

BEVERLY BROOKS FAMILY HISTORY

Written by
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PREFACE

A table of vital statistics for the Beverly Brooks family is provided at the end of this story. Only one generation was found because Beverly Brooks died. This is a work in progress and new information would be most welcome.

We hope the readers will find the story interesting and contact me with additional information or corrections.

Thank you.

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Beverly Brooks Family History

Beverly Brooks was born in May, 1827, in Virginia.

The 1860 census listed Beverly Brooks, age 33, a laborer living in Oldtown, Md.¹ Living with him were: Martha, age 33, wife; John, age 13, son; and Jane, age 3/12, daughter.

The Civil War began on April 12, 1861.

Beverly Brooks joined Company B, 2nd Regiment, Maryland Infantry, Potomac Home Brigade as a private and mustered out as a private.

The Civil War ended on April 9, 1865.

The 1870 census listed Beverly Brooks, age 33, a boatman living in Cumberland, Md.² Living with him were: Martha, age 42, wife; Annie, age 10, daughter; and Chauncey, age 4, son. The 1870 thru 1872 coal trade data remains to be transcribed.

On 4/1/1873 Beverly Brooks, of Cumberland, Md., registered canal boat *John Hammond*, Class A, 92' in length, 14' in breadth, 14" in draught empty and 54" in draught loaded.³ We can confirm that the canal boat *John Hammond*, departed Cumberland, Md., on 4/2, 5/9, 5/20, 7/9, 7/22, 8/8, 9/11, 9/24, 11/13 and 11/29/1873 always bound for Georgetown, freighting New Central Coal Company coal, except the one trip on 5/9/1873 which was Maryland Coal Company coal.⁴ This canal boat arrived more often in Georgetown than we have departures from Cumberland, departure data is missing.

We can confirm that the canal boat *John Hammond*, departed Cumberland, Md., on 7/18, 7/29, 8/14, 10/28 and 11/19/1875 bound for Georgetown on the first, third and fourth trip with New Central Coal Company coal; the second and last rip were to Alexandria with Atlantic Coal Company coal.

We can confirm that the canal boat *John Hammond*, with Capt. Brooks departed Cumberland, Md., on 4/23, 11/12 and 12/3/1875 always bound for Georgetown, freighting New Central Coal Company coal on the first two trips and Consolidation Coal Company coal on the last.⁵ Surely there is data missing.

We can confirm that the canal boat *John Hammond*, with Capt. Brooks departed Cumberland, Md., on 4/4, 5/5, 5/15, 5/31, 6/15, 6/30, 7/13, 7/25, 8/17, 9/2, 9/28, 10/24 and 12/4/1876 always bound for Georgetown, freighting New Central Coal Company coal.⁶ In 1876 Beverly Brooks, a boatman, was living on Harrison street, Cumberland.⁷

¹ 1860 Census, Maryland, Allegany County, 7th District, enumerated 8/2/1860, p. 269.

² 1870 Census, Maryland, Allegany County, Cumberland, enumerated 6/7/1870, p. 47.

³ *REGISTERS ISSUED TO BOATS TO NAVIGATE THE CHESAPEAKE AND OHIO CANAL 1873, 1874 & 1875*, available at www.candocanal.org/histdocs/index.html.

⁴ *Canal Trade – 1873*, available at www.candocanal.org/histdocs/index.html

⁵ *Canal Trade – 1875*, available at www.candocanal.org/histdocs/index.html

⁶ *Canal Trade – 1876*, available at www.candocanal.org/histdocs/index.html

⁷ *1876 City Directory, Cumberland, Maryland*, p. 36.

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We can confirm that the canal boat *John Hammond*, with Capt. Brooks departed Cumberland, Md. on 4/12, 4/24, 5/16, 5/29, 6/9, 8/27, 9/5, 9/26, 10/8, 10/23, 11/9 and 11/26/1877 always bound for Georgetown, freighting New Central Coal Company coal.⁸

Notice the gap starting after June 9. In mid-June, several boatmen talked about a strike to raise their pay from \$0.75 per ton to \$1.00 per ton to Georgetown. An actual strike began on or about June 25, 1877 with boats rendezvousing at "Rogue Harbor," about 22 miles above Georgetown. President Gorman visited the boats, advised with them, they concluded to go to work, breaking up the jam of boats. The boats moved up to Point of Rocks and stopped, tying up four abreast so that other boats could not pass either up or down. The boats came up as far as Sir John's Run, where many tied up and the crews went home for the harvest.

The Sheriff of Washington county and Superintendent Stanhope visited the boatmen at Sir John's Run on Sunday, July 1, and requested them to make way for any boats that desired to pass. That was done, yet 90 boats remained lying there.

Some few boats did pass when they showed a waybill stating their freight was \$1.00 per ton; although other boats with similar waybills from other coal companies were denied transit. On July 26 incendiaries tried to burn the canal boat *A. C. Green* tied up at Sir John's Run; the attempt failed. However, *Star No.3* was successfully torched on or about July 29th. Things were getting out of hand. The Governor sent in troops starting on August 8. The troops were to disperse between Hancock and Sir John's Run. The strikers demanded their trippage fees be reduced by \$10 per trip. On Aug. 11, Mayor Mayberry, of Hancock, proceeded to the head of the blockade and placed under arrest nine men, ostensibly on the charge of arson in burning the steamer *Star No. 3*, but the boatmen say with a view to remove what they term the "ringleaders." The parties are stated to be John Cahill, Lafayette Eichelberger, N. P. Long, Simon Weston, Robert Reid, George Little, Harvey Davis, Beverly Brooks and Joseph Birch. They were taken to Hagerstown in charge of the sheriff and posse, accompanied by military.⁹

That action effectively opened the blockade and within forty-eight hours everything appeared quiet. The strike had an effect on Beverly Brooks' financial situation. On Aug. 13th 1877, in consideration of \$1,000, Mr. Brooks mortgaged the canal boat *John Hammond*, four mules, their harness, the boat rig, cook stove and furniture.¹⁰ The mortgage was eventually released; the date is uncertain because on 11/27/1896 Frederick Mertens recorded his releases of many, many mortgages, specifying the mortgage but not the date released thereof.

Beverly Brooks must have died after the 1877 boating season, his obituary remains to be found. R. Chew Jones was appointed Administrator for the estate of Beverly Brooks, deceased, and sold Mr. Brooks' personal property on March 27th 1878 for \$700.50 to Daniel Moriarty.¹¹ We can confirm that the canal boat *John Hammond*, with Capt. Moriarty departed Cumberland, Md. on 4/23, 5/3, 5/20, 6/5, 6/26, 7/9, 7/20, 8/2, 8/23, 9/7 and 9/17/1878. For the balance of 1878, Capt.

⁸ *Canal Trade – 1877*, available at www.candocanal.org/histdocs/index.html.

⁹ *Frostburg Mining Journal*, Frostburg, Md., newspaper, Saturday, 8/11/1873, p. 3.

¹⁰ Allegany County Courthouse, Cumberland, Md., Deed Book 48, page 715, 8/16/1877.

¹¹ Allegany County Courthouse, Cumberland, Md., Deed Book 52, page 114, 7/18/1878.

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Russell had the canal boat; which would suggest that Capt. Moriarty did not keep up the trippage payments, the boat was repossessed and sold.

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VITAL STATISTICS OF BEVERLY BROOKS FAMILY

Name	Rel.	Birth	Married	Died	Born in
Beverly Brooks	hus.	1827			Virginia
Martha	wife	1827			Maryland
<i>John Brooks</i>	son	1847			Maryland
<i>Jane Brooks</i>	dau	1860			Maryland
<i>Annie Brooks</i>	dau	1860			Maryland
<i>Chauncey Brooks</i>	son	1866			Maryland

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Allegheny County Courthouse, Cumberland, Md., Deed Book 48, page 715, 8/16/1877.

At the request of Frederick Mertens this Mortgage was recorded Aug 16th 1877, at 1:25 P.M.

This Mortgage made on this 13th day of August in the year eighteen hundred and seventy-seven by me Beverly Brooks of Allegheny County in the State of Maryland. Witnesseth, that for and in consideration of the sum of one thousand dollars now due from me the said Beverly Brooks to Frederick Mertens of Allegheny County, and State of Maryland and in order to secure the payment thereof to the said Frederick Mertens, I the said Beverly Brooks, do hereby bargain and sell to the said Frederick Mertens, the following property: one Canal Boat named "John Hammond" and four mules, to wit: one sorrel horse mule, one bay horse mule, two black mules, one of them a horse and the other a mare mule and the harness that are now used with said mules, and also the boat rig now on the Canal Boat "John Hammond" including cooking stove and furniture on said Boat. Provided that if I the said Beverly Brooks shall pay to the said Frederick Mertens or his assigns the said sum of one thousand dollars with the interest thereon from the date hereof on or before the first day of December in the year eighteen hundred and seventy-seven, then this mortgage shall be void. And I, the said Beverly Brooks do hereby covenant and agree, that if, in default of the payment of the said sum of money, he the said Frederick Mertens or his assigns may, and is hereby authorized to seize said Boat and mules, or any of them, and said harness, boat rig and boat furniture, and sell the same to the highest bidder for cash, whenever the same may be so seized, and taken, after first giving notice by hand bills for at least ten days of such sale, and then pay himself the amount that may be still due to him, and all expenses attending the sale and seizure, and if there be any overplus, to pay the same to me, the said Beverly Brooks, or my assigns.

In witness whereof I have subscribed my name and affixed my seal.

Teste: Otho Oliver, J.P.

{Seal}

his

Beverly X Brooks

mark

State of Maryland, Washington County, to wit: On this thirteenth day of August in the year of our Lord, eighteen hundred and seventy-seven, personally appeared before me, the subscriber, a Justice of the Peace of the State of Maryland in and for Washington County, Beverly Brooks and acknowledged the foregoing Mortgage to be his act. And at the same time also appeared before me Frederick Mertens, and made oath in due form of law that the consideration set forth in said foregoing mortgage is true and bona fide, as herein set forth. In witness whereof I hereunto subscribe my name, on the day and year aforesaid.

In witness whereof I hereunto subscribe my name on the day and year aforesaid.

Otho Oliver, J. P.

State of Maryland, Washington County, to wit: I George B. Oswald, Clerk of the Circuit Court for Washington County, do hereby certify that Otho Oliver Esquire before whom the above and annexed acknowledgement and affidavit were made and who hath thereunto subscribed his name, was, at the time of so doing, one of the Justices of the Peace of the State of Maryland in and for said County, duly appointed, commissioned and sworn and that his signature is genuine.

In testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court for Washington County aforesaid at Hagerstown, this 13th day of August A.D. 1877.

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George B. Oswald, Clerk

Deed of Release recorded in Mortgage Record TL 21, folio 183 &c [dated 11/27/1896 @ 2:30 P.M.].

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Allegheny County Courthouse, Cumberland, Md., Deed Book 52, page 114, 7/18/1878.

At the request of Daniel Moriarty this Deed was recorded July 18th 1878, at 10:45 A.M.

This Deed: made this eighteenth day of July A.D. 1878 by R. Chew Jones, Administrator of Beverly Brooks, deceased.

Witnesseth: that the said R. Chew Jones was by the Orphans Court for Allegheny County appointed Administrator of the goods and chattels of Beverly Brooks, deceased. And that the said Orphans Court on the 15th day of March A.D. 1878, passed an order directing the said Administrator to sell the goods and chattels and personal property hereinafter specified, and the said Administrator on the 27th day of March A.D. 1878 sold the said property to a certain Daniel Moriarty at and for the sum of seven hundred and fifty dollars and the object of this deed is to convey the said property to the said Daniel Moriarty subject to a Mortgage from the said Moriarty to the said Administrator for the purchase money therefor, and which Mortgage is of even date herewith.

Now Therefore in consideration of the premises, the said R. Chew Jones, Administrator as aforesaid, doth hereby bargain and sell unto the said Daniel Moriarty, subject to the Mortgage aforesaid, all and singular the following personal property, to wit:

One Bay Horse Mule	One Black Horse Mule
One Sorrel Horse Mule	One Brown Mare Mule
Four Head Halters	Four Bridles
Four Collars	Four Sets Boat Harness
Two Boat Spreaders	One Lot old Rope
One Awning & Sticks	One Cook Stove
One Boat Table	One Looking Glass
Three Bed Sheets	One Feed Trough
One Set of Bedding	One Fall Board
One Boat Pump	One Set Dishes
One Boat Clock	One Bow Lamp

and one Canal Boat Named *John Hammond*.

Witness my hand and seal.

R. Chew Jones {Seal}

Administrator Beverly Brooks

Teste: J. Pavles Greer.

State of Maryland, Allegheny County, to wit: I hereby certify that on this 18th day of July A.D. 1878, before me the subscriber, a Justice of the Peace of the State of Maryland, in and for Allegheny County, personally appeared R. Chew Jones, Administrator of Beverly Brooks, deceased, and acknowledged the foregoing deed to be his act.

J. Wm. Jones, J.P.

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Allegheny County Courthouse, Cumberland, Md., Deed Book 52, page 122, 7/18/1878.

At the request of R. Chew Jones this Deed was recorded July 18th 1878, at 10:45 A.M.

This Mortgage: made this eighteenth day of July in the year of Our Lord eighteen hundred and seventy-eight by Daniel Moriarty of the City of Cumberland, Allegheny County, State of Maryland.

Witnesseth: That a certain R. Chew Jones, Administrator of Beverly Brooks, deceased, hath sold and delivered to me the personal property hereinafter specified, at and for the sum of Seven hundred and fifty dollars. And the said Administrator hath this day executed and delivered to me a deed for said property subject to the terms and provisions of the Mortgage and for the purpose of securing the balance of the purchase money for said property with interest thereon from the 27th day of March A.D. 1878 this Mortgage is secured. **Now Therefore** in consideration of the premises and of the sum of one dollar, the said Daniel Moriarty doth hereby bargain and sell and grant and convey unto the said R. Chew Jones as Administrator of Beverly Brooks, deceased, and to his successor and successors and to his assigns, all and singular the following personal property, to wit:

One Bay Horse Mule	One Black Horse Mule
One Sorrel Horse Mule	One Brown Mare Mule
Four Head Halters	Four Bridles
Four Collars	Four Sets Boat Harness
Two Boat Spreaders	One Lot old Rope
One Awning & Sticks	One Cook Stove
One Boat Table	One Looking Glass
Three Bed Sheets	One Feed Trough
One Lot Bedding	One Fall Board
One Boat Pump	One Set Dishes
One Boat Clock	One Bow Lamp

and one Canal Boat Named *John Hammond*.

Provided: That if the said Daniel Moriarty shall pay or cause to be paid to the said R. Chew Jones, Administrator as aforesaid, or to his assigns or successors, within twelve months from the 27th day of March A.D. 1878, the said sum of seven hundred and fifty dollars, with interest therein from said last named date, the said debt and interest to be paid in the following manner, that is to say: The entire amount to be paid in trippages of not less than twenty five (\$25.00) dollars at each trip, and the entire indebtedness to be paid within twelve months from the 27th day of March A.D. 1878, and upon the payment of said indebtedness, This Mortgage shall be absolutely null and void, else to be and remain in full force and virtue in law, and the said Daniel Moriarty for himself, his heirs and representatives covenants with the said R. Chew Jones, as Administrator aforesaid, and with his assigns and successors, that he will pay the aforesaid amount of money with interest as aforesaid, in the manner and within the time hereinbefore specified.

And upon the first default in any of said payments at the time and times hereinbefore stipulated, it shall be lawful for the said R. Chew Jones, Administrator as aforesaid, or his assigns or successors, to take possession of all and singular the aforesaid property, and to sell the same

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either at private or public sale for cash or upon a reasonable credit, for the purpose of paying the mortgage debt and the costs and expenses attending said sale.

Witness my hand and seal.

Daniel Moriarty {Seal}

Teste: J. Pavles Greer.

State of Maryland, Allegany County, to wit: I hereby certify that on this 18th day of July A.D. 1878 before me the subscriber a Justice of the Peace of the State of Maryland, in and for Allegany County, personally appeared Daniel Moriarty and did acknowledge the foregoing Mortgage to be his act, and at the same time also personally appeared R. Chew Jones, Administrator to Beverly Brooks, and made oath that the consideration set forth in the foregoing Mortgage is true and bona fide as therein set forth.

J. Wm. Jones, J.P.