

ESTATE FRAUD AND SPURIOUS PEDIGREES

by

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From at least 1871 and probably as much as a century earlier; recurring at intervals approximately a generation apart; and likely to carry on to some degree *ad infinitum*, estate fraud has been perpetrated on hundreds of thousands of would-be "heirs" throughout the English-speaking world. Dozens of family names have been associated with one or more incredibly valuable, but nevertheless completely fictitious estates. In misguided efforts to qualify for a "rightful share" in an estate that would forever elude them, many hopeful "heirs" and more than a few deceitful ones have created fanciful forebears and false lines of descent.

Almost invariably the "estates" were associated with frequently-occurring family names; consequently, a mistakenly-identified or purposefully-manufactured ancestor could be lurking in the background of many an unsuspecting genealogist. This monograph does five things: (1) relates the origins of estate fraud; (2) describes how the basic fraud operated; (3) differentiates between two types of "heirs"; (4) itemizes some of the more famous "estates"; and (5) argues that the creation of false lines of descent and forged documents were endemic among those seeking to prove their entitlement to millions of non-existent dollars. Using the "Edwards Estate" as a case study, this paper reports some unlikely places where basic documents were "found"; illustrates the ways in which "heirs" copied the ancestries of others and/or modified them to suit their own purposes; and provides a documented chronology in the alteration of the names, dates and places of residence of ancestors in the author's line of descent.

1.

ORIGINS OF ESTATE FRAUD

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Estate fraud in North America began with the **Bogardus Estate**, land once owned by Anneke Jans Bogardus in mid-seventeenth century New Amsterdam. The object of litigation lasting, on and off, for more than two centuries, the Bogardus Estate was transformed, through the bad offices of a series of confidence men, from a possibly ingenuous claim on property once owned by an ancestor into a cruel and tediously recurring hoax on generations of innocent descendants. In the 1890s Stephen P. Nash, LL.D., was moved to research the history of the title to this "estate."¹ Two articles provide a briefer and simpler version of the legal history of the Bogardus Estate and also discuss the genealogical issues. John Reynolds Totten, F.G.B.S., "Anneke¹ Jans 1607-8?-1663) and Her Two Husbands, Roelof¹ Jans (or Jansen) and Rev. (Domine) Everardus¹ Bogardus and Their Descendants to the Third Generation Inclusive," *The New York Genealogical and Biographical Record*, 56 (July 1925), 3:205; Maria Sabina (Bogardus) Gray, *A Genealogical History of the Ancestors and Descendants of General Robert Bogardus* (Boston: privately printed, 1927), p. 65-66.

The Facts

In 1663 Anneke Jans Bogardus died in possession of land whose boundaries extended approximately along what is now Fulton Street from Broadway to the Hudson River, north to Christopher Street, to a point just east of Hudson Street, and then south and east back to Broadway near Duane Street, about 62 acres in what would become the heart of nineteenth century New York City, now centered in its financial district. Her will directed that the farm be

¹ For this discussion the writer is dependent on secondary sources. Foremost in importance is a legal summary of the litigation by Stephen P. Nash, LL.D., "A History of the Title to King's Farm and The Litigation Thereon" (hereafter, "The King's Farm") which cites primary sources throughout. It appears as an appendix to volume II of Morgan Dix, comp., *A History of the Parish of Trinity Church in the City of New York* (New York: G.P. Putnam's Sons, 1901), pp. 293-310, and is based on Nash's longer monograph, *Anneke Jans Bogardus, Her Farm, and How it Became the Property of Trinity Church*, New York, New York, 1896.

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sold and the proceeds be divided principally among the children of her first husband, Roeloff Jansen. A son named Cornelius Bogardus died in 1666, but when the farm was sold in 1670 to Francis Lovelace, the Governor of New York, no representative of the deceased Cornelius Bogardus's infant heir signed the deed.²

In 1674, Governor Lovelace was heavily in debt to the Duke of York, who was subsequently crowned James II of England (and VII of Scotland, 1685-1689). The property reverted to the Duke and thence to the British Crown. Known either as the King's Farm or the Queen's Farm, the property was granted to Trinity Church in 1705 by Queen Anne (1702-1714). No record survives of any objection against the original sale of the farm to Governor Lovelace, to the farm's reversion to the Duke of York or, subsequently, to the British Crown; nor to Queen Anne's grant to Trinity Church. Indeed, it was not until 68 years after Anneke Jans Bogardus's death that any descendant claimed it.

The Claims

In 1738 Jacob Brower, a descendant of Anneke's son, William Bogardus, formally asserted a claim on the property; in 1743, he took forcible possession of it, only to be evicted. In 1748, Brower sought to wrest the farm from Trinity Church by legal means. Further legal recourse resulted in the case being tried before the Supreme Court of New York on 24 October 1760; Trinity Church successfully defended its title. The transcript does not survive, but a notice appeared in the *New York Mercury* three days later:

Last week a remarkable Tryal, which has been in the Law nearly 20 years, came on in the Supreme Court here, between *The Rector and Inhabitants of the City of New-York of the Church of England, as by Law established*, and the family of the *Browers*, who sued for 62 acres of the King's Farm; when the jury, being out about 20 Minutes, gave their Verdict in favour of the *Defendants*.³

² It should be reported here that this deed was not discovered until 1785; although this writer has seen no argument advanced that the deed was spurious, she believes it possible in light of the many other spurious documents that were subsequently created in misguided efforts to qualify for an estate. This subject will be treated extensively in the author's forthcoming book on estate fraud.

³ Nash, "The King's Farm," p. 303.

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Subsequent efforts on behalf of Bogardus descendants to reclaim the property were made in 1807 by a Colonel Malcolm and again in 1830 by John Bogardus. The latter claim was finally decided in June 1847, the decision totalling 129 pages. The opinion of the court read in part:

...I feel bound to say, that a plainer case has never been presented to me as judge. Were it not for the uncommon magnitude of the claim, the apparent sincerity and zeal of the counsel who support it, and the fact ... that the descendants of Anneke Jans, at this day, are hundreds, if not thousands, in number; I should not have deemed it necessary to deliver a written judgment on deciding the cause.... But the law on these claims is well settled; and it must be sustained.... Indeed, it would be monstrous, if, after a possession such as has been proved in this case, for a period of nearly a century and a half, open, notorious, and within sight of the temple of justice; [were] ... title to lands to be litigated successfully, upon a claim which has been suspended for five generations. Few titles in this country would be secure under such an administration of the law;...⁴

The case may have been clear to the judge, but Bogardus descendants initiated a further unsuccessful claim in 1851; there was another in 1878, and at numerous times thereafter the papers carried news items of further pending litigation. Indeed, the continuing claims on this property became a joke among the legal profession and Maria Sabina (Bogardus) Gray rightly concluded that the "Bogardus Estate" was a veritable "Jarndyce v. Jarndyce."⁵ The "Estate" must have been well-known to the general public in 1878 if readers of the *Indianapolis Journal* were to have derived a chuckle from this brief item:

An heir of Anneke Jans has been sent to the Poor House in Monroe County, New York.⁶

⁴ Quoted by Nash, "The King's Farm," p. 306. Readers interested in learning more about these suits might refer to H. Minot Pitman, A.B., LL.B., F.A.S.G., "Two Anneke Jans Law-Suits," *The American Genealogist*, 24 (1948), 65.

⁵ Gray, "Ancestors and Descendants of General Robert Bogardus," p. 69. The reference is to the plot of Charles Dickens's novel, *Bleak House*, first published in 1853. Dickens's case of "Jarndyce v. Jarndyce" ground on in Chancery for over 800 pages.

⁶ *Indianapolis Journal*, 16 September 1878, p. 4, col. 4.

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Various pretexts were used to bring new claims. Nash reports that one asserted that Trinity Church's title to the property was not clear because the original sale to Governor Lovelace did not include the signature of the guardian of the deceased Cornelius Bogardus's infant heir. Another argued that the boundaries had been unclear and that Trinity Church had encroached on land owned by one of Anneke's descendants. These and other claims failed, and in the words of Clifford P. Morehouse, "...it is safe to say that probably no property in Manhattan has been so thoroughly examined and so completely established as that granted in 1705 to Trinity Church under the name of Queen's Farm."⁷ Perhaps that is why in 1879 one group of heirs, "...agreed not to meddle with the Trinity Church Property at present, but to go for money that is deposited in the bank with the Government of Holland, which now amounts to \$83,000,000, drawing 4 percent interest."⁸

Stephen Nash ended his account of the Bogardus-Trinity Church litigation by asserting that "all later" claims (no specific date provided) constituted instances of fraud:

[They] have been brought in aid of schemes fraudulently set on foot to obtain contributions from the so-called heirs." From time to time fresh organizations are formed under the pretence that facts newly discovered make success certain in a threatened attack. Many are deluded into furnishing money to aid the promoters in these swindling operations.⁹

Thus, almost as an afterthought, Nash reported that the instigators of at least some of the efforts to claim a share of the "Bogardus Estate" were confidence men whose main goal was not to press a claim in court on behalf of "heirs," but to extract money for themselves from the supposed heirs. In this brief statement, he had the basic outline of what the swindle was all about.

2.

⁷ *Trinity: Mother of Churches, An Informal History of Trinity Parish in the City of New York* (New York: The Seabury Press), p. 32.

⁸ "The Anneke Jans Heirs," *The New York Times*, 26 July 1879, p. 2, col. 5.

⁹ Nash, "The King's Farm," p. 310.

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ESTATE FRAUD IN OPERATION

In the nineteenth and early twentieth centuries, when the swindle was well underway, heirs were sought with a very wide sweep. Advertisements were placed in the personal or legal notices columns of newspapers, seeking missing heirs. Articles were planted in newspapers about huge estates that were soon to be awarded to their "rightful heirs." Booklets were published advertising for "lost heirs" of thousands of "estates."

The Bait

One such booklet was briefly titled *Golden Treasures for 50,000 Heirs*.¹⁰ Another, briefly titled *Index Register to Next of Kin*, in its fifth edition by 1880, survives in the collection of the University of Victoria (B.C.) Library.¹¹ Published in London, its price was 2 shillings. Judging from the descriptions of such pamphlets, its contents are undoubtedly representative of--and possibly identical with--*Golden Treasures for 50,000 Heirs*.¹²

A List of Names. The main contents of *Index Register* was a list of names of individuals who had died and for whose estates heirs were supposedly being sought. The decedents could have died at any time during the previous 280 years. Arranged alphabetically by surname, no further identifying information was provided. Under the surname *Adams* there were 21 entries,

¹⁰ [Aaron Seligsohn] compiler, *Golden Treasures for 50,000 Heirs, Missing Heirs & Next of Kin, Alphabetically Arranged* (Pittsburgh: International Claim Agency, date unknown), 404 pages. Aaron Seligsohn, under the corporate title of **International Claim Agency**, was the object of a hearing regarding fraudulent use of the U.S. mails in Washington D.C. on 19 January 1916. For more discussion of this case, see Post Office Hearings, below.

¹¹ *Index Register to Next of Kin, Heirs at Law, Legatees &c, &c, Who have been advertised for or are entitled to vast sums of money and property in Great Britain and the Colonies since 1698*, 5th edition, compiled by F.H. Dougal & Co., London, 1880.

¹² In 1887, George F. Parker, head of the British-American Claim Agency, was charged, among other things, with distributing through the mails a book he had published entitled *Index Register to Next of Kin, Heirs at Law, Legatees, &c., &c....* "Parker Likely to Escape," *New York Times*, 25 March 1887, p. 8, col. 6.

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including one for a *Mr. Adams*, a *Mrs. Adams*, and one who was only identified as *A. Adams*. A person wishing to read the original advertisement was charged £1, quite a lot of money in 1880.

Advertisements. To whet the appetite, examples of the kind of advertisement a reader might expect to receive were interspersed among the names. One of them reads:

NEXT OF KIN WANTED TO CONSIDERABLE PROPERTY.--Wanted, Next of Kin to ROBERT CHAMBERS, Tailor by trade, who came to London about the year 1804, leaving his wife and one or two children in Aberdeen, one named Robert W. Chambers. ...--*Daily Scotsman*, 7 June 1879

Testimonials. To buttress the publication's credibility, a number of testimonials on behalf of the *Index Register* were also included:

To those who are willing to risk a little money in a lottery, this is a most useful book... a prize in such a lottery would be worth trying for. -- *Irish Law Times and Solicitors' Journal*, 1 Feb. 1879

It appears that Messrs. Dougal and Co. have for a long time been engaged in hunting up owners for estates which were going a-begging, a large number, even in these times of distress. The pamphlet, which is published at a moderate price, will interest many thousands of persons."--*Sheffield Daily Telegraph*, 3 Dec. 1878

Brief Articles. Occasional articles announcing the award of an estate or reporting on the progress of an effort to reclaim one were designed to tempt readers to part with a pound. One such article was taken from the pages of a "*Jersey paper*," and focused on the **Booth Estate**. Since the article mentioned Dougal and Co.'s pamphlet as the source of the original information on the estate, it could be viewed as another testimonial. For students of estate fraud it also serves as a direct link between the pamphlets and one of the major efforts launched by an American organization of heirs to reclaim a non-existent English estate. The article is abstracted for brevity:

At intervals readers of the newspapers hear of somebody falling heir to a large amount of money in Great Britain.... Messrs. F.H. Dougal and Co., have issued a pamphlet containing the names of heirs who have been advertised for... and some time ago Justice of the Peace Henry W. Leonard of Jersey City, N.J., came across an item detailing a meeting of members of the Booth family of New Haven, at

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which 60 persons were present who were supposed to be connected directly or indirectly with the Booths, who, as it is commonly understood, died in England years ago, leaving several millions of dollars. Justice Leonard's wife (sic) was a Booth and her father's name was John Orx Booth. A little inquiry led to the belief that this man was one of the heirs to those millions. Justice Leonard sent for a copy of Dougal and Co.'s pamphlet and upon receiving it found the name of John Booth set down as heir to £80,000, or \$240,000. A little correspondence revealed the fact this John Booth, Mrs. Leonard's uncle, was a son of John Orx Booth, the grandfather of Mrs. Leonard. His father was Adam Booth and his mother was Mary Hegg, and it was from her only brother, Joseph Hegg that a fortune was coming. John Orx Booth came to America with his mother [in 1826] ... and married Matilda Mott. The issue of the marriage was three children, one of whom was Mrs. Leonard's mother, Esther Booth.¹³

Unfortunately, the "I'm my own grampa" description of family relationships in this article is not clarified by an article carried by *The New York Times* the previous year:

Justice H.W. Leonard, of Jersey City, says he has put in a claim for £100,000 English money on behalf of his mother-in-law. ...Mr. Leonard learned that Mrs. Mary Hegg-Booth had died, leaving a large property to her heirs. One of her sons was John O. Booth, father of Leonard's mother-in-law. ... Mrs. Booth has four children living in this country. Her share amounts, Leonard says, to \$500,000. She resides in Jersey City.¹⁴

The Bite

Over the past two or more centuries, hundreds of thousands--if not millions--of people responded to advertisements, newspaper notices, and articles such as the one about the Booth Estate. They formed themselves into associations of estate claimants; they incorporated under the laws of their state; they wrote letters to all of their cousins encouraging them to join the association, to pay membership dues and special assessments, to search through their family papers for proof of their pedigrees and for documents that might help to recapture the estate, and to encourage other cousins to join the association too; they held meetings and publicized them in their local newspapers. The wire services, hungry for news of "human interest" and not too

¹³ Dougal and Co., *Index Register*, pp. 2-3.

¹⁴ "Looking After an English Estate," *The New York Times*, 7 June 1879, p. 8, col. 2.

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concerned about its accuracy, picked up dozens of items about meetings of heirs in such isolated communities as Yellow Springs, Missouri, and North Vernon, Indiana, and these were reprinted in big city newspapers like *The New York Times*. The fact that meetings of heirs were being held everywhere lent credence to the idea that the estates really existed. To give some sense of the popularity of these associations, the author has identified Edwards Heirs associations incorporated in dozens of cities and states all over the United States and Canada; in addition, associations were incorporated in Australia and in England, Scotland, and Wales. Louisville, Kentucky, had two rival associations, The National Scotch Edwards Heirs and the Edwards Heir Association of Louisville.

3.

THE HEIRS AND THEIR ASSOCIATIONS

Once the idea of creating an association of heirs had been planted in a community, it did not take long before there were two kinds of people participating in them: the swindlers and the suckers.

Swindlers

Association members who are easily documented, because they took a leading role in efforts to reclaim the estates, were ones that should have known better. Doctors, lawyers, judges, ministers, and former governors were almost always prominent among the leaders of the hundreds of organizations of heirs that were formed to reclaim estates. Perhaps some of them were merely lending an impressive title; others were clearly operators. A few examples over the decades will illustrate them:

In 1879, over 700 heirs to the **Springer Estate**, 800 acres in the heart of Wilmington, Delaware, said to have been worth \$80,000,000, were led by the Reverend J.W. Springer of St. Louis, the Honorable William M. Springer, of Washington D.C., and Congressman Springer, of Illinois, among others.¹⁵

¹⁵ "Claiming Large Estates, Christopher Springer's Descendants; Hyde Heirs' Prospects," *The New York Times*, 27 December 1879, p. 2, col. 5.

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Also in 1879, The Hyde Association, seeking the **Hyde Estate**, said to have been valued at \$360,000,000 in Chancery, was represented by former New Mexico governor Arny, former New Jersey governor Bedle, Judge J.L. Jones of Flemington, N.J., former Judge Holcombe of Lambertville, N.J., and Dr. Shepherd, "a prominent Sussex County politician," among others.¹⁶

In 1936 among 28 persons indicted for fraud by a Federal Grand Jury in the **Baker Estate**, land in the heart of Philadelphia, then said to have been worth as much as \$3,000,000,000, were a public accountant and a minister from Johnstown, Pa.¹⁷

Suckers

Most of those who joined associations of "heirs" or who contributed to them were poor farmers, small town folk and others vulnerable to the lure of a "get-rich-quick" scheme. They were naive enough to believe the unbelievable, particularly if they saw it in print; they were greedy enough to expect to receive something for nothing; and they were loyal enough to their associations and their swindler leaders, to carry on even as the latter were found guilty of fraudulent use of the mails and sent to federal penitentiaries. As the generations went by, older suckers were augmented by younger ones who had always heard that their family had a "tradition" of an estate in their background.

Suckers Turned Swindler

Perhaps some of those whose names frequently appeared in the papers as leaders of various associations of claimants were actually suckers from beginning to end, but it probably did not take long for the more discerning ones to realize that there was more money to be made from other suckers than from the "estates" themselves. Initial membership fees in heirs' associations usually started at \$10; monthly dues were \$1.00. These could add up quickly if

¹⁶ "Heirs to Hundreds of Millions, A Prospect that the Great Hyde Estate in England Will be Awarded to the American Heirs," *The New York Times*, 10 November 1879, p. 8, col. 2.

¹⁷ "'Heirs' Still Claiming Philadelphia, Credulous for 70 Years have Sunk Millions in 'Baker Estate'," *Literary Digest*, 26 December 1936, pp. 3-4.

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vast numbers of "heirs" were encouraged to join. But special assessments for "legal fees" and travel could be made from time to time and some heirs were willing to contribute several hundred or even several thousand dollars against an anticipated windfall of as much as \$1,000,000, as their share of the entire estate. More than a few suckers succumbed to the temptation to transform themselves into small-time swindlers.

Drake Estate. Oscar Merrill Hartzell became a big-time swindler, operating primarily in Iowa. Found guilty in 1933 in Sioux City, Iowa, on 12 counts of using the mails to defraud between ten and fifteen thousand individuals of over \$1 million during the 1920s episode of the **Drake Estate**, Hartzell was sentenced to ten years in Fort Leavenworth.¹⁸ Despite the verdict, thousands of suckers continued to believe in the Drake Estate and Hartzell was able to continue the swindle from his prison cell through a number of lieutenants who managed to raise an additional \$270,000 between 1933 and 1935. Hartzell and 41 other co-defendants were charged in Chicago with defrauding over 70,000 "donators" to the Drake Estate; he and seven co-defendants were found guilty; the other 33 co-defendants managed to convince the prosecutors that they were merely well-meaning suckers and charges against them were dropped.¹⁹

The former Missouri farmer had once been a sucker himself, who had earlier invested \$6000 of his mother's money in the Drake Estate. In 1922 he went to England with two others to look into the progress of the claim.²⁰ In his opening statement to the Chicago jury U.S. Attorney Austin Hall asserted that it was on this trip that Hartzell decided to become a swindler:

¹⁸ Hartzell Trial to Open Today in U.S. Court," *The Sioux City Journal*, 23 October 1933, p. 1, col. 6; "Hartzell is Found Guilty," *Ibid.*, 16 November 1933, p. 11, cols. 1-3.

¹⁹ "Found 8 Guilty in Drake Fraud, Face U.S. Cells for \$1,300,000 Swindle Myth," *Chicago Daily Tribune*, 1 February 1936, p. 1, cols. 1-8.

²⁰ "Dupes and Drake," *Time*, 2 December 1935, p. 13.

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"Hartzell separated from the others and made it known in this country that he himself had found a direct lineal descendant of Drake."²¹

For the next ten years Hartzell operated the Drake Estate from London, England, asserting that (1) he had "gained an assignment of rights to it" from the descendant, whose identity he steadfastly refused to reveal, but (2) he was willing to sell shares in that assignment to anyone willing to invest in it. In this twist, Hartzell no longer had to concern himself or his suckers with the difficult and time-consuming process of proving pedigrees; anyone, not merely "heirs," could expect a windfall by investing in the eventual distribution of the Drake Estate, which Hartzell estimated was worth several billion dollars. U.S. Attorneys estimated that Hartzell's windfall amounted to \$1.35 million, primarily from "donators" who lived in the midwest.

____ Townley et al. The **Townley Estate**, also known as the **Lawrence Townley Estate**, the **Lawrence Estate**, or the **Chase Estate** represents an interesting case of surname proliferation in the pursuit of an actual estate, located in Lancashire and Yorkshire, that "...has been for a very long time in the possession of its rightful owners, and there are no unknown or American heirs to any portion of it." The Townley Estate scam got started when a swindler named Colones James F. Jacquess or Jacques advertised for Americans named Townley and Lawrence, suggesting that they were heirs to an estate worth \$800,000,000 that was awaiting distribution in the Bank of England. His pretext was news of a friendly suit among various Townley family members to "arrange some equities arising under successive marriage settlements and conveyances executed at various times." The American claimants to the estate were said to have descended from a Mary Townley who had married a man named Lawrence and then settled in America.²²

²¹ "Lawyers Tell Both Sides of Drake Swindle," *Chicago Daily Tribune*, 20 November 1935, p. 9C, cols. 1-2.

²² H. Sidney Everett, "Unclaimed Estates," *The Atlantic Monthly*, February, 1896, pp. 243-4.

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Between 1871 and 1894, Colonel Jacques managed to convince American suckers to send at least £32,000 to help him further their cause in British courts. The scam began to unravel when Jacques sued his solicitor, Howell Thomas, demanding an account of his application of moneys in actions taken in pursuit of the estate. Jacques portrayed himself as a sucker when he testified against Thomas, but was later arrested and appears, at minimum, to have been a sucker turned swindler.²³

4.

AN ESTATE HERE; AN ESTATE THERE Incredible as it should have seemed, there were dozens of estates that had apparently been denied to their rightful heirs; coincidentally, many of them were being sought at precisely the same times and in the same cities; often Indianapolis served as headquarters. Sometimes, two different estates were written up in the same news item. Nevertheless, it seems unlikely that more than a few of the suckers had been more than marginally aware of the others. Indeed, it is possible to achieve a picture of the extent of estate fraud only by gathering together reports about them from a variety of sources. Those reported here are by no means all of them; they are merely those the author has encountered through systematic searches of (1) the index to *The New York Times*, from its inception in 1851²⁴ to 1989 and (2) the index to *Readers Guide to Periodicals*, from its beginning in 1890 until 1989. Using

²³ *Jacquess v. Thomas*, Queens Bench Division, Law Report, *The [London] Times*, 15 January 1894, p. 3, col. 1; "Thomas's Trial Under Way," *The New York Times*, 30 June 1894, p. 5, col. 2; "The Townley Claimant Arrested," *Ibid.*, 4 July 1894, p. 5, col. 1; "Townley Estate Swindle, Trial of the Solicitor Whom Jacques Used to Prosecute the Claim," *Ibid.*, 15 July 1894, p. 19, col. 3; Col. Jacques Remanded, Evidence of His Fraudulent Practices to be Sought in This Country," *Ibid.*, 12 September 1894, p. 5, col. 2; "No Mercy for Col. Jacques, Sent Back to Jail to Allow More Time to Collect Evidence," *Ibid.*, 26 September 1894, p. 5, col. 1; "Evidence Against Jacques, The Townley Estate Claims Again in the Bow Street Court," *Ibid.*, 4 October 1894, p. 3, col. 3.

²⁴ *The New York Times* started reporting on the activities of various associations of heirs in 1878, so it is possible to trace a number of simultaneously-occurring frauds from that year.

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the headings *estates, inheritance, swindle, frauds, legal, wills, Baker, Bogardus, Drake, Edwards* and *Trinity Church*, numerous articles about estate fraud were uncovered. In addition, systematic searches of newspapers by known dates of "estate" activity in such cities as London, England, Sioux City, Iowa, Chicago, Indianapolis, Cincinnati, Pittsburgh and Louisville uncovered additional material. Finally, a search of the Post Office Dockets for the Office of the Solicitor, Record Group 28, at the National Archives, yielded the transcripts of several hearings conducted on estate fraud between 1909 and 1935. Despite these relatively exhaustive searches, the author is aware that she has failed to uncover all of them.²⁵

The fraudulent estates discussed below had one or more patterns in common. First, there was an enormous parcel of land that had been let on a 99-year lease, a fact which would have been forgotten by three or four generations of "heirs"; the lease had recently expired, and it was now possible to distribute the property to the descendants. A variant pattern held that there was a prodigious sum of money deposited in a foreign bank that was awaiting heirs who could demonstrate their descent from the decedent who had died intestate; often both land and money awaited the hopeful heirs. Second, it was assumed that all improvements on that once-virgin land would accrue to the "heirs" and that the bank deposits had been compounding interest for hundreds of years. Third, the current occupant(s) of the land, usually a formidable corporate entity with deep financial pockets, was said to have taken great pains to disguise the fact that its "lease" had expired; or, it had forged documents to demonstrate its supposed legal possession of the property; or, it had conspired to remove from appropriate legal custody the very documents which would have proved that the heirs had owned the property all along. Further, foreign

²⁵ After delivering a lecture titled "Heir Today, Gone Tomorrow: How Estate Fraud Can Distort Your Pedigree," at the National Genealogical Society Conference in the States, Jacksonville, Florida, on 29 April 1992, several members of the audience informed her of the following Estate Frauds about which she had been unaware: Brandenburg, Emerick, Humphries, Meadows, Mosher, Snowden.

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banks and/or foreign governments were always conspiring to delay release of the funds, fearing financial ruin.

The facts alleged in the various estates duplicated each other so precisely that it is obvious that several of the estates were actually the same property or bank deposits. In some cases it can be demonstrated that the same masterminding swindler was operating several "estates" simultaneously. Insofar as practicable, such estates are discussed together.

Bogardus, Webber, Wyckoff-Jans, Edwards, Van Horn, Waldron, et al.

The facts of the Bogardus Estate were iterated above; however, it is important to report in this instance, as in others listed below, that other family names became associated with the property once owned by Anneke Jans Bogardus and that "estate" stories were also woven around these names.

Webber. The name of Anneke Jans Bogardus's father has been reported as not yet proven, but he may have been Wolfert Webber.²⁶ In 1878 this possibility led to pursuit by 40 or 50 New York City "descendants" of Wolfert Webber of a **Webber Estate**, said to have been located about twenty miles from Amsterdam.²⁷

Wyckoff-Jans. In late 1922 or early 1923 a *Los Angeles Herald* news item reported the existence of "...the world's greatest estate, the **Peter Wyckoff-Anneke Jans** properties, lying in the heart of New York City's financial district, and estimated in value at \$850,000,000." Thomas Bentley Wikoff asserted that Peter Wyckoff, a native of Holland, had been granted the land in recognition for services.²⁸ Sucker-turned-swindler Lucy K. Walrath, in her testimony on

²⁶ Totten, "Anneke Jans and Her Two Husbands," *NYGBR*, 203.

²⁷ "The Claimants of a Large Estate," *The New York Times*, 8 February 1878, p. 3, col. 3.

²⁸ "Los Angeles Heirs Battle for \$850,000,000 New York Estate Shares," quoted in Thomas Bentley Wikoff, *Anneke Jans Bogardus and Her New Amsterdam Estate Past and Present, Romance of a Dutch Maiden and Its Present Day Sequel*, privately printed in Indianapolis, 1924. .

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her operation of the **Mercer Heirs**, **Harper Heirs**, and **Edwards Heirs**, identified T.B. Wykoff as a major **Bogardus Estate** operator in Indianapolis and detailed the help he had given her to organize associations of Edwards Heirs in 1922.²⁹

Edwards. Differing stories about the Edwards Estate will be presented in part 5, as part of a case study in how estate fraud can result in the creation of forged documents and false pedigrees; however, it should be reported briefly that the 62-acre parcel of land in New York City, known as the **Bogardus Estate**, was also the **Edwards Estate**.³⁰

Edwards-Hall Estate. Yet another variant on the Bogardus Estate held that land in New Amsterdam was granted to Thomas Hael, later Hall, whose daughter married a Thomas Edwards; supposedly, their son was named Robert Edwards. A swindler named Gerald Carr, who was simultaneously operating the Edwards-Hall and Mercer Heirs scams out of Indianapolis in the 1950s, estimated the value of the Trinity Church land at \$6,000,000,000,000. Reportedly, he was sent to the federal penitentiary in Texarkana, Arkansas in 1959.³¹

Van Horn et al. In a lengthy article titled "Claiming Many Millions, The Van Horn Family's Hopes--mixed up with Anneke Jans," *The New York Times* reported that the Van Horns were asserting that (1) their ancestors had once owned land near Anneke's; (2) they had leased it for 99 years; and (3) descendants had moved to Pennsylvania and had forgotten about it. Nevertheless, **Van Horn descendants** had intermarried with **Jans descendants**, who were now uniting to reclaim their mutual, combined inheritance. In addition, the Van Horns were claiming an additional 27,800 acres, said to have been worth \$250,000,000 in 1880. This land

²⁹ Hearing on International Corporation of Mercer Heirs, etc., R.G. 28 68/234, pp. 397-9.

³⁰ An hypothesis regarding how the two estates became intertwined will be explored in the author's forthcoming book on estate fraud.

³¹ Rufus Jarman and James Phelan, "The Billion-Dollar Bamboozle," *True, the Man's Magazine*, December 1962, p. 47. Jarman and Phelan also mention estate frauds using the names **DeWitt**, **Pendleton**, and **Buchanan**, among others named elsewhere in this paper.

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constituted much of the rest of Manhattan Island in New York City and was said to have been granted in 1686 to a **Lord Waldron** and four unnamed others. Some generations later, this land was said to have been willed to persons surnamed, **VanFelt, Hugnamon, Woolsey, Carson, Johnson, McAllister and Townsend**. The VanHorn organizers reported that they had consulted the New Jersey attorneys associated with the **Hyde Estate**, who were said to be representing VanHorn interests on a contingency basis of three percent of the ultimate settlement of the estate.³²

Hyde, Jones, Holcombe.

In 1879, the **Hyde Heirs** organized themselves in order to claim a reported \$150,000,000 that supposedly resided in the Bank of England. An article in the 17 July issue of *The New York Times* was stated to have been a follow-up of an earlier report (which was not found). Without a headline, the 17 July item appears to have been planted by one or more confidence men to promote contributions to the Hyde Association. The item welcomed anyone surnamed Hyde to contribute. It reads in part:

[The earlier] article has stirred up descendants of the Hyde brothers all over the country. Letters have come in flocks begging information as to the property and how to push a claim for it. ... These facts may well encourage the makers of genealogies. Chancellor Walworth's³³ two great volumes of the Hyde genealogy will greatly assist the prosecutors of the claim, and even old family Bible records--one correspondent writes that he has one reaching back 127 years--will prove serviceable.³⁴

³² *The New York Times*, 1 January 1880, p. 5, col. 6.

³³ It should be reported that Chancellor Walworth was the name of the judge who decided in favor of Trinity Church in 1833 in a suit brought against it by John Bogardus. Nash, "A History of Trinity Church," p. 306. A subsequent article reports that the families of Hydes' Heirs Jones and Holcombe had contributed money to efforts to claim the Hyde Estate between 1829 and 1860. Judge Jones may have been a sucker turned swindler.

³⁴ *New York Times*, 17 July 1879, p. 4, col., 6.

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A few months later *The New York Times* reported a history of previous failed attempts, beginning in 1829, by Hyde descendants surnamed **Jones** and **Holcombe** to regain the estate of John and William Hyde. The Hyde brothers, said to have been firm believers of Thomas Paine's *The Rights of Man*, had emigrated from England after the Revolutionary War, thus forfeiting their estate, whose value had increased to \$360,000,000. New Jersey Judge J.L. Jones and Former Judge Holcombe were among those following the progress of the estate.³⁵ The following day, it was reported that former New Mexico Governor Army was sailing for London on 26 November to press the association's claims.³⁶

By 27 December 1879, prospects for the heirs were not looking good, although "...some of the Hyde heirs in the West had received word that their claims had been thoroughly established...." Nothing had been heard from Governor Army; nevertheless, New Jersey Judge J.L. Jones "...says he is constantly receiving letters from persons all over the United States and Canada, professing legitimate connection with the original Hyde brothers...."³⁷

Springer

On 27 December 1879, and reported under the same headline as the most recent Hyde Estate story, it was announced that a long-term lease on 800 acres of land in the heart of Wilmington, Delaware, had recently expired, and 700 descendants of Christopher Springer, living primarily in the midwest, were preparing to reclaim it. They were also alleged to be heirs to "a large estate in Stockholm, Sweden."

Baker

³⁵ "Heirs to Hundreds of Millions, A Prospect that the Great Hyde Estate in England will be Awarded to the American Heirs," *The New York Times*, 10 November 1879, p. 8, col. 2.

³⁶ "After the Hyde Millions," *The New York Times*, 11 November 1879, p. 8, col. 3.

³⁷ "Claiming Large Estates, Christopher Springer's Descendants--Hyde Heirs' Prospects," *The New York Times*, 27 December 1879, p. 2, col. 5.

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Colonel Jacob Baker, so one story alleged, moved to Canada after heroically serving in the American Revolution; in 1801, he died intestate and without issue in the residence of one of his brothers. It came to light subsequently that the colonel had owned 1500 acres in the center of Philadelphia, which, in 1878, was valued at \$315,000,000. Advertisements for heirs had been placed in a number of papers and associations were being formed. One of them attracted 57 people in the town of Brookville, Ohio.³⁸

Another Baker story had it that two unmarried brothers of the colonel, all three of whom served in the American Revolution, died intestate leaving the colonel a large part of Philadelphia, 11 acres along the Hudson River, and coal fields in Pennsylvania. The coal mining property had been on lease for 99 years and was soon to expire. The property was worth \$200,000,000 and the heirs were the descendants of Colonel Jacob Baker's two daughters, Betsy and Hannah, most of whom were said to be living in upstate New York and in Canada.³⁹

In 1936, they still had not got it right. By then the story was that Colonel Jacob Baker, a Revolutionary War Hero, had died in Philadelphia in 1839, leaving a will. The U.S. Post Office Department was prosecuting a series of instigators of that round of the Baker Estate fraud. Among other things, it showed that Baker's alleged will had been written and dated on paper that could not have been made before 1886. Further, and somewhat gratuitously, the prosecution pointed out that while there had been three Jacob Bakers in the Continental Army, none had served with distinction and in fact all three had a record of desertion. Finally, and a more telling point, their estates had all been settled satisfactorily.⁴⁰

³⁸ "Wants a Big Slice of Philadelphia," *The New York Times*, 29 November 1878, p. 2, col. 4.

³⁹ "The Two Hundred Millions of Property that the Heirs are After," *The New York Times*, 22 July 1879, p. 3, col. 6.

⁴⁰ "Baker's Will Forged Paper, Witness Says," *The Pittsburgh Press*, 6 June 1937, p. 11, col. 1; "Baker Estate Case Given to Federal Jury," *Ibid.*, 15 June, 1937, p. 23, col. 1.

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An article in *The Literary Digest* summed up the Government's case against the swindlers it had identified in Pittsburgh:

Government officials charged that more than \$3,000,000 had been collected from 3,000 persons [in Pittsburgh and that] upward of 10,000 persons were cheated of almost \$15,000,000 by some twenty-six "Baker Estate" organizations now operating throughout the country. Authorities further believe it is possible that in the seventy years the "Baker Estate" groups have been operating, both in Canada and this country, 500,000 persons have contributed \$25,000,000 to alleged promoters.

. . . .

Post Office Inspector Alfred T. Hawksworth, ... was a principal figure in rounding up the case. "It is the biggest mail fraud case I believe the Department ever encountered, involving both in numbers of persons and money more than three times the celebrated Sir Francis Drake case of a year ago."⁴¹

British Estates

Vast estates supposedly residing in the Court of Chancery in London or in other similar institutions in various European capitals were particularly tempting to North Americans throughout the nineteenth century. The swindlers who advertised them usually lived abroad. When the patience of the American suckers finally ran out, they wrote to the State Department to complain. In 1896, H. Sidney Everett published an article titled "Unclaimed Estates," in which he reported on a number of frauds, several of which were not picked up in the search of *The New York Times*. A few of the more important ones are reported below:

Jennings. Everett reported that the **Jennings Claim Association**, first headquartered in London and later in Canada, had been active at least since the first third of the nineteenth century. By 1844 inquiries and complaints directed to the American Embassy in London about the Jennings Estate had become so numerous that it was necessary to hire a solicitor to discover some facts about it. William Jennens had died in 1798 possessed of £2,000,000; he had made

⁴¹ "'Heirs' Still Claiming Philadelphia, Credulous for 70 Years Have Sunk Millions in 'Baker Estate'." *The Literary Digest*, 26 December 1936, pp. 3-4.

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out a will, but had failed to sign it. Jennens's real property was entailed and passed to his heir-at-law, George Wilson Augustus Curzon; his personal property went to a cousin. Presumably, swindlers read of the distribution in the paper and used the failure of the will to contain a signature as a pretext for creating an association of persons named Jennings who could be deluded into hoping that they might receive a portion of the estate. For decades thereafter the Jennings Claim Association was in hot pursuit of "The Jennings Millions."⁴²

An article of this title appeared in an early issue of the *National Genealogical Society Quarterly*. The editor's note that preceded the genealogical data on one branch of a Jennings family in America gave no hint that the Jennings estate might be a fraud. Indeed, the note was couched in language all too familiar:

...A recent publication noted that a discovery had been made in an old Philadelphia mansion which might reopen the litigation over the celebrated Jennings estate that lingered in the chancery court of England for more than a hundred years, the estate being variously valued at from \$10,000.000.00 to \$150,000,000.00. The following Jennings Genealogy claimed collateral descent from the Jennings who accumulated the "Millions."--*Editor*

Robert Jennings, son of Sir Humphrey Jennings, of Middlesex, England, had two sons--William, of Acton Place, London, who accumulated an immense fortune of many millions and died a bachelor, and Charles, who married and had one child, Sara. This Sara Jennings ... came to Virginia, ... and in April, 1721, Cornelius Dabney married Sara Jennings.

The Jennings Genealogy says that Charles Winston Dabney, of Dalton Junction, Hanover County, Virginia, saw the court record at Hanover Court House of the marriage which occurred in April 1721. This record was destroyed by fire in 1865.⁴³

A variety of instances of forged documents and faked ancestries created in the hopes of obtaining a share in the Edwards Estate will be reported in detail in part 5.

⁴² Everett, "Unclaimed Estates," p. 242. Everett reported the names of several other so-called estates that were said to be residing in accounts in the Bank of England. Among them were estates in the names of **Hedges, Bradford, Hyde, and Horne**. Ibid.

⁴³ "The Jennings Millions," *National Genealogical Society Quarterly*, I (October 1912), 3:4.

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Post Office Hearings

The earliest transcript to survive among the records of the Post Office Department's estate fraud hearings was one held on 19 January 1916 to investigate the activities of the **International Claim Agency**. It did not reveal associations of heirs; instead, Aaron Seligsohn was found to be making his money from sales of *Golden Treasures for 50,000 Heirs, Missing, Heirs and Next of Kin, Alphabetically Arranged*. The Post Office attorney estimated that he had sold 50,000-60,000 copies, priced at \$1.00.⁴⁴ Seligsohn had also collected \$3500 in fees for information about the following "estates" in Chancery: **McKenzie, Hayward, and Baron**.⁴⁵

A Post Office investigation had put an earlier incarnation of this swindle out of business in 1889,⁴⁶ but the transcript does not survive. For decades the Post Office Department and the State Department tried to put an end to these scams; but, like a phoenix arising from its ashes, the swindle kept materializing under new names. The **British American Claim Agency** and the **European Claim Agency** were two more in a series of cons that touted hundreds of unclaimed "estates" supposedly languishing in Britain or on the continent to which gullible Americans might think they were entitled. *The New York Times* reported the progress of the criminal prosecutions undertaken and carried warnings about the new entities.⁴⁷ Yet other names of supposed estates are to be found in the files of the Office of the Solicitor of the Post Office Department. Hearings held in the 1920s into the **Drake Estate Association** and the **Baker Estate Association** closed with agreements to cease and desist, but their organizers did not stop

⁴⁴ Hearing on the International Claim Agency, RG 28/31/84, p. 70.

⁴⁵ *Ibid.*, p. 35.

⁴⁶ "That Old Swindle Again," *The New York Times*, 17 January 1889, p. 8, col. 6.

⁴⁷ See for example, "A Big Swindle Crushed, Preying on Deluded Heirs to Alleged Estates, Managers of the British-American Claim Agency Arrested While Doing a Profitable Business," *New York Times*, 5 March 1887, p. 8, col. 5; "Fictitious English Estates, Credulous Americans Warned Against a London Swindler," [The European Claim Agency], *New York Times*, 1 Feb. 1892, p. 15, col. 1.

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and in the following decade they were tried in federal court, found guilty, and sent to various federal penitentiaries. Other swindlers apparently followed through on cease and desist orders and were not heard from again. On 17-18 August 1926, the Post Office investigated Glenn B. Coate of the Coate-Coppock Estate Corporation, headquartered in Philadelphia. The **Coate-Coppock Estate**, supposedly 976 acres in the heart of Philadelphia, was said to have been owned by Marmaduke Coate and Moses William Coppock. It was supposedly leased for 99 years on 23 July 1816. Evidence given in the hearing indicated that 3,000 heirs had been identified, organized into a number of family associations, and urged to contribute substantially to a "special research fund" which, among other things, resulted in a Coate/Coats family tree which had cost \$25,000 to assemble. Testimony was also taken about a forged lease, which one elderly woman was reluctant to swear to, "because I do not want to send flesh and blood to jail."⁴⁸

A lengthy hearing investigating the **Mercer Heirs**, Inc. of New Richmond, Ohio, Trenton, N.J., and New York, N.Y., was held between 17 and 24 January 1930. It revealed that a couple named George S. and Lucy K. Walrath, were also operating the **Harper Heirs** and the **Edwards Heirs**. Mrs. Walrath was the "heir" and testified that the Harper and Mercer Estates were linked to the Edwards estate by marriage.⁴⁹ Apparently addicted to estates, Mrs. Walrath also reported having attended meetings of **Jans Heirs** and **Baker Heirs**; she admitted having heard that the Indianapolis Better Business Bureau had issued a statement that the estates she was pursuing were frauds and that estates in the name of **Drake, Fisher, Kohler** and **Springer** were also frauds; nevertheless, she reported her conviction that "there is a Spring (sic) estate and a Drake estate and a Kohler estate."⁵⁰ Her knowledge was based not only on newspaper articles,

⁴⁸ R.G. 28/27/9, p. p. 120.

⁴⁹ R.G. 28/68/234, p. 470.

⁵⁰ Ibid., pp. 461-462.

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but also on having been shown a copy of a 99-year lease by a Toronto man named Hill. She was invited to join his organization on payment of \$25 against a "guaranteed \$1 million," but she subsequently learned that he represented **The Baker Association**.⁵¹

5.

FORGERY AND FALSIFICATION

Any given local group of "heirs" could be taken in for only so long--about three or four years--before they lost interest and gave up. As gullible as the suckers may have been, many of them would ultimately conclude that they were up against a corporate and/or governmental conspiracy to deny them their rightful share of their ancestor's estate. Their leaders' efforts to win it back on their behalf had failed, they were told, for lack of suitable documents. This was certainly the problem when no record of a 99-year lease could be found in the first major, documentable round of the Edwards Estate fraud that occurred in the 1870s. By 1878, so many Edwards Heir associations were littering the landscape of North America--particularly in Ohio, Indiana, Kentucky and Virginia--that an enterprising *New York Times* reporter undertook an investigation:

The records of the Registrar's office have been consulted in order to ascertain if any such lease as the one mentioned had ever been executed to the "Crown of England" or anybody else. The searchers in the office smiled audibly when the case was stated to them, and remarked that the matter was an old one with them, they having been over it so many times that they were perfectly familiar with it in all its details....

As to the lease of the property to the "Crown of England" no such document is or ever has been on record in the Register's Office, so far as can be ascertained at present. ... It is the opinion of the searchers in the Register's office that somebody is trying "to raise the wind" by imposing on the credulity of people who suppose themselves to be the heirs of Robert Edwards.⁵²

⁵¹ Ibid., p. 465.

⁵² "Is It Raising the Wind? Virginians Claiming Property in New York," *The New York Times*, 22 July 1878, p. 8, col. 3.

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Forged Documents

In the early 1890s wire service stories about the Edwards Estate and a newly-discovered, recently-expired lease found their way into the pages of *The New York Times*.⁵³ Then, on 29 April 1891 that paper published a brief article reporting that the Edwards Estate fraud "had blossomed out anew." Leases were busting out all over:

Robert Edwards, a Welshman, owned ... Trinity Church property. In 1780 and thereafter he made ninety-nine year leases of this property to various persons which leases are and have been recently expiring. [The Edwards Estate is nothing more than] an indigenous example of the estates-in-chancery-in England fraud.⁵⁴

The Times warning was in vain; the 1890s flurry of Edwards Estate fraud was well underway and its various swindlers and suckers would stop at nothing to cash in. In 1891 leases were "found" in Virginia,⁵⁵ and in Mississippi;⁵⁶ Dr. Eustathius Chancellor of St. Louis must have located another. New Orleans attorney Harry L. Edwards disputed its discovery vehemently:

My great-grandfather, who was a brother of Robert Edwards, moved from New York to Fairfax County, Va., in 1776.... I know the descent of all the Edwardses' connections in Virginia, and I know also as much, if not more, of Dr. Eustathius Chancellor than he does himself. He is not in it, and I have letters from his branch of the Edwards family admitting that they have no share in the inheritance.

I take to myself the credit of having unearthed from the English archives the lease between Robert Edwards and the British Crown, and it will not be long, I think,

⁵³ "A Claim on Trinity Property," *The New York Times*, 11 December 1890, p. 3, col. 7; "Heirs to a Big Fortune," *Ibid.*, 28 April, 1891, p. 1, col. 4.

⁵⁴ "Heirs and Their Credulity," *The New York Times*, 29 April 1891, p. 9, col. 2.

⁵⁵ "The Edwards Estate, An Important Paper Discovered by the Alleged Virginia Heirs," *The New York Times*, 13 June 1891, p. 2, col. 4.

⁵⁶ "Broadway is in No Danger Though Heirs of One Robert Edward Claim Part of It," *The New York Times*, 21 July 1891, p. 8, col. 7.

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before I have the document in my possession. In the garret of an old Kentucky farmhouse, thrown with other odds and ends, lay for many years, the title deed to the New York property.⁵⁷

A few weeks later Harry Edwards was buttressing his claim to the one true deed:

The ignorance of the Edwards of the true heirs is shown no better, I think, than by the fact that none of them know that the title deeds to the property have never left the country, ... even now [they] are in the garret of a quaint little Kentucky farmhouse.⁵⁸

In 1895 Mrs. W. T. Leachman, of Louisville, Kentucky, spun an incredible tale of a document found in England, which is retold here in brief:

Mr. Edwards, of South Carolina, ... was a direct descendant of Robert Edwards. [He] was looking through an old trunk belonging to his grandfather ... and found a number of valuable documents which told among other things ...[that the lease] was in one of the English courts. [Mr. Edwards] lost no time in gathering together money and going over to England. He made a thorough search and his zeal was rewarded by the discovery of the documents. ... After he deposited the documents in one of the New York courts and went back to consult them he was startled to learn that they had been stolen. ... The search for these papers extended over months, and the exposure Edwards was subjected to in hunting up the documents undoubtedly hastened his death. He found them, however, and deposited them in another court."⁵⁹

Mrs. Leachman claimed certain knowledge of the location of these documents and was making plans to go to "New York to look after her own claim and no other." She was willing, however, to file claims on behalf of other heirs, at \$100 each.

Documents continued to be unearthed well into the twentieth century: an undated and otherwise unidentified newspaper cutting sent to the author by a correspondent reported the

⁵⁷ "A New Orleans Lawyer Tells How He Found a Title Deed," *The New York Times*, 30 August, 1891, p. 5, col. 4.

⁵⁸ "The Many Edwards Heirs, All of Whom Are Looking for a Slice of New York," *The New York Times*, 6 September 1891, p. 1, col. 6.

⁵⁹ "Edwards Estate," *The Courier-Journal*, 15 August 1895, page not known.

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discovery by William Edwards, of Greensburg, S.C., of "a certified copy of the original lease signed by Queen Victoria herself"; he found it in an old family Bible. In 1948 a will was found in "a secret crypt"⁶⁰; in 1949 Lowell Thomas reported the discovery of "new evidence about the Manhattan property."⁶¹

Falsification of Pedigrees

The flurry of forged leases and deeds in the 1890s did not result in any great windfall to the heirs and during the last of the Edwardian period and throughout the First World War all was quiet on the estate front. It was not until the 1920s that estate fraud was to surge back like a mutated virus against which the "heirs" had no defenses. As children, they had attended the meetings; they had seen copies of leases; they had overheard their parents' discussions of anticipated riches; however, they had not developed an immune system. Lucy Walrath testified:

All my life I have known of the Edwards Estate and that we were heirs. We were acknowledged in 1871, before I was born. Lawyers came to our home when I was a girl.... They said it was down around Wall Street.⁶²

Another said in a newspaper interview, as recently as 1981:

Mother used to say, "We may be hungry now, but someday we will be rich and we will never go hungry again." We waited and waited and it [the Edwards Estate] never happened. And, of course, now she's gone. ... I know my mother. And one thing she would never do is lie.⁶³

As each new generation of suckers came on stream, they were thrilled to be part of yet another fight for their inheritance rights. They were delighted, too, to discover that an enormous

⁶⁰ Warren Hall, "Invasions on the Dollar Beachhead," *The American Weekly*, 7 March, 1948, p. 14.

⁶¹ "2 Hope to Collect 3-Billion Claim to Manhattan," *The [Louisville] Courier-Journal*, 10 November 1949, p. 11, cols. 1-3.

⁶² R.G. 28/68/234, pp. 390-1.

⁶³ "Relatives Lay Claim to Sidewalks of New York," *The Kentucky Post*, 6 March 1981, p. 2K.

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amount of genealogical work on their ancestries had already been done in previous generations. To qualify for their share of the estate, there was little left to do but join their local heirs association and update the pedigree which demonstrated their link to the line of descent from the ancestor who had once owned the estate.

What the "heirs" did not know--and what modern-day genealogists *should* know--is that the estate fraud virus has insidiously infected thousands of pedigrees. Many, if not most, of those old lines of descent were first worked up by individuals who had no genealogical training whatever. In the case of the Edwards family those trying to qualify for the estate had to have a Robert Edwards in their ancestry. If they did not have such a name--and they wanted a share in the estate badly enough--they had to find one. Some copied other peoples lines of descent as if they were their own. Others created a Robert Edwards out of whole cloth.

Copying. James Edwards, the immigrant ancestor in the author's line of descent, was thought to have been born in Aberdeen, Scotland. Indeed, all written accounts of this ancestor, shared with her by distant cousins, have agreed on this point. Inexplicably, they all have also agreed that either his father or his grandfather had been Welsh and had "decided" to go live in Aberdeen. As a result of a good bit of searching into various Edwards pedigrees, it is obvious that the only decision that was made was to copy someone else's ancestry. A careful reading of the three accounts given below also allows the conclusion that the copying was creative and the pedigree of the Welsh ancestors gradually changed.

In 1894 Georgie Hortense Edwards published some historical sketches of her Edwards ancestry, the early accounts of which were republished in *The Edwards Journal*.⁶⁴ Citing no sources, Georgie Edwards began her account thus:

⁶⁴ *The Edwards Journal* was published in the mid-1980s by Elaine Nelson, in Laurel, Maryland, as a clearinghouse for the exchange of genealogical data about Edwards families. Among its features there was always a reprint of a newspaper article about the Edwards Estate. Her intent was "to preserve this part of the Edwards tradition and heritage..." *The Edwards Journal* also printed lists of Edwardses, for example those enumerated in the 1790 census. It ceased publication in 1985; a letter sent to former subscribers on 1 April 1991 announced a plan to

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Richard Edwards, the father of William and great grandfather of Hayden, was born in Somersetshire in 1523. he was a musician and writer of interludes; studied at Corpus Christi College, Oxford; took his Master of Arts degree in 1547, entered at Lincoln's Inn, and was appointed in 1561, a gentleman of the royal chapel and master of the singing boys. He died in the year 1566 at "The Edwards Hall," situated near Cardiff, in Glemorganshire (sic), Wales, ... This hall ... was abandoned about the year 1620, when the brothers, John, Thomas, Robert, and William, sons of William and grandsons of Richard Edwards, came to America to settle the land granted them for service rendered to the King.⁶⁵

Bruce Montgomery Edwards, referring to "our family papers" whose provenance he did not know, claims descent from this same Richard Edwards. Edwards did not cite any particular source, but stated that "...we have accepted [them] for just what they are--unverified family records--but which [our family] believed to be true and handed down for generations. His story sounds suspiciously like that of Georgie Hortense Edwards. Bruce Edwards begins his family account thus:

Richard Edwards, with whom our family records begin, was a cultured, apparently wealthy man. Born in Somersetshire in 1523, he received his higher education at Oxford, in the Cartus (sic) Christi College. He was both a musician and composer. ... He died in 1567, not an old man by any means, at Edwards Hall near Cardiff.

He had a son, Richard, Jr. who had two sons--William and Joshua. William (1) had a son William (2), who had four sons--John, Thomas, Robert and William (3). All four of these sons appear to have come to Virginia in the early 1700s, though not at the same time, and are ancestors of the early Virginia Edwards families.

Joshua remained in Wales and was made a Baron in 1664. His son William (4) was born in 1620, according to the records. They also relate that William's

complete back issues and to begin anew. A subscription renewal form was to be sent within one month. Former subscriber Dorothy Potter reported to the author in August 1991 that she had heard nothing more; the author inquired further in November 1991, but her letter was not answered.

⁶⁵ *Historical Sketches of The Edwards and Todd Families and Their Descendants, 1523-1895*, extracted in Elaine Nelson, ed., *The Edwards Journal, Genealogical Data about Edwards Families*, 4 (Oct.-Dec. 1986):75.

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son Thomas was born in 1690, a son of his old age. It would appear that another generation should have been included here but such is not the written record.

This Thomas, the great-great grandson of Richard was our direct ancestor.... Thomas Edwards was born 14 October 1690, presumably in Edwards Hall for he inherited the title of Baron from his grandfather. He was married in 1714 to Elizabeth Downing and they had seven sons and one daughter:

Robert Edwards	born 1716
Joshua	1718
William	1720
Thomas	1723
Leonard	1725
John	1727
Jacob	1729
Martha	1731 ⁶⁶

Robert, John, and Jacob came to America about 1750. We do not know just when, on what ship, or if they came together.... The record of Robert is much in dispute. The family claimed that he was the founder of the "Edwards Fortune" in New York,...⁶⁷

An account written in the 1970s by Glenn Woods, a distant cousin of the author, picks up some of this material but condenses the generations. In his paper titled "Edwards Genealogy," Woods's account begins thus:

Richard Edwards lived on the England/Wales border in the middle part of the 17th century. He and his wife (whose name is unknown) were the parents of eight children: seven sons and one daughter. Of the lone daughter nothing is known beyond the fact that her baptismal name was **Martha**. The sons were **Leonard, Joshue** (sic), **Thomas, John, William, Jacob**, and **Robert Alexander**. That youngest son, Robert Alexander Sr., occupation not determined, decided when reaching manhood that he preferred to live in Scotland, while three of his brothers remained in Wales and three in England. In or about 1690, Robert Alexander Edwards, Sr. married in Aberdeen, Scotland, to Eleanor Laws,... They became the parents of two sons: James William Edwards born in 1702 and Robert Alexander Edwards, Jr., born in 1706. Robert Alexander Jr. never married, was

⁶⁶ Bruce Montgomery Edwards, *The Edwards of Northampton [NC]*, (Knoxville, Tenn.: The Montgomery Publishing Co., 1973), pp. 1-2.

⁶⁷ Bruce, pp. 1-2.

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[a privateer to whom Queen Anne Stuart gave] title to lands in the infant New York City.⁶⁸ (Emphasis supplied.)

All family group sheets sent to the author by distant cousins throughout the United States report, without citation of any source, that James Edwards, though born in Aberdeen, had a Welsh father.

Readers might think that creative copying was limited to the "heirs" among the author's distant cousins; apparently, it was pandemic. Bette Dickson Casteel has done extensive searches into many Edwards lines. Her conclusion: "Too many subscribers to the *Edwards Heirs Magazine*, published in the late 1920s by the Edwards Heirs Association, submitted genealogies claiming unsubstantiated early ancestors copied from lists of so-called brothers." Citing material in *Edwards Heirs*, she spotted yet another Edwards reporting the family constellation of Robert, William, Joshua, Jacob, Leonard, John, Thomas, and Martha; however, they were reported to be the children of Jacob Edwards and Pheobe Crawford. Of these, she remarked, "These unsubstantiated lists of the same names shown above are still being circulated today...." It was Casteel's hope to "clarify the utter confusion."⁶⁹ When Mabel Scruggs Sommerfeld was researching her Edwards ancestor, she was appalled by the "ridiculous and blatantly fraudulent" lines of descent that she concluded had been copied from *Edwards Heirs Magazine*.⁷⁰

Creation. Robert Alexander Edwards, Jr. and--a fictitious father named Robert Alexander Edwards, Sr.--were created in 1878. Several generations of descendants have

⁶⁸ Glenn Woods, *Edwards Genealogy*, 1970s, privately printed, p. 1. A copy is in the author's possession and in the library of the Brown County [Ohio] Genealogical Society. Mr. Woods provided no sources for this account and it is important to report that Queen Anne died in 1714, making the story incorrect on at least one basic point of fact.

⁶⁹ *Edwards, Who-Was-Where-When*, 1983, privately printed, p. 3-4. (A copy is available in The Family History Library, Salt Lake City.)

⁷⁰ *Andrew Edwards, a Revolutionary Soldier*, 1969, privately printed, pp. 2-3. (A copy is available in The Family History Library.)

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considered them ancestors and all family group sheets shared with the author have reported their mutual ancestor, James Edwards, as the only brother and heir of the unmarried and childless Robert Alexander Jr. The "existence" of these Robert Alexanders presented an obstacle in identifying the family accurately. Nevertheless, by using primary records, it has been possible to identify James Edwards's Scottish family of origin correctly. Briefly, Robert Alexander Jr. was really named **Alexander** and his father was really named **William**. The mother of James and Alexander was **Helen Law**.

Dreams of untold riches resulting from tales of the "Edwards Estate" led at least two descendants of James Edwards to devote the summer of 1878 to their pedigrees and to write letters to some of their older relatives requesting detailed information on their ancestry. Their goal was to prove that the Robert Edwards who had owned the estate was the brother of their great grandfather, James¹ Edwards. Fortunately, the letters written in response to these queries survive in the manuscript collection of The Filson Club in Louisville, Kentucky.

The earliest surviving version of the Edwards tradition asserting that the brother of James Edwards was named *Robert* is that of S.W.D.⁴ Stone, (-?-³ Edwards Stone, William² Edwards, James¹, who finished his "Traditional History of the Edwards Family" on 1 July 1878,⁷¹ in good time for a forthcoming "Edwards Estate" meeting to be held later that summer in Indianapolis. Unfortunately, page 1 of his account is missing, so his story picks up at this tantalizing point at the top of page 2:

It then turned out that he, Robert, had not been in the East Indies but had been a seafaring man in American waters and perhaps had been in the British Navy.

⁷¹ Bush-Beauchamp Family Papers, S.W.D. Stone, "The Traditional History of the Edwards Family," p. 2-4; Stone does not identify his mother's given name. Stone's account and letters replying to the Stone brothers were transcribed in 1925 by Roberta Y. Bush on 14-16 1925. The letters are identified in the text by date and may be found on pages following Stone's account of the Edwards family tradition.

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Before he, Robert, had time to tell fully where he had been and what he had been doing all this time of absence, ... he took suddenly very sick and died before the morning ... his brother James supporting him in his arms when he died. Among the little he had time to tell his mother and brother, was that he ... had been a seafaring man in America; had been in and about Manhattan Island and had accumulated property there,...

Stone sent a copy of his account to his brother, J[ames] E[dwards] Stone (hereafter, J.E. Stone), who replied on 24 July 1878 in an unsigned letter from Hawesville, Ky, addressed "Dear Bro." In it he reported that he had written John³ West, (Eleanor² Edwards West) James's eldest daughter. John was their oldest living relative, who reported that he was almost 82. J.E. Stone had wanted the older man's knowledge of the family history, including details about the Edwards Estate and his granduncle Robert. West "hastened to reply" to him on 10 July 1878, writing from Decatur, Ohio:

He [my grandfather] had a brother, whose name I think was, Robert, who followed privateering on the high seas. He wrote to my grandfather to meet him at his mother's in Aberdeen, Scotland; that he had enough of wealth for both, which he would share with him. Grandfather went by appointment, met him, but he had lost his fortune; supposed to have met a stronger privateer than he, so far as I know. ... As to the estate that you mention, I never before heard anything about it.

John West had made an error in this account and soon corrected it. On 25 July 1878, he wrote again to J.E. Stone getting right to the point:

After my best respects to yourself and wife, I wish to rectify a mistake which I made in writing my other letter to you. I have been talking with two of Uncle George Edwards' boys since I wrote. They say that Grandfather Edwards' brother was named Alexander, which I think, myself, is true.

John West's memories and correction must have dashed temporarily the Stone brothers' hopes for an inheritance: (1) their older cousin had never heard of the "Edwards Estate" in New

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York; (2) the money which their great granduncle may once have had was lost; and (3) this great granduncle had been named *Alexander* and not *Robert*. In his letter to his brother, J.E. Stone reported that West had made a correction, but he did not sound convinced:

Since writing the above I rec'd a letter from Coz Jno West Sr. correcting as he called a mistake &.

On 3 August, Orange³ Edwards (George², James¹) took it upon himself to write to S.W.D. Stone to provide "a brief historical sketch of our family." At age 58 he was the youngest surviving child of James Edwards and one of the "boys" John West had mentioned.

He wrote:

James Edwards, my grandfather, was born in Aberdeen in Scotland in 1704⁷² and had one brother ~~Robert~~ Alexander Edwards. ... Alexander was a sea captain and was often in New York, and if he purchased property he had it made in his father's name.

Orange had started to write *Robert*, but he had struck it out and written *Alexander*. He knew this would not help; after all, if James's brother was not *Robert*, there was no hope for a claim. Perhaps he reasoned that there must have been some earlier person in the family named *Robert*, so he suggested that James's and Alexander's father had borne that name.

Orange Edwards believed in the Edwards Estate. In the 3 August letter he mentioned that he had "...been watching the meetings with great anxiety" and in a number of additional letters his agitation about it grew intense. Orange also reported that several years earlier he had sent his son William Hayden Edwards to New York to investigate it. His son was an attorney and evidently a bright fellow; by 1878 he was Consul General in St. Petersburg, Russia. It appears that he had told his father that there was no Edwards Estate. Orange reported that "...upon examination of the records [my son] was doubtful about the matter."

⁷² Actually, James Edwards was baptized on 6 May 1727 in the parish of Midmar, Aberdeenshire, the son of Willm. Edward and Helen Law. Midmar Baptism Register, p. 65. FHL microfilm 993344.

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Orange Edwards believed in the "Edwards Estate," but he slipped up from time to time. On 13 September 1878, he wrote that "...grandfather did not claim his brother Alexander's property,..." On 30 September he spoke once again of "... Alex. or Robt...."

In the early 1890s the "Edwards Estate" was once again in the news and a new crop of Edwards Heirs were gathering their genealogical information. J.H. Rains wrote to Orange Edwards. By this time, Orange had given up the dream of a New York Edwards Estate, but he still believed in a Scottish one. In his 30 January 1891 letter to J.H. Rains, he wrote only of *Alexander Edwards*; however, having no evidence to the contrary, he had accepted his own suggestion that his great grandfather had been named *Robert*:

I have two sons that are lawyers and we have traced the N.Y. herasy (sic) until I am perfectly satisfied that it is all a sham. ... I think there was a large fortune left to James Edwards by his brother Alexander Edwards. Robert Edwards had two sons and died young and James the elder came to Virginia when quite a boy and left all to Alexander... and ... Alexander wrote to James to come to Aberdeen and he would divide the property and in the meantime Alexander was a batchelor (sic) and a Sea Captain....⁷³

Once again, the older generation had created a problem for the young "heirs," so, on 20 February 1891, J.H. Rains, John Troutman and H.M. King visited Orange Edwards. J.H. Rains made notes of that interview reporting that Orange Edwards had said "...the other son was a Sea Captain. The supposition is that his name was Robert Alexander Edwards and that he died a batchelor (sic)."⁷⁴ Once again, the desire for the "Estate" took precedence over accuracy in reporting genealogical fact.

When the last of James Edwards's grandchildren had died, there was no one left to perpetuate his brother's name as *Alexander*. Consequently, it was changed to *Robert Alexander*

⁷³ Letter of Orange Edwards to J.H. Rains, 30 January 1891, copy courtesy of Norma Rains, Maysville, Ky.

⁷⁴ Notes Of J.H. Rains's interview of Orange Edwards, copy courtesy of Norma Rains.

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or merely *Robert*, as numerous continuing efforts to claim the estate can attest. Dozens of versions of the tradition and all kinds of family group sheets and pedigree charts repeat the error.

For the record: Alexander Edward was baptized 25 November 1731, the son of William Edward and Helen Lai (sic) in the parish of Midmar, Aberdeenshire.⁷⁵ Further, as is fully documented elsewhere,⁷⁶ James Edwards, aged 13, arrived in 1740 at or near Occoquan Landing, then Prince William County (since 1742, Fairfax County), Virginia, aboard the *Indian Queen*. He was sold as an indentured servant to James Keith, the Truro Parish minister. James Edwards never lived in New York.

The Edwards family is not unique. Almost certainly the traditional histories of other families exposed even tangentially to estate fraud will in some past generation contain similarly erroneous names, dates or places. Genealogists who link into undocumented lines of descent they have discovered in books, data bases, or even old issues of reputable journals are well-advised **never** to accept the information proffered without thoroughly checking its accuracy in primary sources. The legacies of estate fraud cannot be measured in dollars and cents; instead, they are inaccurate pedigrees that are not worth the paper they are printed on.

⁷⁵ Midmar Baptism Register, p. 74, LDS film roll 993344.

⁷⁶ Helen Hinchliff, "James and Alexander Edwards, Two Seafaring Ancestors," *Aberdeen and Northeast Scotland Family History Society Journal*, forthcoming.

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She is an eighth-generation descendant of James Edwards through his eldest daughter Eleanor, the wife of John West. Helen's great grandfather was ElCharles Arthur⁵ DeVore. His line of descent is as follows: Hester West⁴ DeVore, William³ West, Eleanor Edwards² West, James¹ Edwards, elder brother of Alexander Edwards.

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Editor's Note: This article expands upon a lecture, "Heir Today, Gone Tomorrow: How Estate Fraud Can Distort Your Pedigree," first given at the National Genealogical Society Conference in the States in Jacksonville, Florida, 30 April 1992.

Notes