



Reprise: what is “proof” of family history?



Robin Willis
March 1, 2019
Uncategorized

This is a repost of an article from 2018. It has received more views on this website than any article I’ve written except the one about the [the Scots-Irish](#). The title indicates the topic is genealogical proof, which is a slight misdirection. The article is initially about what is, and is not, genealogical evidence. Then it attacks a tougher question: how much evidence is needed to say we have *proof*. Now, back to the original article.

* * * * *

I have a distant cousin (seventh cousins, maybe?) named Roberta Estes. We “met” online via Estes research some twenty years ago. We finally met in person, spending a week together in Halifax County, VA doing nitzy-gritty research among records in the basement of the Halifax courthouse. I knew I had found a kindred spirit when I learned she likes tax and deed records as much as I do.

Roberta writes an excellent blog called “DNA Explained.” A great many of her posts are about DNA “science.” When I have a question about DNA, the first place I go is to her blog and search her Archives.

Roberta’s post today is on a topic that will interest all family history researchers: what is, and what is NOT, genealogical “proof,” as she uses that term. Here is a link to [her post](#).

What resonated most with me was her list of things that do NOT constitute “proof.” I have copied part of it below, with my comments and modifications in italics (the numbering has changed from her original list since I deleted a few items):

1. Proof is not an oral history, no matter how much you want to believe it or who said it. Oral history is a good starting point, not an end point.
2. Proof is not, not, 1000 times NOT someone else’s tree. A tree should be considered a hint, nothing more.
3. Proof is not a book without corresponding evidence that can be independently corroborated. Being in print does not make it so. People make mistakes and new information surfaces. *Unfortunately, there are also genealogical frauds – see, e.g., [Gustave Anjou](#).*
4. Proof is not a man by the name of Jr. [taken to mean] that he is the son of a man by the same name with the suffix of Sr. “Sr.” often means older and “Jr.” means younger, but not necessarily related. *In fact, the suffix can change over time for the SAME MAN: a Robert Rankin who initially showed up in Guilford, NC records as “Robert JUNIOR,” became “Robert SENIOR” after Robert the elder (his father) died.*
5. Proof of a father/son relationship is not just two men with the same name in the same location. *I have a copy of a 1762 Lunenburg Co., VA deed, Thomas Winn grantor, witnessed by John Winn, Daniel Winn, John Winn, and John Winn. Nothing to distinguish between the John Winnns. Some of those colonists clearly had a sense of humor. Lunenburg Deed Book 7: 227.*
6. Proof is not just a will or other document ... without evidence that a person by the same name as the child named in the will is the RIGHT person.

The lawyer in me, retired though she might be, feels compelled to expand on Roberta’s discussion of “proof.” Namely, I want to draw a distinction between “proof” and “evidence,” and the amount of evidence that is needed to produce a certain standard of proof.

The definition of “evidence” takes up a full page in *Black’s Law Dictionary*. Fortunately, the essence of the meaning of “evidence” as it relates to genealogical research is pretty easy to distill. Try this on for size: **EVIDENCE is anything that is offered to prove the existence or nonexistence of a fact.** In genealogy, evidence includes deeds, will and other probate records, tax lists, church birth and death records, census records, tombstone inscriptions, and so on. It does not include a family tree posted at the FHL or Ancestry websites, nor does it include a compiled family history, which is how trees were published in the pre-Internet era.

Notice that the word “prove” appears in the definition of evidence. Here is what *Black’s* has to say about that: **PROOF is the effect of evidence.**

Boiling both definitions down, *evidence is what supports a belief that a fact is proved (or disproved).*

If you have ever served on a jury, you already know there are different “standards of proof.” In a Texas criminal trial, the standard of proof requires a defendant’s guilt to be established “beyond a reasonable doubt.” In a Texas civil case, the standard of proof is usually “preponderance of the evidence.”

Another standard of proof lying somewhere between those two is “great weight and preponderance of the evidence.” Law students, who like to boil things down to something understandable, may view it like this:

- Beyond a reasonable doubt: at least 95% of the facts compel a certain conclusion.
- Great weight and preponderance: 65–85% of the evidence supports a conclusion.
- Preponderance of the evidence: a conclusion is more likely than not – it has the weight of at least 51% of the evidence.

Naturally, there are parallels in family history research, or I wouldn’t be carrying on about this.

You frequently see the phrase “conclusively proved” in family history articles. This is roughly equivalent to “beyond a reasonable doubt.” For example, my paternal grandmother’s identity – Emma Brodnax Rankin – is conclusively proved by my birth certificate, my father’s birth certificate, his mother’s will naming him as a son, census records naming him as a son, *ad infinitum*. There is also my recollection of all those awful holiday dinners in her grotesquely overheated house in Gibsland, Bienville Parish, Louisiana. A court would call my testimony about those dinners at Ma Rankin’s “direct evidence” based on personal knowledge. If I’m a credible witness, THAT case is closed.

When you see the phrase “conclusively proved,” it means there is really no reasonable argument to the contrary. That is how I use the phrase on this blog. There is no reasonable argument that anyone other than Emma Brodnax Rankin was my paternal grandmother.

Use of the word “probably” in family history articles seems to equate with “preponderance of the evidence.” Namely, a conclusion is more likely than not.

Similarly, the phrases “most likely” or “almost certainly” are somewhere in between the other two. There may be a reasonable doubt, but the weight of credible evidence strongly points one way.

The “eye of the beholder” obviously plays a role in this determination. I may deem a conclusion “most likely,” you might find it only “probable.” This is a good reason why one would want to know the evidence for another genealogist’s conclusion ... you might not find the evidence sufficiently compelling to justify accepting the conclusion.

We also need to talk about “circumstantial” evidence, because sometimes there is no other proof of a family relationship. That is particularly true in counties where records have been lost and documentary evidence is limited. “Circumstantial evidence” just means facts that lead to a reasonable inference.

For example, the fact that a 65-year old man named Jedediah Rankin is listed in the 1860 census in a household immediately adjacent to 40-year old Jacob Rankin infers some family connection between the two men because such an inference accords with common sense and experience. If Jacob and Jedediah witness each other’s deeds, that would provide additional circumstantial evidence of a family relationship. If Jacob named his eldest son Jedediah, and Jedediah Sr. was security on Jacob’s marriage bond, those facts would also be circumstantial evidence.

Circumstantial evidence such as this can establish a compelling web of family connections suggesting only one reasonable conclusion: Jacob was Jedediah’s son. It is a powerful tool in serious research.

One last red flag about “proof”: beware the passive voice, a grammatical form that frequently signals lack of evidence. Keep an eye out for these phrases, which appear in many compiled family histories: “It is thought that ...” or “It is believed that ...” or “It is reported that ...” Hmmmm ... who believed or reported? And what is his or her evidence? Those phrases rightfully justify a jaundiced eye unless the writer provides evidence supporting the “belief.”

In all fairness, I do need to point out one thing about those old compiled family histories. Academic writers routinely cite evidence supporting factual assertions in their books, papers, and articles. Historically, family history researchers have not done so. No telling why – perhaps because genealogists, unlike academics, aren’t writing to burnish a reputation or (usually) to make money. We do this because it’s fun, or we want to share, or we’re just curious about our history. Or all of the above.

Fortunately, more family history researchers now seem willing to share evidence and provide citations to county and other records. As a cautionary note, though, here’s a piece of advice I received from a woman researcher I had been peering with questions via email back in the ‘90s. She had obviously reached the end of her rope. “Honey,” she said, “if you really want to find answers to all those questions, I suggest you dig around in the records of Middlesex County, Virginia. Your library has a bunch of good abstracts.” <grin> I took her advice.

Finally, back to Roberta’s list of “not proof,” item #2, someone else’s tree. It may be a fact that “many online trees” show Jedediah Rankin as Jacob Rankin’s father. Those online trees are not even evidence of a relationship between those two men. All they might prove is that many online trees are copies of other online family trees. Or that many people believe Jedediah was Jacob’s father. But ... evidence? Nope.

See you on down the road.

Robin

4 thoughts on “Reprise: what is “proof” of family history?”



Suzanne Spencer
March 1, 2019 at 11:49 am

Thank you for your insight and persistence in digging for truth. Your blog provides thoughtful approaches to the hunt for puzzle pieces. I’ve found this hobby a fascinating way to learn history, which I did not enjoy in school. I was a clinical researcher in my younger years. The standards I expected for that work were much stricter than what I’ve done as I explored on Ancestry.com. Sometimes I’ve gone down rabbit trails I was seriously doubtful were correct, but I’ve come to appreciate our forebears’ fortitude in living out their beliefs even if the people I’m reading about aren’t really my own ancestors. Now, I’ll need to do some serious cleaning up of my tree.

Thanks again,
Suzanne Spencer

[Reply](#)



Sandra Wynne Irwin
March 1, 2019 at 12:16 pm

As always another WONDERFUL article. Thank you so much!

[Reply](#)



Ennyl
March 1, 2019 at 2:56 pm

Excellent and awesome at the same time. You’re amazing in what you produce. I can’t imagine your joy at finding a kindred spirit willing to do ancestry work at your level, and that is an unbelievable level. Keep up the good work that I could never do, BUT can and will always see your worth.

[Reply](#)



Ron Schilb
March 1, 2019 at 4:23 pm

I really enjoyed your article, it was just what I needed to keep me on the straight and narrow. As the owner of several family histories, it is tempting to accept their accuracy. Also as I have worked on my “proof” of John Winn b. Ca 1730 as the John Winn of Amelia County who served as a delegate to the State Conventions for Statehood; for acceptance in the SAR, I am reminded that much is necessary. The only thing that is certain in life is... “Taxes and Death”. If anyone out there has an obituary for him, I would appreciate a copy. He died, Ca. 25 Jan 1781

[Reply](#)

Leave a Reply

Your email address will not be published. Required fields are marked *

COMMENT *

NAME *

EMAIL *

WEBSITE

Notify me of follow-up comments by email.

Notify me of new posts by email.

PREVIOUS

[Heads up: a genealogy scam](#)

NEXT

[Indices to Administration Accounts of Caroline County, Maryland](#)

SUBSCRIBE TO BLOG VIA EMAIL

Enter your email address to subscribe to this blog and receive notifications of new posts by email.

Join 183 other subscribers

RECENT POSTS

- [Find-a-Grave Bloopers: a Really Cool One](#)
- [Henry Willis, Carpenter of Maryland and Philadelphia \(1829–1906\) Part 1](#)
- [Vietnam War Story – Medevac Meadow](#)
- [Revolutionary War Story: William Rankin of Virginia’s Northern Neck \(part 3 of 4\)](#)
- [James Winn, Son of Daniel of Lunenburg: Lost but now Found? Probably ...](#)

RECENT COMMENTS

- [Colton Sneed on Virginia Winn Series Part 7: Portrait of Mrs. John Winn of Hanover County](#)
- [Robin Willis on Virginia Wynn Part 1: YDNA and Some Colonial Virginia Winn Families](#)
- [Deborah Winn on Virginia Wynn Part 1: YDNA and Some Colonial Virginia Winn Families](#)
- [Ralph D. Jeffords on Find-a-Grave Bloopers: a Really Cool One](#)
- [Robin Willis on Find-a-Grave Bloopers: a Really Cool One](#)

ARCHIVES

- [January 2022](#)
- [December 2021](#)
- [November 2021](#)
- [October 2021](#)
- [August 2021](#)
- [July 2021](#)
- [June 2021](#)
- [May 2021](#)
- [December 2020](#)
- [October 2020](#)
- [August 2020](#)
- [June 2020](#)
- [May 2020](#)
- [April 2020](#)
- [February 2020](#)
- [January 2020](#)
- [November 2019](#)
- [October 2019](#)
- [August 2019](#)
- [July 2019](#)
- [June 2019](#)
- [May 2019](#)
- [March 2019](#)
- [February 2019](#)
- [December 2018](#)
- [November 2018](#)
- [October 2018](#)
- [August 2018](#)
- [July 2018](#)
- [May 2018](#)
- [April 2018](#)
- [March 2018](#)
- [January 2018](#)
- [January 2018](#)
- [December 2017](#)
- [October 2017](#)
- [September 2017](#)
- [August 2017](#)
- [July 2017](#)
- [June 2017](#)
- [May 2017](#)
- [February 2017](#)
- [January 2017](#)
- [December 2016](#)
- [October 2016](#)
- [July 2016](#)
- [June 2016](#)
- [May 2016](#)

CATEGORIES

- [Alexander Articles](#)
- [Articles](#)
- [Buckley Articles](#)
- [Burke Articles](#)
- [Caroline County](#)
- [Charts](#)
- [Data](#)
- [Dorchester County](#)
- [Estes Articles](#)
- [General genealogy](#)
- [Lindsey Articles](#)
- [Martin Articles](#)
- [Maryland](#)
- [Miscellaneous](#)
- [Missouri](#)
- [Rankin Articles](#)
- [Rankin Charts](#)
- [Senior Articles](#)
- [Trice Articles](#)
- [Uncategorized](#)
- [Virginia](#)
- [Willis Articles](#)
- [Willis Charts](#)
- [Winn Articles](#)

META

- [Log In](#)
- [Entries feed](#)
- [Comments feed](#)
- [WordPress.org](#)

SPAM BLOCKED

28,065 spam blocked by Akismet

SUBSCRIBE TO BLOG VIA EMAIL

Enter your email address to subscribe to this blog and receive notifications of new posts by email.

Join 183 other subscribers