



A Marriage Made in Maryland: Corporal Franklin Swan of the Tenth Vermont and Miss Mary Gaster

*What happened to Corporal Swan's wife
after he was killed (as he apparently was)
at Cedar Creek on October 19, 1864?
Did she seek a widow's pension? Did
Franklin Swan's mother know about
the marriage? Did she conceal that
knowledge in order to get the pension?*

By GRANT REYNOLDS

The Tenth Vermont Infantry was recruited by the State of Vermont in the late spring of 1862, even though the War Department had shut down recruiting in April. It was satisfied then that it had all the soldiers needed to put down the Rebellion, but by June it was imploring Governor Holbrook to “send your tenth regiment!” The Tenth arrived in Washington, D.C., in September, 1862, with useless Belgian smoothbore muskets and very little military training. Within a week it was on its first long march, from Arlington, Virginia, just across the Potomac from Washington, to rural Maryland, northwest of the city. Its assignment: Take over guarding the Chesapeake & Ohio Canal from disruption by Confederates, and block the fords across the Potomac. The canal provided coal from the Maryland coal fields for

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Washington. The Potomac fords were used by Rebels, from guerilla companies to armies, to invade the North.

The Tenth was initially posted by companies along the canal from Blockhouse Point (which they called Muddy Branch) at mile 20.01 on the canal to Edwards Ferry at mile 30.84. Over the nine months they served along the canal their positions varied somewhat, going as far north as Monocacy Aqueduct at mile 42.19. Soon the regiment was camped together just below Seneca, with detachments sent out daily on picket duty at various spots along that stretch of canal.

The Seneca campsite was disastrous. Described as a hillside sloping down to a swamp, it seems to be about where the Bretton Woods Country Club soccer fields are now located on Violette's Lock Road (about mile 22.2). Here the first men died of disease.¹ Between their arrival on September 14 and their relocation in November to "the high ground east of Offut's Crossroads" (now the rise on Maryland State Road 190, east of Potomac Village), twenty-five Vermont soldiers died. This was a common pattern for Vermont regiments. Modern physicians speculate that Vermont men, largely from hill towns isolated from one another, had never developed antibodies to diseases common both in urban areas and in any large groups of people. Sanitation was poorly understood (the Roman army did it better) and germs spread like bad news. Seneca, however, remained an especially bad memory to men of the Tenth.

Since I lived in Potomac² for nearly forty years, and several men from my Vermont town of Tinmouth served in the Tenth, I've long had a particular interest in this regiment. The regiment fought no one in Potomac. Two days after it was withdrawn, though, General J. E. B. Stuart's cavalry crossed the Potomac River at Rowser's Ford, east of Seneca. One brigade, with Stuart accompanying it, marched through Offut's Crossroads (Potomac village) on their way to Rockville and, much too late, to Gettysburg.

A passage in Chaplain E. M. Haynes's *History of the Tenth Vermont Infantry*³ caught my eye some years ago.

The regiment kept a guard at Seneca Lock, Maryland. Corporal Frank Swan⁴ seemed to court the opportunity of abiding in that malarious neighborhood. He was often seen at the lock house when not on duty. He was visiting Miss Mary Gaster, a relative of the lock keeper from the interior of Maryland. They were married on June 14, 1863, by Chaplain Haynes, with friends, Col. Henry, Surgeon Child, and Captain John D. Sheldon being witnesses.⁵ Swan soon left with the regiment. His bride was sent to Washington, D.C. He was missing in action at Cedar Creek and never has been heard from since.

Years after, Mrs. Swan, his mother, applied for a pension, claiming that Frank hadn't been married, either not knowing or not thinking it made any difference if she did. It was proved, however, that she did know of it, and kept it from her agent here in Rutland, and told her attorney, Mr. George E. Lemon of Washington, D.C., that the case was all right. In 1882 a pension of \$8 a month was granted, with arrears of \$1600 from 1864. In all, she drew \$2200 before the unlawfulness of the claim was discovered. She was prosecuted and confronted by General Henry and Captain Sheldon, who saw Chaplain Haynes perform the ceremony. Mrs. Swan declares she has done nothing wrong and still believes she is entitled to the pension.

This passage raised several questions in my mind, and over the last few years I have made several attempts to answer them. The bare facts are that Franklin Swan of Pittsfield enlisted in Company C of the Tenth Vermont Infantry in August of 1862. Company C was the "Rutland Company." Most of the men came from hill towns around Rutland, including nine from my little town of Tinmouth. Company C did serve for a time at Seneca Lock, and the whole regiment was camped there in the fall of 1862. But Seneca Lock turns out to have no part in this story.

Swan fought in some of the war's fiercest battles: The Wilderness, Cold Harbor, and Petersburg, in May and June 1864. In July the Tenth held the left end of the appallingly outnumbered Union line at the Battle of the Monocacy, north of Washington. One division of the Union Sixth Corps—by now thoroughly professional infantrymen—and Maryland militia were attacked by General Jubal Early with 20,000 men. The Union soldiers managed to fight most of the day, inflicting horrendous casualties on Early's force, but eventually were outflanked and forced to flee. Regrouped, they fought Early again at the Battles of Charleston and the Opequon, with Swan surviving them all. But at Cedar Creek he came up missing and was never seen again.

So here are my questions:

- Montgomery County, and especially the rural area where the regiment was posted, was Confederate in sympathy. While the residents were usually not personally hostile to the Yankee soldiers, most of them made no secret of their loyalty to the Confederacy. Lt. Col. "Lige" White of Poolesville commanded a partisan cavalry unit immediately across the river in Loudon County, Virginia, much like the better known Lt. Col. John Singleton Mosby's unit. He always seemed well posted on the regiment's activities. So why would a local girl marry a Vermont soldier—one of the enemy?
- What happened to Corporal Swan's wife after he was killed (as he apparently was) at Cedar Creek on October 19, 1864? Did she

seek a widow's pension? Did Franklin Swan's mother know about the marriage? Did she conceal that knowledge in order to get the pension?

- Why were the officers so hard on Mrs. Mary Swan? Was she well off and didn't need the pension? Were they protecting the widow's rights? After all, they knew her.

I did some research in the Vermont, Maryland, and D.C. censuses to see what I could learn, but it was limited. Franklin Swan was born in Pittsfield, Vermont, a hill town in the central part of the state, about 1843. Pittsfield lies in a narrow valley hemmed in by two ranges of mountains. Today only the central stream valley and a brook valley or two are open land. Much of the town is in Green Mountain National Forest or private forest. In 1860, though, quite a lot of the hilly terrain had been cleared for sheep farming and was supporting farm families. The Swan farm was not doing very well at supporting the Swan family, however.

"Ebin" Swan, 54, his wife Mary, 47, and son Franklin B., 17, appear in the 1860 census of Pittsfield. Mr. Swan (his full name was Ebenezer) owned real estate worth \$1,200 and personal property valued at \$300. Franklin had no property and no occupation.

One day in November 2008, I sat at a table in the National Archives in Washington, D.C. with two fat, dusty legal-size envelopes in front of me: the pension file for Private Franklin S. Swan, applicant Mrs. Mary Swan.⁶ Pension files are generally gold mines of information about an individual's service, and what happened to them after the war.

Many soldiers turn out to have spent much of the war in and out of hospitals, though they returned to duty often enough to stay on the regiment's rolls for most of the war. An amazingly high percentage of Civil War veterans qualified for pensions under laws that varied over the years, giving differing weights to rank, age, level of disability, and service connection of their infirmities. An Old Home Day speaker in Tinmouth in 1905 named nearly all of the local soldiers who survived the war as those "who came back to us, but with wounds and broken in health." Widows received pensions, too, though under some circumstances widows seem to have been expected to show that they were poor. Parents seeking pensions had to show that they had been dependent on the deceased soldier for at least some of their support—and to need help now.

So Mary Swan had to show the professionally skeptical bureaucrats of the Pension Bureau three things to get a pension: 1) that Franklin was dead; 2) that she had relied on him for part of her support before he enlisted; and 3) that she needed support now. Although it wasn't obvious

at the outset, she also had to show that Franklin was not married when he died. If he was, his widow got the pension, not his parents.

Sometime in 1879 a “pension agent” in Rutland, David Daly, began to gather affidavits to satisfy each point.

There seemed little doubt that Franklin was one of the many unknown dead who lay on the confused battlefield at Cedar Creek when the guns fell silent. The battle started as a surprise flank attack at dawn by Confederate General Jubal Early on Sheridan’s Army of the Shenandoah. It was camped along Cedar Creek, a winding, shallow stream south of Winchester, Virginia. The surprise was tremendously effective. Most of the Union Eighth and Nineteenth Corps leapt from their tents and ran. The Tenth Vermont, however, made a series of stands, fighting all the way in retreat until the Confederate pressure eased as they reached the very much awake and organized Union Sixth Corps.

Franklin B. Swan . . . served with us until the spring of 1864 when he was detached as a sharp shooter. . . [O]n the morning of October 19, 1864, after the sharp shooters had been driven in—and the 8th and 19th Corps also—we were drawn up in line of battle, and Franklin B. Swan came to our Co. He chatted with us a few moments and started to rejoin his Command—I have never seen or heard of him again. And have no doubt he was killed in that battle, the Battle of Cedar Creek. Immediately after he left the Rebels charged and we were driven back, and only recovered the lost ground at night. Many dead had been buried, others were so blackened and disfigured as not to be recognized—He was a brave man, never shirked his duty—his absence was proof to me of his death. Heman D. Bates (signed with his mark) of Royalton, May 20, 1880.⁷

Leland J. Williams attested that “I stood ten feet from Swan at Cedar Creek and from the time a charge was made on us nothing has been heard from the said Swan since.”⁸

This satisfied the Pension Bureau. Franklin B. Swan died October 18, 1864, at Cedar Creek. Curiously, while Chaplain Haynes refers to him as “Corporal,” his military record doesn’t, nor is there any record of a transfer to the First or Second United States Sharpshooters. Both of those elite regiments were in the process of disappearing. Their three years term of service was up, and they had been steadily dissolving as a result of casualties and as men decided not to re-enlist. When the two regiments were disbanded in December, 1864, the few men remaining in them were transferred to regiments from their states. Possibly “the sharpshooters” referred to was an informal unit organized to provide the sniping and skirmishing services that were the specialty of the original U.S. Sharpshooters.

Mary Swan’s second burden was to show that she had received at least part of her support from Franklin. She claimed that her husband,

Ebenezer, was in poor health long before he died in 1864. Franklin worked on the farm as an unpaid hired hand. He also “worked out” on other people’s farms for a little cash money.⁹ When he enlisted he gave his father \$30, his enlistment bonus. He also sent his father his “extra state pay.” Vermont, unlike other states, paid its soldiers \$7 a month to supplement the low government pay of \$13 a month for an enlisted man, probably less than a farmhand’s pay at the time. However, the extra state pay wasn’t sent to the soldier. It went to his family, if he had one; if not, to the town clerk to hold for him until the war was over. Franklin directed his to Ebenezer.¹⁰

Several Pittsfield neighbors affirmed that Franklin had been substantially contributing to the support of the family, and that Mrs. Swan was left nearly destitute when her husband died on September 23, 1864, only a month before Franklin. Orvis B. Blossom attested at Pittsfield, on December 26, 1879, that “Franklin worked for me by the day and his wages went to support his parents. Their only means of support was the avails of their small farm and their son Franklin’s labor. Now Mrs. Swan is left without means of support but what she earns with her hands and is in very poor health.”¹¹

Ira Holt and William Davis of Pittsfield said that “Ebenezer was in poor health for many years. Franklin lived at home and worked out; his wages went for the support of the family. Since Franklin’s death Mrs. Swan has worked out by the week and had no other means of support. Franklin was never married to our knowledge.”¹²

The pension file contains several other 1879 affidavits of Pittsfield neighbors stating how poor the Swans were, how Mrs. Swan’s attempt to invest in another farm failed because it was worth less than the mortgage, and that Franklin had been supporting them when he went into the army.

With both her men dead, Mary had little property. The Pittsfield town clerk stated on July 26, 1879, that the Grand List (property assessment for tax purposes) “for Ebenezer Swan for 1864 was one hundred acres of land with the buildings thereon assessed at 2/3 its value at \$650. 1865: 50 acres at \$350—50 acres sold to pay debts. In 1866, 67, and 68—\$350. Since that time no list set to the estate or the widow.” He went on to explain. “The farm was mortgaged in 1862 for \$600, and the mortgage remained unpaid at his decease. The property was sold for \$1200 leaving the widow with \$600. She invested it in another farm. In the depreciation in the value of real estate and a previous mortgage upon the property purchased renders her interest in the farm worthless. There was but a small amount of personal property, not enough to pay the expense of last sickness and funeral charges.”¹³

Mrs. Swan went to work as a domestic servant. She is listed in the census of 1870 as working in the home of Jasper Pinney, a farmer with a modest farm in Sherburne (now Killington), Vermont, the next town south of Pittsfield.

The date Mrs. Swan filed for her pension is unclear, but the certificate awarding her \$8 a month was issued March 17, 1882. However, a brief note from the Department of the Treasury on December 6, 1881, states that “We have paid Mrs. Swan for bounty and pay to October 18, 1864.” This probably only meant that the Pension Bureau, in calculating what was due her, should only make a lump sum payment of back pension amounts (at \$8 a month), and not include any arrears of pay or allowances due to the soldier the day he died. They had already been paid to her, probably in 1864 or 1865.

But there was that other question: Was she aware that Franklin Swan was married? I couldn’t find a document where she swore that he wasn’t married. It is implicit in her application, though, that she was eligible—that there was no widow whose rights would supersede hers, even if the widow had remarried or was otherwise ineligible for a pension. It isn’t clear how the question came up, or exactly when. There is no outraged letter in the pension file from Chaplain Haynes, for example, though he is certainly a likely candidate for whistle blower. However, he was in Meadville, Pennsylvania, not in Vermont. Perhaps Captain Sheldon or Colonel Henry raised questions when they became aware that Mary was applying for a pension when they were asked for evidence about Swan’s marriage.

Not long after the pension was granted the Pension Bureau’s “Special Examiners” were put on the job. They were detectives stationed throughout the country to ferret out “waste, fraud, and abuse” in the pension system. There was suspicion, rumor, and sometimes proof that healthy former soldiers or their widows were milking the government for un-earned pensions. This generalized suspicion lasted virtually until the last pensioner could no longer be expected to support himself—into the 1920s!

In Vermont, Special Examiner C. R. Bowman was assigned to the case. He obtained affidavits from Captain Sheldon on September 11, 1883, and from Colonel Henry on September 12. John Sheldon was now a marble dealer in West Rutland, age 45. He stated that Franklin Swan was married at White’s Ford, Maryland, in the winter of 1862–63. He couldn’t remember the bride’s name. Col. Henry was now U.S. Marshall for Vermont. He remembered that Swan “married a girl whose father lived in the lock house at White’s Ford, Maryland.”¹⁴

Two years later Special Examiner J. F. Fitzpatrick in Baltimore, Maryland, reported that “This case was forwarded to me for the purpose of

obtaining the full name and whereabouts of soldier's widow at Whitesford, Harford County, Maryland. E. M. Haynes swears that he married the soldier at Seneca Lock. John A. Sheldon, Capt. of the Co., states that the soldier was married at White's Ford and the Col. of the regiment William H. Henry says he was married to a girl whose father was living at the Lock House at Whitesford, Maryland. I went to Whitesford, Harford County, and learned that the name was known only for the last two years."¹⁵

Did some Washington bureaucrat look at a list of post offices, find Whitesford, and send poor Fitzpatrick on an obvious wild goose chase? Surely Fitzpatrick himself would have known that the canal was nowhere near Harford County. That is in northeast Maryland, eighty to a hundred miles from the section of Montgomery County, Maryland, where the Lock Houses on the C&O Canal were being protected by the Tenth Vermont.

Local records were of no help to Fitzpatrick. In an undated letter James Anderson, Clerk of the Circuit Court, Montgomery County, Maryland, said that "No record of marriages was kept in this County before 1865; no marriage license was issued to Franklin B. Swan and Mary Gaster in 1863." Apparently there was a distinction between "licenses" to marry and "certificates" that a marriage had taken place. The license authorized the wedding and the certificate was proof that it had occurred. Franklin had not applied for either one, at least as far as the county records were concerned.

Back in Vermont, Special Examiner Bowman issued his report on September 16, 1885.

Testimony shows soldier was married and pensioner was aware of it when she applied for pension. The pension money she has obtained from the government is invested in a farm in Pittsfield, Vermont. It also appears by his own testimony that David Daly was instrumental in the procurement of this pension even after he had been made acquainted with all the facts related to the marriage of the soldier. I respectfully recommend that Mrs. Mary Swan be prosecuted with a view of recovering the money she has unlawfully obtained from the Govt.¹⁶

Only a week later, on September 21, 1885, the regional office in Pittsfield, Massachusetts, replied to Bowman. "The case is not in shape for prosecution as recommended by you. We need C. R. Haynes testimony."¹⁷ How was Examiner Fitzpatrick "aware" that Haynes had "sworn" that the wedding was at Seneca Lock, if he hadn't "testified" yet? Soon, though, Fitzpatrick traveled to Meadville, Pennsylvania, and talked with Chaplain Haynes. He reported to the Pension Bureau on November 4, 1885, that he had talked to Haynes, who had a copy of an original record that he had married Franklin and Mary.

Back in Vermont, C. R. Bowman went to see Mary Swan. He obtained a lengthy affidavit from her on October 6, 1885, in Ludlow, Vermont.

I am 72 years old. We received a letter from him after he had been in the service that he had married a girl in Maryland. I do not remember the girl's name except that her name was Mary. She wrote several letters to me and always wrote that as soon as this war was over she and Frank would come home north and live with us. Once Frank wrote he and his wife would come home when his time was out. I never knew any reason why he married her only that he loved her. He was not obliged to marry her as they never had any children and nobility would not compel him to marry her. I think they had been married about a year when he was reported missing. Never lived together and he only went back to see her once. He wrote that they gave him a furlough and he went and stayed with his wife. . . .

After the war was over some soldiers told us that Franklin's wife had a husband living when he married her and that she had gone away to live with him after Frank had left. I don't know who it was told me. I always told everyone that Frank was married and told the attorneys that Frank was married when I applied for any pension but they said it made no difference. His wife could not draw it if she had another man. We received one letter from her after Frank was reported missing and she wrote that Frank did not think anything of her because he did not come to see her. And Frank wrote he could not come to see her or come home. I don't think he left any minor children for I never heard anything about it. I have never heard a word from her since she wrote.¹⁸

The next day Orvis Blossom in Pittsfield repeated the same gossip; she had another husband and went off with him when Frank left. Some of the soldiers told Mrs. Swan that he married her to avoid "a punishment. It seems he went to see her so often that he neglected his duties and would have to be sent for frequently. To avoid being punished he married her but I do not understand how he would avoid punishment by marrying her. It is my impression it was not very long after Frank wrote home recognizing the girl as his wife that he began to write that she had gone off with another man."¹⁹

Nothing happened on the case that winter, but in March Fitzpatrick made a trip to Montgomery County, Maryland. He apparently knew a lot more about C&O Canal geography by now, and knew how to find White's Ford. Even better, he found a key to the puzzle. On March 17, 1886, he spoke with Mr. J. P. Natters, a farmer and postmaster at the tiny village of Martinsburg, not far from Poolesville. Here is Mr. Natters's affidavit:

J. P. Natters, occupation, farmer and postmaster Martinsburg, Md.
Has lived within 2½ miles of White's Ford all his life. Number of the

lock nearest White's Ford is 26. In 1863 the lock was kept by Herman Lapold. He had a housekeeper whose name he can't remember. She had a daughter 16 years old and this daughter married a soldier from Vermont. He got his license and was married by the Chaplain. They continued to live in the lock house with her mother. Her father was dead. She never had been married to deponent's knowledge. She only was here a short time when she married the soldier. This woman's name now is Harris and her husband is Peter Harris. They live in Virginia just above Georgetown, DC. Can't remember when she married Harris. He never heard she had been married before. She was, in deponent's opinion, young. Deponent at this time was running on a packet and had known the girl but a short time prior to her marriage. Can't tell where she came from. Lapold the lock keeper is dead. Can't tell how long she lived about here after the soldier went away. He lived with her as her husband up to the time he went to the front.²⁰

Here was the key to the mystery: the current name and rough address for Mary Gaster Swan, probably now Mrs. Harris. Fitzpatrick must have mounted his horse and ridden hard for Washington. The next day, March 18, he met a housekeeper in Georgetown, Mrs. Mary Harrison. (Mr. Natters didn't have the name quite right, but he was close.) Here is her account of her relationship with Franklin Swan and his family.

My name is Mary Harrison, Age 40. Occupation, housekeeper, p.o. Georgetown, DC. I married Franklin Swan, a soldier in a Vermont regiment, but can't tell the company or regiment. We were married at the lock house at White's Ford, Montgomery County, Maryland. Can't tell the date of the marriage. The Chaplain of the regiment married us. I was only 14 years old when I married Swan. I was not previously married. We got no marriage certificate. My maiden name was Mary A. Gaster and myself and mother came from Hancock, Maryland and was only at the lock house one month when we married. My mother was then a widow and was living with her uncle at the lock house. His name was Lapold. Both Lapold and her mother are dead. He the soldier only stayed with her 2 weeks when he went to Virginia with his regt and after he was gone about two or three months he came home and stayed five days. He then went away again and she saw his death in the paper. She wrote to his father and the mother and father wrote back that he was killed at the Harpers Ferry, West Virginia.²¹ She only wrote to his family once. Never saw any of his family. They know I was married to their son. Two years or so after the soldier's death I married Peter Harrison and have been living with him ever since. Our marriage occurred Oct 25, 1871. [Sic—more like seven years after Franklin's death] My certificate is mislaid. Don't know that his mother ever tried to get a pension. I never attempted to get one. After I was married to him I tried to induce him to get a certificate from the Preacher but he never did. I never lived with any man prior to her marriage to soldier and can't tell why anyone should think so. I never had any children with the soldier.²²

A little census research shows that in 1860, Peter Harrison, age 23, was the son of John Harrison, a lockkeeper in the Rockville district of Montgomery County, and his younger brother was the lockkeeper on the next lock. The census lists a whole group of young men living together in the house next to the younger lockkeeper, with no occupation listed. I suspect they were the crew that helped keep the two locks operational 24 hours a day. Most likely they were at “Six Locks” near Great Falls, in the Rockville District, since there are no locks close together above there in Montgomery County. In 1870, Peter Harrison, age 34, was a common laborer living by himself in a house in Georgetown, D.C. In 1880, Peter Harrison, age 46, carpenter, with a wife Mary, 33, a son Peter, age 4, and his mother-in-law Ann Gaster were living in the “Washington District” of Alexandria, Virginia. That was probably the term for the 27 square miles that Virginia originally ceded to the Federal government as part of the District of Columbia. It was returned to Virginia in 1847 and later became Arlington County. A farm in the very hilly northern part of Arlington County would be “above Georgetown,” as Mr. Natters said. So Mary Gaster of Lock 26 finds a little marital permanence. How old was she in 1863? No doubt we’ll never know for sure. If 40 in 1886, she would have been 16 sometime in 1863; if 33 in 1880, she would have been 15. No doubt she was young, but it’s questionable that she was only 14.

On March 19, 1886 Special Examiner J. F. Fitzpatrick filed his triumphant Special Examiner’s Report.

The mother was pensioned March 1882 and it was afterwards learned the soldier left a widow surviving him. Testimony of the witnesses to the wedding led me to the widow. The only person along the line of the canal whom I could find that knew something about this matter was J. P. Natters. His and the widow’s testimony complete the chain of evidence. The mother evidently knew of the marriage but excuses herself on the ground that she heard the woman had another husband living when she married the soldier. I don’t know how that story could have been started as there appears to be no foundation for it. The woman Harrison says she was only about 14 years of age at the time of her marriage to Swan but according to her age now she was nearer 17. I doubt if the pensioner could be convicted before a Jury. It would be a hard matter to establish intent to defraud. She might have been impressed with the idea that the soldier’s marriage was illegal, but she studiously avoided giving any information to the Office about any kind of marriage. I recommend that an effort be made to get this woman to disgorge.²³

On April 21, 1886, Mr. Bowman in Vermont confronted Mary Swan with the unquestionable evidence. He learned some interesting things.

Her son-in-law Orvis Blossom drew the money for her when the pension was granted and gave her \$1600. So far as she knew that was all she was entitled to. Gave son Gus, who was sick, \$900 to pay off the mortgage on his farm. He gave her a deed to the farm, but she deeded it back to his children on condition that they would take care of Gus, his wife, and Mary. Gave Blossom \$400 and got a deed of one half of his home placed. He insisted on giving me a deed and that Gus do the same. Blossom put a mortgage of \$400 on his place for me but I refused to take it because I didn't want anything to do with mortgages. Have no accounts. Hasn't a penny in the world. "I don't even have a good dress." Paid off her employer Jefferson Baldwin's \$300 mortgage and he deeded the house to her and her daughter Emma Blossom provided he could have the use of it during his lifetime. Knew Franklin had been married in the Army but I thought I was his nearest heir. People kept urging me to make application and I did thinking I was perfectly honest. I haven't anything to make restitution about. If I had to, I couldn't. I don't think it's right. I will write the President of the United States and I will get my pension yet. They can do what they wish with me. They won't have me long.

[Bowman] "You are informed that measures will be taken at once to bring the matter to court."

[Mary] I don't care what they do. I don't believe I have got a guilty conscience. Everybody says it is a shame to stop this pension on me. Everybody thinks I ought to have something for my son. I am satisfied he was married. I told one of the lawyers about it. I supposed if the widow were dead or remarried I would be the next heir.²⁴

What happened next? Did she "disgorge"? Of course not; she had nothing to make repayment with, not even "a good dress." She seems to have been overwhelmed with generosity when, for the first time in her life, she had a large sum of money and no pressing need for it. There are no later documents in the pension file, only some handwritten notes on envelopes that may once have held documents. One says "Mrs. Swan was paid \$2274 by April 3, 1886." Chaplain Haynes said, "She was paid \$2200 before the unlawfulness of the claim was discovered." His book was published eight years later, in 1894, so he should have known the outcome. But he doesn't mention it, other than by inference. He says that she was "prosecuted and confronted" by General Henry and Captain Sheldon, but in fact they gave fairly vague affidavits to the Special Examiner. Nothing in the file shows that they had anything more to do with it.

The last handwritten note says "Sept 6, 89—2 vouchers and 2 checks returned to Secretary." Does this mean that Mary's pension continued until she died in the late summer of 1889? Why else should checks and vouchers be returned? The file, so voluminous to this point, does not say. But perhaps Chaplain Haynes's obvious annoyance with her in the

passage that opened this article resulted in no small part from his failure to have her pension stopped.

Now, as to those four questions at the beginning.

- Why would a local girl in a Confederate neighborhood marry a Union soldier?

She wasn't local; she was from Hancock, in western Maryland. That area was Union, not Confederate, in sympathy, like the rest of northern and western Maryland. She had only been at Lockhouse 26 a month when she married Swan. The local politics may never have taken hold with her.

- What happened to Corporal Swan's wife after he was killed at Cedar Creek? Did she seek a widow's pension?

We know at least something about Mary Gaster Swan Harrison's biography post-Swan, but not much about the years between Swan's departure with the Tenth Vermont and her marriage to Peter Harrison in 1871. Probably she was cleaning houses in Georgetown. She didn't seek a pension.

- Did Franklin Swan's mother know about the marriage? Did she conceal that knowledge in order to get the pension?

Mary Swan knew about Franklin's marriage. Her thinking about what it meant to her was muddled and influenced by others who hoped to benefit from a successful pension application. Did she tell "the lawyers," as she said she did? Maybe. Did they rationalize that Mary Gaster Swan was dead or remarried, hence ineligible? Perhaps. Was this a knowing fraud by Mrs. Swan or by her pension agent or lawyer? At this distance, we can't really tell who, if anyone, intentionally defrauded the Pension Bureau. We can only determine that Mrs. Swan was not legally entitled to a pension. The Pension Bureau itself, with a clear set of facts in front of it showing she was ineligible, may not have cut her off. It seems likely that they stalled on making an unpleasant decision until she died in 1889.

- Why were the Tenth Vermont officers so hard on Mrs. Mary Swan? Was she well off and didn't need a pension? Were they protecting the widow's rights? After all, they knew her.

"The officers" seem to boil down to Chaplain Haynes. The pension file doesn't show any outrage or "prosecution" by Captain Sheldon or Colonel Henry, who had only hazy memories of the incident. Haynes took the trouble to describe the incident in his book, with evident anger

and no small amount of inaccuracy. Mary Gaster probably never went near Seneca Lock! It all happened at Lockhouse 26, now called Woods Lock, almost seventeen canal miles north of Seneca. The lock is near White's Ford, where Company C of the Tenth spent much of the winter of 1863. Examiner Fitzpatrick's remark that Haynes had sworn the marriage took place, long before he physically met Haynes, may mean that Haynes had submitted a complaint to the Pension Bureau that started the investigation.

Haynes may have had no idea what happened to the widow, and most likely he knew nothing of Mrs. Swan's finances. He probably was simply annoyed at Mrs. Swan's immorality in seeking a pension that he felt she wasn't legally entitled to. But her entitlement was a near thing. Montgomery County had no record of a marriage license or a marriage certificate. Haynes was from another state; and Maryland was not in rebellion, so its laws applied. Was a marriage license essential to a valid marriage under Maryland law? Was Haynes licensed to perform a marriage in Maryland? Perhaps the marriage was never legal after all, and Mrs. Swan really was, as she said in anguish, "the next heir."

NOTES

¹ Charles Dayton, who enlisted from Middletown but was a farmhand on his uncle's farm in Tinmouth, was the first to die, on September 26, only a couple of weeks after the regiment's arrival at Seneca.

² "Potomac" is today's name of the post office at what was called Offuts Crossroads in 1862.

³ E. M. Haynes, *History of the Tenth Vermont Infantry* (Rutland, Vt.: Tuttle Company, 1894), 30–31.

⁴ Although Chaplain Haynes promotes Swan to corporal, there is no existing evidence that the Union Army did so.

⁵ Sheldon was commander of Company C, Swan's company.

⁶ Pension file for Private Franklin S. Swan, Company C, Tenth Vermont Infantry, applicant Mrs. Mary Swan. From the National Archives, Washington, D.C. Hereafter "pension file."

⁷ Affidavit of Heman D. Bates, May 20, 1880. Similar affidavit from Christopher George of Royalton, May 21, 1880, both in pension file.

⁸ Affidavit of Leland J. Williams, May 21, 1880, from pension file.

⁹ Mary Swan's Affidavit of July 26, 1879, from pension file.

¹⁰ Affidavit of John Page, State Treasurer, September 17, 1879, from pension file. Franklin's "Extra State Pay" of \$7 a month went to his parents.

¹¹ Affidavit of Orvis B. Blossom, December 26, 1879, from pension file. While there's no significant reason to doubt Blossom, it must be noted that he was Franklin's brother-in-law.

¹² Affidavit of Ira Holt and William Davis of Pittsfield, September 18, 1879, from pension file.

¹³ Affidavit of Ira Holt, Pittsfield Town Clerk, July 26, 1879, from pension file.

¹⁴ Both affidavits in pension file. Both were somewhat vague as to the details, but sure that Swan was married at White's Ford.

¹⁵ Report of Special Examiner J. F. Fitzpatrick, from pension file.

¹⁶ Report of Special Examiner C. R. Bowman, September 16, 1885, from pension file.

¹⁷ Letter from C. R. Booram, regional Pension Bureau office in Pittsfield, Mass, to C. R. Bowman, September 21, 1885.

¹⁸ Affidavit of Mary Swan, given in Ludlow on October 6, 1885, from pension file. In the 1880 census Mary is a housekeeper in the home of James Baldwin, a shoemaker.

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¹⁹ Affidavit of Orvis Blossom, October 7, 1885, in Pittsfield, from pension file. As noted above, he was Franklin's brother-in-law.

²⁰ Affidavit of J. P. Natters, Postmaster at Martinsburg, Maryland, from pension file.

²¹ She made two mistakes, probably meaningless: Ebenezer Swan died a month before Franklin did, and Franklin died at Cedar Creek, not Harper's Ferry.

²² Deposition of Mary Harrison, March 18, 1886, from pension file.

²³ J. F. Fitzpatrick, Special Examiner's Report, dated March 19, 1886, from pension file.

²⁴ Deposition of Mary Swan, given to Special Examiner C. R. Bowman April 21, 1886. Bowman included his own remarks in writing up the "deposition." From pension file.