PAYNE AND TODD FAMILY HISTORY:
A COLLECTION OF PRIMARY RESOURCE MATERIAL
1720 to 1987

A Report

Submitted

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to the Office of History,

Independence National Historical Park,

Philadelphia, Pennsylvania

by

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Introduction
to
"Todd and Payne Family History"

The following is a collection of mostly primary research that I have collected over the past year. At first, I had set out to write an article on the Todds and Paynes, and the home that the National Park Service presently owns at Fourth and Walnut Streets. My goal was to present an accurate depiction of the people that lived in the home, as well as the friends, family and associates that effected their lives. This objective was greatly complicated by popular folklore and the many romantic myths created and perpetuated by eighteenth century biographers. My essay was quickly becoming a confusing response to these fictitious historical beliefs, so instead, I changed the format of my report to be a collection of research that would assist the efforts of future historians of the subject, and would permit readers to develop their own interpretations of the history of the Payne and Todd families, and the home at Fourth and Walnut.

The value of this report includes its illustration of the importance of the Paynes and Todds extended family, insight into the personalities, successes and failures of these characters, and a more factual presentation of life in the Todd home. As you will see, Dolley's family, the Paynes, played a large role in the lives of those that lived at Fourth

and Walnut. The Paynes were certainly not models for eighteenth century Quakers as shown by the fact that nearly all of them are excommunicated at one time or another. But, prior to Dolley's own excommunication for marrying a non-Quaker in 1794 (James Madison), she does not appear to have been any sort of rebel. In fact, she attempts throughout her life to raise her mischievous son (John) Payne to be a Quaker, and she never joins another church until 1848, a year before her death.

Dolley, however, was not the overly kind-hearted lady that many biographers portray her to be. The is best reflected by her 1794-1796 lawsuit against the father of Isaac Heston, John's legal clerk. Mrs. Madison was seeking rent and fees owed by Heston despite the fact that Isaac died only half a year into the contract and that Isaac's death had much to do with John's refusal to evacuate from the city during the Yellow Fever Epidemic of Fall 1793. I do not intend to suggest that Dolley was a mean or greedy lady, but, the evidence that I have collected shows a less charitable lady than American folklore and the romanticists have described.

John Todd was an extremely promising lawyer who loved hunting game birds with friends and his dog "Pointer." John's legal practice was extremely prosperous, and at the time of his death he was on the bar at Philadelphia Common Pleas, the

Pennsylvania State Supreme Court, and the United States Supreme Court. He was working well over 45 cases each court term, and, in Spring of 1793, he was so busy he hired Isaac Heston as a legal apprentice. Unfortunately, John was so entrenched in his practice, that, during the Yellow fever Epidemic, he refused to follow his family to Grey's Ferry. Despite, Isaac's late September death, as well as both John Todd's parents deaths in early October, John Todd Jr. remained at the Fourth and Walnut home doing legal work until he died in the house in October that year.

John appears to have also been gaining great prominence in Quaker society, probably due to the successful practice. He was not a Quaker elder, but his high social rank is noticeable due to a July 1793 crisis that was extremely disagreeable with Quaker tradition. In July 1793, John Todd Jr. challenged a man to a duel. Who he was to duel, and why, is unknown. The mere fact that a successful attorney, let alone a Quaker attorney, would fight a duel when he could easily file suit, shows the weight of the disagreement or insult. Yet, when the Philadelphia Monthly Meeting discussed the matter, they did not expel John (which they were quite good at), but instead they commissioned a committee to go and meet with John and mediate the problem. John's prominence is shown by the high-ranking Friends assigned to meet with John, including James Pemberton, David Bacon, Isaac Lane and Owen

Jones. These men were among the "cream" of 1793 Quaker society.

In addition, this research explains exactly who lived at the Todd House, and points out their life highlights. In the late Summer of 1793, seven people lived in the home: Dolley (age 25), John Jr. (30), their sons (both of whom were called by their middle names) (John) Payne (1) and (William) Temple (an infant), Dolley's sisters Anna (13) and Lucy (15), and John Jr.'s apprentice Isaac Heston (23). It is possible that there were servants in the house, but unfortunately, little is known about the servants in either the Payne or Todd family. The presence of Dolley's two teenage sisters may have precluded the need for full-time servants. This historian speculates that if the Todds did hire servants, they were probably only day servants. Dolley's mother's servant(s), at least one of which is known to have been a full-time servant, Mother Amy, probably helped the Todds when needed.

Dolley's sister Anna lived with Dolley from the time of Dolley's 1790 marriage to John Todd until Anna herself married Congressman Richard Cutts of Maine District, Massachusetts, in 1804. Dolley affectionately referred to Anna, as her "sister-child." It is not clear when exactly Lucy moved in with her sister and brother-in-law. It is possible that she had moved when her mother, Mary "Molly" Payne, began to turn

their deaths. Payne was a prime reason for James and Dolley Madison's later financial failings, and his dealing away of family treasures to pay debts resulted in the scattering of Madison memorabilia which robbed his stepfather of later memorials. The best testament to the damage done by Payne's dealings, is the empty Montpelier Estate, at Orange, Virginia.

This report has been documented as much as possible. All sources can be found in the Independence National Historical Park Library unless otherwise noted. Information that is not footnoted is biographers' information that is widely accepted, but that I could not confirm. As previously mentioned, many writers on the Paynes and Todds fabricated much of the information in their texts. Researchers should beware that not even the collection of Dolley Payne letters edited by her niece, Elizabeth E. Cutts, is fully accurate. The best writing on Paynes and Todds includes:

Moore, Elizabeth. **The Madisons.** New York, NY: McGraw-Hill Publishing Co., 1979.
(However, some of her sources are questionable.)

Arnett, Edith Stephens. **The Incomparable Dolley.** Greensboro, NC: Piedmont Press, 1972.
(This is the most accurate biography.)

Brandt, Irving. **James Madison, Father of the Constitution 1787-1800.** (2nd vol.). Indianapolis, IN: Bobbs-Merrill Co. Inc., 1950. Chapter 31, "Dolley Madison," 401-414.
(This gives an excellent short summary of Dolley Payne's early years.)

Research on the Paynes and Todds is not complete. I am submitting this now only due to an imposed deadline (I am going into the Army). Readers and researchers will note that many interesting questions remain unanswered, and several articles of information remain unconfirmed. For historians, there is a wealth of material for essays and training sessions.

Copies of this work can be obtained from Dave Dutcher in the Office of History. This document is on Dave Dutcher's computer hard drive under the assignments: PTTIT, PTINTRO and PT. May this information on the Payne and Todd families' history, be useful to the public and the National Park Service, and may this collection of research be merely the start of another historians work.

Thank you.

TODD AND PAYNE FAMILY HISTORY

LEGEND:

b. - Birth
m. - Marriage
d. - Death

NOTE: In this report, John Todd Sr., his son, John Todd Sr.,and his grandson, John Todd Jr. are referred to by number: (I), (II), and (III). These men were not called by these numbers. I have labelled them to alleviate confusion as to which John Todd I am referring.

1720, June 6th: m. **Margaret Cain Todd & John Todd Sr.(I)** pass first meeting, at New Garden, Chester County, PA, [later grandparents of John Todd Jr.(III)].[1]

1720, August 20th: m. **Margaret Cain Todd & John Todd Sr. (I)** pass second meeting and are married, at New Garden, Chester County, PA.[2]

1730: b. **Mary Derborow Todd**, at New Garden, Chester County, PA, daughter of Mary Cain Todd & John Todd Sr.(I), [later mother of John Todd Jr.(III)].[3]

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[1]Records from Friends' Library at Swarthmore College, New Garden Monthly Meeting, Chester County Meeting, PA, (June 6, 1720).

*** All Quaker marriages and births in this report were taken from the Swarthmore County Quaker Collection Records. These same records can also be found in **Hinshaw's Quaker Records Directory** which is availabe at most Philadelphia and college libraries. Both collections contain the Monthly Meeting Records of all the meetings on the east coast and midwest. The Quaker Collection at Haverford College also holds these records although it concentrates mainly on meetings in Pennsylvania and New Jersey.

[2]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[3]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

1740, February 9th: b. **John Payne Sr.**, at Goochland County, VA, son of Anna Fleming Payne & Josias Payne, (later father of Dolley Payne).[4]

1745, October 14th: b. **Mary Coles Payne**, at Goochland County, VA, daughter of Lucy Winston Coles and William Coles, (later mother of Dolley Payne Todd Madison).[5]

1749, June 26th: m. **Martha Wilson Todd & John Todd Sr.(I)** (widower), at New Garden Meeting, Chester County, PA, [later step-grandmother & grandfather of John Todd Jr.(III)].[6]

Excommunicated by Meeting: **Margaret Wilson Todd & John Todd Sr.(I)**, for marriage outside unity (MOU).

* This expulsion occurred several years after the marriage when Friends at New Garden discovered that at the time of marriage Martha Wilson had not been a Quaker but a Roman Catholic.[7]

1761: m. **Mary (Molly) Coles Payne & John Payne Sr.**, at Goochland County, VA, (later parents of Dolley Payne Todd Madison).[8]

Excommunicated from Meeting: **Mary (Molly) Coles Payne**, marriage outside unity (MOU), but Mary is later readmitted to Meeting after John becomes a Quaker in 1765.[9]

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[4]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[5]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[6]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[7]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[8]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[9]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

1762: b. **Walter Payne**, at Goochland County, VA, son of Mary (Molly) Coles Payne & John Payne Sr., (oldest brother of Dolley Payne Todd Madison).[10]

1762, October 29th, November 26th & December 9th: m. **Mary Derborow Todd & John Todd Sr.(II)**, at New Garden Meeting, Chester, County, PA, [later parents of John Todd Jr.(III)].[11]

The couple would move to Philadelphia, PA. They would reside at 104 High St. (now 314 Market St.). John Todd (II) was a schoolmaster who worked at 103 Chestnut St.

1763, November 17th: b. **John Todd Jr. (III)**, at Philadelphia, PA, son of Mary Derborow Todd & John Todd Sr.(II), (future husband of Dolley Payne Todd Madison).[12]

1765: **Paynes** move to New Garden, NC (now Guilford Courthouse, NC).

1766, April 3rd: b. **James Todd**, at Philadelphia, PA, son of Mary Derborow Todd & John Todd (II), (brother of John Todd Jr.(III).[13]

1766, June 17th: b. **(William) Temple Payne**, at New Garden, NC, son of Mary (Molly) Coles Payne & John Payne Sr., (second older brother of Dolley Payne, at New Garden, NC).[14]

1768, May 20th: b. **Dolley Payne**, at New Garden, NC, daughter of Mary (Molly) Coles Payne and John Payne Sr.[15]

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[10]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[11]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[12]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[13]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[14]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[15]**Birth Certificate of Dolley Payne**, in possession of the Quaker Collection at Guilford College, NC. The Birth Certificate states the correct spelling of her name as "Dolley."

1769: **Paynes** move from New Garden, NC (now Guilford Courthouse, NC), to Scotchtown Plantation, VA.

1770, June: b. **Isaac Heston**, at Hestonville, Philadelphia County, PA (now part of West Philadelphia along Lancaster Ave.), son of Edward Heston & _____ Heston, [John Todd Jr.(III)'s future legal apprentice].

1771, April 7th: b. **Debora Todd**, at Philadelphia, PA, daughter of Mary Derborow Todd & John Todd Sr.(II), [younger sister of John Todd Jr.(III)].[16]

1772, October 20th: d. **Debora Todd**, age 18 months., cause unknown, [younger sister of John Todd Jr.(III)].[17]

1777: Excommunicated by Meeting: **Walter Payne** (15 yrs. old), no reason recorded.[18]

1778: b. **Lucy Payne**, at Scotchtown Plantation, VA, daughter of Mary (Molly) Coles Payne & John Payne Sr., (younger sister of Dolley Payne Todd Madison).[19]

1779, November 11th: b. **Anna Payne**, at Scotchtown Plantation, VA, daughter of Mary (Molly) Coles Payne & John Payne Sr., (younger sister of Dolley Payne.[20]

1781, February: Cedar Creek Meeting, VA vote decrees manumission of all Friends slaves. **John Payne** frees his 90 slaves.

Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[16]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[17]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[18]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[19]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[20]Caroline Holmes Bivins, 2.

Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

Mother Amy, a house servant, is said to have requested not to be freed. John Payne cannot do this, so instead hires her as a wage earning servant. It appears Mother Amy travelled with Mary (Molly) Payne for the remainder of her years. She also is believed to have had one child, Sarah Jane. No other information can be confirmed.

1781, March: **Mary (Molly) Coles Payne and Walter Payne**, (mother and oldest brother of Dolley Payne Todd Madison), visit the Drinker family in Philadelphia, PA. to decide on and plan family's future move to the city.[21]

1782: b. **Mary (Polly) Payne**, at Scotchtown Plantation, VA, daughter of Mary (Molly) Payne & John Payne Sr., (youngest surviving sister of Dolley Payne Todd Madison).[22]

1783: b. **John Coles Payne**, at Scotchtown Plantation, VA, son of Mary (Molly) Payne, (youngest brother of Dolley Payne Todd Madison).[23]

Mary (Molly) Coles Payne's pregnancy with John Coles Payne delayed the Paynes move to Philadelphia.

1783, July 9th: The **Paynes**, along with Mary's mother **Lucy Winston Coles** & servant **Mother Amy**, arrive in Philadelphia[24]

After living on the city's outskirts, the **Paynes** move into 96 (now 150) North 3rd St.

Paynes join the Pine Street Friends Meeting

John Payne opens a starch business at 231 E. New St. (near the present Benjamin Franklin Bridge).

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[21]Elizabeth Drinker, **The Drinker Diary.**

[22]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[23]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[24]Elizabeth Drinker, **The Drinker Diary.**

1783, November 8th: Petition against Theater to the Supreme Executive Council: Petition signed by **John Todd, James Todd, John Todd Jr., John Payne**[25]

1784: b. **Philadelphia Payne** (female), at Philadelphia, PA, daughter of Mary (Molly) Coles Payne & John Payne Sr., the child dies soon after birth, (youngest sister of Dolley Payne Todd Madison).

1785: John Todd Jr.(III) was admitted to the Philadelphia bar.[26]

1785: **Walter Payne**, Dolley Payne Todd Madison's oldest brother, sails to England and vanishes from family records.[27]

1785, September 15th:
[John Todd, Jr., Philadelphia, to James Todd, 15th Septemr. 1785]

Dear Brother,
Thy very short letter dated the 9th. Inst. I received Yesterday enclosing one to thy Friend S. Poultney which correspondent with thy request I delivered to his Father who told me he would give it to Sammy the moment he came in. Thee mentions in thy letter of thy neglecting Business to go fowling. I shall only say that

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[25]"Petition against Theater," **Records of the Secretary to the Supreme Executive Council**, Box 3036, (8 Nov. 1783), Division Public Records, Harrisburg, PA.

[26]Maeva Marcus and James R. Perry, editors, **The Documentary History of the Supreme Court of the United States**, vol. 1, (New York: Columbia University Press, 1985), 190, footnote 83. Continued: ***List of references includes:
Lyman H. Butterfield, editor, **Letters of Benjamin Rush**, 2 vols., (Princeton, NJ: Princeton University Press, 1951), 2:725n; MBBP, p. 318.

"Supreme Court List of Attorneys, 1742-1902," Records of the Eastern District, RG 33, PHarH.

[27]Caroline Holmes Bivens, "Genealogical Notes to be used in Connection with the Study of Dolley P. T. Madison," 1970. Caroline Bivens' notes on Dolley Madison have been registered at the Library of Congress, Genealogical Division, call number C571 P146 1970.

thee ought to make thy Pleasures wait upon thy Business and not neglect it in the least, except for the Preservation of thy Health which is indeed to be referred to Business...anything under the Sun. If a Man has but Health to which I may add Contentment I may venture to announce such a one what very few in this World are a Happy Man Thee killed six pidgeons what a wonder indeed when I consider that thee never used to go fowling when in Philadelphia, but what will thee think of me when I tell thee I was out this afternoon about three Hours and shot three dozen Blackbird and two Snipe. The little dog pointer has grown finely and begins to hunt excellently well I take him out with me everytime I go and have him under very good Command he will beat about in the field till he starts the Birds up when I take them flying and very seldom miss my aim if within good shot having grown extremely expert within this two or three Months. John Pleasants and myself went out fowling about a week ago and took Pointer along with us we walked along the Banks of the Delaware to the Widow Marshalls at Gloucester Point and put Pointer into the meadow to seek out, and the Birds which he caused to fly up we were certain of killing if they came within reach of our Guns. Pointer raised four English Snipe everyone of which we killed besides a number of reed Birds Black Birds etc. I have said enough about Pointer and fowling let me turn thy attention to something of more Importance for I am afraid I shall write nothing that will compensate my Brother for the loss of time in reading my Letter, though pardon me for saying his time may be almost as well employed in reading an unimportant Letter as in shooting Pidgeons. I had thy Letter of the 5th of September before me and was about to answer it when my attention was taken off by a loud knocking at the Door and the Intrusion of a Person whose Company is at all times agreeable Intrusion did I say let me erase the word it was a friendly visit paid me by my fellow student I Howell he sat with me chatting upwards of an hour in which time much interesting conversation passed between us and when he went away it was near ten o'clock so that I was apprehensive I should not have the Letter ready to post by to Morrow stage. He bid me his best respects to thee. I shall take another opportunity to answer the letter and shall only mention that on the Second day Week the Ship Harmony Capt. Willet arrived in this Place in whom came passengers Nicholas Waln, John Storer, John Townsend and Thomas Colley all of them very eminent Preachers. Thomas Colley in particular is very eminent in the Ministry. Nicholas Waln is grown extremely fat with drinking good old English Porter I suppose, he is twice as fat as when he departed for Europe. I must not omit informing thee that yesterday arrived the Ship----Capt. Druxton in which

came passenger that great Patriot and experienced Statesman to which I may add that eminent Philosopher Benjamin Franklin he was received in the city with all possible Demonstration of joy by the Citizens who accompanied him from market Street wharf to his own house and he was welcomed by the Commonalty with the Huzzas of long live the venerable Franklin. It is prevalent opinion that he will be elected President. The Charter of the Bank was repealed last Second day by the assembly not withstanding all the Eloquence displayed by Mr. Wilson before the Assembly against so impolitic an Act who told them...that a Pretence as specious as any that can be alledged on this occasion will never be wasting on any future occasion. Those Acts of the State which have hitherto been considered as the sure anchor of Privilege & of property will become the sport of every envying gust of Politics & will float wildly backwards and forwards on the impetuous Tides of Party and of Faction." Adeu We are all very well and our Love to thee It grows very late

I am &c
John Todd Jr.

Excuse bad writing I had not
time to mend my Pen & if I had
Time intended to have said a great deal
more. James Mesur writes next stage so do I

[docketed] 15th Sepr. 1785 [sic][28]

1785, December Court Term:
John Todd Jr.(III) tried 11 cases.[29]

1786, March Court Term:
John Todd Jr.(III) tried 16 cases.[30]

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[28]John Todd Jr., Philadelphia, to James Todd, 15th Septemr. 1785. Todd Family Papers, Collection of W. Parsons Todd. (Morristown, NJ).
Photostat in INHP Files

[29]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.** ("A Study of the Journal of a Philadelphia Lawyer in the 1790's"), 1785-1791, 2-5.

[30]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 6-10.

1786, June Court Term:
John Todd Jr.(III) tried 18 cases.[31]

1786, September Court Term:
John Todd Jr.(III) tried 43 cases.[32]

1786, December Court Term:
John Todd Jr.(III) tried 26 cases.[33]

1787: John Todd Jr.(III) was admitted to the bar of the Supreme Court of Pennsylvania.[34]

1787, March Court Term:
John Todd Jr.(III) tried 35 cases.[35]

1787, June Court Term:
John Todd Jr.(III) tried 54 cases.[36]

1787, September Court Term:
John Todd Jr.(III) tried 55 cases.[37]

1787, December Court Term:
John Todd Jr.(III) tried 53 cases.[38]

1788, March Court Term:

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[31]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 11-15.

[32]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 16-27.

[33]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 28-34.

[34]Maeva Marcus and James R. Perry, editors, **The Documentary History of the Supreme Court of the United States**, vol. 1, (New York: Columbia University Press, 1985), 190, footnote 83.

[35]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 35-43.

[36]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 44-55.

[37]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 45-66.

[38]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 67-85.

John Todd Jr.(III) tried 68 cases.[39]

1788, June Court Term:
John Todd Jr.(III) tried 56 cases.[40]

1788, September Court Term:
John Todd Jr.(III) tried 56 cases.[41]

1788, September 26th & November 13th: m. **Alice Poultney Todd & James Todd**, at Pine Street Meeting, Philadelphia, PA, [sister-in-law & brother of John Todd Jr.(III)].[42]

The couple settles in Philadelphia. James is a bank teller at the Bank of North America and later a merchant.

1788, December Court Term:
John Todd Jr.(III) tried 47 cases.[43]

1789: crash in the starch market leaves **John Payne Sr.** in great debt

Excommunicated from Meeting: **John Payne Sr.**, at Pine Street Meeting, for failure to pay debts.

1789, March Court Term:
John Todd Jr.(III) tried 47 cases.[44]

1789, June Court Term:

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[39]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 88-110.

[40]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 111-128.

[41]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 131-148.

[42]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[43]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 158-165.

[44]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 166-180.

John Todd Jr.(III) tried 76 cases.[45]

1789, September Court Term:
John Todd Jr.(III) tried 67 cases.[46]

1789, November 25th: m. **Dolley Payne & John Todd Jr. (III)** passed first meeting, at Pine Street Monthly Meeting, Philadelphia, PA.[47]

1789, December Court Term:
John Todd Jr.(III) tried 49 cases.[48]

1789, December 23rd: m. **Dolley Payne & John Todd Jr. (III)** passed second meeting, at Pine Street Monthly Meeting, Philadelphia, PA.[49]

1790, January 7th: m. **Dolley Payne Todd & John Todd Jr. (III)** pass last meeting, at Pine Street Meeting, Philadelphia, PA.[50] The couple lived on the north side of Chestnut Street, between Delaware and 6th Streets, until November 1792.

1790 Census: n.s. Chestnut near cor. of Third, #85

1790: Excommunicated by Meeting: **Isaac Payne**, at the Pine Street Meeting, for immorality.[51]

1790:

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[45]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 182-202.

[46]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 203-224.

[47]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[48]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 226-241.

[49]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[50]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[51]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

The First Census of the United States 1790: Philadelphia City, Middle District, Chestnut St. North from Delaware to 6th Sts.

Todd, John Esq. Atty./ one free white male over sixteen/ one free white male under sixteen/ two free white females

(The final reports of the census completed Oct. 27, 1791)[sic][52]

1790, March Court Term:
John Todd Jr.(III) tried 40 cases.[53]

1790, June Court Term:
John Todd Jr.(III) tried 60 cases.[54]

1790, September Court Term:
John Todd Jr.(III) tried 48 cases.[55]

1790, December Court Term:
John Todd Jr.(III) tried 56 cases.[56]

1791, February Term of the United States Supreme Court:

John Todd Jr Esqr. having been proposed as aforesaid for admission as a Counsellor of this Court, he is affirmed according to their Order and is admitted to practice accordingly.[57]

1791, February 7th and 8th:

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[52]"Heads of Families 1790 Pennsylvania," **The First Census of the United States 1790**, Washington, G.P.O. 1908, The National Archives, Washington D.C.

[53]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 243-256.

[54]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 258-276.

[55]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 277-292.

[56]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 294-311.

[57]Maeva Marcus and James R. Perry, editors, vol. 1, 343.

Certificate of Twenty-two Individuals_____
Admitted as Attorneys or Counsellors February 7 and 8, 1791

I certify that the Gentlemen hereafter mentioned have been severely admitted and practised in the Supreme Court of the Commonwealth of Pennsylvania as Attornies and Counsellors thereof above the term of three Years.
Witness my Hand the seventh day of february 1791.

EdwBurd ProtSupCur
Penns

...
John Todd junior. Counsellor
...[sic][58]

1791, February 8th:

Character References of John Todd, Jr.----------
Admitted as a Counsellor February 8, 1791

John Todd junr Esqr having practised for some years as Attorney and Counsellor at Law in the Court of Common Pleas in which I have presided, I can safely recommend him as being qualified, both in point of Knowledge in his profession, and moral Character, to Practise in the Supreme Court of the United States__

Edwd Shippen

Philadelphia 8th Febry 1791__

From my knowledge of the Moral and Professional Character of Mr John Todd Junr I freely join in the above Recommendation__

Alex Wilcocks

Philada 8th feby 1791__[59]

1791, February 8th: John Todd Jr.(III) is sworn into the bar

[58]Maeva Marcus and James R. Perry, editors, vol. 1, 546.

[59]Maeva Marcus and James R. Perry, editors, vol. 1, 549.

of the Supreme Court of the United States.

Signatures of Counsellors and
Attorneys Admitted

Parchment Counsellor Role_____

A role of Counsellors sworn in the Supreme Court of the united States.

I.....do solemly swear that I will demean myself as a Counsellor of this Court uprightly and according to Law; and that I will support the constitution of the united States.

...
43. John Todd Junr 8th feby. 1791
...[sic][60]

1791, February 8th:

Certificate of Sixteen Individuals----------
Admitted as Attorneys or Counsellors February 8, 1791

...
afd. John Todd junior__ 11[h?] January 1787
...

I Edward Burd Esquire Prothonotary of the Supreme Court of the State of Pennsylvania do Certify that the forgoing Gentlemen were severally admitted a[s] Attornies in the same Court agreeably [to?] the da[tes?] affixed to their several and respective names [an]d a[lso?] took the Oaths or Affirmations prescribed by Law

In Witness whereof I have hereto set[my?] hand
SEAL and affixed the Seal of the same [S]upreme Court at Philadelphia this Eighth day of February in the year of our Lord MDCCXCI.

Edw:Burd ProtSupCur[61]

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[60]Maeva and James R. Perry, editors, **The Documentary History of the Supreme Court of the United States**, vol. 1, (New York: Columbia University Press, 1985), 539.

[61]Maeva and James R. Perry, editors, vol. 1, 547.

1791, February 23rd: in the **Gazette of the United States**, Philadelphia, PA (and in the New York, NY **Daily Advertiser**, February 26, 1791):

Names of the Counsellors and Attorneys of the Supreme Court of the United States, admitted and sworn at Phliadelphia, Feb. 1791.

COUNSELLORS.

...John Todd,jun...Esquires of **Pennsylvania.**
...[sic][62]

1791, March Court Term:
John Todd Jr.(III) tried 39 cases.[63]

1791, June Court Term:
John Todd Jr.(III) tried 51 cases.[64]

1791, August Term of the United States Supreme Court:

John Todd Jr Esqr. having been proposed as aforesaid for admission as a Counsellor of this Court, he is affirmed according to their Order and is admitted to practice accordingly.[65]

1792: Excommunicated by Meeting: **(William) Temple Payne**, at the Pine Street Meeting, for enlistment in the U.S. Navy.[66]

1792, February 29th: b. **(John) Payne Todd**, at Philadelphia,

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[62]Maeva Marcus and James R. Perry, editors, vol. 1, 719.

[63]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 313-325.

[64]Jennifer A. Mall, editor, **Continuance Docket of John Todd Jr.**, 327-344.

[65]Maeva Marcus and James R. Perry, editors, vol. 1, 190.

[66]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

PA, only surviving son of Dolley Payne Todd Madison & John Todd Jr.(III).[67]

1792, October 24th: d. **John Payne Sr.**, age 52, following long depression after 1789 bankruptcy, at Philadelphia, PA.

About this time, **Mary (Molly) Payne** begins to take in boarders. Eventually, these boarders included **Senator Ralph Izard (SC)**. **Senator Aaron Burr (NY)** did not board at Molly Payne's house.

1792, November 12th: **John Todd Jr. (III)** purchases home at 4th & Walnut Streets.

see chain of title Nov. 23, 1791

Residents of the Todd House include: Dolley & John Todd Jr. (III), Dolley & John's son, (John) Payne Todd, Dolley's younger sisters, Anna Payne & Lucy Payne, and John's hunting dog, Pointer.

1793, July 25th:
"At a Preparative Meeting held on the 25th day of 7 mo. 1793"

"John Todd, junior by giving way to a vindic=tive Spirit has violated our peaceable Testimony in giving challenge to fight a duel with a person with whom he differed: On being treated by the Overseers he acknowledged the Fact & its inconsistency with our religious Profeccion, but has not been reconciled to the Party whom he differed nor appears so sensible of his gross misconduct as the nature of it requires James Pemberton, Owen Jones, Isaac Lane & David Bacon are desired to treat him there on."[sic][68]

1793, August: m. **Lucy Payne Washington** (15 years old) & **George Steptoe Washington** (President George Washington's 18 year old nephew), eloped, (sister and Brother-in-law of Dolley Payne Todd Madison.

The couples moved to Harewood Estate, Berkeley County, VA (now Harrison County, WV).

Excommunicated by Meeting: **Lucy Payne Washington**,

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[67]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[68]The Philadelphia Friends Monthly Meeting Minutes 1789-1795, The Philadelphia Friends Yearly Meeting, (Department of Records: 302 Arch St., Philadelphia, PA), E 12, p. 213.

Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

at the Pine Street Meeting, for marriage outside unity (MOU).[69]

1793, August: b. **William Temple Todd**, at Fourth & Walnut Sts., Philadelphia, PA, son Dolley Payne Todd Madison & John Todd Jr.(III).

1793, August 30th:

"30th day 8 mo. 1793"

"Two of the Committee appointed to treat with John Todd jnr.. reported a Conference had with him & appearing desirous of taking a further opportunity in Company with the other two Friends under the same appointment who were prevented by indisposition they are recommended to attend thereto---"[sic][70]

1793, September 19th:

[letter from Isaac Heston to his brother, Abraham Heston]

Dear Brother,

You can not imagin the situation of this City. How deplorable it continues to be more and more depopulated both by the removel of its Inhabittants into the Country, and by the distructive Fever which now prevails. They are a Dieing on right hand and on our Left. we have it aposet to us, in fact, all around us. great are the number that are called to the grave, and numbered with the silent Dead. last third Day there were buried in Potter's field 26. in the Dutch Calvinists ground 22 and in the Friends. that is in three Burial ground: onely 55, it is said there were that Day upwards of one hundred some say one hundred thirty odd. but true it is there were upwards of one hundred. those who at first appeared to be stout harted, are now moveing out of the City. there is now Scarcely any body to be seen in many parts of the town. and those who are seen are principally French and Negroes. amongst whom it dose not seem to be so prevalent. especially among these negroes, indeed I don't know what the people would do if it was not for the Negroes, as they are the principal nurses. Doct. Rush has had it, but has recovered. Doct. Morrises Widdow is Dead with it. Richd. Wells, Cashier of the Bank, in

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[69]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[70]The Philadelphia Friends Monthly Meeting Minutes 1789-1795, E 12, p. 211.

whose house she Died, is now ill of it said to be daingerous. Widdow Morris was lead from the grave of her husband to her fathers Door (Benedic Dorseys.) when he shut it, and would not admit her in. Richard Wells then says, as one Door was shut god would open another, and immediately took her to his own house. --- here let me paus for a moment, and quit a relation, which ought to caus a tear to fall from the Eys of every humin being. of what service is religion I would ask. When a Father is so forgetfull of his Duty to a child as to shut her out, when there could be no fear but for him self. all his family having gone out. at the thought of this, my Blood is made to run Cold. and I am causd to disavou every outward show of religion, as onely a cloak to cover the heart of a viper. At this time of general Calamity, when ever one must be roused to a sence of their Dainger to Continue firm and is no easy matter you may well be asured there is hardly a smile to be seen in the Continance of any person walking the streets. those who are not removed are afraid to see any boddy even their nearest Friends and keep themselves close confined in their houses. and this City never wore so gloomy an aspect before. they have it in new york these days, Paper says, they have it in Derby. I came through it yesterday. and the Doctors are now differing about the Disorder, and the methods of Cureing. some of the presses are stopt (your paper has not come in) so that the public mind by every circumstance together, is almost distracted; not onely here but all around. the government of New York and meriland, have published their proclimations, in joining the strictest serch of ever person that arrives from Philadelphia. Poletics, that run so high lately, are now all laid aside. and almost every one who have property is making their wills, not knowing how soon it be their turn to be Summoned to the bar of justice, and obliged to leave all behind. to se the hurst go by, is now so common, that we hardly take notice of it. in fine we live in the midst of Death. as we may stand in the Door and see the dead Bodies carried out. Yet we have confidence and trust in our fate. Those who live and not se what I se, perhaps may think this account Exagerated; but if they were here and saw what may be seen, though now they may put on a chearfull Countinence, would then, when they saw Death's shafts flying on all sides, evin to the next door, with all their boasted courage and disbeleif would find their hearts to fail them. and wish to escape. But through all the Dainger, thanks be to God, we have yet been preserved, but how long it may continue so, It is imposable to say for this hour may be well, and next find ourselves past recovery. I had no Expectations when I begun this letter, to have made it so lengthey, but

being; led on from one thought to another, it seams almost imposable to stop. when humanity calls my attention, when I se the Metropolis of the United States depopulated, it is too distressing and afecting a sean for a person so young in Life to bear without moralizeing and causing those Serious reflections, which will be as a human balm to a human and Tender heart.[sic]

I believe the disorder has abated since the Cold weather, but there are a grate number still Dying --- the Sheriffs now comes in and says, there has now a [illegible word] been buried out of the ally he lives in. which runs from 2 stree to front, has ben unwell and all his children are sick. I had like to have forgot to tel you, that 17 have been buried our of Pair Street. Mr. Cark, one of the Clarkes in the bank took it and could not get any body to nurs him. when his brother, younger brother, went, he took it and they both Died, but while the 2 was sick, the 3 came and took it, while the 2 was Dying the father came to se the 3 and took it and, they are all dead, this is the Father & 3 Sons gone to their everlasting houses, in a short time.

September 19: 1793 Isaac Heston[sic][71]

1793, September 26th: Philadelphia County Common Pleas Court Copy of Letter, from Edward Heston to John Todd Jr.(III):

Respected Friend September 26th 1793

I have received your favour of this day which has been an inexpresable satisfaction to a father whose distress & anxiety for the safety of a promising son is great but in the midst of such a great calimatus misfortin I am consold to think that every Exertion will be used for his recovery, for which I am thankfull & for which I shall bear your favour and that of the Nurs in

the most great full remembrance. give my respects to the

[71]letter, Isaac Heston to his brother Abraham. Blockley Township, Philadelphia County. (September 19,1792).

doctor Logen & tell him I hope he will do whatever is in his power for Isaac's recovery, whatever is wnted that I can furnish only let me no.

John Todd Yours &c Ed. Heston[sic][72]

1793, September 27th:
"27th Day of the 9th Mo. 1793"

"The cases of Isaac Milner & John Todd junr are again referred."[sic][73]

1793, September 29th: d. **Isaac Heston**, age 23, of Yellow Fever, at the Todd House, Fourth & Walnut Sts., Philadelphia, PA, (John Todd Jr.(III)'s legal apprentice).

1793, October 2nd: d. **John Todd Sr.(II)**, of Yellow Fever, at Philadelphia, PA, (father of John Todd Jr.(III).[74]

1793, October 3rd:
[letter, John Todd Jr. to his younger brother James Todd]

Philada October 3d 1793

Dr Brother

It is with a heart filled with grief I take my pen to communicate the sorrowful and afflicting news of the decease of our dear Father. He died last night evening a little before five o clock and was followed to the Grave between 9 & 10 o clock. A few of our Neighbors and Friends attended him to the Grave to pay their last sad respects to a worthy man and our dear father whose loss I sincerely moan in which I am sure must be a heavy Participator - I have often had to say Friendship [illegible word] but a Name and have the sentiment sorrowfully realized in the conduct of Samuel Bettle who

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[72]**James Madison & Wife &c vs Edward Heston**, Common Pleas Court of Philadelphia, Richard Peters Judge of the Pennsylania District of the United states presiding, (March 9, 1796), DHW Q 6/28/66.

[73]The Philadelphia Friends Monthly Meeting Minutes 1789-1795, E 12, p. 213.

[74]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

refused to pay their last sad office of accompanying him to his Grave - Our dear Mother sincerely moans the loss she has sustained and is deeply affected. Peggy is ill - poor Nurse is ill - I am resigned to my fate and have experienced a Sentiment in Holy Writ to be proper for me at this time. be still and know that I am God - Vain is the Help of Man - my heart is too full, to write much - May God preserve your.

Adieu yr affect brother
John Todd Jr.

If you have an opportunity to see Dolley comfort her and let her have what she stands in need of - I can't come to see her yet & can get no opportunity.

JT

I have been much distressed and had to attend to Isaac who died at my House & my dear father too. Do my dear brother visit Dolley & tell her John yet remains well & deliver the enclosed letters to her.

J[sic][75]

1793, October 12th: d. **Mary Derborow Todd**, age 63, Yellow Fever, at Philadelphia, PA, mother of John todd Jr.(III).[76]

1793, October:
***NOTE:** This letter was received by Dolley in 1844, that dealt with events of October 1793.

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[75]letter, "John Todd Jr. to his younger brother James Todd, October 3, 1793." (Parson Todd Collection, Morristown NJ).

[76]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[letter to Mrs Madison from Eliza Brock]

Forest Lake
February the 21
1844

Mrs. Madison

Madam, its a long time ago in the autumn of the memorable year of seventeen hundred and ninety three I was at the time a poor servant girl in the family of Moses Levy, a Lawyer, nearly half way between third and fourth streets in Chestnut Street, the House stood - opposite lived Mr. Tench Francis and next door lived at that time a gentleman and Lawyer also, by the name of Todd, the house was a small one and stood a little more out.

I was left alone by the family, except the black servants three in number one a little black girl, She ran every where, one day while I was at the Pump before the door of Mr. Francis, this little girl ran out and told me that the gentle man in that small House wanted to see me, with my Pitcher of water in my hand as she said he was verry sick and alone I went in and did all I could for the poor man he asked me to fetch him some frute from the store of the coloured man Kept at that time, I got it he was very gratefull I went over several times and did all I could. He often repeated to me, my wife will reward you for this poor man he did not suffer long, he was just dead, when my father found his way into the pestilential City and took myself and a Brother who was an apprentice to a trade in the same street...[sic][77]

1793, October 24th: d. **John Todd Jr.(III)**, age 30 years, of Yellow Fever, at Fourth & Walnut Streets, Philadelphia, PA, (first husband of Dolley Payne Todd Madison).[78]

d. **William Temple Todd**, age less than 2 months of unknown cause, at Grey's Ferry, PA, [youngest son of Dolley Payne Todd Madison & John Todd Jr.(III)].

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[77]"letter to Mrs. Madison from Eliza Brock," **Dolley Madison Papers**, vol. III -March 7 1843 - March 30, 1844, Manuscript Division of the Library of Congress, (February 21, 1844).

[78]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

1793, c. October 28th: letter:
[Dolley Todd to James Todd at Darby]

"...I was hurt my dear Jamy that the idea of his Library should occur as a proper source for raising money - Book's from which he wished his child improved, shall remain sacred & I would feel, the pinching hand of Poverty before I disposed of them" [sic][79]

1793, November: **Mary (Molly) Coles Payne** moves to Harewood Estate, VA. **John Coles Payne, Mary (Polly) Payne** and **Mother Amy** accompany her.

1793, December 9th: Letter:

[James Todd to his cousin, William Linn]

Philada. Decr. 9. 1793.

Dear Cousin-----

Afflicted & tossed as I have been for several months past I have hardly had leisure to think of or write to the particular Friends of our Family--- Thee & Thy Family however have Seldom or been absent from my faults.--- I knew your Sincere affection for my Dear Father & Mother & their Children and I would know the Sympathy you would feel and the Share you would take in our distreSses, and had therefore determined that you Should be among the first I inform by letter of our Situation--- I recieved thine a day or so ago and it afforded me some Consolation as a Further proof of the Sincerity of your Attachment to my parents and your good wishes for the welfare of myself now their only offspring--- I hope notwithstanding the losses we have both sustained you will Still continue your attachment to Philada. and your affection for the remains of a Family so dear to us both.--- for he is assured there is none whose love and esteem I would more fondly cherish than yours--- It is true indeed that my father Mother & Brother are no more. ---Among thousands of others, they have fallen victims to the ferocious disorder of late prevailed in our distressed City--- About the 2d of Septr. last I sent my own Family with Betsy Blair into the Country about 8 miles from town.--- About two weeks afterwardI followed myselfhaving been reduced to the

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[79]"letter Dolley Todd to James Todd at Darby," **Todd Fanmily Papers**, W. Parsons Todd, Letter L.S.N.D., circa October 28, 1793.

necessity, on account of the fears of the people with whom they lived & their neighbours, of either banishing myself entirely from them and remaining in the City, or Consenting to stay entirely in the Country--- I chose the latter in consideration of the delicate situation of my Wife, --- and the intreaties of my Parents. After having been a Week in the Country I returned to town in order to induce Father & Mother to go out---My Brother was then in town 'tho his Family was out, and he had not determined whether to leave at all or not---- Our Parents did not seem intirely free to go and at any rate not to leave Johny in town, ---Some time was taken up the Yearly Meeting intervened before they could all agree to come out, and in the mean timeIsc Hastings a student of my Brother's who had staid in town particularly to attend to his Business fell sick----My brother could not leave him and my parents could not leave Johny. On the 28 Sepr the Day before my Brother's young man died on the 2d about 5. In the Eveng. I had procured a House in the Country for Mother & Father to come to and they were preparing to set out on the 5th Octr. when Mother was taken ill--- She died on the 12th and the next day my Brother came out---He was unwilling to come to the House I had prepared for his reception which was within a few Yards of the one in which my family was placed, I wished him to come there as being near to me I could be constantly with him and our Situation endearing us --the more we might have been to each other a mutual Consolation ---He chose rather to reside at some tavern near me but the Tavern keepers were afraid to take him in and he at length dtrimed to go to his Family---Fearful of himself and unwilling to endanger the health of his Family he exposed himself perhaps rather more than was prudent.--- He Slept by himself in a lower apartment of the House, and was out in the Dew both the Evening and the morning before he was taken sick--- On the 17th Oct. after having been 3 or 4 days in the Country he arose very early and went out aGunning when he came in to his Breakfast he felt chilly and was apprehensive of the prevailing fever coming on.--- he came that Morning to town abt 14 miles and went to the House where the nurse & domestics were I had left--- I did not hear of it till that night and the next day I rode in to see him---Finding him better than expected I flattered myself that it was only a Cold that he had caught. He died six days after on the 24th October.--- His youngest child aged 7 weeks which had been very waekly since its birth died on the same day in the Country--- so that our "woes indeed were not Solitary"-----We have now all returned to town that is both my Family & my Brothers---I have given you this particular details of events both because you wished to

be informed of Particulars and because reports with respect to the conduct of the Survivors of some Familys who have suffered by the Contagion have been exaggerated to their prejudice--- I shall be always glad to hear from thee & of the welfare of thy Family---- My Wife &

Betsy Blair request me to mention with best love to you all in which no one can join with more Sincerity than

Thy real Friend & affcd
Cousin

J. Todd[sic][80]

1794, January 14:

[page 1] Agreement Dolly Todd & Jas Todd respectg wearing appl of Mary Todd

[page 2]

Memorandum. It is agreed between Dolly Todd and James Todd, that the wearing apparel of Mary Todd deceased shall be valued by Debee Star & Mary brown and divided by them into three equal parts or as nearly equal as may be convenient, one of which parts or parcels they shall set aside for James Todd, and the other remaining two parts shall be for the said Dolly Todd as the proportion which her late husband would have been intituled to by law-- It being understood that this witness our hands this fourteenth Day of 1 Mo. 1794 --

Witness
Cha. Gervis [jr.?]

Dolley P. Todd

James Todd[sic][81]

1794, April 25th: **Dolley Payne Todd** leases 4th & Walnut home

[80]"Letter: from James Todd to his Cousin William Linn," (December 9, 1793), in the possession of Wm. Parsons Todd, Mossiatown, NJ.

[81]"Agreement Dolly Todd & James Todd," **Todd Family Papers**, Collection of W. Parsons Todd, Morristown, N.J., AMD 12/13/ 60.

to **Margaret Grant**[82]

Margaret Grant converts the house into a boarding home & gives lodging to Mary (Molly) Payne's former boarder **Senator Ralph Izard (SC). Senator Aaron Burr (NY)** also takes boarding there. Accompanying Burr, a recent widower, was his daughter **Theodosia Burr.**

1794, May 13th: **Dolley P. Todd Will**

"...All the residue of my Estate real and personal I give to my son John Payne Todd his heirs and his assigns forever, but if my son shall die before he shall have attained the age of twenty one years, then and immediately after his death, I give my house, lot and stables at the Corner of fourth and Walnut Streets to my Mother during her life, and after her death, I give the same to my three Sisters Lucy, Anna, and Mary: The annuity above given to my mother is cease uponxxxxxxxxxxxxxxxxxxthe death of my son under the age of twenty one."

"...I appoint my Mother, my brother in Law George S. Washington, and William W. Wilkins of the City of Philadelphia to be my executors, And Aaron Burr to be the sole Guardian of my son. And as the education of my son is to him and me the most interesting of all earth concerns, and far more important to his happiness and eminence in Life than the increase of xxxxxxxx his estate, I direct that no expense be spared to give him every advantage and improvement of which his Talents may be susceptible..."[sic][83]

Leaves out important info!
Geo. S. Washington & Executors
Wm W Wilkins
Aaron Burr – sole guardian of John Payne Todd

1794, early Summer: letter:

[William Wilkins], torn letter, addressed to Dolley P. Todd, Philadelphia

[Beginning portion of letter torn.]

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[82]Lease of Fourth and Walnut Streets Property from Dolley Payne Todd to Margaret Grant on April 25, 1794, **Letters of James and Dolley Madison in Collection of Mr. and Mrs. George B. Cutts Brookline, MA**, Microfilm by Library of Congress, Washington D.C..

[83]**Dolley Payne Todd Will**, May 13, 1794, Photostat [INHP Museum Catalogue #3744].

...having been of late to the fairer part of my Species--- my Heart had almost forgot those agitating emotions that once betrayed me into all the Excesses of Extacy and Anguish. The harmonious name of Julia calls up a thousand pleasing and tender Images before me--- permit me, my lovely friend, to indulge this dilation of Heart and scribble to thee with the friendship of a Brother.

Time Absence and Reason have destroyed that Violence of Attachment which made me appear unamiable in thy Eyes and must have injured me in thy Esteem. I wish I could obliterate some of my epistles and some of my actions---- or that I could impart to thee an Idea of Distraction that occasioned them. Both are impossible --- and I must be content to resign the greatest part of that tenderness which Julia once felt for me and which it would now be my greatest Happiness to merit and possess.

[torn section of letter beginning the second page]:

...tachment --the malignment of friends of [torn]y [jea?]lousy had to forsake my Bosom forever. A mild and gentle Affection united me to thee. I wish to press thy Hand and whisper softly that I was now indeed thy Brother and worthy of a Portion of thy regard. --- I was born to be a Lover. Julia. I can remember that I loved warmly before I knew that there were two Sexes. But I believe my Career of passion is now over and that Adelaide all blooming and enchanting as she was will never have a Successor. She still inspires a gentle flutter of Spirits --a sensation of extra-ordinary pleasure and sometimes a Sentiment of delicious Tenderness when I am happy enough to be near her. I do not call this Love ---nor can I call it Friendship. It is a golden mean. --an union of Soul that would be the source of angelic Enjoyment if it [end of second sheet]

[torn section of letter beginning this third page.]

or to Philadelphia. I study intensley hard at present and hope to secure myself by Application from the horrors of rejection. I never expect to enjoy the Honours of applause but I hope to always be [insulated?]

from the Infamy of Contempt.

I have written by this packet to [D--- or L---?] who becomes every day more charming & more like her Sister --I am my beloved friend
ever thine

[signature missing][sic][84]

1794, August 22nd: letter from William W. Wilkins to Dolley P. Todd:

Philadelphia, August 22nd, 1794

Mr. M---- n is a man whom I admire. I know his attachment to you and did not therefore content myself with taking his character from a Breath of popular applause but [--- ted] but those who Knew him intametly in private life. His
[p ---] character I have every reason to believe is good and amiable, He unites to have great Talents which have secured him public Approbation those engaging Qualities that contribute so highly to domestic Felicity. To such a Man therefore I do truly consent that my beloved Sister be united and happy....
Mr. M---- n is I am informed a man of gental tho not of large property. he has a right to expect some part but does not want the whole of your Estate. I would suggest therefore that your House and stables situate in Fourth Street be previously to your marriage conveyed to Trustees in Trust to receive the Rents Issues and profits during the minority of your Son and apply the same first to discharge the Sum of
£ 350 with the interest (being the remaining sum due of the purchase Money & and which ought to be regarded as an Incumbrance on the premises) & in the second place to the support & Education of your Son stipulating if you please that for this purpose the payment of the proceeds be made for your future husband and yourself as it is to be presumed your son will always remain under your joint

Care and Protection and in trust farther to convey the

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[84]torn letter from William Wilkins to Dolley P. Todd in Philadelphia, (early Summer 1793), Alderman Library, University of Virginia, (photostat, sent to Curator Wallace, 11/64), INHP photostat files, #32,013,(PGS Q 11/3/64).

premises to your Son in fee Simple upon his arrival to the age of twenty one years but if he should die before he attains that age to convey to yourself and your Heirs.[sic][85]

1794, September 15th: m. **Dolley Payne Todd Madison** & **Congressman James Madison**, at Harewood Estate, VA.

The couple, along with Payne and Anna, moved to Montpelier Estate, but would temporarily return to Spruce St., Phila., PA for James' last term in the U.S. House of Representatives.

Excommunicated by Meeting: **Dolley Payne Todd Madison**, for marriage outside unity (MOU).[86]

1794, November 23rd:

[Ralph Izard, Philadelphia, Novr. 23d 1794, to A. Izard (his wife):]

"....Mr. Burr was my fellow Lodger for a few days. There was a misunderstanding between him, and Mrs. Grant; & he is removed with his Daughter to the City Tavern, till he can accomodate himself better...."[sic][87]

1794, December: d. **(William) Temple Payne**, sailor U.S. Navy, age 28 years, of disease, at Norfolk, VA, (favorite brother of Dolley Payne Todd Madison).

d. **Isaac Payne**, shot at a bar by man he offended, at Norfolk, VA, (younger brother of Dolley Payne Todd Madison).

1795, January: **Representative James Madison (VA)**, his wife

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[85]"Letter to Mrs. Dolly P. Todd from W. W. Wilkins," **Dolley Payne Madison Papers**, vol: August 22, 1794 - August 23 1845, (Washington D.C.: Manuscript Services Division of the Library of Congress), (August 22, 1794).

[86]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[87]"Ralph Izard, Philadelphia, Novr. 23d 1794, to A. Izard (his wife):]," **Ralph Izard Papers**, Box 1, folder 6, item 3, South Caroliniana Library, USC (Columbia).

Dolley Payne Todd Madison, stepson **(John) Payne Todd** and step-niece **Anna Payne** live on Spruce St., in Phila., for the remainder of James Madison's last term in the U.S. Congress. When Seventh Congress is completed, James plans to permanently retire at Montpelier Estate, VA.

1795, January 27th: letter from James Madison Jr. to James Todd, Esqr., Front-street:

Philada. Jany. 27. 1795

Sir

Mr. Wilkins who had requested and had under taken to settle with you the business in which I have become interested by my marriage with the widow of your brother, being under an indisposition which prevents his attending to it, it is necessary for me to enter on the task myself. For this purpose I shall be glad of an interview with you, without delay, either at my house or yours as may be convenient to you. From the last information given me by Mr. Wilkins I conclude you have disposed of the property which was to be sold, and are otherwise prepared to favor me with an immediate settlement. You will excuse, Sir, the earnestness of my request, as the time approaches drop our leaving this city; and it is indispensable to my arrangements, as well as required by the duty which the Parent and Guardian owes to the interests to your infant nephew, that a full adjustment should be previously closed

I am Sir, with respect,
Your Obedt.
honble Servt.

J. Madison Jr---
[sic][88]

1793, November - December: Court Record

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[88]"letter, James Madison Jr. to James Todd, Esqr., Front--street, (January 27, 1795), **William Parsons Todd Collection**, Morristown, NJ.

James Madison & Wife & c
vs
Edward Heston

In the Common Pleas of Philada. County

Mary Payne on her solemn affirmation doth declare and affirm that in the month of November or December 1793 she was at the house of Mrs. Todd now Mrs. Madison when Edward Heston the above defendant came there for the purpose as this affirmant understood from the conversation which then took place and in which the sd. Edward heston was a party of fixing on the mode of making payment of the monies doe to the late Mr. Todd from the said Edward Heston on the account of the said Mr. Heston's Son. That Mrs. Todd having demanded a larger sum on account of the board of the said Mr. Heston's Son than Mr. Heston would admit of said Mr. Heston the defendant said that he had agreed with John Todd to allow him one hundred dollars a year for his son's board during his apprenticeship or while he continued with him and expressed himself perfectly willing to make payment at that rate and he at the same time requested as a favour that she Mrs. Todd would let the sum due remain until a carriage should be finished which another son of Mr Heston was then making and that she would then accept of payment by a discount or abatement in that way; and this Affirmant further saith that she was present when some payments were made by Mr. Heston the defendant on the forgoing account the amount whereof she is unable to mention, By this the Witness means that the son of Mr. Heston who made the carriage made the allowance on behalf of his Father of one hundred dollars on account of board of the son of the said Edward Heston who had been apprentice to the said John Todd which sd. allowance was made in part of the agreement already mentioned & which was made in her presence.

Cross Examination

The affirmant positively understood from the conversation of Mrs. Todd and Mr. Edward Heston that he Edward Heston had made the agreement with Mr. John Todd & this affirmant did not understand that the bargain was made between Isaac Heston and Mr. John Todd but by Edward Heston & Mr. John Todd And this affirmant doth further say that Mr. Todd received the sum of One hundred dollars by a discount as assd. in full for the

boarding of Mr. Isaac Heston but at the same time insisting that other monies were due. This affirmant can't say whether the apprentice fee the nursing and funeral expenses of Isaac Heston were mentioned at that time or not but this affirmant really believes they were. Mr. Edward Heston thought the nurse's fee was very high but that he did not make any other objection that this affirmant recollects. This affirmant cannot recollect Mr. Edward Heston's expressions but believed and understood from the conversation that then took place that Mr. Heston was to pay the funeral expences of his son. The affirmant cannot recollect whether the accounts of the funeral expences were produced at that time or not but this affirmant was present when the accounts of the funeral expences of Isaac Heston were produced to Edward Heston. The affirmant further saith that she saw two more letters from Mr. Edward Heston during the last Illness of his son to Mr. John Todd in which he requested that his said son might have every attention help and she believed physicians or words to that effect but what has become of the letters this affirmant don't know.

Subscribed & affirmed this ninth day of March 1796 before me
Richard Peters
Judge of the Pennsylvania District of the United States

Mary Payne[signed]

[third page]

Mrs. Lucy Washington being affirmed to law doth declare and say that she lived at the house of John Todd Esq. for a considerable length of time before and until the month of August 1793 this affirmant recollects the defd. Edwd. Heston bringing his son Isaac to the house of John Todd Esq. to put him as an apprentice to the said John several times before for the same purpose, but this affirmant never heard the particulars of the conversations that passed between the said John and that said Edward alto' this affirmant understood from the conversations between the said john and him the said Edward that he the said John was to be allowed the usual Fee. This affirmant can't undertake to state the particulars of the conversation that passed between the said John & Edward at that time, tho' the whole tenor of their conversations that affirmant understood that the

said Edward was to allow to him the said John the usual

fee for taking the son of him the said Edward as an apprentice. this affirmant clearly understood the same.

Cross Examination

This affirmant dont recollect that the sum of money was mentioned as the apprentice fee.

Affirmed & subscribed this 9th day of March 1796 before me Richard Peters Judge &c

Lucy Washington

[attached]

Copy of Letter

Respected Friend September 26th 1793

I have received your favour of this day which has been an inexpresable satisfaction to a father whose distress & anxiety for the safety of a promising son is great but in the midst of such a great calimatus misfortin I am consold to think that every Exertion will be used for his recovery, for which I am thankfull & for which I shall bear your favour and that of the Nurs in the most great full remembrance. give my respects to the doctor Logen & tell him I hope he will do whatever is in his power for Isaac's recovery, whatever is wnted that I can furnish only let me no.

John Todd Yours &c Ed. Heston[sic][89]

[89]**James Madison & Wife &c vs Edward Heston**, Common Pleas Court of Philadelphia, Richard Peters Judge of the Pennsylania District of the United states presiding, (March 9, 1796), DHW Q 6/28/66.

1797, January 10th:

Common Pleas December Term. 1796

Jan: 10: 1797

Madison & Wife) For Board & Instruction of defendants
) son
late Mrs. Todd.) Paines desposition
vs) Def agreed to allow 100 Doll. Pan.
For) Board.
Edd. Heston) Account

To nurses Bill	13.10
Cash pd Litchworth for Grave &c	2.5.
D Evans Coffin	7.
hand Powder	2.12.6
S. Levy Pltf. half Fee	50.
	76.7.6

26 Sept. 1793 Ed. Heston. to Jno. Todd
Thankfull For Care & offers to do
all he can

Exception to Evidence of money pd since Testators Death. the Executrix it is contested ought to bring an action for these in her own right. Isaac Heston the son was himself of age &co. Point reserved by the Court. Porter.

contends the contact was made with the son then of Age. Todd knew him & no other in the Bargain. Edward the father having nothing to do with it. Agt was 100 Doll. Pain, for Board & a fee £25 for 2 years

Abm Heston)
)
his witness) my Father had Business with Todd. I heard Bror tell Father to ask Todd whether he wanted [an] apprentice & on what terms would he take one. Some days after Brother (Isaac) went to Mr Todd by himself. He returned in the evening--& returned to Mr. Todds as soon as [he] could get ready by himself. Bror was about 21 years & 9 months old at that time In Spring of 1793. went to see

Bror at Todds. Todd told witness that he had taken Isaac Heston For learning Law & Board him for £100. to stay 2 years. i.e. 100 Doll Pan for Board & £25. Fee. as Todd explained. Todd said that he requested that Isaac board that he might be ready for business at all times. Todd said he said a great bit of Store by Isaac that no appr could be more attentive, he had him there 6 months. Some time about 1 month before the yellow Fever Bror told witness that he would in about a year owe Todd £100. If Wits: would make a Carriage, & let Todd have it,) would pay as soon as he was able. I did it on these terms. Said nothing to Mr. Todd about it. I came in on a Saturday Sept. 28 to see Bror. Jno Todd came to the Door. Todd said he had done all he could for his Bror. & would spare no costs to save his life. In the evening of the same day came in again. Todd. said it was very bad & that it was altogether his Fault For he had in contrary to advise to Relations and Friends he said he would spare no costs or pains to save him. was much affected that he had kept him in Town. Said he had rendered all the Service that a Student could do & he would be amply paid if he ever got a farthing. Jno. said that agreed with Isaac as before said, £100 for Board & Fee.

After Mrs Todd came to Town she sent an Acct & Letter to Father dated Jan. 23. 1794. only change for 1 years Board.

After rcvg Acct Father told him Mrs Todd would take Carriage if they agreed. Witness agreed with her for $300 Doll. & at same time agreed to allow $100 out for the Board. Mrs. Todd gave no other claim at that time. when the Receipt was given & the 100 Doll. allowed, Mrs Todd said she thought witness ought to allow nurses Wages--said nothing about the app. Fee or the Funl expenses. 100 Doll was the sum agreed to be allowed acct of Carriage. Mrs Todd said she would leave it to witness what to allow accordg to agreement She did not know what it was.

Bror. left no Estate. he head some money when he went to Todds. Witness dont know of any other Letter to his Father than that produced.

q
Hallewell of 10 Jan. I began the Carra 1794. (after letter which is 23d) & fetched it in 9 or 10th. May. would not have taken less than 300 Doll cash for the Carriage. Dont know of any such Carriage made for 200D. The Price agreed between Brother & him was £100. It was the 2d he ever made. 1st. was for himself.

Thos Fisher. Jno Margt Harvey nursed the Family of Todd Rect Signed by Witness. I went with nurse to Father & afterwards met Mrs Todd She said she will pay it with proviso the she should receive it back from the Father. Father said that if he was obliged to pay this the matter would be accomodated by his son who was making a Carriage.

Heston The Carriage was much liked. Way Coachmaker saw it. It broke down the next day

Nicholas Pitt Hestons The Time of Fever my Family were at Mr & I went into Town every day. Heston sent in a letter to Mr Todd gave it to Todd, who told him he had paid every attention necessary & was very sorry he had kept Hestons son contrary to his Fathers wish but as he was of so much service to him could not think of letting him go away. He has earned me a half Jo every day on Acct of little business being done by other Lawyers being but few in Town and that they had agreed to nurse each other in case of sickness & to tell his Father that nothing should be wanting on his side & that no expense should occur on his Father. He was sorry he had kept him agt his Fathers will If he died his Father would lose a good son but he [was] one of the Best young Men in Philadelphia but as the Son he was his own Master he had a right to stay if he chose. Witness carried in Fowls for sick

persons Todd said he would not receive them, nothing was wanting nor should be wanting as he had been the means of keeping him in he would pay for all & not for half of his [es]tate that he should lose his life in his Acct. after death witness saw Todd who said that he had done everything for him at his own expence.

William Rose. witness, Saw Mr Todd going toward Mr Hestons House who said I believe Isaac Heston has got the fever. I prevailed upon the young man to stay with me & I told him if he would stay & if I was sick he would nurse me.

Todds Lett. Sept: 26. 1793 to Heston. asks for Fowls gen

assurance of care do Sept. 30. do announcing the Death

Plaintiffs abandon the Cause & agree to a nonsuit.[90]

1800, October 1st: m. **Mary (Polly) Payne Jackson** & **Justice John George Jackson**, District Judge in Virginia, probably at Montpelier Estate, VA, (sister & brother-in-law of Dolley Payne Todd Madison). The couple resides in Clarksburg, VA (now WV).

1804, March 30th: m. **Anna Payne Cutts** & **Congressman Richard Cutts Sr.**, U.S. Representative from ME District in MA, at Washington D.C., ("sister-child" & brother-in-law of Dolley Payne Todd Madison).[91] When Congress is not in session, the couple resides at Cutts Island, MA (now ME).

1806: d. **James Todd**, age 40, at Philadelphia, PA, [brother

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[90]Jonathan Williams, "Notes on Lawsuit, JM and Dolley P. (Todd) Madison, vs. Edward Heston," (january 10, 1797, (original in the Bloomington, IN: Indiana University Library), this copy sent by **Madison Papers**, (Chicago, IL: University of Chicago).

[91]Bivins, 2.

of John Todd Jr.(III)].[92]

1807, October 21st or 22nd: d. **Mary (Molly) Coles Payne**, age 62, of tuberculosis (possibly contacted from her son-in-law George Steptoe Washington), at Clarksburg, VA (now WV) while visiting her daughter Mary (Polly) Payne Jackson, buried in Jackson Family Plot (along with Gen. "Stonewall" Jackson C.S.A.), Clarksburg, WV, [Mary (Molly) Coles Payne was mother of Dolley Payne Todd Madison].

1808: d. **Mary (Polly) Payne Jackson**, age 26 years, of tuberculosis (probably contacted from her mother, Mary (Molly) Coles Payne), at Clarksburg VA (now WV), (younger sister of Dolley Payne Todd Madison).[93]

d. **George Steptoe Washington**, age 35 years, of tuberculosis, at Harewood Estate, VA (now WV), (nephew of George Washington and brother-in-law of Dolley Payne Todd Madison).[94]

1812, March 29: m. **Lucy Payne Washington Todd** and **Justice Thomas Todd**, Associate Justice of the U.S. Supreme Court, (no relation to John Todd Jr.(III), (sister and brother-in-law of Dolley Payne Todd Madison).[95]

1814, May 9th: **(John) Payne Todd**, only surviving child of Dolley Payne Todd Madison, sets sail from New Castle, DE to St. Petersburg, Russia, on the ship **Neptune**, as one of Secretary of the Treasury Albert Gallatin's secretaries in a Peace Commission seeking Russia's assistance in ending the War of 1812. The six-foot tall step-son of President Madison is selected due to connections and his ability to speak French, the

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[92]Friends' Library at Swarthmore College (and **Hinshaw's Quaker Records Directory**).

[93]Bivins, 2.

[94]Bivins,1.

[95]Bivins, 1.

language of the Tsar's Court. In St. Petersburg, they are to join Minister to Russia John Quincy Adams.[96]

1814, July:
In a letter to Dolley Madison, Mrs. Albert Gallatin requested news of Payne.

> On leaving St.Petersburg, Payne and Milligan (another secretary):
>
> found the coast frozen, and after a long detention came by way of Copenhagen, and joined them [Gallatin and so forth] at Amsterdam the day before they left it [for London]...Payne...was to return...in three weeks; he set off on the 7th of May...He will have a very pleasant jaunt no doubt, and Dallas [another secretary] is expected to follow him.[97]

1814, October: George Dallas upon return from Ghent reported to the Madisons that Payne was in Paris. He was to visit Paris for three weeks, but that already had been stretched to three months. Secretary Gallatin had been urging Payne to sail home on the **John Adams** but Payne responded that he was waiting to be presented to the French Court. Gallatin is said to have even got Payne a passport sent him the following message:

> Permit me...to urge the propriety of your leaving Paris where you have remained long enough for every useful purpose...I would be very sorry that either your property should be injured or your time improperly wasted by your trip to Europe; and you must ascribe my anxiety solely to my attachment to you, your mother, and Mr. Madison.
>
> Payne is reported to have politely refused. The reason for Payne's stay was reported to be drinking and gambling. This was rumored to be response to being jilted by a Countess Olga of the Imperial Russian court whose parents are supposedly to have sent her from St. Petersburg to prevent her

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[96]Montgomery, pp. 286-288.

[97]Montgomery, p. 302.

possible marriage to an American.[98]

1814, December: m. **Clara (Clary) Wilcox Payne** and **John Coles Payne**, at VA (WV), (youngest brother of Dolley Payne Todd Madison).

1815, July:

The Peace Commissioners' ship **Neptune** returned from Ghent and landed at Havre De Grace, MD with Ministers Bayard and Crawford, as well as Payne Todd's baggage, but not Payne. Payne had sent message with that he and the other commissioners would soon sail home from England.

Payne also had Minister Crawford deliver a request to his uncle Richard Cutts for a thirty-day draft of £250. He wrote to Cutts: "It gives me extreme sorrow to impose trouble upon you and nothing but necessity induces me to do so. Your knowledge in transactions of this nature renders your assistance...very important to me and my mother."

While in Europe, Payne had spent possibly $10,000. This amount included a £1,200 loan from Baring Brothers of London arranged with the help of Gallatin, as well as $200 expense money and $800 granted by his stepfather, President Madison.[99]

1815, July or August: Secretary Gallatin arrived in New York and immediately dispatched a message to President Madison concerning his fellow traveller, J. Payne Todd:

> You will find Todd in good health; but he has spent a longer time in Europe and more money than I wished. He owes twelve hundred and eighty pounds sterling, with interest from 1st June to last., to the Barings, for which I made myself responsible, and which should be remitted as soon as convenient.

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[98]Montgomery, pp. 334-335.

[99]Montgomery, p. 352.

Soon afterward, Payne arrived at Montpelier.[100]

1817: **Madisons** retire to Montpelier estate, but with great financial problems due to crop failure, brother-in-law **Richard Cutts** bankruptcy, and **Payne's** gambling debts estimated at $40,000.

1818: **(John) Payne Todd** sells his parents' former home at 4th & Walnut Streets presumably to pay-off debts.

1819, April: b. **Anna (Annee) Payne (II)**, at VA (now WV), daughter of Clara (Clary) Wilcox Payne and John Coles Payne, (niece of Dolley Payne Todd Madison, later Dolley would adopt Annee in 1833).

1826, February 7th: d. **Thomas Todd**, age 61 years, at Frankfurt, KY, second husband of Lucy Payne Washington Todd, (brother-in-law of Dolley Payne Todd Madison).[101]

1832, August 4th: d. **Anna Payne Cutts**, age 52 years, (Dolley's "sister-child").[102]

1833: **Anna Payne (II)**, niece of Dolley Payne Todd Madison, moves to Montpelier & is eventually adopted by Dolley & James Madison.

1836, June 28th: d. **James Madison**, age 85, of natural causes, at Montpelier estate, VA, interred at Madison Family Plot, Montpelier estate, VA.

1843: **Dolley Payne Todd Madison** moves from Montpelier to Washington D.C.

1844: **Dolley Payne Todd Madison** sells Montpelier

1844: **(John) Payne Todd's** 1844-1847 journal, and several of his letters, are held by the Library of Congress, Manuscript Division (III-21-A1). INHP Records include the following description:

(This material gives detailed information J.P. Todd's diet, mentions a few sales of furnishings separately noted; Difficulty with William Madison over James Madison's estate discussed; Notes on personal health of John P. Todd and his political opinions on Current

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[100]Montgomery, p. 353.

[101]Caroline Holmes Bivins.

[102]Bivins, 2.

topics - no notes of specific reference to furnishings of the period 1971- 1794)

--AMD 8/10/60[sic][103]

1845, January 2nd:

[from **(John) Payne Todd Day Book**]

"(Security for food)...furniture bed & alarm clock"[104]

1846, February 7th:

[from **(John) Payne Todd Day Book**]

(began list)

no 1

Sketch of Rubins Maxm
Misc & Sep. of Titian
Bacchus, Diat def.
Sarfons -a bas relief
Vaie de Campo Vaccino
A looking glass w/ ornaments
A round of little room at Montpellier
2 large tumblers
2 Decanters, Pittsburg & 3 stoppers
1 cut glass preserve or sugar dish[105]

1846:

page 328, earliest **Parish Register of St. John's Church** (Episcopal), Lafayette Square, Washington D.C.:

> #693 Dolly Madison and #694 Annie Payne were Baptized WhitsunTuesday 1846 with Mrs. John Quincy acting as Sponsor. Officiating minister was the Reverend Smith Pyne, Rector.[sic][106]

1847:

For Annie Payne's Album

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[103]John Payne Todd, "Letters and Memorandum, 1844-1847," **John Payne Todd Day Book**, Library of Congress, Manuscript Division, III-21-A1, January 2, 1845.

[104]John Payne Todd, "Letters and Memorandum, 1844-1847." (January 2, 1845).

[105]John Payne Todd, "Letters and Memorandum, 1844-1847." (January 2, 1845).

[106]"letter, Mrs. Rosemary Thompson, Parish Secretary of St. John's Church, to Mrs. R.P. Bivins, of Greensboro, NC," (May 16, 1967).

75.00
7 Buchanan, James. President of the U.S. Autograph Manuscript signed, 2pp. to, Washington City, Nov. 8th 1847, accompanied by A.L.S. oblong, 8vo, addressed to Annie Payne. We quote both pieces in full.
A fine silhouette of Annie Payne with these autographs.

"My dear Miss Anne,
Shall I write you down a 'rowdey' or not? Say yes or no; for I want to copy the annexed into your album. I think this only serves to set off your character--

Yours sincerely
James Buchanan[sic][107]

1848: d. **Lucy Payne Washington Todd**, age 71, (sister of Dolley Payne Todd Madison).[108]

1848, February 3rd:
[from **John Payne Todd Day Book**]
(Sale of negro & disposal of furniture)[109]

1849, July 12th: d. **Dolley Payne Todd Madison**, age 81, of natural causes, at Octagon House, Washington D.C., interred in Washington D.C., in c. 1856?, Dolley madison was disinterred and moved to the Madison Family Plot, Montpelier estate, VA.

1849, August 14th: letter:

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[107]D.T.M. House, Annie Payne, 1847, Henkels' Catalogue #1478, (October 13, 1933), Sessler's.

[108]Caroline Hilmes Bivins, Genealogical Notes to be used in Connection with the Study of Dolley P. T. Madison."

[109]John Payne Todd, "Letters and Memorandum, 1844-1847." (January 2, 1845).

to J.P. Todd

Fred. Wm Stewart
Wash. Aug 14, 1849

Pictures of Pres. --- Price requested.[110]

1850 March 3rd: letter from **James Buchanan**, future president, to **Anna Payne**, Dolley Madison's adopted niece:

Wheatland, 3 March 1850

Dear Miss Annee,

A brief temporary absence from home has prevented me from acknowledging the receipt of your letter immediately. What a sly creature you are! How could you find it in your heart to treat me thus who has been your devoted admirer for so many years? And not to give me the least notice of the approaching event when I was at Washington. This was too bad-Still it is best to submit to destiny with a good grace; and if the fortunate man really deserves so fine a woman as you are, why I am content. May prosperity & happiness ever attend you!

It was bad enough in all conscience to announce the fact so suddenly that you were about to be married; but in the same epistle to invite me to the wedding was still worse. Nevertheless, in order to try the strength of my nerves, I intend to go, should no special reason at the time prevent. Had it been deferred but two weeks later I might have at the same time have celebrated the fifty ninth anniversary of my birth. My age alone prevented me from contending with the Doctor for the prize.

As a token of my very great regard & esteem please to accept the annexed as a bridal present & believe me to be Sincerely & faithfully your friend

James Buchanan[sic][111]

1850, April 19th: m. **Anna Payne Causten** & **Dr. James Causten Jr.**, at Washington D.C., (adopted niece & former

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[110]**Madison Papers**, Library of congress, Volume 8.

[111]Letter: James Buchanan to Annie Payne of March 3, 1850, Henkel's Catalogue, #1478, (October 13, 1933, Sessler's).

physician of Dolley Payne Todd Madison).

1851, August 8th: b. **Mary Carvalla Payne Causten**, at Washington D.C., daughter of Anna Payne (II) & Dr. James Causten Jr., (great-niece of Dolley Payne Todd Madison).[112]

1852, January 16th: d. **(John) Payne Todd**, age 60, of pneumonia, at Washington D.C., interred in Congressional Cemetery, Washington D.C., (son of Dolley Payne Todd Madison).

1852, November 9th: d. **Anna Payne Causten**, age 33, at Washington D.C., (adopted niece of Dolley Payne Todd Madison).

1873: m. **Mary Carvalla Payne Causten** to **John Baker Kunkel (I)**, (grand-niece & great-nephew-in-law of Dolley Payne Todd Madison).[113]

1876: b. **John Baker Kunkel(II)**, (son of Mary Carvalla Payne Causten Kunkel), to **John Baker Kunkel**, (great-grand-nephew of Dolley Payne Todd Madison).[114]

***later, at some point between 1876 and 1919: m. **Neva _____ Kunkel** and **John Baker Kunkel** (great-grand-niece-in-law & great-grand-nephew of Dolley Payne Todd Madison).[115] The Kunkels eventually live near Allentown, PA.

1919: d. **Mary Carvalla Payne Causten Kunkel**, age 68,

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[112]Caroline Holmes Bivens, "Genealogical Notes to be used in Connection with the Study of Dolley P. T. Madison," 1970.

[113]Caroline Holmes Bivens, "Genealogical Notes to be used in Connection with the Study of Dolley P. T. Madison," 1970.

[114]Caroline Holmes Bivens, "Genealogical Notes to be used in Connection with the Study of Dolley P. T. Madison," 1970.

[115]Caroline Holmes Bivens, "Genealogical Notes to be used in Connection with the Study of Dolley P. T. Madison," 1970.

daughter of Dolley Madison's adopted niece, Anna Payne (II), & heiress of Dolley & James Madison artifacts, (great-niece of Dolley Payne Todd Madison).[116]

1940: d. **John Baker Kunkel**, age 64, near Allentown, PA, survived by wife **Neva _____ Kunkel**, (great-grand-nephew of Dolley Payne Todd Madison).[117]

1950, October 2nd: newspaper article:

"Dolly Madison's 'Wastrel' Son Gets a Headstone at Last"
[from the Orange, VA Evening Star]

"John Payne Todd, Dolly Madison's son by her first husband, was supposed to be something of a playboy -- handsome, wealthy and popular with the girls. In his travels abroad he became known as "the prince of America."

By the time of his death in 1852, however, he seems to have alienated most of his friends and relatives, because there were only two carriages in his funeral procession and he was laid to rest in an unmarked grave in the Congressional Cemetary.

Today, however, one of John Todd's admirers, Mrs. Eleanor Fox Pearson of Guilford County, N.C., undeterred by historians' gossip, placed a marker at the grave in a simple ceremony.

With her were several acquaintances who had been fired by her enthusiasm and a young Quaker social worker to whose faith John had belonged. Rev. C. Leslie Glenn of St. John's Episcopal Church officiated the unveiling.

Mrs. Pearson doesn't think John was a really bad sort--just because he had brown eyes and hair, money in his pockets and time on his hands.

"He may have gambled a bit, and probably drank too, but that was the custom with men of good breeding," she said with an indulgent smile. All this talk about squandering President Madison's estate is a lot of nonsense, too; the slave system was going out and the plantations went with it. And his will shows how generous he really was. He freed all of his 14 slaves when he died and left them each $200."

What made Mrs. Pearson come from North Carolina to

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[116]Caroline Holmes Bivens, "Genealogical Notes to be used in Connection with the Study of Dolley P. T. Madison," 1970.

[117]Caroline Holmes Bivens, "Genealogical Notes to be used in Connection with the Study of Dolley P. T. Madison," 1970.

set up a tombstone at the grave of an almost insignificant figure in American history to whom she is not even distantly related?

Mrs. Pearson explains she is intensely interested in anyone or anything connected with Dolley Madison. In fact, she hopes to publish a biography of the First Lady with in the next two years. She has spent about five years in research. (Incidentally, she claims the name should be spelled Dolley--that's how it is on her will, tombstone and baptismal certificate.)

The fact that Mrs. Pearson was born and educated at Guilford College, Dolly Madison's birthplace, and still lives in, the vicinity accounts for much of her interest in the Madison family."[sic][118]

*** Note: Eleanor Fox Pearson would later organize the purchase of the most valuable collection of Madison artifacts. (See 1987).

1956: d. **Neva _____ Kunkel**, near Allentown, PA, heiress of Dolley & James Madison artifacts, great-granddaughter-in-law of Anna Payne, (great-grand-niece-in-law of Dolley Payne Todd Madison).[119] (See 1959 and 1987)

Charles Hafner discovers the most valuable collection of Madison artifacts in **Neva _____ Kunkel's** former home near Allentown, PA.[120]

1959: Note on artifacts passed from Anna Payne Causten, to daughter Mary Causten, to one of her children and finally to Anna Payne Causten's grandson, John Baker Kunkel, husband of Neva Kunkel. Note is from National Archives' report on the inventory of the Estate of James Causten dated September 12, 1857.

Note: "This inventory includes goods left to Annie Payne by Mrs. Madison. Miss Payne was Mrs. Madison's brother John's daughter. She is named to one half of

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[118]"Dolly Madison's 'Wastrel' Son Gets a Headstone at Last," **Evening Star:** Orange, VA, (October 2, 1950),.

[119]Caroline Holmes Bivens, "Genealogical Notes to be used in Connection with the Study of Dolley P. T. Madison," 1970.

[120]Jim Schlosser, "Serendipity His last look rescued Dolly's Slippers."

Mrs. Madison's estate. Shortly after Mrs. Madison's death she married Dr. James Causten. She died leaving one child who is heiress to this estate. The bulk of this estate was sold in Sept. 1959 to the Dolley Madison Memorial Foundation at Guilford College, NC."

1987: newspaper article:

"Serendipity His last look rescued Dolley's slippers"
[by Jim Schlosser, staff writer, **Greensboro News and Record**, Greensboro, NC]

"The tall dark stranger from Pennsylvania looked pleased with what he saw as he toured the Dolley Madison Room in the Greensboro Historical Museum the other day. The last time he had seen Dolley's slippers, her gown and the other artifacts, they were in a dreadful setting 31 years ago near Allentown, Pa.

The stench inside the house he had explored that week in 1956 was nauseating. Fifty gallon drums heaped with refuse were everywhere. One room was full of branches used to fire up a potbelly stove. A mattress in one of the two upstairs bedrooms was full of rat and mouse droppings.

"The place was such a mess with urine pots, garbage, old clothes, rolled up newspapers," Charles Hafner says.

When Neva Kunkel, the reclusive woman who lived in the house, died in 1956, a local lawyer hired Hafner, who had just dropped out of law school and was looking for a way to make a few dollars, to clean up the place.

The lawyer urged Hafner to be on guard of anything of historical value because Neva Kunkel's late husband was a great-grandson of a favored niece of James and Dolley Madison.

Thus, it was near the rodent chewed mattress that Hafner made a monumental discovery: most of the remaining worldly goods of the famous First Couple, including portraits, letters from the French hero Lafayette and an American spy in Spain, and, most important of all -- Dolley's fashionable wardrobe.

Except for what is on display in the Dolley Madison Room in Greensboro, few items survive that belonged to James and Dolley -- a dearth that is worrying bicentennial planners.

...The former Madison home -- Montpelier near

Charlottesville, Va. -- will open as a tourist attraction next Monday. But it's mostly bricks and mortar. The house contains little that belonged to the Madisons. Neither does the Madison Museum near the house.

Hafner is proud he discovered the few reminders from James and Dolley's life. Yet he admits that he nearly blew the assignment because of his own squeamishness about rodents.

One day he was in the second floor bedroom of the Kunkel house about to open a wall panel leading to a recess under the roof. He had noticed the mattress nearby with its holes and rodent droppings. Suddenly, he heard a noise from behind the panel door. Fearful ,it could be a rat, he decided to look elsewhere for history.

A few days later, when the clean-up was about complete, he brought his mother to view the house. In the same bedroom, he looked at the panel again and noticed something he had overlooked before: a brown envelope sticking out from the panel. It was dated in the 1830s and had a green seal on it.

"My eyes lit up and bells went off," Hafner says. "I said to myself 'This could be it.'"

Fearing nothing this time, he opened the panel door and found an old leather trunk. Lifting the top, he saw a flash of bright red, which turned out to be a cape of gold bullion that Dolley had received from the ruler of Tunis in Northern africa.

Hafner found some of Dolley's dainty white slippers, turban hats and gowns. There were card holders; the family Bible; a Matthew Brady photograph of Dolley and niece Ann Payne in 1848, a year before she died. There was even a fishing lure given to James by an Indian chief.

'Everything,' Hafner says, 'looked like it had just been picked off the shelf of a department store.'"

"Behind another panel, he found portraits of Dolley, as well as those of Ann Payne and her husband, Dr. James Causten.

Hafner opened the Madison's mail and began reading words written by James Buchanan and James Monroe -- whose message to Madison was coded.

Hafner removed the trunk to his home, where he labelled all the belongings. His wife tried on Dolley's Empire ball gown. It fit nicely.

The 450 artifacts were sent for safekeeping to an Allentown bank. Hafner returned to college, got his teaching certificate and began a career as a history

teacher. He retired from the Bethlehem, Pa. school system recently.

As the years passed, he thought often about the Madison collection, but it wasn't until last November that he learned from a reporter at the Allentown paper that the artifacts had been sold many years ago to a museum near Dolley Madison's birthplace in North Carolina.

A Greensboro woman, the late Eleanor Fox Pearson, who had an interest in Dolley Madison, had learned of the 1956 discovery in Pennsylvania. She formed a Greensboro organization that raised money and bought the collection in 1960 for $10,000. The items, donated to the museum by Pearson's group would fetch many times that price today.

Hafner, who serves as president of the Moravian Archives in the church's northern branch, was visiting the church's southern office in Winston-Salem last week. He drove over to Greensboro to view the items he had discovered three decades ago. He was impressed.

'The people of this community, and particularly the staff of this museum, should be extremely proud of this place,' he says, as he stood in front of his favorite artifact, the red cape. 'It's splendid. It must be one of the nicest local museums in the country.'" [sic][121]

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[121]Jim Schlosser, "Serendipity His last look rescued Dolly's slippers," Greensboro, NC: **Greensboro News and Record**, (1987).

The PAYNE Family History

mou – marriage outside unity
— marriage between
— child of.
* – excommunicated

?(m.)
b. 1797
d. soon after birth

Samuel (Sam) Washington
b. 1799
d. 1830, cholera

William (Willie) Temple Washington
b. 1800
d. ?
inherits Harewood

George Washington Jr.
b. 1806
d. 1830, cholera

James Todd
b. ?
d. ?

William Temple Todd
b.? d.? daughters: Eugenia & Millisent (m. Robert G. Macpherson)

Madisonia Todd
b. ?
d. ?

Thomas Todd
Supreme Court Justice
b. January 23, 1765
d. February 7, 1826
stroke 1814

March 29 1812 Virginia

Eilen O'Neale Cutts
b. 1811
d. 1897

1st

Rose Adele Cutts Douglass Williams
b. 1835
d. 1897

NOV. 20 1857

Stephen A. Douglass
senator from Illinois
b. April 23, 1813
d. June 3, 1861

JAN. 23 1866

Robert A. Williams
Brigadier General, U.S. Army Cavalry Adjutant General
b. 1825
d. 1901

James Madison Cutts
Treasury Dept. Comptroller
b. July 29, 1805
d. May 11, 1863

Thomas Cutts
b. December 1, 1806
d. September 2, 1838

Walter (Wat) Coles Cutts
b. August 7, 1808
d. lost at Sea

Richard Cutts Jr.
b. January 21, 1810
d. October 1815

Dolley (Dolché) Madison Cutts
very close to the Madisons, frequent correspondence with Dolley
b. July 13, 1811
d. December 13, 1838

Mary Estelle Elizabeth Cutts
many visits to Madisons
b. September 16, 1814
d. July 14, 1856

Richard Dominicus Cutts
surveyor of U.S. Pacific Coast
b. September 21, 1817
d. December 13, 1893

George Steptoe Washington
George Washington's nephew, farm manager
b. 1773
d. 1808 of TB

Summer 1793 eloped mou

Harewood, Berkley Co., Virginia

* Lucy Payne Washington Todd
b. 1778
d. ?
lived with John & Dolley until eloping

William Temple Todd
b August 1793
d. October 1793

James Madison
President, congressman, Sec. of St.
b. March 16, 1751
d. June 28, 1836

mou Sept. 15, 1794 Philadelphia, 1794–1797 Spruce St. Montpelier Washington, D.C.

(John) Payne Todd
life of debt & later drinking
b. February 29, 1792
d. January 16, 1852
buried in Congressional Cemetery

John Todd Jr.
lawyer
b. 1763
d. October 24, 1793 at home
Yellow Fever

Jan. 7, 1790 Philadelphia

* Dolley Payne Todd Madison
(Dorthea, Julia)
b. May 20, 1768
d. July 12, 1849
in Washington

* Isaac Payne
b. ?
d. December 1794
Short in Norfolk Va.

Isaac Heston
John's legal apprentice
June 1790
Sept 29, 93 – YF at Todd's
Dog – "Painter" 1785 → ?

* (William) Temple Payne
Dolley's favorite brother, U.S. Navy ensign
b. June 17, 1766
d. December 1794, illness in Norfolk, Va.

Walter Payne
1762
b. ?
disappears in 1785, permanently settled in England

"Mother Army"
Sarah Jane
servant
b. ?
d. ?
several correspondence with Dolley, with Dolley at her death

* Mary Coles Payne
(Molly Payne)
b. October 14, 1745 1783 Phila.
d. October 21, 1807 (96 (60) N.)
TB Clarksburg Va 3rd St.
servant, cook, nanny
b. ?
d. freed 1783, but stayed as wage earner
moved with Mary Coles Payne

mou 1761 Scottsburn, VA

* John Payne Sr.
businessman
b. February 9, 1740
d. October 24, 1792

* – Molly & John Sr. are admitted to meeting after John converts by 1763.

Lucy Winston Coles
Quaker, Patrick Henry's aunt
b. ?
d. between 1784 & 1794 in Philadelphia

Scottsburn VA Campbell County

William Coles
from Ireland
b. ?
d. before 1781

Anna Fleming Payne
from Scotland
b. ?
d. ?

1732 Goochland VA County

Josias Payne
from England
b. October 30, 1705
d. 1785

Anna Payne Cutts
b. November 11, 1779
lived with Dolley 1798–1804
d. August 14, 1832

mou March 30 1804 Washington D.C. & Cutts Island, Me

Richard Cutts Sr.
Congressman from Mass. (Me.)
b. June 22, 1771
d. April 7, 1845

Mary Payne Jackson
(Polly Payne)
b. 1782
d. 1808 of TB

mou Oct. 1, 1808 or at Montpelier? live in Clarksburg Va (W.Va)

John G. Jackson
District Judge in Va.
b. September 22, 1777
d. March 28, 1825 Carried still fractured Dec 3, 1807, shot Dec. 1809 in duel with Jos. Pearson, NC

July 10, 1810 Virginia

Mary Sophia Meigs Jackson
b. January 1, 1793
d. February 4, 1963
Carried in Clarksburg, WV)

John Coles Payne
mou Dec. 1847 Va (Cook)
farmer
Ward 1812 Army veteran
b. 1783
d. ?

Clara Wilcox Payne
(Clary Payne)
b. ?
d. ?

Philadelphia Payne (f.)
b. 1784
d. soon after birth

Dolley Payne
b. ?
d. ?

Lucy Payne
b. ?
d. ?

Anna Payne Causten
b. April 1819
d. November 7, 1852
adopted by Madisons 1833

Apr. 19, 1850

★ – Mary Carvallo Payne Causten
b. August 8, 1857
d. 1919

★ – Several of the last surviving Dolley & James Madison artifacts passed from Caustens to Nova Kinkle (1954) Mary Causten's granddaughter-in-law.

Dr. James Causten Jr.
b. July 1818
d. October 3 or 4, 1856

Dolley Jackson
b. 1801
d. July 14, 1806 (buried in Clarksburg, VA (now WV))

Lucy Jackson
b.
d. July 22, 1806 (buried in Clarksburg, VA (now WV))

Mary Elizabeth Payne Jackson Ahl
b. September 7, 1805
d. March 22, 1881

Jeff Hartman INHP, NPS, 1788

The TODD Family History

child of

marriage

MOU - marriage outside unity

Dolley Payne Todd — Pine St Mtg. b. 20 MAY 68 d. 12 JUL 49 — 15 SEP 94 MOU — **James Madison Jr.** congressman, President b. 16 MAR 51 d. 28 JUNE 36

7 JAN 90

John Todd Jr. (III) Attorney, b. 17 NOV 63 d. 24 OCT 93

Isaac Heston John Jr.'s clerk b. June 60 d. 29 SEPT 93

(John) Payne Todd b. 29 FEB 92 d. 16 JAN 1952

(William) Temple Todd b. AUG 93 d.

Alice Poultney Todd b. d. 24 FEB 69

26 SEP 88 13 NOV 97

Samuel Poultney Todd b. d. — 30 DEC 12 MOU — ?

Debora Todd Miles b. d. — 24 SEP 12 MOU — ?

Mary Todd Crabb b. d. — 29 JUN 10 MOU — ?

James Todd Bank Teller, later merchant b. 3 APR 66 d. 1806

John Todd b. d.

Elizabeth Blair Todd b. 1795 d. 8 JUL 1810

Debora Todd b. 7 APR 71 d. 20 OCT 72

Mary Deborow Todd New Garden, Chester Co. b. 1730 d. 12 OCT 93

27 OCT 62 26 NOV 62 9 DEC 62

John Todd Sr. (II) Schoolmaster, 103 Chestnut b. d. 20 OCT 93 Moved to Philadelphia in 1762 lived at 314 Market St. (104 High St.)

William Todd lived w/ John Todd (II), sister?

Margaret Todd b. d.

James Todd b. d.

Margaret Cain Todd b. d. <1749

6 JUN 20 20 AUG 20

James Wilson b. d.

27 JAN 59 8 MAR 59

Margaret Todd Wilson b. d.

Martha Wilson b. d.

John Wilson b. d.

Mary Wilson b. d.

Sarah Wilson b. d.

MOU 26 JUN 49 M2U

Martha Wilson Todd Catholic widow w/ children b. d.

John Todd Sr. (I) New Garden Mtg. Chester Co. b. d. JULY 1775 New London

John Morton Sr. b. d.

31 AUG 77 13 OCT 47

John Morton Jr. b. d.

James Morton b. d.

Deborah Morton b. d.

Mary Todd Morton b. d.

1 MAR 50

John Powell b. d.

Ann Todd Powell United Colonies Order of Four for burning Gen. C Lee's guards b. d.

10 JUN 73

Henry Hayes b. d.

Jane Todd Hayes b. d.

William Todd French & Indian War, Revolutionary War prisoner NOV-DEC 76, moved to North Carolina

John McKee Sr. b. d.

John McKee Jr. b. d.

Isaac McKee b. d.

Sarah Todd McKee b. d.

29 JUL 50 15 SEP 50

Deborah Todd Hutton b. d.

William Hutton Sr. b. d.

William Hutton Jr. b. d.

30 JUN 93 MOU

Elizabeth Todd Hodgson b. d.

William Hodgson b. d.