

A Journey Through Time

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By Linda Reno
Contributing Writer

Kenelm Cheseldine, Jr. (1640-1708) was born at the manor of Braunston, Northamptonshire, England and was the second son of Rev. Kenelm Cheseldine and his wife, Grace Dryden. As a younger son, he would have had no hopes of inheriting the family property and therefore decided to seek his fortune in Maryland. His success probably exceeded his own expectations having served in several high government offices and acquiring large quantities of land through his marriage to Mary, daughter of Thomas Gerard and Susanna Snow.

Kenelm Cheseldine, Jr. and Mary Gerard had four children: Mary (1678-aft. 1711) who married first, James Hayes and second, George Forbes; Susanna (1680-1730) who married Thomas Truman Greenfield; Kenelm III (1683-1717) who married Mary Brown (widow of William Phippard); and Dryden (1687-1760) who married first, Henry Peregrine Jowles and second, John Forbes.

Kenelm Cheseldine III (1683-1718) died at the young age of 34 leaving behind three sons, all under the age of six, i.e., Kenelm Cheseldine IV, Cyrenius and Calistus. Kenelm's will dated January 24, 1717/1718 named his wife Mary as executor and his brothers-in-law, Thomas Truman Greenfield and Henry Peregrine Jowles as guardians to his minor sons. Kenelm III died in the spring of 1718 and shortly after his death the buzzards began circling. His sisters and their husbands threw Mary and her babies off of the property, claiming it as theirs, alleging that Kenelm and Mary had never been legally married. (At that time illegitimate children could not inherit).

In 1719 Mary attempted to regain the property. A number of her neighbors were summoned to testify:

John Greaves [Graves] testified that while he was constable he had gone to arrest Mary Phippard because she had recently borne an illegitimate child. Kenelm met him at the door and warned him "from taking her away at his perrill for that he would give his oath that there was not any such person as Mary Phippard," Kenelm told Graves that Mary was his wife and therefore the child was legitimate.

Sarah Turner, the midwife who had delivered the three children of Kenelm and Mary Cheseldine testified that they were man and wife because "the said Cheseldine particularly was at the birth of the second and seemed very fond of the child and (Mary)... Cheseldyne called her his wife and took care of her as such and owned the children."

Thomas Bolt [Boult] said that he had gone to the Cheseldine home and found Kenelm "walking in his Hall with one of the Children he had by (Mary) in his arms and in discourse about a certain Mr. Donaldson who had been at the house but a small time before and was angry about (Mary's)...giving the said Donaldson's child Indian bread in boiled milk...Cheseldyne said that he thought his wife knew what was best for children for

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says his own Children eat the same."

Benjamin Reeder testified that he had asked John Coode, one of Cheseldine's kinsmen, where Kenelm and Mary were married and Coode had assured him that they had been married in private. Reeder had then believed that they were, and he testified that "afterwards...Cheseldyne came with her publicly to church and helped her off and on her horse and shewed her the respect due a wife."

On December 14, 1740 Kenelm IV, now 27 years old sued to recover the property his father left to him. In his complaint he said that shortly after his father's death Greenfield and Jowles "forcibly took possession of the lands that had been devised to him; sold timber, and took all the rents and profits thereof without rendering any account whatever, or paying anything for the same; or allowing anything for the support and education of the plaintiff."

The defendants again countered saying that Kenelm IV wasn't entitled to the land because he was illegitimate; that Kenelm III and Mary had falsely provided names of a priest and several parsons who denied having solemnized a marriage between the two; and that prior to his death, Kenelm III had said "he had intended to marry her, but thanked God he had not done so, swore he never would, and turned her out of his house, with the plaintiff in her arms; and declared, about five months before his death, she was not his wife."

The case dragged on for five long years, but this time it went to a jury who found in Kenelm's favor and ordered the defendants to pay damages for the period of 1718 to 1739. In May 1748, Kenelm was awarded damages of 125,000 pounds of tobacco (a huge amount for the time).

The name of Kenelm has been carried through the Cheseldine family since before 1600 until today and I expect it will continue long beyond our lifetime. A family name that is honored and treasured—good for you!



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