



# NGS Monthly

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## **USING INDIRECT EVIDENCE TO SOLVE GENEALOGICAL PROBLEMS**

**by Melissa Johnson, CG**

When we are faced with challenging research problems, the ability to work with indirect evidence can be a valuable problem-solving skill. Indirect evidence is information that we analyze in the context of our research question and interpret as being relevant, even though it doesn't directly provide us with an answer. A lack of direct evidence does not mean that a question of identity, circumstance, or relationship cannot be resolved. We can combine indirect evidence with other clues, and present the totality to help prove our conclusion.

Many of the research problems posed in *National Genealogical Society Quarterly (NGSQ)* case studies are resolved using indirect evidence. One such example can be found within "Who Was the Father of Henry Norton Jaynes of Indiana, Missouri, Ohio, and Virginia?" authored by Mara Fein, Ph.D., CG, and published in the March 2013 issue of the *NGSQ*. Fein sought to identify the parents of Henry Norton Jaynes, who was born in 1811 and died in Missouri in 1873. Much can be discovered about Henry's life, including his whereabouts in Ohio based on land holdings, and the names of his children derived from numerous records. However, Fein encountered a problem faced by many researchers: no record left behind by Henry Norton Jaynes names his parents. One possible candidate for Henry's father was discovered: Henry Jaynes, who owned land in the same areas as the younger Henry and who was of the right age to be his father. Some information about the elder Henry was identified, including the names of his spouse and some children. However, no records left behind by this Henry identify Henry Norton Jaynes as his son. Despite the absence of direct evidence identifying the

younger Henry's parentage, indirect evidence can be pulled together to identify his parents as Henry and Catherine Jaynes.

In 1851, Henry and his wife Nancy, along with Jane and Ralph Cuthbert and several individuals surnamed Jaynes, sold two tracts of land in Washington County, Ohio. The land was sold to Eliza Jaynes for \$1, and had formerly belonged to Nelson Jaynes, who died without leaving any children. The common surnames and the transaction amount suggest a familial association among the parties to the deed. Fein closely studied each of the grantors and the grantee. By tracing these individuals throughout their lifetimes, she was able to identify several of them as the children of Henry and Catherine Jaynes (with one possible exception). Fein also considered legal context, specifically related to inheritance laws in Ohio during the nineteenth century. By considering the law, she was able to recognize that the legal basis of the deed was to divide property among a decedent's legal heirs—in this case, Nelson Jaynes' siblings.

The 1851 land record is paramount to resolving Fein's research problem, even though it does not specifically address Henry Norton Jaynes' parentage or specify relationships between the grantors. The author makes her argument by introducing the names of Henry's known associates from the land record; analyzing details about them such as age, interactions, and proximity; and considering the legal context of the transaction. Together, all of this evidence points toward the conclusion that the parties to the deed—including Henry Norton Jaynes—were siblings and the children of Henry and Catherine Jaynes.

No evidence conflicts with Fein's conclusion—no records suggest relationships other than those proposed by Fein, and no other candidates for Henry's parents exist. However, some uncertainties related to the Jaynes family remain, such as the identity of Catherine Jaynes who signed the deed to sell Nelson's land in 1851. The author introduces points suggesting that Catherine may have been Nelson's wife, such as the date of her later marriage to Richard Singleton, and her position in the list of grantors on the deed. Her identity, as either Nelson's sister or widow, remains unproven; however, this doesn't change the weight of the evidence related to Henry Norton Jaynes's parentage. Fein is able to prove, using indirect evidence, that he is the son of Henry and Catherine Jaynes, formerly of New York and later of Washington and Wood counties in Ohio.

In Fein's case study, indirect evidence was used to solve a problem of relationship when no documentation directly connected a father and son. Indirect evidence can also be used to solve a variety of problems—especially in cases involving significant record loss

—and can often be more compelling than direct evidence. All genealogists can benefit from developing an understanding of indirect evidence and how it can be used to solve problems. One way to do this is through studying the published work of other genealogists. The case studies published in *NGSQ* include many examples of how to assemble indirect evidence and organize a sound, coherent, written proof argument. NGS members can access past issues of *NGSQ* through the [archive on the NGS website](#).

## ABOUT AUTHOR

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Melissa A. Johnson, CG® is a New Jersey-based professional genealogist specializing in genealogical research; writing, editing, and publishing; using DNA to solve genealogical problems; and forensic genealogy. She focuses on researching families with roots in New Jersey, New York City, Pennsylvania, and the British Isles. Melissa is editor of the *Genealogical Society of New Jersey Newsletter*, reviews editor of the *Association of Professional Genealogists Quarterly*, and past editor of *NGS Monthly*. She serves on the Board of Trustees of the Genealogical Society of New Jersey and the International Society for British Genealogy and Family History and on the faculty of several genealogical programs and institutes. Her work has been published in numerous publications.