

# **THE SOLOMON AUSTIN STORY**

## **The Early Years Revisited**

Compiled by  
**Harold Austin Steiner**

The Haldor Company  
P. O. Box 12354  
Las Vegas, NV 89112-0354  
June 1997

### III

## WHO WAS HENRY AUSTIN?

Despite the preponderance of evidence presented so far, it has not been proved conclusively that Solomon Austin was related to Henry Austin. But the probably exists and, because Henry Austin and his family played such a visible role in the annals of Baltimore County during the 18th century, it seems appropriate to take a closer look at Henry Austin.

In addition to those in Baltimore County, there were Austins in two adjacent counties on the western shore of Chesapeake Bay, namely Anne Arundel and Calvert Counties. Local historians believe that many of the early settlers of these counties came from Cornwall near the Welsh border and spoke English with a pronounced dialect and accent that created problems in interpreting the sounding of personal names. Occasionally, these divergences filtered into the public records such as the Austin/Oyston variations discussed above.

There were other Austins who may be germane to this story. One was Samuel Austin, of Anne Arundel County, who was the progenitor of a family of Austins that migrated to the Eastern Shore of Maryland and flourished there. It is conceivable that Solomon Austin could have been related to this branch of the Eastern Shore Austins. At this time the evidence is speculative but it will be the subject of a later chapter of this narrative.

Calvert County was also populated by Austins and, despite the fact that the Calvert Courthouse burned and early records were lost, some very good genealogies have been developed for the Austins of that county. One of the names that permeate these genealogical records is the name of Henry Austin.

In 1940, a book was published on the life and times of Reverend William Austin who was born in Calvert County? ~ The text included a copy of a letter written in 1857 by the Reverend Austin, part of which is extracted below:

*"...My Great Grandfather lived and died in England At a very early time two of his sons (Samuel and Henry) came over to America and, settled in Calvert County, Maryland. Samuel, my Grandfather, married in that county... After Samuel married his brother Henry left Calvert County "to see more of the new world," and his brother [Samuel] never heard of him after he left Calvert County."*

---

25 Austin, William M. 1940. *William and Elizabeth Austin and Their Living Descendants*. Wilmington Publishing Co, pp. 10-14.

Does this sound familiar? Compare this statement with the extract of the Solomon Austin family history on page 5.. Is the similarity a coincidence or a reality? The last sentence also whets the imagination. Where did Henry go "*to see more of the new world?*" Could he have been the Henry Austin or Oyston in Baltimore County? At this point there does not appear to be definitive answers to these questions. There is, however, enough ancillary information to put the early Austins of the Western Shore into proper perspective as they apply to the Solomon Austin story.

The Reverend William Austin begins his genealogy with his grandfather, Samuel Austin. The key question is who came before Samuel? A number of descendants of Samuel have tackled this problem with intriguing but inconclusive results and some of their work is summarized below.<sup>26</sup>

Sheviock is a small village in Cornwall, England. Strictly speaking this site does not satisfy the criterion that Solomon Austin's grandfather and granduncle came from near the Welsh border. However, Sheviock is located in a region where a variation of the Celtic language survived until modern times. In nearby Wales a variation of the Celtic tongue survives as the official language to this day. This could contribute to the Welsh connection.

St. Mary's Church, located in the village of Sheviock, was consecrated in 1259 A. D. and the parish register shows the following children of a Thomas Austin [I]<sup>27</sup> and Mary Hart:

Thomas Austin [II] b. ca 1658 in Sheviock, England. Died in the Colonies  
Priscilla Austin bapt. 3 June 1663 in Sheviock  
Henry Austin [I] bapt. 3 August 1668 in Sheviock  
Agnes Austin b. ??? d. 1674 in Sheviock

According to family tradition, Thomas Austin [II] is supposed to have taken part in the Monmouth Rebellion of 1685 and was banished from England. Presumably he came to America and was the progenitor of the Calvert County Austins. According to the family tradition he was still living on 30 June 1688 but his place of residence is not defined..

There is an Austin Vertical File in the Maryland Historical Society that contains the following descendancy chart. The document is typed on a single sheet of paper and is unsigned and undated and there are no citations that authenticate its accuracy. The pertinent data is presented below.

WILLIAM & ELIZABETH AUSTIN & AND THEIR LIVING  
DESCENDANTS -- Wm. M. Austin, 1940

1. HENRY AUSTIN I (born 1687; died 1745) of Calvert County, Md.  
mar 1st. Elizabeth (—) Lyles (d. before 1730; buried on plantation)  
mar 2nd Jane (—) Harvey

---

<sup>26</sup> This information is compiled from personal communications between descendants of Henry Austin. Other than the reference to the St. Mary's Parish Register there are no citations given to authentic the research.

<sup>27</sup> The Roman numerals in brackets are added, to identify the Austins with the same given names more easily.

page 16  
3/6/97

2. HENRY AUSTIN II (born before 1712; died about 1740/41) -- Anne Arndel County  
mar. Priscilla Pierce 7 Oct 1736. She mar. 2nd Richard Smith before 1744.  
Richard became guardian of her children.
3. HENRY AUSTIN III (born 25 Oct 1740). Of Anne Arndel County.  
Ward of Richard Smith.
4. HENRY AUSTIN IV (?)
3. ELINOR AUSTIN
2. SAMUEL AUSTIN (born 1710; died 1764/1765)  
mar. ca. 1730 Elizabeth Marshall
3. HENRY AUSTIN IV (born 1740/43; died 1822). Born in Calvert County, MD.  
Moved to Albemarle County, VA. before 1778.

In the previous section it was speculated that the Henry Austin/Oyston of Baltimore County could have been HENRY II, the brother of Samuel Austin. However, the above descendancy chart shows that HENRY II was deceased by 1741. His time of death is substantiated by the will of his father (HENRY I) that was probated 31 August 1745 and lists his two sons as Samuel and Henry (deceased).<sup>28</sup> This evidence is conclusive and proves the Baltimore County Henry Austin/Oyston could not have been a brother of Samuel Austin of Calvert County.

On 7 October 1736, a Henry Austin married Priscilla Pierce in Anne Arundel County.<sup>29</sup> Admittedly, this union did not take place in Baltimore County, however, Anne Arundel County is adjacent to Baltimore County and the date of marriage fits the time pattern. In the absence of additional data, it was plausible to ask whether the groom could have been the Henry Austin/Oyston of Baltimore County. The above descendancy chart puts an end to this speculation. Widow Priscilla Pierce Austin married Richard Smith before 1744 and he became the guardian of Henry and Elinor.

The Austins of Calvert County propagated the same given names from generation to generation (i.e., Thomas, Samuel and Henry, etc.) The records do not show this happened with the Baltimore County Austin families. This is not a binding conclusion but it does tend to confirm the Calvert and Baltimore Austins were different families.

————— 0 —————

To conclude we return to the rhetorical question that began this section of the narrative. Who was Henry Austin? He seems to be fairly well identified in the Calvert County branch of the Austin family. However, there is not a firm picture or identify of the Henry Austin who flourished in Baltimore County. This family's origin is still obscured in the mists of time.

---

<sup>28</sup> Baltimore County, Maryland Wills, Liber 24, Folio 209-210.

<sup>29</sup> Barnes, Robert. 1978. *Maryland Marriages, 1634-1777*. Baltimore Genealogical Publishing Co., page 6. Also in St. James Parish Register, p. 379.

## IV

### SOLOMON AUSTIN IN NORTH CAROLINA

The Charlton article extracted above contained with the following statement:

*Solomon had married a North Carolina woman, and he rented the property to the uncle, who was the companion of his father when they had emigrated to America; and moved to North Carolina where his wife's people lived.*

Interpreted literally, the above quote implies that Solomon, Sr. met and married Joanna Thomas in Maryland and then moved to North Carolina. This may be valid because there is no record of a marriage in North Carolina. Neither has a record of the marriage been found in Maryland.

The exact time Solomon Austin arrived in North Carolina is not known but apparently it was before 1776. Solomon was a Loyalist and by his own admission he participated in the Battle of Moore's Creek Bridge in North Carolina on 27 February 1776. This implies he would have to have been in North Carolina long enough to become so emotionally involved in the Loyalist cause that he was motivated to join the Loyalist militia.

Solomon Austin first appeared in the records of Orange County, NC in February 1778 when Tamer Adder, an orphan, sixteen year of age, came into court and bound himself to Solomon Austin until he was of age.<sup>30</sup> A search of the records does not reveal the relation, if any, between Tamer Adder and Solomon Austin.

Solomon Austin appears next in the records when, on 14 March 1778, he and Philip Austin witnessed a deed conveying 42 acres on both sides of Three Mile Branch from Peter Wrightman to Sherman Baxter. Philip Austin proved the sale in open court at the May Term, 1779.<sup>31</sup>

Owen Thomas, Joanna's father, died in 1769. His widow died in 1778 leaving minor children. In August 1778, Jonathan Thomas, orphan son of Owen Thomas, deceased, came into the Orange County Court and chose William Laughlin his guardian. Bondsmen were Solomon Austin and Eli McDaniel who were required to post £200 sterling to secure this guardianship?<sup>32</sup>

---

30 Orange County, NC Court of Pleas and Quarter Sessions, February 1778 Term (NC Archives Call No. CR 073.301.4).

31 Orange County, NC Deeds, Book 2, page 41.

32 Orange County, NC Court of Pleas and Quarter Sessions, August 1778 Term, p. 23 (NC Archives Call No. CR 073.301.4).

page 18  
3/29/97

At the same August 1778 Court, Elizabeth Thomas, orphan daughter of Owen Thomas, deceased, came into court and chose Solomon Austin her guardian. Bondsmen were William Laughlin and William Bradford who were required to post £200 sterling to secure the guardianship.<sup>33</sup>

On 19 December 1778, Philip Austin entered an application for a state land grant of 100 acres on both sides of Watson's Creek, a branch of Seven-Mile Creek, waters of the Enoe River. The tract was bounded by vacant land and included Philip's improvements implying he had lived there before filing. The tract was surveyed 7 October 1779. Benjamin Auston and Solomon Auston were chain carriers on the survey.<sup>34</sup>

Early in 1779, German [Jerman] Baxter applied for two state land grants in Orange County on the Three Mile Branch, waters of the Enoe. Both tracts were surveyed on 24 March 1779 and the chain carriers for the surveys were John Minness and Solm [Solomon] Auston.<sup>35</sup>

## SOLOMON AUSTIN'S LAND IN ORANGE COUNTY, NC

To further our knowledge of Solomon Austin's early years, the following analysis is an attempt to specifically identify Solomon's land and neighbors in Orange County, NC. The primary tools used to do this are the lands granted by the State of North Carolina.<sup>36</sup>

The land grant process in early North Carolina worked like this. An individual who wanted to obtain ownership of a particular tract of unclaimed land would enter an application with the State Land Office. The entry would contain a brief statement indicating the amount of acreage involved and a general location of the tract.

In due time, the State surveyor was directed to survey the tract of land in question. He and his chain carriers, who were usually relatives or neighbors of the assignee, surveyed the tract and provided the assignee with a legal description of the land and a sketch of the survey that showed the metes and bounds of the tract as well as prominent natural terrain features and drainage patterns. Sometimes the legal survey did not match the entry. For example, Solomon Austin received title to 265 acres rather than 270 acres. Solomon's grant was unusual because it reversed the procedures. His entry was dated 14 Oct 1779 and the land had been surveyed a day earlier on 13 Oct 1779.

Once the survey was completed the grant would be issued and the assignee could pay the necessary fees and get legal title to the land. This would determine the date of the grant. Apparently, there was no limit on the time between the time of the survey and the final submission for the grant.

For example, when Solomon Austin wanted to move to Canada he had to have legal title to his 265-acre land grant before it could be sold. The tract had been surveyed in 1779 but Solomon did not finalize the grant and get clear title until 28 Mar 1794 which was fifteen years later. In the meantime, Solomon and Joannah, his wife, had deeded the land to Thomas Lindley

---

33 Orange County, NC Court of Pleas and Quarter Sessions, August 1778 Term, page 23, (NC Archives Call No. CR 073.301.4).

34 North Carolina Land Grant, Orange County, Book 32, Page 445, Folder 893 (Raleigh: NC Archives).

35 North Carolina Land Grant, Orange County, Book 32, page 448. (Raleigh: NC Archives)

36 Originally, the NC Secretary of State was the custodian of all documentation pertaining to state land grants. Recently all NC land grant records have been transferred to the NC Archives.

on 8 Mar 1794 which was 20 days before they had clear title. The deed was proved in open court at the May 1794 Term.

— 0 —

Knowing where a person lived and who his neighbors were can be useful in genealogy. In this context, it is useful to know exactly where was Solomon Austin's North Carolina land was located.

On 14 October 1779, Solomon Austin entered an application for a state land grant. The entry read, "... containing two hundred and seventy acres ... on the waters of little Cain Creek of the Haw River adjoining the lands of James Frederick Williams and the Widow Parker including his improvements..." This last phrase indicates that Solomon was already living on the tract he was trying to legally obtain. The tract was surveyed on 13 October 1779. The chain carriers, who were usually relatives or neighbors of the assignee, were Frederick Williams and Philip Austin.<sup>37</sup>

With this background we can now try to locate Solomon's tract precisely. To help accomplish this, the metes and bounds of the land surveys were converted to the scale of the 7.5-minute USGS topographic map for the appropriate area. Using these converted data, the next step was to try to plot the survey at its proper place on the USGS map using the description of the land in the surveyor's notes. In addition, the metes and bounds of all the lands adjoining the survey, all the proper names mentioned and all described natural terrain features and water drainage patterns were considered in defining the exact location of the grant.

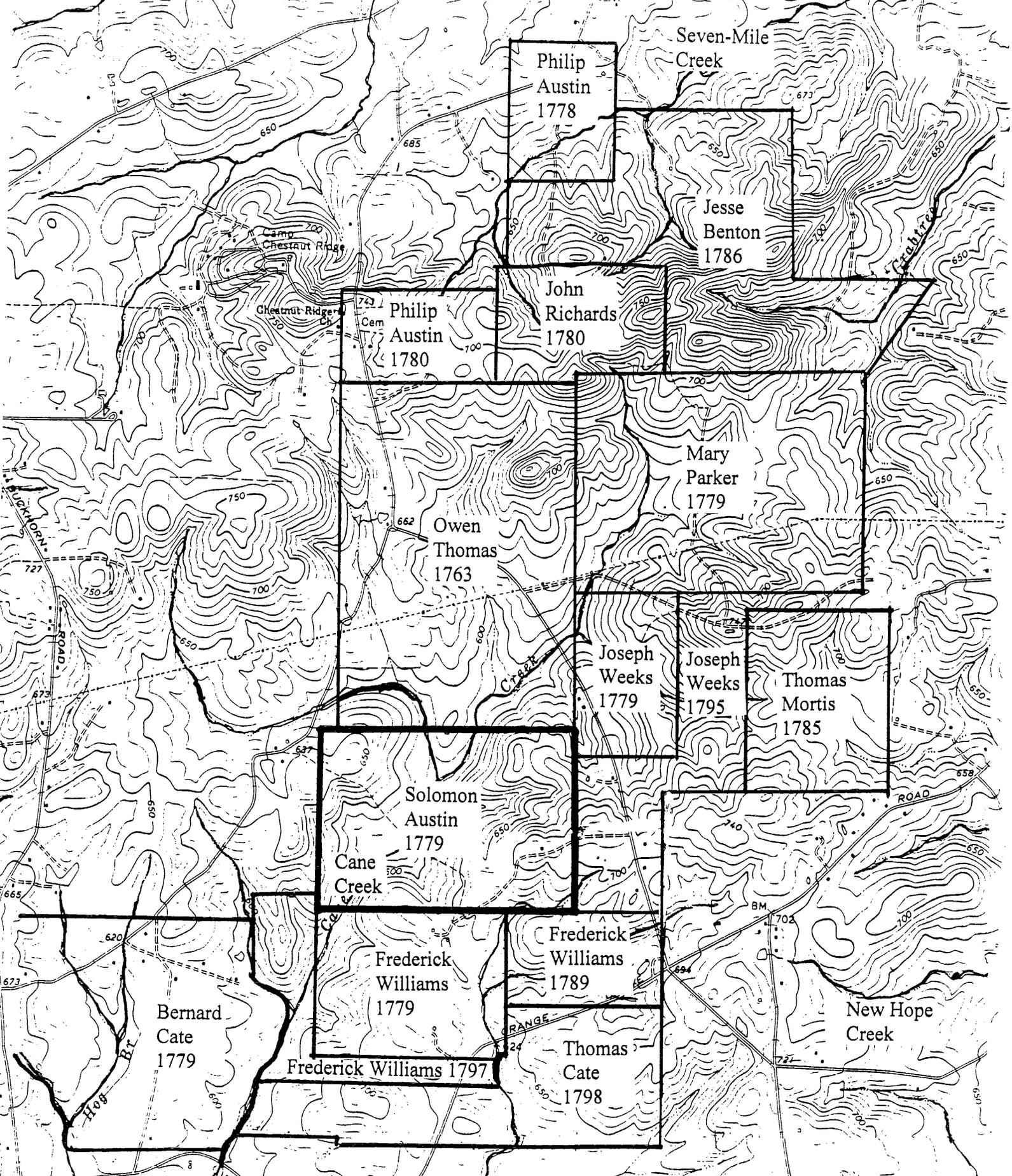
There is one major caveat that must be considered when using this technique. For various reasons, sometimes the metes and bounds of the old surveys contain errors and the survey does not close. Fortunately, this happens rarely and by and large the success rate using this process has been good. The attached schematic map illustrates the technique and identifies and locates the pertinent land grants in Orange County, NC that have a bearing on identifying and locating Solomon Austin's land grant.

The land Solomon wanted to own was adjacent to Williams and Parker and this could be a clue. The first step was to try to locate the Parker and Williams lands. On 9 Nov 1779, Mary Parker (presumably the Widow Parker since Mary is the only female Parker to apply for a land grant) entered an application for a 250 acre grant. Her survey stated that it "... adjoined a former entry and survey by Owen Thomas beginning at an oak on Jonathan Thomas line and to a corner of James tVeeks and ran North for 55 chains..." This was a start at defining location and if we knew where the Owen Thomas/Jonathan Thomas tract was located we could locate Widow Parker's plat. The obvious next step was to define Owen Thomas' land.

On 2 Feb 1763, Owen Thomas received a grant for 500 acres from Lord Granville's Proprietary Land Office. The grants read in part "... on a fork of Cane Creek east of the Haw River..." The surveyor's sketch of the survey showed that Cane Creek traversed Thomas' land from NE to SW. This was encouraging so the next step was to look at Frederick Williams' land. Williams obtained three tracts germane to this analysis.

---

37 North Carolina Land Grant, Orange County, Book 81, Page 410, Folder 2018 (Raleigh: NC Archives).



Land grants along Cane Creek in the Caswell District of Orange County, North Carolina  
Solomon Austin's grant is defined by the heavy line. The dates of entry are included for  
each assignee. The base map is a composite of the USGS 7.5-minute Efland, NC and  
White Cross, NC quadrangles. Scale 1:24,000.

On 13 Aug 1779, Frederick Williams entered an application for a land grant "... lying on both sides of Cane Creek adjoining the land of Lewis Thomas beginning at a stake on Solomon Austin's line thence running East 22 chains..."

Frederick Williams next grant was entered in 1786 and the survey makes no mention of any Austin. It did, however, say that it adjoined his own land and that of Joseph Weeks.

The next Frederick Williams grant was crucial to this analysis even though it was entered in 1797 about three years after Solomon had disposed of his land and gone to Canada. The survey mentions it joined Frederick William' s "... own survey and running East 16 chains to a hickory near Austins old corner..." The importance of this survey is that it serves as an anchor for all the surveys pertinent to this analysis. Two legs of the survey describe exactly the course of Cane Creek and branches as depicted on the modern USGS topographic map. This fixes the tract because there is no other place on Cane Creek where this survey would fit. Bernard Cate's 1779 entry and Thomas Cate's 1798 entry adjoin Williams tract and both use the same metes and bounds along Cane Creek. Both Cate's survey helps fix the location and adds credibility to the analysis.

With all of the above information it was logical to expect that Solomon Austin's land grant could be located with minimum difficulty. Unfortunately, this was not the case. Recall that Solomon's survey said that his land adjoined Widow Parker and Frederick Williams. A review of the land grant surveys show that Solomon's land could not satisfy these specifications. If it adjoined the land of Widow Parker then it could not be adjacent to Frederick Williams land and the same was true vice versa. Further research was required.

The final clue came when Solomon Austin sold his land to Thomas Lindley in 1794. The land description had changed over the years and the deed now read "... adjoins *Frederick Williams and Joseph Weeks*..."

Voila! Now all the pieces fall into place and the physical location of Solomon Austin's only land grant in Orange County, NC can be identified and positioned with a high degree of accuracy and confidence. More importantly, the analysis also shows there was an Austin enclave in that part of Orange County (William Austin's land is not shown on the map but it was located just north of Philip's 1778 grant at the top of the map). This tends to strengthen the probability that all these Austins were related by blood in some manner still to be determined.

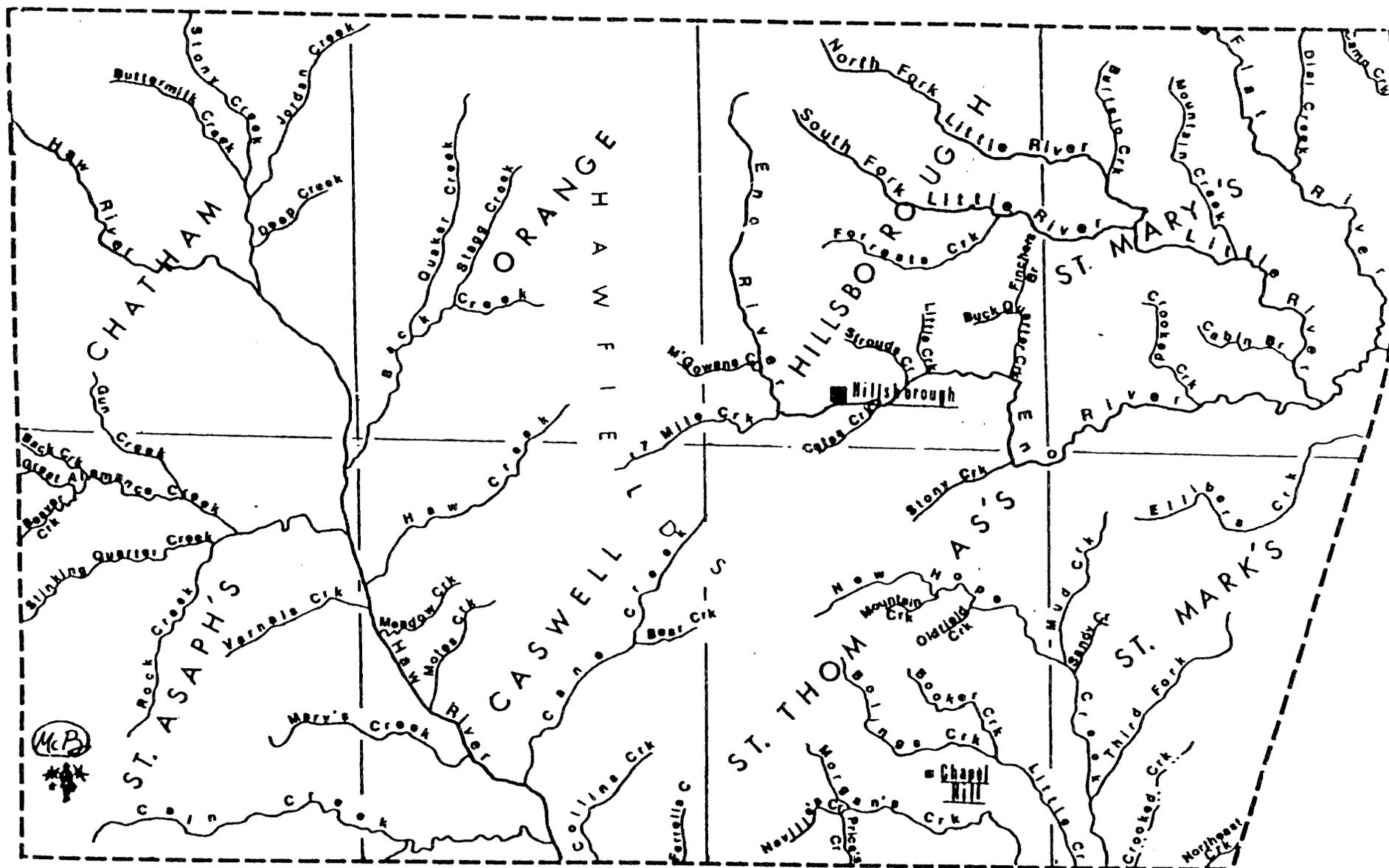
## **SOLOMON AUSTIN AND ORANGE COUNTY TAXES**

Two things are certain- death and taxes- and the tax collectors for Orange County were aggressive. Their tax lists are important in this analysis because they identify times when Solomon Austin was present or absent from the county. This information is useful in helping to define the chronology of Solomon's early life.

The map on page 22 shows the tax districts of Orange County in 1780, based on a 1774 Orange County District Plan.<sup>38</sup> The names and dimensions of the tax districts depicted in the plan are approximate and varied during the Revolutionary and post-Revolutionary periods. Historically, Solomon and Philip Austin were residents of the Caswell Tax District.

---

38 This discussion of the 1780 District Plan is based on the map drawn by Ransom McBride and published in the *Journal of the North Carolina Genealogical Society*, Vol. XI, 3, August 1985, p. 150.



The Approximate Boundaries of the Tax Districts of Orange County,  
North Carolina ca. 1780. Based on the 1774 Plan for the County.  
(From a map prepared by Ransom McBride and published  
in the Journal of the North Carolina Genealogical  
Society, Vol. III, No. 1, Feb. 1977).

Solomon Austin first appears on the 1780 tax list indicating he had not owned taxable property until he entered his land grant in 1779. The tax list includes the assessment of his property. Solomon Austin and Philip Austin were neighbors and both were on the tax lists.

**Orange Tax District, 1780**

Philip Austin £744

Solomon Austin £814

These 1780 tax entries require a clarification. The designation of Solomon and Philip as residents of the Orange district was apparently an administrative error. Thereafter they were always taxed in the Caswell District.

The next three tax years were critical in defining Solomon Austin's early life.

**Caswell Tax District, 1781<sup>40</sup>**

Philip Austen            200 acres  
                                 2 horses  
                                 4 cows  
                                 No cash, negroes or good horses  
                                 Value £645    Tax £8

Solomon Austin        (His name was not on the 1781 tax list)

**Caswell Tax District, 1782<sup>41</sup>**

Philip Austin            200 acres  
                                 2 horses  
                                 8 cattle  
                                 Value £55

~~Solomon Austin~~        (Name was marked through to remove him from tax list)

**Caswell Tax District, 1783**

Philip Austin            200 acres  
                                 2 horses  
                                 4 cows  
                                 Value £41

Solomon Austin        (Name was not on the 1783 tax list).

---

39 Orange County, NC Taxable Property, 1780-1781, Vol. 1, (Raleigh' NC Archives, Call No. CR 073.701.1).

40 Orange County, NC Taxable Property, 1780-1781, Vol. 1, (Raleigh: NC Archives, Call No. CR 073.701.1).

41 Orange County, NC Taxable Property, 1782-1783, Vol. 2, (Raleigh' NC Archives, Call No. CR 073.701.2).

page 24  
3/29/97

By 1784, Solomon Austin was apparently back in Orange County, NC.

**Caswell Tax District, 1784<sup>42</sup>**

Philip Auston 200 acres 1 free pole

Solomon Auston 270 acres 1 free pole

The 1781-1784 tax years are critical in trying to develop a scenario of Solomon Austin's early years. The tax records indicate he was absent from Orange County during 1781-1783 and the question becomes -- where was he and what was he doing during that period?

The Austin genealogy, as presented by Yeager, Owen and Charlton, contains the following statement that might be useful in trying to find answers to the questions raised by both the family traditions and Solomon's absence from Orange County.

*"...Solomon Austin, Jr., son of Solomon Austin, Sr., was born in Baltimore, Maryland in 1779..."*

On balance this appears to be a straightforward statement but in context it highlights some of the ambiguities concerning Solomon Sr.'s early years, namely the place of birth and the date of birth of his son, Solomon, Jr. Owen states that Solomon, Jr. was 12 years old when the family came to Canada. If Solomon, Jr. was born in 1779 adding 12 years implies the family came to Canada in 1791. As will be shown later, Solomon was in North Carolina in 1791 and was still there in 1794 when he and Joanna deeded their property to Thomas Lindley. Both acknowledged the sale with their mark indicating they were physically present. We know they emigrated to Canada shortly thereafter and 1794 minus 12 years = 1782 which is a plausible year of birth for Solomon, Jr. This is corroborated in the 1812 census of Norfolk County wherein Solomon, Jr.'s age is given as 28 years and this implies a year, of birth of about 1784. A final corroboration is found on Solomon, Jr.'s tombstone where his age at death is given as 68 years. He died in 1850 and 1850 minus 68 years = 1782 as his year of birth. On this basis we can consider Solomon, Jr.'s date of birth given in the family history as erroneous.

Concerning Solomon Austin, Jr.'s place of birth. We conclude he was born ca. 1782 rather than 1779. If he was born in Baltimore, Maryland, as the family tradition states, this implies Solomon, Sr.'s wife, Joanna, would have had to have been in Baltimore about 1782 and this raises the question -- why? In view of the Orange County tax situation this brings up several interesting possibilities.

First, Solomon, Sr. could have been away from his North Carolina home doing his Loyal-ist service and neighbors sympathetic to the Patriot cause could have harassed and made living conditions tense and unpleasant for his family in Orange County. Wife Joanna might have sought a more friendly, non-hostile environment and visited unidentified friends or relatives in Baltimore. While there she gave birth to Solomon, Jr.

---

<sup>42</sup> Orange County, NC Taxable Property, 1784-1787, Vol. 3, (Raleigh: NC Archives, Call No. CR 073.701.2).

Second, Henry Austin died ca. 1782 and, if Solomon was related, he and his family could have gone to Baltimore to legally try to recover the property he supposedly had inherited from his father. While there, Joanna gave birth to Solomon, Jr.

Third, The family tradition is wrong and Solomon, Jr. was born in North Carolina.

However this third possibility can probably be discounted. Jonathan Austin was the subject of the Charlton article based on family tradition. Jonathan's father was Solomon, Jr. and it seems inconceivable that Jonathan would not have known where his father was born. Therefore, we can accept that Solomon ,Jr. could have been born in Baltimore County, Maryland in 1782. This leaves unanswered the question of why Joanna was in Baltimore County mat that time. Further research is required to complete this part of the picture.

— 0 —

The tax lists for the Caswell Tax District of Orange County are missing for the years 1785-1786 and there is no record of Solomon Austin until 1787.

**Caswell Tax District, 1787<sup>43</sup>**

Philip Austin	200 acres	1 white poll
Solomon Austin	270 acres	1 white poll

The tax list for the year 1788 also repeats the same information shown above for 1787 with one exception. Solomon Austin is listed with two white polls.

**Caswell Tax District, 1788<sup>44</sup>**

Philip Austin	200 acres	1 poll
Sallomon Austin	270 acres	2 polls

This raises an interesting question-- who was the second free white male in Solomon's household? It could not have been one of his sons because the oldest would have been only about five years old. Based on the tax laws of that period the second person would have been between 21 and 50 years old. There is no way to positively resolve this question except with speculation. Recall that in 1778 Solomon Austin was appointed guardian of Tamer Adder, an orphan male, age 16 years, until the youth came of age. Adulthood in that time period was attained at age 21 and Tamer would have reached taxable age in 1783 or 1784.

If Tamer remained part of the Solomon Austin household after he attained adulthood, he apparently avoided the tax collector until 1787. It is human nature to avoid taxes and not declaring an individual was not an unusual occurrence. If this was the case and Tamer was the second persontaxed in 1788 he apparently moved on after the 1788 tax year.

---

43 Orange County, NC Taxable Property, 1784-1787, Vol. 3, (Raleigh: NC Archives, Call No. CR 073.701.2).

44 Orange County, NC Taxable Property, 1788-1793, Vol. 4, (Raleigh: NC Archives, Call No. CR 073.701.4).

The first Federal Census was taken in 1790. The enumeration for Orange County North Carolina was lost and a substitute census was reconstructed from the tax lists. Solomon Austin's name does not appear in this reconstructed census even though the records show he owned taxable property.

Solomon Austin appeared on both the 1791 and 1792 tax lists. In 1791, the Caswell Tax District was incorrectly identified as the St. Mark's Tax District.

**St. Mark's (Caswell) Tax District, 1791**

Philip Austin	200 acres	1 poll
Solomon Austin	265 acres	1 polls

**Caswell Tax District, 1792**

Philip Austin	200 acres	1 poll
Solomon Austin	265 acres	1 polls
John Austin	250 acres	1 poll

The 1791 and 1792 tax lists have some interesting ramifications for this analysis. Note that in both years there was only one poll taxed in Solomon's entries indicating he was once again the only taxable male in the household. Note that in 1792 a John Austin's name is on the tax list for the Caswell District. Who was this John Austin? His name is of interest because when Solomon Austin emigrated to Canada, he was accompanied by a nephew named John Austin. Could he have been the same John Austin taxed in 1792. Possible but not probable.

John Austin had not been on any of the previous tax lists and suddenly he is taxed for 250 acres and one poll indicating he was at least 21 years old. Some researchers have speculated that the surname may have been a corruption of "Alston," a surname that was prominent during that period. The key element seems to be the 250 acres. The Orange County land records are extant for that period and, intuitively, one would expect there should be some official record showing how and when this John Austin got that much land. However, a thorough review of the State land grants does not show either a John Austin or a John Alston receiving a land grant in Orange County. A thorough review of the Orange County Deeds does not show either a John Austin or a John Alston buying or selling land during that period.

The 1790 Census for Orange County, which was based on the tax lists, does not show either a John Austin or a John Alston in Orange County. The 1792 tax entry for John Austin appears to be a single aberration that leads to the conclusion that John Austin's name on this tax list was probably an error or a misnomer.

## THE SOLOMON AUSTIN ADMINISTRATION BOND

Another significant event took place in 1792 in North Carolina that illustrates the ambiguities of Solomon Austin's early life. On the 13th of August 1792, Solomon Austin, Robert Faucet and Thomas Brooks came before the Clerk of the Orange County Court and obtained an Administration Bond in the amount of £200 that enabled Solomon Austin to be the administrator of the estate of Absolom Austin, dec'd, who had died intestate. This bond has been preserved and is in the Archives of North Carolina.<sup>45</sup> A copy of the bond is shown on page 28.

The normal procedure in this type of legal case was for the bond to be acknowledged in open court and the court would direct the administrator to go through the required procedures to settle the estate. These actions were normally recorded in the minutes of the court and sometimes they provide valuable genealogical information. A logical next step was to review the minutes of the Orange County Court to see if they might shed more light on the relationship between Solomon and Absolom Austin.

Accordingly, the court minutes for the period bracketing 13 Aug 1792 were diligently searched.<sup>46</sup> Unfortunately, the minutes for the period May 1792-May 1793 are missing and this is the period following the issuance of the bond when actions pertaining to the estate would have been recorded.

— 0 —

This bond raises a key question. Who was the deceased Absolom Austin and why was Solomon Austin involved? This question evokes different opinions that are based on nebulous family relationships. One opinion is that the Absolom in question was Absolom Austin, Jr., a Patriot from North Carolina, who died in the Revolution. Anticipating the heirs of Absolom, Jr. would receive bounty land as compensation for Absolom's service in the Army, Solomon Austin was trying to establish a kinship to Absolom, Jr. to gain rights to any such bounty land. This speculation is not true. Absolom's siblings can be accurately identified and they did get rights to bounty land in Tennessee based on Absolom's service in the Army.

This does not, however, close the door on a family relationship between Solomon and Absolom Austin. Another opinion stresses that the deceased Absolom Austin was closely related to Solomon Austin, possibly even his father. This is in the realm of pure speculation at this point but there are precedents that support this conclusion.

In North Carolina, when a man died intestate the right to administer his estate belonged first to the decedent's next of kin. The first claimant was the surviving spouse, next in line was the eldest surviving son and then other surviving adult male heirs. The next-of-kin might relinquish his or her rights to administrator to another party and if the decedent was heavily in debt the largest creditor might claim the right of administrator. In the absence of any of these qualified claimants, the court could appoint some sober and discreet person to serve as the administrator.<sup>47</sup>

---

45 Orange County, NC Estate Records, 1754-1944, Folder A. Raleigh: NC Archives, Call No. CR073 508.4.

46 Minutes of the Orange County Court of Pleas and Quarter Sessions. May 1791-Feb 1795. Raleigh: NC Archives, Call CR 073.301.9

47 Leafy, Helen F. and Maurice R. Stirewalt. 1990. *North Carolina Research*, page 70, Raleigh: North Carolina Genealogical Society.

State of North Carolina,

County,

I NOW all men by these presents, that we *Solomon Austen & Pott* are held and  
~~upon~~ *upon* ~~the~~ ~~part~~ ~~of~~ ~~the~~ ~~said~~ ~~state~~ ~~in~~ ~~the~~ ~~sum~~ ~~of~~ ~~two~~ ~~hundred~~ ~~and~~ ~~twenty~~ ~~five~~ ~~pounds~~ ~~current~~ ~~money~~ ~~to~~ ~~be~~ ~~paid~~ ~~to~~ ~~said~~ ~~Governor~~ ~~his~~ ~~successors~~ ~~or~~ ~~assigns~~ ~~To~~ ~~the~~ ~~which~~ ~~payment~~ ~~well~~ ~~and~~ ~~truly~~ ~~to~~ ~~be~~ ~~made~~ ~~we~~ ~~bind~~ ~~ourselves~~ ~~our~~ ~~heirs~~ ~~executors~~ ~~and~~ ~~administrators~~ ~~jointly~~ ~~and~~ ~~severally~~ ~~firmly~~ ~~by~~ ~~these~~ ~~presents~~ ~~Sealed~~ ~~with~~ ~~our~~ ~~seals~~ ~~and~~ ~~dated~~ ~~this~~ ~~twentieth~~ ~~day~~ ~~of~~ ~~August~~ ~~A. D. 1792~~

THE condition of the above obligation is such, that if the above bounden  
*Solomon Austen* administrator of all and  
singular the goods and chattels, rights and credits of *Abraham*  
*Austen* deceased, do make, or cause to be made a true and  
perfect inventory of all and singular the goods and chattels, rights and credits of  
the deceased, which have or shall come to the hands, knowledge or possession of  
the said *Solomon Austen* or into the hands or  
possession of any person, or persons, for  
and the same to made, do exhibit, or cause to be exhibited to the court of the  
county aforesaid, within ninety days from the date of these presents; and the same  
goods, chattels and credits, and all the other goods, chattels and credits of the de-  
ceased, at the time of his death, which at any time hereafter shall come into the  
hands or possession of the said *Solomon Austen*  
or into the hands or possession of any person or persons for *the said*  
*Solomon* do well and truly administer according to law, and  
further, do make or cause to be made a true and just account of *all*  
said administration within *Ninety* after the date of these presents;  
and all the rest and residue of the said goods, chattels and credits, which shall be  
found remaining upon the said administrator's account, the same being first exam-  
ined and allowed by the court of the said county, shall deliver and pay unto  
such person, or persons, respectively, to which the same shall be due, pursuant to  
the true intent and meaning of the act in that case made and provided: and if it  
shall appear that any will or testament was made by the said deceased, and the  
executor or executors therein named do exhibit the same into court, making re-  
quest to have the same allowed and approved of accordingly; if the said *Solomon*  
*Austen* above bounden, being thereunto required; do  
render the said letters of administration (approbation of such testament, being first  
had and made in the said court) then this obligation be void and of no effect,  
otherwise to remain in full force and virtue.

Signed, sealed and delivered  
in presence of

*Abner B. Bruce*

Abner B. Bruce

*Solomon Austen*

*Solomon Austen*

*Robert Tarrant*

Robert Tarrant

*Thomas Brooks*

Thomas Brooks

*Seal*

*Seal*

*Seal*

In 1994, the author visited Raleigh, NC and personally consulted with the NC Archives staff on the ramifications of the Solomon Austin administration bond. In addition, several eminent professional genealogists, who are very knowledgeable about early North Carolina records and procedures, were consulted on the same subject. The non-binding consensus of both the Archives staff and professional genealogists was that, based on precedent, Solomon Austin was a close relative of the decedent Absolom Austin most likely the son, nephew or a brother.

This is an intriguing interpretation that, if true, raises serious doubts about the veracity of Solomon Austin family. Unfortunately, the professionals could offer no evidence or suggested areas for further research that could support the authenticity of their non-binding conclusion. The question remains -- who was Absolom Austin and what was his relation to Solomon? A possible — albeit nebulous — answer to this and other key questions may be found when we return to the Maryland's records.