

Company D, 120th Ohio Volunteer Infantry



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EVERITT, William 22 Aug 1862 EVRITT
Private Everitt was age 16 when he entered service. He was transferred to Co. E 114th OVI on 27 Nov 1864. Transferred to Co E, 48th OVI 24 July 1865. Mustered out 14 Oct 1865.

Father: Elias EVERETT
Mother: Susan HEISER
Birth: 15 Feb 1847, Dalton, Wayne Co OH
Marriage: 1 Nancy SHALLENBARGER on 7 May 1874 at Wayne Co OH
2 Catherine HARBAUGH
Death: 19 Oct 1923, Akron, Summit Co OH
Cemetery: Crown Hill, Orrville, Wayne Co OH

Pension Index: William H EVRITT, D 120th, E 48th and E 114th OH Inf. Invalid filed 2 June 1888, Application 657593, Certificate 457444, filed in OH. Widow, Cathrine EVRITT, filed 1923 Nov 6, Application 1211851, Certificate 944827, filed in OH. Pension Card: William died 19 Oct 1923 at Akron, OH.

1850 Census, Sugar Creek, Wayne Co OH, Dwelling 166, Family 166: Elias EVERETT, age 26 PA, cooper; Susanna, age 22 PA; Peter, age 6 OH; William H, age 3 OH; Elisabeth A., age 4 months OH.

1860 Census, Sugar Creek Township, Wayne County OH: Elias EVERETT, age 57 PA, a labourer; Susan, age 35 PA; Peter, age 15 OH; William, age 14 OH; Elizabeth, age 10 OH; Mary, age 8 OH; Levi, age 7 OH; Emma, age 4 OH; Martha, age 2 OH.

In 1870 Census there was a William EVERETT, age 24 OH, a farm labourer, living in Warren Township, Trumbull County OH. He was living with Daniel and Catherine HAYFLINGER who were farming.

Who was William's first wife? Family Search, Ohio, Marriages, 1800-1958: William H. EVERETT married Nancy SHALLENBARGER on 7 May 1874 at Wayne Co OH, by A. Nelson.

1880 Census, Farmer, Defiance County OH: Wm EVERITT, age 33 OH, widowed, stone mason, parents born PA; Henry, son, age 5 OH, parents born OH; Laura, daughter, age 3 OH; Lizzy, daughter, age 10 months OH; Emma EVERITT, sister, age 23 OH, single, father born PA, mother born OH.

1881

Cleveland Leader [Cleveland OH], 24 Feb 1881, page 2, available at GenealogyBank:
"Everitt's Trial. For Killing John Burchell - The Case Postponed. Special Dispatch to the Leader. Bryan, O., February 23. - The case of the State of Ohio against William Everitt was called this afternoon, but owing to the failure of the sheriff of Wayne county in returning subpoenas which were sent him, and of which the return day was today, the beginning of the case is postponed till tomorrow. This is a case wherein the grand jury found an indictment against William Everitt, charging him with killing one John Burchell, but his plea will be self defense. Public opinion seems to be in favor of the defendant, who was, at the time of the affray, comparatively a stranger here, and Burchell, though a young man, had gained a bad reputation, and was frequently the subject of remark, the predictions being that he would come to a sad end."

John Burchell was listed in the 1880 Federal census in Village of Bryan, Williams Co OH, living with his parents John and Ellen, Burchell.. He was age 22, a blacksmith, single.

Cleveland Leader, 25 Feb 1881, page 3, available at GenealogyBank: [Bryan, Williams Co, OH]
"Bryan, February 24.--In the case of the State of Ohio against William Everitt for the killing of John Burchell, a jury was empanelled this morning, and the witnesses for the defendant from Wayne county having arrived, the case was commenced. Several witnesses, on behalf of the State, have been sworn and testified, and they all agree that Burchell followed Everitt about a square and a-half, nearly to the place where Everitt's

team was hitched, and to which evidently, Everitt, with two companions, was going. The state has introduced several witnesses, who all seem to agree that Burchell was the aggressor, following Everitt up, and even some of them say that, after Everitt had been followed up by Burchell, Burchell struck the first blow. One witness, W. O. Willett, swears that he saw the first blow struck, and that Everitt struck the blow with a beer bottle; but several others swear to being nearer than Willett to the scene of the conflict, and saw nothing of a bottle. One Charles Boyers, who was in company with Willett, seems to think that the first of the fracas was a blow from Burchell. The most damaging testimony to the defendant is that of Sheriff Kober upon certain remarks made by the defendant when under arrest, which were called forth by remarks and observation and questions of the sheriff. The sheriff remarked about the knife with which the cutting was done that it seemed almost impossible that a knife of that size could do such a terrible deed, wherupon the prisoner remarked that he cut to kill. This conversation was immediately after his arrest, and Mr. Pratt thinks it is not admissable as testimony. The sheriff also asked him where he got the knife, and he said he borrowed it of his companion to cut tobacco, and then the sheriff asked him why he didn't give the knife back, and the prisoner responded that was his own business. Judge Owen allows this testimony to go to the jury under the exception of Mr. Pratt. There are present about fifty witnesses for the defendant, including those from Wayne county, among whom are Attorney-at-Law McKinnie and other prominent men. It is proving to be an exciting case, and the court room has been crowded all day, some of the ladies of our village being in attendance as spectators. The State is represented by C. W. Pitcairn, prosecuting attorney, Thomas Emery and M. R. Willett, and the defendant by Pratt and Bently."

Cleveland Leader [Cleveland OH], 28 Feb 1881, page 2, available at GenealogyBank:

"Everitt's Trial. Self Defense Pretty Clearly Established. Special Dispatch to the Leader.

Bryan, O., February 26.-- The usual excitement in the Everitt case has continued throughout the day today, but there seems to be a plain case of justifiable homicide, Everitt acting only and entirely in self defense. One attorney of our bar remarked today that if the Supreme intelligence had prepared a case of self defense to fit the laws of the State of Ohio, he could not have done it better than it has been done in this case. Since the resting of the case by the plaintiff, yesterday at 11 o'clock, up to 4 o'clock this afternoon the defendant has examined twenty-two witnesses, and it is indeed a very formidable defense. The defendant rested at 4 o'clock, and the jury was dismissed until 10 o'clock next Monday morning, when it is expected the case will be argued, if it is argued at all. Among the witnesses for the defendant were John W. Leininger, I. R. Dunlap, Asa Cook, John W. Waters and John Griffith, from Wayne county, most of whom had known Everitt all his life, had worked with him at day labor, had served with him three years in the One Hundred and Twentieth Regiment, O. V. I., and they gave him a very excellent character and reputation for peace and good order. Frank Wolford and Charles Everitt, the defendant's brother, who were with the defendant during the evening of the killing, tell the same story, representing Everitt as acting on the defensive all the time.

John W. Smith, who saw Burchell immediately after he was cut, testifies to hearing Burchell say to his associates: 'Boys, I want to give you some advice. Don't drink; don't keep bad company; don't swear; it's my fault; good bye: I'm going to die.'

Frank Tucker testifies to his statements as follows: 'You see the effects of drinking and fighting. I've been a fighting and a drinking man.' "

William married Catherine about 1882.

1890 Veterans Schedule: Sugar Creek Twp, Wayne Co OH; Line 6, House 28, Family 29: William EVRITT, Pvt, Co D 120 OH Inf. Post Office: McQuaid, Wayne Co OH Disability: rheumatism and diarrhoea.

1900 Census, Sugar Creek Township, Wayne County OH: William EVERETT, age 53 OH, born Feb 1847, married 18 yrs, a stone mason, parents born PA; Cathrine, age 50 OH, born Oct 1849, married 18 yrs, no children, parents born OH.

1910 Census Green Township, Wayne County OH, page 180: William H. EVRITT, age 63 OH, second marriage, married 28 yrs, a general practice mason, parents born PA; Catherine, wife, age 60 OH, first marriage, married 28 yrs, one child/ none living, parents born OH.

1920 Census Green Township, Wayne County OH: William EVRITT, age 73 OH, general masonry, parents born PA; Kathern, wife, age 70 OH, parents born OH.

Death Record in Ohio: File #62646, William H. EVERITT died 19 Oct 1923 at 340 Crown St, Akron, Summit Co OH. Married to Catherine. Stone mason. Born 15 Feb 1847 at Dalton, OH. Father, Ellis EVERITT born PA. Mother Susan HEISER, born PA. Burial Orrville OH. Informant J. MYERS of 340 Crown St. [But Family Search shows marriage of Elias EVERETT and Susanna KASSER on 29 Mar 1844 in Wayne Co OH.]

Wife's Death Record in Ohio: File #9944: Mrs. Cathrina EVERITT died 27 Jan 1919 at 340 Crown St., Akron, Summit Co. OH. Widow of William. Born 14 Oct 1849 in Tuscarawas Co, OH. Father, Nathaniel HARBAUGH. Mother, Mary REAM. Burial Orrville OH. Informant Mrs. John MEYERS of 340 Crown St.

Research by Susie Holderfield 2001-2016 120researcher@gmail.com