

## ENIGMAS #27:

Was Mary<sup>3</sup> Kinsman the Wife of  
James<sup>2</sup> Burnham of Ipswich, Massachusetts?

By Nathan J. Rogers

A respected genealogical source credits Mary Cogswell as the probable wife of James<sup>2</sup> Burnham.<sup>1</sup> James was the son of Thomas<sup>1</sup> and Mary (Lawrence) Burnham of Ipswich, Massachusetts.<sup>2</sup> Very little is known of James's wife. Her gravestone next to his in the Old North Burial Yard of Ipswich reads: "Here lyes the body of Mrs. Mary Burnam, relict widow of Mr. James Burnam, who died the 10th of Nove<sup>mr</sup>., 1733, in the 76 year of her age."<sup>3</sup> If this information is correct, she was born between November 1657 and October 1658.

William<sup>2</sup> Cogswell (*John*<sup>1</sup>) is the only eligible father of such a Mary Cogswell born within this time frame. His brother, John<sup>2</sup> Cogswell, had previously died at sea in 1653, leaving only one daughter, Elizabeth.<sup>4</sup> William Cogswell's will of 5 August 1696 states:

... I give to my four daughters and their posterity all my moveables . . . my four daughters mentioned are Elizabeth Wade my eldest daughter Hester Burnam Susannah White and Sarah Noyes all those to have equal shares of my moveable estate.<sup>5</sup>

Elizabeth Wade, Thomas Burnam, Benj<sup>n</sup> White, and William Noyes signed the settlement agreement, acknowledging receipt of their or wives' shares in the estate of William Cogswell on 23 December 1700.<sup>6</sup> Thus it is very doubtful that a Mary Cogswell born in the late 1650s ever existed to become anyone's wife. Therefore, we must look elsewhere for the identity of James Burnham's wife.

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<sup>1</sup> Clarence Almon Torrey, *New England Marriages Prior to 1700* (Baltimore, 1985), 121. (It should be emphasized that Torrey's *Marriages* is an index to published sources.)

<sup>2</sup> Mary Walton Ferris, *Dawes-Gates Ancestral Lines*, 2 vols. (n.p., 1931-43), 1:129-30; Robert Charles Anderson, *The Great Migration: Immigrants to New England, 1634-1635*, vol. 4: I-L (Boston, 2005), 258-59 (hereafter cited as Anderson, *Great Migration, 1634-35*); David L. Greene, "The Royal Ancestry of the Ipswich (Massachusetts) and Long Island Lawrence Families," *The Genealogist* 10(Spring 1989 [published 1994]):3-29, at 22.

<sup>3</sup> Arthur Warren Johnson and Ralph Elbridge Ladd Jr., *Memento Mori, Part the First: Being an Accurate Transcription of the Tomb-Stones, Monuments, Foot-Stones, and other Memorials in the Ancient Old North Burial Yard in the Town of Ipswich*. . . , Ipswich Hist. Soc., 29[Ipswich, Mass., 1935]:34; *Vital Records of Ipswich, Massachusetts, to the End of the Year 1849*, 3 vols. (Salem, Mass., 1910-19), 2:512 (hereafter cited as *Ipswich VRs*).

<sup>4</sup> E. O. Jameson, *The Cogswells in America* (Boston, 1884), 9-12 [for William<sup>2</sup> Cogswell], 13-15 [for John<sup>2</sup> Cogswell].

<sup>5</sup> Essex Co., Mass., Probate Records, 308:93 [stamped 187].

<sup>6</sup> Essex Co. Probate Records, 310:274 [stamped 548].

The Robert<sup>2</sup> Kinsman family resided in the "Candlewood" district of Ipswich, where the James Burnham family also lived.<sup>7</sup> Mary<sup>3</sup> Kinsman, the eldest child of Robert<sup>2</sup> Kinsman (*Robert*<sup>1</sup>) and Mary<sup>2</sup> Boreman (*Thomas*<sup>1</sup>), was born on 21 December 1657 in Ipswich.<sup>8</sup> She was still living on 24 August 1710, when her father prepared his will, which states: "I give my five daughters, Mary, Sarah, Johanna, Margtt & Unice, all my moveable estate of household goods."<sup>9</sup> This will was proved on 12 March 1712/3. Regrettably, Mary's married name was omitted. Note, however, that the first three named were also names of James Burnham's three surviving daughters, as will be shown below.

The will of James "Burnam" of Ipswich, carpenter, was dated 27 June 1729:

... my real estate being already settled on my two sons Tho<sup>s</sup> & James Burnam as to my Personal Estate imp<sup>t</sup> I Give to my wellbeloved Wife Mary Burnam during her being my widow the Westerly End of the House I now Dwell in with as much of the Cellar Room as she pleases with all my Personal Estate as Servants money Stock of All sorts & kinds that I Dye Possessed of, but if my s[ai]d Wife shall see good to marry again Then I give her five pounds after marriage and, my Servants money & Stock with all personal or moveable Estate I give to be Equally divided between my Daughters Mary Tuttle Sarah Bill and Jemima [*sic*] Dodge. . . . Item I Give all my Cloathes and Husbandry and Carpenters Tools to be Equally Divided between my two sons Thomas & James Burnam. Item I give all my books Equeally to be divided among my children. . . . Item I Give unto my Grandsons Tho<sup>s</sup> Joshua Offin [Ophin] and John Burnam and the Eldest Son of my Son James Burnam if he should have one, with Charles Tuttle, Daniel James Joshua and David Dodge all and Everyone of them an Equal Share of my land in Haverhill which I Purchased of Mr. William Man of Boston (Excepting what I have allready given my Kinsman Joseph Burnam both Divided & undivided and incase my Gransons Live to Enjoy the afores[ai]d Land, then I order the sons of my son Tho<sup>s</sup> Burnam and Daniel Dodge to pay unto Sarah and Anna Bill my Grand Children five pounds to Each of my s[ai]d Granddaughters. And I do hereby Appoint and ordain Mr. Joseph Kinsman & my Sons Thomas & James Burnam to be Executors of this my last Will & Testament. . . .<sup>10</sup>

Despite the recorded version of his will, James Burnham's daughter was clearly not named *Jemima* Dodge. It was *Joanna* Dodge who signed her name to three receipts for her portion of her father's estate.<sup>11</sup>

<sup>7</sup> T[homas] Frank[lin] Waters, "The Genealogy of Robert Kinsman," in Waters, *Candlewood: An Ancient Neighborhood in Ipswich*, Ipswich Hist. Soc. Pubs., 16[Salem, Mass., 1909]:55–56 (hereafter cited as Waters, "Kinsman Genealogy," *Candlewood*).

<sup>8</sup> Lucy W. Stickney, *The Kinsman Family: Genealogical Record of the Descendants of Robert Kinsman of Ipswich, Mass., from 1634 to 1875* (Boston, 1876), 34–50 (hereafter cited as Stickney, *Kinsman Family*); Anderson, *Great Migration, 1634–35*, vol. 4: I–L, 188–91, at 190; *Ipswich VRs*, 1:222.

<sup>9</sup> Essex Co. Probate Records, 310:260 [stamped 521].

<sup>10</sup> Essex Co. Probate Records, 319:112 [stamped 223].

<sup>11</sup> Essex Co. Probate Records, 319:114–15 [stamped 227–28].

The first-named executor of James Burnham's estate was Joseph Kinsman, a younger brother of Mary<sup>3</sup> Kinsman.<sup>12</sup> It would have been unusual for a neighbor to be given an executor's responsibility when two adult sons and a surviving widow were available for such a duty. Trusted neighbors often took on the duty of overseers in such situations. Although no relationship for Joseph is stated in the will, it certainly arouses suspicion that he may be related more closely than just a neighbor. Indeed, the probate was complicated. The first inventory, taken on 13 October 1729, amounted to £798 5s. 6d., which represented only the personal estate of James Burnham.<sup>13</sup> Two subsequent accountings were required to fulfill the terms of his will, along with the issuance of numerous receipts between December 1729 and December 1733.<sup>14</sup> If not a relative, Joseph Kinsman was certainly a very faithful and loving friend of the Burnham family.

Mary<sup>3</sup> Kinsman was a living adult in 1710. No husband is known to have been attributed to her. She had the same name and was of the same age as the wife of James Burnham. As a young girl, she lived in the same neighborhood as James Burnham did after his marriage. Her brother Joseph Kinsman was one of the executors of James Burnham's will. The three daughters named in James Burnham's will and the first three daughters' named in Robert<sup>2</sup> Kinsman's will have identical names and are in the same birth order.

It appears from this evidence that Mary<sup>3</sup> Kinsman was most likely the wife of James<sup>2</sup> Burnham. The author welcomes any new confirming or conflicting evidence.

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<sup>12</sup> Stickney, *Kinsman Family*, 53–58; Waters, "Kinsman Genealogy," *Candlewood*, 56–57; *Ipswich VRs*, 1:222.

<sup>13</sup> Essex Co. Probate Records, 319:113 [stamped 224–25].

<sup>14</sup> Essex Co. Probate Records, 319:114–15 [stamped 226–29].

## LUBRICATING THE VOTERS

Before the Revolution, Col. John Murray was a leading citizen in Rutland, Mass. In his 1836 history of Rutland, Jonas Reed states that "On Representative day all his friends that could ride, walk, creep or hobble, were at the Polls. It was not his fault if they returned dry." The author then damned Murray with what was one of the strongest insults of the time: "After he had ascended the pinnacle of Honor, he lost his balance and fell out of the United States,"<sup>1</sup> i.e., he became a Tory.

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<sup>1</sup> Jonas Reed, *A History of Rutland . . .* (Worcester, Mass., 1836), 157.