

3. HISTORY OF BLOOMSBURY

Slick land dealings, poor drainage, and long-term interpersonal relationships shaped the families that inhabited, improved, and cultivated a poor patch of clay soils.

The subject property is part of the 300-acre Bloomsbury tract, surveyed in 1683 for William Williams (Figure 8). The beginning point of the survey was described as a large sweet gum at the head of Hirons' Branch, which later became a point of bitter contention.

William's son, Thomas, had moved away by the time his father died in 1735. He appointed James Morris as his attorney to sell the farm.

The buyer was Samuel Exell (or Axell), stepson of a Smyrna tavernkeeper. Exell owned some land that his mother had left him, but he sold it when he bought the farm. He obtained a new warrant and had it resurveyed and repatented, gaining a fresh title to Bloomsbury thereby.

According to local gossip repeated in a 1785 deposition of John Drayton, surveyor George Stevenson told him that Axell had ordered the surveyor to interpret the property description to include better ground farther down the branch, which actually was part of Hillyard's Adventure. This move caused a gap of "unclaimed" land between the adjacent Bloomsbury and Barren Hope tracts. The surveyor laid claim to the vacancy and

obtained a proprietary warrant, which he sold to William Sappington on an unknown date.

A few years later, in 1746, Exell sold the northern hundred acres to Edward Joy. At that time, Timothy Eads had a house near the southwest corner of the Bloomsbury tract, but the deed is silent upon which property it occupied. The starting point near the Eads house is the corner of Route 6 and the property's west line.

Exell died without a will in 1753, owning little more than the surviving part of Bloomsbury, most of which remained forested (Figure 9). His widow, two sons, and two daughters lived at the east side of the property, next to a large and valuable farm called Hillyard's Adventure. The estate also owned a marsh at the mouth of Hirons Branch surveyed in 1745 for Exell. The heirs sold it for £10 to Dr. Charles Ridgely, owner of Hillyard's Adventure, in 1771, after the children reached their majority.

The eldest son died unmarried, without issue, before achieving his majority, which meant that the three surviving children shared in the estate, with a lifetime dower of a third set aside for the widow.

Around 1770, the Pearsons were Sarah

BLOOMSBURY OWNERSHIP AND TENANCY, 1770 -1812

	1770-1780	1780-1790	1790-1800	1800-1810
West Allee	owner: Axell Estate	Mary	James McMullen	Martha McMullen
Project area	tenant: Pearson		Thomas Cutler	John Sisco T. Consealor
Center Allee	owner: Axell Estate	Prudence Macey and then her heirs		Francis Denney
	tenant: Pearson		Patrick Conner	John Sisco T. Consealor
East	owner: Axell Estate	Samuel Axell II	J.Allee	Heirs of John Allee [Abraham Allee]
	tenant: Pearson			Patrick Conner
-----First well -----		?	--Second well--	

Exell's tenants on Bloomsbury. According to the 1795 testimony of James Pearson, his father's house stood about 25 yards eastward from a marked oak along the western property line.

LAND GRAB SPAWNS DISPUTE

Immediately to the west was the Barren Hope tract owned by the Allee family. When Axell "relocated" his tract's boundaries downstream, the survey created a bogus vacancy between Bloomsbury and Barren Hope. In June 1746, the surveyor, George Stevenson, laid claim to the 105 acres "between" the adjacent Barren Hope and Bloomsbury tracts (Kent County Warrant book, p. 195; Kent County Surveys S5#2). He obtained a warrant, which he sold to William Sappington.

Many years later, Daniel Morris stated that the Sappington family house was within a hundred yards of the corner gum at the head of Hiron Branch. He recalled an old dwelling house on the Bloomsbury tract near its western corner, roughly the location of the spot we now know as the Hurd site.

Sappington cut timber off the property

gathered together, and Mrs. Axell was described as being in "violent passion" over the line.

Abraham Allee, who then owned the Hillyard's Adventure property, knew that the widow Axell was in fact living on his land, and would not raise the issue while his elderly kinswoman lived there.

In 1784, when a later owner of Hillyard's Adventure tried to unravel the dispute over the lines, James Morris gave testimony that the actual line between Bloomsbury and Hillyard's Adventure ran through Mrs. Axell's barn and that her house actually stood on Hillyard's Adventure (Kent County Chancery R#3).

The widow Axell's son-in-law, John MacFarland, took the roof off Sappington's house after his death, in an attempt to evict Agness. The widow tried to stay in the roofless house for a few days. When it became obvious that Mrs. Sappington would not leave, Mary (Polly) Axell MacFarland paid a settlement to get her off the property. Mrs. Sappington then moved across the creek and lived in Thompson's loft.

According to a petition Agness filed with the Orphans Court, the payment was

The Sappington Estate

An inventory of the goods and chattels of William Sapenton dec'd.

Taken and appraised by us the subscribers this 22 day of September 1767.

To 1 old bed and furniture 60/ Do. 1 old bed 30? to 1 old walnut table 7/6.....	4	17	6
To 5# sear thread 10/ to old pewter 7/6 to earthen wair 1/ to 4 lbs wool 5/0	1	3	6
To 2 old chists 15/ a iron chane 5/ to 4 iron pots 25/ 2 old pails a half boosel 2/2 ...	7	0	
To 1 old warming pan 7/6 a gunn 15/ 1 old box 1/ to a old bag 2/	1	5	6
To 3 old chairs 4/ to 1 flat iron 2/ to a pasel of porke 60/ a candlestick 3/	3	9	0
To a cross cut saw 15/0 3 old axes 9/0 a hansaw 1/0 a drawing nife 1/6.....	1	6	6
To a frow and 2 iron weges 4/6 to 2 iron rings 3/0 3 old hows 2/.....	0	9	6
To a grinstone 2/ to a plow shear and collar and other tacklin 30/.....	1	12	0
To 1 old bed 10/ a old churn 1/ a old saw 5/ to a dunge fork 2/	0	18	0
To 3 old wheels 1/6 to 4 small hogs 35/ a small pasel of flax on brok 5/.....	2	4	0
To 4 small stacks of corne foder 30/ to brown hors 90/.....	6	0	0
To 1 brown mair 100/ to 1 cow and calfe 60/ to 1 gote 20/	9	0	0

			£ 34 / 12 / 6

Jacob Stout
James Starling

Source: Kent County inventories, Delaware Archives

and the widow Axell complained loudly. His estate inventory reflects heavy involvement in timbering, with such items as chains, saws, and axes in multiples beyond what a farmer would need. Until his death in 1767, he was able to enforce his claim without adjudication.

Later that year, there was a hearing on boundaries. An estimated 30 people were

compensation for her rightful title to the Sappington tract, to provide the funds she needed for the support of her first husband Jeremiah Loatman's daughters.

Sappington had a basis for his claim in the form of a warrant, but no patent can be found in the surviving records, and there is no record that his disputed title was

ever adjudicated. While a warrant and a survey had been issued, it appears Sappington never actually took the definitive step of having the property patented in his name by the Proprietors in Philadelphia.

Near the property was a little bridge over Hiron Branch. Eight-year-old Evan Denney

was helping his father and two uncles drive cattle across the branch, about 1765.

He recalled in a 1795 deposition that his father boxed his ears when he misbehaved during that cattle drive, and his uncle Christopher laughed and said “give him a whipping so he will remember Axell’s corner.” Sure enough, Evan Denney still remembered the corner thirty years later.

DIVIDING BLOOMSBURY

Both Exell daughters had been married and widowed before their father’s land could be divided.

Prudence Macey (or Massey), daughter of Samuel Exell, petitioned the court for allocation of her third in November 1770. She and her second husband pointed out that all three surviving children had attained legal age. When the division was completed May 7, 1771, Prudence received the middle third.

In order to allocate the farm, a survey was prepared by Mark McCall and submitted to Orphans Court (Figure 9). The outline of cleared land is well defined on the map, but no house is indicated. While making the survey, McCall found that the corner gum tree at the head of Hizons Branch had rotted away. So he marked a young white oak nearby with twelve notches to re-mark the corner. This seemingly innocent act would be the cause for a Chancery case 25 years later, when a later owner tried to establish her lines on the location of the gum stump.

Since the smallest acreage went to son Samuel, it is likely that the family home at that time was on the eastern third, outside the current DelDOT property boundaries. As eldest surviving son, Samuel the younger would have been entitled to a double share, which means that his small acreage contained some element of greater value, in addition to the fact that it contained most of the cleared land.

According to the 1795 deposition of James Morris, the Axell residence was near the Hillyard’s Adventure line, the east boundary of the tract.

MARY’S THIRD OF BLOOMSBURY

The widowed owner of western third of Bloomsbury, Mary (Polly) Griffin, soon remarried Patrick (Paddy) Conner, who was heir to a farm north of the project area, on the south bank of Duck Creek. Mary’s third, containing 74 acres 136 perches, was the largest of the three, which is commonly interpreted to mean that it was the least desirable. In fact it contains two undrained swamps today. It was her only dowry, since her first husband’s tiny estate had been administered by one of his creditors to satisfy his debts.

The Conners and widow Exel conveyed their interests in 1772 to James McMullen, a Smyrna merchant. He died in 1784, leaving his third of Bloomsbury to his minor daughter Martha.

At the February court term in 1795, Martha’s guardian, Eleazer McComb, asked the Chancellor to send commissioners to take depositions on the boundaries of Bloomsbury, and particularly the western third. In the petition, it was alleged that the boundaries had “decayed.” The commissioners, Joseph Nock, Alan McLane, and George Cummins, were sworn in September 16.

Patrick Conner, who apparently was still managing parts of the property, served legal papers on the neighbors. He was disputing the boundary with Edward Joy, the neighbor who owned the inland end of Bloomsbury. Commissioners gathered the neighbors to discuss the boundaries, and many stories were told, some under oath. The resulting depositions have survived to shed some light on the local scene at the time.

According to testimony, a house was built for McMullen’s tenant, Thomas Cutler, around 1775. Joseph Thompson, whose family owned land across the branch, deposed in 1795 that John VanGaskin the younger showed him a corner tree of Bloomsbury while the Cutler house was being built. This was the same oak at the present southwest corner of the project property that McCall had marked to replace the old gum stump corner tree a few years earlier.

Curiously enough, Thomas Cutler did not give testimony, even though he was the one person most likely to have practical knowledge of the property's actual boundaries. Nor did McCall testify.

Cutler is listed in the 1782 state census and assessment with two adults and four people in his household below the age of 18. His assessment was in the lowest category (Nelson, Nelson, Doherty, Richards and Richards 1994).

In 1801 Martha McMullen sold the western third to Francis Denney. Thomas Cutler still was the sitting tenant, even though he was not reported as living in the neck on the 1800 United States census (pages 81-82).

THE MIDDLE THIRD

John Macey died in 1796, and Prudence apparently soon after. Prudence left three heirs: Mary Hart (daughter of her earlier marriage to John MacFarland), John, and Jonathan. At some point, Mary sold her prospective interest to her uncle Patrick

Conner, who asked Orphans Court to send commissioners to make a division of the Macey third. The division never took place. John and Jonathan may have been Macey's sons by an earlier marriage. There must have been substance to the claim, for the administrator of John Macey's estate paid rent to Conner.

After the litigation ended, the Macey tract was sold by the sheriff in 1799 to satisfy creditors of John and Jonathan Macey. The purchaser was Francis Denney.

John Sisco was listed in the 1803-1804 reassessment as Denney's tenant on a plantation of 134.5 acres, which is almost exactly two-thirds of the 202 acres measured in the 1771 Axel survey of the Bloomsbury

remnant. The two western thirds, as listed in the earlier survey, totalled 139 acres 136 perches. No improvements of any value were listed on the property assessment.

Francis Denney died in 1812, and ordered his estate to be divided among his three sons and two daughters, one of whom was Susannah Allee, wife of Abraham. Sarah Denney in November 1812 renounced her right to a dower interest in her children's farms (Kent County Deed Book O-2:21), which allowed them to take full possession during her lifetime.

When the Denney estate was divided, surveyor Archibald McCall found that it contained 140 acres, 19 perches, "whereon Thomas Conseilor now lives." Unfortunately,

the draft survey (Figure 11), now in the possession of George H. Jones, esq., does not show a house on the property, even though it clearly states that Conseilor was living there, not merely a tenant in possession who lived elsewhere, as Patrick Conner had been.

Five acres, the

northwest tip of the western third, was allocated to Francis Denney Jr., and continues today to be cited as a separate tract in the deeds to the property (Figures 11-12).

SAMUEL'S THIRD

Samuel Exell, the younger, died in 1783, leaving an estate valued at only £14 / 2 / 9.

His will, proved August 20, 1783, left his movable estate and his money to his niece Mary Hart, daughter of Prudence. His real estate was left to his "cousin and only friend John Allee," who was actually the husband of his cousin's wife's sister, Rachel Moore, daughter of John and Henrietta Moore. This is within the traditional range of Kent County cousinship.

All the goods and chattels

An inventory of all the goods and chattels of Samuel Axel Decd of Duck Creek Hundred in the County of Kent in the Delaware State as appraised by us the subscribers the 5th of December 1783 –

To his wearing apparel	£1/5/0
To 1 Bed bedstead and furniture	4/0/0
To 1 Chest and some old stuff therein 7/6	7/6
To 1 small box 3/9 pewter 16/	19/9
To some old ware with meal sifter 3/6	3/6
To 1 small table 6 2 iron pots 22/6	1/3/0
To 1 small pewter basin 2/ some old things 2/	4/0
To 1 bay mare £6	6/0/0

	£14/2/9

Source: Kent County Inventories, Delaware Archives



Plate 6
Aerial view of the Abraham Allee farmstead
from the south, as it appears today
without most of its buildings

Axell's former property was then tilled by his brother-in-law Patrick Conner, who cultivated only 35 acres. The Allee estate valuation of 1791 described the house as "a loged dwelling house about eighteen feet square," into which the Orphans Court commissioners ordered a brick chimney to be built. There was also a roofless uncompleted log kitchen.

Conner laid claim to a 200-acre tract he called "Canton," that he alleged was vacant land between Bloomsbury and Hillyard's Adventure to the east (Figure 10). A warrant was issued by Recorder Simon Wilmer Wilson in December 1794, and Edward Joy filed a caveat against it. Conner's claim of the vacancy would start a legal battle with the wealthy Joy family. The next year Chancery commissioners came to the site to settle the boundary of Bloomsbury.

In the 1803-1804 reassessment book, Patrick Conner, Sr., was listed as owning a small plantation containing 62 acres valued at \$10 per acre, with three head of horses. He was still listed as tenanting the Axell third of the land in the 1803-1804 assessment.

Abraham Allee married Susannah Denney on February 19, 1805. They had six children, of whom three survived infancy. Abraham Allee inherited the western two-thirds of Bloomsbury in right of his wife when his father-in-law died in 1812. Bloomsbury was not exactly a profit center. Fortunately for the young couple, their combined inheritances

included more profitable properties. Francis Denney owned nine plantations in Kent and New Castle counties to be divided among his five children, with each son to receive a share worth £100 more than each daughter's share. Thomas Consealor would not remain long as Allee's tenant.

Storekeeper Benjamin Coombe went to the Justice of the Peace in February 1814 to collect Consealor's bill. This was only the beginning of the year's troubles.

Abraham Allee tried to evict Consealor on April 16, when he entered the "close" (fenced field) and took hold of Consealor's plow horses and ordered him off the farm. Jacob and Moses Thompson then entered the close and plowed the field for themselves. Consealor went to Justice of the Peace James Schee in Dover on April 18 and filed suit against all three. They posted bond on April 20, and the case was referred to Common Pleas. On September 1, Moses Thompson entered the close and threw down ten panels of fences before he plowed the ground. Consealor sued again. After repeated continuances, the case disappeared, unresolved, from the Common Pleas docket after the December term 1817.

In the 1815 assessment, John Allee's heirs [actually Abraham] were credited with 83 acres, all cleared, called the Axe land. This is 21 acres more than the 1771 division map described for the east third, but acreage estimates tended to be fluid. By now, Abraham and his bride were in actual possession of the whole Bloomsbury estate and Thomas Consealor apparently had moved to New Jersey.

A survey of Barren Hope dated 1821 describes the property as "An ancient tract of land called Bloomsbury formerly of Samuel Exels heirs, now belongs to Abraham Allee in right of his wife Susannah, one of the daughters of Francis Denney, deceased, allotted and assigned under and by virtue of Orphans Court." The court record is absent, even though there are several references to it, and a draft survey exists.

Original survey of
Bloomsbury

Copied from the original
1686 syrvey, Delaware
Archives, Kent County

Warrants and Surveys W5
#27

Laid out for William
Williams

[-----]
660 feet

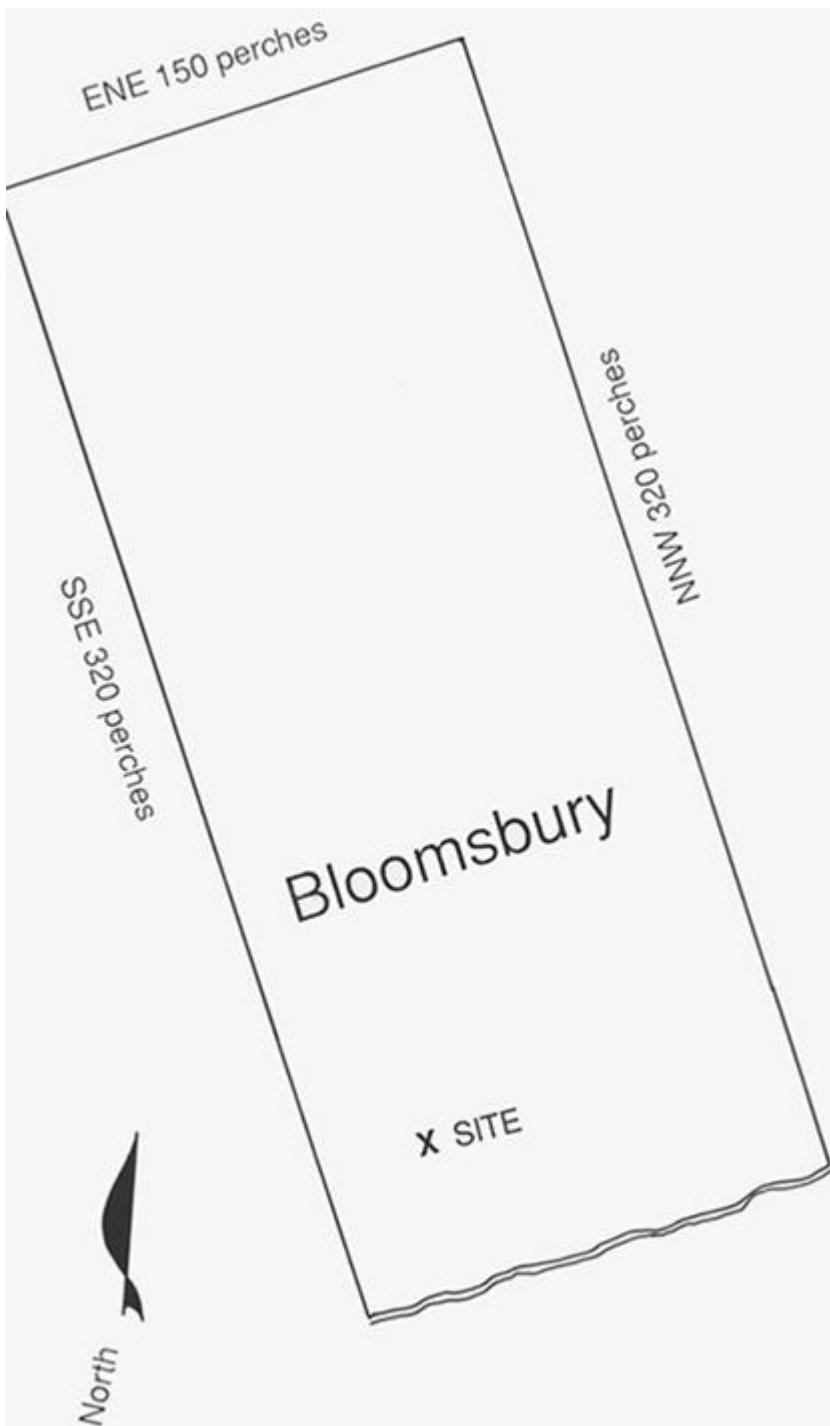


Figure 8

Bloomsbury in 1863, as surveyed for William Williams

Division of

Bloomsbury

1770

Samuel Axell estate file

Kent County Orphans Court

Delaware Archives

Record Group 3840

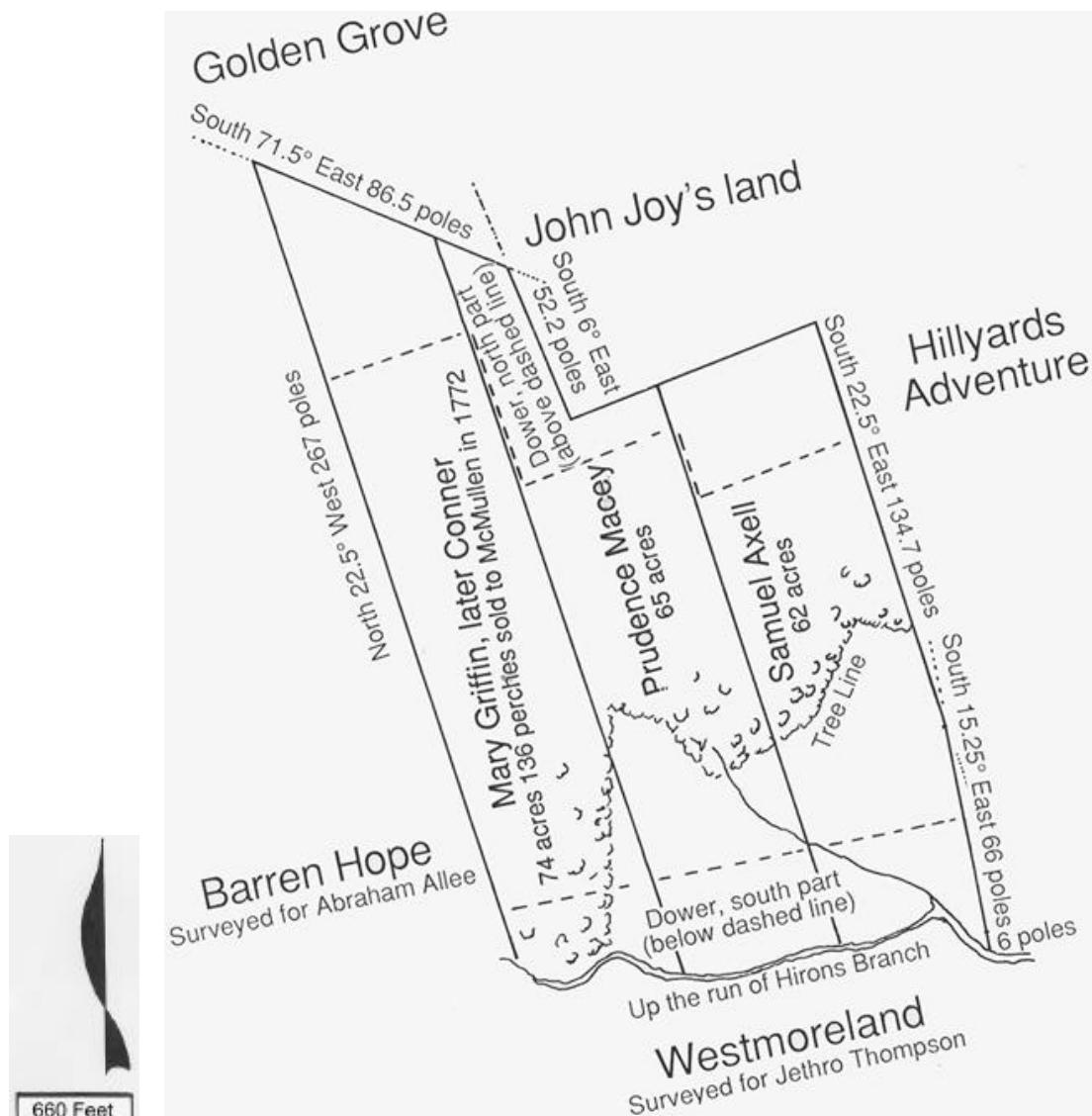


Figure 9

Bloomsbury in 1770, as divided for Orphans Court by McCall

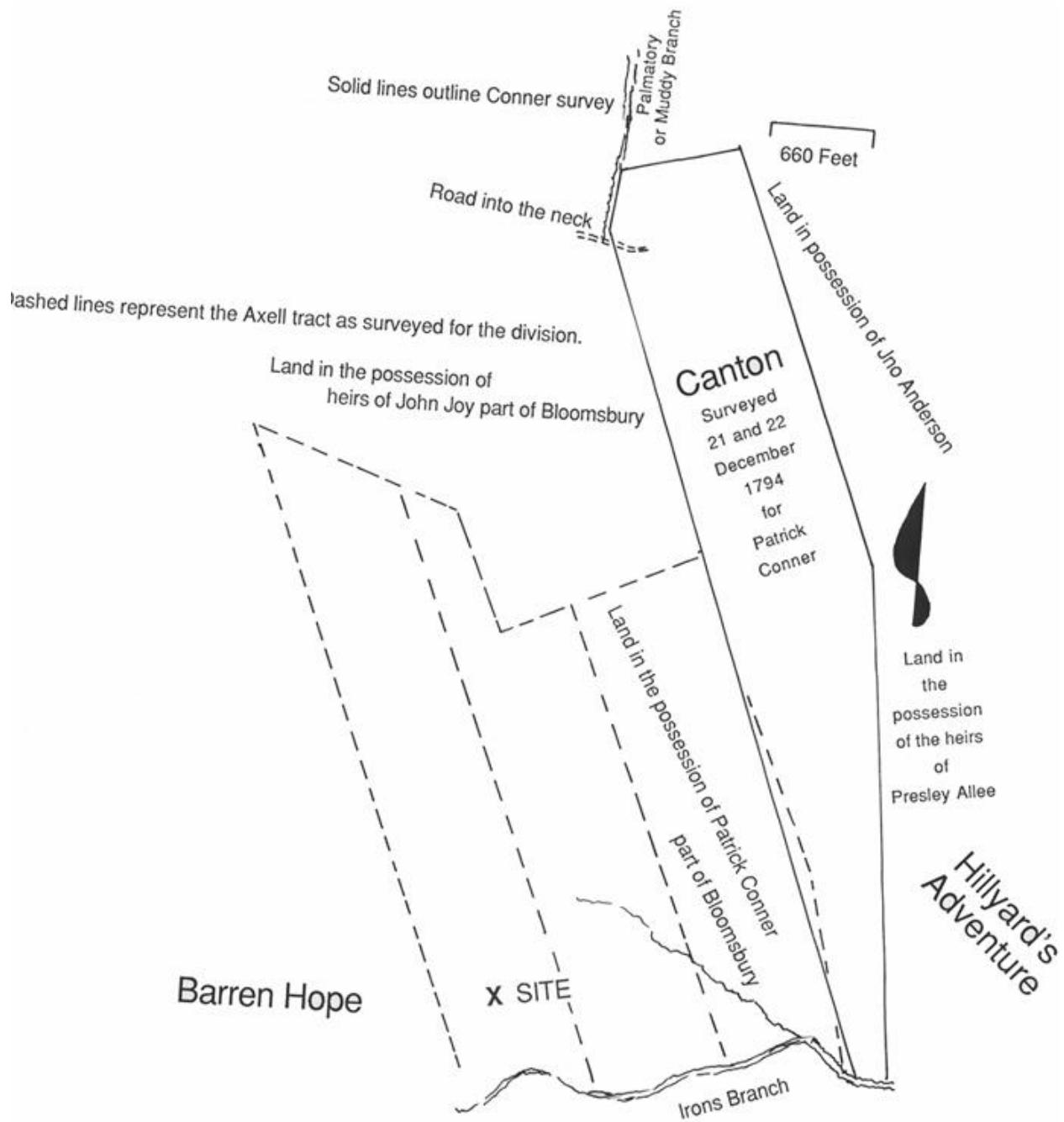


Figure 10

A redraft of the plot for Patrick Conner's claim to the Canton patent, made at the time he was farming the eastern third of the Bloomsbury property.

Solid lines outline the property left by Francis Denney. Ground cover is from the Archibald McCall survey, September 1-2, 1812. Described as "whereon Thomas Counselor now lives."

Edward Joy

Small sweet gum sapling where Bloomsbury intersects Golden Grove, a corner for the tract Barren Hope, a corner for Abraham Allee the younger, and in the line of Edward Joy's land.

660 Feet

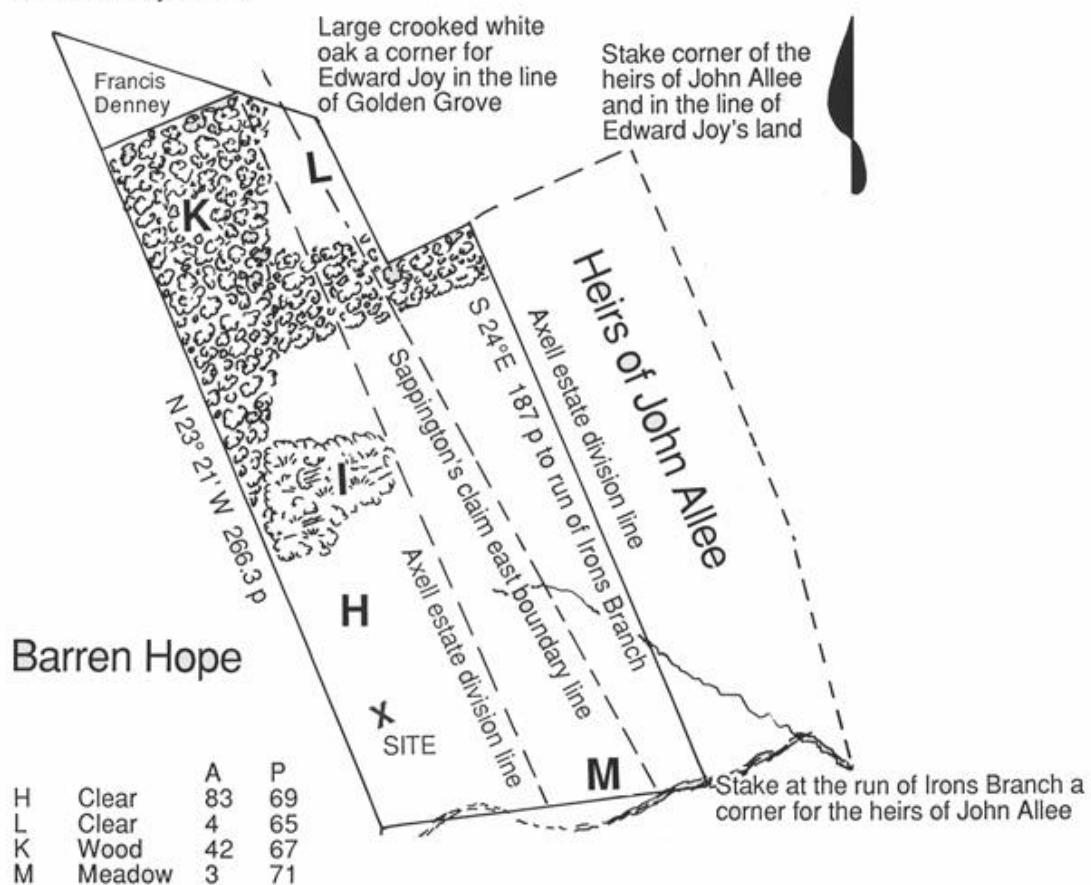


Figure 11

Bloomsbury in 1812, as divided for Orphans Court
(Based upon a draft loaned by George H. Jones, esq.)

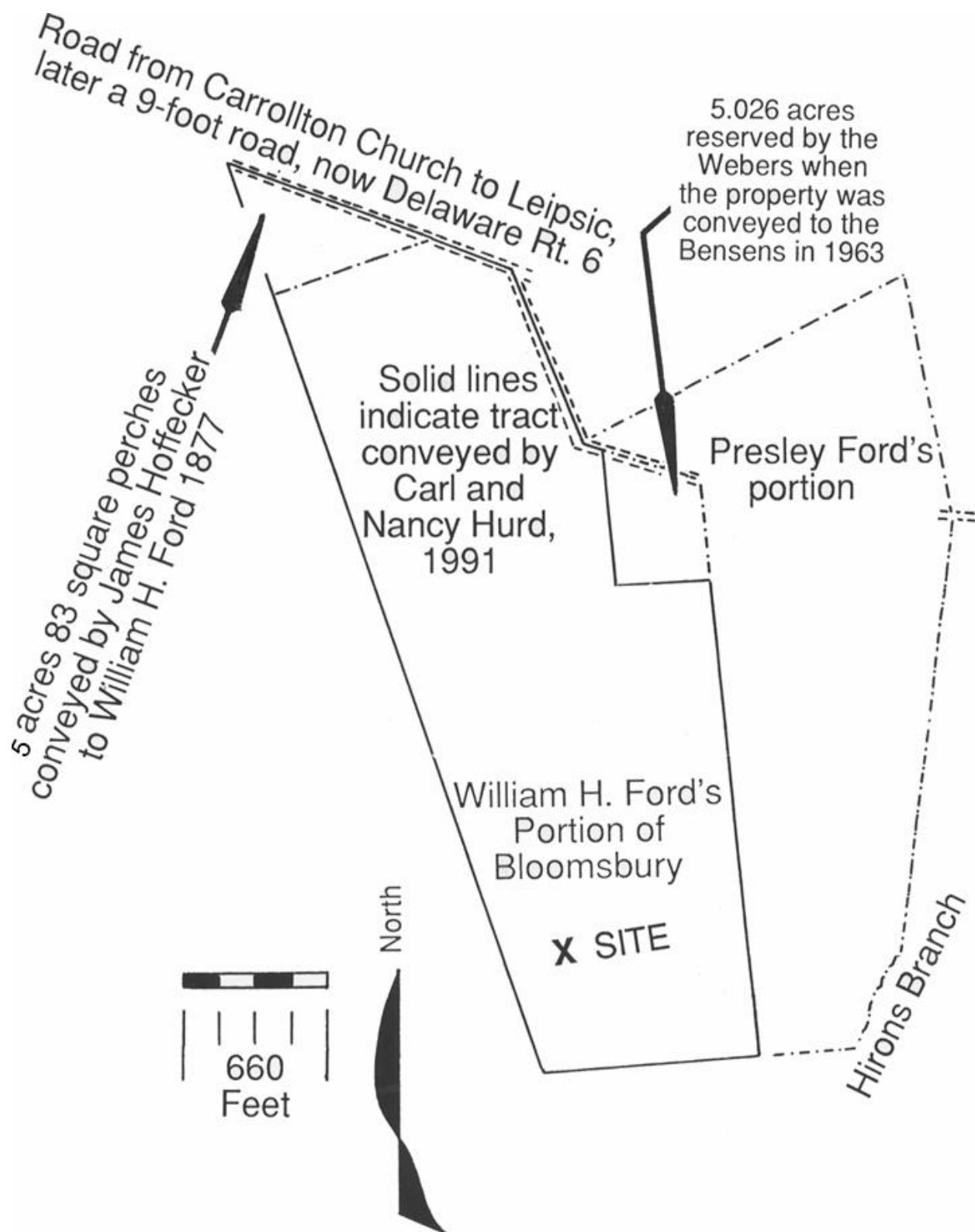


Figure 12

The Fords divide Bloomsbury into the two parts that continue today



Plate 7

1937 aerial photograph of the project area, same scale as maps.

The 1852-1853 reassessment shows Abraham Allee owning a tract of 170 acres, 145 improved, with a log house, and another tract of 120 acres, 90 improved, with a log house. A house was on the Bloomsbury property in 1859, roughly where the present dwelling stands (Fig 13).

When he died in 1858, he left the tract to his daughter Sallie (Sarah, wife of William Savin) and his sons James and Jonathan. The property was identified in the will as “60 acres” on Pumpkin Neck adjoining Alexander Peterson, Daniel Cummins, John M. Voshell, and others. These people were adjoiners of the whole tract, whose properties would not have adjoined any one of the third parts. Therefore, Abraham must have been referring to the entire Bloomsbury tract, of which he owned one third in his own right

and two thirds by right of his wife. As his deceased wife's heirs, the children may have been considered owners of the western and center thirds of Bloomsbury.

The Byles map, drawn at about the time of Abraham's death (Figure 13)

shows a house on the property in the location of the present Carrow residence northeast of the project area. This house was until recently the farmhouse for the tract (Plate 5, page 31).

The daughter and sons had Bloomsbury resurveyed, and found that it contained 220 acres, 18 more than the 1771 survey had called for, but short five acres on the north that had slipped away through allocation to their uncle Francis Denney the younger. This triangular parcel at the north end of the western third of Bloomsbury belonged to the heirs of John B. Savin, Sarah's father-in-law.

Sarah Savin (1807-1873), James D. Allee (1812-1881), and Jonathan Allee 1861. He apparently occupied the now-extant house; in his 1869 will, Ford referred conveyed the 202 acres to Presley Ford in to the Allee Farm “where I now reside,” which he left to his sons Presley and William.

From this evidence, it appears that the

present house was built late in the Allee tenure, possibly as late as 1858. The house is oriented toward the road, laid out in 1824 (Scharf 1888:1096). Earlier houses on the property would have been oriented toward Dutch Neck Road, with access to Dutch Neck Road by the small Hizons Branch bridge and then by a road through Thompson's farm on the Westmoreland tract to the south.

William and Presley Ford divided the farm in 1892, creating the division line that is now the eastern boundary of the DelDOT property (Fig 12). William took the west part, with the farmhouse. He already owned the five-acre [Francis Denney II] triangle in the northwest corner, purchased from James Hoffecker in 1877. To this day, the deed describes the property in terms of the 1877 Hoffecker deed and the 1892 division.

*See Figure
141,
page 353,
for a chart
of title*

The Fords stayed on the farm until 1934, when the sheriff sold it. After several transfers, a five-acre lot containing the house was divided from the farm in 1963.

Any archaeological survey of the

present DelDOT property will be historically incomplete because half the Axell property lies to the east, on private land. The eighteen-foot log house of Samuel Axell the younger stood on that property. Much of the cleared ground belonging to the Macey third also lies to the east, although some Macey ground is in the present tract.

The project area contains the entire western third of the Axell survey, briefly owned by the Conners. Some of the middle third also is on the property, but no other house sites were identified within the study area. Sappington's house stood on the state-owned property, but the Axell family home was elsewhere.

Among the documented occupants of the western third were the Sappingtons and the Cutlers, while the western two thirds were occupied by Sisco, Consealor, and their families. Given the small number of suitable house sites, evidence suggests that house sites can be expected to have been re-used.

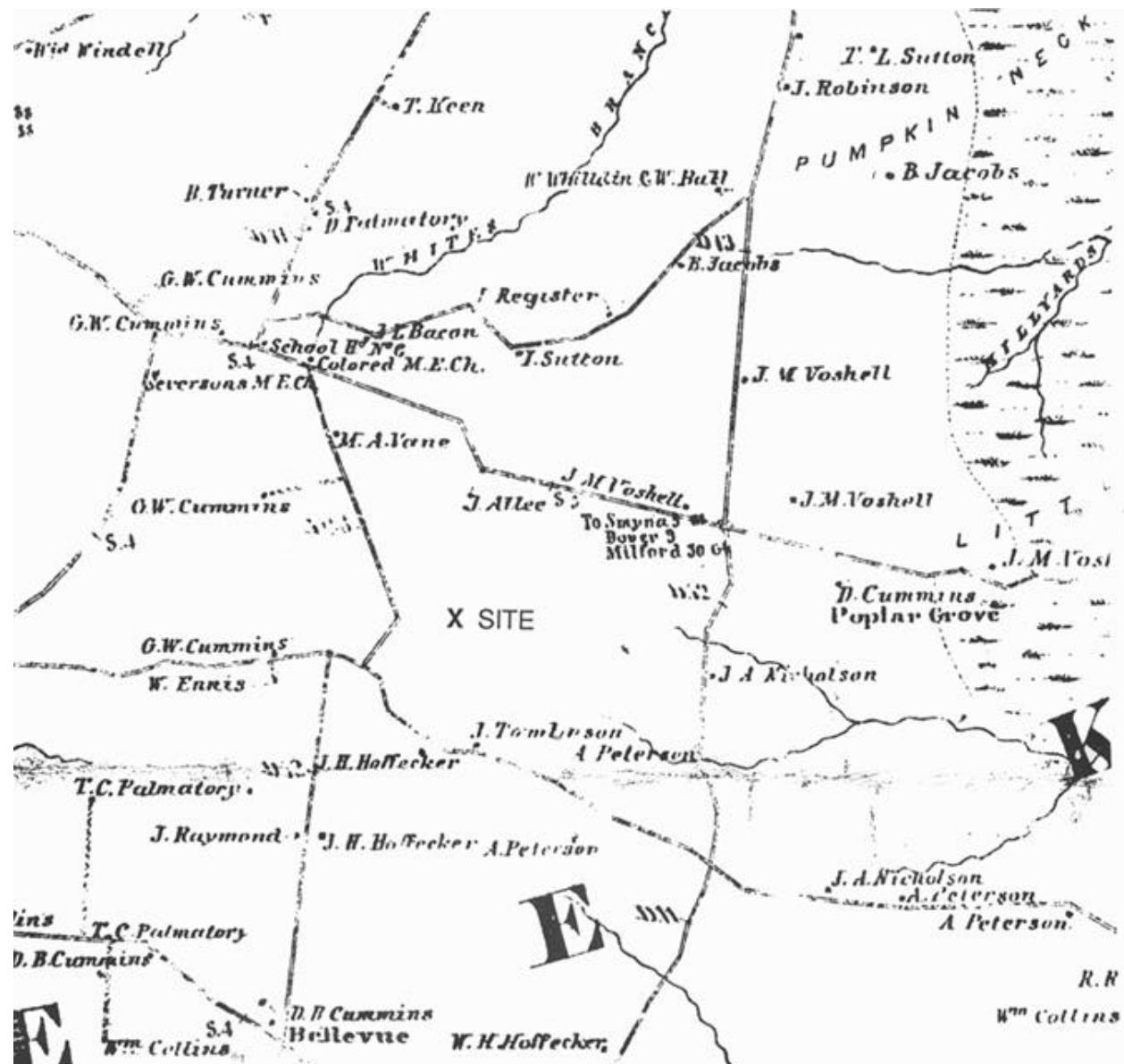


Figure 13
Detail of the 1859 Byles map of Kent County

Figure 14

Genealogical chart of Bloomsbury owners, 1733-1858
 (Simplified to reflect only persons directly associated with the property)
 Names of project site owners are **boldface**.

