

**“I Devise and Bequeath”: Property and Inheritance among the Scottish Highlanders
in Scotch Settlement, Columbiana County, Ohio.**

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In the name of God Amen. I Alexander McIntosh of the County of Columbiana in the State of Ohio a farmer, being sick and weak in body, but of sound mind memory and understanding (blessed be to God for the same) do make and publish this my last will and testament in manner and form following, to wit. Principally and first of all I commend my immortal soul into the hands of God who gave it, and my body to the earth to be buried in a decent and Christian like manner at the discretion of my executors hereinafter named. And as to such worldly estate as it hath pleased God to bless me with in this life I give and dispose of in following manner to wit. . .¹

With these, or similar, words, thousands of people have made decisions regarding the distribution of their worldly goods and at the same time unknowingly created an amazingly rich resource for historians. This particular will was written by Alexander McIntosh who died in 1819, 11 years after he purchased land in Ohio. The exact year of his emigration is unknown, but he settled in a community of Highlanders known as Scotch Settlement, established in 1802 and located a few miles north of Wellsville in Columbiana County. The majority of these emigrants were from Strathnairn and Strathdearn, located just south of Inverness on the southeastern border of the Scottish Highlands.

McIntosh's will, along with the other 88 probate records included in the Columbiana County Probate Court Records, relays much more information than one might at first suppose.² The probate records include more than the wills: there are also records of intestate cases, letters of administration, reports of guardianships, and estate inventories and sales.³ Nevertheless, the wills are among the most useful documents as they are the most detailed and represent the wishes of the deceased. Lists of heirs in the wills are useful for reconstructing families and relationships. And of course, there is reference to land owned and bequeathed. One can also use the lists of witnesses, executors and administrators, estate appraisers, and bondsmen. These lists are helpful, not only for determining who was living in the community at a certain time, but also for gauging relationships between families and neighbors. This paper does not investigate these relationships in depth, but it does appear that, among some families, bonds forged in Scotland remained strong in the United States; but other families seemed more willing to, or perhaps were obliged to, reach out to the non-Scots in the vicinity.

The several estate inventories and sales not only include the items calculated in the value of the estate, but often who purchased which items. One can estimate their early success by the amount of bond posted when their estates went into probate. Alexander McIntosh and John Cattnach both died in 1812, and are the first Settlement estate records recorded by the Probate Court. McIntosh had an estate, exclusive of the land, valued at \$360.27 while the value of Cattnach's estate was \$195.62, again exclusive of the land, suggesting, that for reasons unknown at present, McIntosh was "more successful" than Cattnach.⁴

The inventories also give an idea of the material wealth and comforts acquired by these Highlanders in the New World. As one would expect, many items relate to

farming; for example livestock, tools, and harvested crops. Also listed are household furnishings: pewter plates, earthenware dishes, corner cupboards, pillows, bed ticks, quilts, chairs, and cutlery. Several items suggest pursuits other than farming: a jacket pattern, cloth, spinning wheels, spools, looms, and whiskey kegs. Several items were probably unique to the Settlement: a scotch wagon, books in Gaelic, tartan plaids, and scotch dirks. Books, as crucial to some frontier families as were plates and dishes, were another important item in the estate records and were frequently kept in the family.⁵ For example, when Alexander McIntosh died in 1819, he left his books to his son James, and in 1826 Janet Noble (widow of Alexander) kept her husband's books as part of her share of the estate. These books, mostly religious texts, were in English and Gaelic, and generally valued at less than fifty cents a piece. But some books of exceptional quality existed as in the 1820 estate inventory of Andrew Smith in which two untitled books in English were valued at \$2.25, and his Gaelic Bible was valued at \$2.00. The previous year Daniel McPherson's English Bible was valued at \$1.50.⁶ One can glean the accomplishment of some immigrants from their estate records as well.

Though these lists of goods and people provide insight into the make up of the community and the material success of its population, examinations of these wills also reveal the emigrants' attitudes towards land and family. Although no wills are identical, there are four common patterns to the dispersal of property – entail, non-partible, partible, and partible/non-partible. Entail, the method by which land is devised to all future generations and is held in trust by the current one, was common in colonial America, most notably Virginia. However, a move to abolish entail was successful by the end of the eighteenth century.⁷ Non-partible inheritance, usually seen in the form of primogeniture, was common as well and (at least in a few areas) was

used to settle intestate cases even though this practice was not permitted in Ohio. However, this did not prevent someone from willing all his property to a sole heir, to the exclusion of all others, if he so desired. Partible inheritance was when each heir received an equal or almost equal share of the estate. In partible/non-partible inheritance, the farm was kept intact by bestowing it upon a single heir and other heirs were compensated with cash or other property.⁸ Those who died intestate had their affairs settled as directed by Ohio law, which called for strict partible inheritance among direct descendants after allowing for what was due the widow by right of dower. Individuals who performed the same duties as an executor received "letters of administration". In most cases, recipients were a close male relative and the widow. If a person died unmarried or childless, the state recognized all siblings or descendants of siblings as heirs.

The mandatory inclusion of siblings (or their heirs) who had remained in Scotland could greatly delay the settling of the estate, underscoring the importance of wills to this community, especially when land was involved. The full enormity of this system was likely brought home to the community when Angus McIntosh died intestate in 1831 at the age of 40. According to state law, his heirs were his four sisters in the United States and one brother and his deceased sister's four children in Scotland. It took three years of transatlantic communication to come to terms over the estate, during which time his sisters and his mother, now approaching age 80, could not sell his land or settle his debts. Consequently, they were almost wholly dependent upon the charity of their neighbors.⁹

Scotch Settlement testators who left wills were on average 64½ years old. The average bond posted by the executors was just over \$1600 and ranged from the \$150

bond posted for the estate of Margaret Smith to \$10,000 for the estate of William McGillivary, each of whom died in 1848 (Table 1).¹⁰ Most of those who wrote wills did so shortly before death and presumably were men and women who knew that the end was near and decided to tidy their affairs. It is also possible that these same people had heirs who knew the trouble that would ensue if their parent died intestate. Those included in Probate Court records who did not leave wills had an average age of 50 and average bond posted of \$900 (Table 2). If the age of death were known for more of these individuals, the average would very likely be less. The younger age and smaller estates suggest that these were people who were not expecting to die quite so soon, and perhaps were victims of an accident or sudden illness.

Those with land to bequeath used partible/non-partible inheritance almost exclusively.¹¹ Those who did not used strict partible inheritance. The average number of heirs to each farm was 2.1 and the average number of total heirs was 5.8. In nineteen cases the owner devised land to a single heir and in fourteen cases they gave the land to two or three heirs, effectively bequeathing them a joint tenancy.¹² These multiple land heirs frequently included daughters. In all cases, heirs who did not receive land received compensation with either cash or personal property. However, the compensation was not always equal and in most cases daughters were paid less than their brothers, and unmarried daughters received more than their married sisters. Grandchildren were generally mentioned in wills only if their parent had died; the exception being when a grandson and grandfather shared the same given name.

Payments for compensation could require that the principal heir either sell or mortgage the farm so that the obligations to the remaining heirs could be met.¹³ Mitigating this problem somewhat was the fact that payments were rarely more than

\$200, and in several cases payments were to be spread out over a number of years without interest. Additionally, minor children were not to be paid until they reached their majority, and, in a few instances, no payments were to be made to them until after the death of the widow. These stipulations eased the burden on the principal heir and made a mortgage or outright sale of the land less likely.

Occasionally, children received only token bequests. Generally, these were sons who had already established themselves, presumably with the assistance of their father. For example, John McIntosh, who received only one dollar from his father (also John McIntosh, who died in 1845), had purchased land from his parents in 1832.¹⁴ Angus Noble, who received a token bequest from his father (Alexander, who died in 1826), had purchased land from his parents in 1825.¹⁵ Married daughters were also among those who received only token bequests, perhaps because they had received a dowry upon marriage.

Few individuals left their land to more than three people. In two cases, several of the heirs were still minors when their father died. In these instances the mother was left in charge of the property. It was to be sold upon her death and the proceeds divided among the children. In a third case, John McPherson left his sons separate, but adjacent, parcels of property and left a third property, located in Mercer County, to be sold with the proceeds to be divided among his three daughters.

As discussed previously, entail was not permitted in the United States. However, this did not prevent some men in the Settlement from attempting to create something similar to it. As a condition of inheritance the heirs of these men were not permitted to sell the farm, and upon their death the property was to go to a specified grandson or grandsons. In 1837, Daniel Smith left his land to his wife Margaret for her

natural life, upon her death the land went to their son Alexander for his natural life. It was only after the death of Alexander in 1853 that anyone received this land in their own right, namely Daniel's grandsons Angus and Philip.¹⁶ Hugh McBean, who died in 1842, had essentially the same provisions in his will. The land went first to his wife, then his son William, who was not permitted to sell the land as stipulations indicated that it would eventually pass to his own heirs.¹⁷

This collection of wills did not overlook women. Wills provided generously for widows in all cases over and above the right-of-dower, which was one-third of both the real and personal estate of their deceased husbands. Twelve widows, five of whom had minor children, received control of all or a portion of their husband's property for their natural life, a control which lasted an average of 14 years. Wives routinely became executors of their husbands' estate and guardian or co-guardian of any minor children. Those who did not receive control of property were generally to be provided for at a certain level determined by their sons. George Ogilvie who died in 1843, willed his wife his dwelling house, the garden before the door, and a corner of the farm. He also ordered his son William (who inherited the farm) to provide his mother in lieu of her dower, if she agreed, with \$25 per annum and the privilege of keeping one cow and six sheep with his livestock.¹⁸ While arrangements like this did make these women moderately dependent upon their sons, the specifics of the will enabled them to take legal action if the sons failed to meet their obligations. Men did leave property to their daughters, both married and single, in their own right. In 1847, Alexander Campbell left small bequests to each of his children, but left the bulk of his estate to his daughter Jean who cared for him in his old age.¹⁹

Those who died childless, without exception, left their property to blood relatives. John and Elizabeth Calder, who died without issue in 1830 and 1842 respectively, are excellent examples.²⁰ John left his property to Elizabeth for her natural life, and monetary bequests to his sister Ann, his sister Isabella and her children, and his half-sisters Ellen and Isabella. Upon Elizabeth's death the land went to the children of John's brother Alexander. Elizabeth Calder, on the other hand, left her property to her sisters and their families who had remained in Scotland and to her niece and nephew, Isabella and John McDonald.

The recognition of nephews and nieces as primary heirs became especially important as land in the Settlement became scarce in the 1840s and 1850s, as shown by the McPherson family. Andrew McPherson, who immigrated in 1802, had four sons, but only owned one farm. Andrew's brother Malcolm never married and had no children. The solution reached by this family was to establish Andrew's elder sons, Evan and Alexander, on farms of their own, which was possible in the mid to late 1820s when land was still readily available. How much help these sons received is uncertain but they received smaller cash bequests than their sisters did at their father's death. Andrew left his farm to his son Malcolm, and Malcolm left his farm to his nephew Andrew. This arrangement was probably of long-standing as the nephew Andrew, who married in 1834, was living with his uncle by 1840.²¹

These patterns, revealed by this small collection of wills, reveal the importance of land and family to this community. The inclusion of all children in the wills and the favoring of blood relatives emphasized the importance of the family, not only as seen in Scotland, but also as seen in the networks that facilitate migration. In Scotland, it was not unknown for women to take over the leases of their deceased husbands; and in

Ohio, the granting of a farm to the widow for life is simply a continuance of this practice. Provisions in the wills for widows and daughters suggest that these women were held in esteem and valued by their husbands and fathers. This is not to say that they were treated equally, but perhaps that their contributions to the success of the family farm were thus recognized.

One can view the acquisition of land in two ways. First, it could serve as a commodity that one could improve and sell in hopes of a high return. Second, land could be a patrimony that could provide identity in the community and sustenance to descendants.²² It seems clear that most of the Highland immigrants in Scotch Settlement subscribed to this latter, more traditional, view. American or Yankee farmers, who tended to see land in the former sense, frequently sold their land to their heirs before death and then retired on the proceeds.²³ This clearly did not happen in Scotch Settlement as all men, even at advanced age, still owned their farms although they may have retired from farming.²⁴ The granting of land, in most cases, to one heir indicates that the farm was sacrosanct and was meant to provide sustenance and identity to its owners. Gagan, in his review of Canadian wills that used partible/non-partible inheritance, implies that land left to two heirs indicated the division of a farm.²⁵ Conversely, in a Highland context this may not have been the case. Joint tenancy was common in the Highlands and tenants often favored it because they could then split the rent. The use of a pseudo-entail also suggests the extreme importance of the land and the desire of some Highlander men to pass on a patrimony to their descendants.

Partible inheritance of real and personal estate was common in the Scottish Lowlands.²⁶ Although the evidence is slight, it is possible that people in the Highlands used it as well. Alexander Dallas, who immigrated in 1812, signed a note

acknowledging the £100 he had received from the estate of his father William Dallas.²⁷ Alexander's eldest brother Duncan inherited the tack to the farm of Inchyettle in Cawdor parish. It is likely that William Dallas compensated his other children in some way as well. However, few average farmers in the Lowlands or the Highlands would have been able to will property to their children as they did not own it, but rented it from a superior.

In the few known cases where sons were able to follow their fathers in a farm in Strathnairn or Strathdearn, they were all the eldest sons, so they were the principal heir at least for the land. However, in Scotch Settlement the family farm did not automatically go to the eldest son. If the eldest son or sons were established before the death of their father (presumably with the father's assistance), they were not granted land in their father's will, instead it went to a younger brother or brothers. This fact suggests that, generally, the Highlanders were not interested in establishing a stem-household pattern, where most of the real property is bequeathed to a single heir. They appear to have maintained a lineal household pattern that emphasized collateral descent. One distinctive feature of clan organization in Scotland was that all branches of the family were equally important, not just that of the eldest son. Significantly, communities that emphasized lineal households over stem households were generally more successful in resisting outside influences.²⁸

Families were undoubtedly important to the immigrants' success, but this success was possible in part because parents had significant control over the family in life and this control continued after death. Most European immigrant families functioned in a corporate culture. In these households the father was the definitive head and relied almost solely on their wives and children for farm labor. While fathers

might set up elder sons on farms of their own, all other children had to wait until the death of their father for their share of the farm. These parents exerted much more control over the lives and futures of their children. This method contrasted with the “Yankee” one, where families exerted less control on their offspring; and the result of this was fluidity on the land and less control within the family unit. This created a more independent outlook on life – parents gave their children more freedom, but in return could depend upon them less.²⁹

That those in Scotch Settlement followed the corporate model is hinted at in their wills. While a man granting the farm to his widow for her natural life provided her with a home and economic security, at the same time it denied an independent living to his children. Many heirs could not inherit either land or cash until the death of their mother; in two cases this wait was 24 years. The “pseudo-entails” tied sons to the land whether they wanted to remain in the community or not; as to leave would forfeit not only their claims to the land, but also the claims of their children. At times parental control was explicitly stated in the wills. For example, Daniel Smith, who died in 1834, decreed that his wife should maintain and school their 5 children: “... providing they remain with and continue to be submissive and obedient to their dear mother my said beloved wife.”³⁰

The causes of the massive emigrations from the Scottish Highlands of the eighteenth and nineteenth century have been a matter of debate since they began. Many believe that the Highlanders left involuntarily, the victims of eviction due to economic and social reorganization. After being abandoned by their landlords, the Highlanders were left to fend for themselves either in Scotland or the New World. Essentially, many historians believe that the only reason the Highlanders looked for

land outside Scotland is that their land in Scotland – rented to be sure – was taken away from them. A counter to this argument, most notably advanced by J.M. Bumsted in *The People's Clearance*, is that Highlanders voluntarily emigrated in order to maintain their traditional culture.³¹ This work suggests that neither argument is completely valid. The evidence found in these wills, combined with evidence from their letters home – almost all of which contain references to the availability of land in Ohio – suggest that these Highlanders did leave voluntarily, but not to maintain their traditional lifestyles. Rather, they left to obtain a better way of life, which included the purchase of land.

Probate records reveal that many immigrants were able to live comfortably and adapt to the needs of their new environment. Those of Scotch Settlement may not have been wealthy, but they were able, with hard work, to obtain land and the necessities of life without fear of eviction or rent increases, as well as to maintain a distinct cultural community for several decades. These data would be largely unknown without examining wills; and they provide excellent insights, not only into family composition, but to the community created after emigration.

Decedent	Year in Probate	Date of Will	Date of Death, if known	Age at Death, if known	Bond Posted
McIntosh, Alexander	1819	10/12/1819			\$0.00
McGillivary, Isabella	1820	4/11/1820	10/24/1820	37	\$0.00
McIntosh, William	1824	2/6/1824			\$0.00
Noble, Alexander	1826	5/2/1826			\$0.00
McKenzie, James	1829	6/11/1812	2/27/1829	61	\$0.00
Calder, John	1830	10/5/1830	10/6/1830	72	\$0.00
Campbell, John	1830	3/27/1826		71	\$0.00
Calder, Alexander	1831	5/15/1828		77	\$0.00
Smith, Philip	1832	3/19/1832	3/24/1832	73	\$600.00
Calder, Ann	1833	9/30/1817	11/19/1832	64	\$200.00
Noble, Laughlin	1834	1/13/1834	2/10/1834	64	\$5,000.00
Smith, Daniel	1834	7/1/1834			\$800.00
Bailey, John	1835	10/2/1834			\$600.00
McPherson, James	1835	10/2/1834	11/30/1834	34	\$200.00
Chisholm, Alexander	1836	2/3/1835	4/13/1836	56	\$1,200.00
Smith, Daniel	1837	9/8/1837	11/5/1837	67	\$1,200.00
McLean, Helen	1838	12/8/1826			\$500.00
Noble, Elizabeth	1838	4/5/1837			\$600.00
McGillivary, Laughlin	1840	4/26/1840			\$400.00
Smith, John	1840	8/30/1832	6/29/1840		\$600.00
Rose, Hugh	1841	6/14/1839	6/11/1841	82	\$1,000.00
Calder, Elizabeth	1842	3/4/1836			\$1,400.00
McBean, Hugh	1842	5/6/1842	9/10/1842	74	\$400.00
Rose, Charles	1842	8/4/1837	6/23/1842	96	\$1,000.00
Fraser, Donald	1843	3/5/1843			\$2,000.00
Ogilvie, George	1843		8/27/1843	73	\$1,000.00
Forbes, Duncan	1844	8/23/1844	8/30/1844	70	\$0.00
McIntosh, John	1845	5/23/1843	1845	74	\$600.00
McPherson, Malcolm	1845	4/19/1845			\$1,200.00
Smith, Andrew	1845	5/14/1845	5/26/1845	56	\$400.00
McDonald, Alexander	1846	3/7/1845			\$400.00
Campbell, Alexander	1847	3/5/1841	8/9/1847	90	\$200.00
Forbes, Daniel	1848	10/24/1848	10/26/1848	48	\$2,000.00
McGillivary, William	1848	7/27/1847	11/23/1847	59	\$10,000.00
McPherson, Andrew	1848	4/15/1846			\$500.00

Decedent	Year in Probate	Date of Will	Date of Death, if known	Age at Death, if known	Bond Posted
Smith, Margaret	1848	5/16/1846	3/6/1848	75	\$150.00
Smith, Alexander	1848	2/22/1848	2/24/1848	26	\$5,000.00
Davidson, James	1849	3/9/1849			\$600.00
Smith, Laughlin	1850	6/20/1849	8/12/1854	60	\$0.00
McIntosh, Daniel	1851	6/25/1851	2/17/1851	28	\$400.00
McIntosh, James	1851	4/15/1851	6/27/1851	75	\$1,000.00
McIntosh, William	1851	8/8/1847	2/10/1851	78	\$1,200.00
McPherson, John	1851	7/26/1851	11/8/1851	70	\$4,000.00
Shaw, Farquhar	1851	9/6/1851	9/8/1851	76	\$2,000.00
McDonald, Angus	1852	4/24/1852	5/15/1852	78	\$1,200.00
Smith, Andrew	1852	2/26/1852	10/7/1852	72	\$8,000.00
Smith, Andrew, Jr.	1853	3/18/1853	3/21/1853	29	\$2,000.00

Table 1 Wills of Scotch Settlement Residents as recorded in the Columbiana County Probate Court, 1803-1853

Decedent	Year in Probate	Age at Death, if known	Date of Death, if known	Bond Posted
Cattanach, John	1812			\$0.00
McIntosh, Alexander	1812		12/10/1812	\$0.00
McBean, John	1816			\$300.00
McBean, John	1818			\$300.00
McPherson, Daniel	1819			\$500.00
Smith, Andrew	1820	26	3/20/1820	\$600.00
Noble, John	1822			\$600.00
McIntosh, Alexander	1823			\$400.00
Fraser, William	1826			\$400.00
McPherson, Evan	1827	73	6/28/1822	
McIntosh, William	1828			\$800.00
Ogilvie, John	1830	46	5/24/1830	\$5,000.00
McIntosh, Angus	1831	40		\$200.00
McBean, Laughlin	1832			\$600.00
Smith, Andrew	1833			\$600.00
McIntosh, James	1834			\$200.00
Falconer, William	1835			\$400.00

Decedent	Year in Probate	Age at Death, if known	Date of Death, if known	Bond Posted
Forbes, Alexander	1836			\$200.00
Noble, Angus	1836			\$800.00
McIntosh, Alexander	1837			\$600.00
McPherson, Charles	1837			\$1,600.00
Stewart, John	1837			\$400.00
Calder, William	1839	31	4/21/1839	\$400.00
McDonald, Alexander	1839			\$1,800.00
McIntosh, Alexander	1839	43	7/3/1839	\$800.00
Calder, Alexander	1842	49		\$500.00
McIntosh, Angus	1842	52	7/24/1842	\$200.00
McIntosh, Evan	1842	48		\$2,000.00
Davidson, David	1843	42	8/22/1843	\$400.00
Dreghorn, Mary	1843			\$1,300.00
Dreghorn, William	1843			\$200.00
McIntosh, Alexander	1843			\$200.00
McLaughlin, Margaret	1843	81	4/9/1847	\$1,200.00
Campbell, Angus	1845	54	4/25/1845	\$1,000.00
McIntosh, Andrew	1845	68	12/30/1844	
Smith, Philip	1845			\$600.00
Bailie, Ann	1846			\$1,000.00
Smith, Daniel	1848	40	12/16/1847	\$1,400.00
McLean, Andrew	1849			\$2,000.00
McGillivray, Michael	1850	71		\$700.00
McLean, Daniel	1850			\$300.00
Shaw, Alexander	1851	36	7/23/1851	\$3,000.00

Table 2 Estate Records for Scotch Settlement Residents as recorded in the Columbiana County Probate Court, 1803-1853

Notes

¹ Columbiana County Probate Court, *Estate Records, 1803-1900* (Salt Lake City: Filmed by the Genealogical Society of Utah, 1996), Microfilm, vol. 4, pp. 32-34.

² Through a search of the Columbiana County Probate Records I identified 89 Scotch Settlement residents who died between 1812 and 1853 inclusive, 47 of whom left wills and 42 of whom died intestate.

³ Columbiana County Probate Court, *Estate Records, 1803-1900*.

⁴ *Ibid.*, vol 2, pp. 19-23.

⁵ Howard H. Peckman, "Books and Reading on the Ohio Frontier," *The Mississippi Valley Historical Review* 44, no. 4 (1958): 663.

⁶ Columbiana County Probate Court, *Estate Records, 1803-1900*, vol. 4, pp. 32-34, 163-65, 73, vol. 5, pp. 330-32.

⁷ Holly Brewer, "Entailing Aristocracy in Colonial Virginia: "Ancient Feudal Restraints" and Revolutionary Reform," *The William and Mary Quarterly* 54, no. 2 (1997): 307, 09.

⁸ David P. Gagan, "The Indivisibility of Land: A Microanalysis of the System of Inheritance in Nineteenth-Century Ontario," *Journal of Economic History* 36, no. 1, *The Tasks of Economic History* (1976): 129.

⁹ Columbiana County Probate Court, *Estate Records, 1803-1900*, vol. 7, p. 232, Private Collection, McIntosh Family Letters, Margaret McIntosh and family, Scotch Settlement to John McIntosh, Midmorile, 10 March 1834.

¹⁰ Columbiana County Probate Court, *Estate Records, 1803-1900*.

¹¹ This type of property division was also the most commonly used among farmers in Peel County, Ontario between 1840 and 1900. Gagan, "The Indivisibility of Land," 129.

¹² A joint tenancy was a common form of land holding in Scotland. Generally speaking two families would share a lease to a single farm in order to share expenses.

¹³ Gagan, "The Indivisibility of Land," 133-4.

¹⁴ Columbiana County Probate Court, *Estate Records, 1803-1900*, vol. 13, pp. 332-33, Columbiana County Recorder, *Deed Records and Mortgages 1803-1881* (Salt Lake City: Filmed by the Genealogical Society of Utah, 1973), Microfilm, vol. 17, p. 224.

¹⁵ Columbiana County Probate Court, *Estate Records, 1803-1900*, vol 9, pp. 431-33, Columbiana County Recorder, *Deed Records and Mortgages 1803-1881*, vol. 9, p. 341.

¹⁶ Columbiana County Probate Court, *Estate Records, 1803-1900*, vol. 11, pp. 341-43.

¹⁷ *Ibid.*

¹⁸ *Ibid.*, vol. 11, pp. 103-04.

¹⁹ *Ibid.*, vol. 15, pp. 70-71.

²⁰ *Ibid.*, vol. 7, pp. 82-3, vol. 11, pp. 249-50.

²¹ Carol Willsey Bell, *Columbiana County, Ohio Marriages, 1800-1870: And Other Evidence of Marriages* (Youngstown, OH: Bell Books, 1990), Columbiana County Probate Court, *Estate Records, 1803-1900*, vol. 13, pp. 226-27, vol. 15, pp. 307-08, United States Census Office, *Sixth Census of the United States, 1840 : Population Schedules, Columbiana County, Ohio* (Washington, D.C.: National Archives), Microfilm.

²² Robert C. Ostergren, "Land and Family in Rural Immigrant Communities," *Annals of the Association of American Geographers* 71, no. 3 (1981): 400.

²³ Jon Gjerde, *The Minds of the West: Ethnocultural Evolution in the Rural Middle West, 1830-1917* (Chapel Hill: University of North Carolina Press, 1997), 167, 99.

²⁴ There is no evidence from the surviving deeds that any men in Scotch Settlement sold their farmsteads before their death, unless they moved away from Columbiana County.

²⁵ Gagan, "The Indivisibility of Land," 135-36.

²⁶ Ned C. Landsman, *Scotland and Its First American Colony, 1683-1765* (Princeton: Princeton University Press, 1985), 46-7.

²⁷ Private Collection, Scotch Settlement Papers.

²⁸ Gjerde, *Minds of the West*, 205.

²⁹ *Ibid.*, 170.

³⁰ Columbiana County Probate Court, *Estate Records, 1803-1900*, vol. 8, pp. 246-47.

³¹ J. M. Bumsted, *The People's Clearance: Highland Emigration to British North America, 1770-1815* (Edinburgh: Edinburgh University Press, 1982), 65, 70.

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