

# CANAWLERS AT REST

## NOAH L. BABBS

b. Nov. 13, 1794  
d. 1885

By Carolyn Schmidt

John Babbs, our subject's father, served in the Revolutionary War and fought in the Battle of Long Island and at White Plains. He was hospitalized in Morristown, New Jersey after being struck by a rock loosened by a cannon ball. His leg was so badly injured that he was discharged being unfit for active service. Although he applied for bounty land, he never received any. He returned to Virginia and married Rebecca Lane in 1789.

John was a native of Virginia and Rebecca was a native of Maryland. They were of English and Irish descent. They had six children - John, Mary, Elizabeth, Noah (our subject), Hannah and William. Noah L. Babbs was born on November 13, 1794 in Hampshire County, Virginia. In the 1800 census they were in Fayette County, Pennsylvania.

In 1803 the Babbs family moved to a farm near Cincinnati, Hamilton County, Ohio, and Noah spent his teen years on the farm. In 1819 John and Rebecca purchased 40 acres in Rising Sun, Ohio County, Indiana. They moved there and lived out the remainder of their lives. John reached the remarkable age of one hundred and three years.

On August 24, 1814 Noah purchased land north of Cincinnati near St. Bernard in Hamilton County, Ohio Range 1 Township 4, Section 32. At that time many farmers took their products via flatboats to New Orleans every fall. We do not know for sure, but it is possible that Noah made such a voyage perhaps with his father's crops in late 1814. We do know that in 1815, when he was about 20 years of age, Noah was in New Orleans and he was not in the military. There he saw Andrew Jackson just after Jackson had won the Battle of New Orleans. This was the famous battle that was fought be-

tween the United States and the British on January 8, 1815. The Treaty of Ghent had been signed in Belgium on December 24, 1814 to end the war but the news had not yet reached the combatants. This lack of communication led to 2000 British and about 70 U.S. casualties. It was the most lopsided engagement in the War of 1812. It made a hero of Jackson. In 1828 he became the seventh president of the United States following John Quincy Adams.

Around this time Noah returned to Ohio and married Nancy Smith. She died one year after being married. He then married Kitty Ann Phares circa 1817. They had five children: Charles, William, Emeline, Susan and John with their second son, William, being born in 1820. Unfortunately Kitty Ann died in 1832.

In the late 1820s Noah assisted in building the Miami Canal. He was a boss. He would have been in his early thirties at the time since ground was broken for the canal at Middletown, Ohio in 1825. It was completed from Cincinnati to Dayton, Ohio by 1828, extended to Piqua 1833-37, extended to Junction 1838-1845, and then the Wabash & Erie Canal from Junction to Toledo was transferred to the state of Ohio in 1849 creating the Miami & Erie Canal. We assume that Noah worked in the Cincinnati/ Hamilton County area since that is where his property was located. The Miami Canal crossed Hamilton County diagonally in a course of about two miles through sections Nos. 1 and 2. It passed through the villages of Carthage, Hartwell, and Lockland.

In 1832 Noah married for the third time. His wife, Amy (Tucker) Rawlinson Babbs, had his sixth child, Delila Virginia, in 1844. Although her birth was a happy occasion, sadness struck the family hard that year. According to *Babb Families of America* it appears that his brother John and sisters Mary and Elizabeth succumbed to some sort of disease because they all died in the same year. His wife Amy died in 1867.

Noah gardened his land for thirty years. Old maps and atlases show him owning the following:

### NOAH BABBS' LAND OWNERSHIP AS SEEN ON MAPS AND ATLASES

| Year | Township    | Range | Township | Section |
|------|-------------|-------|----------|---------|
| 1847 | Millcreek   | FR 2  | 3        | 11      |
| 1848 | Millcreek   | FR 2  | 3        | 11      |
| 1869 | Millcreek   | FR 2  | 3        | 11      |
| 1869 | Springfield | ER 1  | 3        | 4       |
| 1884 | Millcreek   | FR 2  | 3        | 11      |
| 1884 | Springfield | ER 1  | 3        | 4       |

Grover, William H. and Mullen, Eileen, *Hamilton County, Ohio Index of People, Roads, Churches, Etc., on 1835, 1847, 1848, 1869 and 1884 Maps and Atlases.*

NOAH AND CATHERIN (BYNER) BABBS FAMILY  
PARENTS AND SIBLINGS OF NOAH BABBS

| Name         | Birth     | Place            | Death     | Place                | Marriage | Place         |
|--------------|-----------|------------------|-----------|----------------------|----------|---------------|
| John Babbs   | 8-11-1756 | Anne Arundel, MD | 1859      | Rising Sun, IN       | 1789     | Frederick, MD |
| Rebecca Lane | 2-17-1770 | MD               | 11-1-1834 | Rising Sun, Ohio, IN |          |               |

CHILDREN

|                   |                   |  |             |                   |  |  |
|-------------------|-------------------|--|-------------|-------------------|--|--|
| John Babbs        | 10-10-1790        |  | 1844        |                   |  |  |
| Mary Babbs        | 1-8-1792          |  | 1844        |                   |  |  |
| Elizabeth Babbs   | 7-24-1793         |  | 1844        |                   |  |  |
| <b>Noah Babbs</b> | <b>11-13-1794</b> |  | <b>1885</b> |                   |  |  |
| Hannah            | 11-18-1799        |  | ?           |                   |  |  |
| William L         | 1-9-1800          |  | 1876        | Effingham Co., IL |  |  |

NOAH BABBS' MARRIAGES AND CHILDREN

|                         |                       |  |                              |      |                  |  |
|-------------------------|-----------------------|--|------------------------------|------|------------------|--|
| <b>Noah Babbs</b>       | <b>11-13-1794</b>     |  | <b>1885</b>                  |      |                  |  |
| Nancy Smith             |                       |  | Died one year after marriage |      | 1815-16          |  |
| Kitty Ann Phares        |                       |  | 1832                         | Ohio | circa 1817       |  |
| Charles P.              | circa 1818-19         |  | Died in a Boston fire        |      |                  |  |
| William                 | 6-9-1820              |  |                              |      |                  |  |
| Emeline                 |                       |  |                              |      | Married Stratton |  |
| Susan                   |                       |  | Died? Not in Noah's will     |      |                  |  |
| John                    | circa 1827            |  |                              |      |                  |  |
| Amy (Tucker) Rawlinson* | 1808                  |  | 1867                         |      | 1832             |  |
| Sylvester Ralston*      | circa 1829 (step son) |  |                              |      |                  |  |
| Delila Virginia         | 1844                  |  | 1917                         |      | Married Voorhees |  |
| Catherine Byner**       | 1805                  |  |                              |      | 1867             |  |

\* Spelled Rawlinson, Rowlinson, Rawlson, Rolson in census and Ralston in Noah's will \*\* Spelled Byner, Hyner and Heiner in various documents  
Genealogy from Noah Babbs-Chitwood-Whitsitt family tree, *Babb Families of America*, and U.S. Federal Census

NOAH'S TIME LINE

| Year | Age | Residence   | Marriage        |
|------|-----|---|-----------------|
| 1794 |     | Born 11-13-1794 in Hampshire County, Virginia                     |                 |
| 1814 | 20  | Purchased land Hamilton Co., OH Range 01, Township 04, Section 32 |                 |
| 1830 | 36  | Mill Creek, Hamilton Co., OH                                      |                 |
| 1832 | 38  |   | Amy Rawlinson   |
| 1850 | 56  | Mill Creek, Hamilton Co., OH                                      |                 |
| 1860 | 66  | Mill Creek, Hamilton Co., OH                                      |                 |
| 1868 | 74  |   | Catherine Byner |
| 1870 | 76  | Rising Sun, Ohio Co., IN  |                 |
| 1880 | 86  | Rising Sun, Ohio Co., IN  |                 |
| 1885 | 91  | Died in Ohio, U.S.  |                 |

At some point in time Noah purchased additional land in Section 4 of Springfield Township. On this land the early Mound Builders had built a small mound with a base diameter of about forty-feet and six feet high.

On May 19, 1867, Catherine Byner became Noah's fourth wife. In 1871, around age 77, Noah purchased land in Rising Sun, Ohio County, Indiana. He and Catherine moved there to retire. After moving there he dealt in real estate by proxy for a time. He was a member of the Christian Church. He passed away in 1885. In 1906 the village of St. Bernard, which now

has been absorbed into Cincinnati, wanted to improve city streets on land once owned by Noah. But Noah's heirs instead of his executors were notified. A court action was begun by Noah's executors to "restrain the collection of certain street assessments levied upon the property of the estate of Noah Babbs, deceased..." The question arose "Was the notice legally served upon the executors? One of the executors resided in Indiana and the other upon the land assessed. There being no newspaper published in the village of St. Bernard, written notices of the resolution declaring the necessity of the improvement were posted in twelve public places in the

village, which is the only way provided by the section for service upon a non-resident. A proper notice in writing was left at the residence of the executor living in Ohio addressed to "Noah Babbs' Heirs," but was in fact received by such executor, and by him submitted to his attorney. Notice should have been addressed to the executor, but having received a notice containing all the facts required by the statute..." Thus it became a court case through which a portion of Noah's last will and testament was published allowing us to see how his real estate was disposed of and to obtain more information about his family. The third item in his will reads:

"I order and direct that my real estate in Hamilton county, Ohio, consisting of two farms, one of forty-five acres in Springfield township, and the other of thirty-two acres in Millcreek township, be held by my executors for the term of fifteen years from the date of my decease, and at the expiration of the said term of fifteen years, I order and direct that said real estate be sold by my executors and converted into money, and the proceeds of the same, after deducting expenses, I give and bequeath to the following named persons, viz.: To my son, William Babbs, one-sixth; to my son, John Babbs, one-sixth; to my daughter, Emeline Stratton, one sixth; to my daughter Delia Virginia Voorhees, one-sixth; to my stepson, Sylvester Ralston, one-sixth; and to my grandchildren Bell Babbs and Charles Babbs, children of my deceased son, Charles Babbs, one-sixth, to be equally divided between them, and shall be distributed to them, my said legatees, by my executors as the same comes into their hands.

"During said term of fifteen years, I order and direct my executors to manage and control said farms for the best interest of my estate; to lease and rent the same from time to time, on such terms as they may see proper, collect the rents and profits thereof, and out of the same pay taxes and necessary repairs, so said property shall be kept from suffering waste, using their judgment in said matter, and deducting such expenses and the expenses of the management of the same, the balance of such rents and profits they shall distribute among my said legatees, named in this item, in the same manner as provided for the distribution of the proceeds of the land when sold, and they will distribute such rents as they conveniently can after being received by them; provided, however, if my executors desire to use any part of the income of said farms to pay the annual sums to my wife named in the second item of this will they are directed to do so."

On July 28, 1906 the court decided:

1. Executors under a will which directs them to hold and manage real estate for a term of fifteen years, pay the taxes, etc., and at the end of said term sell and

convey the same and distribute the proceeds of sale, are the "owners of the land" upon whom service of notice should be made, under the statute providing for street improvements.

2. An executor of a will, residing in the county and entitled to a written notice of the adoption of a resolution providing for a street improvement, is bound by a notice addressed to the heirs of the testator, where it appears that the notice was left at his residence, and was actually received and examined by him and was submitted by him to his attorney." It was up to the executor to pay the bill for the street assessment.

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