

CONSULATE OF THE UNITED STATES OF AMERICA,

BORDEAUX, FRANCE, February 27, 1900.

Adelbert Moot Esq.,

Buffalo, N.Y.

My dear Moot:

I trust you will pardon me for thrusting so trivial a matter into your busy life, but I am anxious to reach Mr Charles M. Peabody, of No. 567 Delaware Avenue, without delay and do not know whether he is in Buffalo or has already sailed for France. He is coming here to contract marriage with Miss Henriette G. Oldmixon, also of Buffalo, and the wedding is set for an early day in April. Being both American citizens, they had to a degree the common American idea that they had only to stand up in their wedding clothes and be married anywhere in the world.

Miss Oldmixon, having been here for six months, has found out their mistake and tried very faithfully to remedy it, but the papers she secured and has sent me for legalization, were singularly defective. Thus they show the death of William H. Peabody but contain nothing to show that he was the father of Charles M. Peabody.

All such things have to be settled before the publication of the marriage can be made, and any defect in the antecedent proceedings invalidates the marriage even though not discovered until forty years afterwards.

If they are not married as Americans, the French laws of marital relation prevail pending the marriage and the offspring, in default of any subsequent legal action affecting their status, would be French subjects. A late decision of the House of Lords and the tendency of all our State Department decisions under the act of 1868, establish these as at least, diplomatic or administrative conditions.

The only evidence of American citizenship that can be considered in France, is an American passport. I am procuring one for Miss Oldmixon, but it would look better to the French authorities if Mr Peabody brought his own.

As he may be in haste and his passage secured, I enclose a blank application to be filled out, subscribed and sworn to before a U.S. Commissioner, and sent with \$1.00, to the State Department. To avoid delay he can ask the Department to mail to me for him, explaining the reason, that he is coming here on important business and I have advised him to bring his passport with him.

It is not necessary that he use this form, but it may save delay. To prevent any delay, it might be well to send with it an independent affidavit of identity from the District Attorney or some

prominent citizen of Buffalo.

There is already proof of death of William Peabody and that Charles M. Peabody is the son of Mrs W. H. Peabody, but no proof that he was the husband of Mrs Peabody or the father of Charles M. Peabody.

As there was no register of births when Charles M. Peabody was born, the proof already in hand consists of Mrs Peabody's affidavit to that effect and an attested extract of her son's birth from Dr Rochester's books. By French law, the mother cannot be heard to prove paternity and Dr Rochester's entry only states "a son born to Mrs Peabody." If he had said "wife of William H. Peabody," it could have been made to pass muster, but he did not and they will not allow a certificate once filed to be amended.

To remedy this, I would suggest,--

1--A certified copy of the marriage certificate of the parents.

2--Attested copy of baptism of son, if he was baptized.

3--Affidavits of two or more people showing that at the time of Charles M. Peabody's birth, 1876, the parents, William H. Peabody and Eliza M. Peabody were living as husband and wife and had so lived until the father's death. In drawing all affidavits for use in France, give the residence and occupation of the affiant or if not following any occupation say, "capitalist" for one living on his money, or having money to live on, or "without occupation" for a woman or a young man. Money talks in France and the affidavit of a "rentier" (capitalist) greatly outweighs that of a mere "ouvrier" or laborer.

In order to show what is required, I send enclosed an analysis of the "dossier" in regard to Charles M. Peabody.

I would send these direct to Mr Peabody but he may be en route before this arrives.

It might annoy Mrs Peabody if sent to her.

You will probably know who is his lawyer or who ought to attend to it.

Please do what ought to be done in the premises.

Personally, I may say that after nearly two years of very serious and distressing illness, during which I had to do all my work in bed, I am in very good health. Mrs Toursee is well and the daughter usually so. All of us enjoy the work and environment. Kindly give our regards to Mrs Moot and the family as well as accept the same for yourself.

Hoping this may catch tomorrow's mail steamer at Cherbourg and save a week's delay thereby, I remain,

yours very truly,

U.S. Consul at Bordeaux, France.

ANALYSIS OF DOSSIER
OF
HENRIETTE G. OLDMIXON.

1--Affidavit of Chester A. Oldmixon,

- (a) Henriette G. Oldmixon is his daughter.
- (b) He assents to marriage with Charles M. Peabody.
- (c) Attached to this affidavit is an unattested writing signed --Helene A. Oldmixon-- (This is of no validity in its present form.)

2--Affidavit of Chester A. Oldmixon,

- (a) Asserts paternity of Henriette G. Oldmixon, who was
- (b) Born in West Cain township, Chester county, Pennsylvania, February 20, 1877, and
- (c) Baptized at Lustar, H. P.
- (d) There was no official record of births in said township at the time of her birth.

DEFECTS.

- 1--There is no evidence of marriage of parents.
- 2--No evidence of continued marriage-relation, or negation of divorce of parents.
- 3--No evidence of legitimacy of daughter.
- 4--No evidence of American citizenship. (This I can supply by applying to Embassy at Paris for passport if you desire me.)

The others are essential. If you have the marriage certificate of your parents please send it to me and I can probably prepare affidavit for your uncle to sign to show continued marital relation.

Do you know of any one living in West Cain who would make affidavit as to your birth, --neighbor, relation, friend, any one who would promptly sign affidavit and promptly return should I send one to such person you might name.

*J. J. Bourquel
Concord*