

The less genealogically valuable abstracts of DENNISON wills for YorkCo for this period, follow, [below](#).

All DENNISONs in Orphans Court Index, scanned all “D”s (1749-1840)

The following abstracts cover all the DENNISON entries I found for this period. All pertained to the estate of the deceased James Dennis[t]on, and/or to its principal administrator, his son Michael, or to the estate of his widow, Margaret, who made her will and died in 1832, some 20 years after her husband.

Sources:

Index to Orphans Court Dockets, 1749-1840 {from LDS FamilySearch [film 22150](#)}

Orphans Court Dockets, 1804-1816 {from LDS FS [film 22154](#)}: Volumes 1 and 2

Orphans Court Dockets, 1816-1826 {from LDS FS [film 22155](#)}: Volume 3

These probate books, which contain whole transcribed documents, not just court dockets, are intrinsically labeled Books K-M, and I shall use these letters for citation purposes, not the later slapped on sequential volume numbers. The index entries that I found (and have copied out below), all of which concern the estate of James Dennis[t]on of YorkCo, who died about 1812, range in meaning from the misleading to the incomprehensible.

Dennis[t]on, James:

- petition for valuation {K:370-372};
- return valuation rule on heirs {K:404, 418, 432, [433], 434, [435]}
- personal estate {L:40}
- report sale real estate {L:70}
- recognizing of administrators {L:121}
- personal estate {L:153}
- rule on administrators {M:392,402}
- Mich[ael] rules on him {M:419,426}

Though I've read carefully through all of these referenced probate documents, I've extensively abstracted and analyzed only the first (the petition at Orphans Court Book K:370-372) since it contains in its list of petitioning heirs of James most of the evidence of genealogical import. First, though, I will summarize the history of James's probate insofar as it is captured in these books.

For those who like to examine the original documents, I've downloaded and improved images of all the items listed above, and compiled them into a single separate PDF for my own convenience, but it's so large and unwieldy (83mb) to be worth uploading to my website. However, a subset of this PDF, the 6mb portion of it that covers just the genealogically most important item, K:370-372 can be accessed [here](#). For those who've set up an online access account at LDS FamilySearch (where I obtained these images myself), I've provided specific links to each of the items I've referred to in the following case summary—though the FamilySearch image quality leaves something to be desired.

The Probate Records for James Dennis[t]on of York County, Pennsylvania

There is no clear record of the initial appointment of administrators of James's estate or of the bonding of the administrators—normally the first incident of probate where there is no will. Nor is there any order to inventory the estate as a whole, or an account of the sale of personal property, or indeed, any systematic accounting for the whole estate, real and personal.

Instead, all of the items found in the Orphans Court books for James's estate pertain to what is presumably the sole piece of land he died in possession of: a 103.5a tract in YorkCo, situated in Warrington Township. There are several references to the administrators throughout these papers,

though, and it appears that the chief of these was the James's eldest son (so designated in a couple of the documents) Michael, and that he was joined at different times by James's widow, Margaret, by Michael's brother-in-law Michael Pentz (the evidence for this is in the first item I'll be analyzing), and perhaps, Joseph Blackford..

The item at [L:121](#), which is largely illegible, is the closest record I can find that the administrators were bonded for the whole estate, since the small portion that can be read indicates that largish sums are involved: this item seems to be saying that Michael Denniston and Joseph Blackford have each been bonded for \$8,000—whereas other documents show that James's principal asset, his land, wasn't worth much more than \$5,000. Maybe they did things backwards in this Pennsylvania county, but the date this record of a bond was made, 15Feb1814 (the date of the court session for which it was recorded), is some 18 months after the first indication in the Orphans Court books that James's estate was in probate.

4Nov1812

Heirs of James Dennison, petition to divide or sell his land

[K:370-372](#) (LDS FamilySearch images 484-485)

The first record pertaining to the estate, at [K:370-372](#), was a petition to the court recorded on 4Nov1812 by “Michael Dennison, eldest son and one of the heirs of James Dennison, late of Warrington Township, York County, deceased”. Michael is also elsewhere referred to as “eldest son and heir at law”, implying what is also stated explicitly: that his father James had died intestate. Michael is joined in this petition by all of James's other legal heirs, who are each identified by name. Since the list of James's legal heirs thus presumably constitutes a complete inventory of the members of his conjugal family who survived him (or in one case, the named set of grandchildren fathered by his deceased son James) this document is of the first importance genealogically.

In this petition to the YorkCo Orphans Court, Michael Dennison, acting on behalf of himself and James's other heirs, petitions the court to determine the best way to secure to them their equal interest in James's tract in Warrington Township of 103.5a, adjoining the land of David Watts, Esq., Richard Alcock, and Michael Dennison [i.e. other land that Michael himself owned].

Although the petition speaks of dividing, or partitioning, the land, it also stipulates that if this can't be done without reducing its overall value, that other means of accomplishing the goal of securing the interests of each of the heirs be ordered.

In almost all such cases of many heirs inheriting a piece of property, and with most of the children married or of age, probate or equity courts would authorize the duly appointed administrator of the estate to be allowed to sell the land and divide the proceeds among the legal heirs, as long as this could be done consistent with first securing to a surviving widow her dower right of a one-third life interest in her husband's real estate.

In the common law of intestate inheritance, the first tier of a man's legal heirs would be the living members of his conjugal family, if any—his surviving wife and any surviving children, or, if one or more of the deceased children were themselves deceased but were survived by their own children, each set of grandchildren would inherit a share of their grandfather's estate equal to that due to their deceased parent.

The legal heirs listed by name in this petition can thus be presumed to be a complete inventory of James's widow and living children, plus any grandchildren that had survived their parents at the time of their grandfather's death. It can also be reasonably presumed that these lists of children as legal heirs, are in their order of birth—except that in this document, the set of James Sr's grandchildren, was

listed last, after all the other heirs, though this doesn't necessarily mean that their father, the deceased James Jr, was his father's youngest son.

The husbands of married daughters are also listed by name because in those days the husband was deemed to be the sole owner of all the family property, including any inheritances the wife might receive during marriage.

With this in mind, here is the exact language specifying James's legal heirs who joined in this petition by Michael, his oldest son ([transcribed RMM](#), with modern punctuation to help clarify some of these compound identities):

“...that the said James DENNISON left a widow named Margaret, also the petitioner [Michael DENNISON]; also the petitioner Mary DENNISON; Catharine [née DENNISON], intermarried with Michael PENTZ; William DENNISON; and Elizabeth COMFORT, intermarried with Jacob COMFORT; Margaret REESE, intermarried with John REESE; Jean DENNISON; and Martha DENNISON; also the children of James DENNISON, one of the sons of the said intestate, who died in the lifetime of his father, viz. John, Thomas, James, Joseph, Michael, and William, Margaret, and David DENNISON, all lawful issue to survive him.”

Next, on 6Jan1813 ([K:404](#)), the report of the township sheriff's proposal respecting James Dennison's 103.5a tract of land was entered into the Orphans Court records. The sheriff proposed dividing the land into two parcels, numbered 1 and 2, supposedly for the benefit of two of the heirs, though subsequent documents suggest that in effect he was carrying out the intent and purpose of the lead petitioner, James's son Michael. Subdivision 1, the eastern portion of the tract, was valued at \$4149.75, and bordered David Watt, Esq on the NE and Joshua Taylor on the south. Subdivision 2, valued at \$1087.50 covered the western portion of James's 103.5a tract and bordered George Alcock to the north, William Martin to the west, and Michael Dennison (James' son), to the south.

The court in response ordered that all the heirs be notified of this proposal and be further ordered to appear at the next court, on 16Feb1813. However, the next document, at [K:418](#), indicates that when this date came, and apparently the heirs didn't (all) show up even though the court had published a public notice to them in the local newspaper, the court further ordered that those who resided in YorkCo be personally notified and the case continued until the next session, in April.

On 5Apr1813, several documents regarding James's estate are recorded in succession. In the first, at [K:432-433](#), Michael, as his father's heir, prayed the court for authorization of a deal he had apparently made with the other heirs to acquire Subdivision 2 from them at the valuation proposed by the sheriff: \$1087.50. The court authorized this deal and specified that Michael, after allowance for expenses of \$64.95, be obligated to pay “Margaret, the widow of said intestate [James]” \$20.45, for every remaining year of her life (these payments were in effect rental payments in satisfaction of her one-third dower life interest in Subdivision 2), and to each of the eight other heirs a total of \$113.61 ($(113.61 \times 9) + 64.95 = \1087.44), two thirds of their share (\$75.74) one year hence, and the remaining third (Margaret's dower interest) after her death.

In the second document (with the same court date), at [K:433-434](#), Michael and his surety, Joseph Blackford, were bound for \$2075 to secure Michael's debt to the other heirs.

Finally, in the third, and next recorded document, at [K:434-435](#), the court took judicial notice of the fact Michael, having accepted the sheriff's valuation of both tracts, and having requested that the other, more valuable Subdivision 1 also be sold to the highest bidder, and finally, that all other of James's heirs resident in YorkCo having been notified of the present hearing but none appearing to demur, ordered that Subdivision 1 also be offered at public auction on 30Sep1813 to the highest

bidder, with a down payment of 50%, and the rest due in three equal yearly payments. James's administrators were then ordered to report on this sale at the next Orphans Court session thereafter.

With the item at [L:40](#), noted in the court session for 14Sep1813, we learn that the administrators appointed for James Denniston's estate (here the "t" in the surname appears for the first time) were Margaret Denniston, Michael Denniston, and Michael Pentz. These three rendered an account of their administration to the court, and reported that they had in their hands a balance of £142/5/2.5 (or about \$380 in the currency of the time—about \$6000 today). It evidently doesn't include any proceeds from the sale of Subdivision 1 of James's land, which was reported on 14Dec1813 at [L:70](#) by just Margaret and Michael. The sale was made on 10Dec1813 to David Sherer, who paid \$33/acre for it. Nothing in these probate records tells us what the acreage of this tract was, but there should be a corresponding deed in the YorkCo deed books.

I've already covered the next item, L:121, above. The next after that is a note in the court book for 10May1814, at [L:153-154](#), that Michael Denniston, "one of the administrators", rendered what turned out to be a final accounting of the estate, though the only thing we are told in this brief note is that he had remaining in his hands the sum of £895/16/9 (or about \$2400 in 1814 currency). Presumably this sum comprises primarily the 50% down payment from the sale of Subdivision 2, which had been valued at about \$4150 ($/2 = \2075), plus the reported balance of about \$380 left over from liquidating the movable property of the estate (livestock, tools, and household furnishings). Michael would have been obligated to distribute this in nine equal shares to himself and his eight siblings (including deceased brother James's children) or their representatives.

The remaining items for DENNISONs in the YorkCo Orphans Court records through 1850, all concern the routine docket information for a suit that Michael Denniston's surety, Joseph Blackford, filed against him years later for "wasting and mismanaging the estate" of the said deceased—"said" in the affidavit presented to the court, which isn't, however, recorded in the OC court sessions book. These records begin at [M:392](#) with this notice of the affidavit filing itself, in the session dated 7Apr1819, and continue with M:402, M:419, and M:426 on 14Sep1819, when a deposition is ordered taken in the case—after which we hear no more about the case—or about DENNISONs in general.

Since there are no households headed by a Michael DENNISON in the USCensuses for 1820 or 1830, except for Michael Deniston of PrebleCoOH who is identifiable as Michael3 (James2, James1 of YorkCoPA), chances are that Michael2 (James1) of YorkCoPA died about 1819.

Concluding comments on the probate records of James Deniston of YorkCoPA

These Orphans Court records are very incomplete. Some Pennsylvania counties preserved their loose paper records in folders or otherwise, and if any such were extant for YorkCo (at the YorkCo courthouse) they might provide further specifics on the settlement of the estate of James Denniston of YorkCo. One thing we can infer from these records is that James Denniston of YorkCo was solvent when he died, because otherwise the Orphans Courts would have been disposed to order the sale of his land to satisfy his debts, no voluntary petition by the heirs would have been required, and we would remain in the dark as to who they were.

All DENNISONs in YorkCoPA Wills Index, scanned all “D”s through 1850_____

Margaret Deniston of York Co: Will, 2Jan1832, Exor: James Lewis {2:401}
Q:401-402 (book Q was earlier, and intrinsically labeled Book 16, then Book 2)
(LDS FamilySearch [image 777](#))

7Jun1832

Will of Margaret Deniston of YorkCoPA, “being very sick and weak”.

Margaret left the few items of her personal estate and the money due her from her dower interest in her husband’s land to her two daughters Jane^[1] & Martha Deniston, in return for their “tender care, aid, and support of me during the time of my widowhood”, and names as executor her “trusty friend” James Lewis, Esq, of the borough [the town] of York.

Signed by Margaret with her mark.

Witnesses: James KERR, Mary [mark] WALLS

Proved 2Jan1832 by the witnesses, and administration granted to James Lewis

¹ Daughter Jane was “Jean” in her father, James’s, probate papers, but “Jane” is just the Anglicized form of Scottish “Jean”.