

Nora and Robert Dreisbach

Family Newsletter

November 2010

'Mysterious' Henry - A Mystery Solved!

For over 100 years we had a large hole in our Dreisbach family tree. We could trace our family only back to Robert's great-grandfather, "Mysterious Henry", who was born 17 November 1800 in some unknown place and who died 14 March 1890 in Kreidersville, PA. Although we always believed we were part of the Dreisbach family from Lehigh Township in Northampton County, PA, this had not been proven. Then DNA tests comparing the Y-DNA from male descendants of 'mysterious Henry' with male descendants of the Simon Sr line showed, with reasonable certainty, that we were descended from one of Simon Sr's sons. However we still did not know HOW we were connected and which one of Simon Sr's sons was our ancestor.

Over the years, many good and thorough genealogists attempted to find the parents of our 'mysterious' Henry and link us to the Simon Dreisbach line. None were successful.

After years of fruitless searching, people gave up. Every stone had been turned over; every logical place had been searched. It was clear that Henry's parents could only be found by accident or good luck. This is how things stood in November 2009.



November 16, 2009 Marcia (left) and Ardis (right) at work researching Dreisbach deeds in the Northampton County Courthouse.

Then - in November 2009, everything changed. We (Ardis and Marcia, daughters of Austin and Erma Dreisbach) were at the archives of the Northampton County Courthouse in Easton, PA. researching Dreisbach land grants awarded in the 1700's. There we met professional genealogist, Richard (Dick) Musselman. The

conversation eventually came around to the topic of "mysterious Henry" and his missing parentage. Dick casually asked, "Have you looked in the F&B file?" and pointed to a book lying on a shelf directly in front of us. "F&B" is short for "Fornication and Bastardy", and is the name commonly given to this book. In reality, the F&B book is an index to cases brought before sessions of the Criminal Court in Northampton County between 1795 and 1804.



Top book is the 'F&B' book an index of criminal cases brought to the Northampton County Court in 1801.

We opened the book to page "D" and found a listing for a *Henry Dreisbach* - accused of 'bastardy'. His case was heard in the January 1801 Sessions of the Criminal Court at Easton. Ardis and I looked at each other in a kind of joyous shock as we realized that almost certainly *this* was the father of our 'mysterious Henry'! The timing was right - baby Henry had been born in November of 1800. And we could imagine the mother saying "I'll make sure everyone knows whose baby this is - I'll name him after his father, Henry Dreisbach!"

Having found evidence that a criminal case had been lodged against the father, the next thing was to see if the actual records of this case were still in existence and we made a request for them from the archivist. She told us that the files are kept in storage outside of Easton and can be ordered for delivery the next day - which we did.

The following day we went back to the archives and were handed a carton of criminal (as opposed to civil) court case files labelled "Criminal #4-M 1797-1804". Inside the box were many tightly stuffed packets of dockets - handwritten on yellowed paper in fading ink. These were the original records from more than 200 years ago!

We found two relevant documents: a subpoena and the indictment. They were in the packets labeled "File #111 Folder #2" and "File #111 Folder #3." We were amazed to see - and hold in our hands - the original subpoena and court records for the paternity case launched against

Henry Dreisbach, the oldest son of John Dreisbach and the grandson of Simon Dreisbach Sr.

The Subpoena:

The records show that on October 9, 1800, Henry received a subpoena to appear at the Court in Easton, PA. It seems that the baby's mother and/or her legal representative may have begun a paternity case against Henry as early as September when she was about seven months pregnant and reasonably certain of delivering a live baby. Henry acknowledged receipt of the document on 9 Oct 1800. The hearing was scheduled for the first of November, 1800, but was postponed, possibly until after the birth of the baby, and rescheduled for the January 1801 Court Session.

Upon receipt of the subpoena, Henry had to put up a fee of 5 Shillings. Another person, one Thomas Creg (Craig), also put up the same amount. Michael Curtis Esq., a lawyer on the faculty of Wake Forest Law School and a lawyer who specializes in legal events of the Colonial era, suggests that Creg/Craig may have served as a kind of surety for the bond that made certain Henry would appear in court at the scheduled time.

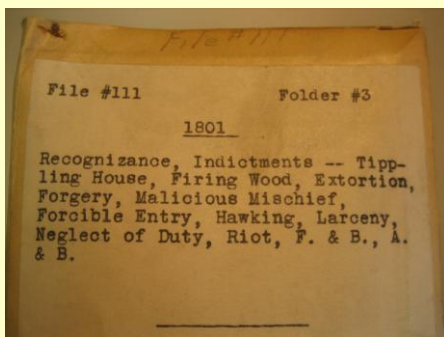
The subpoena is "On a charge of fornication and bastardy with Eave Henry" and reads as follows:

Upon condition that if the said Henry Dreisbach shall personally (sic) appear at the court of general quarter sessions of the Peace to be held at Easton, in and for the County of Northampton on the first day of November next then and there to answer such matters and things as may be objected against Him on behalf of the Commonwealth for a charge of fornication and bastardy with Eave Henry and not depart the said Court without license (rest of sentence illegible under old scotch tape) otherwise the said several sums of money to be levied of these goods and chattels (sic) lands and tenements to the use of the Commonwealth.

*Taken and acknowledged the 9 of October 1800
Frederick King*

This is clearly a form letter, as are the other documents with only the appropriate offense, dates and names inserted.

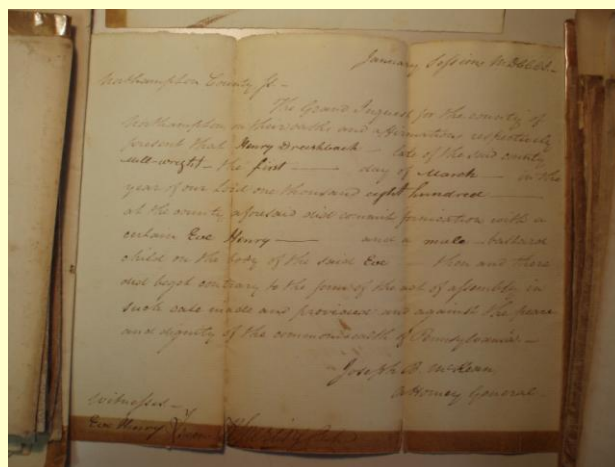
The Indictment:



Exterior of file folder containing the docket accusing one 'Henry Dreisbach' of fathering an illegitimate son.

The document that records the indictment of Henry Dreisbach is found in the packet labelled: "File #111, Folder #3, 1801". On the outside of the packet is a typed listing of all the types of cases found inside. It is worth reading just to see the kind of crimes that were heard before the criminal court. They are: *Recognizance, indictments – Tippling House, Firing Wood, Extortion, Forgery, Malicious Mischief, Forcible Entry, Hawking, Larceny, Neglect of Duty, Riot, F. & B. (fornication and bastardy), A. & B. (assault and battery).*

The indictment document is a folded piece of paper slightly smaller than that of a standard 8.5 X 11" sheet. Written on the 'outside' is a record of Henry's two pleas made on the 14th and 15th of January, 1801. In the first, he pleads not guilty. The next day, he retracts his plea of not guilty and submits (e.g. acknowledges he is guilty). We do not know why he first pleaded innocent and, the following day, changed his plea to 'guilty'. Perhaps Eve Henry was not present the first day and showed up on the second day, thus forcing Henry to do the honourable thing.



Actual docket accusing Henry Dreishback of bastardy. Transcription of the full text is given below.

January Sessions MDCCCI

Northampton County Ss (sessions)

The grand inquest for the County of Northampton on their oaths and affirmation respectively present that "Henry Dreishback" late of the said county, "Mill-wright" the "first" day of "March" in the year of our Lord one thousand eight hundred at the county aforesaid did commit fornication with a certain "Eve Henry" and a "male" bastard child on the body of the said "Eve" then and there did beget contrary to the form of the Act of Assembly in such case made and provided against the peace and dignity of the Commonwealth of Pennsylvania.

Joseph B. McKean

Attorney General

Witnessed –

Eve Henry X sworn,

H Driesbach

The indictment docket provides a great deal of information. It says that 'Henry Dreishback' is a millwright – a person who makes and repairs the wooden

workings of a mill. It also says he fathered a 'male bastard' on 'Eve Henry' on March 1, 1800. This date of conception fits perfectly with the birth of baby Henry nine months later on November 17, 1800 – the date of birth carved on Henry's tombstone in the cemetery at Zion Stone Church in Kreidersville, PA.

All of this information left Ardis and me, actually laughing out loud at our success! In one fell swoop we had discovered the names of 'mysterious' Henry's father and mother, the occupation of his father and, oddly enough, the date of his conception! It was luck to meet Dick Musselman. It was luck that he mentioned the F&B file and that it was on the shelf in front of us and it was luck that the actual docket of the case had survived, and not been stolen, lost or destroyed. Unbelievably, our good luck continued!

We knew that the father of 'mysterious Henry' was mill-wright, but who was Eve Henry, his mother? And where did all this take place? In 1801 Northampton County included all of present day Northampton County plus all of Lehigh County as well as the southern part of Carbon County. Fortune continued to smile as we discovered the answer to this question!

On the same day that we discovered the F&B files, and while we were looking up other matters, we came upon a record of a 'George Henry' and his wife Elizabeth Wolf (Index #1 Orphan's Court Records 1752-1844). We saw that George Henry died in 1771 in Whitehall Township, Northampton County. Wondering if he might be related to Eve Henry, we searched the records of several early Whitehall Township churches looking for George Henry and other members of the Henry family, hoping to find a record of Eve Henry, mother of our 'mysterious' Henry, the illegitimate baby in the court case.



Schlosser's Church, Neffs, PA. This brick church was built in 1871, replacing a stone church from 1791 which had replaced a log church built in 1755.

In the records of Schlosser's Church – now known as Neffs Church – we found the burial record for George Heinrich (the English translation of this surname is Henry), who died 26 Nov 1771, buried 28 Nov 1771 – one of the first burials at Schlosser's Church. In the baptismal records for Schlosser's Church we found the baptism of Eva Henrich, daughter of John and Rosina Henrich. Eva was born 7 February 1778 and baptized on 3 March. Sponsors at the baptism were Caspar Kendel and Eva Wolff. So all at once we found the birth date and place of

Eve Henry, mother of our 'mysterious' Henry, her illegitimate baby. We even found *her* parents, John and Rosina Heinrich. Evidence points to the deceased George Heinrich as the brother of John Henry and the uncle of Eve Henry.

So within two days, both parents of our formerly 'mysterious' Henry were found along with maternal grandparents and even a maternal uncle. Moreover, we found the approximate place of baby Henry's birth – Whitehall Township, now in Lehigh County. "Mysterious" Henry – was not a mystery any more.

Mill-wright Henry Dreisbach (1762 – 1841) is almost certainly the oldest son of John Dreisbach (1734/5 – 1796) who himself was the youngest son of Simon Dreisbach Sr. There were two millers in the Dreisbach family, Jost, who owned a grist mill and a saw mill and his younger brother, George, who owned a saw mill and who is also listed as being a mill-wright. It is very plausible that Henry, the nephew of Jost and George, would be taken into the family business and trained to build and repair the wooden machinery needed to operate a mill – that is, to become a mill-wright.

We can assume that in the winter of 1799, the 37 year old mill-wright, Henry Dreisbach, crossed the Lehigh River to work on or in a mill located near Neffs, PA. It was possibly here that he had the liaison with Eve. At this time, Henry was a married man with many children. Indeed, he left his wife and 7 children behind on their farm about 10 miles away, across the river.

There is an indication that Henry may have met 21 year old Eve Henry previous to their amorous encounter – or at least he had known about her. Henry's sister, Susanna, married Paul Solt and Henry's brother, Jost, married Margaret Solt. Jost and Margaret had a baby in 1791 and baptismal witnesses were Conrad and Elisabeth Solt. Later, Conrad and Elizabeth Solt had a baby daughter named Eve, baptised 25 March 1799 and the witnesses were Conrad Solt and *EVE HENRY!* Naming a baby daughter for Eve Henry indicates she had a long-standing connection to the Solts. (Baptism data from the *Moravian Church Records of the Gnadenhütten Congregation, 1771-1814, located in the Moravian Archives, Bethlehem, PA.*)

The Dreisbach and Solt families no doubt celebrated family events such as baptisms together. There is no proof that Henry Dreisbach attended these events, but there is a good possibility that he did – and he very well may have met the young Eve Henry at such an event. Conjecture – certainly. But one thing is certain, 37 year old Henry Dreisbach fathered an illegitimate son, who was also named Henry Dreisbach, on a 21 year old woman, Eve Henry. He did so at the time he was already married to Catherine App and had 7 children, including a legitimate son also named Henry Dreisbach, living at home.

In Conclusion: We now know that we are descended from Simon Dreisbach Sr through his youngest son, John, a Revolutionary War veteran. An amazing solution to a long-standing puzzle!