

A Lockhouse Marriage

Private Franklin Swan of the 10th Vermont Infantry and Miss Mary Gaster

by Grant Reynolds

Webmaster's note: This article combines two installments which appeared in the June 2011 and September 2011 issues of Along the Towpath.

The 10th Vermont Infantry arrived in Washington, D.C. in September, 1862, with useless Belgian smoothbore muskets and very little military training. Within a week it was on its first long march, from Arlington, Virginia to rural Maryland, northwest of the city. Its assignment: Take over guarding the Chesapeake & Ohio Canal from disruption by Confederates, and block the fords across the Potomac. Its predecessor, the 19th Massachusetts, older and presumed to be more experienced, was pulled from the canal and sent marching west, to a bloodbath at Antietam Creek.

The 10th was initially posted by companies along the canal from Blockhouse Point (which they called Muddy Branch) at mile 20.01 on the canal to Edwards Ferry at mile 30.84. Over the nine months they served along the canal, their positions varied somewhat, going as far north as Monocacy Aqueduct at mile 42.19. Soon the regiment was camped together just below Seneca, with detachments sent out daily on picket duty at various spots along that stretch of canal.

The Seneca campsite was disastrous. Described as a hillside sloping down to a swamp, it seems to have been about where the Bretton Woods Country Club soccer fields are now located on Violette's Lock Road (about mile 22.2). Here the first men died of disease. Between their arrival on September 14 and their relocation in November to "the high ground east of Offut's Crossroads" (now the rise on Maryland 190, east of Potomac Village), twenty-five Vermont soldiers died. Modern physicians speculate that Vermont men, largely from hill towns isolated from one another, had never developed antibodies to diseases common both in urban areas and in any large groups of people. Sanitation was poorly understood (the Roman army did it better) and germs spread like bad news. Seneca, however, remained an especially bad memory to men of the 10th.

A passage in Chaplain E. M. Haynes *History of the Tenth Vermont Infantry*¹ caught my eye some years ago.



Lockhouse 26 at Woods Lock at mile 39.37 near White's Ford. The frame lockhouse burned in 1969. Only foundation stones remain. Photo by Jack E. Boucher, 1959 in Canals, by Robert J. Kapsch, p. 256

The regiment kept a guard at Seneca Lock, Maryland. Corporal Frank Swan² seemed to court the opportunity of abiding in that malarious neighborhood. He was often seen at the lock house when not on duty. He was visiting Miss Mary Gaster, a relative of the lock keeper from the interior of Maryland. They were married on June 14, 1863, by Chaplain Haynes, with friends, Col. Henry, Surgeon Child, and Captain John D. Sheldon being witnesses.³ Swan soon left with the regiment. His bride was sent to Washington, D.C. He was missing in action at Cedar Creek and never has been heard from since.

Years after, Mrs. Swan, his mother, applied for a pension, claiming that Frank hadn't been married, either not knowing or not thinking it made any difference if she did. It was proved, however, that she did know of it, and kept it from her agent here in Rutland, and told her attorney, Mr. George E. Lemon of Washington, D.C., that the case was all right. In 1882 a pension of \$8 a month was granted, with arrears of \$1600 from 1864. In all, she drew \$2200 before the unlawfulness of the claim was discovered. She was prosecuted and confronted by General Henry and Captain Sheldon, who saw Chaplain Haynes perform the ceremony. Mrs. Swan declares

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she has done nothing wrong and still believes she is entitled to the pension.

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

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

So here are my questions:

- Montgomery County, and especially the rural area where the regiment was posted, was strongly Confederate in sympathy. So why would a local girl marry a Vermont soldier—one of the enemy?
- What happened to Corporal Swan's wife after he was killed (as he apparently was) at Cedar Creek? Did she seek a widow's pension?
- Did Franklin Swan's mother know about the marriage? Did she conceal that knowledge in order to get the pension?
- Why were the officers so hard on Franklin Swan's mother, Mrs. Mary Swan?

I did some research in the Vermont, Maryland, and D.C. censuses to see what I could learn, but it was limited. Franklin Swan was born in Pittsfield, Vermont, a hill town in the central part of the state,

about 1843. The Swan farm was not doing very well at supporting the Swan family, however, and young Franklin had to work it and also work for pay to support the family.

One day in November, 2008, I sat at a table in the National Archives in Washington, D.C., with two fat, dusty legal-size envelopes in front of me: the pension file for Private Franklin S. Swan, applicant Mrs. Mary Swan.⁴ Pension files are generally gold mines of information about an individual's service, and what happened to them after the war.

An amazingly high percentage of Civil War veterans qualified for pensions under laws that varied over the years, giving differing weights to rank, age, level of disability, and service connection of their infirmities. Widows received pensions, too. Parents seeking pensions had to show that they had been dependent on the deceased soldier for at least some of their support – and to need help now.

So Mary Swan had to show the professionally skeptical bureaucrats of the Pension Bureau three things to get a pension: (1) that Franklin was dead; (2) That she had relied on him for part of her support before he enlisted; and (3) that she needed support now. Although it wasn't obvious at the outset, she also had to show that Franklin was not married when he died. If he was, his widow got the pension, and his parents were not eligible.

The Battle of Cedar Creek, just north of Strasburg, Va. started as a Confederate surprise flank attack at dawn. Most of the Union 8th and 19th Corps leapt from their tents and ran. The 10th Vermont, however, made a series of stands, fighting all the way in retreat until the Confederate pressure eased as they reached the very much awake and organized Union Sixth Corps. A 10th Vermont soldier affirmed that

Franklin B. Swan...served with us until the spring of 1864 when he was detached as a sharp shooter.... [O]n the morning of October 19, 1864, after the sharp shooters had been driven in—and the 8th and 19th Corps also—we were drawn up in line of battle, and Franklin B. Swan came to our Co. He chatted with us a few moments and started to rejoin his Command—I have never seen or heard of him again. And have no doubt he was killed in that battle, the

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Battle of Cedar Creek. Immediately after he left the Rebels charged and we were driven back, and only recovered the lost ground at night. Many dead had been buried, others were so blackened and disfigured as not to be recognized – He was a brave man, never shirked his duty – his absence was proof to me of his death. Heman D. Bates (signed with his mark) of Royalton, May 20, 1880.⁵

This satisfied the Pension Bureau. Private Swan died in action.

Mary Swan's second burden was to show that she had received at least part of her support from Franklin. She claimed that her husband, Ebenezer, was in poor health long before he died in 1864. Franklin worked on the farm as an unpaid hired hand. He also "worked out" on other people's farms for a little cash money.⁷ When he enlisted he gave his father \$30, his enlistment bonus. He also sent his father his "extra state pay." Vermont, unlike other states, paid its soldiers \$7 a month to supplement the low government pay of \$13 a month for an enlisted man, probably less than a farmhand's pay at the time. However, the extra state pay wasn't sent to the soldier. It went to the town clerk to distribute to his family, if he had one; if not, to hold for him until the war was over. Franklin directed his to Ebenezer.⁸

Several Pittsfield neighbors affirmed that Franklin had been substantially contributing to the support of the family, and that Mrs. Swan was left nearly destitute when her husband died on September 23, 1864, only a month before Franklin. With both her men dead, Mary had little property. She went to work as a domestic servant.⁹

Mrs. Swan was awarded an \$8 per month pension on March 17, 1882. But she received \$2,200 for pension payments not received since the day Franklin died.

But there was that other question: Was she aware that Franklin Swan was married? I couldn't find a document in which she swore that he wasn't married. It is implicit in her application, though, that she was eligible—that there was no widow whose rights would supersede hers, even if the widow had remarried or was otherwise ineligible for a pension. It isn't clear how the question came up, or exactly when. There is no outraged letter in the

pension file from Chaplain Haynes, for example, though he is certainly a likely candidate for whistleblower. As we will see, neither Captain Sheldon nor Colonel Henry seems to have been upset about it.

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

In Vermont, former Captain John Sheldon, now a marble dealer in West Rutland, stated that Franklin Swan was married at White's Ford, Maryland, in the winter of 1862-63. He couldn't remember the bride's name. Col. Henry, now US Marshall for Vermont, remembered that Swan "married a girl whose father lived in the lock house at White's Ford, Maryland."¹⁰

Somehow two years passed before a Special Examiner in Baltimore reported that he had been assigned to get "the full name and whereabouts of a soldier's widow at Whitesford, Harford County, Maryland." We, of course, know that White's Ford is in Montgomery County, a hundred miles from Whitesford. "I went to Whitesford, Harford County, and learned that the name was known only for the last two years."¹¹

Once he had discovered that Whites Ford was in Montgomery County, he found the local records of no help. "No record of marriages was kept in this County before 1865; no marriage license was issued to Franklin B. Swan and Mary Gaster in 1863." The license would have authorized the wedding and the certificate would have been proof that it had occurred. Franklin had not applied for either, at least as far as the county records were concerned.

Back in Vermont, the Special Examiner went to see Mary Swan. He obtained a lengthy affidavit from her.

I am 72 years old. We received a letter from him after he had been in the service that he had married a girl in Maryland... I think they had been married about a year when

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he was reported missing. Never lived together and he only went back to see her once. He wrote that they gave him a furlough and he went and stayed with his wife....

After the war was over some soldiers told us that Franklin's wife had a husband living when he married her and that she had gone away to live with him after Frank had left...I always told everyone that Frank was married and told the attorneys that Frank was married when I applied for any pension but they said it made no difference. His wife could not draw it if she had another man.....¹²

Orvis Blossom in Pittsfield repeated the same gossip, along with some useful information.

Some of the soldiers told Mrs. Swan that he married her to avoid a punishment. It seems he went to see her so often that he neglected his duties and would have to be sent for frequently. To avoid being punished he married her but I do not understand how he would avoid punishment by marrying her. It is my impression it was not very long after Frank wrote home recognizing the girl as his wife that he began to write that she had gone off with another man.¹³

Based on this information, the Special Examiner reported that "...soldier was married and pensioner was aware of it when she applied for pension.... Mrs. Mary Swan [should]}be prosecuted with a view of recovering the money she has unlawfully obtained from the Govt."¹⁴

A few months later the Baltimore examiner made a trip to Montgomery County. He apparently knew a lot more about C&O Canal geography by then, and knew how to find White's Ford. Even better, he found a key to the puzzle: Mr. J. P. Natters, a farmer and postmaster at the tiny village of Martinsburg, Md..

[Natters] has lived within 2 ½ miles of White's Ford all his life. Number of the lock nearest White's Ford is 26. In 1863 the lock was kept by Herman Lapold. He had a housekeeper whose name he can't remember. She had a daughter 16 years old and this daughter married a soldier from Vermont. He got his license and was married by the Chaplain. They continued to

live in the lock house with her mother. Her father was dead. She never had been married to deponent's knowledge. She only was here a short time when she married the soldier. This woman's name now is Harris and her husband is Peter Harris. They live in Virginia just above Georgetown, DC. Can't remember when she married Harris. He never heard she had been married before. She was, in deponent's opinion, young. Deponent at this time was running on a packet and had known the girl but a short time prior to her marriage. Can't tell where she came from. Lapold the lock keeper is dead. Can't tell how long she lived about here after the soldier went away. He lived with her as her husband up to the time he went to the front.¹⁵

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

My name is Mary Harrison, Age 40. Occupation, housekeeper, p.o. Georgetown, DC. I married Franklin Swan, a soldier in a Vermont regiment... at the lock house at White's Ford. The Chaplain of the regiment married us. I was only 14 years old.... I was not previously married. We got no marriage certificate. My maiden name was Mary A. Gaster and myself and mother came from Hancock, Maryland and was only at the lock house one month when we married. My mother was then a widow and was living with her uncle at the lock house. His name was Lapold. He the soldier only stayed with her 2 weeks when he went to Virginia with his regt and after he was gone about two or three months he came home and stayed five days. He then went away again and she saw his death in the paper. Two years or so after the soldier's death I married Peter Harrison and have been living with him ever since.... Don't know that his mother ever tried to

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get a pension. I never attempted to get one. After I was married to him I tried to induce him to get a certificate from the Preacher but he never did. I never lived with any man prior to her marriage to soldier and can't tell why anyone should think so.

A little census research shows that in 1860, Peter Harrison, age 23, was the son of John Harrison, a lockkeeper in the Rockville District of Montgomery County, and his younger brother was the lockkeeper on the next lock. The census lists a whole group of young men living together in the house next to the younger lockkeeper, with no occupation listed. I suspect they were the crew that helped keep the two locks operational 24 hours a day. Most likely they were at "Six Locks" near Great Falls, which was in the Rockville District, since there are no locks close together above there in Montgomery County. In 1880, Peter Harrison, age 46, carpenter, with a wife Mary, 33, a son Peter, age 4, and his mother-in-law were living in the "Washington District" of Alexandria, Virginia, now Arlington County. A farm in the very hilly northern part of Arlington County would be "above Georgetown," as Mr. Natters said. The mother-in-law's name: Ann Gaster! So Mary Gaster of Lock 26 found a little marital permanence.

The Baltimore examiner announced triumphantly,

The mother evidently knew of the marriage but excuses herself on the ground that she heard the woman had another husband living when she married the soldier. I don't know how that story could have been started as there appears to be no foundation for it. The woman Harrison says she was only about 14 years of age at the time of her marriage to Swan but according to her age now she was nearer 17. [The pensioner] might have been impressed with the idea that the soldier's marriage was illegal, but she studiously avoided giving any information to the Office about any kind of marriage. I recommend that an effort be made to get this woman to disgorge.¹⁶

Then the examiner in Vermont confronted Mary Swan with the unquestionable evidence. He learned some interesting things.

Her son-in-law Orvis Blossom drew the money for her when the pension was granted and gave her \$1600. [The file shows she received about \$1900 in a lump sum¹⁷] Gave son Gus, who was sick, \$900 to pay off the mortgage on his farm.... Gave Blossom \$400 and got a deed of one half of his home place. Have no accounts. Hasn't a penny in the world. "I don't even have a good dress." Paid off her employer Jefferson Baldwin's \$300 mortgage Knew Franklin had been married in the Army but I thought I was his nearest heir. People kept urging me to make application and I did thinking I was perfectly honest. I haven't anything to make restitution about. If I had to, I couldn't. I don't think it's right. I will write the President of the United States and I will get my pension yet. They can do what they wish with me. They won't have me long.

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

[Mary] I don't care what they do. I don't believe I have got a guilty conscience. Everybody says it is a shame to stop this pension on me. Everybody thinks I ought to have something for my son. I am satisfied he was married. I told one of the lawyers about it. I supposed if the widow were dead or remarried I would be the next heir.¹⁸

What happened next? Did she "disgorge"? Of course not; she had nothing to make repayment with, not even "a good dress." She seems to have been overwhelmed with generosity when, for the first time in her life, she had a large sum of money and no pressing need for it. There are no later documents in the pension file, only some handwritten notes on envelopes that may once have had documents in them. One says "Mrs. Swan was paid \$2274 by April 3, 1886." The last handwritten note says "Sept 6, 89 - 2 vouchers and 2 checks returned to Secretary." Does this mean that Mary's pension continued until she died in the late summer of 1889? Why else should checks and vouchers be returned? The file, so voluminous to this point, does not say. But perhaps Chaplain Haynes' obvious annoyance with her in the passage

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

Now, as to those four questions at the beginning.

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

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

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

We don't know much about Mary Gaster Swan Harrison's biography post-Swan. Probably she started cleaning houses in Georgetown both before her marriage to Peter Harrison in 1871 and afterwards. She didn't seek a pension.

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

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

- *Why were the 10th Vermont officers so hard on Mrs. Mary Swan?*

"The officers" seem to boil down to Chaplain Haynes. The pension file doesn't show any outrage or "prosecution" by Captain Sheldon or Colonel Henry, who had only hazy memories of the incident. It obviously rankled Haynes, though his description of the incident is not very accurate. Mary Gaster probably never went near Seneca Lock

It all happened at Lockhouse 26, now called Woods Lock, almost 17 canal miles north of Seneca. The lock is near White's Ford, where Company C of the 10th spent much of the winter of 1863.

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

Notes:

¹ E. M. Haynes, *History of the Tenth Vermont Infantry*, (Rutland, Vermont, Tuttle Company, 1894). Pp 30-31.

² Although Chaplain Haynes promotes Swan to Corporal, there is no existing evidence that the Union Army did so.

³ Sheldon was commander of Company C, Swan's company.

⁴ Pension file for Private Franklin S. Swan, Company C, Tenth Vermont Infantry, applicant Mrs. Mary Swan. From the National Archives, Washington, D.C. Hereafter "pension file."

⁵ Affidavit of Heman D. Bates, May 20, 1880. Similar affidavit from Christopher George of Royalton, May 21, 1880, both in pension file.

⁶ Affidavit of Leland J. Williams, May 21, 1880, from Pension file.

⁷ Mary Swan's Affidavit of July 26, 1879.

⁸ Affidavit of John Page, State Treasurer, September 17, 1879 (from pension file). Franklin's "Extra State Pay" of \$7 a month went to his parents.

⁹ She is listed in the census of 1870 as working in the home of Jasper Pinney, a farmer with a modest farm in Sherburne (now Killington), Vermont, the next town south of Pittsfield.

¹⁰ Both affidavits in pension file. Both were somewhat vague as to the details, but sure that Swan was married at White's Ford.

¹¹ Report of Special Examiner J.F. Fitzpatrick, from pension file.

¹² Affidavit of Mary Swan, given in Ludlow on October 6, 1885, from pension file. In the 1880 census Mary is a housekeeper in the home of James Baldwin, a shoemaker.

¹³ Affidavit of Orvis Blossom, October 7, 1885, in Pittsfield, from pension file. As noted above, he was Franklin's brother-in-law.

¹⁴ Report of Special Examiner C.R. Bowman, September 16, 1885, from Pension File.

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¹⁵ Affidavit of J.P. Natters, Postmaster at Martinsburg, Maryland, from Pension File.

¹⁶ J.F. Fitzpatrick, Special Examiner's Report, dated March 19, 1886, from pension file.

¹⁷ She received \$2274 by April 8, 1886; pension was awarded on March 17, 1882 – 48 months earlier. At \$8 a month she was paid \$384 in those four years. Someone took a large cut of Mrs. Swan's money. The most likely candidates are the Washington lawyer and the Rutland pension agent, who deserved some compensation for their efforts, though \$300 seems a little extreme.

¹⁸ Deposition of Mary Swan, given to Special Examiner C.R. Bowman April 21, 1886. Bowman included his own remarks in writing up the "deposition." From pension file.

Editor's note - While Frank Swan found romance on the canal, his comrades of the 10th Vermont found where they could get a drink in snowless Maryland. Long time Association member Ed Wesely, strumming his guitar, used to sing the regimental song for us. The song's verses came back to him as he read Grant Reynolds's article. It is printed below:

THE 10TH VERMONT IN DIXIE

The Regimental Ballad

*There is a gallant regiment
Which is called the 10th Vermont
Composed of men who are as good
As anyone might want;
'nd coming from a State where snow
In depth, comes several feet,
It is not strange they drink down here
Where there's no snow to eat!*

*The regiment is divided in three parts,
You'll understand;
In "Battle Line"--with center,
And a "wing" on either hand,
Along the old Potomac--and you
Need not think it strange
If they would, instead of eating snow,
Just take a drink, for change.*

*The "right" is at Monocacy
In command of Captain Frost,
Whitesford is where the "center" is,
And where old Stuart crossed,
And, of course, he riled the water
So those here and those below
Sent to Monocacy for their drink--
All for the want of snow.*

*The "left" at Conrad's Ferry,
Major Chandler is the Peer.
Colonel Henry at the "center"
Colonel Jewett, Brigadier;
Now officers and men I know
Would rather stand retreat,
Then say they would refuse a drink,
Where there's no snow to eat.*

*But this I'll say in candor
Of those Green Mountain Boys,
There are none who can excel them much
Whom Uncle Sam employs;
And 'tis natural for a man to drink
To keep out cold or heat
Especially in a country
Where there's no snow to eat.*