

**Finding Aid to the Martha's Vineyard Museum  
Record Unit 43  
Probate Court Papers of George Athearn and Cornelius  
Marchant:**

By Sarah Hutcheson

**Descriptive Summary**

**Repository:** Martha's Vineyard Museum

**Call No.**

**Title:** Judge Athearn papers

**Quantity:** .5 Cubic feet

**Abstract:** Papers of Judge George Athearn and his clerk, Cornelius Marchant (later Justice of the Peace). Some appear to be inherited court records from the early to mid eighteenth century, most are deeds, records, notes, and a few letters of Judge Athearn and Cornelius Marchant, from the late eighteenth and early nineteenth centuries.

**Acquisition Information:** Acquired by the Martha's Vineyard Museum in \_\_\_\_\_.

**Processing Information:**

**Access Restrictions:** none

**Use Restrictions:** none

**Preferred citation for publication:** Martha's Vineyard Museum, Record Unit 43.

**Index Terms**

George Athearn

Cornelius Marchant

Court of Probate and Wills, Dukes County

Hillman v. Hatch, 1835-1837

**Series and Subseries Arrangement**

Series I: Inherited Court documents 1716-1800 (documents 1-11)

Series II: Correspondence of Judge George Athearn

Series III: Correspondence of Cornelius Marchant, Esq.

Series IV: Notes of Cornelius Marchant for various cases

Series V: Miscellaneous Court documents 1800-1837 (including Hillman and Hatch documents).

**Biography/Historical Note:** George Athearn was born August 13, 1754 to James Athearn, a lawyer, Clerk of Court, and Judge of Probate, and his wife Rebecca Scudder. He graduated from Harvard in 1775 and got his Masters in 1778. That same year he married Hepsibah Hussey, with whom he had ten children. He was a lawyer and a Judge of Probate from 1816-1837. He died April 8, 1837. His clerk Cornelius Marchant was born into a prominent maritime family in 1763. During the Revolution, he served in the navy, starting on the *Independence* in 1776 when he was fourteen. In 1777 he served on the *Marlborough* and in 1778 on the *General Arnold*, in the wreck of which he was crippled and prevented from going to sea again (see Banks Vol. I, pp. 406-409). In 1790, he married Hannah Young, who died in 1795; in 1796 he married the widowed Mrs. Thankful Case, nee Daggett, who died in 1835; in 1837 he married Mrs. Velina Norton, nee Butler, widow of George Norton. Cornelius Marchant was Clerk of Courts for 39 years and Register of Probates for 18 years. He died on October 1, 1838.

**Scope and Content Note:** Mostly notes and correspondence of George Athearn, Judge of Probates and Wills for Dukes County in the early nineteenth century, and his clerk Cornelius Marchant. There are also various probate records from throughout the 18<sup>th</sup> century, possibly inherited by George Athearn from his father James Athearn, who also served as Judge for the Court of Probate. There are also transcriptions and photocopies of almost all documents, as well as an index of the documents, all of which are numbered and listed.

### **Series Descriptions:**

#### **Series I:**

(Box 1, Folder 1) Miscellaneous Court Documents, 1716-1800. Includes goods receipts and accounts, estate administrations, a letter certifying a marriage, and a note from a gaol keeper giving a prisoner status update.

**Series II:** (Box 1, Folder 2) Correspondence of George Athearn

**Series III:** (Box 1, Folder 3) Correspondence of Cornelius Marchant

**Series IV:** (Box 1, Folder 4) Cornelius Marchant's Court notes, including a draft of a land deed involving Indian land and various other notes.

**Series V:** (Box 1, Folder 5) Miscellaneous Court Documents, 1800-1837. Includes accounts, a letter supporting a claim for a pension, and documents relating to the case of Hillman v. Hatch (1837).