), and haplogroups. They do not provide much data for you to compare with others and they rely on person to person contact to have participants to share data. According to some more expert in the field, the response rate is quite low limiting the value as a research tool. Until recently they had no family tree information but they now have a connection

with **My Heritage.com** to provide for some matching. It depends on participants to buy service from My Heritage to get "Smart Matches." Raw data from 23&Me can in some cases be transferred to other sites. 23&Me did in the past provide some medical testing information. Participants had to accept downloading of certain reports on diseases such as Alzheimer's, Parkinson's and breast cancer to see if they had a mutation that **may** lead to the disease. They cautioned using the information without the services of genetic counselors. The FDA made them stop offering the service, however if you had the testing done before FDA action you could still access it. Recent action by FDA may permit this medical testing information to again be provided with more strict control. Occasionally 23&Me sends out "Established Research Reports" to tell you if you have a variant in a gene. For instance, I received a report that I had a mutation in the MC1R gene associated with red hair. People with a particular mutation typically do not have red hair, but are carriers. I did not have red hair and if my wife had the same mutation we could have a child with red hair; we did not so she probably is not a carrier.

3. **Family Tree DNA** – This company offers the broadest range testing of those mentioned here. There are basic and upgraded tests for Y-DNA, mtDNA and autosomal DNA (which they call Family Finder). They provide matches for all these tests and also provide haplogroups. A chromosome browser allows you to compare between possible matches and provides access for X-DNA matching. Other tools for analyzing data are also provided making this service the most comprehensive of those listed here. You can start with a minimal test, such as for the men a Y-DNA test. At one time the basic test was a 12-marker test considered not good at all for finding useful genealogical data. Later they went to 25 marker tests and now the basic test is 25 marker. They also have 67 and 111 marker tests. The more markers (specific locations on the chromosome) the more accurate the results. Of course there is an increased cost for each level but you do not have to provide a new sample each time. DNA samples are stored and the expected useful life of the sample is 25 years. An important service provided is groups which people can join at no added cost. On this site we have a McBrayer Surname Group which can display both Y-DNA and mtDNA results. Presently the group site does not include autosomal DNA results. I am a co-administrator of this site and am trying to determine how the autosomal data can be input. A family tree input has recently been added to this site. Depending how you set privacy factors, they will help potential matches to see if it appears they are something to follow up on to build an even bigger family tree.
4. **Geno2.0** – This test by National Geographic is not designed for genealogical purposes but for studying the deep history of mankind. They have perhaps the largest number of tests done to date and have covered most parts of the world to get samples. The report covers migration patterns, ancestral percentages and the haplogroups. The results of this test can be transferred at no cost to Family Tree DNA to provide the Family Finder and haplogroup data.

So what test is best for **YOU**? There is not a simple answer since all will give you, and the family as a whole, useful results. You have to keep in mind that most folks test at only one company. That means you will miss out on finding somebody you are looking for. All the companies are continually improving their scope of testing (numbers of people) and the algorithms used to analyze the data. If you can, test with more than one. You may find, as I did, that results from two different companies can be combined to come up with solutions. It may take some time to find out whether your matches are valid and that you really have found a cousin. I have had tests with all four companies and have found all useful. If I was starting over with what I know now, I'd go with a Y-DNA 37 marker test and Family Finder test with Family Tree DNA and expand the scope as possible with time. Join the McBrayer Surname Group and help us find more kin. Just because you did a test, don't stop there. Get your closest relatives at least to participate.

Just to give you an idea of numbers, here is the recent list of my potential matches for **autosomal testing**:

Family Tree DNA – 773 and up to 160 Y-DNA matches and more than 1200 mtDNA matches.

23&Me – 944

AncestryDNA – 1650

Since Family Tree DNA is available in other parts of the world, we are going to try to get folks in Ireland, Scotland and England at least to participate. Maybe then we will find our link back to Scotland. Please consider doing your part.

If you want to learn more about DNA, here are three suggestions:

1. The book "NextGen Genealogy" by David R. Dowell, Libraries Unlimited. Available on Amazon.com
2. "Genetics Home Reference" online at <http://ghr.nlm.nih.gov/> with lots of links to other sites.

Whiskey

Over the years there has been much discussion in the family about our family whiskey makers. Some of the stories are true I'm sure, but there also have been some that are not. I must admit that I have contributed to some of those that are wrong. The following snippet is from what I wrote in the April and July Issue (Vol. 10, No. 2 & 3) issue of *In Defiance*:

"Most of you are probably aware of 3rd generation (Andrew -11, James - 2) **William Harrison McBrayer** and his Cedar Brook Distillery which made a well known Kentucky Bourbon, "Cedar Brook." The whiskey eventually became known as "Old McBrayer" after sale of the distillery by the family." The first sentence is correct except that Cedar Brook was not normally labeled as a bourbon. The second sentence is completely wrong. "Old McBrayer" was a brand name that originated from a distillery opened by William's first cousin once removed **John H. McBrayer**, 4th generation in America (James Alexander, William, James).

While there are many books and web sites that cover the history of whiskey in America many suffer from the problem of passing stories around which makes it difficult to tell what is correct. Documentation is hard to find. That is easy to understand because some whisky making operations may have been started in the old days with a small still to meet a family's requirements and they grew from there. Distilleries also had many changes in ownership.

Even the origin of whiskey has its tales. Some say the practice of distillation came about around 2 BC in the Middle East. Another is that St. Patrick brought the process of distillation to Ireland. There is some firm evidence that the first whiskey distillery was licenced in Bushmills, Northern Ireland in 1608; later the practice spread to Scotland, then later to North America. Now there are distilleries around the world, all of course claiming to make the best product. At least we know the name came from the Gaelic "Uisge beatha," the water of life. From this root also came "aqua vitae," a name associated with spirits from Scandinavia as Aquavit.

But is it "whiskey" or "whisky"? According to **The Glutton's Glossary: A Dictionary of Food & Drink Terms** (John Aylo, Routledge, January 1981), it probably had to do with marketing but around the end of the 19th century it became standard that the Americans and Irish make whiskey and the Scots and the rest of the world make whisky. If you look at brands available today that pretty much seems to be the case. Interestingly though, U. S. Federal regulations (27 CFR Sec. 5.1, §5.22 The standards of identity) use the spelling whisky while going into great detail in defining the labeling and advertising of distilled spirits. In part, these regulations incorporate and update the provisions of the Bottles-in-Bond Act of 1897. This act was created to combat the increasing adulteration of beverage alcohol. We know that W. H. McBrayer used adherence to this Act in advertising for his product. The specific product these McBrayers made at the time is what we call Bourbon Whiskey. The term Bourbon comes from Bourbon County, Kentucky where there was early distilling activity. It does not appear that the McBrayers commonly labeled their products as bourbon; the term not coming into popularity until late in the 1800s. Still, it is believed that both made a product which would meet the current regulatory provisions:

- a. "Whisky" is an alcoholic distillate from a fermented mash of grain produced at less than 190° proof in such a manner that the distillate possesses the taste, aroma, and characteristics generally attributed to whisky
- b. "Bourbon" whisky" is whisky produced at not exceeding 160° proof from a fermented mash of not less than 51 percent corn and stored at not more than 125° proof in charred new oak containers, and also includes mixtures of such whiskies of the same type.
- c. Whiskies conforming to a. and b. which have been stored for a period of 2 years or more shall be further designated as "straight." "Straight whisky" includes mixtures of straight whiskies of the same type produced in the same State.
- d. The word "bourbon" shall not be used to describe any whisky or whisky based distilled spirits not produced in the United States.
- e. Geographical names that are names for distinctive types of distilled spirits, and that have not become generic, shall not be applied to spirits produced in any other place than the particular place or region indicated in the name. For example, while bourbon can be made anywhere in the United States, "Kentucky Bourbon" must be made in Kentucky. Tennessee Bourbon meets the definition for bourbon but Tennessee law further requires (with some exceptions now being challenged in the courts) that the "Lincoln County Process" be used which requires the whisky be filtered through maple charcoal before being stored in new charred oak containers.

It can be said that all bourbon is whiskey but not all whiskey is bourbon. There is another distinction. All sour mash whiskey (the kind W. H. McBrayer made) is bourbon, but not all bourbon is sour mash. Sour mash whiskey uses the basic bourbon recipe, but starts the mash with some of the left overs from the previous batch (think of it as similar to making sourdough bread). The sour mash process gives a sweeter and deeper flavor to the final product. The spent mash from either process can be used as cattle and pig feed and it is free of alcohol and very nutritious. W. H. McBrayer was able to use this as an argument to keep his distillery operating during the Civil War. He said the quality of the beef and pork he produced from the spent mash (also called slops) was better than any other way of feeding the stock.

In case you are wondering, bourbon whiskey can be made with wheat, rye and/or barley added to the 51% corn. But since the whiskey is distilled, there is no grain in the product and so is gluten free which the National Institute of Health agrees. The Alcohol and Tobacco Tax and Trade Bureau however says that bourbon does not meet the requirements to be labeled gluten free.

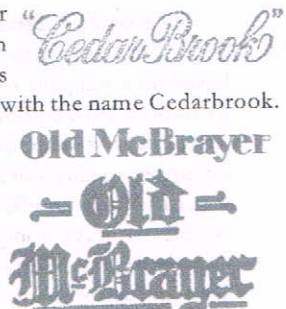
Trademarks also play a role in the story of whiskey made by McBrayers. "A trademark is a word, phrase, symbol, and/or design that identifies and distinguishes the source of the goods of one party from those of others." (www.uspto.gov/trademarks/basics/definitions.jsp) The idea of a trademark goes far back in history, probably to the times of the Roman Empire. The first known trademark legislation was enacted in England in 1266 requiring bakers to mark their bread with a distinctive mark for each bakery. Modern trademark laws came about in France in 1857 and Britain in 1875. In the United States, Congress passed a trademark statute in 1870 which was later struck down by the courts later in the decade. A new law was enacted in 1881, and revised in 1905. The Lanham Act of 1946 updated the law and amendments have modified it since. Once a trademark is registered the owner has increased rights for its protection. The law is quite complex and many steps are required to apply for and keep trademark protection in place. A trademark can be licensed for use to another company. For instance, when Lego wanted to make Star Wars kits, they had to obtain a licence from Lucasfilm. There is a good summary of trademark legislation on Wikipedia (<http://wikipedia.org/wiki/Trademark>). Complete information can be found at <http://www.uspto.gov/trademark>, including search options to find if a particular name is trademarked. It will not tell you the complete history of a trademark, but you can find out if one was abandoned and now available for re-application.

At this time, nothing has been found to positively show when W. H. McBrayer and J. H. McBrayer applied for trademarks for their products. Still, as you will read later in this newsletter, both made claims to the use of their names as trademarks. Trademarks which out lived them were "Cedar Brook" and "Old McBrayer."

This Cedar Brook trademark was registered 4 December 1934, Number 319,746, by the American Medicinal Spirits Company incorporated in Maryland with offices in Louisville, Kentucky. The second renewal was 4 December 1974 and is now a "dead" trademark although there are a number of companies now registered with the name Cedarbrook.

Both of these Old McBrayer trademarks were registered in the name of Rosenfeld Bros. of Chicago, Illinois. The block letter version was registered 12 January 1915, Number 101,752. In the application was stated that the trademark had been in use continuously in their business and by their predecessors J. H. McBrayer Distilling Company, J. H. McBrayer Distillery Company, The Old McBrayer Distillery Company, W. W. Johnson & Co. and E. H. Taylor, Jr. since 1892. It was renewed to The American Medical Spirits Company, a corporation of Maryland, date not given. The Old English version was registered 19 April 1927, Number 226,667. The statement was that the trademark had been continuously used since 1861 and had previously been registered 12 January 1915, Number 101,752. It had to be re-registered because they had missed a deadline for renewal. The trademark was renewed 9 April 1947 to National Distillers Products Corporation, of New York, New York, a corporation of Virginia, which had made a showing of ownership of the trademark originally registered to Rosenfeld Bros.

The Old McBrayer trademarks were used during Prohibition for whiskey made for medicinal purposes. The bottles had the Old English version on the labels, while the cover boxes had the block version. The front panel of the box had a cutout which was marked "Druggist's Attention - Place RLabel Thru Opening." While bottles I have in my possession have "The A.M. S.Co." on the front label, the distiller's name on the back label was different. One was the "Joseph Schwab Jr. Distilling Company, Distillery 499, Kentucky," another "Allen-Bradley Co., Distillery 97, 5th District of Ky." After Prohibition, American Medicinal Spirits and National



Distillers were the same company for all intents in purpose. A bottle with the Old English version has a label stating it was bottled by The American Medicinal Spirits Company Incorporated, Louisville, Kentucky with a logo for National Distillers above. The back label shows that the whiskey was distilled by H. S. Barton, Owensburg, KY, and re-bottled by National Distillers Products Corp., Louisville, Kentucky. It was well aged as it was made in Spring 1917 and bottled in Fall 1934.

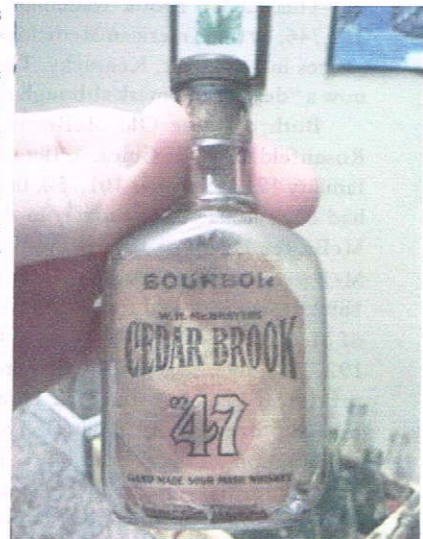
More will be said about the non-family names in a discussion of the “Whiskey Trust.”

The table below gives a brief history of two distilleries known to have been operated by McBrayers. The information is from the database list of distilleries on www.pre-pro.com accessed in January 2015. The history for The McBrayer Distillery came from the book **The Evolution of the Bourbon Industry in Kentucky**, Sam K. Cecil; Turner Publishing; Paducah, Kentucky; 1999).

	William Harrison McBrayer	John H. McBrayer
Distillery	The W. H. McBrayer's Cedar Brook	The McBrayer Distillery
Ky. Registered Distillery	# 44, 8 th District, Anderson County	#17, 7 th District, Montgomery County
Year established	1844	ca. 1870 in a converted grist mill
Unknown date		sold to W. H. McBrayer
Unknown date		sold to W. W. Johnson & Co.
1876	Award winning product at the Philadelphia (<i>World</i>) Exposition	
1888	W. H. McBrayer on 6 December, ownership to his 3 grandchildren & to be operated by son-in-law D. L. Moore.	
1899	Sold to “The Trust” and enlarged	
1907		Sold to Rosenfield Bros. & Co. of Chicago
1920	Closed	Closed and dismantled

The date of establishment of **W. H. McBrayer's** distillery is based on family records, however it may have not been until 1847 based on a full page newspaper advertisement which appeared in the 8 October 1914 edition of **The Daily Ledger**, Tacoma, Washington. There was a statement “Cedar Brook has possessed the same unvarying quality since 1847.” The picture at right shows a bottle that was offered in an eBay auction in the fall of 2014. It is unusual in a couple of ways compared to other Cedar Brook labels pictured elsewhere. First, Cedar Brook is in block letters whereas it is usually seen as script shown in the discussion above for trademarks. Secondly, the word “Bourbon” has not appeared on other bottles. What is difficult to see in the reduced size picture which was copied from the eBay page is the word “Since” above the number 47. It probably is that this was a bottle filled and labeled by a distributor. W. H. McBrayer sold whiskey by the barrel and others filled the bottles.

The name Cedar Brook was not the name originally used for Judge McBrayer's product. It was labeled as “W. H. McBrayer's Hand Made Sour Mash Whiskey.”. At some point labels included a logo which represented a barrel head with more description. Three bottles are shown on the following page. The first shows that the distillery may have first been named “Cedar Run,” run being a synonym of creek. An 1886 map shown in a difficult to read reproduction in the book **GOING HOME - a picture book of Anderson County Kentucky** compiled by Ann McBrayer Garrison and privately printed, shows the stream running through W. H. McBrayer. Registered Cedar Brook Distillery,



No. 44, 5th District Anderson County property clearly as Cedar Run. The second shows the distillery as "Cedar Brook" and the third with "Cedar Brook" in script but still showing the barrel head now adding the word "Formerly" before "W. H. McBrayer." Also on the label are the words "Facsimile of the Brand on Every Barrel" which meant that every barrel going into government bond storage had this inscription burned into the wood. This reportedly is the origin of the term "Brand Name." It has long been said that the Judge changed the name of his whiskey to Cedar Brook at the urging of his second wife, Mary Elizabeth Wallace. It is interesting to note that the maiden name of the mother of the Judge's first wife Henrietta Daviess was Wallace and his granddaughter was named Wallace Moore.



The table data has Judge McBrayer's death occurring on 6 December 1888. This is confirmed according to the following death notice which appeared in the Friday, 7 December 1888 edition of the Jackson Citizen Patriot, Jackson, Michigan accessed on www.genealogybank.com.

Death of Famous Kentuckian

Lawrenceburg, Ky., Dec. 7. – Judge W. H. McBrayer died last night. He was stricken with apoplexy Wednesday and never rallied. He was the wealthiest man in Anderson County, having made an immense fortune out of the famous whisky bearing his name.

His death created a dispute within the family. He had written a will a few years before his death. One of the provisions of the will was that his grandchildren: May Messenger, Wallace M. and William McBrayer Moore were to inherit The distillery operation. His second wife Mary Elizabeth McBrayer and his son-in-law Daniel Lawson Moore were co-executors of the estate. Daniel had married the only daughter of the Judge and his first wife Henrietta. Henrietta, the mother of the children, had died in 1882. Provisions of his will devised for his infant grandchildren provided that the distillery be operated by his executors for three years after his death in order to pay various bequests made by his will, "after which time I desire that my name be extinguished from the business." Daniel took over the operation of the W. H. McBrayer Cedar Brook

Distillery being experienced in the field.

Even before W. H. McBrayer died there was controversy over the use of his name in violation of the trademark legislation. From the **New Harmony Register**; New Harmony, Indiana; edition of 22 December 1882:

At Louisville, Ky., it is reported that W. H. McBrayer, a noted whisky man, will institute legal proceedings against various firms in large cities who use his brands on all sorts of whisky.

and from **Truth**; New York, New York; 28 February 1883 edition:

Asserting His Rights

Judge Wallace in the United States Circuit Court yesterday granted an injunction restraining Cook and Bernheimer, liquor merchants in this city, from infringing the trademark of William H. McBrayer, the famous Kentucky distiller. This trademark has been infringed pretty extensively all over the country and McBrayer has begun many suits for an accounting of the damages of such infringements.

(Note: from www.pre-pro.com is the following: Cook & Bernheimer were NY wholesalers who distributed throughout the US, including the West Coast. Branch offices were located in Chicago and Cincinnati, among others.)

A little over three years after his death, his widow Mary McBrayer filed suit against D. L. Moore because he had not agreed to her decision that the name W. H. McBrayer no longer be associated with the distillery.. A stipulation in the will was that if the executors disagreed other conditions of the will, that the view of the widow "shall in all cases be adopted.." The suit was to enforce this provision. The following report of the court action appeared in the **Frankfort Roundabout**; Frankfort, Kentucky; 16 July 1892 edition. Here too was a report of trademark problems by John H. McBrayer.

His Name Can't Be Used.

At a special term of the Anderson Circuit Court, begun on Monday, the case of Mrs. Mary McBrayer vs. D. L. Moore was tried. The suit was brought for the purpose of construing that clause of the late Judge W. H. McBrayer's will, which referred to the discontinuance of his name in connection with the Cedar Brook Distillery. In rendering his decision, Judge DeHaven gave a clear and comprehensive review of the case, deciding that in the clause of the will under consideration the testator intended that at the expiration of three years after his death the name of W. H. McBrayer should no more be used in connection with the Cedar Brook Distillery. The court held that this clause was mandatory and not precatory (expressing a wish or desire) as claimed by the defendant. This settles the question as to whether W. H. McBrayer whisky can be made in the future. Gen. D. W. Lindsey, of this city, appeared for the plaintiff. W. H. Posey, of this city, was appointed special commissioner to settle up the business of the estate.

The case of J. H. McBrayer vs. J. R. Walker, in which the plaintiff sought to enjoin the defendant from using his name in the manufacture of whisky, was also tried and a decision rendered for the defendant. Judge Geo. C. Drane, of this city, represented the plaintiff, and Judge Thos. F. Hargis, of Louisville, the defendant.

(Note: According to www.pre-pro.com, D. L. Moore, the son-in-law of Judge W. H. McBrayer, also had his own distillery, The D. L. Moore Distillery, RD#118, 8th District, Mercer County, Kentucky, which he bought in 1892 from the Van Arsdell family. He had a brand which he called "Clear Brook."

Also according to www.pre-pro.com, there was a J. R. Walker Distillery, RD # 434, 8th District, Anderson County, Kentucky. In 1898, IRS records show J. R. Walker using the alias J. H. McBrayer withdrawing and continuing to hold spirits in their bonded warehouse. It is also interesting that J. R. Walker deposited and held spirits in the bonded warehouse of the Kentucky Owl Distillery, RD # 16, 8th District, Mercer County, Kentucky. This distillery was established by Charles M. Dedman . the son of Mary McBrayer Dedman who was the sister of Judge W. H. McBrayer

The name "J. A. McBrayer" was used as an alias by Thomas B. Ripy and by J. T. Coke for spirits entered and withdrawn from the warehouse of T. P. Ripy's Cliff Springs Distilling Company, and sold as product with that alias. So they sold "McBrayer" whiskey. The distillery, RD #112, *th District, Anderson County, Kentucky was originally built in 1868 by Walker, Martin & Company and was sold to W. H. McBrayer and Thomas P. Ripy in 1869. Ripy became the sole owner in 1870. [www.pre-pro.com and **Report of the Commissioner of Internal Revenue**, United States Internal Revenue Service, 1890 accessed on Google Books.)



D. L. Moore did not agree with the Anderson Circuit Court findings, so he initiated an appeal, **McBrayer, Ex'or. V. McBrayer's Ex,atrix.**, to the Court of Appeals of Kentucky. While the case was under appeal others entered the fray. The following article is one example which also brought in John H. McBrayer. It appeared in the 8 April 1892 edition of the **Cincinnati Post**; Cincinnati, Ohio.. (accessed on www.GenealogyBank.com)

HOT STUFF.

A Sensation Agitating Whisky Circles. Who Can Manufacture McBrayer Whisky? Prospects of Big Damage Suits In the Near Future.

The wholesale liquor dealers and distillers of the West and South are in a ferment of excitement, caused by a wordy war that is at present being carried on by Edmund H. Taylor, Jr., President of the J. H. McBrayer Distilling Company, of Frankfort, Ky., and James Levy & Brother of Cincinnati. It's the sensation of the day in whisky circles.

The trouble all comes about over a claim upon the part of both firms of the right to use the McBrayer trade mark.

By the will of the late Judge W. H. McBrayer, of Lawrenceburg, Ky., his Cedar Brook Distillery was only to be operated by his executors for three years after his death and then it was expressly stipulated that his name should be entirely stricken from all brands made. The executors of his will were his wife, Mary W. McBrayer, and D. L. Moore, and the time named in the will expired more than six months ago.

Mrs. McBrayer leased the Cedar Brook Distillery to Mr. Moore until Oct. 1, 1897, with the proviso that the property should not be operated in the name of W. H. McBrayer, and that his name should not appear in the distillery inspection brand, or any brand or trade mark used by him for said distillery, and that he should operate it under the name of the Cedar Brook Distillery.

Moore, it seems becoming possessed of the lease conveyed to James Levy & Bro., the right so use McBrayer's name as the brand or trade mark for whisky made at that distillery and Levy & Bro. sent circulars to dealers announcing that they intended and would continue to make the McBrayer whisky. They have adopted the trade brand which in the center contains the monogram of Judge McBrayer, as also does the distilling inspection brand. Levy & Bro. claim the whisky was made before the three years expired.

Now comes the rub. E. H. Taylor, Jr. assails the Levy firm by writing to all the leading dealers and distillers that Levy & Bro. have been and are making false claims to the right of the McBrayer name, and that by reason of the fact that the Vice President of the J. H. McBrayer Distilling Company, J. H. McBrayer, was in the business of distilling before Judge W. H. McBrayer or any other of his family began it, they are the only ones who have the right to use the name of McBrayer on their brands or trade marks. Levy & Bro. came back at Taylor with a red hot statement, setting forth their rights and denouncing the Taylor firm in words anything but polite.

The circular of each party is vehement toward the other, especially the one Taylor has just sent broadcast. It has created the biggest sensation in liquor circles since the Whisky Trust plot in Chicago. The part of Taylor's circular that has raised particular sheol(*hell*) is the following:

"There has been so much pirating on W.H. McBrayer's name that Levy & Bro. have not lacked the essential elements of success. No doubt they are as mild-mannered men as ever cut a throat or scuttled a ship, but a few lessons in English grammar and common decency would not be superfluous to them. * * * Common rumor is well known to be a common liar, special rumor is as well known to be a special liar. The fountain of this rumor is a well spring of falsehood, and James Levy & Bro. are the only shrubs we can find growing about its brink. The gralled (?) Jade may wince and has winced, our withers are unwrung." In the meantime we are constrained to apply to James Levy & Bro. the epigram on the tomb of Midas:

"I am a maiden of brass and I lie on Midas' sepulchre;

So long as water flows and tall trees flourish, Remaining here on the tomb of Midas, I will tell all passers-by that Midas is buried here"

"No matter which line is read first or last the sense of this is the same, and we think that James Levy & Brother should have this inscribed on their letter-heads."

James Levy & Brother maintain that they have a right to the McBrayer trademarks, and each party is threatening to bring suit against the other to settle the question of trade brand rights, as well as damages for defamation.

The Appeal in the case of **McBrayer, Ex'or. V. McBrayer's Ex,rix.** was rendered in the January Term, 1884 as Case 83 – Petition Equity – April 26. The ten page opinion can be read in the **Reports of Civil and Criminal Cases Decided by the Court of Appeals of Kentucky**, Volume XII, Edward W. Hines, Reporter; Volume 95 – Kentucky Reports, Containing Cases Decided from Oct. 3, 1893, to Sept. 17, 1894. accessed on Google Books. The final paragraph of the report sums it up:

The judgement of the chancellor below is reversed, and the case remanded, with directions to enter a judgement to the effect that the brand or trade-mark, "W. H. McBrayer Cedar Brook Distillery," passed under the devise to the grandchildren of the testator and is their property.

In the newspaper article on page 17 of this newsletter it is stated that **James Levy & Brother** laid claim to use of the trademark. That company located in Cincinnati, Ohio, was a liquor distributor who sold whiskies under various brand names. The basis of this claim can be found in the Appeals Court Report.

He (*W.H. McBrayer*) had made a contract sometime before his death with Levy & Bro., of Cincinnati, by which he sold them all of the whisky distilled and to be distilled at the "Cedar Brook Distillery" between December 1, 1866, and December 1, 1891. This contract had to be complied with, and not only so, it was evident the distillery had to be operated in order to raise money to satisfy the specific devises made to his kindred other than those who were his direct descendants. The distillery was operated under his own supervision for more than a year after the will was written, and by its provisions it was to be operated by his executor for *three years* from the time of his death.

The value of the trade mark was considerable. Because it had been used for many years and the whisky had such a good reputation, the Appeals Court Record noted that the use of the trade-mark is of "itself a value of not less than \$25,000 a year" (\$673,663 in 2014 dollars). Further stated was that the trade-mark alone was valued of a sum exceeding \$200,000 (\$5,389,304 in 2014 dollars). Little wonder that there was a court battle.

Tracking the history of John H. McBrayer is more difficult and more details will be provided in a future newsletter. The table on 14 shows the establishment of The McBrayer Distillery in about 1870. This information is also reported in **Bourbon – The Evolution of Kentucky Whiskey**, Sam K. Cecil, Turner Publishing Company, New York and Nashville, 2010. Here Cecil states:

Old McBrayer Dist. Co. Montgomery County, 7th District

Capt. John H. McBrayer operated a grist mill on Lulbegrud Creek in the community of New Market, a short distance out of Mt. Sterling, in 1870. The mill was converted to a distillery and operated as J. H. McBrayer.

The title of Captain is well documented as being received during the Mexican War where J. H. led troops of the Kentucky Infantry known as the "Salt River Tigers," the Salt River being by Lawrenceburg. The major battle they participated in was the Battle of Buena Vista on 23 February 1847. It was probably here that J. H. was wounded. He apparently suffered from this wound throughout his life. In his book **The Social History of Bourbon** (Dodd, Mead & Company, New York, 1963), Gerald Carson wrote:

The Captain started making a superior whiskey in Anderson County in 1848.

Another account with an unclear reference states:

After the war the young Captain engaged in trading and farming and late in life purchased distilling interest.

From these it is hard to justify the statement attributed to J. H. McBrayer in the **Hot Stuff** article on page 17 that he produced whiskey before W. H. McBrayer. What is known is that J. H. had other interests in the whiskey business as previously mentioned. An 1886 map in Ann McBrayer Garrison's book (see page 14 of this newsletter) shows:

J. H. McBrayer, Registered Distillery No, 126, 5th District, Anderson County, Kentucky located at the junction of Small Branch and Hammond Creek, 4 ½ miles southwest of the courthouse in Lawrenceburg. It was a small distillery not in running order in 1886 and there was no whiskey in the warehouse. www.pre-pro.com does not have any information on this distillery (private e-mail 3/18/2015).

So how did the **Old McBrayer** brand name become the brand name through Prohibition and beyond? It is not certain, but some speculation may be made. To do this, we can first look at what happened when the distilleries were sold at the time shown in the table on page 14. Again it is difficult to get a clear picture of what happened. There are many references available but there seem to be as many contradictions. The following is an attempt to simplify a complex situation.

Several times during the 1800s times got tough and the whiskey industry was affected. Early in the century a number of illegal pools formed in an attempt to control production and prices. Later on there appeared a number of "trusts" to control the market. There was a split basically between the major bourbon producers in Kentucky and producers of alcohol primarily in Illinois, Ohio and Missouri with a few located on the Kentucky side of the border of the Ohio River near Cincinnati. This later group was organized on May 10, 1887, as the **Distillers' and Cattle Feeders' Trust**, (DCFT) commonly known as the **Whiskey Trust**. Stockholders of distilleries formerly in an ineffective pool formed the trust and others joined with them. **Joseph B. Greenhut** became the president. The trust was not reluctant to use strong arm tactics to any independent distiller who did not join the trust. These distillers produced not only beverage whiskey, but industrial alcohol. They considered their whiskey to be healthier than Kentucky as it was purer, they distilled it to industrial grade which removed some by-products which ultimately give the character to fine drinking whiskey. They did not age their whiskeys in charred oak barrels. This trust owned the distilleries and shut down many of them. By 1890, the word "trust" lost its respectability due to practices of the "robber barons" of the oil, sugar and railroad industries. For this reason the DCFT changed its name to the **Distilling and Cattle Feeding Company** and was incorporated in Illinois in January 1890; Joseph Greenhut remained as president. Scandals continued and by 1895 reorganization was underway and finally the assets were conveyed to the **American Spirits Manufacturing Company**. During the period of reorganization, the name **Distillers Securities Corporation** also shows up in the records. **Julius Kessler**, who was born in Hungary, became first a whiskey dealer in Colorado and then a distiller. He was able to become president of the Distillers Securities Corporation which reports called the successor to the Whiskey Trust. It would appear that American Spirits Manufacturing and Distillers Securities were the same organization based on what happened later.. In any case, keep the name of Julius Kessler in mind.

Of course the distillers in Kentucky face the same problem with production and prices. In about 1878 an organization known as the **Kentucky Distiller's Association** was formed for discussing certain features of the internal revenue laws strictly technical in their nature, the matter of storage, and administrative features of the law. The problem of over production became such that on 9 June 1877, most of the bourbon distillers in Kentucky entered into an agreement with the name **Kentucky Distillers** that they would not produce any whiskey during the distilling season from July 1, 1887, to July 1, 1888, except for certain quantities allowed by the agreement. If any distiller produced more than their specified allotment, they would pay 20 cents for each proof gallon in excess and that such funds would be on a pro rata basis to those not exceeding their allotment. They were serious about the problem and in February 1888, they called for a boycott of those distillers not entering the agreement. Eventually this led to the organization of the **Kentucky Distilleries & Warehouse Company** under the laws of New Jersey in February 1898. It was familiarly know as the **Bourbon Whiskey Trust**. This trust purchased the assets representing about 90 percent of the capacity of the standard brands of the state. A newspaper **United States Investor** published in their May 27, 1899, issue a list of 57 distillery companies purchased which included the Cedar Brook and D. L. Moore Distilleries.

In 1899 consolidation of whiskey interests across the country were coming into place. The **United States Investor** in the June 24, 1899, issue reported that the rye whiskey distillers united to form the **Philadelphia & Maryland Pure Rye Distilling Company**. The big news however was the proposed amalgamation of all the whiskey "trusts" to form a new company called **The Distilling Company of America**. This combined:

Name	No. of distilleries controlled	Capitalization
American Spirits Manufacturing Company	83	\$35,000,000
Spirits Distributing Company	2	\$6,500,000
Standard Distilling & Distributing Company	15	\$24,000,000
Kentucky Distilleries and Warehouse Company	56	\$29,000,000
Companies to be acquired	14	
Totals	170	\$94,500,000

It has been difficult to find out any details about the Spirits Distributing Company and the Standard Distilling & Distributing Company; and nothing has been found yet on what companies were to be acquired. The merger did not go smoothly and when it actually may have been completed. There is available a record of the New York

Supreme Court , Appellate Division, First Judicial Department with over 1,000 pages of documentation that no doubt will reveal more details. It is available on Google Books. It should be noted that even though this large company was being formed, independent distilling companies continued operation.

What is known is that Julius Kessler took interest in the **W. H. McBrayer's Cedar Brook** brand and affixed his name as the distiller. In a newspaper ad in **The Daily Ledger**; Tacoma, Washington edition of December 20, 1912, he claimed that no other distiller in the United States could show that even combined they did not equal, or even approach his record for bottled in bond whiskey in 1911. He claimed 2,956,944 bottles of 8 year old whiskey. Further the ad stated "My indisputable facts and records on the Supreme Popularity, Age and Quality of W. H. McBrayer's Cedar Brook Whiskey are unanswerable — proving it the biggest selling, oldest, bottled in bond whiskey now — and during three generation." As noted before, the Cedar Brook Distillery closed at the beginning of Prohibition. Kessler retired to Austria in 1921 He came back to the United States after repeal and in 1935 formed the **Julius Kessler Distilling Company** as a wholly owned subsidiary of Joseph Seagram & Sons. Seagram was a Canadian company that profited during prohibition by the proximity of its facilities to the United States. The Seagram company no longer exists. Kessler could not have produced Cedar Brook because at the time he returned to the U.S. since the trademark was owned by American Medical Spirits. His name lives on as Kessler ® American Blended Whiskey, a brand of Beam Suntory.

What makes the history confusing is that many names of companies and brands continued to be used after the consolidation occurred and there seem to be many informal alliances. Whiskey was traded between companies. Some was exported to Europe and then re-imported, another story in and of itself. Even branches of families sued each other over trademarks. One of these was between the Kentucky Distilleries & Warehouse Company and the R. E. Wathen Distillery. Brothers Richard and Otho H. and Richard E. Wathen owned the R.E. Wathen Distillery. They had split off from the family who owned the companies who entered the KDWC. As time passed the name **National Distillers Products Corporation** appeared with incorporation in 1924 and was called the successor to the Distillers Securities Corporation, the Whiskey Trust.

At the beginning of Prohibition. Otho and Richard Wathen formed the **American Medical Spirits Company** for the sale of whiskey for medicinal purposes only. That name or their trademark **A.M.S.** Appears on many prohibition era labels.

The Old McBrayer Distillery was sold to Rosenfield Brothers & Company who had also bought the **Sunny Brook Distillery Company**. The Sunny Brook brand name ended up with National Distillers so we might then assume they had control of the **Old McBrayer** brand name. Certainly we know that National Distillers used the Old McBrayer name on whisky sold after prohibition. Otho H. Wathen was both President of the American Medical Spirits Company and Vice-President and Director of National Distillers. AMS was sold to National Distillers in 1929 but both names continued for sometime after prohibition based on bottle labels and the fact that a number of trademarks were registered in the name of AMS in 1934 including the **Cedar Brook** name. It is not known if the Cedar Brook name was used however after the beginning of prohibition. The Old McBrayer name certainly was and use continued at least into the late 1970's. By this time it certainly was not a fine Kentucky bourbon, but was a blended whiskey containing only 35% straight aged whiskey and 65% grain neutral spirits. I can tell you from personal experience it was not a fine sippin' whiskey.

National Distillers Products no longer exists and many of the famous brands of yesteryear are now controlled by foreign companies. There is, however, a growing craft distilling industry growing in the United States akin to many craft beer breweries. You even find some interesting products such as bourbon barrel aged beers on the market.

(Note:: many references were used in preparing this discussion in addition to those specified. Among these are:

1. **The Distillers' and Cattle Feeders' Trust, 1887-1895**; Ernest E. East; Journal of the Illinois State Historical Society (1908-1984), Vol. 45, No. 2 (Summer, 1952), pp. 101-123; accessed on www.jstor.org on 11 March 2015.
2. **The Development of the Whiskey Trust**; Jeremiah W. Jones; Political Science Quarterly; Vol. 4, No. 2 (June 1889 pp. 296-319; The Academy of Political Science accessed on www.jstor.org on 10 March 2015.
3. **Business: Whiskey Names**; www.com/time/magazine/article/0,9171,748931,00.html downloaded 25 March 2011.
4. The Wathen Family Pokes the 800-Pound Gorilla (The Whiskey Trust); <http://sippincom.blogspot.com/2014/12/the-wathen-family-pokes-800-pound..html>
5. **American Medicinal Spirits Company**; [www.bottlebooks.com/american%20medicinal%20spirits%20company/american medicinal spirits compa.htm](http://www.bottlebooks.com/american%20medicinal%20spirits%20company/american%20medicinal%20spirits%20compa.htm))

Reunion Tours

Following the presentations and lunch on Friday, we began our tours. First was a ride around the old city of Cullman. On 27 April 2011 a terrible storm came through the area and did very significant damage to the city. Many buildings were completely destroyed and vast areas of trees are no longer there. Today you do not see but few remnants of the storm, debris has been mostly cleared and many buildings restored. The architecture is quite varied from stately old homes to modern houses. Many old buildings in the old downtown area have been converted to new purposes while retaining some of the old signs painted on the brick walls. While Cullman is referred to as "Alabama's Unforgettable German Colony," there is not a "German look" in homes or businesses. One of the notables who lived in Cullman was "Big Jim" Folsom, a former governor of Alabama who was frequently in the news during his life. His former home is a rather modest one, not one that would really stand out. There are many churches of various denominations in or close to the city. Some definitely stand out because the tall steeples are often the highest visible structures as you pass through. The large Cullman City Cemetery is in two sections. A number of ancestors are interred here and we saw a number of their gravestones as we rode through in the small bus. Just off the main street is a building which once housed the Ruehl wagon factory shown in the photo above. There is a real community spirit and a major celebration is the annual Oktoberfest. Our reunion was close to Halloween and some of us witnessed a "Zombie Crawl" one evening as strangely costumed celebrants made their way to one of the city's parks. It was a bit disconcerting while at dinner to have one of these creatures come in appearing arrow piced and bloody; they seemed to be having a good time.

We then headed out of town to the Fairview Methodist Church and Cemetery. Along the way we saw one of the farmhouses that had been built by family members. The well maintained cemetery is located behind the church. You can find a number of family graves memorialized on www.findagrave.com indexed under Fairview Cemetery, Fairview, Cullman County, Alabama.

The next stop was at the Ave Maria Grotto on the grounds of the St. Bernard Abbey. The Abbey was founded in 1891 by Benedictine monks to serve the needs of the German Catholics in the area of Cullman. The Grotto park is a four acre plot on the slope of a hill. It features about 125 miniature buildings and statues made from concrete and recycled materials such as beads, marbles, bits of colored glass, jars, jewelry and various metals. Some depict actual buildings such as St. Peter's Basilica, the Roman Colosseum and the Alamo as well as make-believe structures. The scene named the Ave Maria Grotto, shown in the picture at right, is the only large structure being 27 feet high, 27 feet wide and 27 feet high. Standing in the center with Child Jesus in her arms is the Virgin Mary, known here as Our Lady of Prompt Succor. This grotto was built in 1932 on the site of an old rock quarry. Many of the other much smaller structures were built earlier and were the creations of Brother Joseph Zoettl, a German born Benedictine monk who arrived in Cullman in 1892 at the age of 14.



Image from the Alabama Department of Archives and History, Montgomery, Alabama — used with permission



Family Farm House

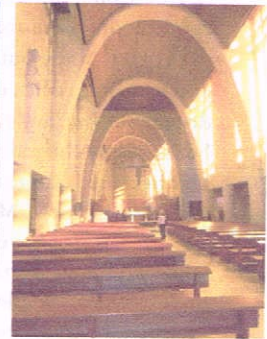


Roger Reehl telling us about kin in the Fairview Cemetery



At first his life was spent in prayer and laboring in the Abbey power house. He began building the miniatures in 1918 and finished his last in 1958 when he was 80 years old. Brother Joseph died in 1961 and is buried in the Abbey Cemetery. Today others continue his traditions by maintaining the old structures and adding a few new ones. It was a peaceful and pleasant place to visit.

Leaving the Grotto our bus drove through the grounds of the Abbey passing the St. Bernard Preparatory School, a Catholic co-ed boarding and day school for grades 7 through 12. It had its beginnings in 1893 and now attracts many foreign students. Close-by is the St. Bernard Abbey Church which we were able to visit. Construction of this Church began in 1956 and the first formal worship service was held in 1964. Most of the outside structure is native sandstone from the Abbey's own quarry. After time for reflection there, we headed back into town ending our pleasant and informative day of joint activities.



Saturday morning saw us boarding our tour bus once again for two unique locations. The first was the Peinhardt Living History Farm. The Peinhardt family, headed by Karl, migrated from Germany to the Cullman area in the late 1870's. His son Otto began the farm on its present site about 1900. His son Carl took over following his graduation from Auburn University and began his own diversified farm operation and became a leader in soil conservation and the dairy industry. When he died in 1992, his four surviving children began preservation and development of the farm as an educational living history farm. Their primary focus is to educate children in the agricultural roots and heritage from the 1930's and 1940's. As time has gone by more and more exhibited items including buildings have been moved to the farm, some from a more distant time including Nick Reuhl's log cabin and barn. One day a year there is the Peinhardt Farm Day open to the public and happily that day was the day of our visit. In addition to the Ruehl cabin and barn, we saw other buildings including the Red Hill Schoolhouse relocated from Marshall County and a grist mill operated in Logan, Alabama until about 1960. Other buildings housing exhibits of farm equipment and crafts are of more modern construction. We also saw sorghum syrup making (definitely an acquired taste!), an operating saw mill, a blacksmith shop, cider making and other crafts. We could have spent the day there, but there was more to see elsewhere.



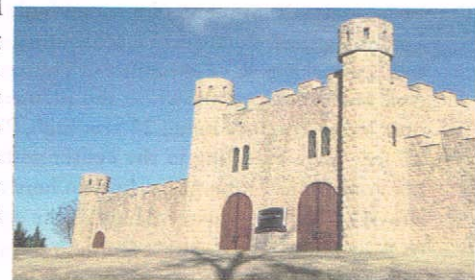
Roger showing off the Ruehl Cabin.



And here is a Ruehl Wagon, one of two seen at the Peinhardt Farm

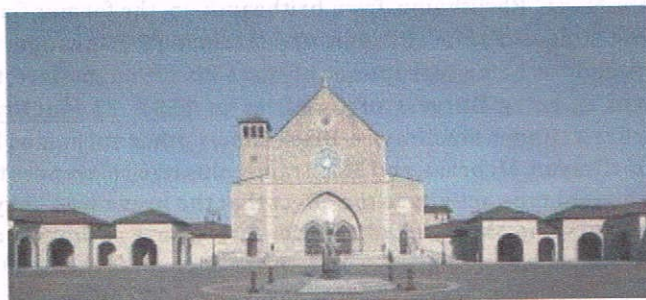
We traveled south of Cullman to visit the Shrine of the Most Blessed Sacrament in Hanceville. This magnificent complex was founded by Mother Angelica well known from her television appearances on the Eternal Word Television Network. In 1995 she received the inspiration to build the shrine during a trip to Columbia. With major donations by a few unnamed families, the Shrine was built during the period of 1997 to 2000. In addition to the publically accessible areas, the nuns of the Poor Clares of Perpetual Adoration live in the cloistered Our Lady of Angels Monastery adjacent to the main church. Mother Angelica, disabled by a stroke in 2001 and now bed-ridden still lives at the Monastery. People of all faiths are welcomed to visit the shrine.

After entering for our tour through Castle San Miguel which serves as the pilgrimage office, gift shop and dining facility, our guide took us first to a life size nativity scene inside a small building. From there we proceeded up a long walkway to the Divine Child Jesus Monument and then to the colonnade alongside the main church, the Temple of the Divine Child. We were able to see the main church, lower church where the crypts for deceased nuns are interred, and reception areas where the nuns are permitted visits from their

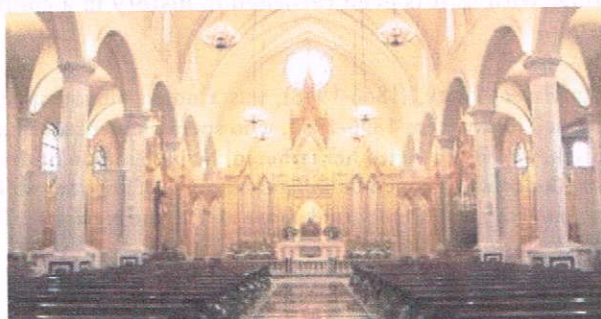


Castle San Miguel

families. In the Main Church a magnificent altar screen separates the nuns from the public while still participating in services. This tour was very inspiring and was a fitting end to our reunion tours.



The Temple of the Divine Child with the Divine Child Jesus Monument in the plaza immediately in front and center of the Church



The Main Altar



The Creche

On leaving the Shrine we again thanked our hosts for their hospitality during our short time together in Cullman. We met new cousins and renewed acquaintances with others and greater feeling of FAMILY left with us all. Where will we meet next? If you have suggestions and are willing to help, please let the officers know. You can send suggestions to the Newsletter Editor.



Origin of Our Surname

In past newsletters and other publications, some thoughts about the origin of our surname McBair and all the variations there of, have been proposed. The one most frequently seen is that it means "son of a friar" which might not have been a too honorific name since the churchmen at the time probably were not married, unless it was from early Celtic Church times. Recently during a random internet search, a posting was found which might shed more light on the subject. The posting was in the McBroom Family Genealogy Forum dated 11 April 2006. A portion of the posting is given below. A few minor corrections were made in the spelling and punctuation where the meaning would not be changed, however the surnames, even where they might seem to be incorrect were not changed. (<http://genforum.genealogy.com/mcbroom/messages/652.html>)

According to George F. Black's book "Surnames of Scotland," Mac is a Gaelic prefix occurring in Scottish names of Gaelic origin, as MacDonald, MacLean, Macphie, and the like, meaning "son". The prefix M' and Mc are corruptions of Mac. In an effort to be brief about that which much has already been written, mac and mic are pronounced as mack, mikhk, with ch and kh like "ch" in German "doch" and "ich," respectively. This pronunciation is ancient and appears in early Scots records written as mach. In Mac, the "c" is the dominant sound and tends to thrust itself over onto the beginning of the following syllable as in Maccaulay for Macaulay. The prefix Mac may not necessarily indicate the son of a Gael, as some Norsemen and lowland peoples assumed it, or it was given to some who were of non-Gaelic origin.

Black, in the above noted reference shows the name MacBroom as probably being a variant of the surname MacBrayne, which is derived from the ancient Gaelic surname, Mac a' Bhriuthainn, and translates to "son of the judge". Some other surnames that translate likewise, or which are corruptions of Mac a' Bhriuthainn according to Black, are: 1) Brown, that has more than one origin, with one showing, From Gaelic Mac a' Bhriuthainn, from britheamhain, the former Gaelic genitive of britheamh, 'brehon, brieve, judge.'; 2) MacaBhriuin, and MacBrioun as meaning son of Brion, which Black notes in a correction as being corruptions of Mac a Bhriuthainn. Here, too, is mentioned one Andrew McBrwin as being Burgess of Dumfries in 1557; 3) **MacBriar, MacBraire, MacBrair**, and; 4) MacBrew. Under MacBrayne, Black shows other surnames like Makbrehin, M'Breyane, M'Breyne, McBrayan, Mcbrain, and MacBraine, plus two references that read, in part, concerning local government type activity to the effect that the breve was "a kynd of judge amongst the islanders, who hath an absolute judicatorie, vnto whose authoritie and censure they willingly submit...betuein partie and partie"... and, in the second as the position being "hereditary". Although such a practice is ancient like today, the interchangeability of names like McBroom to McBrown, or McBroon, continue to be commonplace. Nowhere is this example of confusion more evident than in day-to-day activities when the name McBroom is discussed, or written, by folks unfamiliar with it. It is even recorded to history in a confusing manner as seen on old Scottish maps.

The author of the book cited, the late Dr. George Fraser Black, (1866-1948), was a noted bibliographer and historical scholar on the staff of The New York Public Library from 1896-1931, who spent almost half a century on the research of this volume. Miss Mary Elder Black, who had assisted her father in the preparation of the main text, also supplied the amendments and additions included as an appendix in later editions. If anyone can locate a copy of the book in their locality, please see if you can verify what is reported above and let the Newsetter Editor know.



Are We Vikings?

Some family members who have had DNA testing done at AncestryDNA have received information stating that they are of a given percentage Scandinavian ancestry! How could this be? Keep in mind that many years ago Viking raiders patrolled the Western Isles of Scotland and were a major presence in Galloway where they had settlements and engaged in trading. As a result there can be no doubt they fathered children which of course could explain the DNA results.

Our family has long believed that our origins in recorded history were in Dumfriesshire. It is uncertain how far into Dumfriesshire the Viking influence extended. The discovery of a Viking treasure trove in a pasture owned by the Church of Scotland south of Dumfries may shed more light on the subject. The exact site has not been disclosed since the discovery in September 2014 so as to prevent unauthorized and possibly damaging digging by others. The discovery was made by an amateur metal detectorist aided by two churchmen. It is described as the most significant Viking Hoard ever found in Scotland. It is thought to have been buried some time in the mid-ninth or tenth century. Its value is estimated at £1 million and is by law being held by the Treasure Trove Unit of the National Museum of Scotland. The law also entitles the finders to a reward related to the market value of the items. By agreement, the discoverer and the Church of Scotland's General Trustees (the owner of the land) will share in the proceeds.

This picture shows three of the items found. The cross is silver with unique enamel decorations. The cup at the lower right is also silver and is engraved. It was made in the Holy Roamn Empire at the time of Charlemagne or his successors and is only one of three Carolingian cups found in Britain. It was wrapped in cloth and found filled with valuable objects including glass beads. The bird pin is gold and about 4 inches long.



So maybe we are a bit Viking!

(Archaeology (magazine) – Viking Treasure Trove – January/February 2015 – page 20 + http://en.wikipedia.org/wiki/Dumfriesshire_Hoard)

OK, but what about Neanderthal?

If you have had your DNA tested while participating in the Genographic Project of the National Geographic Society, your results reported your ancestry including percentages of Neanderthal (mine is 1.6%) and Denisovian (mine is 2.1%) DNA. These hominin cousins of our modern human ancestors roamed together with them through Eurasia some 60,000 years ago. It is thought that during encounters, inbreeding occurred thereby introducing Neanderthal and Denisovian DNA into the modern human gene pool. Most modern non-Africans are about 2 percent Neanderthal and slightly less than 2 percent Denisovian. The science of this determination is very new and results may change with time. (www.genographic.com)



The first draft of the Human Genome Project was in 2001 while the first draft of the Neanderthal Genome was in 2010. With this it was thought that this would tell us all we needed to know about the differences between modern humans and our closest evolutionary cousins, the Neanderthals. Turns out that was not the case. Now researchers have found a way to use epigenetics, the factors that determine which genes are active and which are inactive. Two of the factors found are first with two of the genes that determine body shape. In Neanderthals they were highly inactivated and in humans highly activated. This could help explain why Neanderthals had thicker hands, wider knee and elbow joints and shorter limbs. The genes involved are identical between humans and Neanderthals except for a region where the epigenetics is different. The second are with genes associated with diseases such as Alzheimer's, autism and schizophrenia which appear to be activated in modern humans but not Neanderthals. So we increased mobility but suffered from new diseases. (**Archaeology – Decoding Neanderthal Genetics** – January/February 2015 – page 29)

What must be kept in mind that all percentages of ethnicity are based on reference populations and as more and more individuals are tested, the percentages for each individual may change as time passes.

Advertising Ploys

One of the interesting things about searching whiskey history is the old ads. this one appeared in **The Daily Kentuckian**, Hopkinsville, Kentucky, on 25 May 1898, as well as some other issues. (www.fold3.com , Image #266590423) It probably would not be seen today except in some of the satirical on-line papers.

Behold!

That great Philanthropist T. M. Edmundson, is still in the ring, for enchantment of distressed humanity. He is dispensing at his old stand the following popular brands: Old Prentice, Early Times, Old Barber, Hackley, Melwood, **McBrayer** the best on earth for medical purposes. Come to me all of you who are weary and heavy laden and I will give you rest.

That "great Philanthropist" was the saloon keeper Thomas M. Edmundson who was born in Christian County, Kentucky in 1840. The ad appeared with no address for the saloon so it must have been a place well known in Hopkinsville which is in Christian County. With the exception of **Early Times**, the brands of whiskey named are not currently sold. It is not known for sure which McBrayer whiskey was sold, **W.H.McBrayer's** or **Old McBrayer**. The other brands appear to have ceased being sold at the beginning of Prohibition. Brand names and the distillery in which they were produced often changed. Early Times was originally produced by the Early Times Distillery in Louisville, Kentucky, but now is produced in at least two different distilleries controlled by the Brown-Forman Company.

Here is a story which appeared in the Rocky Mountain News, Denver, Colorado, 12 January 1912 edition (www.GenealogyBank.com).

MEPHISTO STARTLES CITY Advertising Man Plays Pranks on Denver Streets.

Crowds of people on the streets of Denver yesterday afternoon and evening were startled at the appearance of a figure that, to say the least, was striking.

C. H. Buckley of the United States at large "blew" into the city suddenly and unannounced, but before he had been on the streets an hour his presence here was not only known, but he was being talked about. Incidentally McBrayer's



Cedar Brook Whisky also came in for an unusual amount of advertising.

First gazing in admiration and astonishment at a startling double of Mephisto, clad in an unusually original evening dress and wearing Van Dyke beard, as he approached through the jostling crowds, women and children almost screamed when suddenly across his faultlessly white celluloid shirt front there flashed in bright red letters the words, "McBrayer's Cedar Brook Whisky."

This effect is produced by an electric mechanism installed somewhere in Buckley's clothing, and is the cause of Buckley's presence in Denver. He is the only advertising man of his kind, he claims, in existence. His life work, at present, is to carry to the world the message of this particular brand of booze.

Incidentally, Buckley never enters a saloon. He considers that in those places the whisky he heralds attends to its own advertising, personally.

In restaurants, hotels, theaters and other fashionable places, however, he is there with the goods.

Among the remarkable peculiarities of his plan of advertising is the fact that it is all done through his queer getup and the electric sign thrown suddenly and at most unexpected moments upon his shirt front.

Who is He?

The following article was found on www.fold3.com (Image #97664315). It was from The Atlanta Constitution, Volume 54, Number 193, page 18 which is held by the Allen County (Indiana) Library. It is interesting to read what was in the news years ago and the style in which it was written.

A Case Wherein A Fifty-Dollar Bill Disappears?

Americus, Ga., December 21. - (Special.) - Dick Merritt, a prominent young man of Weston, arrested here yesterday, was discharged after a hearing before Justice of the Peace F. W. Griffin. W. O. McBrayer, a barber, charged that Merritt received \$50 too much in change in having his shoes polished in McBrayer's shop, and that Merritt refused to refund the amount.

Merritt tendered a \$50 bill in payment for a shine, according to McBrayer, causing him to get extra change out of his purse, where he had a \$50 greenback salted away.

This disappeared and Merritt was arrested after he had given a \$50 bill in payment for an overcoat at an Americus clothing store. Merritt denied having visited McBrayer's shop and introduced several witnesses, who testified at the hearing as to his good character. Merritt was represented at the hearing by Stephen Pace and McBrayer by the county prosecutor.

A search was made to find out who W. O. McBrayer was and what could be learned about his family. This involved Ancestry.com, FamilySearch.com, MyHeritage.com, and Archives.com. The first three had the 1920 U.S. Census which certainly seems to correctly identify the family living in a rented home at 129 Mayo Street in Americus, Georgia. All the family members were born in Georgia.

W. O. McBrayer, head, age 33, a barber

Amy McBrayer, wife, age 33

Marion McBrayer, son, age 11

Ethliyn McBrayer, daughter, age 9

Francis McBrayer, daughter, age 6

Thelma McBrayer, daughter, age 1

The only other definite record found thus far for this family was from the 1943 Atlanta (Georgia) City Directory on Ancestry.com. There was a listing for **Amy T. McBrayer** (widow of W.O.), a nurse living at 925 Lullwater Parkway NE.

There are also Family Trees on Ancestry.com showing a William Oscar McBrayer married to an Amy Thelma Means along with two of the children named above, however, the documentation is very scanty. In addition, the Amy Thelma in some of the family trees where she is shown as the spouse of William Oscar, has her death as 1911 while still having the 1920 census cited as a source of residence! How could she have two children after she died? This is an example of what you have to look out for when you find family trees online.

In the end, does anyone have information on W. O. and Amy T. to help put them on the right branch

of our tree?

Diseases from the Past

In going through old records we sometimes find causes of death or disability which may seem to be a mystery. Here are some old terms generally from the period of 1760 to 1830 along with more modern definitions.

Aphonia	Laryngitis
Apoplexy	Paralysis due to a stroke
Bright's Disease	Inflammation of the kidneys
Canine madness	Rabies
Chin cough	Whooping cough
Congestive fever	Malaria
Consumption	Tuberculosis, usually pulmonary
Dropsy	swelling with the presence of large amounts of fluid such as in kidney disease or congestive heart failure (also called oedema, edema or hydropsy)
Falling sickness	Epilepsy
Gout	Form of arthritis with the build up of uric acid in the blood, often affect joints
La grippe	Influenza
Nephrosis	Inflammation of the kidneys
Phthisis	Pulmonary tuberculosis
Pleurisy	Inflammation of the chest cavity
Rickets	Deficiency of Vitamin D
Scrofula	Tuberculosis of the lymph glands, most common in children Also called "King's Evil"
Scurvy	Deficiency of Vitamin C
Variola confluens	Small pox

For a much more complete list, see www.thornber.net/medicine.html/medgloss.html.

Census Assumptions

Census records are a major resource in developing family histories, however, care must be taken to insure that mistakes are not made. All the major genealogy web services use the census and you may have to look for information on more than one. One reason for this is that all now rely on indexing to search data. When the indexers do their work, they have to put down what they see and this is often difficult. All the U.S. census records available to us today were hand written, some of which are very hard to read. Complicating this the fact that the census taker wrote down what they thought was said and spelling errors are very common. Also, from year to year a person's given name may be listed differently: one time a nickname, the next initials and another time the full legal name or a middle name instead of a first name. All these can make it difficult for one to determine if the one you find is the one you are looking for.

Many of us rely on Ancestry.com as a source of data. A feature they offer is "Related Content" when viewing many records. This is a great help since these links may look beyond some indexing errors, however, assumptions may be made that are incorrect unless you look at other available data.

The following is an example. An obituary gave the maiden name of the deceased's mother as McBrier. None

of the names mentioned were found in current family records so a search was begun. First, the obituary:

DALE PETERS BRYANT, 95, died on January 26, 2015 at New London Hospital's Clough Extended Care Center. She was born to Nina (**McBrier**) and Francis Grant Peters on June 13, 1919 in Coraopolis, PA. A graduate of Mary Baldwin College, she became a Rockefeller Foundation intern with the National Institute of Public Affairs, then an analyst with the War Production Board and Office of War Information during WWII, as well as a Red Cross nurses' aide. She developed a deep interest in the people and cultures of Latin America while living there for many years with her husband, Robert James Bryant, a US Foreign Service officer, and their four children. Her research into sixteenth century documents at the Colegio de Mexico and Mexican village records culminated in her receiving a master's degree with honors at the Universidad de las Americas in 1955 and informed her long career as a CIA analyst and writer on Latin America.

With her husband she retired to a long-abandoned 1820 inn on Height of Land in Grafton, NH, which they spent eighteen years renovating. She enjoyed the peace, the long views, gardening, cross-country skiing, swimming, and canoeing on Grafton Pond. She was an avid reader, hooked rugs, served as a trustee of trust funds and volunteered with the visiting nurse association. Dale also loved sailing in the Chesapeake Bay area where she and Bob owned a home for many years. Since 1989, the Bryants had lived in a 1774 Hanover house that they had carefully restored.

In the Upper Valley, Dale was an active volunteer, serving on the boards of Howe Library, River City Arts, Hanover Historical Society, Human Services Council, and Mascoma Home Health Services. She was a member of the Alice Peck Day and Mary Hitchcock corporations, Hanover Senior Center steering committee, several book clubs and the Hanover and Canaan garden clubs.

Bob, whom she married in 1942, died in January, 1996. She is survived by their children: Susan Barrett of Newburyport, MA, Robert James, Jr. of N. Sutton, Peter McBrier of Cambridge, MA and Douglas Stuart of Alexandria, VA and their families, including three grandchildren and three great-children. She is also survived by her sister-in-law, Else Boyd Peters of Exton, PA, and a nephew and niece. Dale's brother, George McBrier Peters, died in 1971.

A celebration of her life will be held in the spring. Memorial contributions to Howe Library, 13 South Street, or to the Upper Valley Land Trust, 19 Buck Road, Hanover, NH 03755 would honor her values and memory.

(http://www.meaningfulfunerals.net/fh/obituaries/obituary.cfm?o_id=2932968&fh_id=12966)

Searching using the names Nina Peters, her father and mother's given names, and including the mother's maiden name in the **1940 U.S. Census** (Ancestry.com) showed the family living in a home rented for \$75 per month at 76 Washington Highway, Amherst, Erie County, New York.

Frank G. Peters, Head, age 52, a salesman and engineer at a steel company who earned \$5000 in 1939

Nina McB Peters, wife, age 49, born in Pennsylvania

George McB Peters, son, age 24, an apprentice at a coke plant who earned \$1200 in 1939

Helen Dale Peters, daughter, age 20

(Note: the middle name abbreviation was indexed as "Mc G" for Nina and George. This was a transcription error.)

Going then to the **1930 U.S. Census** (Ancestry.com) found the family living in a rental home valued at \$8000 at 927 Main Street, Coraopolis, Allegheny County, Pennsylvania. They had a radio.

Frank G. Peters, head, age 41, a sales engineer for a roofing company, married at age 25

Nina M. Peters, wife, age 39 married at age 23

George M. Peters, son, age 15

Helen D. Peters, daughter, age 10

In the **1920 U.S. Census** (Ancestry.com), the Peters family was found living in the home of Nina's parents at 427 Maine Street, Coraopolis, Ward 3, Allegheny County, Pennsylvania, which her parents owned.

George McBrier, head, age 60, a dealer in real estate

Margretta McBrier, wife, age 58

Ada McBrier, daughter, age 30

Itha McBrier, daughter, age 26, office clerk

Frank Peters, son-in-law, age 32, an engineer at oil company

Nina Peters, daughter, age 28

George Peters, grandson, age 4 ½

Helen Peters, granddaughter, age 7 months

(Note: the wife's name was not spelled correctly, it is Margaretta according to her death certificate and the 1910 census.)

The 1910 U.S. Census (Ancestry.com) shows Nina living with her parents before her marriage in a rented home at 88 Mayne Avenue, East Washington, Washington County, Pennsylvania.

G. W. McBrier, head, age 51, married 21 years, a merchant in a retail tool and builders supply

Margaretta McBrier, wife, age 49

Adah McBrier, daughter, age 20

Nina McBrier, daughter, age 19

Etha McBrier, daughter, age 17

(Note: the correct spelling of the oldest daughter's given name is Ada based upon both her father and mother's death certificate for which she was the informant.)

The 1900 U.S. Census (Ancestry.com) is the earliest census in which Nina appears. Her family lived in Crofton, Allegheny County, Pennsylvania.

George W. McBrier, head, age 40, born in October 1858 in Pennsylvania, a hardware merchant

Margaretta McBrier, wife, age 39, born November 1861 in Pennsylvania, married in 1888, 3 children all living

Adda M. McBrier, daughter, age 10, born July 1890 in Pennsylvania

Nina M. McBrier, daughter, age 9, born January 1891 in Pennsylvania

Itha Fame McBrier, daughter, age 7, born December 1892 in Pennsylvania

Elizabeth J. Johnson, sister-in-law, age 56, born April 1844 in Pennsylvania

Chester B. Trotter, brother-in-law, age 58, born January 1842, church janitor

A "Related Content" link for George went to the 1860 U.S. Census (Ancestry.com) where a family was living in Moon, Beaver County, Pennsylvania. The post office was New Sheffield and Phiipsburg.

William McBriar, age 34, born in Pennsylvania, a sawyer

Eliza McBriar, age 32, born in Pennsylvania

Martha McBriar, age 10, born in Pennsylvania

John McBriar, age 6, born in Pennsylvania

Mary McBriar, age 4, born in Pennsylvania

George McBriar, age 2, born in Pennsylvania

(Note: the surname is spelled different but it is believed that it is the correct family for Nina's father George based on later information. William's occupation is defined as "one who saws wood.")

A further "Related Content" link which turned out to be erroneous and could have led to a "Census Assumption" conclusion. This was to the 1850 U.S. Census (Ancestry.com) which gave a family headed by James McBrier and his wife Elizabeth. Following though on this path showed that this James was 3rd generation in America (Hugh, Nathaniel) and the son William is well documented in Family records as William McBryar This William did not have a son George.

Then two death certificates from the Commonwealth of Pennsylvania (Ancestry.com **Pennsylvania Death certificates, 1906-1963**) were found which helps clarify some points. These were for George and Margaretta.

Name	George Washington McBrier	Margaretta McBrier
Place of Death	Coraopolis, Allegheny	Coraopolis, Allegheny
Date of Death	13 October 1937	6 August 1949
Primary Cause of Death	Myocarditis, Endocarditis	Senility
Last address	900 Hiland Avenue	927 Main Street
Date of Birth	6 October 1858	25 March 1861

Birthplace	Moon Twp., Beaver Cty, PA	Mercer Cty, PA
Father's Name	William McBrier	Matthew Trotter
Mother's Maiden Name	Eliza Jane Shafer	Nancy McCandless
Informant	Ada M. McBrier	Ada M. McBrier
Burial	Coraopolis, Allegheny	Coraopolis, Allegheny

Using the name George Washington McBrier did lead to additional information. The **1930 U.S. Census** (Ancestry.com) showed the family after the marriage of Nina living at their own home valued at \$25,000 at 900 Hiland Avenue, Coraopolis, Allegheny County, Pennsylvania.

George W. McBrier, head, age 71, married at age 30, Oil Producer of an Oil Company he owned

Margretta McBrier, wife, age 69, married at age 27

Adda McBrier, daughter, age 40

Itha McBrier, daughter, age 37, a bookkeeper at YMCA

(Note: Daughter Ada lived at this address at the time her father died in 1937.)

With George's and his mother's names as search option led to the **1880 U.S. Census** (Ancestry.com) found them living in Freedom Borough, Beaver County, Pennsylvania. The census image is difficult to read but their home, no house number, was on High Street.

Eliza J. McBrier, age 44, born in Pennsylvania, a widow

George McBrier, son, age 21, born in Pennsylvania, a ship carpenter

Cora L. McBrier, daughter, age 6, born in Pennsylvania

(Note: Nothing more has been yet found for Cora. We could assume that William died between 1873 and 1880 based on an assumed birth of Cora about 1874 and Eliza being listed a widow.)

The assumption of a range of years for William's death was found incorrect by an entry in the **U.S. Federal Census Mortality Schedules, 1850-1885** (Ancestry.com) for the *Non Population Census Schedules for Pennsylvania, 1850-1890:Mortality*. M1838, NARA. This record is for deaths the year ending May 31, 1880. It is quite difficult to read in part, but it does appear to be for the person we are looking for.

William McBrier, age 48, born in Pennsylvania, both parents from Ireland, resided in Freedom, Beaver County, Pennsylvania, was married, a ship carpenter, died April 1880. The cause of death may have been "disease of the liver," it is hard to read. The 1860 U.S. Census listed his occupation as a sawyer, that is, a person who saws wood, so being here a ship carpenter seems reasonable. Somewhat supporting the year of death is a record found in the **U.S. Civil War Pension Index, General Index to Pension Files, 1861-1934** (Ancestry.com). The card image gives:

Name of Soldier: **McBrier, William** Service: A 17 Pa. Cav.

Name of Dependent: **McBrier, Eliza J.**

Date of Filing: 1880, June 19 Class: Widow Application No. 269,004

His service was verified by a record card on www.Fold3.com where he was shown entering as a Private and discharged as a Private in Co. A, 17 Pennsylvania Cav. No details were given on the site but they probably could be obtained at the National Archives.

The family was Presbyterians according to the Historical Society of Pennsylvania, **Historic Pennsylvania Church and Town Records**, Reel 430 (Ancestry.com) for the First Presbyterian Church, Freedom, Beaver County, Pennsylvania. The records were compiled alphabetically, not by date. The records below appear to be when the family became members of this church.

Name	Date of Admission	How Received
McBrier, William Mrs.	January 10, 1858	Certificate
McBrier, Mary E. Miss	October 28, 1878	Examination
McBrier, George	February 27, 187? (Unclear)	Examination

There is another entry in this book for George. It appears to reference another document and the purpose is unknown. The entry: Geo. McBrier 3-3-1886, II-33.

One more Related Content link was very unusual because it was for a family indexed as "Mcbrise." in the 1870 U.S. Census (Ancestry.com). The reason for this link was that another researcher has given an alternate surname of McBrier/ McBriar/McBryar for the family. Looking at the census image, the surname can be read as "McBrire." This family was living in Moon Township, Beaver County, Pennsylvania, with the postoffice being in Hookstown.

William McBrire, age 45, a labourer with \$800 real estate and \$300 personal estate, born in Pennsylvania, parents not of foreign birth

Jane McBrire, age 42, keeping house, born in Pennsylvania

Martha McBrire, age 29, at home, born in Pennsylvania

John McBrire, age 16, at school, born in Pennsylvania

George McBrire, age 10, at school, born in Pennsylvania

(Note: by comparing this family to the one above in the 1860 Census makes the assumption they are the same family quite positive. There is a contradiction in the birthplace of William's parents. Here is stated "not of foreign birth" while the Mortality Schedule previously referenced states they were born in Ireland. This census record is assumed to be incorrect. It may also be noted that the spelling McBrire has appeared in an Irish record along with McBriar, McBrier, McBriers and McBryar.)

The researcher responsible for the alternate naming in the 1870 Census was contacted. He has done extensive searches in Beaver County Pennsylvania and his wife is the 3rd great-granddaughter of George's oldest sister, Martha "Minnie" McBrier. He gave me access to the private Family Tree on Ancestry.com and provided addition references. Two profiles from the family tree are of interest to us. Birth and death years follow the name.

Individual	William McBrier 1824-1880	John McBrier abt. 1795-1853
Father	John McBrier abt. 1795-1853	John McBrier ?-?
Mother	Susanna Mathers 1795 - ?	Agnes ? ?-?
Spouse	Elizabeth Jane Shaffer 1826-1881	Susanna Mathers 1795 - ?
Children	Martha "Minnie" McBrier 1850-1894	William McBrier 1824-1880
	John Thomas McBrier 1854-1926	Agnes McBrier 1830- ?
	Mary E. McBrier 1856-	Martha McBrier 1834- ?
	George Washington McBrier 1858-1937	John McBrier 1834- ?
	Cora L. McBrier 1874- ?	

For the 1850 U.S. Census (Ancestry.com) William and his father were living in separate households in Moon Township, Beaver County, Pennsylvania.

John McBriar, age 53, occupation "None," born in Ireland, \$3500 value of real estate

Susanna McBriar, age 55, born in Ireland

Agnes McBriar, age 20, born in Pennsylvania

Martha McBriar, age 18, born in Pennsylvania

John McBriar, age 16, born in Pennsylvania

and

William McBriar, age 26, a farmer, born in Pennsylvania

Eliza J. McBriar, age 23, born in Pennsylvania

Martha McBrait, age 8 months, born in Pennsylvania

William Winkle, age 14, born in Pennsylvania

(Note: The spelling of the surname changed, the same census enumerator counted both families. It is not known if William Winkle was related.)

Additional documentation was now available for William's death. First is:

Find A Grave Memorial 86714830 (www.findagrave.com)

William McBrier, born 4 June 1824, Beaver County, Pennsylvania; died 17 April 1880, Beaver County, Pennsylvania; burial Oak Grove Cemetery (also known as Freedom Cemetery), Freedom,

Beaver County, Pennsylvania, plot 1st PT lot 237; marble headstone GAR Marker 211.

and

Pennsylvania Veterans Burial Cards, 1777-1999 (Ancestry.com) provides the same data and adds dates of service as 6 September 1862 to 16 June 1865.

William's father **John McBrier** died 6 December 1853 in Moon Township, Beaver County, Pennsylvania. Documentation is:

Find A Grave Memorial 86715971 (www.findagrave.com)

Burial is in Mount. Carmel Cemetery, Beaver County, Pennsylvania. The gravestone has the surname spelled "McBriar."



His signature

and

Pennsylvania, Deaths, 1852-1854 (Ancestry.com) for **John McBrier**, a farmer, born in 1796 in Ireland, died in Moon Township, Beaver County, Pennsylvania at the age of 57 on 8 December 1853. Cause of death was dyspepsia (a "disturbed digestion" perhaps in this case a gastric ulcer). His parents were John McBrier and Agnes McBrier. His spouse was Susanah McBrier.

The **1840 U.S. Census** (Ancestry.com) has a **John McBryar** living in Moon, Beaver County, Pennsylvania. In this census, only the head of the household was given by name. The rest of the family was categorized by age range. All were free white persons.

Male - 5 thru 9 - 1; Male - 10 thru 14 - 1; Male - 40 thru 49 - 1 (John)

Female - 10 thru 14 - 1, Female - 15 thru 19 - 2; Female - 20 thru 29 - 1, Female - 40 thru 49 - 1

The total was eight persons. The 1850 census named six. From this we can assume that there were two females left unaccounted for in other census records and the provided family tree. We might assume daughters who married, or they had died, or ?. There also are the possibilities that there were other children born either before John and Susanna (Susanah) came to America

In a **History of Moon Township Beaver County, Pa.** published in 1904 (<http://rays-place.com/pa/bea-moon.htm>), there is mentioned "James McBriar and wife" as among the first members of the North Branch Presbyterian Church. This church started in 1833 as a branch of the Mt. Carmel Church in Hopewell Township. James was buried in the Mt. Carmel Cemetery as shown above.

The **Irish Records Extraction Database** (Ancestry.com) does contain pertinent information for the marriage of John and Susanna.

Marriage: 1816 Place: Presbyterian Church, Killinicy, County Down, Ireland

Groom: **John McBriar** Bride: **Susanna Mathers**

A record at freepages.genealogy.rootsweb.ancestry.com/~rosdavies/SURNAMES/Mc?McB.htm Gives the following: "**John McBRIAR**, Killinicy, married **Susanna Mathers** 30 Nov 1816 at Killinicy Presbyterian Church"

The final documentation to be presented now is taken from the handwritten petition for United States citizenship by **John McBriar**. when he appeared before the Prothonotary (Chief Clerk) of the Court of Common Pleas, Beaver County, State of Pennsylvania on 2 December 1841. In this he stated:

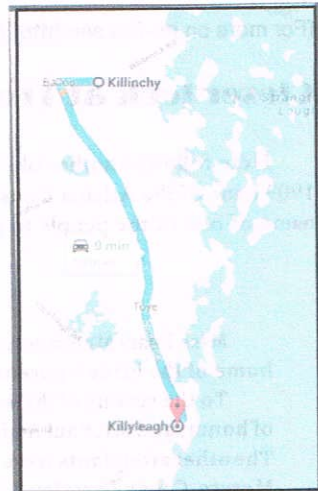
- He was a native of County Down, Ireland born in 1795.
- He emigrated from Ireland in 1818 and selected the United States of America and the State of Pennsylvania as his place of intended residence.
- It was his intention to become a citizen of the United States and reject any allegiance to the Queen of Great Britain whom he was before a subject.

In a following petition before the Prothonotary on 5 March 1844, James restated his intention to become a citizen of the United States. He was supported by a statement by James D. Eakin, a citizen of the United States. Mr. Eakin swore that he was well acquainted with John McBriar and considered him "a man of good moral character, attached to the principles of the Constitution.." John at the end of the statement said "I hereby renounce and relinquish any title or order of nobility to which I am, or may be hereafter, entitled; and that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign Prince, Potentate, State, and Sovereignty whatsoever, and particularly to the Queen of Great Britain of whom I was before a subject." John was admitted a citizen on that day by the Court.

(Note: The assumption of a possibility of John and Susanna having children before they came to America now appeared incorrect as their marriage and arrival in America were in the same year 1818)

NOW the question becomes, is this family related to the rest of us? There seems to be a possibility because we believe our ancestors were for a time at least in Ireland and our first generation in America William was perhaps born in Killyleigh. As the current map shows, Killyleigh and Killinchy where James and Susanna were married are only a short distance apart (5.9 miles). Further this extract shows there was some connection between the Presbyterian churches in the two towns. "This congregation was originally united with Killyleagh under Rev. Bole. The earliest Presbyterian minister of Killinchy, the Rev. John Livingstone, was minister from 1630 until he fled to Scotland in 1637 and after troubled times. Rev. Livingstone sent over Rev. Michael Bruce from Scotland in 1657 who was later ordered to exile himself to the "wild woods of Killinchy". A separate meeting house was finally built in 1670. The Rev. Archibald Hamilton was minister from 1693 until 1699 then Rev. James Reid from 1702- 1753."

<http://freepages.genealogy.rootsweb.ancestry.com/~rosdavies/PHOTOSw/ords/KillinchyAll.htm>



The following information was received on 11 February 2015 in an e-mail from Rosalind Davies, the creator of the web site mentioned in the previous paragraph.

I checked the published gravestones. Not everyone left a headstone in those days.

In Killinchy Non Subscribing Presbyterian graveyards;

McBrier Erected by William McBrier of Drumreagh in memory of his son David who died 02 Jul 1864 in the 24th year of his age. Also his son William who died 23 Feb 1904 aged 70 years. Also Martha Rodgers Lowry, wife of his son William, who died 07 Jan 1928 in her 94th year. Also their daughter Susan McCorry who died 07 Sep 1949. Also her husband Rev. Joseph James McCorry who died 30 Mar 1951 aged 72 years.

In Killaresy graveyard, Killyleagh parish;

McBrier /In a low-railed enclosure with Watson stone/. Erected by Alexander McBrier of Ballybreda in memory of his son Samuel who departed this life 03 Aug 1842 aged 12 years. Also the said Alexander McBrier who died 18 Oct 1865 aged 76 years. Also his wife Elizabeth McBrier who died 09 Jan 1872 aged 83 years. Here also lie the remains of James Gilmore of Belfast who died 03 Mar 1903 aged 76 years. Also his wife Isabella Gilmore who died 30 Apr 1906 aged 75 years. Inserted by Samuel Morrison of Killyleagh in remembrance of his father, mother, brothers and sisters. Also his son Robert James Morrison.

More research of Irish records and DNA testing may give us the answers we are looking for, that is, when did our ancestors leave Scotland, how long did they remain in Ireland and how were the "three brothers" related.. Perhaps we can find a tie to the data previously obtained by Family Association member Kathie Canfield. We may also find out if the John McBrier who came to America is related to those shown buried in the cemeteries in Killinchy and Killyleagh.

Scotland's National Drink

If you asked folks what the national drink of Scotland is, most would say Scotch Whisky. But what is the second? It is concoction first introduced in 1901 by A. G. Barr plc as "Iron Brew," but because it was not actually brewed, authorities required a name change. So it became known as "Irn-Bru." The 1999 recipe had the contents as ammonium ferric citrate, sugar, 32 flavoring agents including caffeine and quinine (except for any sold in Australia food coloring and carbonated water. The coloring agents were changed in 2010 since they were banned in some countries and Barr wanted access world-wide. It is bright orange in color and is frequently characterized the taste of bubble gum with an iron aftertaste.

The advertising slogans for the drink have been "Scotland's Other National Drink" and "Made in Scotland from girders," a reference to the iron aftertaste. It has long been the most popular soft drink in Scotland with Coca-Cola the second but more recently the sales are nearly the same. In the UK, Irn-Bru is in third place following Coca-Cola and Pepsi.

You can buy Irn-Bru in the U.S. in a limited number of places as well as on Amazon.com, although the price



can be a little steep there.

Has anyone tried this drink? From what I have read in reviews, it must have an acquired taste, such as for haggis!

(For more on Im-Bru see <http://en.wikipedia.org/wiki/Im-Bru>)

Closer look at Tree Leaves

Here follows another old newspaper report. This one about a McBrayer wedding. It is from the 17 January 1909 issue of the Atlanta Constitution (www.fold3.com image 85690487). Read it through to see if you find the name of one of the people to possibly be incorrect.

Villa Rica, GA.

Miss Pearl McBrayer, of Draketown, was married to Dr. W. L. Hogue on December 27 at 6 o'clock, at the home of the bride's parents.

To the strains of the wedding march, two attendants, Miss Nancy McBrayer, sister of the bride, the maid of honor, and Mr. Paul Astin, of Villa Rica, best man, entered together, and were followed by the bridal party. The other attendants were: Misses Ethel Hogue, sister of the bride; Effie Goldin, Fannie Campbell of Carrollton; Messrs. Calvin Crowley, J. E. Singleton of Birmingham, Grover Kirk.

After the reception the young couple left at 8 o'clock for a trip to Savannah, Tybee and Brunswick.

That name is "*Ethel Hogue, sister of the bride.*" The bride was **Pearl Agnes McBrayer**, daughter of Joseph Candler and Georgia McBrayer, 6th generation in America (Joseph Candler, Andrew Erwin, John B. Samuel, William), who did not have a sister Ethel. The **1900 U.S. Census** shows a person indexed on Ancestry.com as "Ether J. Hogue" living in the household of William T. Hogue who had a son William L. Hogue, Pearl's new husband. Through "Related Content" links, the **1910 U.S. Census** shows her name as Ethel E. with both William Hogues so it seems clear that she is the same person. A further link shows that Ethel Jane Elizabeth Hogue married John Calvin Crowley, one of the attendants for Pearl's wedding. Pearl did have a sister Estelle who married Robert B. Goldin but it is not clear if the Effie Golden in the wedding party is related to Robert. It might be noted at this point that both Pearl's husband William and Robert Goldin were medical doctors.

Showing further how it can be difficult to trace people, the **1900 U.S. Census** on Ancestry.com has Pearl's family indexed as "McBasser," (the hand writing of the enumerator was not good) and the **1880 U.S. Census** has the family's surname as McBrier. (very clear).

William and Pearl had issue as reflected in the U.S. Census records and the names were given differently in some cases

	1910	1920	1930	1940
Head	William L. age 28	William L. age 39	William L. age 50	William L. age 59
Spouse	Pearl age 28	Pearl A. age 37	Pearl A. age 48	Pearl age 58
Daughter	Madeline age 5 mo.	Matiline A. age 10	Agnes M. age 20	Madelyn age 30
Daughter		Vera I. age 8	Vera I. age 17	Vera age 27
Son		William L. age 5	William L. age 15	
Home	Draketown, Haralson , Georgia	Draketown, Haralson, Georgia	Fullerville, Carroll, Georgia	Villa Rica, Carroll. Georgia

The son was not a "Junior" because the father's middle name was Love and the son's was Leroy. The son has not been found in the 1940 U.S. Census.

During these census years, the father continued his medical practice. The only other person shown to have been employed was daughter Madeline who was a public school teacher who earned \$585 in 1939 with 39 weeks employment.

William Love Hogue was the son of William Thomas Hogue and Marth Caroline Bagby. He was of at least nine children. Records vary as to his mother's name, however, **Find A Grave memorial 54675104** has a photo of her gravestone which is clearly Martha C. Hogue, Oct. 29, 1861 - Nov. 4, 1939. The **1900 U.S. Census** has her name as Mary C. Hogue and her father's **Find A Grave** memorial has her listed as Mary (Mattie). William died

19 January 1954 in Carroll County, Georgia. His **Find A Grave memorial 85680504** gives his birth as 7 September 1880 in Paulding County, Georgia and his death as 19 July 1954 in Villa Rica, Carroll County, Georgia (Also given in **Georgia Deaths, 1919-98**, Ancestry.com). While the source is not cited, the memorial includes the following story of his life:

After a few years of rural grammar school, he then studied in the near-by Villa Rica school, later going on to Atlanta Medical College (now a part of Emory University), where by hard study and at his own expense, he received his M.D. degree in 1907. Straightway he went into partnership with the elderly Dr. W. Frank Goldin at Draketown, Georgia, Haralson County.

On April 2, 1908, he was baptized into Draketown Baptist Church, and on December 27, 1908, he was married to Miss Pearl McBrayer of Draketown community where they both served tirelessly for many busy years, not only through his professional duties, but also in the church and school work there.

During those "horse and buggy" days of his early rural practice, we have seen him come in at cold midnight hours with his coat covered with snow and ice from traveling many bitter miles, often up to the wheel hubs in mud, with only his oil lantern and his faithful horse to guide him home where he often found several urgent calls waiting him and went on unmindful of sleep.

For their better educational opportunities and better convenience in his profession, he moved to Villa Rica in about 1920, entering into private practice in connection with the Malone Drug Store (known now as the Villa Rica Pharmacy) where for about 30 years he has worked tirelessly among his many friends in Villa Rica, Temple, Draketown and surrounding territory of Carroll, Douglas, Paulding and Haralson Counties.

During his 46 years of practice he has been present at the birth of approximately 5000 babies, besides his general work as physician and surgeon.

As diversion from his strenuous duties he sometimes worked quietly with his bee hives, his vegetable garden, and whenever possible he would go fishing. Searching his reference books, magazines and papers also added to his quiet pleasure whenever he had a few spare minutes. He was a constant subscriber to the Villa Rica Breeze since 1926, thus keeping in touch with local events while he tried to rest in between calls.

He was a devoted husband and father, a beloved brother and friend; a private citizen without vices; a neighbor without reproach, a Christian without show and hypocrisy, and a man without guile, modest, gentle, honest, firm in his convictions, unselfish and faithful to his duties even up through the last day of his work in this world.

Three dear children were born: two girls, Madeline and Vera (now Mrs. Marchman Boyd of Villa Rica) and Mrs. Henry Torck of Columbia, S.C.) and a son, Leroy, who is now general manager of Southeastern Motor Lines at Carrollton.

Pearl's **Find A Grave memorial 85680449** gives her birth as 17 January 1882 in Georgia and her death as 10 June 1972 in Haralson County, Georgia (**Georgia Deaths, 1919-08**, Ancestry.com confirms the date but has the county of death as Carroll). Pearl and William's graves are in the Draketown Cemetery, Haralson County, Georgia.

Madeline and her husband Harvey Marchman Boyd are buried in the Powell Chapel United Methodist Church Cemetery, Villa Rica, Carroll County, Georgia. Interestingly neither of their gravestones have the surname Boyd engraved on them but they are of the style. Madeline's **Find A Grave memorial 47186924** has her birth as 1 December 1909 in Carroll County, Georgia, and her death as 7 February 1993 (**Georgia Deaths, 1919-08**, Ancestry.com confirms the data). Her funeral service was held in the Chapel of Jones-Wynn Funeral Home with Rev. Jimmy Drew and Rev. Neal Williams officiating. It also states that their marriage was 12 September 1942 in Carroll County, Georgia. No children have been found for this marriage. Harvey was born 5 January 1906 in Carroll county, Georgia, the son of Rutherford Hayes Boyd and Venie Florence Wheeler. He died 11 August 1989 in Carroll County, Georgia (**Find A Grave memorial 47186867**).

Vera was born 5 March 1913 and died 19 November 1995 in Birmingham, Shelby County, Alabama. (**Social Security Death Index, 1935-2014** – Ancestry.com) At some time after 1940, she married Henry T. Torck born 28 April 1912 in South Carolina, who died 11 May 1991 in Birmingham, Alabama. ((**Social Security Death Index, 1935-2014** – Ancestry.com) Henry was the son of Bernhardt Frederick Torck and Mary Magdelene Gregg. (**1930 United States Federal Census** – Ancestry.com; **Find A Grave memorial 110341274** for Bernhardt; **Find A Grave memorial 84482640 for Mary**) By searching on **FamilySearch.org** Henry and his parents were found living in the same home at 104 River's Lane, Mount Pleasant, Charleston County, South Carolina, however being shown in two households. Henry was working as a clerk in the Civilian Conservation Corps Headquarters. He had earned \$1440 for 52 weeks work in 1939. Vera and Henry had three daughters: Mary Nan, Pamela and Janice. (Family Association member Dianne Crawford's posting on <http://familytreemaker.genealogy.com>)
(Note: on Ancestry.com, the surname was indexed as Forck for the 1940 Census)

The son, William L., was shown in family records as Leroy. He was born 7 October 1914 and died 29 July 2001 in Augusta, Richmond County, Georgia. The following obituary provides additional information. (**Augusta**

Augusta, Ga. – Mr. William Leroy Hogue, age 86, entered into rest Sunday, July 29, 2001, at his residence. Funeral services will be conducted 1 p.m. Tuesday, July 31, 2001, at Poteet Funeral Home - West Chapel, 3686 Wheeler Road, Augusta, GA. Internment will be in Westover Memorial Park.

Survivors include his wife Lois Jones Hogue; one son, W. Larry Hogue, M.D., Augusta; one daughter Linda Rhoden, Winter Park, Fla.; five grandchildren, William Larry Hogue Jr., David B. Hogue, M.D., Michael T. Hogue, Scott Rhoden, Christopher Rhoden; and 10 great-grandchildren.

Mr. Hogue was born in Drake Town, son of the late D. William L. Hogue and Pearl McBrayer Hogue, a member of First Baptist Church in Carrollton, and was a retired postmaster.

The family will receive friends Monday, July 30, 2001, from 7 until 9 p.m. at the funeral home. Poteet Funeral Home - West Chapel, 3686 Wheeler Road, Augusta, GA.

He has a **Find A Grave memorial 138478339** as does his wife Lois **Find A Grave memorial 52705434**. She was born 3 July 1916 in Carrollton, Carroll County, Georgia and died 22 May 2010 in Augusta, Richmond County, Georgia. Her memorial includes the following obituary, which also may be found on www.genealogybank.com for the **Augusta Chronicle** – Augusta, Georgia – 23 May 2010 :

Augusta, GA – Died on Saturday, May 22, 2010, Mrs. Lois Jones Hogue wife of the late William Leroy Hogue, former postmaster of Carrollton.

Mrs. Hogue was a native of and longtime resident of Carrollton, GA. She retired as manager of Diana Dress Shop in Carrollton. They spent their retirement years in Augusta and New Smyrna Beach, FL. Lois and her husband Leroy enjoyed traveling, seeing every state but Alaska. Mrs. Hogue loved being a wife, mother and grandmother and went out of her way for her families' happiness.

Family members include: son; Dr. W. Larry Hogue and his wife, Sara, daughter; Linda H. Rhoden and her husband, Bill, grandsons; William Larry Hogue, Jr. (Tracey), (David B. Hogue (Cindy), Michael T. Hogue (Lisa), W. Scott Rhoden (Dina), W. Chris Rhoden (Anna), eleven great-grandchildren. She was predeceased by her parents Rev. George W. Jones and Roxie Jones.

Graveside services will be held Monday, May 24, 2010 at 4:00 P.M. at Westover Memorial Park with Rev. Alan Faulkner officiating. Pallbearers will be the grandsons and great-grandsons. The family will receive friends following the service at the graveside.

Thomas Poteet & Son Funeral Directors, 214 Davis Rd., Augusta, GA 30907 (706) 364-8484.

Please sign the guestbook at www.thomaspoteet.com

(Note: Dr. W. Larry Hogue and wife Sara are long time Life Members of the Family Association.)

And so with this we have added a lot of leaves to our tree.



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