

American Lives in an Age of Privacy

H. E. McCurdy

Reviewer's Edition

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To a very close friend
who wishes to remain anonymous.

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Howard E. McCurdy
2360 43rd Ave. E. #309
Seattle, WA 98112

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Introduction:

Privacy as Personal Transformation

Not one verifiable detail. Not one thing you could check.
G. M. Ford, *Cast in Stone*, 1996.

The following stories describe life in America during the age of personal privacy—essentially the period from the beginning of the Great Migrations in the mid seventeenth century to the advent of electronic record keeping in the mid twentieth. A central feature of American life for many people during those three centuries, privacy allowed individuals to move from place to place and present themselves in refreshing ways. How could residents in the new communities verify the truth behind the stories newcomers?

Consider a person named Christian, who set out from his home village with the aim of transforming himself. Christian was not a real person. Instead, he was the central character in John Bunyan's allegory, written in 1677 and published the following year. Christian hopes to reach paradise by completing an arduous journey. Paradise awaits him, but the destination alone does not provide salvation. The act of moving and the characters he meets along the way do. The allegory contains an important supposition, one that came to dominate many societies in the centuries that followed. By leaving the region of one's birth, traveling to new places, meeting new people and seeking personal reinvention, a person might alter the circumstances into which he or she had been born. Individuals need not be confined to the conditions of their birth, their class, or their parents' occupations. They might even attempt to change the presentation of their personalities.

The urge to emigrate coincided with an epoch of improving transportation technology. Fifteenth century shipwrights designed carrack sailing ships that could withstand long ocean voyages. Sixteenth century lock builders installed miter gates that allowed better boat movement on rivers and canals. The British Parliament awarded the Longitude Prize for improved ocean navigation in 1765.

The first steam driven locomotive appeared in 1804. By 1840 voyagers could cross the Atlantic Ocean in steam powered ships. The first gasoline powered automobiles appeared between 1883 and 1885. Entrepreneurs began offering scheduled airline flights in 1914. While transportation technology accelerated, record keeping lagged. Documents that might illuminate a traveler's prior circumstances were typically incomplete, sometimes nonexistent, and commonly left behind. People in new places knew little more than what newcomers chose to tell. To the extent that any existed, records in the old abode remained inaccessible to persons far removed, except in the most unusual circumstances. In most new places, few eyewitnesses could correct a revised tale.¹

So advances in transportation technology permitted migration, while the primitive nature of information technology allowed a form of privacy. A newcomer might choose to conceal parts of his or her past history and embellish others. Small events could be inflated; past indiscretions ignored.

Conversely, those who remained behind seemed less likely to alter their circumstances in significant ways. Individuals seeking to change their situations in the regions where they were born encountered not only the limited prospects imposed by stagnant economies, but the unsettling realization that they were already well known to the people who were there. Opportunities for personal transformation remained narrow in one's own village. At home, memories were long and social distinctions well established. Not much was private.

One of the more haunting presentations of the limited prospects for localized change appeared in the sixteenth century case of Martin Guerre, a true story recorded by one of the judges who presided over the related trial in 1560. The judge published his account, providing a record for all future readers to see.

Guerre was raised in Artigat, a small French village near the Spanish border. Townspeople were familiar with his character. Accused of being a thief, he fled at the age of twenty-four, leaving behind a wife of ten years and their two-year old son. Lacking confirmation of death, the Church would not allow Martin's wife Bertrande to remarry. Guerre moved to Spain, fought as a soldier in the Spanish Army, and returned eight years later—or so it seemed.



The first part of *Pilgrim's Progress* appeared in 1678, coinciding with the efforts of individuals to change their personal characteristics by leaving the places of their birth and migrating to new locations. This illustration is from a 1679 edition.

The returned person was considerably changed. He was kinder and more compassionate than the former—a point well established in the French and American films depicting the tale. Villagers suspected him to be an impostor, someone who knew enough about the old Guerre to take his place. Rather than live alone as an abandoned wife, Bertrande welcomed the pretender as her lost husband. They lived together happily and produced two children.

After a few years, a dispute over an inheritance led to a trial. Over 150 witnesses appeared. Based on local knowledge of the two men, a court in nearby Reieux concluded that the new Martin was not the old. The court convicted the accused man of fraud and adultery and sentenced him to die.

Martin appealed. On the basis of his graciousness and eloquence he seemed about to prevail when the old Guerre suddenly reappeared. Confronted with two Martin Guerres—one nasty, the other reformed—the French appeals court confirmed the conviction of the kinder man. The pretender confessed, revealing himself to be a person named Arnaud du Tilh. He died as sentenced, by hanging, the verdict being carried out in 1560 in front of Martin Guerre’s home.²

Prior to the 1600s, few people altered the circumstances into which they were born. A small number escaped their surroundings by going to war or to sea. A few moved to larger towns, where broader opportunities prevailed. The great mass of people, however, remained at home, waiting for local improvements that rarely materialized. In one’s own village, the prospects for personal transformation remained grim.

In the centuries following Bunyan’s allegory and the Martin Guerre episode, migration increased. At first, the tendency was small. In the period between 1640 and 1790, about one out of every 600 individuals living in Europe emigrated to what would become the United States of America—not a large number, but indicative of a growing trend. In the following seventy years, from 1790 to 1860, perhaps one out of every 150 Europeans so chose to move.

In America, the land that beckoned to so many Europeans, the tendency became a hallmark. Records from the U.S. census reveal that in the year 1850 fully 23 percent of all native-born Americans lived in states other than the ones of their birth.³ Another mass migration occurred between 1910 and 1940 when nearly two million African-Americans moved out of the American south, primarily to northern cities—approximately one out of every eight African Americans residing in the south during that time. A similar exodus followed between 1940 and 1970.

Americans distinguished themselves by their propensity to move. Stories about accomplished individuals whose mobility and inventiveness led them to fame helped to create a culture extoling these developments. Benjamin Franklin was born in 1706 to a Boston soap and candle maker. The candle maker had immigrated to Boston two decades earlier from England. Benjamin was one of seventeen children; his father had sufficient funds to send the boy to only two years of formal school. A dispute with his older brother left Benjamin unable to secure employment in his preferred trade. At the age of seventeen, he fled his responsibilities as a printer’s apprentice in Boston and moved to Philadelphia to further his own career.⁴

Poverty drove Andrew Carnegie's parents to emigrate from Scotland to eastern Pennsylvania in 1848 when Andrew was twelve. His parents set him to work in a local cotton mill.⁵ In the new town, Andrew rose quickly through local industries.

Born in Ohio in 1847, Thomas Edison was raised in Michigan where he received two years of formal schooling. The last of seven children, he worked as a telegraph operator in ten different cities before commencing his successful inventing career.⁶

People moving to new destinations retained memories of their previous condition. Yet migration also provided an opportunity for personal transformation, especially when the moving was performed as a consequence of economic hardship or personal shortcomings. Parts of the past could be left behind, particularly those aspects associated with the reasons for the leaving. If one's social standing had been high, the past might be embraced, but for most, moving provided an occasion for change.

An individual could be a different person in a new place. People moved not only for reasons arising from personal misfortune, economic opportunity, or religious liberty. They moved because migration provided an opportunity to present oneself anew, to escape the village culture in which neighbors already knew the individual too well. The past from which a person might want to escape could be made to disappear. People acquired privacy by moving away from the places of their birth and misfortune. Moving created privacy.

For many, reinventions, large and small, accompanied the move. Individuals enhanced past circumstances as a means of repackaging themselves. Privacy protected it. A person might beautify ordinary beginnings, discard a past crime, or reconstruct a personal misfortune.

Few individuals made better use of this opportunity than Thomas Edison, According to one researcher, Edison and his biographers constructed fifty-four anecdotes to describe the lessons Edison learned while moving from town to town as a youthful telegraph operator.⁷ A number of the tales reconstructed the cause of Edison chronic inability to hear. Edison related a number of stories tracing his disability to cruelty and early assaults on his curiosity. In one version, a railroad conductor punched him on the ears after one of young Edison's chemistry experiments set fire to a boxcar. In another, a conductor lifted him onto a passing train by grasping his ears.⁸

The facts, to the extent that they interested anyone, were less dramatic. Edison's deafness was the probable result of a childhood bout with mastoiditis, a common nineteenth century affliction, and not a result of punitive actions related to his inventiveness.

At home, memories were long. Persons familiar with the underlying events could correct a story falsely told in one's own village. Communal embellishment required a local conspiracy, a situation not unknown but more difficult to execute.

In 1998, the American historian Richard White examined the practice of reconstruction in a book titled *Remembering Ahanagran*. The text examines the stories that White's mother told about her upbringing in rural Ireland. Ahanagran is an Irish townland near the village of Ballylongford close to the river Shannon in western Ireland, where White's mother lived before coming to America.

White's mother, named Sarah Walsh at her birth, told a story about men with guns beating her own mother Margaret in their cottage kitchen as young Sarah stood by. The men were English. They beat Margaret in an effort to force her to reveal the hiding place of a member of the Irish Republican Army (IRA). The children cried. Margaret refused to name the location. The men left and found the patriot at Doctor's Cross and killed him anyway.

White's mother employed the story as a means of explaining who she was rather than the exact circumstances of her youth. Employing the tools of a professional historian, White investigated the story. What he discovered did not surprise him. The stories his mother told were not entirely true. "History is the enemy of memory," he confessed. "Only careless historians confuse memory and history."⁹

White reconstructed the underlying events. Eddie Carmody, a member of the IRA, was indeed killed by his pursuers. His assailants were lower-class English mercenaries known as Black and Tans, recruited to assist the local Irish constabulary, and most probably drunk. They assaulted and killed Carmody on his way home from a game of cards in November of 1921. The kitchen invasion did not precede the assassination, it followed. After the killing, villagers sought to restrain the Black and Tans. The latter responded by burning Ballylongford and looting nearby homes. The looting took place three months after the killing of Eddie Carmody and likely provided the inspiration for the story that White's mother told. Moreover, his mother Sarah could not have recalled the incident herself, since she was only fourteen months old when it occurred.

For White's mother, the story provided an opportunity to transmit essential elements of Irish culture—the crushing poverty, the desire for independence, and the antipathy toward England. As with much of Irish lore, the particular facts and dates were not important. Without extensive research, they were not ascertainable—certainly not at the time of their telling. White characterized the stories not as factual histories, but memories that floated on “the seas of the past,” a means of communicating the substance of one's personality in dramatic ways.¹⁰ The process recalls the medieval practice of performing morality plays, in which characters act out situations that are not meant to be true but are designed to impart a lesson. In that respect, the private facts hidden behind public embellishments remain less important than the messages they contained.

Opportunities for embellishment in new surroundings led to a succession of colorful misrepresentations, especially in the American west. The potential for factual misrepresentation broadened considerably with the distance from one's hometown and old acquaintances. Out west, with the exception of the displaced native Americans, nearly everyone was new.

The situation encouraged tall tales, lying contests, fascinating characters, and the “log cabin” movement of the early nineteenth century. While a number of notable politicians of that era had been born in log cabins, including presidents Abraham Lincoln and James Buchanan, others adopted the claim symbolically. William Henry Harrison successfully employed the tactic in the 1840 presidential campaign, defeating incumbent Martin Van Buren. Harrison was a tidewater aristocrat from upper-class Virginia, born at the sumptuous Berkeley Plantation on the James River. A military campaign resulted in his transplantation to the Ohio Valley and his presentation as a rustic pioneer. When opposition Democrats accused him of preferring to sit in a log cabin sipping hard cider, Harrison adopted the device as a campaign symbol. Campaign supporters pulled log cabins and cider barrels in elaborate torchlight parades as a way of associating Harrison with the common man.¹¹

The tendencies toward misrepresentation inspired Mark Twain's famous comment on the challenges of recollection with an aging mind. “When I was younger,” he said, “I could remember anything, whether it happened or not.” Such stories blended “fact and falsehood...with such perfect art,” announced the narrator of *The Virginian*, Owen Wister's classic 1902 novel of western lore, after hearing one such tale.¹²

Colorful characters with a talent for generating unsubstantiated stories enlarged their fame. Martha Jane Canary or, as she was commonly known, Calamity Jane, wrote that she received her nickname after saving the life of an Army captain in a battle with Native Americans. "I name you Calamity Jane, the heroine of the plains," the captain announced.¹³ The story cannot be substantiated.

Following her debut as a character in the Deadwood Dick series of dime novels in 1877, Canary's status as a frontier celebrity soared. Writers for dime novels, nickel weeklies, and other inexpensive outlets made a number of western characters popular through exaggeration and misrepresentation. The known facts of Canary's life are remarkably sparse. She resided in the American west from the age of eight until her death at forty-seven, having emigrated from Missouri to Montana with her family in 1864. She worked as a professional scout for the U.S. Army and appeared in Buffalo Bill's Wild West Show. She is buried in Deadwood, South Dakota, near James Butler Hickok, also known as "Wild Bill," an acquaintance from her frontier days.

From these brief facts, the legends soar. One of the most persistent suggests that Jane and Hickok were lovers, in spite of the assurance of one contemporary that "Wild Bill had absolutely no use for Jane."¹⁴ In 1941, Jean Hickok McCormick of Billings, Montana, suddenly announced that she was the daughter of the pair, born in 1873 near present-day Livingston. Through serious historians consider the claim to be fraudulent, the legend persists. "Despite literally hundreds of stories concerning Calamity Jane, little is known regarding her life."¹⁵ That which has been discovered is "at odds with most of her previous life stories."¹⁶

Some misrepresentations were more serious, and occasionally sad. The famous aviator Jackie Cochran denied her parents, changed her given name (it was Bessie Lee) and insisted that she had been raised as an adopted child.¹⁷ Cochran emerged from inconspicuous beginnings to set a number of aviation records in the early 1900s, advance the cause of women pilots, and travel in high government and social circles. She somehow viewed her factual origins as an obstacle to the Cinderella story she sought to create about herself. She hid the actual circumstances of her rather average childhood in small-town Florida until after her death, despite entertaining members of her original family (including her mother) at her California ranch.

The relative inaccessibility of official documents allowed people both famous and ordinary to revise aspects of their personality they did not wish to reveal. Growing up in New York City, Theodore Roosevelt was a sickly and asthmatic child. Out west, at his ranch in North Dakota, he built a reputation as a deputy sheriff and barroom fighter. His asthma disappeared.¹⁸

When I was young, my mother would tell me stories set in the era of privacy. My father told me more. The stories featured parents, grandparents, and distant relatives. At the time, I thought that they were nothing more than stories about dead ancestors. As I grew older, I came to realize that they were memories about misfortune, recovery and reinvention, reconstructed in ways so as to provide various lessons. Misfortune affected my mother and her father and grandfather and people before. They recovered in part because they could reinvent themselves. As I wrote other works about technology and culture, I began to understand how much those reconstructions depended upon privacy.

To the people in these stories, privacy had many meanings.¹⁹ For some, it meant tolerance, as in their ability to practice religious beliefs without retribution. For others, it constituted an area of personal sovereignty – a realm such as one’s house or land into which others were not allowed to intrude. For some of the people in these stories, privacy meant the ability to keep secrets—to decide which information about oneself would be communicated to other persons and which would not.²⁰ Writing during the privacy era, Mark Twain observed that “every man is a moon and has a side which he turns toward nobody.”²¹ Altogether, these features allowed individuals to reconstruct their lives, to embellish virtues and discard errors in new places where neighbors did not know exactly who you were.

This book explores the meaning of privacy through the narratives of individuals who lived during its prominence. The stories are derived from two American families that benefited (and occasionally suffered) from the presence of privacy. Each chapter relates a complete story. The tales include ones that family members told about themselves and events they chose not to reveal. The histories are true; the people are real. At the time, the accounts were hard to verify. Records were incomplete, dispersed, and relatively inaccessible. The stories rested heavily on a foundation of their own telling. They persisted in large part because they were so hard to verify.

In the modern era, with its plentiful electronic resources, the facts are much easier to ascertain. The technologies that restrict privacy for people living in the present allow intrusions into the lives of people from the past. I realize that I am violating the

privacy of people from the past by probing their stories. They probably would not like it. They were not as accustomed to self-revelation as people are today.

I have endeavored to present the events that follow as truthfully as possible, comparing what people said and wrote to associated documentation. This is not a work of fiction, although the stories that people told often took that form. I apologize in advance for any errors that may be present or, worse still, for the possibility that I may have misrepresented some individual. Official documents sometimes repeat the tales that people conveyed, compounding the challenge of separating the narratives that people presented from the reality of their lives.

The stories begin.

1. Religious Tolerance (1666 – 1690)

John Test of London immigrated to the American colonies for the most conventional of reasons of his time. He wanted the opportunities that could be attained only through religious privacy.

John Test arrived in America around 1675. Nine years earlier, in 1666, the city of London had burned. John was fifteen when the conflagration occurred. The city at that time lay on both sides of the Thames River, connected by London Bridge, itself covered with flammable structures. The great cathedral of St. Paul's, then in its Gothic form, sat atop Ludgate Hill. The structures below it, for the most part, consisted of timber and thatch buildings, typical of the architecture favored in Tudor and Shakespearean time. The buildings, quaint to look at, were dangerously dry.

The fire began in a bakery on Pudding Lane, just north of London Bridge, in the early morning of Sunday, September 2, 1666. City leaders viewed the conflagration casually, a response with disastrous consequences. The lord mayor of London, Sir Thomas Bloodworth, is said to have disparaged the fire with the remark that "a woman might piss it out."²² By noon, the blaze had consumed 300 buildings and spread into the structures on London Bridge. The fire continued for three days, destroying most of central London. Displaced residents camped in nearby fields and fled to outlying towns.

Rebuilding provided economic opportunities for those who remained. Parliament passed laws instituting procedures to resolve legal claims, since many official documents had burned in the fire. King Charles II issued a proclamation discouraging the construction of "hasty and unskillful buildings."²³ Stone and brick structures rose in the place of wooden ones and the fiery destruction of St. Paul's inspired the government to approve Christopher Wren's proposal for a dramatic new cathedral. By November of 1666, the mass of refuse produced by the fire had been removed from the 400 acres of structures destroyed. Maps of London

published a decade later reveal a newly constructed town. Rebuilding helped to establish an age of elegance that made the late seventeenth century city one of the most desirable places of its time in which to live.

In this new city, a talented young resident could thrive. A copy of John Test's marriage license, issued on October 14, 1673, indicates that he lived in the Christ Church section of London. His bride, Elizabeth Sanders, came from St. Martins in the Fields, likely a reference to an area along the Thames River near the east end of St. James Park. The marriage license describes John as a cordwayner, or shoemaker, although he does not seem to have been employed in that trade, instead earning his living as a London merchant. The former designation most likely refers to the object of his training rather than his actual occupation. "The family was no doubt in good standing and of gentle birth," reports one genealogist. "He is always referred to as Gentleman and called "Mr. Test," the title of respect 'Mr.' being in that century carefully restricted to gentlemen."²⁴

A prosperous merchant in a reconstructed city would have little incentive to emigrate, save for a qualifying factor. In this instance, John Test acquired one. He associated himself with a newly emerging religious movement, the Religious Society of Friends, also known as Quakers.

Seventeenth century London was notable not only as a site of prosperity and rebuilding, it was also a place of substantial religious turmoil. The Church of England had separated itself from the Catholic hierarchy a century earlier, a consequence of the Protestant reformation and the desire of King Henry VIII to divorce. Catholics wanted to reestablish papal rule. Puritans advocated a sterner religion than the leaders of the Church of England preferred. Quakers wanted no religious hierarchy at all, believing that parishioners could directly experience God simply by meeting by themselves. The Quaker movement had begun under the English dissenter George Fox in the decade before John Test was born.

Motivated by their religious beliefs, reformers deposed the monarch Charles I and established the Commonwealth of England. In 1649, two years before John Test was born, the new government convicted the king of high treason and severed his head from the remainder of his frame. Oliver Cromwell, a Puritan reformer and one of the commanders of the troops that defeated the royalists in the English civil war, became Lord Protector of the new government and, based on his interpretation of scripture, abolished fun.

Royalists fled London and Cromwell oversaw the new government until his death in 1658, a result of natural causes (probably an infection) enhanced by medical incompetence. Parliament restored the monarchy in 1660 (John Test was then nine), the royalists returned to London with Charles II as their king, and the London fire six years later promoted the flurry of rebuilding.

Restoration of the monarchy strengthened the power of the central Church of England and weakened the status of religious reformers like the Puritans. Both groups distrusted the Quakers. As Lord Protector, Cromwell had arrested several hundred Quakers. Charles II freed them, only to arrest hundreds more after a rebellion of religious fundamentalists in 1661.

In an effort to reestablish the authority of the central church weakened by Cromwell, royalists enacted a series of laws known as the Clarendon Code. The Code required all public office holders to take communion in the established Church of England, prohibited congregations of dissenting religious groups from meeting, and forbid nonconformist ministers from coming within five miles of incorporated towns. The government required British subjects to pay tithes to the Church of England, which acted as the social service arm of the state. Even those who chose not to belong had to pay. Basically, civic leaders in restoration London could not aspire to the highest levels of British society without embracing the approved faith. Quakers defied the code, leading to more arrests.

In seventeenth century London, Quakers called attention to their religious beliefs through political dissent, strange speech, and odd manner of dress. They wore their hats continuously, even in places where custom dictated their removal, and referred to associates as “thou” rather than “you.” Said one historian: “as soon as they opened their mouths, even a blind man could spot them. It was as if they invited punishment.”²⁵

Rather than incur the expense of imprisoning massive numbers of religious dissenters, royalists encouraged their exportation. In 1675, John Fenwick approached John Test and offered to sell him 1,000 acres of land in New Jersey for five pounds sterling – with the presumption that Test leave England. Evidence for the transfer consists of an Article of Agreement dated June 24, 1675, and signed in England. Sales of land provide one of the few reliable forms of documentation for tracing the whereabouts of notable individuals at that time. No reliable records have been found to prove that John Test was born, but land records prove that he bought and sold property.²⁶

Fenwick was a Quaker and former member of the revolutionary army that had deposed Charles I. In 1674, Fenwick had received authority to establish a Quaker settlement in the American colonies from John Berkeley, who had fought on the royalist side during the English civil war. William Penn, another convert to the Quaker cause, executed a similar arrangement a few years later. The King, Charles II, granted Penn an extraordinary tract of land adjoining the colonies in New Jersey and Maryland. Catholics tended to settle in Maryland, Puritans in New England, and Quakers in Pennsylvania and New Jersey. Like many other members of religious minorities who had been persecuted in seventeenth century England, Penn was a strong advocate of religious freedom. Members of different churches lived apart in the colonies, but they tolerated each other's beliefs in ways not observed in England. Through his Frame of Government, Penn established many of the principles that the framers of the American constitution would adopt one century later, including religious tolerance.



Around 1683, the religious community of Friends at Chester, Pennsylvania, built their first Meeting House. John Test served as Sheriff of the territory encompassing Chester County that year and was affiliated with the Quaker Meeting.

John Test of London agreed to participate in the founding of the Quaker settlement in New Jersey. Descendants believe that John and his wife Elizabeth left England for America in the summer of 1675. They may have sailed with Fenwick and other subscribers on the *Griffith*. Or it could have been the *Mary*; ship's logs are silent as to their passage. Once in America, John's presence is definite. Beginning in 1677, court records confirm that he bought and sold sundry goods, merchandise, land, and at least one indentured servant, a tailor by trade.²⁷

Subscribers to Fenwick's Quaker settlement sailed up the Delaware River to the eastern embankment where the river narrows below present-day Wilmington. They founded the town of Salem, the first permanent English settlement in New Jersey.

John Test's family immigrated to America in search of religious freedom. Yet the extent of John's commitment to the Quaker cause is quite unknown. His later descendants became good Episcopalians, a post-revolutionary offshoot of the English Church from which John and Elizabeth had ostensibly fled. John's devotion to the Quaker community at New Salem was apparently not as strong as his commercial interests. Shortly after his arrival in America, he purchased land in Upland, across the Delaware River from the Quaker colonies in New Jersey. He became sheriff of Upland in 1681, served for one year, and purchased land in what was then the small community of Philadelphia. Civic leaders asked him to serve as the first sheriff of Philadelphia County, which he did beginning in 1683, an appointment recorded in the archives of the Pennsylvania colony.²⁸ His authority encompassed the present day jurisdictions of Philadelphia, Chester, and Delaware Counties. He worked as a merchant, an innkeeper, a public servant, and primarily a buyer and seller of land.

Elizabeth died in 1690 at the age of thirty nine and was placed, as her religious beliefs required, in the Quaker Burial Ground in Philadelphia. John married a twenty-four year old widow named Grace Wooley. Within the two marriages, he fathered at least a dozen children, most surviving into adulthood. Nearly all of the Tests in America today are descendants of John. No other members of his family appear to have come to America.

As might be expected, a story arose to explain the family's religious conversion, one that cast the matter as an act of patriotism. According to the story, family members were "read out" of the Quaker meeting for fighting alongside

George Washington against the British in the struggle for American independence. The Quaker meeting did not allow its members to go to war.

Like many such stories, the memory contains an element of truth. John Test's grandchildren did fight in the War for American Independence. Francis Test, Jr. and his older brother John, both descendants of the original John, appear in the list of "Officers and Men of New Jersey in the Revolutionary War." Troops from New Jersey played a critical role in the struggle to control New York City. Their expulsion from the meeting, however, may hide a different explanation.

John Test of London, who immigrated to America around 1675, may never have been a member of the Quaker cause. His wives Elizabeth and Grace were. Records confirm that John participated in Quaker meetings. But he may not have belonged. The evidence is persuasive. Two of his children, resting in Quaker Burial Grounds, are recorded as "not friends," which can be interpreted to mean that only one of the parents held membership in the church. A fellow merchant from Philadelphia described John Test as a non-Quaker and John did not remain listed as a member of John Fenwick's religious colony.²⁹

The exact situation, hidden so far in the past, is hard to verify. With modern record keeping, the truth would be easier to find. The sparse evidence in this case suggests that John Test made vague the degree of his association with the Religious Society of Friends. He may have done so out of respect for his family or the beliefs of his wives or simply for the economic opportunity that association provided in the American colonies. Religious tolerance in colonial America meant not only the right to worship freely, but also greater respect for the privacy of one's religious beliefs. That greater privacy apparently allowed a level of religious tolerance that the original John Test deemed comfortable.

2. Acres of Solitude (1806 – 1850)

James McCurdy's ancestors came from Scotland, looking for land. Oral tradition, uninformed by written records, holds that family members crossed the forty miles of open sea between southwest Scotland and northern Ireland to rent land from British lords. History suggests probable motives. A growing population combined with a scarcity of land had caused rents to rise in Scotland. British lords, who had displaced the Irish from their lands in Ireland, needed labor to work the farms. A confluence of interests ensued. Farmers arriving in large numbers from lowland Scotland settled the Irish countryside and through their labor provided a steady source of income for their landowning lords. Irish Catholics, who had resisted British rule, were generally prohibited from owning or renting land.

In an era when most people subsisted from agriculture, the ownership of land provided a primary pathway to privacy. It helped fulfill the classic definition offered by the young jurists Samuel D. Warren and Louis D. Brandeis. Privacy, they wrote in 1890, was the "right to be let alone."³⁰ Opposition to the practice of unrestrained searches of personal property in colonial America, in the words of Supreme Court Justice John Roberts was "one of the driving forces behind the Revolution."³¹ Property owners at the time so detested the practice of home invasion by British officers that the colonists twice listed it in the summary of grievances justifying the Declaration of Independence and insisted that the American Bill of Rights assure "the right of the people to be secure in their persons, houses, papers, and effects." A farm of sufficient size provide a form of physical sovereignty, a few score acres or more where the family that owned it could be masters of their own realm. It also provided a form of financial independence. A family in a farmhouse at the end of a long road could be economically self-sufficient and in control of their own land. In some cases, the ownership of

property satisfied a prerequisite for voting. In the new country, owning one's home, and lots of land around it, became a huge part of the American dream.

The conditions that encouraged Scottish farmers to leave their home country and emigrate to northern Ireland soon reappeared in the adopted land. As demand for Irish property grew over a fixed land base, so did rents. Opportunities for land reform were limited. As Presbyterians, Scottish farmers were not permitted to hold public office, a situation that removed much of their opportunity to promote land reform through political involvement. Scottish farmers in Ireland paid tithes to the Church of England and rents to British landowners, with little influence over either. A religious minority in a country not their own, they were caught between the growing resentment of individuals in the Irish Catholic majority, who were not even allowed to vote, and the dominant but tiny class of British landowners.

So they moved again. According to the stories family members told, three brothers of Scottish ancestry left northern Ireland and immigrated to America shortly after 1800. Their names were James, William, and Daniel McCurdy. Passenger and immigration records confirm that a James McCurdy arrived in Philadelphia in 1806. A William McCurdy followed in 1811.³²

It was a good time to move. Marked by a period of relative peace between the British and American nations, the interlude also coincided with the failure of the Irish Rebellion of 1798 and the decision to absorb Ireland into the British nation. The rebellion associated Scot Presbyterians in a common protest with Irish Catholics against British rule. At the trial that led to his death, Wolfe Tone, a Protestant rebel, famously stated "From my earliest youth I have regarded the connection between Ireland and Great Britain as the curse of the Irish nation, and felt convinced, that while it lasted, this country would never be free or happy."

By 1800, trade routes between Ireland and the United States had become well established. Ship captains transported locally grown commodities such as flax from America to Ireland for use in the linen trade. To help finance the return passage to America, captains sold space to passengers. Philadelphia was the most common destination, both to load cargo and offload immigrants. Scottish Presbyterians left northern Ireland in great numbers in the years after the American Revolutionary War, as well as during the period immediately before it. They were encouraged by the promise of abundant land, eventual freedom from British rule, and the absence of restrictive religious and political codes. They

The census record for 1820 does not provide much information – just a single line for each of the three families, a code identifying the family’s occupation, and an age category for each person in the household. Subsequent records suggest that James McCurdy was born in Ireland about 1786, came to Pennsylvania as a young man, married a woman from Pennsylvania, moved to Jefferson County on the eastern edge of Ohio near Pittsburgh, and arrived in Coshocton County around his thirtieth birthday.³⁴

Coshocton County in 1820 was new land, on the American frontier, three counties west of Jefferson. To reach Coshocton in the eighteenth century a woodsman could descend the Ohio River, turn north, and paddle up the Muskingum for about 100 miles, discounting the frequent bends and diversions of that waterway. The first white man to settle in Coshocton County arrived in 1800, got out of his canoe, and planted corn. The state of Ohio was established in 1803. “Fifteen hundred would probably be a large statement as to population at the time the county was organized in April, 1811,” reports one historian.³⁵

One would like to imagine the three brothers as pioneer families living in three small houses on a common farm. It more likely, however, that they did not yet own their land. A listing of resident landowners in Coshocton County as of 1818 does not include the McCurdy name. The number of resident landowners totaled 285 that year in a county whose population, according to the 1820 census two years later, reached 7,086. ³⁶ Even accounting for the large size of farm families, the total number of landless residents clearly exceeded the number of individuals who could have lived on land they actually owned.

Advocates of western settlement extolled the virtues of owning one’s own land. Farm work on one’s own property promoted industry, inventiveness, equality, good morals, and self-government. Thomas Jefferson embraced the ideal of a republic made up of yeoman farmers – the term referred to a social class of English agriculturists who owned their own land. Advocates of land ownership ascribed to newspaper editor Horace Greeley the famous admonition, “go west, young man.” Greeley supported the free distribution of land as a means of relieving the poor and destitute from the grip of the city, where landless laborers, he concluded, worked for wages and led lives surrounded by filth and immorality. Free Soilers formed a political party devoted to the abolition of slavery and the

distribution of free land. The virtues of land ownership were closely associated with the frontier thesis – the idea that conditions on the American frontier encouraged a type of civilization that distinguished itself from the corruption of the Old World.³⁷

The reality that James McCurdy experienced differed considerably from the dominant popular narrative. Most significantly, the land to which he moved in eastern Ohio was not vacant. Rather than a wilderness of empty land ready for the taking, James encountered a complex history of property claims.

The earliest Europeans to enter the American midwest were French traders, interested not in land settlement so much as the collection of furs. What became French-speaking Canada served as the base of operations for this work. France ceded control over the midwest territory to Great Britain in 1763 following the conclusion of the French and Indian Wars. Seeking to placate Native Americans upon whose cooperation the success of the fur trade depended, the British government prohibited frontier settlement beyond the Allegheny Mountains.

During colonial times, the population of Native Americans in the midwest outnumbered European fur traders and merchants more than ten to one. Exclusion outraged settlers on the eastern seaboard and was a principal grievance in the Revolutionary War. Advancing into the territory, a small group of Virginia militia captured British territorial outposts. Subsequently, Great Britain ceded administrative control of the territory to the revolutionaries. Virginia in turn ceded its claims of conquest to the U.S. government as a means of encouraging other states to join the confederation. In 1795, a gathering of Native American tribes conceded the eastern half of the territory to the United States in exchange for goods worth a few thousand dollars and a promise that the U.S. government would constrain settlers from moving across what was known as the Greenville Line. Short of funds in the period following the Revolutionary War, the U.S. Congress allowed speculators to survey and develop much of the Ohio Territory. Speculators formed associations, raised sizeable sums, and acquired gargantuan tracts of land. Settlers arriving in Ohio quickly learned that wealthy individuals had purchased much of the desirable land and that the U.S. government stood ready to enforce their claims.³⁸

As for Greeley's famous admonition, he probably never said it. He believed it, supported legislation to realize it, and received credit for pronouncing it. The

real source was someone more obscure.³⁹ That did little to reduce the quotation's appeal. The recommendation that Americans move west and acquire their own farmland contributed as much to the western narrative as the frontier thesis of Frederick Jackson Turner and the Buffalo Bill Wild West Show.⁴⁰

Narratives need not be true in order to inspire people to follow them. Though rich in myth, the western narrative motivated people to move. The concept sufficiently appealed to James McCurdy and his family to encourage them to leave Coshocton County and move further west in search of new land. Settlement in Coshocton County increased rapidly after the resolution of the War of 1812 and the opening of the Coshocton section of the Ohio Canal in 1830. From a total population of 7,086 in 1820, the county grew to 11,162 by the census of 1830 and increased again to 21,590 individuals by 1840. Could James McCurdy have found himself in the same situation that caused him to leave Ireland as a

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CERTIFICATE
No. 14167

THE UNITED STATES OF AMERICA,

To all to whom these Presents shall come, Greeting:

WHEREAS *James M. Curdy of Coshocton County Ohio*

has deposited in the **GENERAL LAND OFFICE** of the United States, a Certificate of the **REGISTER OF THE LAND OFFICE** at *Quincy* whereby it appears that full payment has been made by the said

James M. Curdy according to the provisions of

the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," for

the North West quarter and the West half of the North East quarter of Section seven, in Township one North, of Range four West, in the District of Lands subject to sale at Quincy, Illinois, containing two hundred and fifty four acres and seventy nine hundredths of an acre

according to the official plat of the survey of the said Lands, returned to the General Land Office by the **SURVEYOR GENERAL**, which said tract has been purchased by the said *James M. Curdy*

In 1840 James McCurdy purchased 255 acres of farmland in western Illinois. Confirmation today can be obtained electronically by searching the website of the U.S. Bureau of Land Management.

young man, a tenant farmer owning no land in a region whose burgeoning population increased the price of acquisition beyond his ability to purchase?

Available records do not answer this question. Yet we do know that sometime around 1840 James McCurdy collected his family, departed Coshocton County, and moved further west. He relocated to western Illinois into a county whose population in 1840 totaled only 4,183 individuals. There he was able, probably for the first time in his life, at the age of 54, to become a landowner. The acting recorder at the General Land Office in Quincy Illinois, in neighboring Adams County, prepared a certificate transferring title to 255 acres in Brown County, Illinois, "unto the said James McCurdy and to his heirs," dated November 3, 1840. James made "full payment" to the General Land Office of the United States government.⁴¹ Not until the Homestead Act of 1862 did the federal government allow large numbers of settlers to acquire public land for free. Like most of the resident landowners in Ohio and Illinois, James was obliged to purchase his farm from the entity that already possessed it. Nonetheless, he achieved his goal. He obtained 255 acres of land, a parcel quite sufficient for a family to live independently.

Judging from the birthplaces of his children, James moved the members of his family to Illinois around 1839 or 1840. On the 1840 land certificate he listed his residence as Coshocton County, Ohio, yet he appears in neither the 1840 census for Ohio nor Illinois, suggesting a family on the move. By 1850, the family was well established on their Illinois farm. The 1850 census taker for Brown County, Illinois, recorded the names of James McCurdy, age sixty-four, his wife Jane, age fifty-three, and six children still living at home ranging in ages from seven to twenty-three. The record lists the value of the farm at \$1,500, an adequate sum.

3. Private Property (1781 – 1842)

Land ownership requires a systematic regime of private property, detailed and legal. Land titles, transfer taxes, recording of deeds, and courts prepared to resolve trespass and ownership disputes make property rights enforceable. The creation of private property mandates the sort of record keeping whose development eventually obstructs privacy.

The details associated with private land ownership were not familiar to most Americans at the time of the Revolution. The dominant view of land occupation flowed from the feudal assumption that the King (or Queen) owned all geographic surfaces. Farmers who wanted to occupy land could rent it or acquire a leasehold from someone in the upper class. Under the leasehold process, the sovereign would grant the right to distribute properties to persons in the aristocracy, revocable upon the death of either. Aristocrats in turn would sell rights to farmers to occupy various parcels for specific periods of time.

In observance of this tradition, farmers in the American colonies aspiring to “own” land could rent some for a while, earn enough money to purchase a leasehold, then drop dead from exhaustion and have the property revert to the original holder. Aristocrats who controlled vast estates such as Lord Fairfax and Lord Baltimore prospered under this arrangement. A city is named after the latter, while a county adjacent to Washington, D.C., bears Lord Fairfax’s name.

The American Revolution forced a transition from the feudal tradition of leaseholds to one rooted in freeholds. The latter concept is represented by the declaration of the English philosopher John Locke that private ownership is a natural right accorded individuals in a free society. Land does not belong to a monarch; it belongs to the individuals who work and improve it. (Both traditions encountered the customs of Native Americans, who recognized various forms of

rival ownership based on use.) Under freeholds, an individual could purchase a property and hold it indefinitely.

The transition between leaseholds and freeholds proved complicated. Someone had to decide who possessed the right to remain on lands once claimed by the crown. Though a Loyalist, Lord Fairfax retained the rights to his land, possibly because he was a close friend of George Washington. The original Lord Baltimore never visited the colonies; the proprietors in his line lost their holdings during the Revolution. Needing cash to pay for its share of the Revolutionary War, the Maryland legislature seized and sold the Baltimore estates.⁴²

Sorting out land disputes proved profitable for many civil leaders in the post-Revolutionary War period. The second John Test in this story – a lawyer by trade – helped establish the property regime that made possible the buying and selling of private property.

I.

John Test the lawyer was probably born in 1781, the year in which George Washington defeated the British Army at Yorktown. Or it may have been ten years earlier, in 1771. Other sources place the date at 1769; still others at 1780. One would think that a person as notable as this John Test would have left an accounting of his birth date. John served as a circuit court judge and member of the U.S. House of Representatives from Indiana, but congressional archivists in an official document missed his birth date by as much as ten years. “Bad research,” one family member complained. Investigators at the Library of Congress reported: “After an extended search we are sorry that we have been unable to find the birth date for John Test.”⁴³

John Test the lawyer apparently possessed the same instinct for migration as his great-grandfather.⁴⁴ The original John Test left London for the American colonies around 1675. Three generations later, John Test the lawyer left the mid-Atlantic region of the United States of America where the members of his extended family had settled. From the written reminiscences of his children and other records, one can trace his journey to the American Midwest.

John Test the lawyer was born in Salem, New Jersey. He grew up in Philadelphia, Pennsylvania. Seeking secure employment, he moved from Philadelphia to Wilmington, Delaware, to western Pennsylvania, to present-day

West Virginia, to the new town of Cincinnati, Ohio, and from there to Indiana. According to his daughter Helen Maria, John Test's earliest efforts at business "met with severe losses," so he determined to "try his future" in what was then the far west.⁴⁵

From Cincinnati, John Test took his family northwest along the Whitewater River to a rustic settlement at Brookville, Indiana, where he operated a grist mill. The year, according to family recollections, was 1810. His eldest son described the territory as an "unbroken wilderness." Daughter Helen Maria reported: "we made our way through a newly cut road, whose scarcely removed stumps formed considerable barrier to our approach." To her, the uncut forest appeared "dense and dark" alongside the road.⁴⁶ At their new home, the children feared attacks from the original inhabitants, a not unreasonable supposition since British forces along Lake Michigan enlisted the support of Native Americans as allies for the ensuing War of 1812. Family legend holds that John's wife, Lydia Dungan, snapped when John proposed to leave Brookville and fight with General William Henry Harrison against the British. "You have brought me to the wilderness," answered Lydia, who had been delicately raised in refined society around Philadelphia, "but you are not going to leave me here."⁴⁷

John's engine of ambition encouraged him to study for the law. At that time, an aspiring attorney did not apply to law school, but instead read books in preparation for an examination before an established jurist. While the stones in his mill ground wheat and corn, John read. "He was seldom without [a book] in his pocket," said Helen Maria.⁴⁸ With a colleague, John traveled across the state to Vincennes to be examined by the judge of a local court. John passed the exam, received his license, and returned to Brookville to practice law.

"My father was an easy man to get along with," wrote his son Charles. "He was a fair talker, though you wouldn't consider him eloquent, a manner that impressed a jury that he was fair and honest." Charles described him as "precise in his dress and his personal appearance," solid in stature, and just over five feet ten inches tall. He wore a queue, a braid of hair hanging from the back of his head.⁴⁹

The family was large: John and Lydia, four daughters (Mary, Esther, Helen Maria, and Martha), and four sons (Charles, John, William and Edward). In 1816, the year in which Congress admitted Indiana to the Union, local residents elected father John as a judge of the circuit court. His son Charles followed in this capacity fourteen years later.

The practice of “riding circuit” was so distasteful that John Jay, the first Chief Justice of the United States, resigned his august position rather than endure the indignities of occasional travel. Even justices of the highest court had to ride circuit, presiding over cases in various federal districts. Roads were bad, public transport nonexistent, weather often miserable, and local lodging poor. Separation from family was commonplace. For individuals involved in public affairs and professional work, separations could be long.

Persons separated from family members communicated by mail. Each era possesses its particular method of communicating. Early societies relied upon story-telling and oral communication. The printing press revolutionized church teaching by making religious texts available to all. Modern cultures utilize email and social networks. The quintessential method of personal communication in the age of privacy was letter writing.

Letter writing provided the primary means of communication for family and friends separated by expanding mobility. In the evenings or on the Sabbath, with no electronic devices to entertain, people wrote letters. The letters were considered private property, to be opened solely by the addressee and shared only with those persons that the recipient might select. Letter writing was so important to the generations of Americans living in pre-electronic times that the Continental Congress created the U.S. Postal Service before it declared the new country's independence. Benjamin Franklin served as the first Postmaster General.

In some cases, more often for notable individuals, letters and diaries kept by descendants found their way into permanent collections. The Test family letters were deposited in the Lilly Library Manuscript Collection at Indiana University in Bloomington, Indiana. They provide unusual access to the thoughts and private affairs of one American family in the early 1800s.

“My love to you all,” Lydia wrote to her children in 1837, after John's legal work led him to Mobile, Alabama. Recognizing the inevitability of continued separation, she held out the “hope dear Children that if we are not permitted to meet again in this world...we all shall meet in heaven at last...where all tears shall be wiped from all eyes.”⁵⁰

“Let me hear what is happening this winter,” John Test (the lawyer) wrote to his son Charles in 1830. “I should have felt better reconciled to be leaving you if I had seen you all before I started,” mother Lydia added. “It is not worth while to indulge in vain regrets.”⁵¹

The collection contains love letters clearly not meant for public distribution. “The nights are cold and you are not near me,” Charles wrote to his wife Rebecca Davis in 1827, when business separated them during the third year of their marriage. “You that contributed to make me so warm last winter, through the cold nights in our old log cabin is now so far removed from me that I am not even permitted to speak to you – or to see you smile.”⁵²

Commenting on the discomfort of life on the road, Charles reported that “old [name illegible] and myself room together though we do not sleep together. God forbid that we should. I would as leave have a whiskey keg stuck under my nose as be forced to smell his breath all night.”⁵³

Endless separation made his wife testy. “You will no doubt be surprised that I did not return home before the meeting of the Union Circuit Court,” Charles wrote in 1835. “The court held in Wayne beyond all expectations, almost to the last hour allowed by law.”

“The Children wants to see you very much,” Rebecca responded as the separations grew long. “Do you think it is wright to separate yourself from your family so much as you do?”⁵⁴

Mother cautioned virtue. “I hope my Son that you will have strength of mind enough to resist all temptations wether of a public or private nature men are much too apt to think that if they act well in their public capacity it is no matter how far they stray from the path of virtue.”⁵⁵ Rebecca died around 1842, at the apparent age of thirty-four. In due course, Charles abandoned his circuit riding. He became a member of the Indiana State Senate, which kept him again from home, eventually remarrying and serving as Secretary of State for Indiana.

Today, it is still a felony to intercept and open someone else’s mail. “To pry into the business or secrets of another” is a crime punishable by up to five years in prison.⁵⁶ The prohibition is a carryover from the age of privacy when people accepted written correspondence as a personal matter restricted to the individuals involved.

II.

In 1822, six years after his selection as a circuit court judge, John Test stood for election as a representative from Indiana to the United States Congress. According to congressional records, Test ran as a Jackson Republican. Andrew

Jackson, recently elected a U.S. Senator by the Tennessee legislature, was enormously popular in the midwest, having defeated the British Army at New Orleans seven years prior. Characterization of Jackson as a Republican refers not to the modern Republican Party, but to the rural roots of Thomas Jefferson, the party's founder, as well as to the considerable fragmentation among political parties at that time. Riding on the popularity of Jackson, Test won the election.

Once in Washington, Test applied himself to the material development of the midwest. He favored economic progress, business development, and government support for internal improvements such as the canals that had brought wealth to the eastern seaboard of the United States. This placed him in opposition to the more populist wing of his political party. In 1824, when Jackson ran for the presidency, Test ran as a supporter of John Quincy Adams. When no presidential candidate won a majority of the Electoral College, the choice of president devolved upon the House of Representatives. Re-elected to Congress, Test voted for Jackson. "Old Hickory" carried Indiana in the 1824 election and all three members of the Indiana delegation voted to respect the will of their state.

Political differences splintered the dominant Democratic Party. Adams supporters, known as Whigs, formed their own faction, containing among other individuals Henry Clay and Daniel Webster. Jackson supporters recovered from their defeat in the House of Representatives and began to prepare for the next presidential election. Test joined the Whig faction, a precarious position in a rustic state where the movement failed to command secure majorities. Indiana remained under the control of Jackson supporters, now known as Democrats, until 1836. That year the Whig presidential candidate William Henry Harrison carried the state. Harrison was a local hero, having served as a territorial governor before Indiana became a state and commander of the Army in Indiana during the War of 1812.

To explain John Test's defeat for reelection to Congress during the midterm election of 1826, family members told a story that cast the more privileged standing of the family against the rougher outlook of the Jacksonian populists. While campaigning on behalf of internal improvements, Test explained to local settlers that railroad trains in England had reached speeds of thirty miles per hour. "The crowd jeered and roared with laughter; and cried out: 'You are crazy...a man could not live a moment at that speed!'" The statement apparently so strained

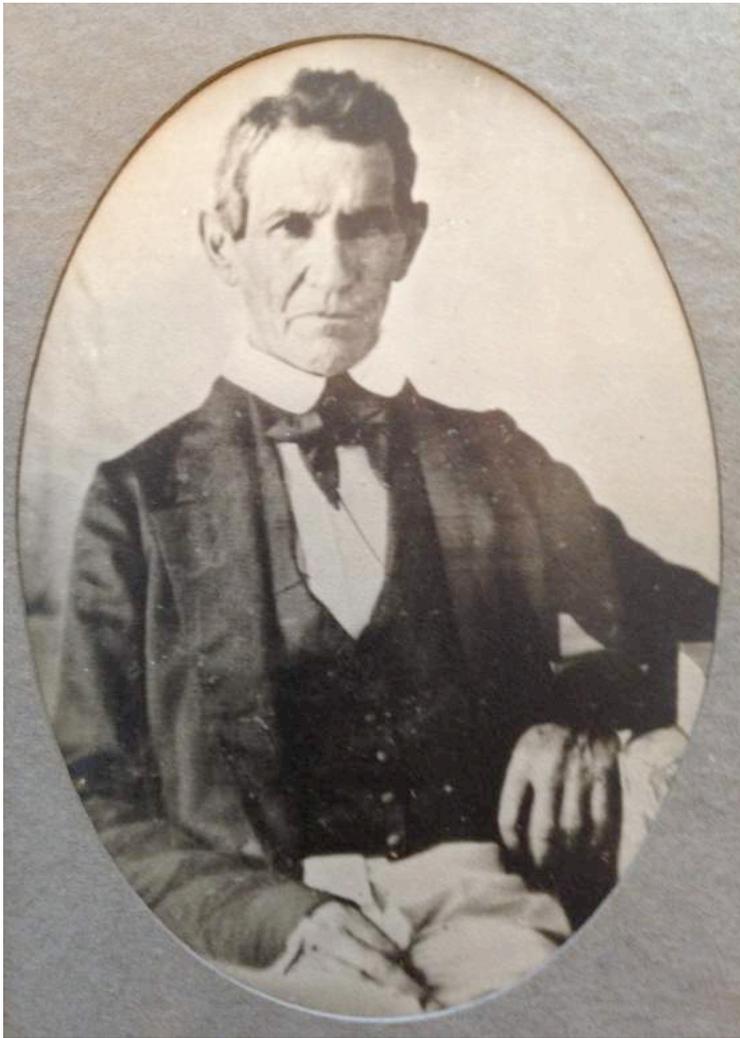
Test's reputation for credulity, as the story was told, that voters elected the opposition candidate.⁵⁷

John Test ran again in 1828 and was elected, serving a third term in Congress before retiring from that service. He returned to his law practice, edited a local newspaper, and presided as president over the Lawrenceburg and Indianapolis Railway Company. In 1833, when party leader Daniel Webster traveled to Cincinnati, Test invited Webster to visit southern Indiana.⁵⁸ Though Webster was apparently unable to extend his journey, the two individuals did cooperate on a mutual cause.

The economic development favored by members of the Whig and eventually Republican Party required the rapid settlement of new territories. Not only did the controversy over the extension of slavery act as an obstacle to this development, so did the question of land ownership. The first major case to come before the newly formed Supreme Court had involved a matter of private property. In 1792, the justices of the Supreme Court entertained a petition from Alexander Chisholm, the executor of a local family's estate, who sued the state of Georgia for payment of debts the state incurred during the Revolutionary War. Attorneys for the state refused to respond to the lawsuit on the grounds that Georgia was a sovereign entity and could not be sued without its consent.

The Federalist faction that dominated the court favored private property rights. They ruled in favor of Chisholm. Reaction to the decision was so pronounced that the opposition won approval for the eleventh amendment to the U.S. constitution reaffirming the sovereign immunity of states and the right of state officials not to be sued without their permission in the newly-created federal courts.

Federalists on the Supreme Court struck back in 1810, ruling on the great Yazoo land scandal. The state of Georgia claimed vast tracts of land in what are the modern states of Alabama and Mississippi. To spur development in the newly independent country, state officials sold the land. Developers with political connections bribed state officials and purchased the properties at prices well below market value. Uncovering the conspiracy, a new legislature repealed the law permitting the sale. The new law clouded the titles to the land which made further transfers difficult. The developers sued.



John Test moved from the eastern seaboard to Indiana where he found a new life as a lawyer and representative to the U.S. Congress.

In 1810, the U.S. Supreme Court resolved the issue. Writing for the majority, Chief Justice John Marshall held that the contracts from the original sale were valid and that the developers could resell the lands.

Who exactly owned such lands in the new United States? Land ownership came before the United States Supreme Court again in 1832, in the case *U.S. v Arredondo*. Daniel Webster argued on behalf of Arredondo at the court of record. The case concerned a land claim of 300,000 acres in northeastern Florida, which the United States had acquired from Spain in 1821. Did the land belong to the inhabitants who claimed to have received it from the previous government, to

Native Americans who were there first, to occupants who had settled there, to speculators who had purchased the land from people who claimed to own it, or to innocent third parties who had bought parcels from speculators? Only rarely could claimants present official documentation to defend their assertions of ownership. The state of record-keeping was abysmal, original documents were commonly lost or unavailable, and the authenticity of copies claimants produced was often in doubt. No modern court of law would permit a property transfer based on such incomplete documentation, but in the early 1800s, that was often all the courts had.

Congress established boards of commissioners to resolve such disputes. Arredondo claimed that the Spanish government had granted him title to his property in 1817, an argument endorsed by supporters who wanted to divide and develop the land. The federal land commissioners disagreed. Arredondo did not own the land, they concluded. Arredondo and his supporters appealed. They asked Webster, a strong supporter of western development, to argue the case. The matter was tortuously complex and Webster needed help from legal associates to assemble the arguments involved. The cases, according to one authority, provided generous fees and plenty of work.⁵⁹

John Marshall, the old Federalist who still sat as Chief Justice on the U.S. Supreme Court, issued the court's decision in 1832. He sided with advocates of economic development. Copies of original documents, or even copies of copies, were sufficient to establish claims. As to the assertion that the original documents were fraudulent—that the land had never been granted by the preceding government—Marshall ruled that the burden of proof for such assertions rested with the land commissioners and not the grantees.

The Arredondo decision precipitated a flurry of land settlement cases around the country. John Test moved with the younger members of his family to Mobile, Alabama, to be closer to the Florida cases. Local business directories confirm that he established his offices on Royal Street, two blocks from the Mobile River. He argued at least one land case before the U.S. Supreme Court, involving a grant of property under a Congressional statute “so badly drawn as to vest a right to the same property in hostile claimants.”⁶⁰ In this case, Test sided with the city of Mobile against the land developers. The developers, as usual, prevailed.

John Test the lawyer reinvented and advanced himself by moving west and changing careers. His career led him to participate in an important component of

the privacy era – the development of property rights. The constitutional doctrine of privacy holds that Americans have a right to seclusion in their personal effects, including their land, houses, means of communication, and modes of transportation. The doctrine did not arise spontaneously from the desire for freedom and migration. It had to be created, largely through the law. John Test the lawyer was part of that creation.

4. A Right to Obscurity (1845 – 1875)

Modern commentators credit the artist Andy Warhol with predicting that everyone in the age of self-revelation would be entitled to fifteen minutes of fame.⁶¹ By contrast, individuals in the age of privacy frequently embraced obscurity. Many lived lives that by modern standards would be considered “off the grid,” free of exposure, leaving few imprints of their existence.

I.

The farm owned by James McCurdy, born in northern Ireland to a family of Scottish descent, lay near the northwest corner of Brown County, Illinois. The property sat near the village of Timewell, in a township known as Pea Ridge. The township name refers to the relatively flat and farmable land rising above gullies created by small tributaries feeding Missouri Creek. The frequent gullies create wooded depressions unsuitable for agriculture and make the adjacent land seem ridge-like by comparison. It is still a rural area dominated by small, family owned farms.

Brown County rests on the western side of Illinois, one of four counties that form an inverted triangle bounded by the Illinois and Mississippi rivers as they flow south to meet near Deer Plain. Where James settled, the land between the rivers encompasses two counties. The Illinois River forms the eastern boundary of Brown County; the Mississippi bounds Adams County to the west.

The children of James and Jane McCurdy began to move away. David McCurdy, their second son, left home around 1845. On January 16 of that year David married Ruth Porter. David and Ruth were near twenty years old on the day of their marriage. Like David’s parents, Ruth Porter’s family had previously lived

in Ohio. The couple settled a few miles away from the McCurdy family farm in neighboring Adams County. Together David and Ruth appear in the 1850 census, living near the town of Clayton, five miles west of Pea Ridge. The census taker recorded two children; a son age five and a daughter age two. At the time of the census, Ruth was pregnant with her third child, another son, who would be born in September. More children would follow.

Sometime between 1850 and 1860 David's father died. The immigrant farmer, born in Ireland of Scottish ancestry, left a wife and eleven children.

Perhaps his father's death spurred David's interest in moving further west; David did not inherit the Illinois farm. The population of Brown County was not growing, but neither was the amount of arable land. David's mother Jane appears in the 1860 census, still residing on the Pea Ridge family farm. She lived with her younger children, a son Daniel, age nineteen, and a daughter Sarah, age seventeen. The household was enlarged by what appears to be a relative or female boarder from Ohio with a young boy. A few houses away the census taker recorded another son, twenty-six year old J. P. McCurdy, with a wife and three infant children. J. P. lived on land he did not own, perhaps part of or adjacent to the 255 acre family farm. Jane told the census taker that her age was 58; she was really sixty-three.

By 1870 she too would disappear. No McCurdy name appears on Pea Ridge in the 1870 census.

One might wish to imagine that the sale of the family farm provided the children with the means to purchase their own farms. The image of an immigrant farmer coming to America and providing a better life to native-born children by accumulating land is an enticing one. Yet it was not feasible in this case. To the 1860 census taker, Jane McCurdy judged the value of her real estate to be \$700, adding an additional \$300 in personal belongings. Divided among five sons, the inheritance would not have purchased an adequate farm. Divided among all eleven, her net worth would not have propelled anyone much beyond the next county.

To seek less expensive land, one could move again. The cost of a continental crossing by wagon in the mid-nineteenth century ran toward \$1,000, especially for a large family. A family without adequate funds could not escape poverty by moving west. As a historian at a leading interpretive center noted, the

passage to Oregon was not “a journey for the poor.”⁶² A family needed hardship to inspire motivation but could not be so destitute as to prohibit the move.

Ruth and David McCurdy decided to move to Oregon. To realize their dream, they needed a wagon specially outfitted for the journey. River crossings required tall wheels, which in turn supported a watertight bed; a canvas or linen cover mounted on bows provided protection from sun and rain. Perhaps David owned such a wagon. If not, one could be purchased for about \$70. He needed oxen, at \$60 to \$70 a pair. The minimum was two to three pair, more if a family could afford them. The family needed sufficient provisions to feed themselves over a four to five month journey. They would load at least 1,500 pounds of food into the wagon – flour, cornmeal, beans, bacon, sugar, rice, dried fruit, salt, baking soda, coffee and tea. Although the cost of nutriment was not excessive – less than \$100 – the weight was. Experienced travelers recommended that migrants place no more than 1,800 pounds in a single wagon, although a well-built one could hold twice that amount. Emigrants with large families and sufficient means were advised to purchase a second wagon and the animals to pull it. Confronting the added expense, most travelers chose to overload the one they had.

Newspaper stories touted the value of India rubber as a material for coats, wading boots, tablecloths, and air mattresses that would stay dry. A family needed pots, kettles, some sort of stove, knives, candles, plates, utensils, blankets, an axe, a shovel, rope, and extra clothes. They were advised to take tents, wash tubs, rifles, cloth, needles, thread, and a large medicine chest. They needed cash for river crossings. A bridge owner might assess a 50 cent toll; the owner of a ferry as much as \$5 per wagon.⁶³

David’s family probably made a frugal passage, relying upon a small amount of money somehow saved through exceptional labor possibly supplemented by a small inheritance. David could have cut expenses by reconstructing an existing wagon and loading blankets, cookware, and other materials that the family already owned. Their circumstances upon arriving in Oregon imply that they expended most of their savings simply reaching their destination.

Neither David nor Ruth McCurdy appears in the 1860 census. Family records indicate that they were still in Illinois, where at least one more child was born. Young Calvin, who appeared around 1862, listed Illinois as his place of birth. The increased activity necessary to prepare for the Big Move may have caused the family to miss the census. David might have been working elsewhere to

accumulate cash. Family members might have been temporarily scattered. Perhaps they lived at the end of a road too long for the census taker to follow on a dwindling day. Perhaps the family dog chased him away. Conceivably, they did not answer the door.

Sometime after young Calvin's birth, David McCurdy and his family left Illinois and crossed into the state of Missouri, heading for the start of the Oregon Trail. Any goodbyes would have been final ones; a decision to move across the continent at that time generally meant that relatives would not meet again. David's family commenced the long walk to Oregon in the spring of 1866. We know the year of transit from the obituary for one of David's sons in the *Portland Sunday Oregonian*, which reads in part:

Dec. 27 [1930]....John McCurdy, 80, a pioneer resident of Douglas county....was born September 2, 1850, at Quincy, Ill., and crossed the plains with his parents in 1866.⁶⁴

Quincy is the county seat of Adams County, with more facilities than could be found near the family farm thirty miles away. Residents of Quincy, a river town, still look west across the Mississippi to dreamed of destinations.

Ruth was pregnant in the spring of 1866 with what would be at least her eighth child. Little Amos was born October 1, 1866, in Oregon, about the time that the family would have expected to complete their passage. Ruth must have been quite pregnant during the final weeks of the journey. We know that the family arrived in Oregon with at least seven children, ranging in ages from four to twenty years. There was Alexander, the eldest, born in Illinois around 1846. Following Alexander were Mary, age eighteen; John, sixteen; Julia, twelve; Lucinda, ten; William, eight; and little Calvin, age four. David and Ruth had recently passed their fortieth birthdays.

The children walked across the short-grass prairie, kicking up grasshoppers. The trail was too rough to permit the family to ride in the wagon, so the travelers walked most of the way.⁶⁵ They met the Dyer family, fellow travelers in the same wagon train. Thomas Jefferson Dyer was a forty-six year old farmer with a wife and similarly large entourage. He and his wife Jane were born in Tennessee. They had moved to Missouri, then to eastern Kansas to farmland they did not own. Their Kansas farm was located at Crooked Creek, in Jefferson County, near the start of the Oregon Trail. Like David's family, the Dyers were leaving for better prospects in a distant place and the possibility of owning land. The two

families were similar in age. Jane was turning forty years old. At least eight children, ages two to twenty-three, accompanied Jefferson and Jane Dyer. Alice was seven. According to family members, young William McCurdy and Alice Dyer walked together in the train.⁶⁶

By 1860 some 52,000 individuals had settled in Oregon. Most had arrived by way of the Oregon Trail. Some kept diaries; others wrote letters. Passed on to children and friends, they provide a relatively clear picture of the journey. Content with obscurity, David and Ruth McCurdy apparently did neither.

Organized migration along the trail began in 1842 when a wagon train with slightly more than 100 individuals left western Missouri in mid-May. The party intended to reach the Willamette Valley before late October; they achieved their objective. A much larger group departed the following year. The 1843 party consisted of more than 100 wagons and a huge herd of accompanying oxen and cattle estimated to contain as many as 5,000 animals. "Oregon appeared to be a land of opportunity for both the adventurous and ambitious," reported one historian. "The flood of propaganda from fur traders, missionaries, and government servants fell on willing ears." By 1866, the route west was well established, with traffic proceeding in both directions.⁶⁷

Disease and accidents posed a substantial danger during the first month on the trail. The path, more in the form of a broad passageway than a well-defined road, grew increasingly sparse of vegetation and sandy as it moved west along the Platte River in Nebraska into eastern Wyoming. Poor sanitary conditions at abandoned campsites, joined with seasons of unusual dampness, helped to excite a major outbreak of Cholera during the 1850s. Unattended children fell beneath wagons. Firearms carried for protection against Native Americans accidentally discharged. By some estimates, as many as ten of every one hundred individuals who began the journey died in their attempt to complete it.⁶⁸

The threat of Cholera dissipated by the time the party reached higher altitudes along the Sweetwater River in central Wyoming. The trail passes through broad meadows where the Sweetwater meets the continental divide at South Pass. Except for the sight of the snow-capped Wind River Range to the north, migrants would not know that they were crossing the backbone of the continent.

The party descended into Idaho, passing the site of a deadly encounter four years earlier. Of four wagon trains moving along the south bank of Snake River west of Fort Hall on the 9th of August, 1862, Native Americans had attacked two.

The resulting skirmishes, including an attempt by travelers to retrieve what they believed to be stolen property, produced ten dead immigrants and an unknown number of Native American casualties. By 1866, cavalry troops, previously removed from the Western frontier to fight in the Civil War, had returned to patrol the trail. Alice remembered three encounters with Native Americans along the trail during which the cavalry intervened to smooth relations.⁶⁹

Downstream from what the pioneers called "Massacre Rocks," the migrants encountered an obstacle more life threatening than hostile assaults. At the dreaded Three Island Crossing, guides urged their trains to move from the south to the north bank of the Snake River. The choices were unsettling. Wagons could be driven through deep and swift water between three islands or taken upstream and floated across. Either approach risked the possibility of capsized wagons, lost animals and drowned pioneers. As an even less pleasant alternative, immigrants could eschew a crossing and endure a long and waterless route over bluffs along the south bank.

As they neared the conclusion of their journey, travelers passed through valleys of increasing beauty and fertility. In late summer, the Bear River Valley in southeast Idaho and the Grande Ronde near present day La Grande, Oregon, are particularly lush. Far removed from existing settlements and faced with the necessity of crossing the Blue Mountains before the first heavy snow, the pioneers moved on. "Oh, if the Grande Ronde was west of the Cascade Mountains," said one woman pioneer, "how soon it would be taken up."⁷⁰

Migrants on the Oregon Trail established pathways dictated by the necessity of finding water every twelve to twenty miles. As a consequence, the trail - really a series of concomitant paths - follows routes often avoided by modern highway engineers. Where a highway engineer would take a long route around a hill, the emigrants simply trekked over it. In places well removed from modern development, the ruts left by the passage of successive wagon wheels generations earlier remain clearly visible in the grassy soil.

II.

Migrants entering the Willamette Valley at the end of the Oregon Trail generally headed for Oregon City or Portland in later years. Oregon City served as the traditional end of the trail. Its geographic importance resulted from its

location alongside Willamette Falls, a point at which the Willamette River drops 50 feet through cataracts that only salmon can ascend. Farmers moving goods to and from the upper Willamette Valley needed a transfer point to move material around the falls. The falls additionally provided a source of energy that encouraged a commercial center to grow. Arriving parties typically gathered at Abernethy Green, an open area slightly downstream of the narrow strip of land on which the town lay. The property belonged to George Abernethy, one of the first pioneers to secure land in the Willamette Valley. The open field marked the end of the journey for those whose last memories of the trail consisted of a perilous raft ride down the untamed Columbia River or the treacherous overland crossing of the Cascade Mountains by way of the Barlow Road.

By 1866, the city of Portland had eclipsed Oregon City as the primary center of commerce and trade. Ten miles north of the falls, near the junction of the Willamette and Columbia Rivers, Portland provided the last stop for captains of ocean-going vessels seeking to navigate local waterways. From modest beginnings in 1843, when William Overton and Asa Lovejoy filed the first 640-acre land claim, Portland had grown rapidly. Immigrants arriving in 1866 found a muddy town housing approximately 5,000 individuals. Captain John C. Ainsworth and Robert R. Thompson, a sheep and cattle rancher, had recently formed the Oregon Steam Navigation Company. Teams of carpenters built docks and warehouses along the city's waterfront in their name. Construction of the Multnomah County Courthouse was underway. The city had become a wholesale center for the distribution of goods, a port for shipping wheat and other products to places such as San Francisco, an investment center, as well as a site for land speculation. It developed so rapidly that stumps still remained in places where the paths of streets had been surveyed. William Overton apparently grew so tired of clearing stumps that he sold his share of the 640-acre land claim to Francis Pettygrove, who named the settlement after a town in his native state of Maine.⁷¹

In general, migrants arriving by way of the Oregon Trail sought land. The promise of inexpensive land attracted settlement. In 1862, the U.S. Congress had passed the Homestead Act, which allowed a family to claim 160 acres of public land by paying a \$34 fee and living on and developing the parcel for five years. Alternatively, a family could purchase the property after six months of occupation for \$1.25 per acre. Three years prior to passage of the Act, in 1859, Oregon had become a state. The first settlers, however, had arrived twenty years earlier and

initiated their own land claims. The settlers had established a provisional government to accept their claims, which needed to be reconciled with federal acquisitions when Congress accepted Oregon and all its lands as a U.S. territory in 1849. The federal government dispatched a land survey officer to Oregon City to work out the differences, which helped solidify that town's status as the end of the trail. By the passage of the Homestead Act of 1862, most of the good land in the lower Willamette Valley, near Oregon City, the object of many migrants' dreams, had been taken.⁷²

David McCurdy's family stayed in Portland, forgoing the opportunity to own land in more remote locales for the economic prospects afforded by a growing town. One suspects that David McCurdy had exhausted his financial resources while moving a large family across the continent and needed immediate employment. Whatever his reasons, he perceived the financial opportunities presented to a large family with a number of male sons reaching adulthood in a



In the mid-1800s, Portland, Oregon was still a city of stumps and trees amongst which a newly arriving family could disappear. (Courtesy of Oregon Historical Society, 1857.)

city surrounded by trees. He looked at the stumps and saw profit. People needed lumber to build homes and wood to heat them during the frequently damp and chilly days. David resolved to provide it.

David McCurdy, who had taken his family across the Oregon Trail, went into the wood distribution business with his sons Alexander and John. David listed his occupation as wood dealer. The two sons hauled it. The business proved so sufficiently profitable that the family was able to accumulate a dwelling worth \$1,000 by the time of the 1870 census, four years after their arrival. David, Alex, and John listed their personal estates at a value of \$300 each, impressive for sons who were just 24 and 20 years of age. The family lived together in Portland. They numbered twelve. In addition to David and Ruth and the seven children who had made the journey across the Oregon Trail, three more had arrived, including little Amos, who at three years of age was the first Oregon born.⁷³

What happened during the next ten years remains a great mystery. David disappeared. Perhaps, nearing his 56th birthday, he died of natural causes. Perhaps a tree or a load of wood fell on him. Tree cutting, sawmill work, and wood hauling were hazardous occupations. A helpful genealogical assistant suggested that he might have returned to the Midwest, weary of primitive conditions in the new state. Pioneers did flee their families and head east, but an exhaustive search of Midwestern and eastern census records failed to locate anyone resembling him. It was as if someone dropped a bomb on the family. In 1870 they were gathered together in their new Portland home; by 1880 they were scattered everywhere.

In 1880, an Alex McCurdy appears in Santa Clara County, California, living next door to a woman with a husband and three children. The woman is apparently Alex's younger sister Julia. John McCurdy, now married, appears in Wasco County, on the east side of the Cascades. Ruth McCurdy was living in Cornelius, Oregon, a small community west of Portland near Forest Grove. Little Amos, then thirteen, lived with her. Her daughter Mary was living next door, married to John Buford.

One hundred and twenty-four years later, on a light spring day in 2004, I went searching for evidence of David and Ruth McCurdy in the Tualatin Valley west of Portland. I carried a copy of Ruth's death certificate and obtained a list of cemeteries at the local public library. Ruth had died on September 23, 1905, at the age of eighty. The certificate, supplied by the Oregon State Center for Health Statistics, listed her final place of residence as 66 North 9th Street in what is now



The tombstone of Amos McCurdy (1866-1911), is located in Cornelius, Oregon. His father David vanished into obscurity around 1875.

downtown Portland, near the present day site of Powell's Book Store.⁷⁴ At the time of her death, Ruth was living with her daughter Mary. The two had recently returned to Portland from the small town of Cornelius in the Tualatin Valley.

Steep hills that rise above downtown Portland separate the city center from the Tualatin Valley further west. Beyond the valley, the more rugged coastal range welcomes the setting sun. A search through local cemetery records did not reveal Ruth's name or her place of burial.

Driving toward the north side of Cornelius, I decided to explore by myself. I bypassed a Lutheran cemetery and crossed Council Creek, ascending toward a small Methodist cemetery on a rising hill. With few expectations, I parked my rental car next to a cyclone fence and looked up toward the older part of the grounds. A large tombstone with the name Buford stood out, part of a row of five

stones. Buford was Mary McCurdy's married name. The stones marked the resting place of Mary and the other members of Mary's family, including her children and her husband John. After burying her husband in 1899, Mary had moved back to Portland where she cared for her aging mother.⁷⁵

A rougher stone sat nearby. I moved to the side so that the sun accentuated the carving on the old rock. Amos McCurdy, it said, with the dates of birth and death. Here was little Amos, born as the family of David and Ruth McCurdy completed its journey across the Oregon Trail. He had stayed near Ruth when the family dispersed and had died in 1911, six years after his mother. No stones marking the location of other family members were in sight.⁷⁶

The whereabouts of David and Ruth McCurdy remain unknown. The state prepared a death certificate for Ruth, but none for David. No stone with his name appeared. Family members have no recollections. Death certificates, obituaries, and burial records are silent, but then records were not well kept before 1880 and burial practices were less formalized. In two generations, preceded by his father James, the family had crossed from Ireland to Pennsylvania to Ohio and Illinois and traversed the continent to Oregon. David's descendents are many; his final location quite private.⁷⁷

5. Starting Over (1846 – 1899)

Why did Edward Francis Test present himself as a general in the Nebraska National Guard? Edward was an accomplished newspaper editor in Omaha and Council Bluffs, arriving in that community around 1870. He came from a notable American family, a fifth-generation descendant of the original John Test of London. Edward's son would graduate from the U.S. Military Academy at West Point. Edward Francis Test led an exemplary life, yet chose to emphasize this appointment as a high point in his career.

The reference appears frequently. His granddaughter wrote, "he was a General of the Nebraska National Guard and known by everyone as 'the General.'"⁷⁸ Edward identified himself as "Gen. E. F. Test" in a 1906 newspaper article that he penned for the *Council Bluffs Nonpareil*. A 1925 newspaper article repeats the title, as does one of his obituaries, noting that he was "known for years as 'General' Test."⁷⁹

The designation conjures images of a commander directing troops in the field. Members of the Nebraska state militia protected settlers fearing reprisals from Native Americans. Nebraska's governor dispatched troops from the state militia to the state's northwest frontier after the terrible shoot-out at Wounded Knee. National Guard commanders calmed worker strikes in Omaha. The state sent citizen soldiers to fight in the Spanish-American War. The First Nebraska, shipped overseas to fight in the Philippines, suffered 232 dead and wounded.

The authenticity of Edward Test's designation can be checked easily by consulting Douglas Hartman's history of the Nebraska National Guard, *Nebraska's Militia*. Hartman's book covers the period beginning in 1854 and lists all of the Adjutant Generals through 1987. Throughout the nineteenth century, the state reserved the rank of General for the Adjunct General, who directed the Guard. The list of Adjunct Generals includes Hughes, Knox, Patrick, Tzschuck, Alexander,

Roggen, and Bonnell. Test's name does not appear, not in the list of generals nor the index of other names.⁸⁰

Blessed with a generous helping of privacy, people from earlier times could easily enlarge their accomplishments. By grounding their assertions in regions far away, such people reduced the possibility that someone in their new place of residence would discover the truth behind the claim. Yet Edward Test drew his assertion from the region to which he moved. The mystery invited further investigation – and an understanding of the circumstances that produced such a title before his name.

I.

Edward Francis Test was an orphan, a child bereaved by the death of both father and mother. Edward (the General) was born in Mobile, Alabama, in 1843. His father was a son of John Test the congressman and lawyer. Through two wives, John Test had produced eleven children. Grandchildren followed.

According to Edward's recollections, his own father (also Edward Francis Test) died of heart disease. Records confirm that the father died in Mobile in 1846, at the likely age of thirty-three. He had been employed as a clerk and bookseller in Mobile. The widow's prospects for family support diminished considerably when the family patriarch, John Test, suffered what was likely a stroke (a "paralysis") and returned to Indiana to spend his final days. Death came quickly to the elder John Test in 1849. Following John's demise, the Test family apparently scattered, Mobile being a base of employment rather than a place of residence.

Edward's mother Emma Frances continued to raise Edward and his two sisters in Mobile. The 1850 census lists a twenty-three year old Emma and her three children living in Mobile with one Jas A. Miller and his wife Ellen, who was likely Emma's older sister. Emma was unemployed. The census taker recorded Edward's age as eight years and his sisters Mary and Louisa Victoria as six and four.

Misfortune fell again. Edward's mother died in 1852, at the apparent age of twenty-five, orphaning Edward and his two younger sisters. The children had lost both father and mother.

A large family in nineteenth century America provided a safety net in the event that personal misfortune struck, as it so frequently did. What one sacrificed

in privacy by remaining close to the family, one gained in security. To reach a secure adulthood, Edward needed a new beginning. At the age of ten, he was hardly old enough to create it. Yet Edward had no need to discard his past. Instead, he embraced it. His deceased parents were part of a large and prominent American family upon whose support Edward and his sisters could depend. Test family members intervened and dispatched the children to live with Helen Maria, Edward's aunt and one of John Test's daughters. Helen Maria had married Copeland Arion, a merchant and member of the Indiana State Senate.

A dozen years before Edward's misfortunes began, a cousin named Lew Wallace had endured a similar situation. Lew's father, David Wallace, had encountered the Test family in Brookville, Indiana. David had graduated from the U.S. Military Academy at West Point. After gaining admission to the Indiana bar, he practiced law with the lawyer John Test. The young attorney and officer in the Indiana militia attracted the attention of his senior law partner's second daughter, Ester French Test. The two were married in November of 1824, when the groom was twenty-five and Ester was eighteen.

In his autobiography, Lew Wallace offers a vivid portrait of Esther and the Test family. The description, he explained, was drawn in part from the recollections of a youthful friend.

Sprightliness, beauty, and graces of person, he said, brought her beaus in great numbers. She was an instance, he further observed, in which coquetry added to a character altogether perfect. He spoke of her as the strangest compound he ever met. Though delicate to frailty, she could dance from Sunday to Sunday.⁸¹

Frailty apparently overcame her. In a tragedy too often repeated in nineteenth-century America, Esther contracted consumption—the modern term is tuberculosis—and died. "I was never to see her more." her son Lew wrote. "Her love, with all its countless illustrations of touch, look, care, sympathy, and word, was to become but a memory."⁸² Esther was only twenty-eight years old when she died.

Lew's father, David Wallace, dispatched his grief by absorbing himself in political affairs. David served in the state capital as Lieutenant Governor and then as Governor of Indiana. Lew proved incorrigible after his mother's death—a boy "destined for hanging" people said—until sent to live with uncle Charles Test and his wife Rebecca. Schooling finally took hold.⁸³ Though he never recovered from

the loss of his mother at such a young age, Lew's career flourished. He became a Civil War general, the territorial governor of New Mexico, and the author of the novel *Ben Hur*.

To lose a family member in early America, especially a mother or child, was not uncommon. To lose both parents could be devastating. A fortunate child so afflicted might depend upon relatives for support; an unfortunate one could wind up on the streets.

The Arion family that Edward and his sisters joined lived in Madison, Indiana, downriver from the old Test family seat at Brookville. From Madison the family moved to Decatur, Illinois, and from there to Chicago. In Chicago, at the age of fifteen, young Edward took a job as a clerk with the Illinois Central Railroad.

A young man committed to improving his circumstances in the late 1850s could not find a much better vehicle of opportunity than the railroad industry. Railroads were the engines of progress to which promoters of internal expansion attached their dreams. Rail lines provided the ribbons of technology that would turn the United States into a continental nation. In 1859, Abraham Lincoln visited Council Bluffs, an equally small town located along the Missouri River adjacent to the city of Omaha. Lincoln stood on the bluffs and pointed past the river to the territory through which the first transcontinental railroad would run. Slave interests in Congress had blocked previous attempts to provide governmental incentives for the development of a transcontinental railroad, fearing that the resulting expansion of territory would alter the balance between slave-holding and abolitionist states. The young Edward Test was in Chicago when the Republican Party met in that city to nominate Lincoln for the presidency. Uncle Arion, a member of the Republican Party since its founding, campaigned for Lincoln.

Lincoln's election precipitated a resolution to the railroad controversy. When law-makers from the southern states left the U.S. Congress to protest Lincoln's election, the new president proposed that the remaining members of Congress pass a Pacific Railroad Act. The legislation and its various amendments, first enacted in 1862, provided extensive grants of federal land to entrepreneurs willing to build western railroad lines. Owners of the Union Pacific and Central Pacific Railroads began construction of the overland route in 1863, the former commencing construction in Council Bluffs. They completed the line six years later, driving the golden spike at Promontory Summit, Utah. The railway linked California to the eastern terminus along the Missouri River, and from there

through other lines to the rapidly industrializing East. Project advocates undertook an act of considerable optimism and foresight. Enmeshed in a costly and destructive Civil War, the U.S. government had no funds with which to construct a transcontinental railroad, but it had plenty of land, which it supplied generously to the private entrepreneurs willing to build lines. Supporters of the railroad, looking beyond the prevailing conflict, envisioned a nation made whole not only north and south but all the way to the Pacific Ocean.

In the census of 1870, Edward Test can be found in Chicago living in the household of Helen and Copeland Arion. He listed his age as twenty-six, his occupation as railroad clerk.

Shortly after census taker visited, Edward's guardians retired to their farm outside Chicago. The move separated Edward from the family that had cared for him since his mother died. Edward moved from Chicago to Omaha, where he took employment with the Union Pacific Railroad Company. He arrived in Omaha around 1871. In that new town, Edward began to remake himself: first as a railroad manager, then as a newspaper editor, and as a general in the Nebraska National Guard.



Omaha, Nebraska in 1865 was an infant town to which young people could move and reinvent themselves.

II.

Omaha in 1870 was a new town, scarcely fifteen years old. That year, census takers counted 16,000 residents, up 750 percent from the 2,000 individuals who lived there ten years earlier. Council Bluffs, across the river in Iowa, appended 10,000 more. Construction of the railroad created a boomtown economy. Between 1870 and 1880, the population doubled. As railroads began to transport beef from Western ranches to hungry Easterners, Omaha became a major center for meatpacking. It was a rough town. The city's elite lived in neighborhood enclaves while the rougher elements patronized the Burnt District near the waterfront, the site of an estimated one hundred brothels and gambling dens.

With the granting of statehood in 1867, the state capital had moved from Omaha to Lincoln. In 1872, about the time that Edward Test arrived, voters elected Robert Wilkinson Furnas, an early Nebraska resident and newspaper publisher, as second governor of the newly formed state. Furnas had been a colonel in the territorial militia during the Civil War.

Trains arrived in downtown Omaha at a station that civic leaders characterized as possessing the physical qualities of a cowshed. Not until the advent of the Trans-Mississippi Exposition in 1898 did the town leaders secure sufficient funds to construct the architecturally distinguished Union Station to the south of the old downtown.

As told by the family, Edward was working at the claims department at the old railway depot when he saw a sixteen-year old girl step off the train. Her name was Rosetta Dunham and she had traveled from Connecticut on a western adventure to visit her older sister, who had married and settled in Omaha. Rosetta was, Edward remarked, the most beautiful girl he had ever seen. He told a friend that he wanted to marry her.⁸⁴

Rose was from Back East, the daughter of parents who had emigrated from a farming community north of Cambridge, England, to Connecticut, in 1851. "We're just ordinary farm folk from Cambridgeshire," Rose's older brother John remarked.⁸⁵ Her two eldest siblings had been born in England, the two youngest, including Rose, in Mystic, Connecticut. Edward was sufficiently smitten that he decided to pursue the girl. Edward Test and Rosetta Dunham were married in



Rosetta Dunham journeyed from Connecticut to Omaha as a teenager to visit her sister, met and married an ambitious railroad clerk, and stayed.

1877 in Omaha. The recording justice listed Edward's age as thirty—he was actually thirty-three.

For Edward Test, like the two John Tests before him, migration provided an opportunity for new beginnings. The first John Test emigrated about 1675 from London to the area around Philadelphia. Advances in technology—the railroad and steamship especially—allowed later generations to move from place to place with greater ease. Three generations after his great grandfather sailed to America, John Test the lawyer moved from the eastern seaboard to Indiana and Mobile. Two generations following, Edward Test (the General) migrated from Mobile

through Indiana and Illinois to Omaha. Mobility allowed a person to create a new persona. Edward, who arrived in Omaha as a railroad manager, recreated himself as a newspaper editor.

By 1888, nearly 160,000 people had settled in Omaha and the adjoining town of Council Bluffs. Railroads caused the city to grow rapidly; demand for outlets of mass communication followed. Local newspapers appeared as frequently as new railroad lines.

That year, in 1888, at the age of forty-five, Edward Test left his employment with the railroads and went to work for the *Omaha Republican*. His motivation for such an abrupt career change is not known. He apparently enjoyed writing and involvement in civic affairs, twin opportunities journalism satisfied. Cousin Lew had produced the novel *Ben-Hur* eight years earlier. Copeland Arion, under whose parentage he had grown up, had owned and managed the *Indiana Republican*. For whatever reason, Edward decided to apply his managerial and writing skills to the newspaper business.

Newspapers in nineteenth century America commonly served as vehicles for influencing public opinion. Their value as purveyors of news remained secondary to this function. Editorial writers at the *Omaha World-Herald* accused the founder of the *Omaha Bee* of starting the newspaper in order to secure the ratification of a legislative bill that needed voter approval. "Edward Rosewater," the writers explained, "did not have journalism in mind when he launched the first edition of the Bee on June 19, 1871." The bill passed, creating a Board of Education and with it a local publication that remained in business for a half century.⁸⁶

The *Bee* generally favored Republican causes, as did the obviously named *Omaha Republican*. Even so, the two publications clashed, leading to one famous incident in which the founder of the *Bee* horsewhipped the *Republican* editor, A. D. Balcombe, in retribution for an objectionable article. In 1885 local Democrats under the leadership of a twenty-six year old attorney, Gilbert M. Hitchcock, founded the *Omaha Evening World*, which four years later became the *Omaha World-Herald*. Renouncing his family's traditionally Republican background, Hitchcock eventually won election to the U.S. House of Representatives and U.S. Senate as a progressive farm state Democrat.

Down the street, the *Omaha Republican*, to which Edward Test applied his newfound journalism skills, folded. It ceased publication in 1890. Edward spent the remainder of that year serving as a special agent for the state of Nebraska

conducting a census of the recorded indebtedness of the state. In 1891, he resumed his newspaper career when he became editor and part owner of the *Council Bluffs Nonpareil*.⁸⁷

Leaders of the newly-formed Republican Party had encouraged William Wirt Maynard to start a newspaper in Council Bluffs to counter the tendency of that town to support candidates from opposition parties. Maynard printed the first issue of the *Nonpareil* in the Spring of 1857; the Republican candidate Abraham Lincoln carried the state in the following presidential election. Employees at the newspaper liked to note that the publication beat the Union Pacific railroad to Council Bluffs by nearly ten years.⁸⁸

Shortly after Edward Test arrived at the *Nonpareil*, the boomtown economy of Council Bluffs and adjoining Omaha went bust. Driven by the economic expansion of the previous decade, owners of American companies in general and railroad companies in particular had speculated on the promise of continued growth. When the bubble burst, banks failed, as did a number of railroads including Omaha's own Union Pacific Railroad. The unemployment rate in the United States soared by one estimate to 18 percent; the population of Omaha fell by 27 percent from its boomtown high.

Along with the local economy, newspapers in Omaha and Council Bluffs suffered greatly during the Panic of 1893. Edward escaped from the *Council Bluffs Nonpareil* and restarted his journalism career with the *Omaha World-Herald*, an outlet for the rival Democratic Party. He served as its exchange editor, the person who arranged for stories from other newspapers to appear in the *World-Herald*. In recompense, he prepared stories that appeared in such outlets as the *Chicago Tribune*, *Boston Herald*, and *Baltimore Sun*.

Test reflected on the experience in 1906 in an article for the revived *Nonpareil*. "My wish is that Council Bluffs will never have such as a visitation as those eight eventful years. Five were years of panic, failure, famine and depression." The reflections provided the first clues as to the nature of his militia claim. Test's picture appeared with the article, along with the caption "Gen. E. F. Test."⁸⁹

An Internet search for other publications by Edward Test reveals that he called attention to his military service seven years earlier in a book on the Spanish-American War. The publication carried the elaborate title *A Souvenir, historical and illustrated, of the campaign of the Thurston Rifles Co. L, 1st Neb. Regiment*,

United States Volunteers in the Philippines.⁹⁰ The book celebrated the participation of the Nebraska National Guard in the Spanish-American War. Produced on newsprint, the manuscript was rare and deteriorating, with one copy in the Philippines and another in the Omaha Public Library.

Newspapers had pushed hard for war with Spain, employing a campaign of tales characterized as “yellow journalism” for their provocative quality. President William McKinley had reluctantly called for 125,000 volunteers to prosecute the war, in response to which the Nebraska National Guard supplied two infantry regiments, one cavalry troop, and one artillery battalion, including the infantry company “L” known as the “Thurston Rifles.”⁹¹ Local newspapers reported closely on the activities of the Nebraska National Guard in and around Manila. Edward Test produced his book in 1899 while working at the Omaha *World-Herald*.

The title page for the publication, visible on the Internet, contained a revelation. Edward revealed himself to be a former *quartermaster* general of the Nebraska National Guard. A quartermaster general is a staff officer responsible for keeping military units equipped with food, clothing, and supplies. According to the legislation governing the Nebraska National Guard in the late nineteenth century, the quartermaster general was one of four to six officers on the general staff of the commanding officer, also known as the Adjunct General. Unlike the Adjunct General, who held the rank of brigadier, the quartermaster general was not a general. The legislation clearly indicated that the “quartermaster and commissary general [holds] the rank of colonel.”⁹²

The mystery deepened. How could a person presumably appointed as a quartermaster general at a rank of Colonel present himself as a General in the Nebraska National Guard?

Nineteenth century records of the Nebraska National Guard are kept at the Nebraska State Historical Society in Lincoln, the state capital. The annual reports contain the names of all quartermaster generals. While research for this book was underway, the reports were not available on-line. To inspect those reports, I traveled to Lincoln, Nebraska, in the fall of 2013.

Again, difficulties ensued. The lists of individuals who served as quartermaster generals of the Nebraska National Guard between Test’s arrival in Omaha around 1872 and his pronouncement of the title in 1899 did not contain his name.



Edward Francis Test presented himself as a General in the Nebraska National Guard.

Disappointed with the results of what appeared to be a failed search, I wandered to the shelves on the opposite side of the room and perused the books kept there. They covered early years in Omaha. One book title drew my attention. *Who's Who in Omaha: 1928*, it read.

I wondered if Edward had qualified. Sure enough, there he was, under the "T's:" Edward Francis Test, retired, born in Mobile, Alabama, June 29, 1843. At the bottom of his entry was the designation for which I had been searching: "Quarter-Master Gen. of Neb., 1873."⁹³

The statement suggested that Edward Test had served in the Nebraska National Guard in 1873, shortly after his arrival in Omaha. I should have been elated at the discovery. I was not. The mystery was not yet solved, for I knew from its history that the Nebraska National Guard did not exist in 1873.

Nebraska's acting territorial governor created the state militia in 1854. Troops participated in the Civil War and provided protection for western settlers after regular Army units withdrew to battle the Confederates. Governor-to-be and then-Colonel Robert W. Furnas organized the Second Nebraska, which headed west to engage the Sioux. Over 3,000 Nebraskans participated in the wars.⁹⁴

With the cessation of fighting in the Civil War, federal troops returned to their regular duties along the western frontier. Local militias disbanded. "Potential enlistees," one historian reported, "were sick of war." Official records pertaining to the state militia were "in a terrible condition," reported the outgoing Adjutant General. The state armory was empty.⁹⁵ In 1871, lacking funds to support the militia, the Nebraska legislature abolished the office of Adjutant General and transferred the remaining records to the Secretary of State.

In his 1875 message to the state assembly, Governor Robert Furnas berated the legislators for their action. Furnas noted, "United States statutes, at large, require each state to have an Adjutant-General." The work of the Adjutant-General, he said, was "indispensable." Furnas called on the legislature to reestablish the office, which the legislature did that year.⁹⁶

A single sentence in the Furnas message provided a clue to the mystery of Edward Test. Furnas told the legislators that in the absence of any supporting legislation between 1871 and 1875 he had personally appointed his private secretary, J. H. Alford, to act as the Adjutant-General. If the fifty-year old governor and militia officer had made one appointment, might he have made more?

Official records, so far as we could tell, were silent as to that question. I asked my research assistant, Matthew Vanderschuere, to conduct an electronic search of local newspapers for some announcement that might confirm such appointments. The first search failed. No references to Edward Test as a quartermaster general in the Nebraska militia for 1873 appeared.

Matt tried again, this time using the Library of Congress online site *Chronicling America: Historic American Newspapers*. He extended the search to 1875, requested references for E. F. Test, and pressed the return key. The reference instantly appeared, highlighted in red. From the *Nebraska Advertiser*,

February 12, 1874, it read: "Brig. Gen. E. F. Test, Douglas co., Quartermaster General."

The electronic search revealed what our manual investigation of records had failed to disclose. Edward Test, representing a notable and politically active family and newly arrived in Omaha, received an appointment as quartermaster general in the Nebraska militia. Absent guiding legislation, Governor Furnas could make the appointment at any rank he chose. He appointed Test and eight others to the rank of Brigadier General, possibly as compensation for service for which the state legislature had failed to make an appropriation. The governor's private secretary, John Alford, provided the names that the newspaper included in the associated story.

The title was not contrived. Edward Test was a quartermaster general in the Nebraska National Guard (then the state militia) in 1873 and 1874 at the rank of Brigadier General. He retained the honor proudly throughout his life. Orphaned in childhood, he did not become a wealthy man, but a civic leader of some renown.⁹⁷

6. Tall Tales (1866 – 1900)

The west was famous for its tall tales. Paul Bunyan and his blue ox inhabited upper Michigan. Buffalo Bill dressed Annie Oakley as a cowgirl for his Wild West Show, ignoring the fact that Annie grew up in Ohio and never went west until she joined the tour. Jim Bridger told stories of a high Yellowstone plateau in which waterfalls sprouted upside down. Bridger's stories were true, but listeners assigned them to the same venue as other outstanding lies. In general, the popularity of a story out west remained inversely proportional to its veracity.

Here is a true story. While crossing the Oregon Trail in 1866 with his parents David and Ruth McCurdy, William McCurdy met his future wife Alice Dyer. The couple traveled in the same wagon train. It was not a frontier romance in the tradition of dime store Western novels, however. Alice was seven years old and William was eight.

When the journey ended, the two separated. Alice and her family settled in southern Oregon, where her father acquired a farm. William remained with his family in Portland, where he dreamed of becoming a cowboy, driving cattle back along the trail. As later family members told the tale, William fulfilled that dream. He became a cowboy. His occupation became part of family lore. His actual circumstances, confirmable through census records, were less romantic.

Few mythologies from the old west were more powerful than the image of the cowboy. The practice of herding cattle on horseback arose in Spain, where sparse lands required hacienda owners to move livestock over great distances to keep them fed. The activity required greater skill than the ancient practice of shepherds watching over flocks of sheep. Thin vegetation and the availability of open rangeland encouraged ranchers in the American west to utilize horseback riders to manage herds. The practice was well established by the 1860s. Ranchers

left cattle to graze on federally owned public land, rounding them up in the spring to brand newly born calves and later to separate steers headed for market.

The cowboy tradition conflicted with the practice of herding sheep. Shepherds competed with cattle ranchers for water and grass on the public domain. Cattle ranchers accused sheep owners of decimating the grass and spreading disease to cattle. Much of the antipathy had social and racial overtones. Cowboys viewed shepherds as lower in the hierarchy of occupational skill and associated them with individuals of Hispanic or Native American descent. The resulting Sheep and Cattle Wars produced more than one hundred confrontations and a significant number of dead individuals.

The conflict between sheep owners and cattle ranchers turned three-sided with the advent of homesteading. Congress enacted the first in a series of Homestead Acts in 1862. The laws allowed farmers to claim (and fence) relatively small parcels of land owned by the federal government. To discourage speculation, the law required claimants to actually work the land. Speculators and early arrivers had already taken the most fertile land, so homesteaders often found themselves on marginal parcels too small to efficiently farm, leading to conflicts with grazers who favored the open range.

Writers and later Hollywood film-makers glorified these conflicts, often using them to relate morality tales. Greedy ranchers received punishment at the hands of heroic cowhands. Riders drove cattle over long distances through accumulating adversities. Actual cowboys—and the occasional cowgirl—provided inspiration for these narratives. The Johnson County War, a gun-battle between rival Wyoming ranchers that took place in 1892, provided the inspiration for no less than fifteen novels and films.⁹⁸ Cattle drives across hostile terrain inspired the classic 1948 film *Red River* as well as the highly acclaimed 1989 television mini-series *Lonesome Dove*.

Great cattle drives occurred as a consequence of a fortuitous relationship between isolated ranchers and expanding railroads. The first large drives began around 1865, when enterprising ranchers discovered that cattle worth three or four dollars in Texas were worth ten times that much in Philadelphia or New York. Ranchers hired cowboys to move cattle from Texas to railheads in Kansas. The railroads made money by hauling steers. Texas longhorn cattle proved to be especially trail hardy; riders who attempted to drive other breeds terribly far

could wind up with a lot of dead animals. Due to their trail worthiness, the Pacific Northwest received a great number of Texas longhorns by way of the Oregon Trail.

Beginning in the 1870s, Pacific coast cowboys commenced large cattle drives.⁹⁹ Some drove cattle south, into Nevada, where stockmen and their herds met the first transcontinental line at Winnemucca. Others drove cattle east, back along the Oregon Trail, toward the railroad lines expanding through Wyoming and Idaho. Others headed northeast, toward Spokane, where owners of the Northern Pacific line worked to complete their own transcontinental route. The undertaking was a tenuous one, lasting not much more than twenty years.

Following the dissolution of the family's wood distribution business in the 1870s, William McCurdy set out to do this work. At the age of twenty-two, he headed to eastern Oregon to seek employment as a herdsman of steers.

The image of caring for livestock exceeds in glory actual conditions on the range. The real work is dangerous, uncomfortable, and poor. William McCurdy's cowboy dreams led him by 1880 to scrubby grasslands on the eastern side of the Cascade Mountains between Mount Hood and the Deschutes River, to a district in Wasco County known as Butte Creek. His older brother John, now a farmer, lived nearby, at Fifteen Mile Creek. The location took its name from a water crossing about fifteen miles south of the Columbia River near the town of Dufur.¹⁰⁰ John lived at Fifteen Mile Creek with his wife Susan and three young children.

Whatever the circumstances, William did not fulfill his dreams of herding cattle. Expanding rail lines would have ended that ambition within a few years even if he had pursued it diligently. Instead, he accepted employment as a herder of sheep, a far less romantic undertaking in the occupational hierarchy of western lore. The 1880 census taker confirmed his occupation. "Sheep herder," it says.

Sheep herding is a lonely and uncertain life. Among the 112 men who worked the Butte Creek area in 1880, bachelor sheep herders outnumbered married stock farmers. The average age of a shepherd at Butte Creek was 26 years, although a few were as old as 41 or 45.¹⁰¹

The circumstances of the older shepherders, juxtaposed with the stability of family life illustrated by his brother and the other thirty-five married couples in the Butte Creek district, may have encouraged William to reconsider his goals. However motivated, William abandoned his sheep and returned to the one person with whom he had most closely shared the experience that inspired his efforts to



As a young man, William McCurdy dreamed of becoming a cowboy. Census records reveal that he worked as a sheep herder in eastern Oregon.

retrace the trail. He left eastern Oregon and headed for Douglas County, where Alice Dyer lived.

William McCurdy's move may have been encouraged by contact with one William Dyer, a twenty-six year-old stock farmer who lived with his wife and two daughters in the Butte Creek area and may have been a relative of Jefferson Dyer.¹⁰² Perhaps they met; perhaps the appearance of the family name triggered young William's interest in a childhood friend. Perchance his mother Ruth corresponded with the Dyers of Douglas County and knew that Alice was still available. For whatever reason, William McCurdy abandoned his life as a prospective cowboy and set out to find Alice.

In 1880, Alice Dyer, age twenty-one, still lived with her parents on the family farm in southern Oregon. She was the oldest daughter still living at home. After crossing the Oregon Trail in 1866, Jefferson Dyer had looked for land. Migrants who crossed the Oregon Trail in its later years could secure land in eastern Oregon and areas further south. Jefferson Dyer's family pursued the latter course of action. On May 1, 1869, Jefferson paid cash for a twenty-eight acre parcel of land in Douglas County, Oregon, recording his purchase at the Roseburg Land Office. The family appeared, along with young Alice, then eleven years old, in the 1870 census. Jefferson followed this act by filing a claim in 1872 to an additional 159 acres adjacent to the first parcel. He filed the claim under the provisions of the Homestead Act, fulfilling in practice his quest for free land.¹⁰³

Roseburg and its surrounding areas form a pleasant community along the main land route to California beyond the upper reaches of the Willamette Valley some 70 miles south of Eugene. The entire county extends from the crest of the Cascade Mountains near Crater Lake to the Oregon coast at Reedsport. By 1869, Douglas County was already well developed, with a population of 6,154 at the following census. Jefferson Dyer and his family chose land in Canyonville, twenty-five miles south of Roseburg near the point where the south branch of the Umpqua River separates from the Cow.

Sometime after 1880, William found Alice. A romance ensued, possibly abetted by parents anxious to see their daughter resettled. Alice and William married on September 30, 1883. He was twenty-five years old; she was twenty-four.¹⁰⁴

William McCurdy's dreams of becoming a cowboy, nurtured on the Oregon Trail, faded with the advance of the railroad. A transcontinental line reached Portland in 1883 and six years later the first line linking Portland to California was joined, thereby shortening the necessity for the lengthier cattle drives. By the 1890s, the need for extensive cattle drives had entirely disappeared. In the same way that the appearance of railroads ended the mass migration of people by foot along the Oregon Trail, the expansion of lines concluded the driving of cattle. For both people and the livestock ranchers owned, a few days of travel on a train was certainly preferable to weeks of migration on the ground. Like people, cattle soon rode, not walked, to their destinations. Appropriately, after ending his stock herding days, William took a job as a wage employee for the railroad.

Railroad companies flourished in the American West after the Civil War, largely a result of government subsidies that provided railway entrepreneurs with grants of public land in exchange for completed rail lines. In 1869, three years after William's father had arrived in Portland, railway entrepreneurs formed the Oregon Central Rail Road. By placing twenty miles of track south of Portland, the group laid claim to land grants all the way to California. To proclaim their ambitions, the group changed the name of their venture to the Oregon & California Rail Road Company. The company received extensive land grants – twenty square miles for every mile of rail line built.

Members of Congress enact federal legislation that allowed railroad executives to sell the land as a means of recovering the cost of construction. To discourage speculation, the law-makers restricted sales to farmers and other settlers who would actually live on the land. In southern Oregon, the land grants were far more suitable for logging than for farming. Defying congressional intent, railroad owners began selling land to timber companies. Settlers complained. Frequent misunderstandings arose, the most famous erupting at Mussel Slough in central California, where tensions between railroad owners and settlers resulted in an 1880 gun battle. Seven individuals died. To resolve the Oregon dispute, the U.S. Congress seized the illegally transferred lands and provided that future revenues from timber sales on returned federal property be directed into county treasuries. For nearly a century, timber sales on old railroad lands repossessed by the federal government provided a major source of revenue for Douglas County.

Proceeding south from Portland, the track had reached Eugene by 1871 and Roseburg in early December, 1872. Engineers built an impressive covered bridge that spanned the north branch of the Umpqua River five miles above Roseburg. The line reached Grants Pass in 1883, the year of William's marriage. The steel pathway attained the California border four years later, at which point the Southern Pacific railway company assumed control of traffic along the line.¹⁰⁵ The arrival of the railroad in Roseburg in the year of William's marriage to Alice Dyer provided employment. The opportunity was not as romantic as driving cattle on the open range or homesteading land, but it was more realistic. William eventually became a railroad section foreman and settled in Polk County, near the state capital in Salem. By 1900, he and Alice had acquired a home, free and clear, without a mortgage, in the Buena Vista district a few miles south of Salem on the

west side of the Willamette River. They had three children: a daughter Hilda, and two sons Calvin and Earl.

To the 1900 census taker, the parents reported that Hilda was born in September 1883, the same month that father and mother were wed. This could have been a transcription error by the census taker or a memory lapse by a busy family member, although one is hard pressed to imagine a mother forgetting the birth year of her first born. Hilda subsequently recanted this assertion, insisting to later census takers and to her final caretakers at the Grandview Care Home in Roseburg, Oregon, that she was born in September of 1884.¹⁰⁶

Since no official birth certificate exists, the exact year is hard to confirm. It might have been 1884. On the other hand, her parent's report to the 1900 census taker could have been accurate. It could have been 1883. The couple had been accompanied to the Douglas County clerk's office by Alice's older brother Jessy, where the pair affirmed that they had resided in Douglas County "for the past six months" and were eligible to marry. The wedding ceremony took place at the home of Alice's father, Jefferson Dyer, on the following Sunday, September 29, 1883. Hilda's birth date was September 4, in that year or the following.¹⁰⁷ Either outcome is possible. To his descendants, William always remained something of a cowboy and fun-loving guy.

7. Health Care Confidential (1882 – 1914)

Edward Francis Test proudly displayed the title of Brigadier General in the Nebraska National Guard. His son, Frederick Coleman Test, solidified the family's military reputation by rising to the rank of Colonel in the United States Army. Frederick's achievement provided testimony to the importance of privacy in matters of health. Few knew that he had a serious medical condition.

Young Frederick was born in 1882, to Edward Francis Test and Rosetta Dunham. Father Edward still worked for the railroads in Omaha. Frederick grew up in Omaha and Council Bluffs. At the age of seventeen, he applied for an appointment to the U.S. Military Academy at West Point. Frederick submitted his application for the class that would assemble in 1900. His preparation was not such as one might expect of a prospective military officer. On his candidate questionnaire, Frederick indicated that he had studied shorthand, correspondence, grammar, and book-keeping.

For admission to West Point, most applicants at that time needed a congressional nomination. Frederick's questionnaire listed Senator John Gear of Iowa. Once nominated, applicants appeared for a battery of examinations designed to test each candidate's mental and physical qualifications. The exams were not competitive; a nominated candidate who could pass the exams was admitted.¹⁰⁸ Frederick Test passed the exams in the Spring of 1900. He was seventeen years old, part of an entering class of 154 cadets.

To prepare for the challenges of Academy life, Frederick enrolled for five weeks in Lieutenant Charles Brandon's school. A West Point graduate and frontier cavalry officer, Brandon had retired to West Point to instruct young candidates in the skills necessary to survive Academy life.¹⁰⁹ Test studied geography, spelling, arithmetic, grammar, and history.

Once enrolled at West Point, Frederick struggled academically. At seventeen, he was younger than most of the new cadets. He barely passed English. He squeezed through mathematics, the toughest course for new admits. Academy officers also required new cadets to master a foreign language, in this case French, a useful endeavor for an Army that would be called to fight there in sixteen years.

With five other cadets, Frederick Test failed French. The failing mark appears in the *Official Register of the Officers and Cadets of the U.S. Military Academy* dated June, 1901. It is a public record, not one from which any standards of privacy would allow an individual to hide.

A cadet failing a subject during the first year of studies might expect to be dismissed from the Academy. A board assembled to review the records of candidates with deficiencies and determine their fate.

Frederick Test's academic record in the courses he took during his first year at West Point was weak, but his scores on conduct were strong. Academy officers ranked cadets not just on academic advancement, but on their prospective capabilities as military officers. Test ranked thirteenth in his class for conduct. He had accumulated just thirty demerits during a year when many cadets received more than one hundred. He must have had an advocate on the board when it met, someone who saw promise in the young man and argued his case. The Board decided that it would not dismiss young Frederick from the Academy. It would allow him to continue—with one important condition. He would have to repeat the entire first year.

The entering experience at West Point—the “plebe” year—was not a pleasant experience. The term plebe is short for plebeian, a Latin word referring to the lowest class of individuals in ancient Rome and a people entirely lacking social skills. At West Point, plebes did not know how to dress, to eat, or to behave; they were thought to be totally ignorant of the traditions, obligations, and culture of the corps of officers that they aspired to join.

In 1900, the job of inculcating those skills fell to the upper class cadets who were finishing their schooling at the Academy, not to the officers and instructors at West Point. Inculcation took the form of hazing, methods of ritual humiliation or abuse employed as a means of initiating newcomers into a group. Hazing was a private affair, between cadets of different classes, unsupervised by academy officers or other public officials. The practice of constant harassment was so

extreme that in 1901 the U.S. Congress appointed a select committee to investigate its excessive use.

Indoctrination began during the summer before classes convened, in June, when the new cadets reported to West Point. The Academy is located on rock cliffs at a scenically stunning but relatively isolated constriction of the Hudson River. The campus sits on a 25 square mile military reserve, whose wooded character and lack of commercial development in combination with the use of stonework on the main campus gives the Academy a monastic feel. Into this setting the new cadets filed, separated from family and friends and characterized by the upper classmen present as “beasts,” savage creatures with no understanding of appropriate behavior. After a few weeks of training in barracks, the cadets marched into summer camp, a form of tenting out in the surrounding hills, at which point their characterization shifted from beasts to plebes.

Hazing was designed to separate newly arrived cadets from old habits and indoctrinate them into the code of conduct previously imposed on the classes above them. Douglas MacArthur, a West Point friend and schoolmate who arrived one year ahead of Test’s first class, later explained that “much of the discipline of new cadets was left in the hands of the upperclassmen. Hazing was practiced with a worthy objective but with methods that were violent and uncontrolled.”¹¹⁰ Cadets who violated the code, or failed to adequately perform obligations like sentry duty, were hazed. Everyone experienced it.

Hazing took many forms. Punishment might consist of extreme exercise or withdrawal of Saturday afternoon leave. Upper class cadets forced plebes to eat objectionable foods, such as molasses, cabbage, or prunes. They made plebes slide naked across soapy floors or engage in boxing matches with individuals of their own strength and size. In one of the more exotic practices, termed “sweating,” plebes were forced to sit in tents on hot days while wrapped in raincoats or bedding. Hazing continued until the plebes were admitted to “full fellowship” at the conclusion of the first year of study.¹¹¹

“Freddy,” as he was known to his classmates, survived two full terms as a first-year plebe. He graduated from West Point with the class of 1905. He had a respectable academic record with his best marks in drill regulations, military engineering, soldierly deportment and conduct, along with passing marks in two years of French and one year of Spanish. His connection to the original John Test apparently served him well. In the humorous sketches that appeared in the

graduating class yearbook, classmates observed that “he has at least one cousin in every school within a radius of a hundred miles of West Point.” Elaborating, they explained that “he takes special interest in Vassar and, in common with his friend ‘Bill,’ holds the record for attendance at that institution” where he might be found on a Friday evening giving instructions on “approach and procedure.”¹¹²

I.

In his career as an Army officer, Test developed a reputation as a meticulous individual. An early photograph shows him in a well pressed uniform, sitting at a desk, captioned with the words, “Lieutenant F. C. Test—Always on the Job.” In 1915, in collaboration with Lieutenant George R. Guild, Test published a pocket-sized *Militia Field Manual*. The two lieutenants, both graduates of West Point, wrote the manual for officers commanding state militia and other volunteers obliged to camp in the field. The manual contained detailed instruction on decorum, saluting, personal conduct, duties of officers, rations and menus, and a flapjack recipe adequate for serving one hundred men. It prescribed methods for the control of disease, the cleaning of rifles, and filling out forms as well as useful aphorisms. “Fill your canteen before a march,” the authors wrote. “Be careful of the water you drink....Bathe as frequently as possible; at least wash your feet each evening.”¹¹³

Test also acquired an unusual capacity for being present at great events. Records confirm his participation. When the Great Earthquake struck San Francisco in 1906, he was there, part of the 22nd Infantry stationed on Angel Island. His pocket watch stopped at 5:13 AM, one minute after the shaking began. Army troops moved into the city to aid survivors, fight fires, and preserve order. Troops from the 22nd Infantry participated in the controversial effort to halt the subsequent fires by dynamiting buildings so as to create a firebreak in the path of the spreading conflagration.¹¹⁴

When the Army decided to establish a telegraph line from eastern Alaska into the Wrangle Mountain community of McCarthy, Test was there to help organize the task. Work on his section of the line began in the winter of 1908-09. According to the stories told, workers carried the fire necessary to provide warmth from one pole to the next. Test worked out of a rustic army post at Port Valdez known as Fort Liscum, established eight years earlier to maintain order, build

roads, and string telegraph lines for the people seeking gold. Valdez was very much a Gold Rush town during Test's time there.

In 1911, Lieutenant Benjamin Foulois, the first Army officer to learn to fly, procured a small collection of bi-wing airplanes, had them delivered to Fort Sam Houston in Texas, and asked for volunteers. From this small act in what was then known as the Aeronautical Division of the U.S. Signal Corps eventually emerged the United States Air Force. Test was present, one of eighteen to volunteer. Of the two volunteers who actually learned to fly, only one would survive the experience. The other, 2nd Lt. Leighton Hazelhurst, died one year later in a test flight accident at College Park, Maryland.¹¹⁵

When the Great Tornado ravaged Omaha in 1913, Test was present, helping to provide relief. The Omaha tornado, one of eight that struck Nebraska on Easter Sunday, appeared at 6 PM. It plowed through midtown Gold Coast mansions and moved through the neighborhoods along North 24th Street, splintering homes and killing more than one hundred people. A news report from the *Omaha Evening World-Herald* on the relief work showed Lieutenant Test in uniform, ready for work, shoulders back in a classic military pose.¹¹⁶

After Frederick had finished his telegraph work in Alaska, but before his aviation and tornado ventures, the Army had assigned him to Fort Sam Houston in Texas. He had traveled from Alaska to Texas in 1910, a bachelor second lieutenant approaching the date of his prospective promotion to the rank of first lieutenant. Northwest of the Texas military base, he had participated in Army maneuvers in a wooded area known as Leon Springs. The transition from the temperate climate of coastal Alaska to summers on the edge of the hill county around San Antonio apparently stressed him. He felt seriously ill. His military record indicates that he took a lengthy leave of absence beginning September 20, 1910.

This is the story his daughter later told. Second Lieutenant Frederick Test consulted a family physician. The physician identified a serious heart defect. Around the time of his twenty-eighth birthday, Second Lieutenant Frederick C. Test learned that he had a heart condition serious enough to disqualify him from further service in the United States Army officer corps.

Frederick could have withdrawn from the U.S. Army and resettled in his hometown. He had devoted five years of service to the U.S. Army following his graduation from West Point. The instructions he had earlier received prior to his admission to West Point suggested that candidates undergo a thorough medical



Lieutenant F. C. Test—Always on the Job

Young Lieutenant F. C. Test, pictured here responding to the Great Tornado that struck Omaha in 1913, hid a heart condition that easily could have ended his military career.

examination by a private physician and “spare the expense and trouble of a useless journey” should the examination reveal a “serious physical disqualification or deficiency.”¹¹⁷ Such a deficiency now appeared.

Frederick extended his leave, contemplating his options. He considered a strategy based on personal privacy. The state of medical record-keeping in 1910 permitted it. Personal physicians kept one set of medical files on their patients,

commonly typed or hand written, private and relatively inaccessible. The U.S. government kept another. The two set of records rarely met.

Apparently enticed by the prospect of further adventures (and a secure career), Frederick decided to return to the U.S. Army. The family physician prescribed medication, likely digitalis, a traditional remedy for congestive heart failure and various arrhythmias. According to his daughter, prior to his various Army physical examinations, Frederick would abstain from the medication and then resume taking it once he had passed the Army exam. Official records note that Frederick C. Test returned to service with his company at Fort Sam Houston on December 5, 1910. He received a promotion to First Lieutenant on the following March 11.

II.

In 1912, First Lieutenant Frederick C. Test traveled to Nebraska to inspect, instruct, and help organize the Nebraska National Guard. When the governor of Nebraska needed a military aide to accompany him to the 1913 inauguration of President Woodrow Wilson, he selected young Frederick. Three weeks later Frederick participated in the relief work necessitated by the Great Tornado.

Frederick's father had moved the family to Council Bluffs when he had taken charge of the *Nonpareil*. The town adjoins Omaha to the east, separated from the latter by the Missouri River. Council Bluffs rests on a low area along the river, bordered by hills that rise one to two hundred feet above the central river plain. The bluffs provide nice views of downtown Omaha to the west. To the north, near the community of Fort Calhoun, Meriwether Lewis and William Clark held council with representatives from the Otoe tribe, a meeting that gave the area its name. While Frederick was still in school, the family occupied a rental property at 717 5th Avenue, near the point at which the bluffs begin to rise. By 1910, the year of Frederick's leave, his parents lived closer to the Missouri River in a modest neighborhood at 3330 Avenue C.

Along Ridge Road, atop the bluffs beyond his parent's home, the Bixby family lived. Frank Bixby was a salesman and entrepreneur who started a motor company when the automobile appeared. In 1910, when Frederick Test took his Army leave, Bixby and his wife Lucile lived on Ridge Road with a son and two daughters. The daughters, named Helene and Jo, were twenty-five and twenty-six

years old. The siblings helped raise poultry to supplement their father's income, allowing them to remain with their parents past the age at which children from that time commonly left home.



Jo Bixby of Council Bluffs, Iowa, married Lieutenant Test in 1913 and accompanied him on his military assignments to New Hampshire and Santa Fe, New Mexico.

When the great tornados struck Omaha in March, 1913, Jo Bixby was twenty-eight years old; Frederick Test two years older. The prospect of traveling to exotic places with a well-positioned Army officer apparently seemed more enticing than life as a spinster chicken farmer. Frederick took leave from early August through early September in 1913. The two married and spent at least part of their honeymoon in Virginia visiting one of Frederick's relatives, a retired Army general.¹¹⁸

The days of gold rush and piloting ventures aside, Frederick Test settled into the less stressful task of educating and organizing local militias, also known as state national guards. The U.S. Army discovered in his meticulous character a proclivity for educating young people in the skills necessary to perform military activities. In September, Lt. Test and his bride traveled to New England, from whence Jo Bixby's grandfather had come two generations earlier. Frederick spent three autumn months inspecting and instructing the Organized Militia of New Hampshire. When winter came, they departed for the same activity at the state capital of New Mexico.

Santa Fe was still an outlying town when Frederick and Jo arrived. Frederick's first cousin once removed, Lew Wallace, had described the territory as a primitive region "occupied by hundreds of herders who were regulated by no special law" when he assumed the duties of territorial governor thirty-five years earlier. Lew's wife reported "I used to think Fernandina was the sleepest place in the world, but that was before I had seen Santa Fe." She added, "it looks older than the hills surrounding it, and wornout besides."¹¹⁹ Residents constructed a hodgepodge of structures in the years after Lew arrived. Not until 1912, the year of the territory's admission to the Union, did civic leaders in Santa Fe embrace the building standards that give the present town its classic adobe charm.¹²⁰

In 1910, the town housed barely 5,000 residents. St. Vincent's, established as the state's first hospital in 1865, had burned completely in 1896. Civil leaders replaced St. Vincent's with the seventy-five bed Marion Hall, which had opened in 1910. Marion Hall catered primarily to patients with tuberculosis. Generally speaking, medical facilities in Santa Fe were imperfect. Jo was pregnant.

In 1914, when Frederick and Jo arrived in Santa Fe, childbirth was still an experience approached with trepidation. A woman giving birth faced significant risks, the severity of which increased with her distance from professional care. For every 1,000 live births at that time, six mothers might expect to die. Many women

delivered at home, since the treatments available at hospitals did not offer a great deal more advantage than a residential birth.¹²¹ The quality of maternal health care was not much more advanced than the quality of medical record keeping.

Jo Bixby Test gave birth to a baby girl on May 28, 1914. The infant was healthy and fine. Three hours later, the mother died—a consequence, the daughter said, of uremic poisoning, an infection that could not be controlled at that place and time. What had begun as an adventure in a newly created state ended as a medical tragedy for the recently married Army officer and bride.

8. Family Secrets (1887 – 1931)

Calvin McCurdy was born in 1887, the first-born son of William “the cowboy” McCurdy and Alice Dyer. Compared to his peers, Calvin was relatively tall, of medium build, with grey eyes and dark brown hair.¹²² A reasonably good looking boy, he grew up in central and southern Oregon. Father William’s work with the railroad had taken him as far south as Medford, where Calvin was born, and north to the Salem area, where the family lived when the century turned. Sometime between 1900 and 1910 William fell off a boxcar and injured his head. The accident ended father William’s railroad career. He took a job in a lumber yard and settled the family in Glendale, a small town in southern Oregon along the railroad line about twenty miles south of the Canyonville homestead where his wife Alice had been raised.¹²³ By 1910, Calvin had finished school, left home and taken a job as a postal carrier in Portland.

While living in a boarding house and carrying the mail, Calvin met a beautiful girl with flowing red hair, who like Calvin lived as a boarder and worked in Portland city.¹²⁴ Alza Elizabeth Rice, four years younger than he, told Calvin a strange and astonishing tale.

Her mother had arrived in Portland in 1892, pregnant, and accompanied by Alza, who was one year old. That much of the story is true, confirmed by records the mother filed with the Portland Baby Home.

Alza had been born, her mother told her, in Prairie Creek, near Enterprise, Oregon, on December 29, 1890. Surrounded by a pocket of mountains in northeastern Oregon, Enterprise was one of the last places that pioneers came in search of new beginnings. Earlier settlers bypassed Enterprise, a beautiful place in a Switzerland like setting, because of its remoteness and harsh winters. To reach Enterprise, settlers needed to turn northeast off the old Oregon Trail and travel along the Wallowa River through mountainous country to a broad and mountain-encased plain.

By 1890, nearly all of the available land around the Willamette Valley had been claimed. In that year, officials at the U.S. Census announced that the ever-moving line of westward development that marked the edge of the American frontier had disappeared. A few “isolated bodies of settlement” still persisted, as around Enterprise, but these were so broken and separated that, for the first time in the country’s history, “there can hardly be said to be a frontier line.”¹²⁵ The American historian Frederick Jackson Turner used this statement to open his influential paper on “The Significance of the Frontier in American History” which he presented in Chicago at an 1893 meeting of the American Historical Association. Turner lamented the passing of the frontier and its influence on American life. By that time, settlement life had shrunk back to detached pockets like Enterprise.

The first homesteaders had appeared along the upper reaches of the Willamette River around 1871. Settlers formed a new county in 1887, choosing Enterprise as the county seat. Founders picked the name, one local historian noted, “because someone stated that it ought to be an enterprising little town.” Within a flat and relatively treeless area, the town quickly emerged. Local leaders selected a location for a county high school, the site for the county fair, and eventually land on which to place the Eastern Oregon Lumber Company. While a promotional tract extolled the area as a place “where cultured Christian influence may be found,” a local newspaper chastised young women for “the general reputation they have gained throughout the county, and the odium they have cast and are casting on society.” It was, a later newspaper reported, a place where “cattle rustling, Indian baiting, fist-fights, shootings, and bank robberies served as unpleasant reminders of [the] recent experience of wresting the area from the wilderness.”¹²⁶ The area remained relatively isolated for many years; the railroad did not snake through the mountains to Enterprise until 1908.

Alza’s mother presented herself as Mary Wilson Rice. Rice was her married name, she said. Her husband was Shelton Rice. Shelton had come out from New York. To supplement the family’s income, Shelton had taken a winter job at a local lumber mill. The snow was so deep in the winter of 1892 that the foreman could not travel from Enterprise to the family homestead until the first thaw to tell the family that Shelton had died in a mill accident. To escape the tragedy, mother and daughter moved to Portland, where Alza’s baby brother was born in August of 1892. Her mother Mary gave the boy his deceased father’s name, Shelton Rice, and

added her maiden name, so that the boy's full name was Shelton Wilson Rice. That was the story that Alza's mother told.

Mother took a job doing wash and housework, Alza said. A young woman alone with two children in 1892 could hardly hope to support them. In the winter of 1893, Mary petitioned what was known as the Baby Home in Portland to take the children. The Baby Home had been established five years earlier "for care of abandoned and mistreated children." The women who established the home convinced two of the founders to donate a tract of land in Portland in memory of their child who had died. Children lived in a house and barn that sat on the land.¹²⁷

Customarily a woman might be expected to make a monthly contribution toward the care of her children at the home. Could Mary pay, the interviewing official asked, or was "gratuitous attention desired?" For the present, the official recorded, Mary needed charity, writing on the form "will pay later." Did she desire to "surrender all legal rights of guardianship," offering the children for adoption? "No," Mary replied. She would try somehow to regain them.¹²⁸

Given her circumstances, Mary's best hope for retrieving Alza and little Shelton lay in remarriage. She needed a husband to support the three of them. Before she could affect such a solution, baby Shelton fell ill. In late November, 1893, he contracted what Dr. Orpha Baldwin, the baby home physician, diagnosed as "la grippe," the common name for a severe influenza. He died eight days later, on Sunday, December 3, barely one year old. The death certificate indicates that the undertaker, F. S. Dunning, buried him at the Lone Fir pioneer Cemetery in east Portland on the following day, although any marker or record of his interment has long since disappeared.¹²⁹

Much of this story was told to Alza. Approaching the age of three at the time of her baby brother's death, she could not be expected to recall from her own mind the anguish of these events. Subsequent passages she could recall, and continued with her tale.

Mother remarried, Alza told Calvin, to a man with children of his own. Mother retrieved Alza, who left the uncertain existence of the Baby Home to live with her new family. The transition, however, was short-lived and did not provide the happiness of which she dreamed. Her mother died, Alza explained, and after the burial her step-father announced that under the circumstances he could not care for someone else's child as well as his own. She would have to go. Before the age of ten, Alza became an orphan child.



Alza Elizabeth Rice was an orphan child with a mysterious past and a troublesome future.

Alza's childhood periodically crossed into the twilight zone of personal invisibility. Her mother and father, living as they did before the rise of the regulatory state, left faint footprints on the surface of this world. Her father, she remembered being told, was born in New York and died in Enterprise, Oregon.¹³⁰ Rice families helped settle Wallowa County. Three Rice families – a total of ten individuals – appear in the 1910 census for Wallowa County. None, however, were

born in New York. The first Rice to acquire land in Wallowa County under the Homestead Act was Charles, a cattle rancher who selected 160 acres in township 3 North in 1905, a dozen years after Shelton Rice reportedly lived and died in the same locale. The parents of Charles Rice, an Oregon native, came from Alabama, not New York. If Shelton Rice arrived in Enterprise prior to 1900, he left no evidence of his presence there.¹³¹ We have no record of Sheldon Rice living, marrying, owning land, having children, or dying in Wallowa County. If he walked on the Earth, he did not leave a discernible trail.

Mary M. Wilson, Alza's mother, could have been any of ten hundred women. Mary Wilson was an extraordinarily common name. The most potentially reliable records for locating her, the census of 1890, disappeared in the Commerce Department fire of 1921. The name of the man that Mary may have married in an effort to reunite her family has been long forgotten, if he existed at all. No record of Mary or Alza can be found in the 1900 census. The only written record of Mary's existence remains her 1893 application to place Alza and young Shelton in the Portland Baby Home, papers the family kept.¹³²

Alza's mother could have come from New York, as Alza remembered being told. There were plenty of young women named Mary Wilson in New York from which to choose and even three with the middle initial M.¹³³ The elder Shelton Rice could have been a boy from a farm in New York who emigrated west with his family and moved to Wallowa County, the forerunner of Rices who later came. Likewise, he may have been a man from Oregon. We simply do not know.¹³⁴

I.

Alza's best hope for support lay in a process known as "placing out," an arrangement by which orphaned children under the supervision of social workers went to work for families charged with the children's care. The process was most commonly associated with the orphan train movement in the United States. Farm families, particularly those with a deficiency of children, needed labor. Orphaned children, especially those experiencing lives of urban destitution, needed homes. A New York City reformer, Charles Loring Brace, developed a process for placing such children primarily on Western farms. His process became the model for redistributing orphans from Boston to the Pacific shore.

An 1888 flier, distributed in northern Illinois, described the typical arrangement. A trainload of children, the flier proclaimed, mostly boys, would arrive at the Hotel Holland in Rockford on Thursday morning, September 6, and remain until evening. The children, from seven to fifteen years of age, had been residing for one to two years at the New York Juvenile Asylum. "Homes are wanted for these children with farmers, where they will receive kind treatment and enjoy fair advantages." The flier urged families wanting children to gather at the hotel. The children might be taken for a trial period of four weeks, after which they would remain with the family "under indentures" until the age of eighteen for girls and twenty-one for boys. The children were offered free of charge. E. Wright, the agent in charge of this particular distribution, explained the obligations incurred.

The indenture provides for four months of schooling each year, until the child has advanced through compound interest, and at the expiration of the term of apprenticeship, two new suits of clothes, and the payment to the girls of fifty, and to the boys of one hundred and fifty dollars.¹³⁵

By some estimates, reformers redistributed more than 120,000 children into new homes. The movement lasted from 1853 through the early 1900s.¹³⁶ The system suffered occasional abuse. Homeless children schooled in delinquency from life on the streets did not lose such habits simply by arriving at farms; some families overworked their orphans. The placement process could be traumatic for the child. "Remember that witch in the movie *Wizard of Oz*? The one who rode the bicycle?" said an orphan of the woman that placed the child in Nebraska. "Well, that's her."¹³⁷

As a whole, however, the movement proved advantageous for all parties involved. Orphaned children found new homes; childless couples or those with a deficiency of children saw their families suddenly expand. Social workers and volunteers monitored the placements. As adults, the children maintained an Orphan Train Heritage Society to share what had proved to be a bonding experience. Many went on to successful lives as "bankers, lawyers, physicians, journalists, ministers, teachers and businessmen." Two became governors and one a member of the U.S. Congress.¹³⁸

Alza adored the Hutchinson family with whom she was placed. Based on the most likely reconstruction of events, the Hutchinson family took in Alza when

she was eleven years old. Before Alza's arrival, in 1900, William and Augusta Hutchinson lived in the South Mount Tabor section of Multnomah County, recently absorbed into the city of Portland, where they kept an orchard of flowering fruit trees. William, a naturalized citizen born in Scotland, was 61; his wife Augusta was 49. Their sons George, age 25, and Joseph, age 23, helped keep the farm. A third son, Edgar, age 21, worked as a watchmaker. The family had already opened their home to a 52-year old widow, Nellie Stone, a boarder from Wisconsin.¹³⁹

To the north, Mount Tabor, a 600-foot high extinct volcano, rose above the farmhouse. From openings in the trees it provided astonishing views of downtown Portland, Mt. Hood and the Cascade Range. In the Spring, as breaks of sunlight expelled winter grey, the smell of fruit blossoms dominated the yard. A huge fire sixty years earlier had burned off most of the forest, creating a grassy plain that invited newly arriving farmers to plant fruit trees. Farmers supplied fruit that satisfied settlers from downtown Portland to California. Unlike California, the farmers said, where settlers panned for precious metal, the gold in Mt. Tabor "grew on trees."¹⁴⁰

Augusta needed help with the housework and the care of her aging husband. Alza provided it. In exchange, the Hutchinson's provided a stable home and sent her beyond the usual years of education to study at a local business school, where she learned accounting, a skill that provided her with financial independence for the remainder of her life. She took a job as a bookkeeper and eventually chief cashier with the Rasmussen Company, a paint manufacturing firm. By the age of 19, she was living independently as a boarder in Portland, on the same side of the river as her place of work.¹⁴¹

The appealing story from this fawn eyed girl overwhelmed Calvin. He proposed marriage. Whether he did so from a need to offer security or rescue Alza from further misfortune is unknown. He did want Alza to quit her job, and as the often used phrase describes, settle down and raise a family. While this route to security might seem foolhardy to a woman in the modern world with some degree of financial independence, it was not untoward at the time. Security for independent women in 1912 still resided primarily in the institution of matrimony. Alza agreed. She and Calvin McCurdy were married in Portland on February 28, 1912.

Children followed. Kenneth William McCurdy was born in 1913. Howard Earl appeared in May of 1914. The family moved to a house at Courtney Station, a

stop on the Interurban line south of Portland, then to nearby Oak Grove. Electric powered Interurban passenger cars snaked along the east side of the Willamette River, connecting communities to the south with downtown Portland and permitting city workers to purchase modest homes for their families in outlying towns. The Interurban operated as many as 254 cars daily during those times.¹⁴² The house in Oak Grove had a well under the back porch, a log cabin that the family used as a woodshed, an outhouse, and a garden that always went to weeds.¹⁴³ A roughly constructed boardwalk kept clean shoes above the frequently muddy ground. When the ground dried, Ken and Howard dug in the garden and played in the front yard, where garden weeds encroached.

In the summertime, their parents put Ken and Howard on the train and sent them to visit relatives in southern Oregon. By 1920, William “the cowboy” McCurdy had abandoned his job in the lumber yard, moved to Roseburg city, and opened a dry cleaning establishment near the railway station. William and his wife Alice, each over 60 years old, moved into rooms above the cleaning and pressing shop. Their daughter Hilda had married Louis F. Reizenstein, the postmaster of Roseburg and later an editor at the local newspaper. Hilda worked at the town library. The couple lived in an apartment above the library.¹⁴⁴

According to little Howard, Louie was “a great dry fly fisherman.”¹⁴⁵ He showed his nephews how to find trout in nearby streams. Howard preferred to stay above the library with Aunt Hilda and Louie. He did not like to reside with William and Alice. Fumes from the dry cleaning establishment had not improved William’s disposition, accentuating the head injury more or less permanently imposed by the boxcar fall. Alice took her grandson square dancing. Although an accomplished dancer, Howard hated the experience. He never wanted to go square dancing after that.¹⁴⁶

Following a decade of marriage and two children, Alza grew restless. Calvin wanted more children; she did not. They quarreled and grew discouraged with each other. Difficulties occurred. One day a man who Alza presented as her brother Owen showed up “out of nowhere.” Alza had not seen him for many years. It is possible that Owen was her step-brother, part of the family from whom Alza had been separated when her mother died. It is possible that he was a man she had known before.



Alza pictured with her husband Calvin McCurdy and their sons Kenneth (right) and Howard (left). Alza divorced Calvin in 1924.

Owen owned a Harley Davidson motorcycle with a sidecar that could accommodate passengers. Owen placed Alza in the sidecar and sped toward Milwaukie, a small Oregon town just north of the family home in Oak Grove. "While coming down the hill on the way into Milwaukie with Alza in the sidecar he hit the railroad bridge."¹⁴⁷ Owen and Alza were banged up pretty good but not seriously hurt. One imagines that Calvin was not pleased.

Owen introduced Alza to a compatriot named Willis Van Patrick. The two mysterious characters, recalled little Howard, “were sometime cowboys who had turned into self-employed carpenters and roofers.” Patrick told Alza that he had been born in Tennessee, was one-quarter Cherokee Indian, and had made his way to Oregon by way of Oklahoma. He had been married once before and was an exciting sort of guy, the sort that mothers often caution their daughters to not pursue.¹⁴⁸ Alza’s mother was long gone. Alza left Calvin and ran off with Willis.

II.

The owners of the Rasmussen Paint Company received Alza enthusiastically when she asked if she could return to her old job. Alza placed her two boys Ken and Howard, age eleven and nine, with members of the Hutchinson family. William Hutchinson’s two sons George and Joseph had married and still worked the family fruit farm.¹⁴⁹ Alza told her two boys to remain with the Hutchinsons until the divorce came through, at which time the family would reunite with Willis.¹⁵⁰ The year was 1924.

As stunned as the children must have been by these events, Calvin, the husband Alza left, seemed even more disoriented. A gap in his personal history appeared. The gap warranted further investigation. Three quarters of a century later, we decided to conduct a background check. Modern electronic tools applied to recent events can reveal evidence of debts, property transfers, subsequent marriages, legal suits, or crimes. At the time of our investigation, electronic search sites did not extend as far back as Calvin’s time. We needed to conduct an old-fashioned check.

At the time of Calvin’s divorce, an offense sufficiently serious to warrant legal prosecution would have been recorded by hand in a large docket book. The docket book—two books actually—would remain at the original jurisdiction. Over the decades that followed, officials would transfer those records to archival storage facilities. In this case, the books moved from Portland, Oregon, to Seattle, Washington. More than seventy-five years after Calvin’s divorce, I reviewed those records. On page 191 of a large leather and cloth bound book appears an entry for Calvin E. McCurdy, his name listed in alphabetical order with other defendants,

accompanied by references to the files in which the associated documents could be found.¹⁵¹ The documents tell the following story.

Calvin kept working as a mail carrier in Portland; that much he knew how to do. A central tenant of the privacy era was the cultural supposition that refined people did not open and read other people's mail.¹⁵² To build public trust in the sanctity of correspondence, the Post Office employed detectives. The detectives or postal inspectors sought to discourage unauthorized persons—especially government agents—from opening mail not addressed to them. To entrap abusers, postal inspectors created enticing envelopes and defied their handlers to commit a violation. Calvin saw such an envelope in the Spring of 1926. The letter was addressed to the Eastern Outfitting Company in Portland, Oregon, ostensibly sent by a customer in Everett, Washington. The letter contained a pass book, a two dollar bill, and two 50 cent coins. Calvin could feel the 50 cent silver pieces through the paper envelope. Abandoning what remaining judgment he possessed, he opened the letter. Arrest quickly followed.

The family hid the event, a private affair. The arrest went unnoticed to all but immediate family members and friends. Court records remained available to anyone motivated to look, but one had to be persistent to locate the details. A casual observer would be quickly discouraged.

Following Calvin's arrest, his sister Hilda posted his bail. She pledged the not inconsiderable sum of \$750 as a promise that he would appear at his trial on the appointed day. The grand jury indicted Calvin on March 25, 1926. With his attorney Paulus E. Newell giving advice, Calvin pleaded guilty at the April 7 trial. U.S. District Court Judge Charles E. Wolverton accepted the plea and sentenced Calvin to imprisonment in the Multnomah County jail "for a term of nine months." Calvin signed the papers instructing that his bail money be returned to Hilda. He lost his job with the postal service. Deputy U.S. Marshall Frank Snow escorted Calvin to the local jail. At least he did not have to complete his sentence in a federal penitentiary.¹⁵³

Alza married Willis Patrick as soon as her divorce from Calvin came through. Alza and Willis were married in the community of St. Helens along the Columbia River, downstream from Portland, on August 1, 1924. Alza retrieved her two boys and the family went to live in the area south of Portland near Milwaukee. In early 1926, the family moved to a house in the Wichita neighborhood east of Milwaukee, with more than an acre of land. Alza kept her job with the Rasmussen

Paint Company, commuting daily on the Interurban line. With all the moving, little Howard lost a half year of school.¹⁵⁴

Shortly thereafter, Willis fell ill. The family heard words like “pleurisy” and phrases like “collapsed lung.” Most likely Willis had contracted tuberculosis, a bacterial infection of the lungs that killed 50 percent of its victims if not treated properly. Willis stayed in a hospital for six months, his stay paid by a fraternal organization to which he belonged. When he emerged, doctors told him that he had to remain in bed for one year, out in the open. Someone built a wooden platform in the back yard of the house in east Milwaukie and pitched a tent over it.

Howard, Alza’s youngest son, easily remember the year that followed. “Patrick stood in the tent door and shouted instructions at us while Ken and I dug up about an acre of ground.” They planted gladioli bulbs, selling the blossoms as cut flowers and the new bulbs in the fall. They raised chickens and fancy rabbits with expensive fur, selling meat and rabbit pelts. Howard learned how to kill and dress chickens and rabbits and stretch and cure hides.¹⁵⁵

Willis had recovered sufficiently by the following spring to resume shingling and carpentry.¹⁵⁶ He began buying lots, building houses, and selling them. He built two bedroom homes with full basements and an unfinished attic that with additional work could provide two additional bedrooms. Except for the assistance of a plumber and electrician, he generally worked alone. With the mortgage papers from each sale, he went to the bank and borrowed enough money to start building the next home. “He may have been a mean son-of-a-bitch,” observed little Howard, “but he was a hard worker.”¹⁵⁷

The economy was good. Both Alza and Willis had jobs. They purchased a Willys-Overland Touring car, a marvelous vehicle with big headlights and tall wheels, a convertible top, four doors, and two sizable running boards. Patrick felt better. When summer came, during Alza’s vacation time, they loaded the car and prepared for a trip to Yellowstone National Park. Willis strapped a cupboard on the right running board and fastened a tent to the side. They planned to camp and fish all the way. Alza loved to camp and fish. “I can still see her now in her wool jodhpurs and high lace boots,” Howard recalled seven decades later. Howard learned to fish and loved it too.

Willis planned to pick up Alza when she finished work at 5 pm and begin driving east under the long summer sun. Arriving at home, Willis removed his work clothes and put on his traveling shirt and pants. He could not find his sox as

the children stood by waiting to go. The children irritated him. He grew more displeased. He could not find his footwear. He became angry. "So he as usual lost his temper and beat up on Ken and I," little Howard confessed. "We were afraid to tell our mother."¹⁵⁸

III.

Child abuse in the age of privacy was a family affair. Congress did not pass the first significant legislation protecting children from abusive parents until 1962. Prior to that time, children fortunate enough to receive obtain protection received it from philanthropic societies, whose members had no legal power to prosecute offenders. Social workers encouraged intervention by family members, neighbors, and less frequently, the police, who were notoriously reluctant to arrest offenders. Modern science reveals that repeated abuse affects the mental development of children, but at the time societies for the prevention of cruelty to dogs and horses were better organized than those trying to protect young people.¹⁵⁹

Alza's son Howard, age sixteen, rode his bicycle from the Oregon house in east Milwaukie to Union High School, one and one-half miles away. The year was 1930 – the fall semester of his sophomore year. Howard performed well in Latin and geography, receiving a top mark on the geography final. English and math were harder. His teachers granted him average marks in those subjects. He took the obligatory gymnastics class and for his sixth subject, signed up for the glee club, an activity he dropped as the semester progressed from fall sunshine to short winter days.¹⁶⁰

At sixteen, Howard was older than most of his classmates, a result of having missed one half-year of school during his mother's divorce and remarriage. He was going to be tall, a handsome boy with a pile of light blond hair. Although he grew upward, he did not bulk out, remaining thin throughout his life. While a low body mass eventually proves advantageous for longevity, at a young age it can be disastrous for home life, since it had left Howard susceptible to further beatings by his step-father Willis Patrick.

Alza's eldest son Ken had grown so tired of the beatings that he had refused to return home two years earlier at the conclusion of his summer job. In the summer of 1928, Ken, then fifteen years old, took a job in downtown Portland at Leighton's Cafeteria.¹⁶¹ He ate his meals at his place of work and lived in the attic

space of a nearby boarding house. When summer ended, he stayed in town and enrolled at Benson Polytechnic High School on Portland's east side. Any boy of fourteen could attend Benson Tech, which provided a three-year course of study for young men who "wished to enter a trade."¹⁶² Ken dropped out of school as soon as he could legally do so, a path that Howard very much wanted to avoid. Howard's determination to complete school provided much of the motivation that prompted him to remain at home. Ken did not share that motivation. The 1930 census taker, who came around in April, listed Ken as residing with his father Calvin in Portland city. Howard believed that Ken was living alone.¹⁶³

After emerging from his prison sentence, the brothers' biological father had taken over a cigar store above a billiards and bowling hall in Portland city. Calvin clearly had no future prospects with the postal service. In 1928, as the age of forty-one, he remarried a plain-looking twenty-nine year old clerk named Inez Carsons. They never had any children.¹⁶⁴

When the bottom fell out of the stock market in late October, 1929, Willis Patrick's home building business crashed with it. Prospective customers could no longer afford to buy homes and pay mortgages. Unable to sell his products, Willis could not repay his construction loans. The bank repossessed what little equity Willis held. Willis returned to carpentry and took a job with a real estate company in a futile effort to sell other people's homes. Alza kept her job with the Rasmussen Paint Company, the only secure employment any of them had. The three of them raised rabbits, chickens, and vegetables as they had done before. The Depression was very hard.

Each evening after leaving school, young Howard came home and prepared dinner. Willis met Alza at the Interurban line when her trolley arrived at 6:30. After Ken had left home, Alza had decided that Howard should learn to cook so that she need not prepare dinner after working all day. Howard became quite accomplished at this responsibility, an aptitude that he retained for all his years.

One evening Willis came by the kitchen and announced that they had not had mashed potatoes for some time. "I was frightened to death of him," Howard recalled. He hid the rice he had been cooking in a sack and prepared potatoes. While looking for something, Willis discovered the rice. "When he pulled it out, the wet sack tore and the rice spilled all over the floor. This made him lose his temper as usual and he hit me several times."

Willis left to pick up Alza and Howard continued cooking the meal. After Willis brought Alza home, mother and step-father sat down on opposite sides of the kitchen table. "I was putting dinner on the table when Alza asked me what had happened to my eye." Howard told her. "She stood up, grabbed the edge of the table and lifted up, dumping the whole dinner in Patrick's lap. I took off out the door."¹⁶⁵

Before his step-son Ken had left home, Willis periodically took the two boys downtown to visit a person Willis introduced as his father. The man lived in a Portland hotel and invited Howard and Ken, each in turn, to spend weekends and go to the movies. After a while it was Howard's turn to make another visit. Howard did not want to go; his older brother Ken unenthusiastically agreed to go in his place. After Ken left, "mother pressed me as to why I did not want to go as she knew I liked movies. I finally told her why," Howard professed. "Our dear step-grandfather was molesting us boys."

Alza placed her son Howard in the car and drove to downtown Portland, parking outside the hotel. She sent Howard in to retrieve Ken, telling him that mother wanted him to return home. Subsequently, the old man disappeared. "I never saw him again," Howard confessed later. "This is not something I dreamed up," he added. "I remember the details as if it happened yesterday."¹⁶⁶

IV.

Who was this man that Alza had married? Willis Van Patrick claimed to be from Tennessee, born April 1, 1890. This was the information that Willis provided the county clerk in St. Helens, Oregon, when he married Alza in 1924. Willis admitted that he had been married once before, although he may have hesitated when providing this information in Alza's presence since someone changed the form, noting in heavy ink over the original answer that this was his second and not his first marriage.¹⁶⁷

The family reaffirmed similar information to the 1930 census taker. Willis, the census taker wrote, was a carpenter by trade, born in Tennessee, although his birth date had somehow slipped to 1888.¹⁶⁸ The information should have been sufficient to trace Willis back to home state. The simple fact remains, however, that no previous census taker recorded a ten or twelve year old Willis Patrick

living at home in Tennessee thirty years earlier, where the name was not uncommon, nor in Oklahoma, where young Howard remembered being told his step-father had later gone.

Two other individuals fit the profile that Willis provided. A Willis Patrick was born to a family living in the valley country north of Boise, Idaho, in April, 1892. According to the 1900 census records, his father Henry – not young Willis – came from Tennessee. Ten years later, however, his father Henry reported North Carolina as his place of birth, a critical readjustment in the identity puzzle. Willis and his younger brother Oscar were still living at home in Idaho with father Henry and mother Mahala, five sisters, and two additional brothers. At the next census, in 1920, the two brothers appear in Enterprise, Oregon, a town that rematerializes with eerie frequency in the fabric of Alza's story. To the census taker who visited him in the winter of 1920, this Willis listed his occupation as a carpenter. He was married, he said, but not living with his wife.¹⁶⁹

Another Willis Patrick appears in Portland later that year, standing before a Multnomah County clerk on October 25, 1920, applying for a marriage license to a twenty-seven year old waitress, Leona Rounds. For his place of birth, this Willis Patrick offered North Powder, Oregon, around April 1, 1891. North Powder is a stop on the Oregon Trail near Enterprise. The marriage to Leona was his first, he claimed. He listed his occupation as a carpenter. His father, he added, was from North Carolina.¹⁷⁰

The Willis Patrick who married Alza Rice may have been the person he presented himself to be – a drifter from Oklahoma and Tennessee with a second grade education who existed below the edges of American society. He may have been the man from Idaho. He may have been the husband of Leona Rounds. Whoever he was, he left a faint and perplexing trail.

Alza eventually left Willis Patrick, divorcing him in 1938, although she never dropped his family name.¹⁷¹ By then, both of Alza's sons had left home. From Howard's perspective, Willis ceased to exist. For someone trying to unravel his identity, Willis could be made to reappear. Today, anyone with access to a genealogical library or subscription service can type in the name of Willis Patrick. For individuals deceased, the listings provide social security numbers. One can learn a lot using a person's social security number. The information to which it leads can be quite revealing.

Individuals living during the era of social security needed to register and provide personal information in order to receive benefits. President Franklin Roosevelt inaugurated the social security program in the summer of 1935. It began paying benefits in 1937. When a recipient dies, his or her personal information becomes a public record.

The Social Security Death Index reveals twelve individuals with the name Willis Patrick. The tenth in line is Willis Patrick, social security number 541-20-4620. The card was issued in Oregon at an unidentified time prior to 1951. The index lists this person's last place of residence as San Jose, California. A quick cross check with the California Death Index confirms this individual's full name – Willis V. Patrick. "That's him," the fully grown Howard McCurdy announced, "Willis Van Patrick."¹⁷²

The Willis Van Patrick who died at the age of ninety-three in San Jose, California, on October 22, 1985, was likely a concoction of three individuals in one. He fits the Willis Patrick born in Idaho, first married and living in Enterprise between 1917 and 1920. He seems to have been the Willis Patrick who said he was born in Oregon and married Leona Rounds in Portland in 1920. He was probably the same Willis Patrick who said he came from Tennessee and married Alza Rice in 1924. He married and divorced at least two times after that.

The key to this conclusion lies in information collected by officials preparing death certificates. Armed with an individual's social security record, a researcher can locate the person's death certificate. The death certificate commonly identifies the maiden name of the deceased individual's mother. A mother's maiden name is one of the best markers for tracing an individual. It is used extensively by various institutions seeking to create a distinguishing feature for people with whom they deal.

The death certificate for the Willis V. Patrick who died in California in 1985 lists Mahala Willoby as his mother's maiden name. Information provided for the death certificate by the deceased's niece states that Mahala Willoby married Henry Patrick. Cross reference the two names on a genealogical website under the category of "birth, marriage & death" and the marriage date appears. It is the first entry, even though the maiden name is misspelled. Mahala Wiloughby married Henry H. Patrick in Boise County, Idaho, on July 27, 1890. Additional information indicates that a son Willis was born two years later, in Idaho, on April 22, 1892.¹⁷³

Willis Patrick was almost certainly three individuals in one. Sometime around 1917, when Willis married for the first time, working as a carpenter in Enterprise, he began to identify his place of birth as Oregon, not Idaho. Around 1924, he changed it to Tennessee. He had been married twice before he married Alza; not once, as he told her. We do not know what happened to the first two wives.¹⁷⁴

The official record also provides a convincing reason for the effort of Willis to disassociate himself from his parents. In 1910, his father Henry Patrick lived on the family farm in Roseberry, Idaho. Yet by 1920, father Henry was gone. Mahala resided there as a single mother with seven children, four of whom were daughters ranging in age from seven to sixteen. She listed her marital status as divorced.

So where did Henry Patrick go? A quick search of 1920 census records reveals such an individual being housed at the state penitentiary in Walla, Walla, Washington. This Henry Patrick was completing the second year of a five to ten year sentence for the crime of sexually assaulting a 14-year old Spokane girl.¹⁷⁵ The sentencing report is a public record. It reads in part as follows.

On the 4th day of July, 1918, the defendant, while at Natatorium Park in the city of Spokane, met three little girls, one of whom was Julia Lillard, the prosecuting witness in this case. He ingratiated himself into the good will and friendship of the children by buying them candy and peanuts, ice cream and taking them to the different places of amusement at said park. This was the beginning of a relationship between him and Julia Lillard and her sister which continued up until December of 1918, at which time he had the child come to his room in his hotel in the city of Spokane and there committed the act upon the child which is sending him to your institution.¹⁷⁶

Could this have been the older man living alone in a Portland hotel to whom Willis dispatched his stepsons around 1926? The Parole Board released Henry Patrick on October 20, 1924, three months after Willis married Alza. Henry told his parole officer that he had moved to Oregon, placing him at the scene. Yet in the biographical statement that Henry Patrick provided his incarcerators, he said that his marriage, then dissolved, had produced no children.¹⁷⁷ The Henry Patrick of Idaho had at least ten. He and the Henry Patrick of the Washington State Penitentiary could have been two different individuals. Alternatively, they could be a product of one Henry Patrick bent on leaving an indistinct trail. Individuals

on the faded edge of western settlements seeking to disguise broken pasts had plenty of opportunities to do so. Record keeping was primitive, cross-checks infrequent.

One small piece of information supports the single father thesis. The Henry Patrick from Idaho alternatively offered his place of birth as North Carolina and Tennessee. The Henry Patrick sentenced to prison for molesting an underage girl identified his place of birth as Ashe County, North Carolina. Ashe County lies in the northwest corner of the state, in the heart of the Appalachia hill country. The western border of Ashe County touches Tennessee.¹⁷⁸

9. Explaining Misfortune (1914 – 1940)

Members of the Bixby family retrieved their daughter's body from Santa Fe. They also acquired one live baby girl, the infant child of Frederick Test, named Jo after her dead mother. The Bixbys returned both daughter and offspring to the family home on the central plains. The family buried the daughter at Forest Lawn Memorial Park in Omaha and opened their Council Bluffs home to the little girl

A dispute over the upbringing of the infant ensued. The Bixbys wanted to raise her. So did her other grandparents, Edward and Rosetta Test. The infant girl's father, Frederick Test, a young 1st lieutenant still stationed in Santa Fe, was in no position to compete for the task. He remained alone, assuaging his loss through teaching and writing, finishing the *Militia Field Manual* and instructing recruits to the new state militia.

War loomed. Providing part of the pretext for the entry of the United States into the European conflict, the German foreign minister approached government officials in Mexico and suggested that the two nations forge an alliance against the United States. In exchange for cooperation with Kaiser, the Germans would support the return of certain territories previously taken from Mexico and absorbed into the United States, including the state of New Mexico.

Faced with a custody dispute and prospect of American participation in the First World War, Edward Test made a significant decision. He had known the pain of losing both his mother and father as a child. Edward Test, once an orphan, resigned his position as exchange editor with the *Omaha World-Herald*. He and Rose gathered their belongings. They collected their granddaughter and joined the one person with clear rights of custody, the father of the girl. Edward, Rose, Frederick, and little Jo settled in the Panama Canal Zone, where the Army had sent Frederick after his tour of duty in Santa Fe. Edward spent his time "securing important improvements."¹⁷⁹

I.

Adjacent to an article describing a dinner given for President Woodrow Wilson and his wife, the Society Section of the *Washington Post* from January 12, 1917, announced that Miss Edith L. Fryer had arrived in the nation's capital from Forest Hills, Long Island, to visit her sister, the wife of Captain Spencer S. Wood. "Attractive Long Island Girl Now Visiting Her Sister in This City," the newspaper explained, alongside a two column wide decorated portrait.

Edith was thirty-three years old. She was the daughter of Alexander Livingston Fryer, who had retired from a profitable business buying and selling lumber in New York State. Her sister, Mary Margaretta (pronounced Mahr-ga-RET-a), was ten years older. The sister preferred to be known by her middle name, Margaretta, which is Latin for Margaret, or better still, Mrs. Spencer S. Wood.

In the early twentieth century, social relationships were more formal than they are today. Local newspapers published artfully contrived stories about the privileged classes. Women held teas and formally "called upon" each other at pre-designated times. Among the highest classes, fathers "presented" their daughters at elaborate balls. Children were expected to be silent and behave. Privacy allowed a separation of the classes that modern informality would not permit. Seeking betterment, members of the middle classes imitated the rich in various ways, from the naming of their children to the decoration of their homes.

Alexander Fryer's wholesale lumber business had stretched from Rensselaer County in upstate New York down through the Hudson River Valley into New York City. Twenty-one years earlier the family had gathered in Poughkeepsie for Margaretta's marriage to young Lieutenant Spencer S. Wood, a graduate of the U.S. Naval Academy and native of Flushing/Brooklyn, New York. Young Edith served as the flower girl. An older sister, Ella Augusta Fryer, was the maid of honor. The bride "wore a white satin gown and carried a bouquet of white sweet peas," a five-paragraph story in the *New York Times* reported.¹⁸⁰

Now the family gathered for a more distressing occasion. As Edith arrived to visit her sister Margaretta, their father died. The *Washington Post* announced that as a consequence of her father's death Mrs. Wood would "not receive" that weekend, a suspension of the social custom of welcoming acquaintances to her home.



On January 12, 1917, the *Washington Post* announced that Edith Livingston Fryer of New York had arrived in the nation's capital to visit her sister, the wife of Captain (and soon Admiral) Spencer S. Wood.

Of the three sisters who had gathered for the wedding two decades earlier, only one had married. Edith was single and thirty-three. Ella was a teacher of "private lessons" in Queens, New York, and forty-six years old.

Margaretta was well positioned to introduce Edith to available prospects in the nation's capital. The city swelled with military officers in anticipation of the United States entry into the First World War, an event that officially occurred shortly after President Wilson took the oath of office for his second term in March, 1917. Her husband Spencer worked for the Navy General Board, a top-level council made of up senior officers charged with rendering objective advice on a variety of matters affecting the U.S. Navy. The Navy had assigned Captain Wood to

the General Board following the completion of the course of study at the Naval War College in southeast Washington. The Navy made him an aide to Admiral George Dewey, the highest ranking officer in the U.S. Navy and president of the Board. The family possessed both social and political standing in a city sensitive to both, a situation confirmed by the attention given Edith Fryer when she arrived to visit her sister in Washington, D.C.

January, 1917, proved to be a traumatic month for Margaretta Wood. Her sister's arrival coincided with the nearly simultaneous death of their father. Four days later Admiral Dewey died. The Navy directed her husband to leave Washington and go to sea. Captain Wood took command of the USS Oklahoma, a battleship assigned to escort Allied convoys to Europe. The Navy promoted him to Rear Admiral. Margaretta remained in Washington. Edith, for the present, remained single.

In Panama, Captain Frederick Test continued his work with the 33rd infantry. The regiment guarded the locks, dams and spillways, bridges, piers and docks. Members of the regiment explored and charted the jungles of Panama. Frederick's parents helped him raise his infant daughter, who celebrated her third birthday in May, 1917. America entered the European war.

Through his work in Panama, Captain Frederick Test continued to demonstrate an affinity for planning, training, and meticulous detail. An army requires two sorts of skills—combat officers who command groups of soldiers and staff officers who assist the commanders. Each skill is essential to the other. A commander cannot direct the work of a division alone; he or she requires the assistance of staff officers who help direct the movement of material, collect intelligence, assemble and train personnel, plan operations, and cooperate with local authorities. Line officers need staff officers, while staff officers need line commanders to execute plans. In a modern army, staff officers provide assistance to a variety of commanders from brigades in the field to Army headquarters in the nation's capital.

Frederick Test had a talent for staff work. With combat operations in Europe underway, his commanders called him to Washington, D.C. He arrived in May of 1918 with his parents Edward and Rose and a daughter about to turn four. Captain Test assumed a number of responsibilities with the General Staff of the U.S. Army: war plans, coordination, and Chief of the Statistics Branch. The General

Staff was the highest policy making council in the U.S. Army—the equivalent of the Navy General Board.

The departments overseeing the war met in a large five-story building next to the White House, finished in 1888 and designed in the French Second Empire Style. With its distinctively tall windows and mansard roof, the building resembled a Parisian confection in a city more noteworthy for its neoclassical architecture. Beyond tiled floors and sweeping staircases, the government's chief policy makers met in elaborately decorated rooms, a symbol of the emergence of the once geographically distant nation as a world power. The Department of War (the Army) occupied the north, west, and center wings. The Navy Secretary chose suites in the east wing, while the Secretary of State worked in the south. Presidential staff would eventually replace cabinet secretaries, diplomats, and military officers in the magnificent structure, but for now it housed the principle departments engaged in the global war.

By the spring of 1918, the city of Washington had begun to take its modern form. Department secretaries and military officers crossed a narrow alleyway from the State, War, and Navy Building to meet with President Wilson and his aides in the newly constructed West Wing with its distinctive Oval Office. To the south, Army engineers had converted a shallow section of the Potomac River into a tidal basin where gardeners planted cherry trees donated by the people of Japan. Following the recommendation of the commission headed by Senator James McMillan of Michigan, the government had prepared plans for converting a series of open spaces stretching west from the enlarged Capitol building into a broad ribbon of museums, monuments, grass, and trees. At the far end of the emerging National Mall, workers rushed to complete the white marble monument to President Abraham Lincoln. The obelisk memorializing the service of General and President George Washington had been completed in 1885. Across the Potomac River, the National Cemetery in Arlington was taking form.

The city in May rests on the cusp between summer and spring. The dogwoods have bloomed, the azaleas are fading, and the light green buds of early spring have given way to a canopy of semi-tropical green. Captain Test was thirty-five years old and a widower. Edith Livingston Fryer was thirty-four. Frederick Test was descended from lawyer and Congressman John Test and earlier still the first sheriff of Philadelphia. His ancestors had fought in the Revolutionary War. Edith Fryer was a member of the Daughters of the American Revolution. Her

family could trace its lineage back to the passengers that sailed to America on the *Mayflower* in the Fall of 1620.

Sister Margaretta did her work well. Edith Livingston Fryer and Captain Frederick Coleman Test met. They became engaged and were married on Saturday, October 12, 1918. The Reverend Charlton S. Turquand presided.

II.

Frederick Test remained with the Army General Staff until the end of September, 1919. He received wartime promotions to the rank of Major and Lieutenant Colonel. Allied participation in the First World War was remarkably short—just nineteen months from the declaration of war in April, 1917, until the Armistice on November 11, 1918.

Edith took charge of Colonel Test's young daughter; Colonel Test's parents returned to Omaha. The Colonel and his family moved from post to post. Test commanded a regiment at Camp Travis, Texas; attended the School of the Line at Fort Leavenworth, Kansas; returned to Washington, D.C. where he graduated from the Army War College; and served as a general staff officer for logistics and quartering in the peacetime Army at Fort Hayes, Ohio.

In 1925 Frederick Test took time off to visit his parents in Omaha. The visit provided an occasion for a newspaper story featuring his eleven year-old daughter. "Youthful Globe Trotter in City," the paper announced. The story is noteworthy for an obvious exaggeration in the first paragraph and a sentence in the last indicating that Edith had bypassed the opportunity to visit Frederick's hometown. The text was accompanied by a photograph showing the daughter posing uncomfortably behind the wooden railing of her grandparents' porch. The entire text of the story, including the caption for the photograph, is reproduced below.

(Subhead) Jo Test, 11, Records 30,000 Miles of Jaunts in Her Brief Life.

(Text of story) Omaha has for a visitor this week an 11-year-old girl who says she is going to claim the world's championship for having traveled farther than any person her age.

She is Jo Test, daughter of Major Frederick C. Test of the United States army. She and her father are visiting General and Mrs. E. F. Test, 3815 Charles street, her grandparents.

Jo—she insists that's all there is to her name—it's not Josephine—has traveled more than 30,000 miles.

Before she was 5 years old she had made three round trips from New York to Colon, Panama. Six trips through Panama locks from the east to the west sides of the continent were experienced by this much-traveled youngster before she scarcely was able to realize what it was all about. She made the trips with her father, who was in the foreign service.

Other foreign jaunts on which she accompanied her father were to Kingston, Jamaica, and Porto [sic] Rico.

In addition, Jo has toured the United States almost from one end to the other.

She left Fort Hayes, Columbus, O., where her father is stationed, last week in an automobile and drove to Omaha with him. Her mother is visiting in Washington, D.C.

(Headline over photograph) Traveler, 11, Visits Omaha

(Caption to photograph) Jo Test, 11, who has traveled 30,000 miles in her brief life, is shown striking a pose she used to take while aboard numerous steamers in her travels. She is shown at the rail on the porch of the house of her grandfather, General E. F. Test, 3815 Charles street, Omaha, where she is visiting. Dressed in a "middy" outfit, which she wore while aboard ship on her numerous ocean voyages, she indulged in the less exciting pastime of looking over a porch rail to have her picture taken.¹⁸¹

In the summer of 1928, the Army assigned Test to teach military science and command the Reserve Officers' Training Corps (ROTC) program at Syracuse University. Frederick Test became a university professor and the equivalent of a department chair, albeit one employed by the U.S. Army. To supplement the education of Army officers at the nation's military academies, the armed forces accepted graduates of military training programs at various civilian schools. Congress unified the training programs in 1916, thereby creating the Reserve Officers' Training Corps. The Army dispatched its most capable instructors to



Frederick Coleman Test married Edith Livingston Fryer in 1918 and became commander of the ROTC battalion at Syracuse University in 1928.

universities and schools where they helped educate students in military science and prepare the most talented for positions as officers in the regular Army and its reserves.

Test's responsibilities occasioned a good deal of attention in the local press. A number of newspaper stories describing him and his family's activities appeared during the six-year tour of duty at Syracuse University. Syracuse was close to Edith's hometown of Albany, New York. Jo went to school, eventually enrolling as

a student at the university. His position as a Lieutenant Colonel in the United States Army and university officer assured him a secure income when the Great Depression began in the Fall of 1929.¹⁸²

Stock prices began to decline in early September, 1929, culminating in the stock market crash on October 29 known as Black Tuesday. Unemployment rose to 25 percent; crop prices fell by nearly two-thirds. Into this impending darkness appeared a most amazing tale, headline news in the October 26, 1929, issue of the *Syracuse Herald*. As a result of a court case filed by Edith Livingston Test and six other members of her extended family, the group would inherit the cumulative sum of \$1,250,000. All three sisters were involved, along with a brother, Alexander, and three cousins. Under the terms of the settlement, each would receive \$178,600, a fortune at a time when the worsening economy would force many families to get by on less than two thousand dollars per year.

The estate belonged to Edith's aunt, the late Mary Margaret Manning of Albany, New York. She preferred to be known by her married name, Mrs. Daniel Manning, widow of an Albany bank president who served as Secretary of the Treasury under President Grover Cleveland. Mrs. Manning had survived her husband by forty-two years. She was a powerful presence in Washington and Albany social circles and, among other achievements, had served two terms as President of the National Society of the Daughters of the American Revolution. She preferred to hide her age, but it can be easily ascertained from census records. She was born about 1844, married Daniel at the age of forty (he was fifty-three) and died in 1929 at the age of eighty-six.

In her will, she established a trust fund that would provide income to seven children born to her two brothers, Alexander and Robert Fryer. Monies in the trust would eventually pass to her nieces and nephews, but not immediately. Moreover, the will provided that only two-thirds of the estate would pass, the document being silent as to the distribution of the remaining amount. Judges at three levels of the state judicial system wrestled with this arrangement—the surrogate court, the appellate division, and the Court of Appeals. At least some of the children were motivated by the desire to receive their full shares immediately. The justices agreed, ruling the trust invalid and ordering an even and immediate distribution of the entire estate. As a result of the decision, Edith and her two sisters became independently wealthy.

Edith continued to direct Colonel Test's social affairs in Syracuse. Jo continued to imagine herself leading a privileged life: world traveler, daughter of an Army officer with a depression-era job, social access to high circles, and eventual heiress to a large estate. Much of that vision owed its presence to her step-mother Edith, not her biological father.

Nearing her twentieth birthday, Jo Test felt a natural competitiveness toward her stepmother. Jo adored her father and her father loved her too. Though he believed in rigid discipline, both in military affairs and the behavior of his daughter, he was forgiving where her allowance was concerned. She would regularly exceed the allotment. He would lecture her about it every four months or so, clear her charges, and she would go out and do it all over again. Jo could not imagine a life apart from her father and felt that Edith stood between them.

To her friends, she complained about the intrusion of her "evil stepmother," a reference to the Cinderella story in which a kind widower marries a prideful and haughty woman. Edith wanted to send her away to boarding school, Jo complained. Edith was excessively proper. She was too Victorian. Jo later compared the house in which Edith and her sister had lived to the mansion in the story "Arsenic and Old Lace," a popular Broadway comedy and movie in which two beloved aunts living together murder a succession of lonely old men by offering them poisoned portions of home-made elderberry wine.

In 1934, possibly because of the family's connections, the Army reassigned Colonel Test from Syracuse University to Newport, Rhode Island. He took charge of Fort Adams, constructed in 1799 to guard the entrance to Narragansett Bay. The post was a world apart from depression-era America. Fort Adams sits on the west side of the island that holds the Newport colony. Immediately to the east along Bellevue Avenue lay the mansions that make Newport famous. Dwight Eisenhower would later use the commander's house as a residence for summer vacations while President of the United States.

Across the water from Fort Adams, on Sheffield Cove, Spencer Wood had constructed a two story cottage, where Edith and her sister could visit. The house still stands and is listed on the county's Historical Register by the state preservation commission. In the summer of 1934, when Colonel Test and his family arrived, Harold S. Vanderbilt on his racing yacht *Rainbow* successfully defended the America's Cup against a challenge from the Royal Ulster Yacht Club. Jo took yachting trips to watch the races, attended debutant balls and dinner

parties, and helped the Colonel welcome a succession of dignitaries. The family entertained with a fine set of Spode china (a pattern called Chelsea Garden), blue water goblets, and sterling silver flower baskets. Jo loved the military, its clubby quality and the social prestige. She wanted to stay in it forever.

Jo would have preferred to act as her father's hostess, as the daughter of President Woodrow Wilson had done before the late president had married another woman named Edith. Yet it was Edith Fryer's china with which Colonel Test and his daughter entertained. Edith's silver flower baskets graced the dining room table and Edith's social status assured attention.

The family remained at Newport for two years, from 1934 to 1936. The Army regularly rotates its officers to new posts to prevent them from becoming too accustomed to one. Colonel Test was not exempt from this practice. In 1936 the Army told Colonel Test to leave Rhode Island and travel to Oregon, where he would take charge of the ROTC program at that state's agricultural school. Edith was not pleased to be so far from her family and social circles. Jo thought it would be a great adventure.

The family traveled from the east coast of the United States to Corvallis by way of the Panama Canal. They came on an Army transport, the easiest way to move their furniture and touring car. They had crates of China and silverware and wicker furniture that traveled well.

While in Panama, the passengers were quarantined for a week due to an outbreak of meningitis. Jo passed the screening test every day and went touring with four Army aviators. She pretended to know the Canal Zone thoroughly, having lived there as a child.

From the disembarkation point in San Francisco, the family drove up the coast to what was then known as Oregon State Agricultural College. It is now called Oregon State University. The family arrived in time for Jo to register for summer school. Jo anticipated that she would enroll in courses that suited her, without selecting a major or pursuing a degree, as she had done at Syracuse University. She was twenty-two years old and had not yet accumulated enough requirements to earn her sophomore certificate, a formality that established the eligibility of undergraduates to take upper-division courses.

Jo was a tall woman with dark hair and large features. At nearly five feet, eleven inches, she towered over her father. She had never dated a man as tall as she. Someone had told her that men were taller in Oregon and she looked forward

to living there. It would be temporary, of course, with other exciting assignments to follow.

The Willamette Valley in summertime is comfortably warm without the awful humidity of summers on the eastern seaboard of the United States. The sun sparkles across evergreen trees and farmers' fields. The broad valley is bordered on the west by a rugged costal range, against which the town of Corvallis rests. The coastal mountains separate the north-facing valley from the sea. The Cascade Mountains, an ancient formation punctuated by snow-covered volcanoes, define the East.

Edith hated it. Their house at 124 North 14th Street was modest even by rural standards. She saw a wooden Indian at a tobacco store in Lebanon, a nearby town, and announced that they were going to be attacked by savages. Corvallis was as far removed from Newport and Washington, D.C., as she could imagine.

A few weeks after arriving, the family took a trip to visit Portland, intending to show Edith a real city eighty-one miles to the north. They checked into a local hotel. When Jo and the Colonel woke up the following morning, they looked for Edith but could not find her. She had boarded a train and gone back to Washington, D.C.

As the Colonel's daughter, Jo became his official hostess. The Colonel took charge of the ROTC battalion, a large one with seven officers and an equal number of enlisted men. He held cocktail parties and invited faculty and student cadets and bought his daughter a blue Buick convertible with red upholstery that she kept for many years. From his office in the campus armory, he instituted a number of competitive events and directed the preparation of a booklet titled "Oregon State College R.O.T.C. Rules, Regulations, and General Information."

Edith waited in Washington, D.C., as her sister Margaretta did when her husband Spencer Wood went to sea. Edith and the Colonel never reunited. Edith became ill the following year and died on September 11, 1937. The Colonel traveled east and had her buried beneath an oak tree at Arlington National Cemetery on a hill below the Tomb of the Unknown Soldier. He reserved the adjacent plot for himself.

Jo expected that Edith's share of the family fortune would pass to the Colonel. By implication, it would subsequently pass to Jo as the Colonel's only daughter. So long as she remained attached to her father, she could live a special life.

Jo did not expect to remain in Corvallis. The Colonel was completing his second year at Oregon State College and expected a promotion and transfer soon. World events pointed toward another war. During the fall quarter in 1937, the Imperial Japanese Army invaded China and seized the capital city of Nanjing. In Europe, Adolph Hitler pressured Austria into unification with the Third Reich and lay the groundwork for the annexation of Czechoslovakia. General Douglas MacArthur, with whom the Colonel had attended West Point, had been assigned by President Franklin Roosevelt to assist in the creation of an army of the Philippines. As events emerged, MacArthur would become Supreme Commander of all Allied Forces in the Southwest Pacific. One of the many talented mid-career officers MacArthur periodically attracted to his staff, Dwight D. Eisenhower, would become Supreme Commander of Allied Forces in Europe and eventually President of the United States. As a staff officer of considerable capability, Colonel Test was well positioned to play a major role in the approaching conflict and Jo wanted to be part of it.

Jo thought that the most likely assignment would be on MacArthur's staff in the south Pacific. MacArthur would select her father as one of his chief staff officers. Additionally, Jo continued to dream about the possible redistribution of Edith Fryer's considerable fortune.

To prepare for his expected promotion and impending reassignment, Colonel Test journeyed to Letterman General Hospital in San Francisco for a routine physical exam. He was fifty-six years old; it was the Spring of 1939. The U.S. Army had constructed the medical facility in 1898 for the care of soldiers returning from the Spanish American War, placing the hospital at the Presidio Army post near the newly-opened Golden Gate Bridge.

Various versions of the subsequent events exist. In one, repeating an earlier practice, the Colonel stopped taking his heart medicine, removing traces of the medication from his body so that he could clear the tests. This involved a certain degree of risk, since the completion of tests in the absence of medication can encourage the onset of irregular heart rhythms. As a career Army officer, the Colonel probably judged the risks to his physical well being to be well compensated by the rewards of advancement.

In a second version, Army doctors in San Francisco discovered the medicine in spite of the Colonel's efforts to hide it and proceeded with the tests. Jo told a third and particularly sinister version. A fellow officer, who had taught the young

Test at West Point, resurfaced at the San Francisco exam. As Jo told the story, the officer while at West Point had asked Test a question to which the young cadet could not fashion a reply. Rather than admit that he did not know, Test had smiled and said nothing. This had irritated the instructor, who promised eventually retribution. When the two met at the Letterman center in San Francisco more than thirty years later, the officer recalled the incident and according to Jo announced that "I've got you now." In this version, the medical examiners discovered the medication, removed it, and commenced to test the Colonel in its absence.

Discovery of the medication, as likely occurred, jeopardized the Colonel's military career. At fifty-six years old, with a weakened heart, he was not a good candidate for participation in the conflicts that would soon follow.

The physicians conducted tests to assess the condition of the Colonel's heart. The condition was serious. The Colonel suffered a heart attack. The doctors placed him in bed. His condition turned worse. A few days later, Frederick Test was dead.¹⁸³

Jo traveled to San Francisco. She retrieved the body and transported it by train across the country to Washington, D.C. She oversaw her father's burial at Arlington National Cemetery, on the hill under the oak tree near the Tomb of the Unknown Soldier where the Jo's step-mother, Edith Fryer, already lay.

III.

With her father gone, Jo relieved her grief with the knowledge that a share of the substantial family fortune would pass to her. She already had the family silver and china and expected cash to follow. She told a marvelous story to explain why this did not occur.

Her step-mother Edith had died in 1937. Edith's fortune passed to Edith's elder sister Ella. By law, Colonel Test could have contested that transfer, but chose not to. The middle sister Margaretta passed away the following February, in 1938. Admiral Wood arranged for Margaretta's burial in Arlington National Cemetery, near Edith. Ella, the surviving sister, died in 1939. With all three sisters gone, the fortune had to pass somewhere.



Jo Janelene Test, the daughter of Frederick Test and Jo Bixby, hoped that part of the fortune inherited by her step-mother Edith Fryer in 1929 might pass to her.

As Jo told the story, Ella died intestate, without the benefit of a valid will. Legally, that would place the Colonel (and Jo as his daughter) in line to receive a share. Admiral Wood expedited this process by dying shortly after his wife Margareta.

At probate, Jo continued, the judge made a startling discovery. The elder sister, Ella, long thought to be a lonely spinster with no beneficiaries, had in fact been briefly married. The marriage had been short and unsatisfactory and the

couple quickly separated, but without the benefit of a divorce. In such circumstances and in the absence of a will, the law was quite clear. The whole fortune possessed by Ella must pass to her husband – if he could be found.

After much effort, the lawyers located the man. He resided in a modest community outside New York, a simple laborer. He did not live alone, Jo explained. The man had a common law wife. The lawyers knocked on his door.

“Are you the husband of Ella Fryer?” the attorneys commanded.

“I am,” the man replied suspiciously. “What do you want?”

They wanted to give him and his new family a great deal of money, funds that would have otherwise helped to resurrect Jo’s life.

This was the story that the Colonel’s daughter told. It was, unfortunately, not entirely true. Privacy and long-filed court records kept the truth unknown for sixty years.

The true facts resided in the records of the probate court, filed in a courthouse of unknown location long ago. The records were not accessible with electronic technology. A modern search does reveal the existence of a marriage. That much of Jo’s story about Ella Fryer was true. An obituary announcing the death of Mrs. Spencer S. Wood in the *New York Times* from 1938 notes that Mrs. Wood was survived by – among other persons – a sister named Ella Fryer Clark.¹⁸⁴ That information provided confirmation of a marriage and a last name. Ella Fryer had married a man named Clark at some point in her life.

To further trace the story, we needed to know where Ella had died. The place of death suggests the place of probate, which in turn should reveal the location of court records. At that point, I asked my research assistant to pursue the matter. My research assistant was Jennifer Dale. Appropriately, she decided to conduct an electronic search of burial sites. Jennifer located an Ella Augusta (Fryer) Clark resting in a New Jersey cemetery, a place near the family’s New York home. Jennifer scanned the list of associated internments and found two confirming names. Ella’s father Alexander L. Fryer was buried there, as was her mother Clara.

We called the cemetery staff. Most details about a person’s internment remain private to all but immediate family members. The cemetery staff offered to share one piece of information. The staff could provide the place of death. It was Albany, New York, the location in which Ella had been born. We contacted the Chief Clerk of the Albany County Surrogate’s Court, whose assistants agreed to

conduct a manual search of the court's records for any mention of Ella Fryer Clark. They required a \$90 fee, nonrefundable. As we sent the request, we wondered how many times we would need to pay \$90 to various county clerks before we located the file.

A thick manila envelope arrived three weeks later. I looked inside and quickly scribbled on the back of the envelope "Ninety dollars well spent!" It contained probate records and the true story of the lost fortune.

Ella Fryer had married Andrew J. Clark "on or about the 11th day of March, 1924," the documents explained.¹⁸⁵ The two had never divorced. At the time of the probate, which took place sixteen years later, Andrew was still alive and living in Jamaica, Long Island, New York. That much of the story was true. The rest was not.

Ella did not die intestate. She had written and signed a will in 1929, while still married but no longer living with Andrew. In the will, Ella left 75 percent of her estate to her sister, Edith Livingston Fryer Test. The remaining amount was to go to other members of the Fryer family.

Ella's will made no provision for the distribution of Edith Test's share should Edith die first, which she did. Nor did it recognize Edith's husband Frederick nor step-daughter Jo. Most important, the will made no mention of the husband Andrew even though Ella used his name in signing the document as Ella Augusta Fryer Clark.

Before the probate court, Ella's niece, acting on behalf of the members of the Fryer family named in the will, petitioned the court to ignore the rights of Andrew Clark to a share of the estate. "Shortly after his said marriage and more than fifteen years ago, the said Andrew J. Clark left his said wife and neglected and refused to provide for her and abandoned her," the petition read. They had never lived together since.¹⁸⁶

The court agreed, rendering its decision in early 1940. The whole estate, slightly in excess of \$163,000, went to remaining members of the Fryer family. Ella's husband received nothing. Neither did the daughter of Colonel Frederick C. Test.

A modern person might have sued. Jo decided to bear her tragedies in a different way. For her friends, she concocted a story, a not untypical response from that era. The facts behind the story remained hidden in privacy for more than sixty years.

10. Escaping the Past (1931 – 1938)

To earn money and get away from his step-father, young Howard McCurdy set pins at the Portland bowling alley where his father Calvin ran the cigar store. The year was 1931, the summer between Howard's sophomore and junior high school years. His mother Alza and step-father Willis Van Patrick were still married.

Howard also worked at Leighton's Cafeteria. In addition to running a cigar store, Calvin worked as a bouncer at the old Heilig Theater in downtown Portland. Calvin took his son Howard to the Heilig to see vaudeville acts and little Howard remembered being in the theater when Harry Houdini made an elephant disappear.

His step-father Willis ceased to be a problem that summer, at least in physical terms. Howard's height sprouted past six feet tall; he was seventeen years old. Howard weighed barely 124 pounds, but he rose more than seventy-two inches above the floor. His stepfather Willis, though less than five and one-half feet tall, was much stronger. Willis had a medium build, complemented with brown hair and blue eyes. For some long forgotten reason, Willis came after his stepson in the back yard. Howard's reaction startled his stepfather. "I hit him back," said Howard. "That was the end of that. He never hit me again."¹⁸⁷

The following summer, between Howard's junior and senior high school years, his father Calvin helped him find a job at a Portland service station. Howard saved the money from his summer jobs, hoping to continue school. In 1932, during the depths of the depression, the primary obstacle to a college education for most young people was money. Economic circumstances generally restricted a college degree to the children of upper and upper middle class families. Tuition and fees for state residents seeking an undergraduate education at the state college totaled

\$96 per year, plus living expenses, an insurmountable sum for hard-pressed middle class families.¹⁸⁸ Howard concluded that college attendance required money. "I did not know at that time that you had to be intelligent to go to college," he observed.

Howard's grades at Union High were good but not exceptional – the equivalent of a "B" average. The school gave an IQ test and he scored surprisingly high, a sign of inherent intelligence possibly impaired by a miserable home life. "I was always interested in school," he reflected, "perhaps as an escape." He sang in a few high school productions – Gilbert and Sullivan – and at St. Stephen's Episcopal church in downtown Portland, but the responsibility for cooking meals at home forced him out of most extracurricular activities. After the evening meal was done, Howard was free to go out. "The house was more peaceful if I was not there."¹⁸⁹

By the final semester of his senior year, Howard had accumulated about \$220, enough to finance two years of college tuition, books, and fees. His high school teachers placed him in college preparatory courses – American history, civics, chemistry, and more English. Few students from the graduating class at Union High School could afford to go to college. No McCurdy in Howard's ancestral line had ever gone to college before. Living within a family of modest means, struggling through the darkness of the Great Depression, Howard's dream of a college education represented a major attempt at personal advancement in a nation founded on the dream of self-transformation. Howard thought he could do it.

The manager of the bank at which Howard deposited his funds had insisted, at the commencement of the savings account, that Howard's mother Alza cosign the application. Legally, that gave Howard's stepfather access to the funds. "Patrick needed money," Howard said, "so he borrowed it. I never saw it again." For his high school graduation gift in the Spring of 1933, Willis and Alza presented Howard with a ticket on a passenger-freighter leaving Portland for Los Angeles. The ticket cost \$29. "A one way trip out of town," he responded angrily.¹⁹⁰

In all his years, Howard could never come to understand these events. His step-father he could comprehend. "Patrick was quick tempered and he had to deal with two ornery kids who did not like him." Why his mother seemed torn between the protection of her children and the men she married bewildered him. She did not seem to care when her eldest son left home at age fourteen and when her

youngest son left for Los Angeles, Howard concluded. "I do not understand it and I never did."¹⁹¹

Howard and a high school friend, Bob Shields, boarded the ship for California in 1933, one of the worst years of the Great Depression. "I never went back home again," Howard observed. His father Calvin had moved from Portland with his second wife Inez Carson to Los Angeles and acquired a service station. Howard worked for a month at the service station, living with Calvin and Inez. They could not afford to pay him anything. Calvin arranged for his son to take a job as a helper and chauffeur for an elderly lady who ran a boarding house next to the service station. Howard did not know how to drive a car. The woman's son provided a few driving lessons on a Friday morning. Howard passed his driver's test on Friday afternoon and drove the woman through Los Angeles traffic to the May Company Department Store the following day. By Saturday evening, he knew how to drive. The job provided financial security, but little else. "I was working for my room and board and whatever spending money the old lady decided to give me."¹⁹²

Howard worked evenings at Calvin's service station. As the local economy improved, Calvin could afford to pay him \$1 per day. Howard worked seven days per week. "With two of us in the station, we could take on more lube and light repair jobs as well as wash and polish." Buoyed with additional earnings, Howard moved into a boarding house run by a German widow further down the street. He paid \$15 a month for room and board.¹⁹³

Life in Los Angeles seemed good. The service station where he worked was located between Hollywood and downtown Los Angeles.¹⁹⁴ Hollywood was a reasonable walk, a few miles away. A trolley ran to the beach at Santa Monica. Howard made friends. He celebrated his twentieth birthday in a town where taverns rarely checked their patrons' age. Thoughts of college, however, continued to affect him. He did not want to wind up like his brother Ken, wild and uneducated.

From a student friend in Los Angeles, Howard learned about a special National Recovery Act (NRA) program for prospective college students. The National Recovery Act was one of the first New Deal programs pushed through Congress by President Franklin Roosevelt following his inauguration in 1933. The legislation was designed to relieve some of the pain of the Great Depression. Its first effect, from Howard's perspective, had been to increase the margin between

the wholesale and retail price of gasoline, a consequence that permitted paid employment at his father's service station. Another element of the program offered jobs to people who wanted to attend college.

Back in Oregon, Alza heard of the program too. She and Howard corresponded. Drawing on funds from her employment at the Rasmussen Paint Company, Alza offered to contribute \$5 per week toward her son's education.¹⁹⁵ By modern standards, this was a tiny sum, but in 1934 it was a huge contribution. Five dollars per week for just 20 weeks would pay all of her son's tuition and fees. Wages from the NRA program would cover Howard's room and board. Howard applied to Oregon State Agricultural College. The admissions committee responded that he could attend, beginning in the Fall of 1934. As the fall term approached, Howard boarded a bus in downtown Los Angeles and headed back to the state in which he had been born.

I.

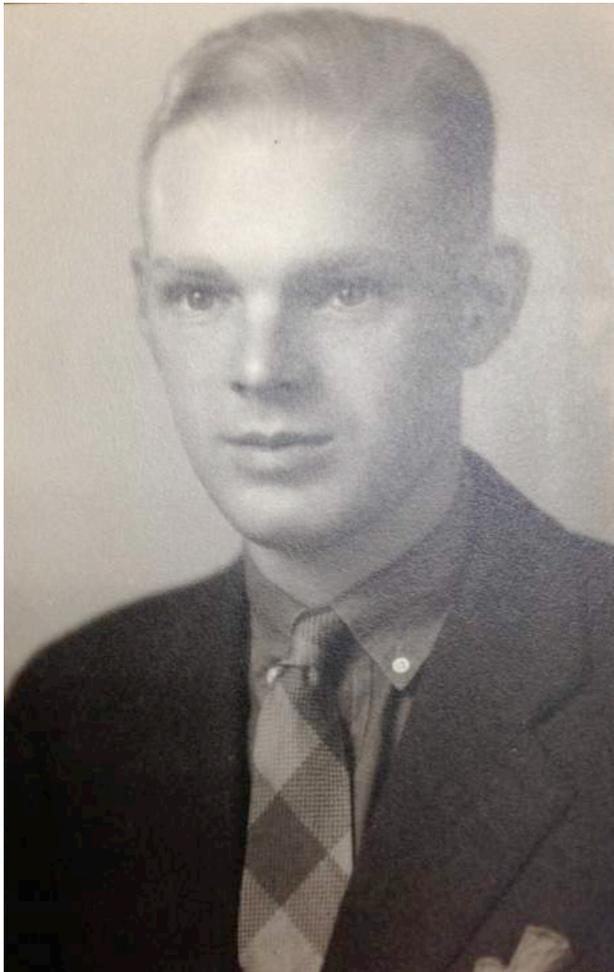
Howard's decision to go to college tested a critical element in the privacy dream. By re-presenting himself among a different group of people he hoped to elevate his life station both socially and economically. His step-father Willis was a sometimes carpenter. His father Calvin was a postal carrier who, after serving a prison sentence, sold cigars and pumped gas. His brother Ken was a high school dropout. The privacy dream held out the promise that one's new acquaintances would not investigate too deeply one's past station in life – or if they did, would not be able to find too much.

Privately, of course, Howard carried a heavy burden. Internally, he possessed the wounds inflicted by a violent step-father, an abusive step-grandfather, and a caring mother who dismissed him from the family's south Portland home once he left high school. His college ambition tested the degree to which he could overcome the personal neglect fired into his memory and fulfill what is variously known as the Alger myth or American dream.

The Alger myth refers to a series of stories penned by Horatio Alger, Jr., a Harvard graduate and one-time minister in the Unitarian Church. Alger possessed a secret of his own, having been dismissed from the ministry for improprieties with young boys. He moved to New York City, where the presence of so many vagrant children in the post-Civil War years prompted Alger to write a series of

tales bestowing optimism upon young men. In the stories, working class boys overcome adversity and poverty through hard work, moral behavior, and the occasional intervention of an older man. Significantly, the boys do not become massively wealthy, but move up the social ladder a step or two.¹⁹⁶

The Alger myth epitomizes the American dream, the idea that people in the United States do not need to be confined to the social classes of their immigrant ancestors. Instead, the dream confides, Americans can experience social mobility through perseverance and hard work. The concept can be found in writings from the autobiography of Benjamin Franklin to Martin Luther King's 1963 letter from the Birmingham jail.



Howard Earl McCurdy, second son of Alza and Calvin McCurdy, hoped to escape an abusive home life and remake himself by attending college.

Privacy was an important part of the Alger myth in that it permitted the upwardly mobile to close off or reshape parts of their pasts. In real life, achieving the dream was harder than reading about it. The vision is called a myth because of its inspirational quality, not because it was necessarily true.

Howard McCurdy was not aware of any statistical studies testing the degree to which Americans of his generation actually experienced social mobility. He wanted to attend college and thought that he could better his situation by doing so.

Oregon State Agricultural College was an impressive place in the Fall of 1934, in spite of the deficiencies imposed by the depression. Brick buildings designed in a classical style lay along a grid of pathways and lawns designed by the Olmsted Brothers architectural firm, which had also drawn plans for the grounds of the U.S. Capitol and White House and New York City's Central Park. A new Memorial Union, or student center, had opened six years earlier, a long two-story building with white pillars and a Monticello-type dome. To the north, across Monroe Avenue, rows of fraternity and sorority houses lay.

The small town of Corvallis served as a commercial center for the college community and surrounding farms. The Willamette River defines the eastern boundary of the downtown area. Railroad tracks lay along the river. College officials decided to convert an old railroad station into a crew house for the school's rowing team. To complete this task, someone had to remove the gravel from the rail bed. An ideal task for NRA sponsored students, civil leaders opined. The plan called for NRA students to dig a large hole, move the dirt from the hole into the Willamette River, then fill the hole with the offending gravel.

The fall quarter, a ten week term, began in late September. The late start allowed sufficient time for young men still working on family farms to help harvest the season's store. The relentless Oregon rain started shortly after the term began. "I lasted a month," said Howard, normally a hard worker, "digging in the rain."¹⁹⁷

Academic counselors at Oregon State asked Howard to name the high school courses he liked best. "I said chemistry," he recalled, a subject in which he had received high scores. His chemistry professor at Oregon State, Dr. William Caldwell, needed a laboratory assistant to work 125 hours per month, sweeping floors and cleaning up laboratory desks in the afternoon. The job paid as well as the NRA assignment and, as Howard quickly discovered, was much drier than working outside in the rain. In his second year as a chemistry major, Caldwell

asked Howard to help prepare experiments that the professor used in his lectures. The pay eventually increased from 25 to 35 cents per hour.¹⁹⁸

Howard needed a place to live. His mother Alza intervened. She had friends whose sons had gone to Oregon State and joined the Kappa Sigma fraternity, a brick Tutor residence both socially and physically imposing near the end of fraternity row. The sons welcomed the tall, blond-haired boy who joined the fraternity and turned twenty-one near the end of his freshman year. A missed half year in grade school and the year in Los Angeles made Howard nearly as old as fraternity brothers preparing to graduate. At that time of life, a few extra years confers substantial status and maturity.

Room and board at the Kappa Sigma house required about \$35 monthly, a sum covered by the laboratory assistant pay. For extra money, Howard tutored students in the freshman chemistry class. At the end of his sophomore year, he signed up for the Advanced Reserve Officer Training Corps (ROTC) program, which paid an additional \$10 per month. Supplemented with Alza's contribution and summer earnings, Howard worked his way through college in an era long before student grants and loans. When school let out in June, he sought employment on farms in eastern Oregon. On one such venture, the farmhouse was so small he was obliged to sleep in the fields. The weather was warm and comfortable; Howard found a haystack and fashioned for his bed what he called "a hole in the hay."

Howard enjoyed school. He told Dr. Caldwell that he would like to be a college professor. Caldwell, an assistant professor who had only recently joined the faculty, discouraged him. The depression was persisting and Caldwell told Howard that the university paid its junior faculty poorly, barely more than Howard made with his college jobs. As a professor, Caldwell made \$100 per month, he said, and had to work a strontium mine in Washington State during the summers with a friend to support himself.¹⁹⁹

Alza visited her son Howard two or three times each year, staying overnight in the fraternity guest room. "She would bring a gallon of gin so she was always welcome by all the brothers," Howard observed. His step-father Willis Patrick visited once.

The only time I remember seeing my stepfather was in my freshman year in Corvallis when he and Alza drove down on a Sunday. They stopped in the middle of a water fight at the fraternity. They stopped the car and mother rolled down the window to greet me; as

I bent over to say “hello,” Ken Demming hit me in the back with a bucket of water which splashed over me into mother’s lap. She jumped out of the car and chased him around the house but didn’t catch him. I do not remember ever seeing Patrick again.²⁰⁰

II.

Jo Test noticed the tall, thin boy with blond hair coming out of classes. He was in her father’s cadet corps, one of the upperclassmen who had decided to continue the program into his junior year. At this point in the story, Jo’s father was still alive. Colonel Test was completing his first year as commanding officer of the Reserve Officers Training Corps program at Oregon State. Students were completing the 1936-1937 academic year. Edith had returned to Washington, D.C., and had not yet died. Jo still expected to travel with her father to some foreign destination, most likely the Philippines.

Oregon State College required all male students to take ROTC for two years, at which point most of them discontinued the course of study.²⁰¹ A select number of cadets continued into the third and fourth years. At that time, the military obligations were minimal. Upon graduation, cadets became 2nd lieutenants in the Army Reserve, subject to activation if a national emergency occurred, but otherwise free to pursue their private careers. They did not automatically receive commissions in the regular Army, nor were they obliged to complete a military tour of duty after graduation.

Howard had little interest in a military career. He enrolled in the advanced ROTC program because it provided government-funded financial aid. For Howard McCurdy, it also provided his sole extracurricular activity. He participated on the college rifle team in his first, second, third and fourth years.²⁰² It also led him to Jo Test.

Jo had dated boys at Oregon State, but most of the student cadets were put off because she was the daughter of a rather rigid commanding officer. Howard was no exception. “I was in mortal fear of him,” Howard said of Colonel Test. “I didn’t stay around him very much.”

Howard and Jo met in church. An unwritten rule of social contact in Corvallis during the mid-1930s allowed a young man to approach a young woman in church without being formally introduced. When Howard saw Chuck Wood, a

fraternity brother, arrive at the Episcopal service with Jo Test, he promptly sat down next to them. The tall, thin boy made Jo laugh. Chuck Wood sat on one side and Howard sat on the other and they giggled all through the service, which the local Episcopal bishop conducted. When Chuck went to get his hat, Howard asked Jo Test if she wanted to go to the movies.

“Where’s Chuck?” Jo replied.

“Oh, he’s gone home,” Howard lied. They held hands in the movie.²⁰³

Howard and Jo met during the second half of Howard’s junior year and dated steadily through his senior year. They went to fraternity parties and dances at the Memorial Union and met for church. Periodically, Jo’s father, the Colonel as he was known, held cocktail parties at his small Corvallis home. Howard found the Colonel intimidating. He was, after all, the commanding officer of all ROTC cadets and the more than proper father of the girl he was dating. Howard probably over-extended his apprehension. In spite of the Colonel’s strict demeanor and rigid posture, he apparently related quite well to his students, an attribute that encouraged the Army to twice assign him to college posts during peace-time years. He liked his students and they accordingly liked him, within the boundaries of proper respect.

Howard’s college career introduced him to a new level of society, one to which he had not had ready access as a boy growing up in south Portland nor during the Los Angeles year. He entered it easily and seemed destined for the advantages conferred by a college degree. A photograph in the yearbook for his senior year shows him sitting casually between two fraternity brothers on a sofa in the Kappa Sigma fraternity house. The brother to his right is wearing a suit and writing in a notebook. Howard is dressed in a dark blazer, with white pants and stripped socks. His hair is slicked back. Except that the picture was taken in Corvallis, it could have been a scene out of *The Great Gatsby*.²⁰⁴

Howard acquired a new circle of friends, among whom a college education during the depression years enhanced their career prospects considerably. One of his best friends was Frank Ramsey, who played on the Oregon State football team and went on to play professional football for George Halas and the Chicago Bears. Ramsey later served on the Board of Directors of the National Football Foundation and Hall of Fame and used his earnings in professional football to finance a successful Corvallis construction firm. Classmates Holly Cornell, Burke Hayes, and James Howland formed an engineering consulting company, CH2M, with one of

their professors, Fred Merryfield. It grew into a multi-billion dollar global construction and project management firm. Kathleen Aston Casey-Johnson became editor of *Glamour* magazine in New York.²⁰⁵

A college education can transform the individuals who receive it. The classroom work and credentials that follow provide access to new careers and professional opportunities. Equally important, the social circles in which college students dwell and the friendships they acquire define the type of people with whom they are likely to spend the rest of their years. In American life, a college education remains a major event by which individuals define who they are and shape their lives to come.

Howard McCurdy had seen both sides of this transformation. Through his grandfather William the ostensible cowboy, his step-father Willis, his brother Ken, and his various summer jobs he had experienced the world of the under-educated. Full of cowboys and carpenters, it possessed a type of glamour, but did not present itself as a life that Howard wished to pursue. Through his aunt Hilda, who lived above the Roseburg library; her husband and newspaper writer Louie; his chemistry professor, William Caldwell; and the college friends he had made, Howard had encountered the alternative. Most of all, Jo Test and her father provided access to that world. The choice was not hard.

Colonel Test may have viewed his daughter's situation in a slightly different way. Jo was twenty-three years old, in her sixth year of college, and still living at home. As much as he loved his daughter, he could not permit her to live with him indefinitely, especially if he remarried. Jo did not want to leave her father and she certainly did not want to abandon the social structure and security that military life allowed. In this regard, the Colonel and Jo agreed. He was not anxious to sever the links with his only child. Jo's best opportunity for resolving this situation rested with the young officers she occasionally dated.

Howard was smart, handsome, and hard working. The Colonel apparently liked him, an attitude that did little to diminish the nervousness that Howard felt in the commander's presence. Howard had not attended West Point, like some of the other young officers Jo had known before traveling west, but he was a good prospect among the population of students at Oregon State. He and Jo dated persistently through Howard's senior year, touring small town Corvallis in Jo's blue convertible.

Howard was one of the few boys taller than Jo when she wore high heels. As a result of having missed periods of consecutive schooling, Howard was also one of the few students at Oregon State who was older than Jo. Toward the end of Howard's senior year, the two of them celebrated their twenty-fourth birthdays, just one week apart, on May 21 and 27, 1938.

A few weeks later, they celebrated Howard's graduation. Howard's mother Alza and his brother Ken came down from Portland to attend the commencement. Howard wore a suit and vest under his graduation robes. Jo had a haircut that bobbed out at the sides, making her look a bit like the cartoon character Olive Oyl from the comic strip Popeye.

Not many students attended college during the Great Depression; graduation was harder still. Of the 1,119 students who began their courses of study as freshmen at Oregon State Agricultural College in the Fall of 1934, less than half that number – 509 – graduated with bachelor's degrees four years later.²⁰⁶ For most of them and their families, graduation represented a huge personal achievement. They had begun their studies during the depths of the Great Depression and persisted in their course work through the economic deprivation that followed. Howard completed his undergraduate education in an era with no student loans, scant financial aid and little access to family funds save the \$5 weekly contribution that Alza made. It is a cliché of commencement that parents of graduating seniors must feel terribly proud, and seeing her son set on a path of financial and personal independence seems to have pleased Alza greatly. In the graduation picture taken in Corvallis with her son, she is smiling quietly, with her head bowed slightly, as if in prayer.

11. A Step Too Far (1938 – 1940)

Following graduation, Howard headed for Ft. Vancouver, ninety miles to the north of Corvallis. He had intended to go on to graduate school at Oregon State and become a teacher but Jo and the Colonel convinced him to compete for a regular Army commission.

Howard wanted to marry Jo. She in turn envisioned a situation in which Howard, as a newly commissioned officer in the U.S. Army, would leave Oregon and serve on her father's staff, a mentoring experience of incalculable value. That required Howard to earn a regular Army appointment, an achievement that required an additional year of study beyond his senior year at an appropriate military installation. The Colonel graciously embraced this vision.

The prospects contained in these possibilities provided Howard with access to circles of influence and financial security well above those within which he was accustomed to traveling. It was a huge leap forward, as severe a test of the American dream as one might conjure. Howard had made a giant step beyond his personal circumstances by attending college and graduating. Now he faced the challenge of officer candidate school. Of the cadets attending the school at Ft. Vancouver, fewer than 10 percent could expect to receive regular Army commissions.²⁰⁷ They had to study for one year and pass a rigorous written exam. Even if Howard was smart enough to pass the exam, it was not clear that he was well disposed to thrive within the structured social life that the military culture prescribed. He had not been selected as one of the top cadet officers in the Oregon State ROTC unit during his senior year, nor had he been asked to join the cadets in Scabbard and Blade, the national honor society for military cadets. The picture of

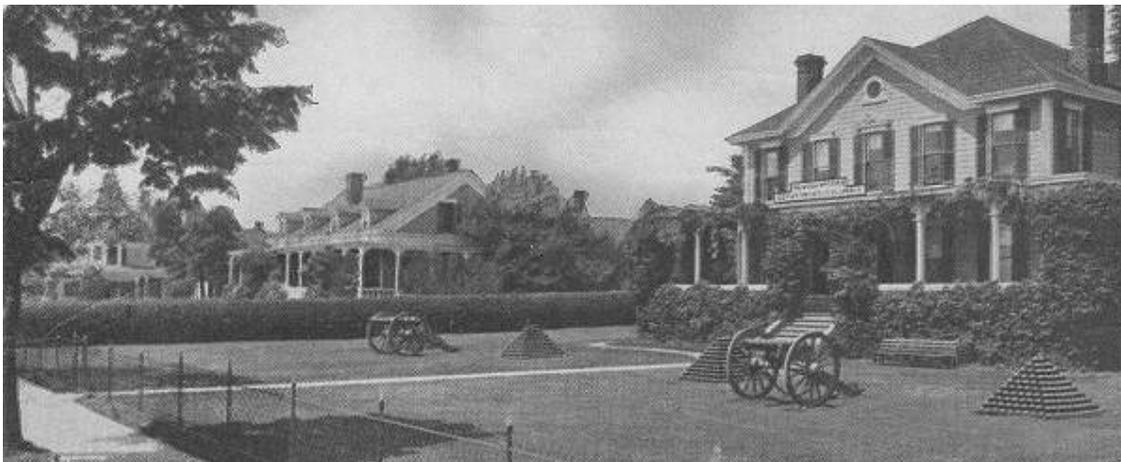
infantry cadet officers in the college yearbook shows him standing quietly in the back row.²⁰⁸

Jo and the Colonel traveled in social circles quite different than those to which Howard had been acquainted as a boy. By attending Oregon State and meeting Jo, Howard gained access to that realm. The American mobility story supposes that individuals possess unlimited opportunities to remake their lives through hard work and moving on. The year at Fort Vancouver vigorously tested that story.

Fort Vancouver sits on a slightly raised portion of land in Washington State on the north side of the Columbia River, at a point where the river divides to flow around Hayden Island, immediately above Portland, Oregon. The U.S. Army had established the fort, variously called Columbia or Vancouver Barracks, in 1849, on the site of an old fur-trading post that had become the regional headquarters for the Hudson's Bay Company. In typical fashion, soldiers followed traders into the Oregon country, established security, regulated commerce, and helped resolve international disputes. Ships from ports as distant as London stopped at the outpost. From warehouses inside the fort's stockade animal pelts emerged that traders exchanged for needed supplies. The post and its first manager, Dr. John McLoughlin, played a pivotal role in the 1846 treaty that placed the territory inside the United States. McLoughlin defied company policy and encouraged U.S. citizens to settle there. The town of Vancouver, Washington, grew up around the fort and trading post.²⁰⁹

As it evolved, Ft. Vancouver came to resemble an idealized version of an American Army post. Then and now, a long row of officers' homes with partial views of the Columbia River and Portland hills line the north side of a well kept parade ground. Barracks for junior officers sit on the south side. General George C. Marshall, the post commander when Howard arrived and later U.S. Secretary of State and author of the Marshall Plan, was so impressed with his house and gardens on Officers Row that he invited friends to visit. These were the type of homes into which Jo as a military daughter and prospective Army wife hoped to move.

Jo remained in Corvallis with her father as Howard pursued his appointment as an Army officer. Life for Jo in the small Corvallis home changed considerably in the Fall of 1938. During a trip south to visit his sister Irene, who had resettled in Los Angeles with her husband, Colonel Test met a distant cousin.



After graduating from college, Howard McCurdy studied at Fort Vancouver for an officer's commission in the U.S. Army. Only a few of the students qualified, making it an ambitious test of the reinvention dream.

Her name was Elizabeth Dalton Peck, or Betty. According to the version that Jo preferred to tell, Betty was living in the Hershey Arms Hotel eating chocolate bars because she had no money. Betty and the Colonel got married in October, 1938. Betty moved into the small Corvallis home and took over Jo's job as hostess. Jo complained that she could hear them running around upstairs and giggling. She hated Betty a great deal.²¹⁰

At one of the social events that Colonel Test periodically hosted, in the Fall of 1938, the Colonel announced that his daughter Jo and Howard McCurdy had decided to get married. A wedding ceremony was scheduled for the following June, in Corvallis, to take place as soon Howard had finished his officer candidate schooling at Fort Vancouver. To what extent the Colonel's remarriage factored in this announcement is unknown. Jo anticipated that her social status would change only a little, from that as Colonel (and future General) Test's daughter to the wife of one of the bright young junior officers on her father's staff.

Sunny autumn days changed to wintry rains as the 1938-39 school year progressed. Howard continued his courses at Ft. Vancouver. The Colonel continued to direct the ROTC program at Oregon State and supervise his fourteen-person staff of seven officers and seven enlisted men. "Every man should have a chance to work for a goal that will mean something to him in the future," the

Colonel announced in his typically proper manner when asked to state his educational philosophy to a writer for the college yearbook. Colleagues at Oregon State agreed that he had improved the college military department considerably.²¹¹

In March, during the regular Spring break and shortly before his daughter's impending wedding, the Colonel traveled to San Francisco for the Army's physical examination that resulted in his unexpected death. Jo was devastated. She had lost her father. Jo delivered the Colonel to Arlington National Cemetery and returned to Corvallis. She and Betty coexisted in the days that followed, as Betty prepared to move her belongings out of the house and return to California.

In June, Howard took the examination to become a commissioned officer in the U.S. Army, the other half of Jo's dream. Jo's opportunity to fulfill that dream depended upon Howard's ability to pass the examination and the connections within the Army that she still maintained.

The examination was typical of those administered by government agencies to screen candidates for employment or promotion, such as the ones given to certify ship captains or establish a hierarchy in fire departments. It consisted of a seemingly endless list of questions on small details divided into subject matter sections. While the examination might not accurately forecast of how well a candidate would fit into Army life, it did provide an objective means for ranking the people taking it. In that respect, Howard had a distinct advantage. Through his college studies, he had developed an exceptional facility for recalling details, what some would call a near-photographic memory. He loved to read and he remembered most of what he saw.

Howard breezed through first few sections, answering every question correctly. As few as four of the 100 or so candidates taking the exam would pass and receive commissions in the regular Army. Howard felt confident that he was doing well enough on the test to be one of them.²¹²

He turned the page and looked at the motor transit section. It listed all of the Army transport vehicles and asked candidates to identify the unit or individual responsible for performing maintenance on each vehicle. He paused, trying to recall the correct answer from the many class sessions he had endured. In the nomenclature of exams, this was a trick question, possibly designed to catch people who had a proclivity for memorization but were not able to fashion a solution to a problem for which the answer was unknown. The question did not

require a substantive reply. Candidates could receive a passing score by simply replying that they would consult the operational manual for that vehicle. The correct answer was “as prescribed in the manual of operations.”²¹³

Howard was stumped. He did not have a clue. He received a 64 on the motor transit section. Even though he received an overall score of 92 on the entire exam, the Army required that candidates seeking commissions score 65 or higher on all sections. He had failed the exam.

Howard had demonstrated his ability to reach beyond his upbringing and complete a college education during the Great Depression. In attempting to earn a peacetime commission as an officer in the U.S. Army, he advanced a step too far. In the Alger stories, the young men who succeed usually ascend only a stage or two.

Jo waited in Corvallis, the wedding date impending. Her father was dead. She faced the prospect of marriage to a poor boy from Oregon who had no military commission and few employment prospects in what was still a depression year. Jobs were very scarce.

Howard returned to Corvallis, sat down on the curb, and looked into the gutter. He wanted to marry Jo, but was clearly unprepared to support a wife and family. “What am I going to do now,” he kept asking himself.²¹⁴

I.

As a rule, people who suffer traumatic events like the death of a family member should not make major life changes for a year or so. They should not move, sell their homes, or get married. Jo, however, had few opportunities. Like many women of that generation, her future was tied to the people whose lives she shared. She could stay in Corvallis, where she had made many friends, and finish her college degree. She could move in with Aunt Irene in Los Angeles, who did not want her to marry this unemployed fellow from Oregon. She could marry Howard and try to start over. She really did not know what to do.

The wedding was scheduled for July 15, 1939, a Saturday. On the morning of the wedding, Jo stood at the front door of her deceased father’s small Corvallis home and watched the movers haul Betty’s possessions to the truck by the curb. Betty had sold the house and was taking a good share of the furniture and all of the Colonel’s military pension back to Los Angeles, the pension that Jo would have received had her father not remarried. Jo had received the Colonel’s \$10,000 life

insurance policy, still assigned to her. Her imagined fortune would officially disappear in less than one year. Jo had the china and silver and a bit of the furniture she loved. Somehow in the process of shutting down the house Betty had turned off the water heater and Jo knew she would have to take a cold shower before she got married.

Howard, his college friend Frank Ramsey, brother Ken, and the bridesmaids were celebrating and dressing at the home of Frank Ramsey's mother. Howard was nervous because everyone seemed to be having fun except Jo.

The phone rang. Frank's mother picked it up. It was Jo. The wedding was off, Jo announced. She had decided not to get married, at least not now. She was upset; she was angry. With her father's death and all the changes going on in her life, this was not a good time to get married. She had the life insurance policy, which was enough to support her for more than a few years until she could decide her future course.

Alza, Howard's mother, who had come down from Portland for the wedding, said she would talk to the bride. Frank Ramsey, serving as the wedding chauffer, drove Alza to the late Colonel's home. Alza grabbed a pint of whiskey before she got in the car.

No one told what Alza and Jo discussed. The fact that Alza had just endured her second divorce, this one from the step-father Willis Patrick, concerned Jo.²¹⁵ So did the prospect of embarrassing herself in front of what was now her largest remaining circle of friends, including a large group of bridesmaids and ushers. By the end of the conversation, she had calmed down. She dressed and arrived at the church. There is a nice picture of her smiling and cutting wedding cake at the Kappa Sigma fraternity house where the reception was held. Frank Ramsey, substituting for her father, walked Jo down the aisle.²¹⁶

II.

Howard and Jo McCurdy dressed in traveling clothes and spent the first night in Waldport, a small town west of Corvallis on the Oregon Coast. They drove to San Francisco and saw the Golden Gate Fair, an international exhibition celebrating the city's two great bridges and the promise of a unified Pacific economy. The commercial displays impressed Howard less than Sally Rand's Nude Ranch, organized by an exotic dancer whose nightclub acts grossed thousands of

dollars during the depression. According to one review, the cowgirls wore hats, boots, gun belts, and "little else."²¹⁷ The newlyweds continued south to Los Angeles, took the boat to Catalina Island, and stayed in a tent behind the old hotel.

The honeymoon over, they rode the boat back to Los Angeles. Howard began looking for work. The long depression that squeezed Oregon gripped southern California too. Jo made arrangements to have dinner with her late father's sister, Irene, and Irene's husband William Haughey. They had a nice home in Hancock Park east of Beverly Hills near the Wilshire Country Club. Rose Test, the Colonel's mother, had joined them in California after the Colonel's father, Edward Test, had died.²¹⁸ The visit proved inconclusive. Jobs were scarce; no one could help.

Not knowing what to do, Howard called Dr. Caldwell, his chemistry professor at Oregon State. Caldwell offered Howard a teaching assistantship if he wanted to start graduate school. The stipend was small, Caldwell warned. The education might lead to a teaching job, but the pay for an instructor might never improve. Caldwell no longer lived alone with his mother in a rented Corvallis home, as he had done when Howard arrived as a student at Oregon State. Yet Caldwell's financial situation was not secure. He was tinkering with a small textbook that might supplement his pay and still worked that Washington State strontium mine. Jobs in private industry, for those who could find them, paid twice what professors at state-supported college made, a prospect that discouraged many bright students from extending their education.²¹⁹

Howard considered his options. He liked school; he had no job offer from a business firm. Money from the Colonel's life insurance policy would help support him and Jo. A professor's life in a university community, especially one in a small town like Corvallis, comes as close to the tightly-woven social fabric on an Army post as an individual can find in civilian employ, without the inconveniences imposed by strict military hierarchy. Although they did not know it at the time, demand and pay for college professors would expand significantly after the Second World War.

Howard accepted Caldwell's offer. He and Jo returned to Corvallis, staying at the Ramsey home until they could rent a small apartment. Jo signed up for another year of courses. Howard began chemistry graduate school. He had not yet completed a single term of graduate work when one of Jo's cousins from California suggested that they could get rich quick by growing alfalfa and drying it with

quicklime. In theory, quicklime allowed the alfalfa to retain higher levels of chlorophyll which provided it with more nutritional quality and a higher market value. Howard was committed to graduate school and skeptical of the idea. To Jo, still disoriented from her father's death and her radically altered social situation, it seemed like a good way to "make a fortune" and regain her prior station in life.²²⁰

The two of them withdrew from school. Using money from the Colonel's life insurance policy, they bought a farm in Scappoose, about twenty miles north of Portland along the Columbia River. The farm had a house and two barns on 129 acres; the couple paid \$750 for the whole thing.²²¹ They intended to grow alfalfa, process it chemically, and sell it for feed.

The alfalfa processing scheme failed almost immediately. Local suppliers were not interested in alfalfa dried with quicklime. To generate some income, Howard bought cows and started milking. He bought pigs, planted barley and corn in the summer of 1940, tended an orchard on the property, and rented out forty acres to a local farmer who harvested peas. Howard listed his occupation as a "dairyman," a strange vocational choice for a college graduate with a degree in chemistry, but not an infrequent circumstance during the dozen years of economic hardship when dreams of opportunity far exceeded the number of well-paying jobs.²²²

In 1940, Jo was pregnant with her first child. When her mother had become pregnant one generation earlier, the childbirth had gone badly. Jo had survived, but her mother had died. Childbearing in the first half of the twentieth century remained a risky undertaking, as dangerous as many occupations that men pursued. The prospect of death was diminishing, but not to the levels that another half-century of improvement would provide.²²³

Jo developed what is called an ectopic pregnancy. The newly growing child lodged in a place where it was not supposed to be. Typical symptoms of this disorder include gastrointestinal distress, internal bleeding, dizziness or fainting, and pain. Left untreated, the condition can rupture a fallopian tube. Excessive bleeding and death follow.

Jo fainted and turned blue. Howard rushed her to the small hospital in Scappoose, where a local doctor proceeded to treat her for a bad case of intestinal gas. Howard's mother, Alza, arrived from Portland. We have to get Jo out of here, Alza insisted. She called for an ambulance to take Jo to a hospital in Portland. The local ambulance doubled as the town hearse and had windows on the side.



Jobs were scarce; prospects were thin. With money from her father's life insurance policy, Jo and Howard McCurdy bought a farm.

Doctors placed Jo in the ambulance turned death wagon. She raised herself off the stretcher as best she could and tried to wave out the windows to a friend as the vehicle pulled away.

The ambulance sped down Route 30; Jo continued to bleed. Was this how her life would end, like her mother, with a new husband, separated from her family in an unfamiliar city while she was still young? Fright overtook the speeding van.

11. State Secrets (1940 – 1945)

Jo woke up in a hospital bed in downtown Portland. Doctors had performed emergency surgery, opening her abdomen to find the source of the bleeding and make it end. They had given her transfusions. Her prospective child was gone.

The ectopic pregnancy and the feed scheme for processed alfalfa depleted her assets.²²⁴ Jo wished that Howard had passed the military officers' entrance exam. Without that low score on the motor transit section, he would be an infantry lieutenant now. Was her father alive, they might be headed for a new assignment on a general's staff. In the Army, she believed, they would be "set for life."

In the months that followed Jo's July 1939 marriage, world events changed considerably. On September 1 of that year, Germany invaded Poland and a state of war in Europe commenced. The invasion of Luxemburg, Belgium, the Netherlands, and France began on May 10 of the following year. The British evacuated their troops from Dunkirk and the Battle of Britain started. In the United States, President Franklin Roosevelt convinced Congress to enact the first peacetime draft and violated U.S. neutrality by transferring fifty naval destroyers to Great Britain. Although isolationist sentiment continued to influence American public opinion, Roosevelt won the 1940 presidential election and began to mobilize the country for war.

Jo's best hope for resurrecting the social life she had previously enjoyed lay with the military. She knew an old Army friend from her father's tour at Fort Leavenworth who worked in the Office of Civilian Components in San Francisco. The Army needed officers and had begun to call up some from civilian life. The opportunity for steady employment produced a flood of applications. The friend, Colonel William Sharp, said that he could assign Howard to help with the construction of a new Army camp near the town of Paso Robles about thirty-five miles from the Pacific coast in south central California. Construction of the post, capable of housing 30,000 trainees, began in November, 1940.²²⁵ At the end of

1940, on December 19, the United States Army recalled Howard to active service as a 2nd lieutenant in the Army Infantry.²²⁶

Howard and Jo arrived at Camp Roberts in the winter of 1941. The camp consisted of one building and a sea of mud. It did not resemble the tree lined Army posts of Jo's imagination. Howard's assignment, moreover, did not result in a regular Army commission. As an officer recalled from inactive reserve, he could be sent back to civilian life at the end of one year or whenever the Army no longer needed him. To Jo, it seemed like a step in the right direction. They found a place to live in Paso Robles. Jo was pregnant again.

The baby was due in mid-December, 1941. On December 7, squadrons of Japanese airplanes launched a surprise attack on the U.S. fleet at Pearl Harbor. Fearing that the Japanese might attempt to bomb California, state officials told residents to lower their shades and cover their lights so as to deprive enemy aircraft of visible landmarks at night. Howard and Jo drove to the hospital in nearby Atascadero with their automobile headlights turned off. Japanese submarines surfacing off the California coastline did release incendiary bombs tied to balloons that started a few forest fires, but the Japanese fleet did not approach nor attack the western United States.

A son was born. Jo had planned to name the child Steven if it was a boy. She also knew that second lieutenants in infantry brigades did not live too long under combat conditions. Reconsidering her choice, she decided to name the child Howard Earl, after her husband in case he needed to be remembered that way.

Howard Senior did not want to remain in the Army Infantry. He was not well suited temperamentally for the top-down culture of military life in general and even less so for the unquestioning obedience required in an infantry brigade. As a consequence of a tendency to point out what he perceived to be the shortcomings of his superior officers, he confessed that except for the now-deceased Colonel Test and Jo's friends, he "couldn't get a decent recommendation from anyone."²²⁷

Howard also worried about the situations a young infantry officer might face. When the Japanese invaded the Philippines in December of 1941, President Franklin Roosevelt had ordered General Douglas MacArthur to leave the islands, but many of the 23,000 U.S. soldiers who assisted the Philippine Army stayed behind. Those that remained surrendered on April 9, 1942. The Japanese forced American and Philippine prisoners to march from Bataan to a prison camp 160

kilometers away. Many were tortured, starved, and beheaded. At least six of the students with whom Howard had attended Oregon State died in war camps in the Pacific theater. One of them, Howard Amos, survived the notorious Bataan death march, only to die six weeks later in Cabantuan prison.²²⁸ "One more point on the motor transport exam," Howard reflected, and he might have been with them.²²⁹

Howard asked for an assignment more suitable for a person with a college degree in chemistry. The Army reassigned him to the Chemical Warfare Service, a technical branch established during World War I for the purpose of experimenting with weapons that employed toxic or noxious gases and developing countermeasures against their use. Poison gas, as it was called, was widely employed in World War I, and military leaders anticipated that it might be used again during the Second World War.

Howard left Camp Roberts. The Army assigned him to work as its chemical warfare representative at the Fentron Steel Works, a small steel plant and machine shop in Seattle, Washington. An assignment less closely associated with Army life could hardly be imagined. The company had a government contract to make metal casings for incendiary bombs. Howard oversaw this work and also supervised activities at a lumber company that made charcoal for gas masks. A photograph shows Howard crouching in front of the steel plant, surrounded by eighteen coworkers, all but one of whom is dressed in civilian garb.²³⁰

Fentron executives had placed their plant near downtown Seattle, between Queen Anne Hill and the adjacent Magnolia bluffs. Howard and Jo rented a brick bungalow on Queen Anne Hill.²³¹ Assigned to civilian factories on behalf of the U.S. Army, Howard commuted to work like an ordinary citizen. Two Germans owned Fentron Steel and had previously worked to repair Japanese ships. FBI agents, Howard noticed, "watched them like hawks." Howard and Jo lived this way in Seattle for much of 1942 and 1943.

Jo insisted that Howard would never earn a commission as a regular Army officer without an overseas tour, so Howard wrote a letter requesting an assignment outside of the United States. Howard contemplated the possibility that the Army might dispatch him to an infantry battalion equipped to defend against or even use chemical weapons. War Department officers had a more creative idea.²³²



With the commencement of the Second World War, the prospects for a military career reappeared. The U.S. Army assigned second Lieutenant Howard McCurdy (first row, third from left) to oversee activities at the Fentron Steel Works in Seattle.

In 1943 General William Porter, head of the U.S. Chemical Warfare Service, met with his counterparts in the Canadian Army. This is the challenge they discussed. The allies might need to invade Japan to end the Pacific war. If so, the losses could be horrendous. Japanese soldiers holding Pacific islands had proved to be tenacious fighters and they would be even more resistant in defending their homeland. Porter and other military officers anticipated that weapons of mass destruction might be needed to end the Pacific war.

Conditions in the Pacific theater such as damp foliage and the lighter uniforms worn by troops fighting in subtropical regions made the use of gas seem theoretically attractive. Porter and his Canadian counterparts, who operated a chemical research station in southern Alberta, believed that a few tons of mustard gas might inflict more damage than thousands of tons of explosives. To test their

ideas, Porter and his colleagues proposed to establish a research station in a tropical location. San Jose Island, sixty miles from the American-held canal zone of Panama, was chosen.

San Jose Island is the largest of the Las Perlas group of islands off the coast of Panama in the Pacific Ocean. It is thickly vegetated, with 80-foot trees, coconut palms, and wild sugar cane. With its white coral and gold sand beaches, turquoise waters, and abundant fish populations, the island would under any other circumstances be considered a tropical paradise. In this instance, it was the site of a secret Army operation—the chemical equivalent of the Manhattan Project that developed the atom bomb, though much less well known.²³³

Army officers sent Howard to the Chemical Warfare School at Edgewood Arsenal, Maryland. Howard's chemistry professor, Dr. William Caldwell, had earlier received a similar assignment. In 1942 and 1943, Caldwell conducted research and helped set up the gas obstacle course at Edgewood Arsenal, advancing to the rank of Lt. Colonel before resuming his teaching duties at Oregon State. Howard took a basic course in chemical weaponry at the Arsenal school.

In 1944, the San Jose Project began. Four hundred soldiers and scientists prepared to assemble on the island off the western coast of Panama. Howard was one of them. He and Jo spent Christmas of 1943 in Washington, D.C., where Howard helped to procure supplies as an officer on General Porter's staff. They made a tree from wire coat hangers and green paper. It was their fifth Christmas together, now with a two year old boy. Howard departed for Panama from the port of New Orleans in March, 1944.

Jo considered her prospects and returned to Portland, Oregon. She and her son moved in with Alza, Howard's mother. Alza had continued her career with the Rasmussen Paint Company after her divorce from Willis Patrick. She helped care for the mother and little boy while Howard was away.²³⁴

On the island, Howard served as a range officer and an assistant technical director, mostly doing field work. As a range officer, he supervised gas drops, in one case lying precariously in a combat aircraft between the pilot and copilot in the space where an absent life raft was supposed to be. He directed the pilot to the drop zone to make sure that the crew did not mistakenly spray the soldiers conducting tests on the ground. Howard was gassed twice, both by accident. In one case, gas dissolved a thrower hose. In the other incident, his gas mask failed.

As previously instructed, he marched away rapidly, holding his breath, not running. Howard spent a month in the project hospital.²³⁵

More than a half-century later, in 1997, the United States Senate would ratify the international convention prohibiting the use of chemical weapons. Signatories agreed to stop producing chemical weapons, forgo using the weapons they already possessed, and destroy stockpiles. In 1944, however, the United States was not so constrained. Army officers undertook both the atom bomb project and the chemical weapons project under extreme secrecy, suggesting that one of the two methods would be used to conclude the Second World War.

Howard grew increasingly impatient with work on the island. He thought the officers with whom he served were “an incompetent, stupid bunch of people.” The project directors decided to test the effects of gas on rabbits and goats. They tested protective clothing and argued over the need for human tests.

In what would become their most controversial decision, project directors decided to measure the effect of mustard gas on human subjects. One experiment tested the proposition that dark-skinned individuals would show greater resistance to mustard gas than white-skinned ones. Army officers “selected” forty-five Puerto Rican soldiers from the 296th Infantry Mobile Forces to participate in the experiment, a term in the official report indicating that the troops did not volunteer.²³⁶ Such a test would never have been allowed under current human subjects regulations and would not have survived public exposure even at that time. The San Jose Project, however, was shielded from public scrutiny by extreme secrecy and relative obscurity. Scientists exposed the troops to mustard gas. The gas burned.

Howard contemplated ways to get off the island. His intolerance for military life increased when he discovered that island officers in the regular Army had stationed their wives in Florida. Spouses were not allowed to visit the secret project, but the officers periodically flew to Florida for weekend calls. As an assignee from the Army reserve, Howard was not accorded such privileges. Reserve officers, he fumed, “were not members of the crew.”

He missed Jo terribly. In the summer of 1944, a few months after he had arrived in Panama, doctors discovered that Howard’s mother, Alza, had a terrible case of cancer. The doctors prepared to operate. The Army typically did not allow reserve officers to depart the San Jose Project for stateside leave, but Jo knew how to manipulate the system to produce such a result. Howard flew home for twenty



The Army eventually sent Howard McCurdy (third from the right) to its secret chemical warfare project on San Jose Island, Panama.

days. The surgeons could not eradicate Alza's cancer; the tumor had spread too far. At the age of fifty-three, Alza died.

After burying his mother and saying goodbye to his wife, Howard returned to Panama. Jo resettled in Corvallis in a converted garage behind a small house on Kings Road.²³⁷ Another year passed. The short state-side leave and the loss of Alza made the pain of separation even more severe.²³⁸

In May, 1945, Germany surrendered. The Japanese surrender followed in August. Allied forces did not employ poison gas as a means of ending the Pacific war. Instead, they dropped two atomic bombs, the result of now more-famous Manhattan Project. The atom bomb project received a great deal of subsequent attention; the chemical warfare project dissolved into the secrecy surrounding the Cold War.

In spite of the newly-found emphasis upon atomic weapons, the San Jose project did not end. Experiments on the island continued for two more years. Subsequent service on the project was Howard's sole hope for a regular Army commission and the fulfillment of Jo's dream. With the war over, the Army was rapidly divesting itself of surplus officers and demoting others who wanted to stay. The prospects of an application for a regular Army commission being accepted were thin, but not impossible.

To satisfy Jo, Howard applied for a promotion and commission in the regular Army. He had not been elevated in rank since working at Fentron Steel. "I'm the oldest living captain in the Army," he complained to his superiors.²³⁹ His superior officer told him that he could start work as a fiscal officer for the San Jose Project, at the rank of captain. The job normally required a major, and the superior held out the promise of a promotion to that rank in a month or two.

From the perspective of the officers and scientists remaining on the project, one important feature changed. With peace at hand, they could bring their families to Panama.

Howard wanted to be reunited with his wife and son. He had not seen them for more than one year; it seemed longer. A regular Army commission would provide this, or so it seemed until his superior officers pointed to an obstacle. Inspecting the paperwork that dispatched Howard to the islands off Panama, the officers noted a discrepancy. The Army had assigned him to the Panama Defense Command, which in turn had dispatched him to San Jose Island. Officially, Howard did not work for the San Jose project. He worked for the Panama Defense Command. Unfortunately, that branch of the Army had different rules regarding family relocation.

Howard's disillusionment with the prospect of Army life and the stupidity of Army planners grew more severe. In the social hierarchy of the professional officer corps, Howard lay near the bottom of the feeding chain. As a graduate of West Point, the Colonel along with his daughter Jo had been at the top. They did not have a great deal of money or power, but they traveled in circles with people who did. So did the Colonel's father, who claimed a high rank in the Nebraska National Guard. Howard possessed none of those advantages and Jo's access to the circles of influence that had sustained her for so many years steadily waned. Howard disliked his work on the San Jose project, thought little of the people who ran it, and wanted to be reunited with his wife and son.

One of his first tasks as fiscal officer required Howard to identify the officers who were eligible for leave. He put his name at the top of the list and prepared to depart for forty-five days of rest and relaxation in the Pacific Northwest. In September, 1945, a few weeks after the formal conclusion of the war, Howard headed home. He flew to Fort Lewis in Washington State. As soon as the airplane landed, he walked into the processing center for returning soldiers.

In the building, he saw two lines. The first was marked "R&R." Soldiers eligible for a few weeks of rest and relaxation before returning to active service in the U.S. Army gathered in the first line. The second column said "discharge." Howard thought for a moment. He folded down part of his leave papers, covering the section would send him back to Panama, and stepped into the second line.²⁴⁰

Coda: Privacy Lost Twice

As the forgoing stories suggest, individuals moving to new places in earlier times had the opportunity to alter themselves in various ways. They might disguise their age, their previous work, or the places from where they had come.

Edward Test presented himself as a general in the Nebraska National Guard, a true assertion that was nearly impossible to confirm. William McCurdy presented himself to his family as a cowboy, herding cattle back across the Oregon Trail. Jane McCurdy disguised her true age after moving with her family from Ohio to Illinois. Willis Van Patrick claimed to have been born in Tennessee, while Alza Rice appeared to have come from nowhere at all.

Some people improved their circumstances. After a series of losses on the eastern seaboard, John Test the lawyer found success as a jurist, resolver of land disputes, and U.S. representative from Indiana. James McCurdy, whose ancestors left Scotland in search of farmland, finally found property he could own in western Illinois. His son David crossed the Oregon Trail. The son of Alza and Calvin McCurdy sought to leave his childhood behind.

Others were on their way down. Jo Test's plans for continuing the military life provided by her father dissolved when Colonel Test died and her husband Howard stepped into that discharge line. After his arrest in Spokane, Henry Patrick was on his way to jail.

Without access to official records, people in the places to which such individuals moved could not easily ascertain the truth behind the statements the newcomers made. People in new towns could not effortlessly uncover the secrets that newcomers withheld. Townspeople had good cause to be suspicious of strangers, a theme reinforced by a number of popular tales.

These individuals lived at a time before the widespread use of social security cards, driver's licenses, passports, and birth certificates. Court documents, credit reports, and physician records were not easily accessible. America was not only a place where people could start over; it was a place where individuals could hide from their past and reinvent themselves. Newcomers were

accepted on the basis of the family histories they chose to present, which might only loosely resemble the facts, and by the merits of their deeds. In more settled communities, where church records and family bibles supplemented the memories of older inhabitants, individuals could not pass themselves off as persons entirely new. Especially on the western line of settlement, the opposite endured. America offered opportunities for imaginative transformation.

The passing of this era removed a key feature of American life. Privacy began to disappear with advent of precise record keeping and the rise of the social welfare state. To qualify for benefits or fulfill obligations, people had to register, leaving a trail of written documentation that proved much harder to deny. Health care, social security, draft registration, foreign travel, and varying licensing requirements limited the ability of people to reinvent themselves. Starting in 1917, the U.S. Congress required all males between the ages of 18 and 45 to register for the draft. Twenty-four million Americans complied. The cards they completed contained information about their places of birth, family, occupation, and states of residence. When World War I ended, the cards were arranged alphabetically, divided by locale, and placed in the U.S. archives. In the beginning, individual cards were hard to find. An experienced historian could review them, but they were not easily accessible to casual users.

Today the cards are available online. One need only type in the name of an individual like Willis Patrick to see the information he provided to his local draft board on June 5, 1917. Genealogical web sites provide the most convenient instruments of search.

The desire for information – and the capacity of large institutions to automate its distribution – severely restricts the ability of modern people to keep aspects of their lives private. With the advent of personal computers and Internet connections, people anxious to trace previously private matters can scan vast libraries of information with a few strokes of typing board keys.²⁴¹

A quick check of Oregon census records, easily accessible through genealogical web sites like ancestry.com, reveals William “the cowboy” McCurdy to be a sheep herder more or less stuck in rural Wasco County. Likewise, a succession of decennial census reports discloses that Jane McCurdy aged less rapidly than one would expect in an accounting of inhabitants every ten years. Official records suggest that Willis Patrick was the son of an Idaho farmer.

Form 3331 REGISTRATION CARD No. 14

1 Name in full: Willis Patrick Age in yrs: 27
(Given name) (Family name)

2 Home address: Enterprise Oregon
(No.) (Street) (City) (State)

3 Date of birth: April 22 1870
(Month) (Day) (Year)

4 Are you (1) a natural born citizen, (2) a naturalized citizen, (3) an alien, (4) or have you declared your intention (specify which): Natural born

5 Where were you born: North Bend Oregon
(Town) (County) (State) (Nation)

6 If not a citizen, of what country are you a citizen or subject? Citizen

7 What is your present trade, occupation, or office? Carpenter 7

8 By whom employed? J.A. Ketter
Where employed? Enterprise

9 Have you a father, mother, wife, child under 18, or a sister or brother under 18, wholly dependent on you for support (specify which): Wife

10 Married or single (which): Married Race (specify which): Caucasian

11 What military service have you had? Rank: None branch: _____
years: _____ Nation or State: _____

12 Do you claim exemption from draft (specify grounds): _____

I affirm that I have verified above answers and that they are true.

Willis Patrick
(Signature or mark)

Old records variously filed now can be located effortlessly. This is a copy of Willis Patrick's World War I draft registration card, obtained through a genealogical web site.

Other misrepresentations appear large in the lives of the people who made them. Jo Test told an embellished story about a lost fortune not so much to capture an event in history, but to give other people a sense of the life she had lost when her father died. Jo's story, like so many that family members told, contained a nub of truth. The part about a wayward husband receiving the estate, however, was wholly contrived, apparently as a means of expressing the injustice Jo felt toward the entire ordeal.

The case of Henry Patrick—the father of Willis Patrick—was more serious. Was Henry, accused by his step-grandchildren of child molestation in Portland, Oregon, the same Henry Patrick convicted of and imprisoned for sexually assaulting a fourteen year-old Spokane girl? If so, he certainly was not telling anyone.

Beginning in 1994, the U.S. government enacted a number of statutes requiring sex offenders to register with state law enforcement agencies. States in turn display the information through various means. People seeking to locate sexual offenders typically have access to names, pictures, addresses, the crime for which the offenders were incarcerated, and the dates of incarceration. The statutes are known informally as Megan's Law, named in remembrance of a New Jersey seven-year-old girl who was raped and murdered by a previously convicted sex offender. The tragedy prompted the New Jersey state legislature to pass a registration and notification requirement that provided the model for the federal statutes. In 2003, the U.S. Supreme Court upheld the constitutionality of the practice in two cases involving Connecticut and Alaska. Interestingly, the plaintiffs in the cases did not base their objections to registration on the issue of privacy, but rather on the assertion that registration constituted a form of continuous punishment requiring due process of law. Unanimously, the Supreme Court justices disagreed.

The evidence suggests that one person, Henry Patrick, managed a family farm in Roseberry, Idaho, travelled for some reason to Spokane, Washington, sexually assaulted a fourteen year old girl, was convicted of the crime and served time in the Washington state penitentiary. After completing his sentence, he moved to Oregon, where, in a downtown Portland hotel room, he allegedly molested the step-children of his newly-married son Willis.

Today, an individual convicted of sexually assaulting a fourteen year-old girl would be required to register with the appropriate law enforcement agency in Oregon. This requirement certainly represents a narrowing of the zone of privacy, but one to which few people object.

General criminal records are available as well. For a modest fee, personal background sites like PeopleSmart and Intelus provide a full dossier. An acquaintance or prospective date can find out whether the object of their attention has a criminal record, is married, has children, has filed for bankruptcy, is subject to a lien, and other information. Supporting programs provide pictures of the subject's home. Someday the personal background industry may join the genealogical research movement to scan and electronically index criminal records from the distant past. Then we will be able to tell effortlessly whether a good grandfather was the upstanding citizen that the family claimed or whether he possessed a more nefarious past.

Medical records are another matter. Most medical records are kept in the offices of attending physicians or at hospitals where treatment occurs. The records are not shared with other institutions except on demand. As part of the 2009 American Recovery and Reinvestment Act (also known as the federal stimulus law), the U.S. Congress encouraged the establishment of a national electronic health record database. Through the database, physicians at one institution would have immediate access to information about a patient treated at another. Advocates of the provision promised that it would save money and improve care.

The provision raised immediate concerns about privacy. Would a patient be allowed to exclude certain information from the database, such as a past history of mental illness or substance abuse? And how would health care providers protect the data from outsiders set on discovering such information by legitimate or illegitimate means?

However this particular issue is resolved, the technique involves a narrowing of privacy. A limited number of people have access to patient health records filed at local offices and individual institutions. By some estimates, that number would increase into the millions under a national system.

Contrast that situation to the privacy afforded the health of a variety of public figures in the first half of the twentieth century. President Woodrow Wilson went to great lengths to hide a succession of neurological attacks that he suffered during his presidency. The most serious left him bedridden and semi-paralyzed.²⁴² Wilson's wife Edith and his physician carefully limited access to the president by the vice-president and members of Wilson's cabinet, lest they discover how serious the president's condition had become. Franklin Delano Roosevelt was "an alarmingly sick man" when he ran for reelection as president in 1944.²⁴³ His staff hid the severity of the president's declining health from the public. Suffering from hypertension and congestive heart failure, Roosevelt died eighty-two days after his inauguration. John F. Kennedy ran for and won the presidency in 1960 while projecting an image of youthfulness and vigor. Among other maladies, he suffered from Addison's disease, a serious malfunction of the adrenal glands. A primary consequence of the disease is lethargy.²⁴⁴ As president, Kennedy hid or deemphasized health conditions for which he required up to a dozen medications each day, including Phenobarbital, methadone, cortisone injections, and testosterone.²⁴⁵

The practice of withholding medical information that might interfere with the execution of one's official duties was not uncommon during the time that Frederick Test served with the U.S. Army. Revelation of true conditions typically occurred only after the death of the patient, if at all. Nearly forty years passed before officials at the Kennedy library allowed historian Robert Dallek and physician Jeffrey Kelman to examine the late president's medical files.

Today, public officials can no longer hide medical histories or past indiscretions. One person's insistence on privacy has become another person's neglect of transparency. After journalists revealed that vice-presidential candidate Thomas Eagleton had undergone electroshock therapy for severe depression and hid the procedure, the candidate was obliged to withdraw from the 1972 national ticket. During the 2008 nominating season, presidential candidate John Edwards denied reports that he had used campaign funds to cover up an extramarital affair. Transparency prevailed, although Edwards was acquitted of criminal charges. Actions once treated as private matters are now categorized under the public's "right to know."²⁴⁶

To the sternest advocates of transparency, even state secrets are considered public affairs. In 1969, Daniel Ellsberg made photocopies of the forty-seven volume classified Defense Department Pentagon Papers, which revealed activities not heretofore shared with Congress or the American public. Four decades later, Edward Snowden used computer technology to download more than one million files documenting the scope of government surveillance activities. In both cases, news outlets published the secrets. For good or ill, governmental matters previously kept secret more easily become public material.

Much of the information individuals once kept to themselves people now provide voluntarily. For this purpose, social networks work especially well. The most famous is Facebook, founded by Harvard University undergraduate Mark Zuckerberg and launched in 2004. The site grew rapidly in the years that followed. By 2012, it had enrolled over one billion subscribers.

Facebook allows its users to create an online social network through which they can exchange personal information with their friends—an ongoing version of the Christmas letters that people elected to exchange in pre-Internet years. Users can set privacy levels on the information they share, but once a piece of information enters the public realm, any person can locate it. A quick name search by someone with an Internet connection brings the user to an individual's

Facebook page. Facebook requires that all subscribers identify their websites publically on line.

Modern individuals relinquish other kinds of information unknowingly. When a person uses a computer to voluntarily enter a popular web site, the information provider frequently inserts a series of codes that allow other parties to track the user. The other parties record the user's location, personal interests, spending preferences, and medical concerns. If a person enters a website that describes eating disorders or anxiety attacks, the tracking program records that. The information is sold to companies that wish to target their merchandise to persons with an identified product interest. A person researching eating disorders might be targeted to receive advertisements for diet plans. Marketing executives view targeted ads as a far more effective method for reaching potential buyers than blanket newspaper or magazine advertisements aimed at a generalized public.

The process grows more elaborate when companies combine tracking information with data banks revealing household income, home value, education, and place of residence. Companies employ statisticians who develop algorithms designed to predict future behavior, such as the likelihood that a particular individual will use a credit card in a profitable way. Such information can be made even more precise by combining it with profiles of a person's known friends, under the assumption that people with similar susceptibilities gather together.

The information is used primarily for marketing products, but it can be adjusted in such a way that one's computer or smart phone acts like a personal avatar. In an innocuous manner, the avatar reminds the user to keep appointments, take medicine, exercise frequently, and eat moderately. In a not so innocuous way, the avatar can track this behavior for someone else. The avatar has its own name—usually a string of numbers and letters—but in all respects it is a public replica of the person using it created and employed by someone else.

The devices that collect this information have a significant feature. They are manufactured by people other than the user and sold as appliances of convenience. People employing communication technologies during the age of privacy had much more control over the instruments they used, such as diaries and letters in the mail. The same is not true of social networks, GPS, smart phones, personal computers, and email. Those instruments are made and sold by people whose interests do not exactly coincide with the users.²⁴⁷

Seemingly “private” information can be utilized in many ways. Companies searching for potential customers purchase these profiles. National security agencies use elaborate algorithms combined with personal information to predict the propensity of individuals to commit crimes or acts of terrorism. Law enforcement officers have access to a broad selection of data bases that allow them to track the movements and activities of persons under suspicion. Information providers see investment opportunities in automated transportation devices (like robot cars) not because the providers want to sell automobiles, but because the providers are interested in knowing where the drivers go. Driverless cars contain tracking mechanisms that identify the occupant’s location. For a variety of purposes, that information is worth more than the profit margin on the sale of the car.

As technology has advanced, the methods for collecting information have become less apparent. Personal information may be more transparent, but the methods for collecting it are not. Police officers who once tracked accused criminals by making prints of ten fingers are now allowed to collect a single DNA sample with a simple swab. A person using a facial recognition program can identify individuals without ever meeting them. Cameras grow smaller. What once required the hefting of a bulky lens can be accomplished by simply touching the side of a pair of eyeglasses. The eyeglasses can be connected to the Internet through a tiny computer that projects an image in front of the user’s eye. The social prospects are creepy. Linked to an image recognition program, the Internet-connected eyeglasses can provide the user with information on strangers standing across a room without seeming to move at all.

New technologies such as these invariably produce social change. The closing of the privacy era has followed this rule. As experience accumulates, the social consequences of privacy’s demise become more apparent. Political campaigns for public office have become more personal as the task of conducting opposition research has become more expeditious. The increasing difficulty of hiding characteristics such as sexual orientation or children born outside the institution of marriage may be helping to remove the stigma once attached to such behavior. In an era with fewer opportunities for personal reinvention, people have less need to move about. Statistics confirm a decline in geographic mobility, though many factors are likely involved.

Observing all of these dimensions of modernity, a number of commentators have declared that “privacy is dead.” Technology and modern record keeping have created an electronic equivalent of the medieval village in which an individual like the one impersonating Martin Guerre cannot long fool his neighbors. A little work on a computer allows the curious to discover whether a person has embellished his or her resume or academic achievements or made embarrassing statements immortalized electronically when he or she was young. Modern people live in the electronic equivalent of the medieval village, where everybody knows your name. In the mid-twentieth century the Canadian professor Herbert Marshall McLuhan predicted that electronic media would create a village of the globe. McLuhan insisted that different communication technologies shaped the various cultures in which people lived. “Print is the technology of individualism,” he explained, associating one of the key characteristics of the privacy era with its dominant communication medium. By providing readers direct access to significant texts, the printing press freed individuals from their dependence upon religious and governmental authorities to interpret those books. With the expansion of television and computer technology, McLuhan wrote in 1962, civilizations would pass out of the printing phase. The world would become like “an electronic brain” and people would return to the semblance of village life but on a global scale.²⁴⁸

As the stories in this book suggest, personal reinvention was much easier to undertake for individuals living a century or two ago. People continue to migrate. They continue to leave the places of their birth, seeking education and employment in new locations. Yet their histories follow them in a much more accessible form. All those geeky high school pictures and embarrassing moments once posted follow the user to distant realms.

Increasingly, these electronic technologies intrude into the lives of persons from the past. A significant Internet industry has arisen for the purpose of satisfying the public demand for personal information about people now deceased. A private matter tightly kept by your ancestors can be penetrated with modern technology. I am indebted to the disclosure industry for creating the tools that allowed me to complete the research needed to understand the lives of the people described in this book. For better and for worse, modern technology now reveals features that people in the past frequently kept private.

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A modern newspaper search site provided evidence of Edward Test's service as a Brigadier General in the Nebraska National Guard. Enter Nebraska, 1873 [to] 1875, "E.F. Test" and click "GO." That which previously consumed years of inconclusive research appeared in less than one second.

Much of the information presented in this book was collected through the use of the Internet web site ancestry.com. The book could not have been finished without it. The company, based in Provo, Utah, launched its website in 1998. It allows subscribers to search through an extensive variety of records including birth, marriage and death certificates; World War I draft registration cards; immigration records; newspaper articles; social security records for people after their death; and census documents on people mostly deceased. The total number of records available online exceeds twelve billion. What previously required extensive field research at multiple sites can be accomplished instantly through a single search engine. The service appeals mostly to people constructing family genealogies; in 2013, it generated revenues in excess of one-half billion dollars.²⁴⁹

A variety of search mechanisms provide access to old newspaper stories. In the past, the location of contemporaneous stories about average individuals proved notoriously difficult. Now such searches can be conducted electronically. The U.S. Library of Congress maintains one such indexing site as a public service. It lists news reports and the names of individuals from 1836 to 1922. We used it to locate the newspaper article confirming Edward F. Test's appointment as quartermaster general in the Nebraska National Guard. Ancestry.com maintains a similar news indexing service for its subscribers. We located the first link in the story of Edith Fryer's fortune while searching for newspaper articles about Frederick C. Test during his tour of duty at Syracuse University. Workers at

ancestry.com had indexed and scanned the *Syracuse Herald* beginning with issues published in 1896. The search process, which we completed in a relatively short period of time, otherwise would have required a lengthy field trip to a repository library with no guarantee of success.

In effect, privacy is dying twice. It is dying for people living in the present and it is diminishing for people who lived in the past. During the age of privacy, individuals could leave faint records of their existence if they chose. David McCurdy, who took his family from Illinois across the Oregon Trail, left a marriage certificate and a few census records. Then he vanished: no death certificate, no tombstone, and no burial site. His family may have known his final disposition, but that too disappeared with years. A startling number of people left practically no records at all.

The age of privacy did not last long. Before it began, most people lived lives of public scrutiny in or near the villages of their birth. With the advent of accessible transportation, people could move. Transportation technologies advanced rapidly, record-keeping not as fast. These twin factors created levels of privacy not experienced by people in prior times. The new freedom coincided with the Enlightenment and the doctrine of natural rights, which elevated individual liberty over the authority of the church and state. A three-hundred year period of individualism followed. When record-keeping technologies finally caught up, the age of privacy closed. It was not a long period by historic standards.

Much has been gained through modern record keeping – government benefits like social security, more effective medical care, better information for decision-making, and the tracking of dangerous individuals. Yet much is being lost as well.

The people whose stories appear in this book had the opportunity to change their lives by moving to new places. For the Tests and Fryers, resting on a notable history, the need to reconstruct was not great. Even so, persons like John Test the lawyer and his grandson Edward the orphan found reasons to start their lives again. The various generations of McCurdys, descended from poor Scots-Irish farmers, had greater needs in this regard. They advanced economically and socially. Sometimes they overreached, as in the case of Howard's military aspirations, but their overall progress was steady.

Jo Test changed as well. Circumstances largely beyond her control prompted her to move to new places, raise her own family, and present herself

anew. For Jo Test, there would be no marriage to a military career, no living in officer's quarters, and no life with the U.S. Army. Her husband Howard and their three sons eschewed military careers. All that, including her imagined fortune, was gone. She used stories about her past as a means of staying connected to a charmed childhood that faded into history as she aged. Ultimately, she had no choice but to start over. As she did, the privacy that protected the ability of people like her to remake their lives began to disappear.

Epilogue

The epilogue identifies the principal characters who appeared in this history and reveals their final circumstances.

John Test (of London) (b. about 1651 in England) Around 1700, John Test moved with his second wife and children from Philadelphia to an estate near New Castle, Delaware. The area lies along the Delaware River south of present-day Wilmington. In a will dated 1706, he reported that he was “weake of body yet of perfect mind and memory.” He died later that year.²⁵⁰

James McCurdy (whose ancestors came from Scotland) (b. about 1786 in northern Ireland) After acquiring land in western Illinois in 1840, James McCurdy settled onto the family farm with his wife Jane and various children. By 1850, at least half of his children had departed or moved away. James died sometime between 1850 and 1860.

John Test (the lawyer) (b. about 1781 in New Jersey) The great grandson of the first John Test continued his law practice in Mobile, Alabama until suffering what was probably a stroke. Following his illness, he abandoned his law practice and returned to his home state of Indiana where he died in 1849.

David McCurdy (who took his family across the Oregon Trail) (b. 1825 in Ohio) After crossing the Oregon Trail in 1866 with his wife Ruth Porter and family, the son of James and Jane McCurdy settled in Portland, Oregon. With the help of his eldest sons, he became a wood dealer. Father, mother, and ten children lived together as one family in Portland in 1870. David vanished sometime in the next ten years.

Edward Francis Test (the General) (b. 1843 in Alabama) Edward Francis, a grandson of the John Test the lawyer, retired from the newspaper business in 1915. He retrieved his granddaughter Jo and joined his son in Panama. After

seeing his son remarried in 1918, Edward returned to Omaha with his wife Rosetta. The couple acquired a pleasant house on Walnut Hill to the west of downtown Omaha. Edward died in 1930 and is buried in Omaha's Forest Lawn Memorial Park. Rose joined her daughter's family in Los Angeles where she died in 1943.

William McCurdy (the cowboy) (b. 1852 in Illinois) The son of David McCurdy settled with his wife Alice Dyer in western Oregon. He became a railroad section foreman. Following a workplace accident, he worked in a lumber yard and operated a dry cleaning store. He died in 1931 and was buried near his home in Roseburg, Oregon.

Frederick Coleman Test (the Colonel) (b. 1882 in Nebraska) The son of Edward Francis Test (the General) died of heart failure in 1939 during a physical examination at Letterman General Hospital in San Francisco, California. He expired while on active duty in the U.S. Army, serving as commandant of the Reserve Officer Training Program (ROTC) at Oregon State College. Colonel Test is buried at Arlington National Cemetery in Washington, D.C.

Edith Livingston Fryer (of New York) (b. 1883 in New York) After fleeing rural Oregon, Edith settled near her sister Margaretta in Washington, D.C. She died in 1937. As the wife of an active duty Army officer, she was entitled to be buried at Arlington National Cemetery. The burial corps placed Colonel Test in the plot next to her eighteen months later.

Alza Elizabeth Rice (the orphan child) (b. 1890 in Oregon) After her divorce from Willis Van Patrick in 1938, Alza remained in the Portland area. In early 1944, when the Army deployed her son Howard McCurdy to Panama, she took in Howard's wife and their two-year old boy. The reunion was short-lived, as doctors discovered that Alza had cancer. She died in Portland, on August 2, 1944.

Calvin Elbert McCurdy (son of William "the cowboy" McCurdy; also Alza's first husband) (b. 1887 in Oregon) Calvin found himself divorced from Alza Elizabeth Rice in 1924. He completed his nine-month sentence for mail theft and was released from jail in 1927. He remarried and continued to live in Portland, Oregon,

except for a short period during the Great Depression when he lived in southern California. He ran a cigar store, operated a service station, and found employment with the Oregon Shipbuilding Corporation. He and his second wife Inez Carson retired in south Portland where Calvin died in 1962.

Willis Van Patrick (Alza's second husband) (b. 1892 likely in Idaho) Alza divorced Willis in 1938. Two years later, a census taker recorded him again working as a home builder and living in Portland, Oregon, with a twenty-seven year old woman who was his fourth wife. In 1942 Willis listed as his immediate point of contact a fifty-two year old Portland widow. In 1972, while residing in Santa Clara, California, the same Willis V. Patrick married a sixty-six year old woman. On the marriage certificate, Willis claimed to be seventy-four years old. He was likely eighty. He said it was his second marriage. It was likely his fifth. The couple divorced the following year. Willis Van Patrick died in 1985 and is buried in San Jose, California.

Howard Earl McCurdy (son of Alza and Calvin McCurdy) (b. 1914 in Oregon) Following his decision to withdraw from active duty in the U.S. Army, Howard worked in San Francisco, California, and Portland, Oregon. He was a paint chemist and plant manager and remained in the Army reserve long enough to rise to the rank of Major. His professional career in the paint industry later took him to Seattle, Washington, and the Los Angeles area. After his retirement, he was elected President of the Seal Beach, California, Leisure World complex. He remarried twice after Jo Test's death in 1982. Survived by three sons (Howard Earl, Michael Frederick, and Douglas William) and an extended step-family, Howard died at his home in Seal Beach in 2010.

Jo Janeleen Test (the Colonel's daughter) (b. 1914 in New Mexico) After her mother-in-law Alza (the orphan child) died in 1944 and her husband Howard returned to Panama, Jo returned to Corvallis, Oregon. Howard returned from Panama one year later. They moved to San Francisco where Howard took a job as a paint chemist with the W. P. Fuller Company. She and Howard subsequently moved to Portland, Seattle, Los Angeles, and Seal Beach, California. They remained married until Jo's death in 1982 at Seal Beach. Jo and Howard had three sons.

None of them pursued military careers as she had hoped. Jo never regained the military status she had enjoyed during her younger years.

The author, H. E. McCurdy (of Seattle) (b. 1941 in California), is the eldest son of Howard McCurdy and Jo Test. He graduated from the University of Washington and Cornell University. Fulfilling his father's lost ambition, he became a writer and university professor. The author is eight generations removed from original John Test of London and five generations descended from James McCurdy whose ancestors came from Scotland.

Acknowledgements

While researching the book one summer, I traveled to the Portland Baby Home in an effort to trace the mother of Alza Elizabeth Rice. Alza's mother had deposited the children at the Baby Home in the winter of 1893. I had a copy of the application form that Alza's mother completed when she dispatched the children to the Home, retrieved from family papers. I also had a copy of the death certificate for Alza's little brother, Sheldon, who had died while under the care of the Home. I wanted to know more about Alza's mother, Mary M. Wilson Rice—who she was and where she had gone. In completing the application, Mary had promised to retrieve the children. After little Sheldon died, Alza later reported, Mary remarried, retrieved her daughter, then orphaned Alza again. To trace Mary, I needed her second marriage name.

I could not get past the lobby in the Home. The orphans were off limits to visitors. So were the records I sought, a staff member reported, which at any rate had been transferred to a separate facility near Corvallis. I garnered a similar response there. A staff member outside Corvallis curtly replied that it would take an act of the state legislature to provide me with information on the parents of a child dispatched to the Home. I was a descendant of the persons involved, I protested, and knew their names at the time of application. The staff seemed accustomed to such complaints. They presented a wall of silence set on a foundation of privacy.

Other institutions were more helpful. Officials at the Washington State Archives in Olympia gladly provided the sentencing report and biographical statement on the convict Henry Patrick. Staff at the State Archives in Lincoln, Nebraska, helped me scour the annual reports of the Nebraska National Guard for any mention of General Edward F. Test. Workers at a regional center of the U.S. National Archives in Seattle helped me trace the westward migration of James and David McCurdy. Volunteers at Seattle's Fisk Genealogical Library led me to records that supported the Test family expulsion story from the Quaker meeting.

Librarians at the U.S. Military Academy at West Point, New York, provided much of the material that describes the career of Frederick Coleman Test. Individuals at the Lilly Library Manuscript Collection at Indiana University in Bloomington, Indiana, provided access to Test family letters. I reviewed seafaring passenger lists for early family arrivals in the library of the Daughters of the American Revolution in Washington, D.C. I benefited greatly from the collections at the Museum of London in the United Kingdom and the National Historic Oregon Trail Interpretive Center near Baker City, Oregon. At many of these places, I was treated as someone seeking to construct a family tree, a popular pastime, judging by the activity around me. I occasionally tried to explain that I had a different purpose, with little effect. Such institutions had well established procedures for genealogical research from which I benefited greatly.

I began the earliest collection of materials using traditional methods of archival research. Concurrently, online family history web sites began to appear. I subscribed to Ancestry.com and watched it grow. Traditional methods proved slow, dusty, and laborious. The online web site was nearly instantaneous. Its availability allowed me to complete this book.

I want to thank these institutions for their cooperation in helping me construct this story and I wish to express admiration for the one institution that blocked my access to information in the name of privacy. I never learned who Mary M. Wilson was or what became of her. Except for the few records I possess, she remains invisible.

My graduate assistants ran down stories that were hard to confirm, often utilizing the Internet in clever and informative ways. Jennifer Dale found the true story behind Ella Clark's lost fortune. Matthew Vanderschuere found the source that confirmed the extent of Edward Test's service in the Nebraska state militia. Martin Tyler Monahan and Marcela Onyango performed other helpful tasks. When successful, they learned, the process of discovery could turn addictive. As always, I am indebted to my employers at American University and the University of Washington for providing student support and allowing me time for unfunded research.

My co-author on other works, Roger D. Launius, helped with colonial settlements and western history. Robert J. Brugger, my editor on other books, provided valuable advice on early drafts and helped edit later ones. His history of *Maryland: A House Divided* helped me better understand the evolution of land

tenancy in America. Glenn Test directed me to various biographical sources on the Test family and Richard Clark, Command Historian with the Nebraska National Guard, provided early guidance with the Edward Test puzzle. Jan Arter, who provided care for my father in his final years, kept pressuring me to complete the manuscript.

Finally, I am indebted to my father for his good memory, to my mother for telling such good stories, and to their ancestors for being such interesting characters.

About the Book and Author

American Lives in an Age of Privacy shows how people from the past used privacy to reinvent themselves and transform their lives. It follows the lives of people from two American families over a three hundred year period as they experience the benefits of privacy. These people used privacy to discard parts of their past, embellish their accomplishments, and deceive in ways that would be impossible today. The book explains how the privacy era arose and how the tools of modern technology now allow us to discover what these people were actually doing.

An age of great migrations, beginning around 1650, allowed people to move from place to place and present themselves in new ways. The poor state of record keeping assured that the truth would not follow close behind. In the form of a biography, the book illustrates the benefits those people enjoyed: story-telling, religious tolerance, freedom of movement, seclusion, the ability to keep medical ailments confidential, and the capacity to escape past sins.

The book also illuminates the darker side of privacy: falsification, child abuse, hazing, abandonment, military secrets, and the stricter social distinctions that mobility could not overcome.

The book is written for people concerned with the disappearance of privacy and interested in the social effects of technology. Individuals attracted to social biographies and the challenges of tracing lives from the past will enjoy it as well.

The author is a professor of public affairs at American University and the University of Washington. He has written numerous works on space exploration and turned to the issue of privacy while investigating the effects of technology on modern life. Beginning with access to family documents and stories, the author utilized electronic technology to investigate the ways in which his progenitors sought to reinvent themselves and change their lives.

Notes

Epigraph: G. M. Ford, *Cast in Stone*. New York: Avon Books, 1996: 31.

¹ See Richard Sennett, *The Fall of Public Man*. New York: Knopf, 1977. In an interesting expression of the mobility thesis, Sennett suggests that migration to modern cities supported the development of privacy by creating communities of strangers.

² Natalie Zemon Davis, *The Return of Martin Guerre*. Cambridge, MA: Harvard University Press, 1983; David Vigne, director, *Le Retour de Martin Guerre*. Dussault, 1982; Jon Amiel, director, *Sommersby*. Warner Brothers, 1993.

³ See Everett S. Lee and Anne S. Lee, "Internal Migration Statistics for the United States." *Journal of the American Statistical Association* 53 (December 1960) 679.

⁴ Edwin S. Gaustad, *Benjamin Franklin*. New York: Oxford University Press, 2006.

⁵ Andrew Carnegie, *Autobiography of Andrew Carnegie*. Boston: Northeastern University Press, 1986, c.1920.

⁶ Wyn Wachhorst, *Thomas Alva Edison: An American Myth*. Cambridge: MA: MIT Press, 1981: 74-75.

⁷ Wachhorst, *Edison*: 81-83.

⁸ Wachhorst, *Edison*: 52n; For these stories, consult Neil Baldwin, *Edison: Inventing the Century*. New York: Hyperion, 1995.

⁹ Richard White, *Remembering Ahanagan: Storytelling in a Family's Past*. New York: Hill and Wang, 1998: 4 & 21.

¹⁰ White, *Remembering Ahanagan*: 21.

¹¹ Carolyn Congleton, "The Whig Campaign of 1840: The Editorial Policy of George D. Prentice." *Indiana Magazine of History* 63 (September 1967 No. 3) 240; Ainsworth R. Spofford, "The Lyric Element in American History." *Records of the Columbia Historical Society, Washington, D.C.* 7 (1904) 218.

¹² Owen Wister, *The Virginian: A Horseman of the Plains*. New York: Macmillan, 1944, original edition 1902: 180; Claude S. Brinegar, "Mark Twain and the Quintus Curtius Snodgrass Letters: A Statistical Test of Authorship." *Journal of the American Statistical Association* 58 (March 1963, no. 301) 85.

¹³ M. Burk, *Life and Adventures of Calamity Jane, by Herself*. Electronic text center, University of Virginia Library: 3.

¹⁴ James D. McLaird, *Calamity Jane: The Woman and the Legend*. Norman: University of Oklahoma Press, 2005: 215. Even the spelling of Canary's name is in dispute, also appearing as Cannary and phonetically as Conarray. Joseph G. Rosa, *They Called Him Wild Bill: The Life and Adventures of James Butler Hickok*. Norman: University of Oklahoma Press, 1964: 227.

¹⁵ Billings, Montana, *Gazette* editor Oscar Chaffee, quoted in James D. McLaird, "Calamity Jane's Diary: Story of a Fraud." *Montana: The Magazine of Western History* 45 (Autumn-Winter 1995) 20.

¹⁶ McLaird, *Calamity Jane*: 215.

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- ¹⁷ Jacqueline Cochran and Maryann Bucknum Brinley, *Jackie Cochran: An Autobiography*. New York: Bantam Books, 1987: 7 & 15; Doris L. Rich, *Jackie Cochran: Pilot in the Fastest Lane*. Gainesville: University Press of Florida, 2007: 3, 66, 107.
- ¹⁸ David McCullough, *Mornings on Horseback: The Story of an Extraordinary Family, A Vanished Way of Life, and the Unique Child Who Became Theodore Roosevelt*. New York: Simon and Schuster, 1981.
- ¹⁹ Daniel J. Solove examines the many meanings of privacy in *Understanding Privacy*. Cambridge, MA: Harvard University Press, 2008.
- ²⁰ See Alan F. Westin, *Privacy and Freedom*. New York: Athenum, 1967. Westin saw privacy as the ability to control information about oneself and to decide what was and was not communicated to others.
- ²¹ Mark Twain, "The Refuge of the Derelicts," in *Fables of Man*, vol. 7. Oakland: University of California Press, 1972, 12.
- ²² Quoted from Peter Whitfield, *London: A Life in Maps*. London: The British Library, 2006: 53.
- ²³ Quoted from Liza Picard, *Restoration London: Everyday Life in London 1660-1670*. London: Phoenix, 2003: 30
- ²⁴ Quoted from L. G. Fryburg, "John Test 1651 - 1706: The Pioneer Ancestor of the American Family," Philadelphia, PA, Genealogical Society of Pennsylvania, 1936. Was available on <http://testfamilygenealogy.com/narratives/earrly/fryburg.htm> (accessed 27 March 2007). Fryburg gives the following citation for the marriage license: Harleian Soc. Pub., Vol. 34, p. 103.
- ²⁵ Picard, *Restoration London*: 267.
- ²⁶ Glenn Test, "John Test: 1651-1706," 1998. <http://testfamilygenealogy.com/narratives/Glenn/glenn.htm> (accessed 27 March 2007).
- ²⁷ Fryburg, "John Test 1651-1706:" 4-7.
- ²⁸ Fryburg, "John Test 1651-1706:" 7.
- ²⁹ Fryburg, "John Test 1651-1706:" 12.
- ³⁰ Samuel D. Warren and Louis D. Brandeis, "The Right to Privacy," *Harvard Law Review* 4 (No. 5, December 15, 1890).
- ³¹ See *Riley v. California* 13: 132 (June 25, 2014), 27.
- ³² James McCurdy, no age, Philadelphia Pa, 1806, 9302 p. 236; William McCurdy, no age, Philadelphia, Pa, 1811, 3040, p. 117, from P. William Filby, ed., *Passenger and Immigration Lists Index*, 1st ed., vol. 2 (Detroit: Gale Research, 1981), 1354.
- ³³ N. N. Hill, *History of Coshocton County, Ohio Its Past and Present* (Newark, OH: A. A. Graham, 1881) 463; available on www.heritagepursuit.com/Coshocton/cofile4.htm (accessed April 28, 2006).
- ³⁴ See for example, 1850 United States Federal Census, Township 1 N R 4 W, Brown County, Illinois.
- ³⁵ Hill, *History of Coshocton County*, 255.
- ³⁶ *Ibid*, 255-56.

³⁷ See Horace Greeley, *Recollections of a Busy Life*. New York: J. B. Ford, 1868 and Henry Nash Smith, *Virgin Land: The American West as Symbol and Myth*. Cambridge, MA: Harvard University Press, 1950.

³⁸ Northwest Territory Celebration Commission, *History of the Ordinance of 1787 and the Old Northwest Territory: A Supplemental Text for School Use*. Marietta, OH: Northwest Territory Celebration Commission, 1937.

³⁹ See Coy F. Cross, *Go West Young Man! Horace Greeley's Vision for America*. Albuquerque: University of New Mexico Press, 1995 and Robert C. Williams, *Horace Greeley: Champion of American Freedom*. New York: New York University Press, 2006.

⁴⁰ See Richard White, "Frederick Jackson Turner and Buffalo Bill," n.d. <http://www.studythepast.com/his378/turnerandbuffalobill.pdf> (accessed 15 January 2014).

⁴¹ U.S. Bureau of Land Management, General Land Office Records, accession/serial # IL4110_.489, BLM Serial # IL NO S/N, November 3, 1840.

⁴² See Robert J. Brugger, *Maryland, A Middle Temperament: 1634-1980*. Baltimore: Johns Hopkins University Press, 1996 and Curtis F. Morgan, "Lord Fairfax (1693-1781)," Mount Vernon Ladies' Association, 2014 <mountvernon.org/educational-resources/encyclopedia/lord-fairfax> (assessed 15 January 2014).

⁴³ Quoted from "Register Report for John Test," 3 December 2010, in possession of author. "TEST, John, (1771-1849)," *Biographical Directory of the United States Congress: 1774 - Present* <<http://bioguide.congress.gov>> (accessed 11 November 2010).

⁴⁴ John Test of London and Grace Wooley, his second wife, begat Francis Test, born in Philadelphia, Pennsylvania, about 1693. Francis Test married Elizabeth Bacon in 1724 at the Salem Meeting of New Jersey. Francis and Elizabeth begat Francis Test, Jr., born in 1744. Francis Jr. served with his brother John in the American Revolutionary War as members of the New Jersey militia. Francis Test, Jr. married Mary Morgan in 1765 and begat John Test the lawyer, who was born in Salem, New Jersey, sometime around 1781. John Test the lawyer was the son of Francis, Jr., the grandson of Francis, Sr., and the great grandson of John Test of London. Fryburg, "John Test 1651-1706; *Biographical Directory of the United States Congress*.

⁴⁵ Account given by Helen Maria Test, daughter of John Test, quoted from Charles T. Test, *The Test Family in Indiana*. Indianapolis, Indiana: Pierson Printing, April, 1991: 53.

⁴⁶ Accounts given by Charles Test and Helen Maria Test, children of John Test, quoted from Charles T. Test, *The Test Family in Indiana*: 50, 55.

⁴⁷ Quoted from Charles T. Test, *The Test Family in Indiana*: 70.

⁴⁸ Quoted from Charles T. Test, *The Test Family in Indiana*: 61.

⁴⁹ Quoted from Charles T. Test, *The Test Family in Indiana*: 51-52.

⁵⁰ Lydia Test to Rebecca Test, February 14, 1834, Test MSS, Lilly Library Manuscript Collections, Indiana University, Bloomington, Indiana. Hereafter referred to as Lilly Library Collection. All statements are reproduced as written, including grammatical errors.

⁵¹ John Test and Lydia Test to Charles H. Test, November 21, 1830, Lilly Library Collection.

⁵² Charles H. Test to Rebecca Test, January 4, 1827, Lilly Library Collection.

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- ⁵³ Charles H. Test to Rebecca Test, December 16, 1828, Lilly Library Collection.
- ⁵⁴ Charles H. Test to Rebecca Test, March 15, 1835; Rebecca Test to Charles H. Test, January 1, 1838, both in Lilly Library Collection.
- ⁵⁵ Lydia Test to Charles Test, December 21, 1836, Lilly Library Collection.
- ⁵⁶ 18 U.S.C. 1702, 2011 edition.
- ⁵⁷ "John Test: Personal Facts and Details," 27 February 2009.
- ⁵⁸ John Test of Indiana to Daniel Webster, 19 June 1833, Dartmouth College Library, Rauner Special Collections Library.
- ⁵⁹ Maurice G. Baxter, *Daniel Webster & the Supreme Court*. CITY: University of Massachusetts Press, 1966: 143; also see Gustavus Myers, *History of the Supreme Court of the United States*. Chicago: Charles H. Kerr & Company, 1912.
- ⁶⁰ *The Mayor and Aldermen of the City of Mobile v. Miguel D. Eslava* 41 U.S. 234 (1842). Test represented the city of Mobile.
- ⁶¹ "In the future, everyone will be famous for 15 minutes." For the exact derivation of the statement, see Jeff Guinn and Douglas Perry, *The Sixteenth Minute: Life In the Aftermath of Fame*. New York, Jeremy F. Tarcher/Penguin, 2005.
- ⁶² End of the Oregon Trail Interpretive Center, "Experience Oregon History: Provisions for the Trail," www.endoftheoregontrail.org/outfit.html (accessed April 29, 2006).
- ⁶³ Jacqueline Williams, "India Rubber Kept Them Dry," *Overland Journal*; Sharon Brown, "What the Covered Wagon Covered," *Overland Journal* 4 (Summer 1986) 32-39; End of the Oregon Trail Interpretive Center, "Experience Oregon History: Provisions for the Trail."
- ⁶⁴ "John McCurdy" obituary, *Sunday Oregonian*, December 28, 1930, p. 21.
- ⁶⁵ Alice McCurdy, recollections, as told to Howard E. McCurdy, Sr., as a boy.
- ⁶⁶ U.S. Census, 1860, Kansas (September 18), Jefferson County, Crooked Creek Post Office, 027. Thomas Jefferson and Jane Dyer had a daughter Nancy, age 20, who may not have traveled to Oregon with them. She does not appear with the family in Canyonville, Oregon, in the 1870 census. Jesse Dyer appears as a single farm laborer living near his parent's farm in Oregon.
- ⁶⁷ "Oregon Trail," *New Encyclopedia of the American West*, 1998, pp. 834-35; Stewart, "Journey West, 1863," *Overland Journal* 15 (no. 1, 1997).
- ⁶⁸ End of the Oregon Trail Interpretive Center, "Life and Death on the Oregon Trail," www.endoftheoregontrail.org/road2oregon/sa18death.html (accessed May 1, 2006); Julie Fanselow, *Traveling the Oregon Trail*, 2nd ed. (Guilford, CN: Globe Pequot Press, 2001), 3; Herbert C. Milikien, "'Dead of the Bloody Flux' Cholera Stalks the Emigrant Trail," *Overland Journal* 14 (Autumn 1996) 4-11.
- ⁶⁹ Bert Webber, *Oregon Trail Emigrant Massacre of 1862* (Medford, OR: Pacific Northwest Book Company, 1987); Michael L. Tate, "From Cooperation to Conflict: Sioux Relations with the Overland Emigrants, 1845-1865," *Overland Journal* 18 (Winter, 2000) 18-31; Alice McCurdy, recollections, as told to Howard E. McCurdy, Sr.
- ⁷⁰ Elizabeth Dixon Smith, 1847, quote in Julie Fanselow, *Traveling the Oregon Trail* (Guilford, CN: Gobe Pequot Press, 1996), 172.

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- ⁷¹ Jewel Lansing, *Portland: People, Politics, and Power, 1851-2001* (Corvallis: Oregon State University Press, 2003).
- ⁷² End of the Oregon Trail Interpretive Center, "Claiming the Farm," www.endoftheoregontrail.org/road2oregon/sa18death.html (accessed May 2, 2006).
- ⁷³ U.S. Census, 1870, Oregon, Multnomah County, City of Portland, 140.
- ⁷⁴ Oregon State, Department of Health Services, Standard Certificate of Death, Ruth McCurdy, September 23, 1905.
- ⁷⁵ Twelfth Census of the United States, 1900, State of Oregon, Portland City, p. 162.
- ⁷⁶ Amos McCurdy death certificate, Washington County, April 30, 1911, certificate no. 1388.
- ⁷⁷ Amos McCurdy, October 1, 1866, April 29, 1911. The Methodist Cemetery, as it is formally known, is located on 10th Street just north of the Council Creek bridge in Cornelius, Oregon, on the east side of the road. It was established in 1884, after David McCurdy disappeared.
- ⁷⁸ Letter, Jo McCurdy ("Mom") to Howard McCurdy ("Howard"), Saturday, date not given, in possession of author.
- ⁷⁹ "Youthful Globe Trotter in City," (1925); "E. F. Test, Former Publisher, Dies" *Council Bluffs NonPareil* (September 29, 1930).
- ⁸⁰ Douglas R. Hartman, *Nebraska's Militia: The History of the Army and Air National Guard, 1854-1991* (Virginia Beach, VA: Donning, 1994).
- ⁸¹ Lew Wallace, *An Autobiography*. New York: Harper & Brothers, 1896: 1:32.
- ⁸² Wallace, *An Autobiography*. 1:33-34.
- ⁸³ Irving McKee, "The Early Life of Lew Wallace," *Indiana Magazine of History* 37 (September 1941) 210.
- ⁸⁴ Jo McCurdy letter to Howard McCurdy, Saturday [no date].
- ⁸⁵ Grace Waren to Jo McCurdy, The Dunham Papers, 16 May 1978.
- ⁸⁶ "Early Editors' Rivalry Included Horsewhipping, With Whipper Sat Upon," *Omaha World-Herald*, Omaha's First Century - Installment VIII, 1954. www.historicomaha.com/ofcchap7.htm (accessed January 24, 2011).
- ⁸⁷ E. F. Test, "A Transition Period for The Nonpareil," *Council Bluffs Nonpareil* (September 2, 1906).
- ⁸⁸ "About Us: The Daily Nonpareil," *Nonpareil Online*, 30 September 2010 (accessed 30 September 2010).
- ⁸⁹ Test, "A Transition Period for The Nonpareil."
- ⁹⁰ E. F. Test, *A Souvenir, historical and illustrated, of the campaign of the Thurston Rifles Co. L, 1st Neb. Regiment, United States Volunteers in the Philippines*. Omaha: J. C. Farrish and I. W. Miner, 1899. Available in Omaha Public Library.
- ⁹¹ *History of the operations of the First Nebraska infantry, U.S.V. in the campaign in the Philippine Islands*, Hoes Collection, 1912.
- ⁹² Adjutant General, Nebraska National Guard, *Regulations for the Nebraska National Guard, 1896*. Lincoln: Adjutant General's Office, 1896: 336.

⁹³ "Test, Edward Francis," in *Who's Who in Omaha, 1928: Biographical Sketches of Men and Women of Achievement*, ed. By Sara Mullin Baldwin (Omaha: Robert M. Baldwin Corporation), 192.

⁹⁴ John R. Patrick, *Report of the Adjutant-General of the State of Nebraska to the Governor of the State of Nebraska, January 1st, 1871*, Des Moines: Mills & Company, 1871, Nebraska State Historical Archives, Lincoln, Nebraska.

⁹⁵ Hartman, Nebraska's Militia: 41. Patrick, *Report of the Adjutant-General*; Bruno Tzschuck, *Report of the Adjutant-General of the State of Nebraska for the Fiscal Year Ending November 30th, A. D, 1876, to the Governor*, Nebraska State Historical Archives, Lincoln, Nebraska.

⁹⁶ Robert W. Furnas, Message of Robert W. Furnas, Governor of Nebraska to the Legislative Assembly, Tenth Regular Session, 1875. Lincoln, Neb: Journal Company, State Printers, 1875, Nebraska State Historical Archives, Lincoln, Nebraska.

⁹⁷ According to an article in the Council Bluffs *Nonpareil*, the mayor of Omaha, Richard L. Metcalfe, ordered flags on city buildings flown at half staff and closed City Hall for ninety minutes so that he and others could attend Edward Test's funeral. "Test Funeral Is Held: Omaha City Hall Is Closed for Rites of Ex-Newspaper Man," *Nonpareil*, Wednesday, October 1, 1930.

⁹⁸ See Helena Huntington Smith, *The War on Powder River*. Lincoln: University of Nebraska Press, 1967.

⁹⁹ Samuel N. and Emily F. Dicken, *The Making of Oregon: A Study in Historical Geography*, vol.1 (Portland: Oregon Historical Society, 1979) pp. 122-25.

¹⁰⁰ Lewis A. McArthur, *Oregon Geographic Names*. Eugene, OR: Koke-Chapman, 1928), 128.

¹⁰¹ The 1880 census taker recorded 240 individuals in the Butte Creek precinct of Wasco County. Predominantly, they were engaged in the raising of sheep. Thirty-nine single individuals identified themselves as sheep herders, supplemented by three who insisted that they herded stock. Fifteen single individuals identified themselves as farm labor. Thirteen individuals identified themselves as stock farmers, supplemented by two others who listed their occupations simply as farmers. The number of individuals so engaged totaled seventy-six. The remainder of the people in Butte Creek were members of forty families, including wives and children, consisting of thirty-four families engaged in stock farming, two families who said they were farming, and four families involved in other occupations. U.S. Census, 1880, State of Oregon, Wasco County, Butte Creek Precinct, pages 184-90.

¹⁰² William Dyer's parents came to Oregon from Illinois around 1850; William Dyer was born in Oregon before Jefferson Dyer arrived.

¹⁰³ U.S. Bureau of Land Management, General Land Office Records, Jefferson Dyer, Douglas County, Oregon, May 1, 1869, accession/serial nr. ORRAA 020820; May 15, 1872, accession/serial nr. ORRAA 020889.

¹⁰⁴ U.S. Census, 1880, State of Oregon, Wasco County, Butte Creek Ranch, original page no. 15 & 19.

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- ¹⁰⁵ See Donald B. Robertson, *Encyclopedia of Western Railroad History*, vol. III (Oregon Washington) (Caldwell, Idaho: Caxton Publishers, 1995) 96-99.
- ¹⁰⁶ Standard Certificate of Death, State of Oregon, Hildagarde (McCurdy) Reizenstein, state file no. 69-2089, March 10, 1969.
- ¹⁰⁷ Marriage Affidavit, State of Oregon, County of Douglas, W. McCurdy and Alice Dyer, 27 September, 1883; Marriage Certificate, State of Oregon, County of Douglas, W. McCurdy and Alice Dyer, 30 September, 1883; vol. 3, page 403, marriage records of Douglas County.
- ¹⁰⁸ *Official Register of the Officers and Cadets of the U.S. Military Academy, West Point, N.Y.*, June, 1900: 33.
- ¹⁰⁹ Thom Hatch, *A Custer Companion: A Comprehensive Guide to the Life of George Armstrong Custer and the Plains Indian Wars*. Mechanicsburg, PA: Stackpole Books, 2002: 116.
- ¹¹⁰ Douglas MacArthur, "Martial Roots of a Warrior's Glory," *Life* 56 (10 January 1964) 61.
- ¹¹¹ U.S. House of Representatives, "Investigation of Hazing at the United States Military Academy," Report 2768, 56th Cong., 2nd session. February 9, 1901: 1.
- ¹¹² *The Howitzer*: 80.
- ¹¹³ Lieutenants George R. Guild and Frederick C. Test, *Militia Field Manual: A Manual Designed for the Use of Militia and Volunteer Troops in the Field*. Menasha, Wisconsin: George Banta Publishing Company, 1917: 23 & 137. Copy available at Library United States Military Academy.
- ¹¹⁴ Ernest J. Bowden, "Army Aid in San Francisco Holocaust Recalled by Test,"
- ¹¹⁵ Report from the San Antonio Express (30 April 1911), cited in Juliette A. Hennessey, *The United States Army Air Arm—April 1861 to April 1917*. Washington, DC: USAF Historical Division, 1958: 42.
- ¹¹⁶ "Army Men Play Big Part in Tornado Work, *Omaha Evening World Herald*.
- ¹¹⁷ *Official Register of the Officers and Cadets of the U.S. Military Academy, West Point, N.Y.*: 34.
- ¹¹⁸ Honeymoon announcement, "Old Point Comfort," *Richmond Times-Dispatch*, August 24, 1913: 11.
- ¹¹⁹ Lew Wallace, *Lew Wallace: An Autobiography*, vol. II. New York: Harper & Brothers, 1896: 912-914.
- ¹²⁰ Kingsley Hammett, *Santa Fe: A Walk Through Time*. Layton, Utah: Gibbs Smith, 2004.
- ¹²¹ Bernard Guyer et. al., "Annual Summary of Vital Statistics: Trends in Health of Americans During the 20th Century." *Pediatrics* 106 (2000) 1307-1317.
- ¹²² Calvin Elbert McCurdy, draft registration card, 1628, 436, no. 14, June 5, 1917, Milwaukee, Clackamas, Oregon.
- ¹²³ Thirteenth Census of the United States, 1910, State of Oregon, Douglas County, Glendale precinct, p. 156.
- ¹²⁴ Thirteenth Census of the United States: 1910, State of Oregon, Multnomah County, precinct 25, sheet 12A and precinct 51, sheet 16B.
- ¹²⁵ Frederick Jackson Turner, *The Frontier in American History*, chap. 1. <xroads.virginia.edu/~HYPER/TURNER/> (accessed June 19, 2006).

¹²⁶ Grace Bartlett, quoted in Mark Highberger, *Looking Back at Enterprise, Oregon: A Photographic Portrait* (Wallowa, OR: Bear Creek Press, 2001), p. 10; other quotes from pp. 26, 33, & 36.

¹²⁷ www.trilliumfamily.org/about/history.asp (accessed June 23, 2006). The present day Waverly Childrens Home occupies that tract of land at 3550 S.E. Woodward Street, Portland, Oregon.

¹²⁸ Application for Admission to the Baby Home, Mrs. Mary M. Rice, widow, along with Physician's Certificate, March 2, 1893.

¹²⁹ Certificate of Death, Shelton W. Rice, Portland, Oregon, December 3, 1893. Lone Fir Cemetery is located between SE Stark and SE Morrison Streets between SE 20th and 26th Streets; no record of an 1893 Shelton Rice burial exists.

¹³⁰ Standard Certificate of Death, State of Oregon, Multnomah County, Portland, Alza Elizabeth Patrick, DOD 2 August 1944; see also Thirteenth Census of the United States: 1910, State of Oregon, Multnomah County, Portland city, sheet 16B. To subsequent census takers, Alza suggested that her father could have been born in Oregon but that he mother came from New York.

¹³¹ Twelfth Census of the United States: 1910, State of Oregon, Wallowa County, Imnaha, sheet 7B; Enterprise, sheet 2B; Joseph City, sheet 4A. U.S. Bureau of Land Management, General Land Office Records, accession/serial # ORLGAA 104368, 30 March 1905, 30 March 1905. Four Rice families (eleven individuals) lived in Wallowa County in 1900, including Charles and his wife Minnie.

¹³² Application for Admission to the Baby Home, Mrs. Mary M. Rice, widow, along with Physician's Certificate, March 2, 1893.

¹³³ Census of the United States: 1880, New York State, city of New York, 19th ward, page 10; Census of the United States: 1870, New York State, city of Buffalo, 12th ward, page 9, county of New York, 20th ward, page 6.

¹³⁴ Sheldon Rice, age 16, Census of the United States: 1870, New York State, Saratoga County, Moreau town, page 7; the family reappears without Sheldon in Census of the United States: 1880, State of Nebraska, Platte County, Columbus, page 26-27.

¹³⁵ Marilyn Irvin Holt, *The Orphan Trains: Placing Out in America* (Lincoln: University of Nebraska Press, 1992), illustration 8, following p. 96.

¹³⁶ Children's Aid Society, "The Orphan Train Movement," 2001-05 <www.childrensaidsociety.org/about/train> (accessed June 20, 2006).

¹³⁷ Quoted in Holt, *The Orphan Trains*, p. 59.

¹³⁸ Children's Aid Society, "The Orphan Train Movement."

¹³⁹ Twelfth Census of the United States, 1900, State of Oregon, Multnomah County, sheet no. 24.

¹⁴⁰ Grant Nelson, "The Early Years of Mt. Tabor," Mount Tabor Neighborhood Association, n.d. www.mttaborpdx.org/history_early_years.html (accessed June 20, 2006).

¹⁴¹ Thirteenth Census of the United States: 1910, State of Oregon, Multnomah County, precinct 51, sheet 16B.

¹⁴² Tri-County Metropolitan Transportation District of Oregon (TriMet), Portland, Oregon, "Portland's Interurban Years," 2006 www.trimet.org/about/history/newinterurban.htm (accessed June 21, 2006).

¹⁴³ Much of the following is taken from Howard E. McCurdy to Howard McCurdy, Jr., letters, 26 July and 31 August 1998, supplemented by surviving photographs.

¹⁴⁴ Fourteenth Census of the United States, 1920, State of Oregon, Douglas County, Roseburg City, sheet 3B. Both are shown on the same sheet, residing in the Umpqna Hotel. Fifteenth Census of the United States, 1930, State of Oregon, Douglas County, Roseburg City, sheet 2B & 3A.

¹⁴⁵ McCurdy letter to McCurdy, July 26, 1998.

¹⁴⁶ Howard McCurdy telephone conversation with Howard McCurdy, June 28-29, 2006; Howard McCurdy letter to Howard McCurdy, 28 June 2006.

¹⁴⁷ McCurdy letter to McCurdy, July 26, 1998.

¹⁴⁸ *Ibid.*; for confirmation of Patrick's story, see Return of Marriage, County of Columbia, City of St. Helens, no. 11, August 1, 1924.

¹⁴⁹ George and Joseph (both fruit farmers) and William (retired) can be found in Fourteenth Census of the United States, 1920, State of Oregon, Multnomah County, Portland City, precinct 157 ½, sheet 1B; and George and Joseph again in Fifteenth Census of the United States, 1930, State of Oregon, Multnomah County, Portland City, election precinct 157, sheet 4A.

¹⁵⁰ Howard remembers fighting with "little Billy Hutch" during the stay with the Hutchinsons. Joseph Hutchinson's son William, living at home in 1920, was born in 1914, the same year as Howard. Fourteenth Census of the United States: 1920, State of Oregon, Multnomah County, Portland city, sheet 1B; telephone conversation with Howard McCurdy, June 28-29, 2006.

¹⁵¹ General Index—United States District Court, For the District of Oregon, vol. 4, June 20, 1923-December 31, 1931, 191, National Archives and Records Administration, Seattle, Washington.

¹⁵² See Jill Lepore, "The Prism: Privacy in an Age of Publicity," *The New Yorker* (June 24, 2013).

¹⁵³ RG 21. Records of the United States District Courts, District of Oregon—Portland; Civil and Criminal Case Files, 1922-1943, 12488-12525, box #148, NARA—Pacific Alaska region, Seattle, Washington, 12407, U.S. v McCurdy.

¹⁵⁴ Howard McCurdy, Report Card, Joseph Kellogg School, Multnomah County, grade 5B, 29 January 1926; Howard McCurdy, Monthly Results, Daily Work and Examinations, Clackamas County, grade 5A, academic year 1925-26.

¹⁵⁵ McCurdy letter to McCurdy, July 26, 1998.

¹⁵⁶ This was most likely the summer of 1927, with Patrick's confinement to the tent house taking place in 1926. McCurdy letter to McCurdy, 28 June, 2006.

¹⁵⁷ McCurdy letter to McCurdy, July 26, 1998.

¹⁵⁸ *Ibid.*

¹⁵⁹ John E. B. Myers, "A Short History of Child Protective Services in America," *Family Law Quarterly* 42 (No. 3, Fall 2008) 449-463.

¹⁶⁰ Union High School, No. 5., Milwaukie, Oregon, Teacher's Report to Parents, Howard McCurdy, grade 10, semester 1, 1930-31.

¹⁶¹ Leighton's Cafeteria was established around 1928 at 133 Broadway and was still operating at 427 SW Washington in 1950. Source: Polk's Portland City Directory, 1929 (p. 2028), 1938 (p. 2228), 1950 (p. 1971).

¹⁶² Wikipedia, "Benson Polytechnic High School," 9 June 2006 <en.wikipedia.org/wiki/Benson_Polytechnic_High_School> (accessed June 26, 2006).

¹⁶³ Fifteenth Census of the United States, 1930, State of Oregon, Multnomah County, Portland City, sheet 3B, page 674.

¹⁶⁴ Oregon Center for Health Statistics, Return of Marriage, Calvin E. McCurdy to Inez M. Carsons, 19 September 1928, registered no. 13694.

¹⁶⁵ Howard E. McCurdy letter to Howard McCurdy, 26 July 1998.

¹⁶⁶ Howard E. McCurdy letter to Howard McCurdy, June 6, 2006; see also *ibid.*

¹⁶⁷ Return of Marriage, County of Columbia, City of St. Helens, no. 11, August 1, 1924.

¹⁶⁸ Fifteenth Census of the United States: 1930, State of Oregon, Clackamas County, sheet 5 A, p. 241.

¹⁶⁹ Twelfth Census of the United States: 1900, State of Idaho, Boise County, Omega precinct, sheet 3, p. A29; Thirteenth Census of the United States: 1910, State of Idaho, Boise County, Roseberry precinct, sheet 3B, p. 2501; Fourteenth Census of the United States: 1920 (taken 3 January 1920), State of Oregon, Wallowa County, Enterprise, sheet 1B.

¹⁷⁰ Return of Marriage, State of Oregon, Multnomah County, Portland, Willis Patrick to Leona Rounds, October 25, 1920, registered no. 43607; see also World War I Draft registration card, Willis Patrick, DOB April 22, 1890, North Powder, Oregon, card no. 14, June 5, 1917.

¹⁷¹ State of Oregon, Department of Human Services, divorce record, W. V. Patrick and Alza McCurdy, 28 September 1938.

¹⁷² Social Security Death Index, Willis Patrick, California Death Index (1940-1997), both ancestry.com (accessed June 28, 2006); telephone conversation with Howard McCurdy by author, June, 2006.

¹⁷³ State of California, County of Santa Clara, Certificate of Death, Patrick V. Willis, DOB 22 April 1892, DOD 22 October 1985, name of father: Henry Patrick, name of mother: Mahala Willoby (sic); Idaho Marriages, H. H. Patrick to Mahala Wiloughby, Boise County, Idaho, July 27, 1890, vol. PRO.1, p. 40.

¹⁷⁴ The state of Oregon does not index certificates for divorce granted in the State prior to 1925.

¹⁷⁵ Fourteenth Census of the United States: 1920, State of Idaho, Valley County, Roseberry precinct, sheet 7, page 4606; Fourteenth Census of the United States: 1920, State of Washington, Walla Walla County, Washington State Penitentiary, sheet 2B.

¹⁷⁶ Report to the State Penitentiary, Henry Patrick, Washington State Archives, Washington State Penitentiary no. 8862, Olympia, Washington.

¹⁷⁷ The convict Patrick Henry was paroled on 20 October 1924. A 1 November 1924 parole report indicated that he was looking for work in Baker, Oregon. By 30 June 1925 he had disappeared, violating the terms of his parole. On 30 November 1926 he reported that he was employed as a carpenter's helper in Louisville, Kentucky. The Henry Patrick of Idaho was married to and divorced from Mahala Wiloughby and had at least ten children, born between 1892 and 1913, including six young daughters. The convict Patrick Henry admitted to being once married to a woman he called Rachal, but said that he had no children. Census reports for the State of Idaho, Boise and Valley County, 1900, 1910, and 1920; Henry Patrick penitentiary no. 8862, Washington State Archives, Olympia, Washington.

¹⁷⁸ Biographical Statement of Convict no. 8862.

¹⁷⁹ Test, "The Test family:" 6.

¹⁸⁰ "Wood—Fryer," *New York Times* (13 June 1895).

¹⁸¹ "Youthful Globe Trotter in City."

¹⁸² Following the lapse of his wartime appointments, Test received a promotion to Lt. Colonel in the summer of 1929 and a promotion to Colonel in 1935.

¹⁸³ Frederick C. Test, died March 17, 1939, at Letterman General Hospital, San Francisco. "Frederick Coleman Test," Class of 1905.

¹⁸⁴ "Mrs. Spencer S. Wood, Wife of Rear Admiral Buried in Arlington Cemetery," *New York Times*, 9 February 1938.

¹⁸⁵ Surrogate's Court, Albany County, In the Matter of the Petition of Margaretta Wood Potter for the Probate of the Last Will and Testament of ELLA AUGUSTA FRYER CLARK, deceased, 22 March 1940, Margaretta Wood Potter, Petitioner, sec 7.

¹⁸⁶ Ibid.

¹⁸⁷ Telephone conversation, Howard McCurdy with Howard McCurdy, June 28-28, 2006; McCurdy letter to McCurdy, 26 July 1998.

¹⁸⁸ As of 1940, only 4.6 percent of the American public above the age of 25 had attended college for four years or more. By 2000, 25 percent of the same cohort held bachelors or graduate degrees. U.S. Census Bureau, *Statistical Abstract of the U.S.*, 1950, 2000. Oregon State Agricultural College, *Catalog*, 1933-34, Corvallis, Oregon, p. 44. McCurdy letter to McCurdy, 26 July 1998.

¹⁸⁹ Ibid.

¹⁹⁰ Ibid., Howard E. McCurdy letter to Howard McCurdy, 31 August 1998.

¹⁹¹ Ibid., McCurdy letter to McCurdy, 26 July 1998.

¹⁹² McCurdy letter to McCurdy, 26 July 1998.

¹⁹³ Ibid.

¹⁹⁴ The service station was located at West 3rd Street and South Serrano Avenue, two blocks east of Western Avenue between Wilshire and Beverly Boulevards. McCurdy letter to McCurdy, 31 August 1998.

¹⁹⁵ McCurdy letter to McCurdy, 26 July 1988.

¹⁹⁶ See Gary Schamhorst and Jack Bales, *The Lost Life of Horatio Alger, Jr.* Bloomington: Indiana University Press, 1985;

¹⁹⁷ McCurdy letter to McCurdy, 26 July 1998.

¹⁹⁸ Ibid.

¹⁹⁹ See McCurdy letter to McCurdy, 31 August 1998. William Elmer Caldwell joined the faculty at Oregon State in 1931 at the age of twenty-eight and retired in 1968; "Doctor Retires After Teaching for 37 Years, *OSU Barometer* (May 24, 1968)

²⁰⁰ McCurdy letter to McCurdy, 26 July 1998.

²⁰¹ Oregon State Agricultural College, *Catalog, 1934-35*, Corvallis, Oregon, July, 1934, p. 106. College catalogs and yearbooks are available in the archives division of the Oregon State University library in Corvallis.

²⁰² Associated Students, *The Beaver*, 1938, p. 290.

²⁰³ Much of this section is drawn from Howard McCurdy interview of Howard McCurdy, with Michael and Douglas McCurdy, 17 May 1998; see also Howard McCurdy letter to Howard McCurdy, "It was great to see all of you," n.d. Charles Wood was a fraternity brother in the Kappa Sigma house, two years behind Howard McCurdy. A previous interview (17 May 1997) suggests that Howard may have met Jo Test during his senior year, but the subsequent interview (17 May 1998) set the meeting mid-way through his junior year.

²⁰⁴ Associated Students, Oregon State College, Corvallis, Oregon, *The Beaver*, vol. 32, 1938, p. 290.

²⁰⁵ George P. Edmonston, "Beaver Eclips: 1930-1960," Oregon State Alumni Association, n.d. <alumni.oregonstate.edu/eclips/carry/march8_2002.html> (accessed July 4, 2006).

²⁰⁶ Oregon State Agricultural College, *Catalog, 1935-36*, p. 423, *Catalog, 1938-39*, p. 478.

²⁰⁷ Howard McCurdy interview of Howard McCurdy, by telephone, July 7, 2006.

²⁰⁸ Associated Students, *The Beaver*, 1938, p. 148.

²⁰⁹ Terri A. Taylor and Patricia C. Erigero, *Cultural Landscape Report: Fort Vancouver National Historic Site*, 2 vols. National Park Service, Department of Interior, 1992.

²¹⁰ "Father's Recollections," based on Howard McCurdy, telephone conversation with Howard McCurdy, 10 May 1997, and interview by Howard McCurdy with Michael McCurdy present, 17 May 1997; Test, "Annual Report." See also McCurdy interview of McCurdy, 17 May 1998.

²¹¹ Associated Students, *The Beaver*, 1938, p. 146; 1939, p. 278.

²¹² Howard recalled that four of the candidates passed the exam and received regular army commissions.

²¹³ McCurdy interview of McCurdy, 10 May 1997.

²¹⁴ Howard McCurdy interview by Howard McCurdy, 21 May 2006.

²¹⁵ State of Oregon, Department of Human Services, certifice of divorce, W. V. Patrick and Alza McCurdy, Portland, Oregon, docket number 131-198, September 28, 1938.

²¹⁶ "Father's Recollections," 10 May 1997, and 17 May 1997. In another version of the story, Fritz Ramsey took the bottle of whiskey and spoke to Jo. McCurdy interview of McCurdy, 17 May 1998.

²¹⁷ "Sally Rand (1904-1979)," Virtual Museum of the City of San Francisco, n.d. www.sfmuseum.net/bio/rand.html (accessed July 11, 2006).

²¹⁸ Rose Dunham Test died in Los Angeles on 11 February, 1943 (California Death Index, 1940-1997).

²¹⁹ Oregon Inventory of Historic Properties, Historic Resource Survey Form, Jordan-Harding Rental House, Corvallis, Oregon, 10 January 1995; also Charles and Elizabeth Underwood House, Corvallis, Oregon, 25 March 1998. Caldwell lived in the first home with his mother Elizabeth in 1935 and purchased the second in 1936, where he lived with his wife Doris and two children until 1959.

²²⁰ Howard McCurdy interview of Howard McCurdy, 18 August 2006.

²²¹ "Father's Recollections," 10 May 1997, and 17 May 1997.

²²² Military Record and Report of Separation, Certificate of Service, Howard E. McCurdy, 30 September 1945.

²²³ Guyer, "Annual Summary of Vital Statistics."

²²⁴ Michael McCurdy interview by Howard McCurdy, 17 May 1998.

²²⁵ Al Davis, "Historic California Posts: Camp Roberts," California State Military Department, California State Military Museum, n.d. (accessed July 12, 2006).

²²⁶ "Father's Recollections," 10 May 1977 and 17 May 1997; Military Record and Report of Separation, Howard E. McCurdy, 30 September 1945. See also Headquarters Second Military Area, Portland, Oregon, Special Orders no. 219, "Extract," December 19, 1940; Elmer T. Henry, Acting Assistant Adjutant General, to 2nd Lt Howard Earl McCurdy Inf Res, Order to Active Duty, Western Union telegram, 19 December 1940; and Col. Wm Sharp to 2nd Lt. Howard McCurdy, 27 February 1941.

²²⁷ McCurdy interview, 18 August 2006.

²²⁸ Erin Hanyes, Beaver Eclips, Honoring Oregon Staters who died in WWII, July 21, 2000 <alumni.oregonstate.edu/eclips/history/osuhistory05.html> (accessed August 17, 2006).

²²⁹ McCurdy letter to McCurdy, 26 July 1998; "Philippine Islands: U.S. Military Campaigns of World War II," CMH Pub 72-3, October 3, 2003 www.army.mil/cmhp/brochures/pi/PI.htm (accessed July 12, 2006).

²³⁰ Army Extension Courses, Certificate of Completion of Subcourse, Chemical Warfare School, Howard Earl McCurdy, 7 October 1941; McCurdy interview, 18 August 2006.

²³¹ The house, at 355 Howe Street, was located on the east side of Queen Anne Hill.

²³² To Chief, Chemical Warfare Service, Washington, D.C., from Howard E. McCurdy, Captain, CWS, 11 November 1943. Following the conclusion of the work at Fentron Steel Works in September, 1943, the army assigned Howard to Camp Sibert, Alabama, where he thought he would be part of a chemical warfare weapons battalion, firing an 81-mm mortar.

²³³ David Pugliese, "Bombs on the beach," *Bulletin of the Atomic Scientists* 58 (July/August 2002) 55-60.

²³⁴ Headquarters, Chemical Warfare Center, Edgewood Arsenal, Maryland, Special Orders No. 332, Extract, 30 November 1943; War Department, Adjutant General's Office, to Officers Involved, Subject: Movement Orders, Shipment 0864-A, 21 January 1944; Military Record and Report of Separation, Howard E. McCurdy, 30 September 1945.

²³⁵ Howard McCurdy interview of Howard McCurdy, 20 May 2006.

²³⁶ "San Jose Project No. 24 Report Summary," William Cohen, Secretary of Defense, to Jose Serrano, U.S. House of Representatives, 7 April 1998, in special collections, papers of William Cohen, Raymond H. Folger Library, University of Maine, Orono, Maine; see also Pugliese, "Bombs on the beach;" Fellowship for Reconciliation, *Test Tube Republic*, July 1998, <http://forusa.org/report-test-tube-republic>. (accessed 26 September 2013).

²³⁷ Howard McCurdy interview of Howard McCurdy, 16 August 2006. The cottage in Corvallis was located at 233 Kings Road, Corvallis, Oregon.

²³⁸ Major Thomas E. Rodgers, CWS, Subject: Request for Emergency Leave, 17 July 1944; Alza Elizabeth Rice-McCurdy-Patrick died in Portland, Oregon, on August 2, 1944, at the age of 53. Oregon State Department of Human Services, Standard Certificate of Death, Alza Elizabeth Patrick, local registrar's no. 2837, August 4, 1944.

²³⁹ Howard E. McCurdy, to Office of the Chief, Chemical Warfare Service, subject: Commission in Regular Army, August 9, 1945. McCurdy interview of McCurdy, 16 August 2006.

²⁴⁰ Military Record and Report of Separation, Howard E. McCurdy, 30 September 1945.

²⁴¹ David H. Holtzman, *Privacy Lost: How Technology Is Endangering Your Privacy*. San Francisco, CA: Jossey-Bass, 2006. Holtzman, a former security analyst, offers a readable introduction to the use of modern technology to collect personal information along with a simple definition of privacy.

²⁴² Edith Bolling Wilson, *My Memoir*. Indianapolis: Bobbs-Merrill, 1938: 288-89; Kenneth R. Crispell and Carlos R. Gomez, *Hidden Illness in the White House*. Durham, NC: Duke University Press, 1988: 69.

²⁴³ Crispell and Gomez, *Hidden Illness*.

²⁴⁴ Crispell and Gomez, *Hidden Illness*.

²⁴⁵ Ray Suarez, "President Kennedy's Health Secrets," NewsHour with Jim Lehrer Transcript, November 18, 2002.

²⁴⁶ See James N. Giglio, *Call Me Tom: The Life of Thomas F. Eagleton*. Columbia: University of Missouri Press, 2011. For a contrasting point of view, see Mimi Alford, *Once Upon a Secret: My Affair with President John F. Kennedy and Its Aftermath*. New York: Random House, 2010. Presidential candidate Grover Cleveland admitted to a private affair during the 1884 presidential campaign. The liaison had taken place a decade earlier while Cleveland was a bachelor lawyer in Buffalo and had produced a child. Voters forgave Cleveland and elected him president.

²⁴⁷ For this insightful thesis, see Jonathan Zittrain, *The Future of the Internet and How To Stop It*. New Haven, CN: Yale University Press, 2009. Zittrain characterizes smart phones and other internet based devices as tethered appliances not under the control of their users.

²⁴⁸ Marshall McLuhan, *The Gutenberg Galaxy*. Toronto: University of Toronto Press, 2011, c1962, 180.

²⁴⁹ Company Overview of ancestry.com, *Bloomberg Businessweek*, 31 January 2014 <investing.businessweek.com> (accessed January 31, 2014).

²⁵⁰ Will of John Test, in L. G. Fryburg, "John Test 1651 - 1706."