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ANAHEIM CHAMBER OF COMMERCE



50th Annual Hallowern Destival



130 South Lemon Street, P.O. Box 969, Anaheim, California 92805 Tel: (714) 535-2833 Larry Sierk Executive Vice President

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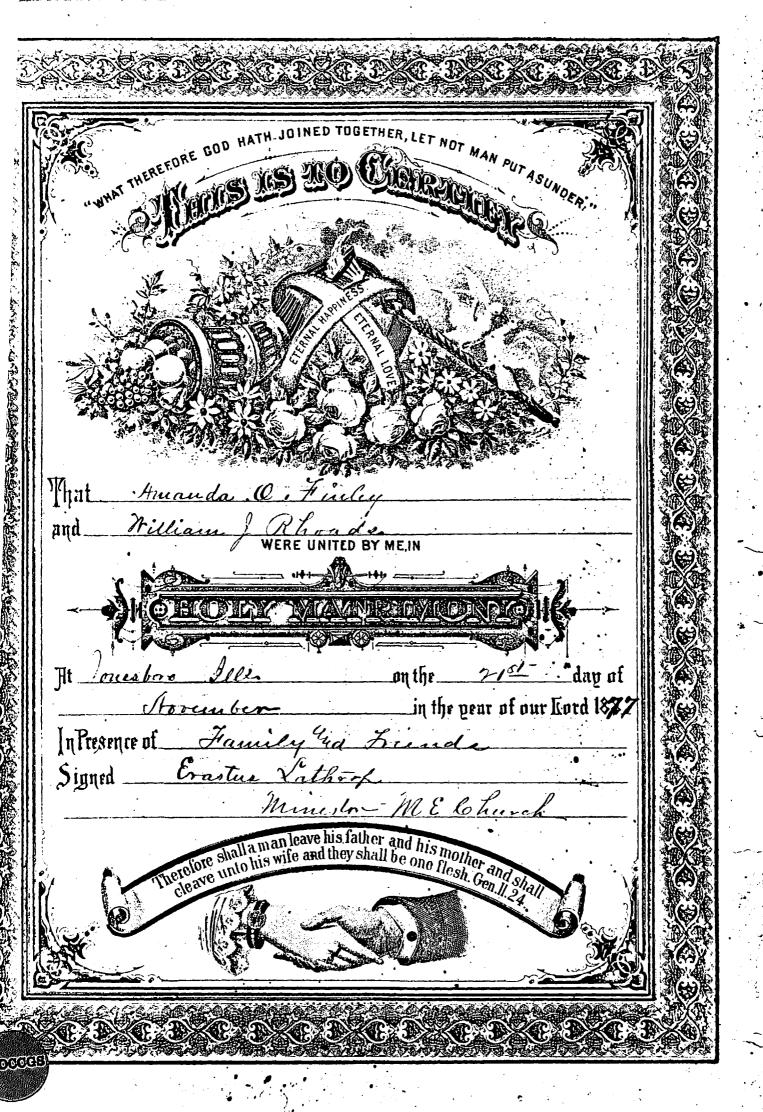
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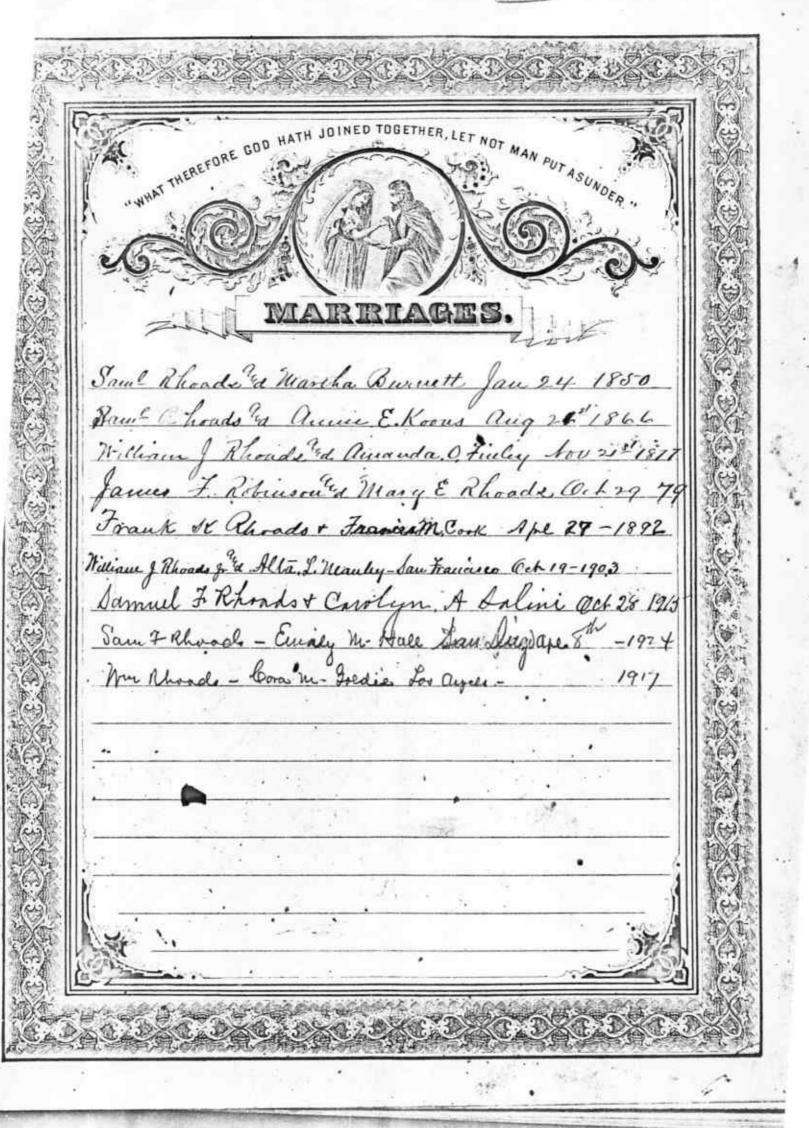
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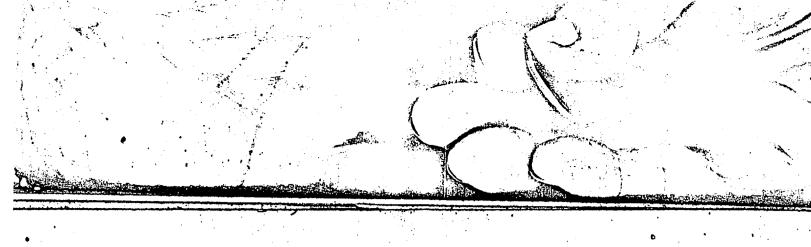
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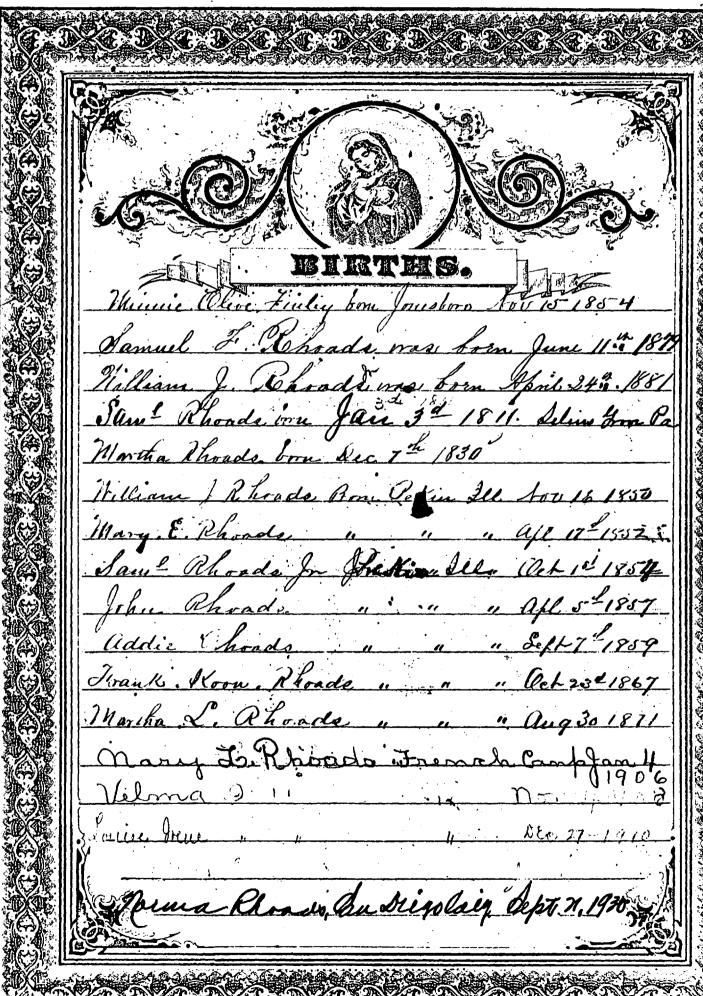
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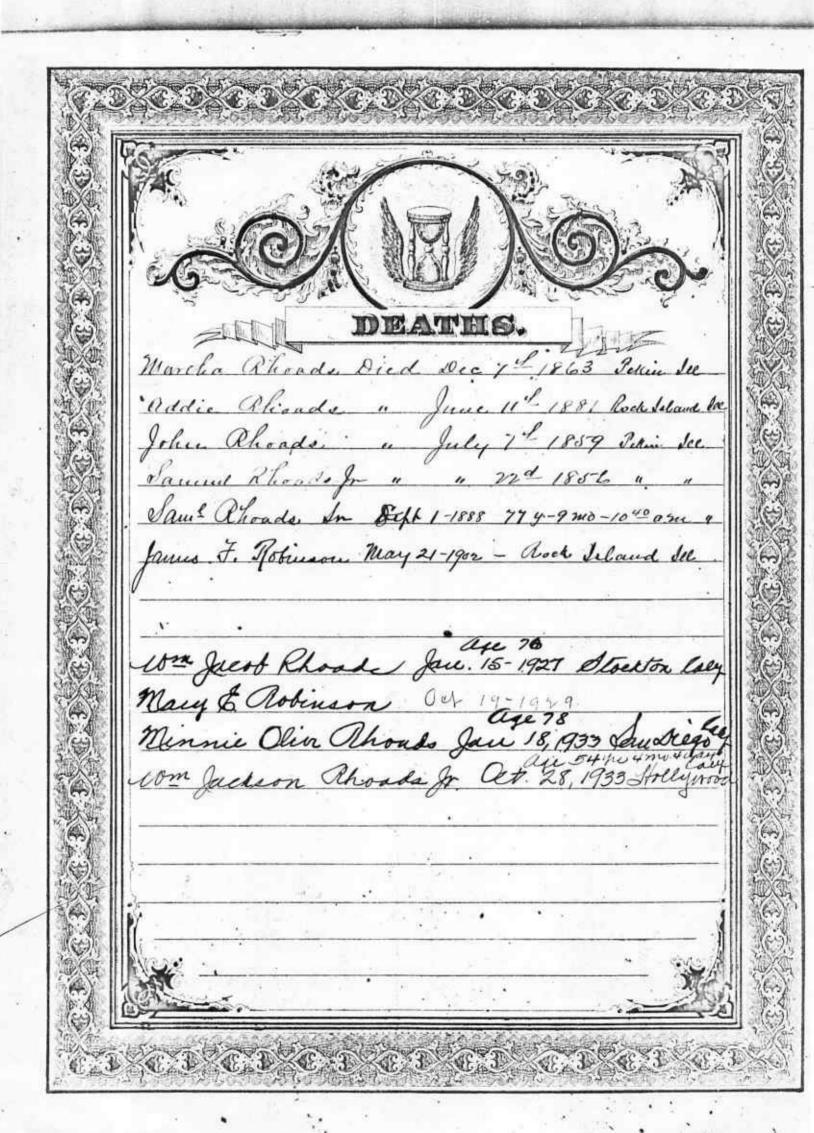
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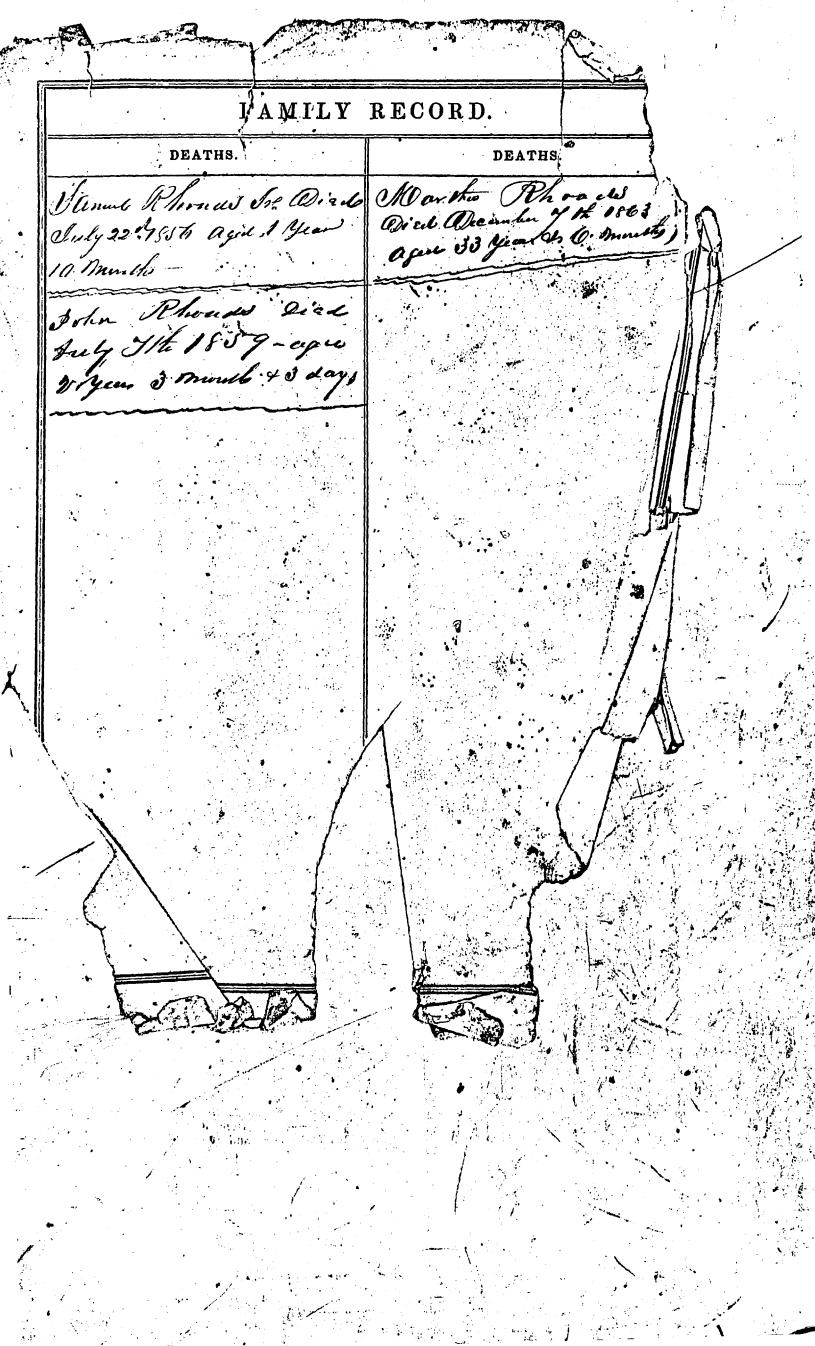












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Das ift:



Wie folde bon

Herrn Doctor Martin Luther Seel.

Im Jahr Christi 1522. in unsere Teutsche Mutter-Sprach zu überseßen angefangen, Anno 1534. zu End gebracht,

Bor einigen Jahren bereits

Mit den Summarien Herrn Johann Sauberti Seel. auch mit bem

Vielfältigen und Lehrreichen Nußen, über alle Capitel,

des herrn D. Salomon Glaffens Seel.

ausgefertiget,

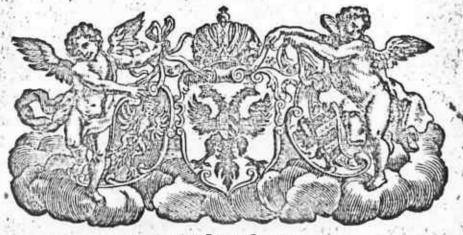
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Samt einer Borrede

Herrn Johann Michael Dilherrns.

Mit Romisch Ranserl. auch Königl. Polnische und Chur Fürstl. Sächsis.



Marnberg,

In Berlegung ber Johann Undrea Endterifden Sandlung. ANNO M DCC LXX.

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REUnion OF The Rhoads FAMILY at HEDGE Side RANCh SAN Jong County CALiFornia From July 27-1912 10 August 1914 1912 Hudge Timber mjRhoads- 61 years Age Minnie O Rhorde 57 years Minnie & Franky Rock Island Rec Mary E. Rabinson 60 Gears age (Formery mary E. Rhoads) Frances lo. Rhoads 43 yrs. (aph. 20)
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Research in Progress

Photo

DESCENDANTS OF WALTER RHODES By Dennis Ford

OCCGS REFERENCE ONLY

Generation No. 1

WALTER¹ RHODES was born 1577 in Halifax, West Yorkshire, England (Ancestral CD ROM File Erie, Pennsylvania County Public Library.), and died 1653 in Providence County, Rl. He married ELIZABETH JOANNA BARSTOW (Ancestral CD ROM File Erie, Pennsylvania County Public Library.) June 29, 1600. She was born 1581 in Halifax, West Yorkshire, England.

Walter Rhodes will be the beginning of this research because the information before his time is quite vague. Other works regarding the Rhodes surname, before 1600 have been found, however there are so many contradictions that the information cannot be verified. From Walter Rhodes on, we find information in books, vital records, court houses, historical societies, and many other works.

Walter Rhodes was born ca 1577 in Hipperholme, West Yorkshire, England and died in 1653 in Providence, Rhode Island. He was married to Elizabeth Joanna Barstow on June 29, 1600 in Halifax, West Yorkshire, England. Elizabeth was also born in Halifax, West Yorkshire, England, ca 1581. Elizabeth's maiden name has not been verified. The information on Walter Rhodes in this file goes back to Willemus De Rhode in 1066. There are other works published on the ancestors of the Rhodes surname that concur. The Rhodes Family in America, by Howard J. Rhodes, on pages 1-23, has a descriptive lineage of the surname Rhodes back to 1066, and is a good book to read when doing this family research. The author concludes that the earliest record in England is of two brothers, Willemus De Rhode born in 1040, and Hugh De Rhode. He further states "Willemus De Rhodes had a known son, Michael De Rode, whose descendants have been traced through thirty generations". Mr Rhodes gives other descriptive lineage, but he believes that a Rhodes family of Lynn, Essex, MA is descended from this line.

This information traced back to Willemus De Rode in 1040, who served with William the Conqueror in 1066, is for investigative purposes, as no concrete proof has been found. However, from the time of Walter Rhodes everything does match, so it seemed to be a good starting point. The information was found at the Erie, Pennsylvania Public Library in the Heritage Room in their ancestral CD-ROM file, the Lynn Historical Society in Lynn, MA, the Marblehead Historical Society in Marblehead MA. and the genealogical room in the Lynnfield, MA, Public Library.

There are many sites on the Internet that have this information. There is no need to list them all. One thing to keep in mind, although the Internet is a great tool, any information you glean from it is still subject to much verification. There is reason to believe that Walter¹ died in Providence, Rhode Island, but this could not be verified from more than one source. Walter¹ Rhodes had two sons, Zachariah born in Leamington,



ORANGE COUNTY CALIFORNIA GENEALOGICAL SOCIETY Warwickshire, England, 1602/1603, and Henry² Rhodes born in Lancashire, England 1608. (Ancestral File 4.19 Erie Public Library, (*The Rhodes Family in America* page 23)

In the Ancestral File 4.19 there is information that Walter's father was a James Rhodes born ca 1560 and a list of ancestors back to Willemus De Rhode born ca 1040. There is no information about Walter's wife Elizabeth, although all of the sources listed her name as Elizabeth. The spelling of Rhodes could be De Rode, Roades, Roads, Rhoades, Rores, or Rode.

Children of WALTER RHODES and ELIZABETH BARSTOW are:

- i. ZACARIAH² RHODES, b. 1602.
- 2. ii. HENRY RHODES, b. 1608, Lancashire, England; d. ca 1703, Lynn, Essex, Mass.

Generation No. 2

2. HENRY² RHODES (WALTER¹) (Genealogical and Personal History of Western Pennsylvania Volume III. New York Lewis Publishing Co. 1915, Pages 1260, 1261, 1263.) was born 1608 in Lancashire, England (The Rhodes family in America, Howard J. Rhodes, Copyright 1959, page 23.), and died ca 1703 in Lynn, Essex County, Mass ((1) The Essex Genealogist Volume 14, 156., (2) Vital Records Lynn, Essex County, Mass.). He married ELIZABETH WHITE PAUL or COLDHAM 1636 (Lynn Historical Society, Lynn, Mass. No. 170a.). She was born ca 1618 in Lynn, Essex County, Mass (Vital Records Lynn, Essex County, Mass.), and died November 25, 1700, in Lynn, Essex County, Mass.

To clarify the information about Henry² Rhodes of Lynn, it is important to keep some aspects of history in mind. At this time, the first settlers of the colonies did not have a government or set rules to go by. These people came to America to escape religious and class persecution in England, and when they arrived and started their own colonies their goal was to set up a fair and free society. This was the time of the Reformation, the 16th century movement that was aimed at reforming western Christianity, resulting in the separation of the Protestant Churches from the Roman Catholic Church. "These groups, stressing an individual approach to religion, strict discipline, and the rejection of an authoritarian church, formed one expression of the religious temper of the 17th-century England and complete separation of church and state". (Microsoft(R) Encarta(R) 98, Encyclopedia.)

On March 4, 1629, King Charles I of England granted a charter to the Mass. Bay Colony to "establish a Godley society as a model for all Christians, based on a church purified in membership, worship, and structure from what they considered corruption in the Church of England". (*ibid*). One term that was used to describe these people was "Puritan". The term Puritan was used by the Anglicans as a derogatory word to insult them. The essence of "Puritanism is in the intensity of the Puritan's commitment to a morality, a form of worship, and a civil society strictly conforming to God's commandments". (*ibid*). Henry was chosen to be a Selectman, and to be chosen one had to be first a Puritan. These Puritans, as we know them, did not belong to, or believe in,

the Society of Friends (Quakers). The Puritans and the Society of Friends frowned on each other and in mid 1650, the General Court banished the Quakers from the colony and threatened them with death if they returned. Mary Dyer, a Quaker, did return in 1660, and was hanged for her beliefs.

The Society of Friends was a Christian sect founded in the early 1600 by George Fox of England. Their Society rejected rituals, formal sacraments, formal creed, Priesthood, and violence. They were also known as "Quakers". These early colonists came here to escape all types of persecution, but mostly, religious persecution. We have all heard or know the word Quaker, but the true meaning of "Quaker" is a member of the Society Of Friends. The title or name Quaker was not used by the Society of Friends, because it was also a derogatory statement used to describe them as different. The word Quake (Quaker) meant to tremble at the word of the Lord, probably as an warning to George Fox, the founder of the Society. In the History of Lynn, Essex County, Mass. and other works, one can see how the early colonies struggled to separate from England and the Church as they knew it. This information is included to show how bigoted these people were in their faithfulness to their Church. For one to hang a woman for her religious beliefs, one must be very biased in his own beliefs.

Henry² Rhodes was a farmer and iron monger and lived on the western side of the Saugus River in 1641. He was born in 1608 in Lancashire, England, a witness in court in 1647; and a representative to the General court in 1657". (History Of Lynn, Mass. page 190). Other sources which give the same information for his birth date are, The Genealogical Dictionary of the First Settlers of New England (page 526) and The Rhodes Family in America (page 23). In regard to his wife Elizabeth, the following three names have been used; Coldham, Paul or White, however they cannot be verified.

In 1645, Henry² Rhodes, signed the "Armitage Petition" along with the two Ministers and 31 other men who lived in Lynn (*History of Lynn* page 210). The original petition is now at the Massachusetts State Archives. This Petition was the first legal record found in which Henry² Rhodes witnessed a court action and put his signature on it. This Petition pertained to a James Armitage, who was censured by the General Court in Boston for serving Liquor. His wife Jane petitioned the court to keep the Tavern that her husband had established.

Henry ² Rhodes was obviously a prosperous man as he purchased over 100 acres of land located to the west of the Saugus Iron works. In the deed and probate records Henry Rhodes was referred to as a Gentleman, Henry Sr. and a Yeoman, or an independent farmer; especially, a member of a former class of small free holding farmers below the Gentry in England, (Webster's Encyclopedic Dictionary, 1990 here after, Websters). The first record of a deed was in 1654 when he purchased six acres from Edward Richards for 22 pounds (Deed Book 1: page 23 hereafter Deed 1:23). Henry² Rhodes then made fourteen more purchases over the next 32 years, some as small as one and a half acres, from John Pearson, in 1666, for 4 pounds (Deed 2: 196). The largest was 45 acres that he purchased from John Andrews for 39 pounds in 1660 (Deed 1:11). On July 8, 1672, Henry purchased 5 acres of land from John Ballard with John's "now dwelling house".

The deed included all of the flood gates, dams and sluices and a overshot mill (*Deed 4:662*). This mill was later deeded by Henry's two eldest sons to their descendants. The following two deeds are from the Essex County Registry. The spelling and text have been corrected so they may be more easily read.

The purchase of the 45 acres happened on 14 September 1660.

Henry Rhodes bought from John Andrews, Gentleman with consent of his wife Sarah, the daughter of Edmund Holyoke, for 39 pounds sterling, 45 acres, bounded east by Thomas Wheeler, west by land belonging to the Ironworks, north by the brook that lies between it and the Ironworks land, and south with the Town Common. Witnesses were Edmond Batter and George Keyser. On the reverse side of the deed is written, whereas Mr. Edward Holyoke... deceased, did... give to me, his son Eliyesus Holyoke upon marriage with Mr. Pinchard's daughter all his lands in Lynn, I hereby ... give to my beloved brethren, George Keyser and John Andrews, a certain portion of salt marsh in Rumney Marsh in the 2nd division, containing 12 acres. 19 June 1660. Underneath is written "We. George Keyser and John Andrews, both of Lynn, do make over our... right to Henry Rhodes... Signed 22 July 1660" (Deed 1:11).

The purchase of the water mill was accomplished on July 8, 1672.

Henry bought from John Ballard of Lynn, for 125 pounds sterling, a water mill and 5 acres of land with John's "now dwelling house" bounded east on the Town Highway and John Newhall, Jr., west on George Keaser, south on Samuel Fraile and John Tarbox, and north on the highway to the mill. The deed included all floodgates, dams, sluices, and most of it was fenced. Witnesses were Andrew Mansfield and John Burrill. The deed was recorded 17: 7m: 1674 (Deed's 4:191, 194, 196, 270). On 11: 5m: 1678, Clement Coldum, aged about 55, testified as to the history of the water mill, stating that it was granted on 12 July 1633 to Edmond Tomlins, and was the second mill in the Colony. The second owner was Mr. Howell, who built an overshot mill with a sluice on the same water. Howell sold the mill to John Elderkin, who sold it to Mr. Samuel Bennett, who sold it to Goodman Wheeler. Wheeler sold it to John Ballard, and John Ballard sold it to Henry Rhodes. (Deed 4: 622). [(1) Lewis, History of Lynn, page143, (2) Essex Genealogist Volume 14 page 157, Marcia Wiswall Lindberg (3) Essex County Registry].

The year of 1675 must have been very memorable to Henry Rhodes, because the men of the Mass. colony were impressed (drafted) (Webster's) in the War against the Indians. In Nipmugg Country they fought for the fort in Narragansett. The men were promised that "if they played the man and took the fort, and drove the enemy out of Narragansett country, which is their great seat, they should have a gratuity of land, besides their wages". (Soldiers in King Philip's War). This war probably should have been known as Chief Philip's War, rather than King Philip's War. As the colonists did not know what to call the leader of an Indian tribe, they called him a King. Philip's full name was Chief Metacomet of the Wampanoag Indians. He was the second son of Massasoit the Sachem (Chief) of the Wampanoag tribe. Massasoit was a staunch ally of the Pilgrim settlers of Mass. and a supporter of the treaties between them.

By the year 1661, King Philip succeeded his father and brother in power, and did

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keep the peace with the whites for almost ten years. King Philip was far more warlike than his father. He decided to try to stop the encroachment of the whites and organized almost ten thousand warriors. He led them in an uprising now known as King Philip's War. Thirteen towns were destroyed and over 600 colonists were killed. This was a very brutal and cruel war with many losses on each side. Heads were severed and placed on wooden posts, scalps were taken and everything was set to flame by the winning side of each battle. The war was pressed by both sides in a very cruel and unmerciful manner. The victors of each battle would hunt down their opponents and execute them. If the colonists did take prisoners, they were sold in the West Indies as slaves. After many battles in the winter of 1675, The Great Swamp fight took place in Narragansett, and the Indian's cause was diminished. The next spring the Indians tried to retaliate, but they were defeated. King Philip was killed on the morning of the 12 August 1676 (History of Lynn, Page 264) thus allowing this new land to become available for settlement.

In 1685, Henry² Rhodes signed a petition asking the general court for the grant of land promised to the soldiers of Kings Philip's War. In other works, it is stated that Henry served in King Philip's War, although he would have been 67/68 years old in 1675. However, he may have been an officer. In the *History of Lynn*, on page 263 we find a listing of the fifteen men who were impressed at Lynn in 1675. In this list of fifteen men of Lynn is Samuel Rhodes, Henry's son, who would have been 32/33 at that time. In the book, *King Philip's War*, Third edition 1906, Page XXVIII, the author George Madison Bodge states "Petition of those who were soldiers in Lynn, in the Nipmugg Country, and at the Narragansett Fort". In his list of soldiers he does have a "Henry Rhoades" as serving.

George Bodge's list of 25 names are the same as the names that are listed in *The History of Lynn* on page 282, as signing the petition, with a few spelling differences. In *The History of Lynn*, on page 281, this same list is referred to as those who petitioned the court for "remuneration of their services in the Wampanoags War". This petition was signed by 25 inhabitants of Lynn, including Henry² Rhodes. George Bodge's conclusion may have been based on this information. After reading this petition many times, it does seem to ask for compensation for those who served. It does not say, we the undersigned hereby request payment of land for our services. In both of these lists is the name "Widow Hathorne". This is the first information found showing a woman was allowed to petition the court. Obviously she could not have served. "On the 3 of June, the court granted them a tract of land in Worcester County, eight miles square, on condition that thirty families, with an Orthodox minister, should settle there within four years". (*History Of Lynn, Mass* page 282). Jonathan⁴ Rhodes was found later to have lived on this land grant.

Henry² Rhodes, gave a deposition in June of 1679 stating his age was 71 (Records and Files of the Quarterly Courts of Essex County 7:196). Then on March 9th 1702/3 Henry's son Joshua claimed he could not serve as Constable "due to the inability in health and body and his Father's age and infirmity". (Records of the Towne Meetings of Lynn 1:8). Thus Henry ² Rhodes was still living in 1702/3. Henry's first Deed of gift was to his youngest son, Josiah ³ Rhodes, on February 2, 1691. "I Henry Rhodes of Lynn ...

gentleman, for divers causes ... especially ... in consideration of the duty fullness of my son Josiah Rhodes of Lynn ... provided ... my son Josiah Rhodes with his brothers Eleazer, Samuel, Joseph and Joshua Rhodes, do provide for and maintain myself and my dear and loving wife Elizabeth Rhodes, their own and natural mother, during our natural lives ... have given unto my son Josiah Rhodes ... the land bought of Captain Bridges". This deed of gift then goes on to explain that all of the additional ground included with the Deed "If my son Joshua Rhodes die or leave no male heir ... then this inheritance of lands he shall return to my sons Eleazer and Joshua Rhodes and to their sons after them." Henry ² Rhodes signed this deed on February 2, 1691, and it was witnessed by Jeremiah Swain and John Witt. Then on March 27, 1693, Henry ² Rhodes personally appeared and verified the deed in front of William Johnson, who was the Justice of the Peace. (Deed Book 18 pages 10, 10.1, 11). In looking at this deed it seems as if Henry Rhodes signed his name at the end as the scribe's handwriting is much different from the signature.

In The Essex Genealogist, Vol. 14, 1994 and Vol. 15, 1995 Marcia Wiswall Lindberg, C. G. has an extensive study of the Rhodes family. In her work and others we find many references to Henry ² Rhodes and his dealings with the legal problems of his time, as the Colonies evolved. Henry ² Rhodes was chosen to be an executor of wills, an overseer of estates, a member of Grand Juries, and a witness to probate wills. An "Overseer" is one who keeps watch over and directs the work of others. (Websters). One of the earliest court battles in which Henry was involved was in 1647. In a Court held in Salem the "29th day of the 12th month Robert Blood was presented for abusing Henry Rodes, seeking to take away a tree that belong to Rodes, pushing him with his arm and abusing him" (Salem Quarterly Courts 1647 page 133).

Between 1663 and 1675, Henry ² Rhodes was chosen as follows. On June 12, 1663 he was the overseer of a Richard Rooten's will and a witness to the same. (*Probate Records of Essex County 1:430*) Then on August 3, 1664 he was the overseer of a Robert Mansfield's estate and inventoried the estate of Robert Mansfield's wife Elizabeth in September of 1673. (*ibid.3:79, 3:383*) On December 20, 1665, he was the overseer and witness of a George Taylor's will. (*ibid. 3:123*) On February 2, 1667 Henry ² Rhodes witnessed Henry Hall's will, and on October 18, 1670, he was the overseer of Mrs. Frances Axey's will and a witness to the same. (*ibid. 3:168, 210*).

Henry ² Rhodes of Lynn, Essex County, Mass. witnessed the will of a Mr. Whiting on April 23, 1679. Mr. Whiting was Lynn's second Pastor, and preached at Lynn for forty three years. He died on the 11th of December, 1679 at the age of 82. The last words of his will are "Your humble petitioner, friend ever, and servant for Christ's sake, though ready to depart dying." Witnesses; Henry² Rhodes, Samuel Cobbet, this 23 April 1679. Mr. Cobbet was a teacher in Lynn. (History of Lynn, Mass page 270.)

All of Henry ² Rhodes and Elizabeth's children were born in Lynn, Essex County, Mass. and the dates are recorded as they are to be found in the Lynn, Mass. Vital Records, although the spelling is listed as Roads. Henry ² Rhodes descendents are qualified for membership in the Society of Colonial Wars and the Order of Founders and

Patriots of America.

On January 8, 1692, in a meeting of the Selectmen it was voted that "Henry² Rhodes, and eleven others should sit at the table in the meeting house". (*History of Lynn, Mass* page 292.) A Selectmen was a member of a board of town officers chosen annually in New England (*Webster's*).

At this meeting of the Selectmen it was voted that "The persons under named, in answer to their petition, should have liberty of the hindmost seat in the gallery to sit in, and fit it up as they please, in the northeast corner, provided they do no damage in hindering the light of the window" (History of Lynn, Mass page 293.) These 12 people who were to sit in the hindmost seats were all women. You can see that even though these men were trying to set up a form of government that was fair, they still did not give the women rights. In February of 1692, seven people of Lynn where accused of witchcraft and brought before the court at Salem. Some people were imprisoned, and one was pressed to death by placing weight upon a board because he would not confess to imaginary crimes. Others were hung. However, it does not appear that any of the members of Lynn were put to death. This was clearly a dark time in the history of the New England Colonies.

In the summer of 2000, a great deal of research was done in Lynn, Essex County, Mass. Sources used were many of the historical sites and libraries in the area, starting at the Saugus Iron Works to see what could be found about Henry² Rhodes. The guide was very helpful, and produced a map of Lynn from the sixteen hundreds. In the far left corner Henry Rhodes was listed in 1644 living next to the Saugus Iron Works. He then brought us copies of the *Iron Works Papers*, and on page 418, is listed "Hennery Roades, Lynn settler in 1640, a neighbor to the Iron Works". Then on page 414 is found "Josiah Rhodes third son of Henry Rhodes". This is the first time that information had been found stating that Henry settled in 1640. It is possible that 1640 is the year he arrived, but I do not have that date verified. He gave us a great deal of information on the Iron Works and told us where we could look for more information on Henry.

An inquiry was made as to where Henry might be buried. The answer was that no one could know for sure, but that most of the early settlers were buried in the Old Western Burial Grounds, at the foot of Lynn Common. A book by John T. Moulton, was consulted in which he had, in 1886, compiled a list of inscriptions of the Old Western Burial Grounds for the Peabody Institute. In 1886, Moulton wrote that no complete record was kept in the early days of the Old Western Burial Grounds. He did copy down 800 inscriptions, and stated that the burial grounds were in disrepair even then. He further stated that the "Old Western Burial Grounds were the first in Lynn and the only ones in use until 1720". (History of Essex County, Mass. Vol 1 page 320). The Old Western Burial Grounds are found at the foot of Lynn Common. In the one hundred and fourteen years since Moulton tried to complete a record of the inscriptions, the Old Western Burial Grounds have been forgotten. Vandals have desecrated and destroyed much of the grounds. However, in searching for Henry's grave, there were many headstones discovered with the name of Rhodes. The sad part is that just about all are broken or so



worn by the weather that one cannot read them. Some of the tombstones were very interesting as they had carvings of skulls with wings and other ominous looking carvings. These markings pertained to their religious and superstitious beliefs.

In the back of the grounds, there is a large marker with the name Rhodes on it. Next to this marker are about 15 stones in a row all broken and worn, and very old. Whether Henry is buried there or not, one can only speculate. A descendent of Henry, Amos Rhodes and his wife Elizabeth, are buried there. Their headstone is in good repair. "Amos was a man of property and standing" and said to have "become rich on the commission he received selling fashionable cloths to the shoe industry" in Lynn. (History of Lynn pages 356, and 520). There are approximately thirty headstones with the name of Rhodes, many of them familiar because they are the descendents of Henry Rhodes, and are the third and fourth generations of that family.

Henry died in 1702/03, which fits the time frame. In the *History of Essex County, Mass.* we find "For some two centuries no complete record of interments here seems to have been kept". (*History of Essex County, Mass. Vol 1*). Although one will never know if Henry is buried in this place, his internment there seems to be a good guess. Researching many of the places where the family in this line lived, more often than not, they were buried very near to the place where they resided

So where exactly did Henry live...? In trying to locate the place where he lived the map the Saugus Ironworks guide showed us, illustrated Henry Rhodes as living just to the west of the Iron Works. The book, *The History of Lynn*, listed Henry as living on the western side of the Saugus River. He was also listed as an Iron Monger. The guide then brought out a copy of the *Quarterly Courts of Essex County Mass*. Volume V, 1672-1674, 332-334, which also contained a map, but it, and the handwriting were very hard to read. By enhancing the map on the computer, one can read---"Capt. Bridges, 45 acres, Henry Roads, and Black Oak." Other records confirmed that this information pertained to where Henry lived.

"Writ dated June 25, 1674, signed by John Fuller, for the court and served by William Crofts, constable of Lynn, Oliver Purchis, aged upward of fifty years, deposed that Mr. Henry Rhoades, now of Lynn, set his fence on the side next to the Iron works very near the line that Capt. Bridges said was his bound, etc. Sworn, 23:7,1672, before Wm. Hathorne, assistant. Copy of papers in a similar action taken from Salem court of 25: 4: 1672, made by Hilliard Veren, cleric. Summons, dated June 25, 1674, signed by John Fuller, for the court. Henery Rhodes receipt for satisfaction of an execution, dated July 19, 1672. Wit: Henry Skerry, Sr. and George Keysar. The lands of the Right Worshipful Capt. Robert Bridges, 25: 11, 1654, as copied from the town book of Lynn, 20 : 7: 1672 by Thomas Laughton, cleric: "All ye Parcell of land Neer ye field gate that belongeth to ye owners of ye Iron workes havinge ye land of Thomas Wheeler one ye south est side thereof the lands of ye owners of ye Iron workes wch was Bought of Mr Knowles one the Northeast side thereof & ye Towne common upon the rocks one the southwest side thereof containinge by estimation fifty Acres, As also, ye southernmost half part of the fresh meadow ye lyeth one the westerly side of the said Rocks containinge by estimation five acres ye wch said meadow & upland was bought by the said Robert

Bridges of Mr Timothy Tomlins."

Thomas Newhall and Mathew Farington testified that Timothy Tomlins had four-score acres of land given him by the town of Lynn, forty-five of which he sold to Capt. Robert Bridges, and the rest was called Mr. Knowles' land; that there was no improvement made by fencing or plowing, by Bridges, Knowles, Capt. Marshall or John Andruse, but since then, Henry Roads had fenced it but would not show his title, and also took in a considerable part of the town common; that the town obtained judgment against him and he surrendered the side common; that the selectmen measured the forty-five acres and found it from the river joining to Thomas Wheller's land, to a black oak marked upon the hill, which bounds said Roads had often owned to be two of his corner bounds, and from that black oak to a walnut tree, and from this tree to a stump by the field gate going to the Iron Works etc. Robert Potter testified to the same, Sworn, 23: 7,1672, before Wm. Hathorne, assistant.

Copy of deed, dated Sept. 14, 1660, from John Andrewes of Lynn, gentleman to Henry Roades of Lynn, yeoman, for 391 i, 45 acres of land in Lynn, which the town formerly granted to Mr. Timothy Tomlins, bounded easterly by Thomas Wheeler, westerly by the Iron works, northerly by the brook or creek that divides it and the Iron works' land, and southerly by the town common. Wit: Edmond Batter and George Keaser. Acknowledged, 28: 9:1660, in court. Recorded, 10:10: 1667 by Hilliard Veren, recorder. (Quarterly Courts of Essex County 5:332; hereafter EQCR)

His land was on the west side of the Iron Works. Bounded to the East by Thomas Wheeler, to the north by the brook, and to the South by the town common. This line between the town common and Henry's land was always in controversy. The squabble over this boundary gives us a good impression of Henry's personality. What is also interesting is that Henry seemed not to care what the boundaries were, because he was always in dispute over them. Henry's land was in controversy until his death. This dispute was back in court in April of 1691, then in 1693, 1694, 1697/98, 1701 and 1703. It seems that Henry was not afraid to state his claim of land and would go to court to prove owner ship of it.

The town of Lynn's land bordered Henry's farm. In 1691, a council was selected to run the line between the town common and Henry's farm. Then in 1693, Mr. William Johnson of Woburn was selected to survey Henry's farm. Henry and some of his sons stated that they would accept Mr. Woburn's survey. As it turned out Henry paid little or no attention to the measurement and he was back in court again in 1693/4. (Records of the town meeting of Lynn 1691 pages 17, 18) In this court action Henry brought suit against John Diven for cutting wood upon land that Henry and the town of Lynn both laid claim to. The town chose four men to oppose Henry. In the town meeting on March 20, 1693/4 "It was there said Mr. Appleton desired to have a treaty with some persons in the Town about the land Mr. Rhodes layes claim to: The town then chose: Lieutenant John Fuller, Lieutenant John Lewis, Robert Potter, Sr., Cornet Samuel Johnson in order to Treat with him and they have the power to agree if thay see cause". (Records of the Town Meetings of Lynn 1691-1701/2 page 24) The town of Lynn also decided to pay all costs

for defending John Diven and to stand behind him in this action. (*ibid.*, 25-26) In addition to this litigation the town was to run a road from Lynn to Reading through Henry's land causing further concerns.

Henry again decided to take on the court and on May 9, 1701 he petitioned the court to run the line again. It is interesting that he appointed Robert Coats Sr. to represent him. Three of Henry's sons married women with the last name of Coats. The Selectmen were unable to agree on the boundary, so they allowed it to be settled as follows. The boundary was set by placing markings on trees and constructing several piles of stone. They further "ordered the fence should be set accordingly." (Town Meetings of Lynn 1701-1717) This boundary was then concluded by the town, selecting two men to run the Town of Lynn's boundaries. Josiah and Joshua Rhodes and two men that they designated were to meet with the men selected by the town and then agree as to the line. This proved to be unacceptable to the Rhodes clan and the town. As recorded in the Town Meetings of Lynn 1701-1717 Vol. 2 page 19 we find the Town decided that "which heaps of stones was raised on ve town Common in an indirect way contrary to ve mind of ve selectmen and deyned by them to be ye bounds of sd Rhodses land therefore we pulled down and demolished sd heaps of stones." Thus the Rhodes seemed to have lost the matter. The boundaries that Henry chose were removed. However, time will show that the Rhodes clan owned the ground in years to come. The vital records of Lynn shows deaths of "Rhodes, Henry in 1703 and an Elizabeth, wife, Henary, Nov. 25, 1700".

Children of HENRY RHODES and ELIZABETH COLDHAM are:

- i. ELEAZER³ RHODES (*Vital Records Lynn, Essex County Mass.*), b. February 6, 1639/40, Lynn, Essex County, Mass; d. May 15, 1716, Lynn Essex County, Mass.
- SAMUAL RHODES (Vital Records Lynn, Essex County, Mass.), b. December 1642, Lynn, Essex County, Mass; d. Bet. October 17, 1713 -May 19, 1718, Lynn, Essex County, Mass; m. ABIGAIL COATES.
- iii. JOSEPH RHODES (Vital Records Lynn, Essex County, Mass.), b. November 1645, Lynn, Essex County, Mass; d. October 23, 1739, Topsfield, Mass; m. JANE COATES, May 25, 1674, Lynn, Essex County, Mass; b. ca 1653.
- iv. JOSHUA RHODES (Vital Records Lynn, Essex County, Mass.), b. April 1648, Lynn, Essex County, Mass; d. December 29, 1725, Lynn, Essex County, Mass; m. ANN GRAVES; b. ca 1648, Lynn, Essex County, Mass; d. February 21, 1735/36, Lynn, Essex County, Mass.
- 3. v. JOSIAH RHODES, b. April 1651, Lynn, Essex County, Mass; d. May 23, 1734, Lynn, Essex County, Mass.
 - vi. JONATHAN RHODES (Vital Records Lynn, Essex County, Mass.), b. August 1654, Lynn, Essex County, Mass; d. April 7, 1677, Lynn, Essex County, Mass.
 - vii. ELIZABETH RHODES (Vital Records Lynn, Essex County, Mass.), b. ca March 1656/57.

Generation No. 3

3. JOSIAH³ RHODES (HENRY², WALTER¹) (Source: Vital Records Lynn, Essex County, Mass.) was born April 1651 in Lynn, Essex, MA (Source: Vital Records Lynn, Essex County Mass.), and died May 23, 1734 in Lynn, Essex County, Mass. He married ELIZABETH COATES July 23, 1673 in Lynn, Essex County, MA. She was born 1655 in Lynn, Essex, Mass, and died October 19, 1694 in Lynn, Essex County, Mass.

Josiah³ was the third son of Henry² and Elizabeth Rhodes. He was born in April of 1651, in Lynn, Mass. His death was recorded on the 23 of May or March 1734. (*Lynn Vital Records*) Josiah³ Rhodes became a member of the Freeman in 1690. On February 26, 1677, Josiah³ Rhodes took the Oath of Fidelity with his brothers. They were sworn before Captain Thomas Marshall in Lynn. (*EQCR* 6:400) Josiah³ Rhodes was first married to Elizabeth Coates, the daughter of Robert & Jane (Sumner) Coates. Josiah³ Rhodes and his wife Elizabeth lived and died in Lynn, Essex County, Mass. (*Lynn Vital Records*) They had nine children, The last being Jonathan⁴ Rhodes who was born on Sept 18, 1692. All of their children were born in Lynn, Essex County, Mass. and all are recorded as in *Lynn Vital Records*. Josiah³ Rhodes first wife, Elizabeth (Coates) Rhodes, died in 1694 at the age of 39. Josiah³ then married Anna Burrill on the 24 July 1695.

In doing research one will find that through all of the dates from 1752 back to Walter¹, there may be a difference of a year in the birth and death dates. This is caused by the switch from the Julian calendar in 1752 to the Gregorian calendar. The Gregorian calendar is what we use today and celebrates January 1 as the first day of the year. The Julian calendar observed New Years Day on March 25, called Annunciation Day, believed to be the day Mary was told she was to give birth to the son of God. England accepted the Gregorian Calendar in 1752. So, if one were born on or before January 1, 1752 depending on which calendar they were using, their birth date could be January 1, 1752 or 1751. This also added 12 days to the calendar and in Philadelphia, Benjamin Franklin wrote in Poor Richards Almanac, "And what an indulgence is here for those of us to lie down in peace on the second of this month and not wake up till the morning of the fourteenth." (Smithsonian, page 58, 1998)

Henry² and his son Josiah³ Rhodes are listed in the Iron Works Papers as neighbors to the Iron Works. "Third son of Henry Rhodes, Lynn settler in 1640. Neighbor to the Iron Works" (*Iron Works Papers* pages 414-418). Further we find that Henry deeded land to Josiah³ Rhodes on February 2, 1691. When Henry made this deed of gift he stated "If my son Josiah Rhodes die or leave no male heir... then this inheritance of lands he shall return to my sons Eleazer and Joshua Rhodes and to their sons after them" (*Essex Deeds* 18:10-11)

Henry Rhodes Deed of girt to Josiah ³ Rhodes: 2 February 1691:

I Henry Rhodes of Lynn ... gentleman, for divers causes especially in consideration of the duty fullness of my son Josiah Rhodes of Lynn provided my son Josiah Rhodes with

his brothers Eleazer, Samuel, Joseph and Joshua Rhodes, do provide for and maintain myself and my dear and loving wife Elizabeth Rhodes, their own and natural mother. during out natural lives ... have given unto my son Josiah Rhodes the land bought [of] Capt. Bridges ... with all the ... meadow lying along the brooke ... to Wheeler's land ... with an acre and a half of fresh meadow that I bought of Capt. Marshall and with two acres of fresh meadow that I bought of Joseph Edmunds ... also one acre of fresh meadow that I bought of Samuel Edmonds with an acre and a quarter of salt marsh... bought of Richard Haven Senr. Also I do give to my son Josiah Rhodes the two islands of Sedge in the River lying against the eight acres of salt marsh that I bought of Mr. Samuel Appleton lying in the Township of Lynn ... except what mines or minerals may be found from time to time shall be equally divided amongst my sons ... and further, if my son Josiah Rhodes die or leave no male heir ... then this inheritance of lands he shall return to my sons Eleazer and Joshua Rhodes and to their sons after them ... equally to be divided and so to continue a good and lawful estate of inheritance to the last and longest liver of the male heirs begotten in lawful marriage ... further I do ... acquit ... Josiah Rhodes... for every part ... of the above said premises. In witness where of I... set my hand and ... seal 2 February 1691... Witnesses: John Wilt and Jeremiah Swaine. Henry Rhodes Senior personally appeared 27 March 1693 and acknowledged the deed before William Johnson, Justice of Peace. A note attached reads: the acre and quarter of meadow mortgaged by Richard Haven ... is returned to said Haven again. Signed Henry Roads. This deed of gift was not recorded until 30 March 1705 (Essex Deeds, 18:10-11).

The Town of Lynn decided to "demolished sd heaps of Stone" that formed the boundaries in the above Deed of Gift from Henry² to Josiah³ Rhodes. It seemed that this was a loss to the Rhodes clan. However, this Deed of Gift to Josiah was before the town decided to remove the boundary stones. The misconception was that the Deed was not recorded prior to 1705. In a town meeting on October 22, 1703 this land was said to be from the Town Common and "the land of Joshua Roads that lies where said Josiah Roads now lives." Thus we can see that even though this land was always in dispute Josiah³ Rhodes still lived on it and had a legal claim to it.

Furthermore, in Josiah³ Rhodes Deeds of Gift to his sons Josiah and Eleazer on May 28, 1709 he requests as follows:

On 28 May 1709, Josiah Rhodes, Sr., husbandman granted to his son Josiah Junr, 15 acres of arable pasture, bounded north by a brook, etc. by Stocker's land, southwest on Eleazer Rhodes' land ... together with one moiety (or half) part of marsh bought of Joseph and Samuel Edmunds, bounded by Thomas Cheever and Baker's ... together with a lot in the 5th division, 16th range of 5 acres 70 poles, and also with the 1/2 of a lot in the 5th division, 4th range 3 acres, 24 poles, which lot through a mistake was recorded to the said Josiah Rhodes, together with buildings, etc. Witnesses: John Floyd and Elizabeth Cheever. Codicil: 74 poles of the lot in the 7th division, 4th range containing 2 acres, 28 poles. Recorded July 16, 1728 (Essex Deeds, 50:250)

On 22 March 1719/20, Josiah Rhodes, Sr., of Lynn, husbandman, gave to his son Eleazer, 15 acres of land in Lynn bounded by Joshua Roades Jr., a brook, and Thomas Cheever, together with a piece of fresh meadow, bounded on Joshua Rhodes, Thomas

Cheever and John Jenks, together with 3 acres, 27 poles in the 1st division, 6th range; also another lot in the same division, 3rd range of 4 acres, 140 poles; also a lot in the 7th division, 4th range of 1 acre 40 poles, also 2 sedge Islands in Lynn, together with buildings, trees, etc. Witnesses: Thomas Cheever, John Legro. Recorded 25 March 1720. (Essex Deeds, 37:90) Even though the original land of Josiah's father was often in dispute with the town of Lynn it does appear that most, if not all, was deeded to his sons and their heirs.

In the *History of Lynn, Essex*, page 143...In the words of Clement Coldam, in 1633, aged about 55 years, "This I doe testified, that the grant of the old mill was in July ye 12 1633, To Edward Tomlins, which was the second mill in this colony; and after the Towne (town) saw that the mill could not supply the Towne, they gave leave to build an overshoot mill upon the same water" Mr. Coldam continues on and tells in order who owned the mill, until a John Ballard sold it to Henry² Rhodes on July 8, 1672. "These five acres with a mill, dwelling house, and all dams, gates and sluices was purchased for 125 pounds." (*Essex Deeds*, 4:662) This seems to be quite a bit of money for 1672. This would indicate that he was a man of some means and standing in his community.

No deeds have been found saying that Henry² Rhodes deeded land to his eldest two sons, Samuel and Joseph. Found was information that his two eldest sons did deed land that contained the Mill to their descendants. These Deeds of Gift made by Henry ² Rhodes' sons included this mill. In Samuel's (Josiah³ brother) deed of gift to his sons Jonathan and Eleazer, there is mention of the mill, stating, "West on Joseph Rhoads, and north on the country road with all housing and mill upon it" (Essex Deeds, 33:192). This deed was acknowledged by Samuel Rhodes on October 25, 1713. Then on September 13, 1727, Joseph Rhodes (Josiah³ brother) deeded to his grandson "to wit, my dwelling house and all my part of the grist mill with all housing pertaining". Joseph Rhodes acknowledged this deed on September 29, 1727. (Essex Deeds, 58:279) By this time the Rhodes family owned quite a bit of land in Lynn and Henry ² Rhodes and his sons tried to pass it down to their male heirs.

In the *History of Lynn, Essex, Mass.* we find that "A privilege was granted, 27 October, 1721 to Benjamin Potter, Jacob Newhall, and William Curtis, to erect a mill here. "But they did not complete their project, and in town meeting 8 October 1722 resigned up their grant to the town again. At the same meeting the privilege was granted to Thomas Cheever and Ebenezer Merriam, under some conditions; William Taylor and Josiah ³ Rhodes protesting against the grant." It seems that Josiah ³ Rhodes did not want competition of another mill so he protested against the grant. This mill was in operation until 1774. Mr. Merriam sold his part to Mr. Cheever in 1729 and a Joseph Goulda, who was a Quaker, purchased the Mill in 1738. When he died in 1774 "the premises soon became dilapidated". (*History of Lynn* page 320).

Before Josiah³ Rhodes died he made deeds of gift to his sons, Josiah and Eleazer. The first was to his son Josiah on 28 May 1709. Then to Eleazer on March 22, 1719/20 (Essex Deeds, 50:250 and 37:90). In these listings of land and buildings that were to be deeded Josiah Rhodes Sr., is referred to as a "Husbandman", one whose occupation is husbandry,

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or a farmer. (Websters). Josiah and all of his brothers except, Jonathan, lived all their lives in Lynn. Jonathan died at the age of 23. No record of a marriage was found for his brother Eleazer. Josiah with his brothers Samuel, Joseph and Joshua and sister Elizabeth and all of their descendants would have been a large extended family by early 1700. It can be determined by the deeds and wills that the Rhodes family stayed close and were always there to give each other guidance and support. No court records were found in which one of the Rhodes family did not follow their parents wills and deeds to the letter. Nor were there found any legal conflicts between them. It seems that they followed a path of God and family and never varied in its pursuit.

In the The Genealogical History of the Town of Reading, Mass. page 141, the Town voted also "to sell to Josiah³ Rhodes of Lynn, (Reading right in his lot in the 600 acres for 20 shill. per acre)". Reading, Mass. is about a mile north west of Lynn, Essex County, Mass. Josiah ³ Rhodes died in Lynn, Essex County, Mass on 23 May or March at the age of 83. His first wife Elizabeth Coates (Coats) died in Lynn on October 19, 1694 at the age of 39. (Lynn Vital Records)

Children of JOSIAH RHODES and ELIZABETH COATES are:

- HENRY⁴ RHODES (Vital Records Lynn, Essex County, Mass.), b. June 1, 1674, Lynn, Essex, Mass; d. January 8, 1755, Lynn, Essex County. Mass; m. ELIZABETH PAUL; b. ca 1678; d. ca 1750.
- ELIZABETH RHODES (Vital Records Lynn, Essex County, Mass.), b. August 13, 1676.
- MARY RHODES (Vital Records Lynn, Essex County, Mass.), b. October 21, 1677; d. February 4, 1677/78.
- JOHN RHODES (Vital Records Lynn, Essex County, Mass.), b. May 27, 1679; d. August 1684.
- v. JOSIAH RHODES (Vital Records Lynn, Essex County, Mass.), b. January 19, 1679/80; m. PRISCILLA SMITH, January 1701/02.
- ELEAZER RHODES (Vital Records Lynn, Essex County, Mass.), b. July 8, 1683.
- JOHN RHODES (Vital Records Lynn, Essex County, Mass.), b. March 22, 1684/85.
- MARY RHODES (Vital Records Lynn, Essex County, Mass.), b. March 26, 1687.
- ix. JONATHAN RHODES, b. September 18, 1692, Lynn, Essex County, Mass; d. 1784, Voluntown, New London, Conn.

(To be continued)

Dennis Ford 7079 Antolik Road Girard, PA16417 814 474 2721 daksford@aol.com

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ORANGE COUNTY CALIFORNIA GENEALOGICAL SOCIETY