

National Genealogical Society Quarterly

A Journal for Today's Family Historian

VOLUME 80
NUMBER 3
SEPTEMBER 1992

FEATURE ARTICLES

- Beckwith Improvements:
Repairing and Refining Compiled Genealogies 165
Gordon L. Remington
- Dominique Guérin of New Orleans:
Two Men? Or One Man with Two Households? 185
Shirley Chaisson Bourquard
- Howells of Muskingum County, Ohio:
Correlating and Interpreting Evidence to Reconstruct a Family 194
Carmen J. Finley

NOTES AND DOCUMENTS

- African-Americans Impressed for Service
on the Nashville and North Western Railroad, October 1863 204
Gale Williams Bamman

- UPDATES 211

BIBLE RECORDS

- Thomas Gwinn Family 213
- Oakley-Kenyon-Seiler Families 216
- Evans Family 218

- BOOK REVIEWS 219

© Copyright 1992: National Genealogical Society, Arlington, Virginia (ISSN 0027-934X). Established in 1912, the *NGS Quarterly* is sent to all members of the society. Second-class postage is paid at Ephrata, Pennsylvania, and Arlington, Virginia.

Editorial Office: Gary B. Mills and Elizabeth Shown Mills, Editors; *NGS Quarterly*, Department of History; Box 870212, University of Alabama; Tuscaloosa, AL 35487-0212.

The *National Genealogical Society Quarterly* cannot assume responsibility for errors of fact on the part of the contributors, but proved errors will be corrected. The opinions of contributors are not necessarily those of the society or its editors.

Dominique Guérin of New Orleans: Two Men? Or One Man with Two Households?

By Shirley Chaisson Bourquard, C.G.*

To say that "two" men are identical simply because the name is the same is foolhardy. To say that one must be the same as the other simply because no birth or burial can be found for a second man of the name is often a shortcut to failure. To say that only one man existed because the census ages are identical is to ignore the frequency with which such coincidences occur.

Two Guérin families appear to be chronicled in the records of New Orleans during the mid- and late-nineteenth century. Two separate sets of children were baptized or registered. Two separate mothers were named for them. Two separate households were enumerated while the offspring were young. The only common thread that was apparent between the two families was the name attributed to the husband and father—Dominique Guérin. The two families spent their lives in New Orleans; yet marriage and death records can be found for only one such man during the appropriate years. The male head of each family was said to be a native of Louisiana, yet only one potential birth family could be found. Were two separate Dominique Guérins involved, or might this be a case in which one man maintained two separate households?

THE FIRST FAMILY

In the 1840s, the tinsmith Dominique Guérin married twice at New Orleans, choosing (successively) the sisters Virginia and Cécile Adelaïde Mailloux dite Londrin. Virginia, whom he married on 4 September 1841, died seven months later (9 April 1842),¹ leaving no children. On 31 December of that year, Dominique married the sister Cécile.² Since the Cathedral records for that era cross-reference marriage and baptismal entries, the birth family of this Dominique is unquestionably established. At his baptism in New Orleans's Saint Louis Cathedral, on 22 February 1818, his date of birth was given as 26 January 1818.³ His parents were Dominique Guérin of New Madrid (present Missouri) and Guérin's wife, Henriette Catoire.⁴ The elder Dominique is also traceable at New Orleans, where he died on 11 February 1847⁵—leaving the tinsmith Dominique as the only man of that name to be enumerated on the censuses and city directories for years to come.

On 9 September 1854, the tinsmith Dominique visited a New Orleans notary, drafted a will, and left it on record at the notary's office—in keeping with the legal practice prevailing in his society. It was never probated, however, because he lived

long thereafter and he replaced it with another. In this first testament, Dominique stated that he lived on Rue de Craps, between Elysian Fields and Marigny Street. As executrix, he named his wife by her full and legal name—i.e., Cécile Adelaïde Mailloux dite Londrin. He listed the property that he was leaving to his wife and children, but he did not name his offspring.⁶ The next federal census provided that identification, as follows:

1860, Orleans Parish, Louisiana
Population Schedule, City of New Orleans
Eighth Ward; p. 269 [penned number]; 2 June
Dwelling 124, family 169

Dominique Guerin	42	male	white	tinsmith	\$25,500 property	b. La.
Cecile	36	female	white			b. La.
Mary	11	female	white			b. La.
Virginia	7	female	white			b. La.
John	5	male	white			b. La.
Adelaïde	3	female	white			b. La.
Leontine	1	female	white			b. La.
Caroline Vincent	20	female	[—?—]	servant		b. La.
Joseph [—?—]	2	male	colored			b. La.

Three years later, on 19 September 1863, Cécile died, leaving Dominique a widower. Her death was reported to the city to be registered amid the civil vital records that had been kept there sporadically since 1804.⁷

On 17 March 1888, another marriage was entered into at New Orleans by one Dominique Guérin. The Catholic priest who performed the ceremony identified the groom as the son of Dominique Guérin and his wife Henriette O. Catoire. The bride, Louise L. Delas, was said to be a native of France and the daughter of Jean Delas by his wife Madeleine St. Ubery.⁸ To this marriage, which took place when Dominique was seventy, no children were born.

The last months of the aging Dominique are sketched in a string of recorded documents. His last wife died on 13 July 1903;⁹ that September, he drafted another will.¹⁰ In October, he mortgaged a piece of property,¹¹ and on 2 December 1903 he was buried in New Orleans's Saint Louis Cemetery No. 2. That same day, his daughter Marie appeared before the civil district court to open the succession (probate proceedings) for the deceased Dominique.¹²

The September will was accepted for probate. After references to his former wife (as Cécile Adelaïde Mayeux) and his deceased mother (as Henriette Honorine Catoire), he left a special bequest of six hundred piasters to his niece, Marie Clemence Guérin, widow of Joseph Pierson. The balance of his estate was to be divided between his son John Hilary Guérin and his daughter Marie Guérin, wife of Charles Wolkarte. Marie was to serve as his executrix. Not named in his will, but brought into the succession, were four grandchildren born of his deceased daughter Virginia Guérin, the late wife of Henry Champagne.

THE SECOND FAMILY

In the wake of the Civil War, a pair of female births were registered at New Orleans—though not with consistent promptness. In each case, the birth was reported by the child's father, one Dominique Guérin:

Birth of Anne Estelle Guérin
Recorded 25 August 1865
Office of Vital Records, New Orleans

... personally appeared Dominique Guérin, a native of New Orleans, residing on Craps street in this City, and by these presents declares that on the twenty-second of August eighteen hundred & sixty four (22d August 1864) at six o'clock A.M. in this City was born a female child named *Anne Estelle Guerin*, natural issue of deponent with Miss Marie Cor[—?—] Lebrasseur, a native of New Orleans.

Birth of Ernestine Guérin
Recorded 22 November 1869
Office of Vital Records, New Orleans

... personally [*sic*] appeared Dominique Guérin, a native of New Orleans, residing No. 472 Craps Street in this city, who hereby declares that on the sixth of November of this present year (November 6th 1869) at twelve O'clk M. in a house on Marigny Street No. 104 in this city was born a female child named *Ernestine Guérin*, lawful issue of deponent with Cora Lebrasseur, a native of New Orleans.

No further children appear to have been born to Dominique Guérin and Coralie LeBrasseur. No further record has been found—for nearly two decades—that couples her name with that of Dominique. Throughout the remainder of her life, however, she continued to be known as *Cora* or *Coralie Guérin*; under the latter name she was buried in January 1902.¹³ She and her children can be tracked easily enough over the following decades. Ernestine died young; she was buried at New Orleans on 17 September 1872.¹⁴ Estelle eventually married Martin William Curtis—at New Orleans on 4 February 1889. To inquiring officials, she gave her mother's name as *Coralie Guérin*; her father she cited only as *Guérin*.¹⁵

EVALUATING THE EVIDENCE

At first consideration, an assumption appears logical: the widower Dominique Guérin, whose second wife Cécile died in September 1863, had formed a new union. Perhaps due to the turmoil of war—or perhaps due to the social discord between the “old family” New Orleanians and the Santo Domingan refugee families such as the LeBrasseurs—the actual marriage was delayed until after the birth of the first child. It then took place between 1865 and 1869.

Two negative factors undermine this supposition. First, no marriage record has been found for the Guérin-LeBrasseur union. Second, and more disturbing, the federal census of 1870 and city directories in random years thereafter contain concurrent listings for the name *Dominique Guérin* at more than one address.

Census Data for 1870

The federal enumeration of this year suggests the possibility that two such men may have resided in the city of New Orleans. Other than name there are only two overlapping elements between the two families—i.e., the age and birthplace of the male head. These two entries appear three households apart, as follows:

1870, Orleans Parish, Louisiana
Population Schedule, City of New Orleans
Eighth Ward; p. 676-a; ca. 1 July
Dwelling 734, family 932

D. Guerin	52	male	white	laborer	b. La.
C.	40	female	white	keeping house	b. La.
E.	6	female	white	at home	b. La.
E.	6/12	female	white	at home	b. La. (Nov.)
A. Castillon	31	female	white	seamstress	b. La.

Eighth Ward; p. 676-b; ca. 1 July
Dwelling 737, family 935

F. Brown	34	male	white	home office	b. La.
D. Guerin	52	male	white	real estate books	b. La.
V.	17	female	white	at home	b. La.
A.	?	female	white	at home	b. La.
J.	15	male	white	at home	b. La.
C.	?	female	black	domestic servant	b. Ala.

City Directory Entries, 1842-95

An exceptionally good run of city directories exists for New Orleans in the mid-to-late-nineteenth century. They document the existence of the older Dominique who died in 1847. They show the continued existence of his widow for several decades more. They repeatedly enumerate the younger Dominique (the tinsmith of this study). But they also include entries that seem to muddle the matter far more than does the 1870 census. Highlights follow:

1842	D.	Mandeville at Morales	
1846	Dominique	Morales and Mandeville	tinsmith, S. Maspereau & Co.
1850	Domnique	98 Craps	tinsmith, S. Maspereau & Co.
1852-54	Dominique	98 Craps	tinsmith
	Mrs. D.	88 Mandeville	
1855-59	D.	98 Craps	
	Mrs./Widow D.	295 Greatmen	
1866	D.	476 Burgundy	
	Widow D.	767 Dauphine	
1872	Dominique	472 Burgundy	
	Henriette,		
	wid. Dominique	767 Dauphine	

1873	Dominick	472 Burgundy	
	Dominique	120 Urquhart	
	Henriette, wid. Dominick	767 Dauphine	
1875	Dominique	120 Urquhart	tinsmith
	Dominick	472 Burgundy	also son John H., clerk
	Honorine, wid. Dominique	767 Dauphine	[Henriette Honorine]
1876-77	Dominique	472 Burgundy	also son John H., clerk
	Honorine wid. Dominique	769 Dauphine	
1878	Dominique	106 Marigny	clerk
	Dominique	470 Burgundy	
1881	Dominique	472 Burgundy	
	Henrietta, wid. Dominique	767 Dauphine	
1882-83	Dominique, Mrs.	767 Dauphine	
	Dominique	104 1/2 Marigny	tinsmith
1884	Dominique, Mrs.	162 Elysian Fields	
1885	Dominique	104 1/2 Marigny	tinsmith
	Dominique, Mrs.	767 Dauphine	[widow Dominique, Sr.]
	Dominique, Mrs.	162 Elysian Fields	
1886	Dominique	104 Marigny	wood
	Honorine, wid. Dominique	767 Dauphine	
1888	Dominique	104 Marigny	tinsmith
1889	Dominick	104 1/2 Marigny	tinsmith
1890-92	Dominick	104 1/2 Marigny	tinsmith
	Cora, wid. Dominick	8 1/2 Olivier	
1893	Dominick	104 1/2 Marigny	tinsmith
	Cor., wid. Dominick	68 Pacific	
1895	Dominique	West side Marigny	tinsmith
	Mary C., wid. Dominique	N. Rampart	

In no year was a listing found under the name *Coralie LeBrasseur*—a fact not necessarily unexpected. Single females (especially non-propertied ones) were often not listed—even if they had children. However, the data provided above under the names *Dominique* and *Mrs./widow Dominique* present erratic, contradictory, yet very revealing patterns of residence. The following correlates city-directory data with other accumulated information:

WIDOW DOMINIQUE [SR.]

1852-54	city directory	Morales & Mandeville
1855-59	city directory	295 Greatmen
1866-86	city directory	767/9 Dauphine

DOMINIQUE [SON OF THE WIDOW]

1850-59	city directory	98 Craps	
1854	unprobated will	98 Craps	tinsmith, wife Cécile
1860	census		tinsmith, wife Cécile, son John H.
1866-81	city directory	472 (470/6) Burgundy	with son John H. (a clerk, 1875-77)
1882-88	city directory	104 (1/2) Marigny	tinsmith & wood [dealer]
1888	remarriage		

DOMINIQUE OR MRS./WIDOW DOMINIQUE (IDENTITY UNDER QUESTION)

1865	birth registration	Dom: Craps Street	
1869	birth registration	Dom.: 472 Craps St ¹⁶	[98 Craps changed to 472 Burgundy]
		Cora: 104 Marigny	
1873, 75	city directory	120 Urquhart	tinsmith
1878	city directory	106 Marigny	
1884, 86	city directory	162 Elysian Fields	
1888	city directory	[not listed]	[year of Dominique's remarriage]
1890-92	city directory	8 1/2 Olivier	Cora, wid. Dominique
1895	city directory	N. Rampart	Marie C., wid. Dominique

THE HYPOTHESIS

The accumulated evidence, contradictory though it is, seems to justify a conclusion. The Dominique Guérin who fathered Estelle by Cora was one and the same as the Dominique Guérin, tinsmith, son of the elder Dominique and wife Henriette Honorine Catoire. Twice widowed by the 1860s, this Dominique established a relationship for some years with a neighborhood spinster. He recognized their children at birth, but he did not marry the mother. Rearing alone the young and impressionable children born of his second wife, he kept that family together in their birth home at 98 Craps Street (later changed to 472 Burgundy), while he separately maintained his extralegal family in a less-stable residence that city enumerators sometimes listed and sometimes passed over. Most telling are four overlaps in data:

- 1875 Dominique (widower of Cécile) and son John H. were enumerated in the family home at 472 Burgundy—while Dominique, identified as a *tinsmith*, was the cited head of a home at 120 Urquhart.
- 1878 Dominique (the unidentified) is living at 106 Marigny as a “clerk,” the same type of work attributed to Dominique (father of John H.) on the 1870 census.
- 1881-82 Dominique (widower) gave up his dwelling at 472 Burgundy in 1881 and settled at 104(1/2) Marigny—the same address as that which Dominique of Craps (Burgundy) Street in 1869 gave as the birthplace of his daughter by Cora LeBrasseur.
- 1888-90 Dominique (widower) legally married another woman. Cora then emerged on the city census under her own name—as a “widow.”

Dominique's remarriage (at which his legitimate daughter's husband, Henry Champagne, stood as official witness) presumably severed ties with Cora. After that she was considered—in the polite terminology of the time—a “grass widow.” Quite possibly Dominique's remarriage to the other woman severed ties with Cora's surviving daughter, also. Estelle most certainly would have known her father's identity; he acknowledged her at her birth and apparently maintained her mother's household in the same neighborhood as his own. Yet she did not care to name him as her father when she married in the year following his taking of another wife.

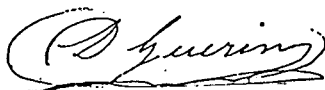
As a hypothesis, this scenario appears reasonable. As genealogical proof, it is still questionable. To say that "two" men are identical simply because the name is the same is foolhardy. To say that one must be the same as the other simply because no birth or burial can be found for a second man of the name is often a shortcut to failure. To say that only one man existed because the census ages are identical is to ignore the frequency with which such coincidences occur. To say the two must be the same because the "stray" Dominique of one year is attributed the occupation of the other is to presume that city directories are also free of error. To say that the newly relocated widower of 1881 is the same who reported a birth of his child at that address is 1869 is quite suspicious but still circumstantial. Two crucial questions remain unanswered:

- What documentary evidence can be produced that *actually links* one Dominique Guérin with the other?
- If Estelle was indeed the recognized child of the Dominique who made his will in 1903, why was she not an heir?

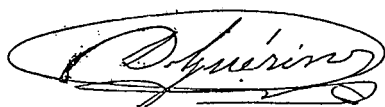
THE PROOF

It is entirely possible to forge a link between the "two" Dominique Guérins. Indeed, several such links exist, but only if the genealogist goes beyond routine library research and studies the original records. This brief paper has already presented six documents of a nature that requires a man's signature. Four of those were clearly executed by the thrice-married Dominique who died in 1903. The two others were created by the Dominique who reported the births of his daughters by Cora LeBrasseur. In all six cases, the signatures match, begging allowance only for the unsteadiness of hand that comes with age.

Unprobated will of Dominique Guérin
Resident of Craps Street
Husband of Cécile Adélaïde Mailloux
9 September 1854

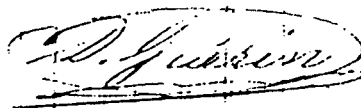


Birth Registration of Anne Estelle Guérin
Daughter of Dominique Guérin of Craps Street
and Marie Cor[alie] Lebrasseur
25 August 1865

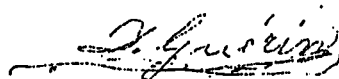


Birth Registration of Ernestine Guérin
Daughter of Dominique Guérin of Craps' Street
and Cora Lebrasseur of Marigny Street
22 November 1869

Marriage of Dominique Guérin to Louise Delas
Son of Dominique Guérin and
Henriette O. Catoir
17 March 1887



Final will of Dominique Guérin
 Resident of 830 Marigny Street
 Son of late Henriette Honorine Catoir
 Husband of late Cécile Adelaïde Mailloux
 25 September 1903



Mortgage of Dominique Guérin
 Lot on Marigny Street bought 1850
 3 October 1903



THE LEGALITIES

Surely, only one Dominique Guérin existed at New Orleans in his generation—despite the duplicate listings and conflicts in occupational data. Perhaps the impecunious laborer status attributed to Cora's "husband" in 1870 was an effort to mask his identity or, just as possibly, an erroneous assumption on the part of the census taker. Nonetheless, it is as certain as evidence can permit that Anne Estelle Guérin was the daughter of the oft-married Dominique of her same neighborhood. Over his well-documented signature, he acknowledged his paternity when he registered her a year after her birth. At the subsequent birth of her younger sister, he affixed that same signature to the registration attesting to a lawful marriage to the girls' mother. Yet no evidence exists to document the marriage, and there is no record of a divorce that would have enabled him to marry Louise Delas.

Under such circumstances, would not Anne Estelle be entitled to a share of his estate? If so, then why would she not be named as an heir in her father's will? The suggested break in relationship between Estelle and Dominique—evident at the close occurrences of their marriages—might well explain the contents of the will. She failed to recognize him as her father in 1889. He failed to name her as a child and heir in 1903.

Even so, was she not *entitled* to a share of his estate—as were the ignored grandchildren by his deceased daughter Virginia, who were subsequently brought into the succession? Under modern laws in many locales, the answer would be *yes*. Under the laws then in force in Louisiana, the answer was no. If a child's parents did not legally marry, then a father who recognized his child had a legal obligation to provide for the child until it could be self-supporting; but he was not obligated to leave the child an inheritance. Nor did the child legally qualify to inherit real estate if legitimate children existed. Specifically, the code read:¹⁷

Art. 1484

Illegitimate children; capacity to receive from parents:

When the mother has left legitimate children or descendants or when the father has left legitimate children or descendants, or father or mother, [then] illegitimate children may only acquire from the parent to the disposable portion of the succession.

No known document states a familial identity for the Dominique who fathered Estelle Guérin. Yet no reasonable doubt remains. The genealogist establishes identities and relationships in many ways; names are just one of them. Depending upon the nature of the problem and the person, important identifiers range from age to occupation, from place of residence to identity of neighbors, from literary status to religious affiliation, from personality quirks to property holdings. Dominique Guérin's records, like those of many men, were contradictory; but his signatures were consistent, and the rigidity with which legal codes delimit inheritance has proved to be an equally valuable tool for the interpretation of contradictory evidence regarding this man's marital adventures.

NOTES AND REFERENCES

*300 Ocelot Drive; Arabi, LA 70032. A Certified Genealogist, Ms. Bourquard is a professional researcher and consultant. She is the compiler of *Marriage Dispensations in the Diocese of Louisiana and the Floridas: 1786-1803* and the author of *Early Settlers on the Delta* (1987) and *Introduction to Family Research* (rev. 1992). Appreciation is extended to the client who commissioned the present research, Charles W. Kuss (7601 Patricia Street; Arabi, LA 70032), for his permission to publish the results.

1. See the marriage annotation appended marginally to the baptismal entry for Dominique Guérin in Baptismal Book 8: 150b, Archives of the Archdiocese of New Orleans. Also on the side of this record is the date of Virginia Mailloux *dite* Londrin's death.
2. Guérin-Mailloux marriage, St. Mary's (Italian) Church, Book 3: 91, Archives of the Archdiocese of New Orleans.
3. Baptism of Dominique Guérin, Baptismal Book 8: 150b, Archives of the Archdiocese of New Orleans.
4. Within Louisiana in the eighteenth and much of the nineteenth century (as in some other parts of America settled by Catholic families), women legally retained their maiden names after marriage.
5. Burial of Dominique Guérin [Sr.], 11 February 1847, St. Louis Cathedral Interment Book 1843-48: 353, Archives of the Archdiocese of New Orleans.
6. Notary Octave de Armas, 1854, Record No. 264, New Orleans Notarial Archives.
7. Deaths, vol. 24: 208, Office of Vital Records, New Orleans.
8. Marriages, vol. 13: 30, Office of Vital Records.
9. New Orleans *Daily Picayune*, 14 July 1903, p. 6, col. 5; Louise was aged fifty-seven at death.
10. Notary Ant. Doriocourt, 1903, Record No. 46, New Orleans Notarial Archives.
11. *Ibid.*, Record No. 47.
12. Succ. of Dominique Guérin, No. 72,161 (filed 2 December 1903; discharged 9 March 1904), Civil District Court, Division A, New Orleans.
13. Death of Coralie Guérin, 20 January 1902, recorded 21 January 1902, in Deaths, Vol. 126: 150; Office of Vital Records.
14. Tombstone, St. Louis Cemetery No. 2, New Orleans.
15. Marriages, vol. 13, p. 601, Office of Vital Records; the marriage took place at St. Mary's Church in Algiers.
16. According to John Churchill Chase's study of New Orleans streets, *Frenchmen Desire Good Children*, rev. ed. (New Orleans: Robert L. Crager and Co., 1960), 98, Craps Street was changed to Burgundy Street by Ordinance No. 395 on 20 November 1850. Obviously, the residents of the area were slow to accept the name change.
17. *West's Louisiana Statutes Annotated; Civil Code; Articles 1220-1755*, vol. 5 (St. Paul: West Publishing, 1987). Also useful on this subject is Robert J. Fritz, "Judging the Status of the Illegitimate Child in Various Western Legal Systems," *Loyola Law Review* 23 (Fall 1977), 1-58; pages 13-14 specifically treat "The French Family Law from the Napoleonic Code to Today."