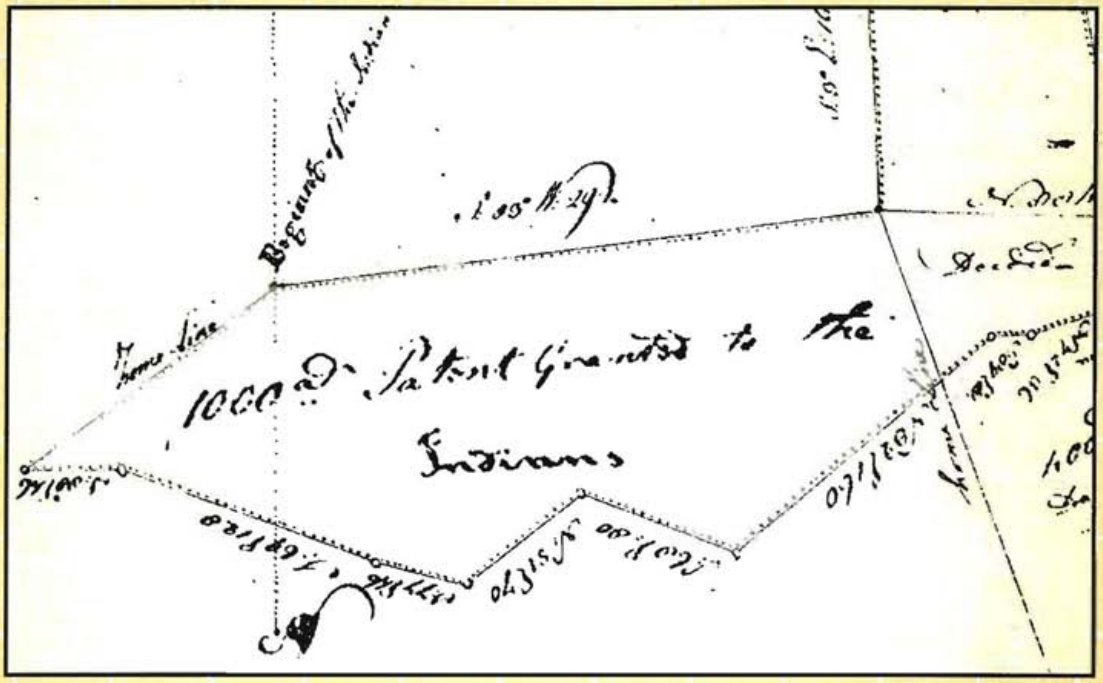

Askeksky (aka Acksquessance) Indian Reservation Land Research

prepared for
Delaware Department of Transportation
Dover, Delaware

by
John Milner Associates, Inc.
West Chester, Pennsylvania

August 2005

JMA
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ASKEKESKY (AKA ACKSQUESSANCE) INDIAN RESERVATION LAND RESEARCH

prepared for

Delaware Department of Transportation
Dover, Delaware

by

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August 2005

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1.0 INTRODUCTION

In 2004 during the planning process for the proposed US Route 113 North/South Study, it was brought to the attention of the project team by Mr. Daniel R. Griffith, then Director of Delaware Division of Historical and Cultural Affairs, that an Indian reservation formerly occupied lands to the west of Millsboro. In the 1970s, initial work had tentatively located the reservation lands along Iron Branch Road, Iron Branch Creek, and Indian Town Road (Figure 1).

JMA personnel conducted research into the history and development of the Indian River Indian Town, known variously as "Acksquessance," "Askquessence," "Askekesky," or "Askekson." The reserve was created by the Maryland Provincial government in 1711 and was occupied by the "Indian River Indians" until circa 1743, when the final parcel of land was sold to Euro-American settlers. Specifically, the compilation of spatial information aided the identification of the approximate boundary of the former Indian lands. The project team will use the boundary information gathered during this task for planning and survey purposes.

2.0 METHODS

JMA personnel consulted with the State Historic Preservation Office (SHPO) for a reported USGS quadrangle map that was on file at that office. While the map could not be located, the staff at the SHPO provided manuscript information and secondary sources that supported the research. In addition, the Delaware Public Archives (DPA) land records were examined for visual and documentary information. Sussex County Land Records housed at the provided land plats that illustrated a series of parcels owned by the Indians and sold in the 1740s. The Maryland State Archives was not visited at this stage of investigation, because sufficient map data was available at other repositories that made such a visit superfluous at this time, and portions of the Maryland Archives are available online. Secondary literature dealing with Native American towns and contact period settlements was consulted.

Relevant maps obtained from the Delaware Public Archives were scanned and geo-rectified in ArcView 8.3 by matching plat boundaries to both cultural and natural features available within our GIS database. Cultural features including roads, tax parcel boundaries, and historic properties as well as natural features such as topography and stream locations were utilized in our analysis. Modern aerials and historic published maps were also used.

3.0 SUMMARY OF HISTORICAL RESEARCH

The documentary records indicate that the 1000 acres of land at the head of Indian River known in the past as Askquessence or Askekesky were petitioned for and granted to the Indians in the years between 1705 and 1711, probably closer to the former year. In her review of primary source records relating to the Indians of the Eastern Shore, archeologist Virginia Busby found that "Robin (Interpreter) leader of the Askekeskys" acting on behalf of Wyranfconmickonous, Queen of the Indian River Indians, petitioned the Maryland Government in 1705 for 1000 acres at the head of Indian River, land that Robin understood was under dispute between the colony of Maryland and the colony of Pennsylvania. According to the record, Robin related that since about 1693 the Askekeskys had been pushed out of northern Worcester County and from settlements at the mouth of Indian River to the lands they were occupying and were petitioning the colonial government to be granted (Busby 1999:56). Robin's petition indicated that his people were already settled at the head of Indian River "but they are continually threatened to be driven from thence" by Euro-American settlers (Marye 1940:25).

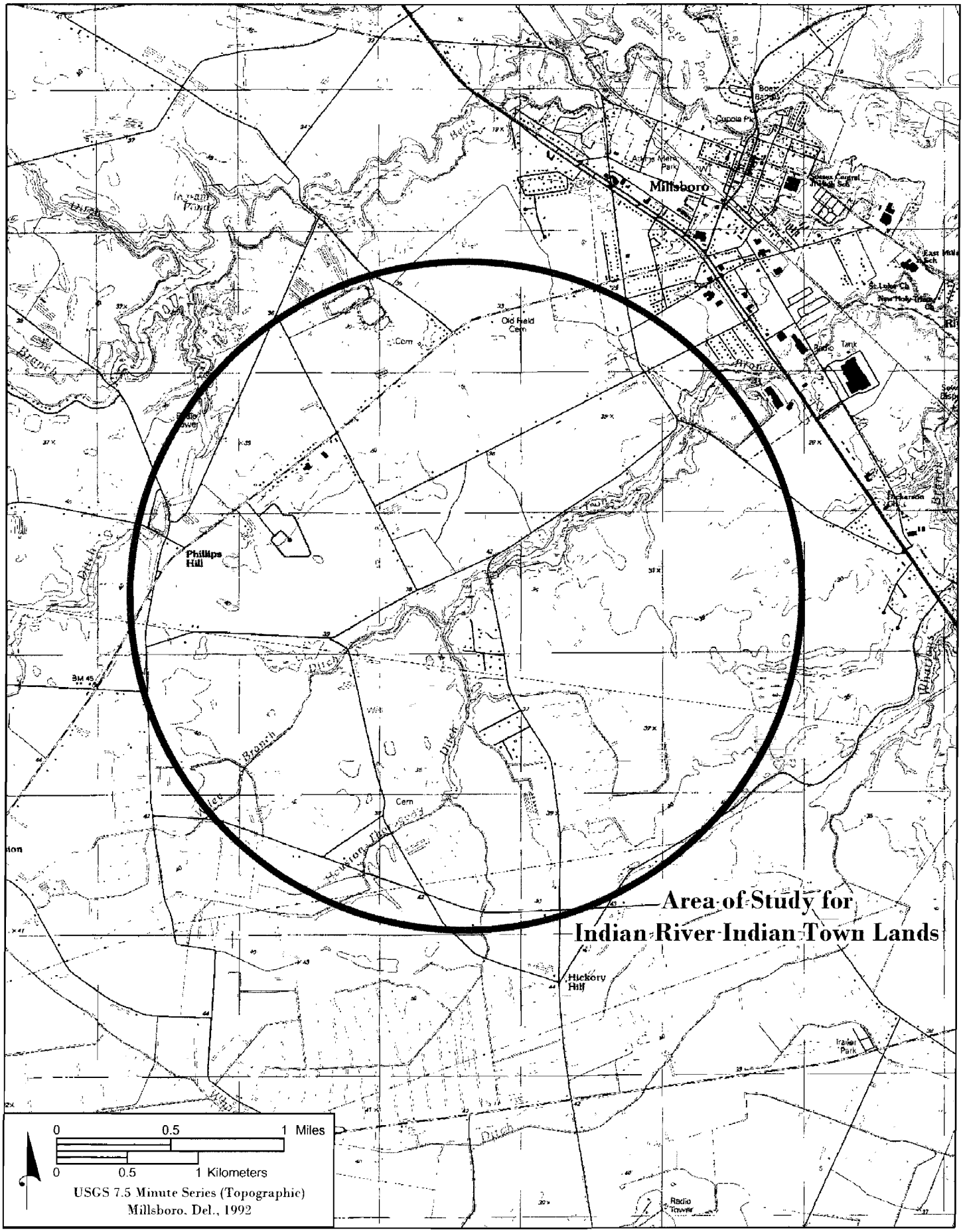


Figure 1. Detail map depicting the general area southwest of Millsboro of the Indian River Indian Town lands.

In May of 1705, the same year that Robin petitioned the Maryland government for land, he also requested a grant of the 1000-acres for the lands they occupied at the head of Indian River, including the "town where these Indians were then seated" (Busby 1999:57; Marye 1940:25). The grant noted at that time that the Askekeskys were "ancient Inhabitants" of the region.

Formal establishment of the Indian River Reservation Lands occurred in January of 1711, when Colonel William Whittington of Maryland laid out the reservation. He assigned it to Queen Weacomoconus, along with "Robin, the interp[rator] and ambass[ador], Robin, his son, Matchoutown, Toungacon, Hucktawcon, and Kenctagkcon, the heads and chieftans" (Busby 1999:57).

Beginning around 1714 references to the Indian lands at the head of Indian River are present in a number of Maryland Land Patents to settlers in the region. In that year the description of a 265-acre tract called "Trouble" patented to William Burton was said to be bounded on the Indian Town lands, and a second parcel called "Hogg Ridge" also for William Burton patented in 1715/16 mentioned the Indian lands (Marye 1940:25-26; Maryland Patent Book).

By the mid-to-late 1730s tension between the colonial settlers and the Indians was growing. In 1736 "Robin, chief of the River Indians" reported in the *Proceedings of the Council of Maryland* that a John Elliot was depriving the Indians of hunting for beaver and they were threatened and forewarned from coming on Privey Neck and Cedar Neck by several colonists (Maryland Archives website, volume 28).

By the early years of the 1740s approximately 600 acres of the Askekesky lands had been sold off by the Indians to the surrounding settlers, particularly the Burton family (Figure 2). The Burtons purchased at least four separate tracts of land from the Indians: one tract of 200 acres in 1736, two tracts of 200 acres in 1741, and one tract of 400 acres in 1743. As with other Indian reservations on the Eastern Shore, the sale of lands to William and Joshua Burton was indicative of the growth of Euro-American settlement in the region. With each sale access to hunting and fishing rights were curtailed, making traditional lifeways difficult to follow for the Indian River Indians.

The critical year in the history of the Indian River Indian Town lands came in 1742, when an alleged plot for an Indian uprising on the Eastern Shore was discovered by the settlers and many of the Indian leaders were taken into custody (Rountree and Davidson 1997:154-155; Weslager 1943:49-58). The Maryland government found that all of the tribes in the region were involved and took measures to prevent such a potential uprising from happening again. A direct result of this plot was a treaty with all of the Eastern Shore tribes, including those at Askekesky. The treaty further limited the activities and rights of the Indians. On July 24, 1742 Robin and "Tom Hill" identified as chiefs of the Indian River Indians, signed the treaty with the Maryland government. Less than a year and one-half later, in October of 1743 the final 400-acre tract of Askekesksy land was sold to William Burton by the Indian Queen Weatomotonies and Waspasson. While the popular notion has been that the Indians moved away or "disappeared" after this sale, it is highly likely that many remained on or near their ancestral lands, and the descendants of Askekesky may be part of the Nanticoke tribe (Rountree and Davidson 1997:156; Weslager 1943:73).

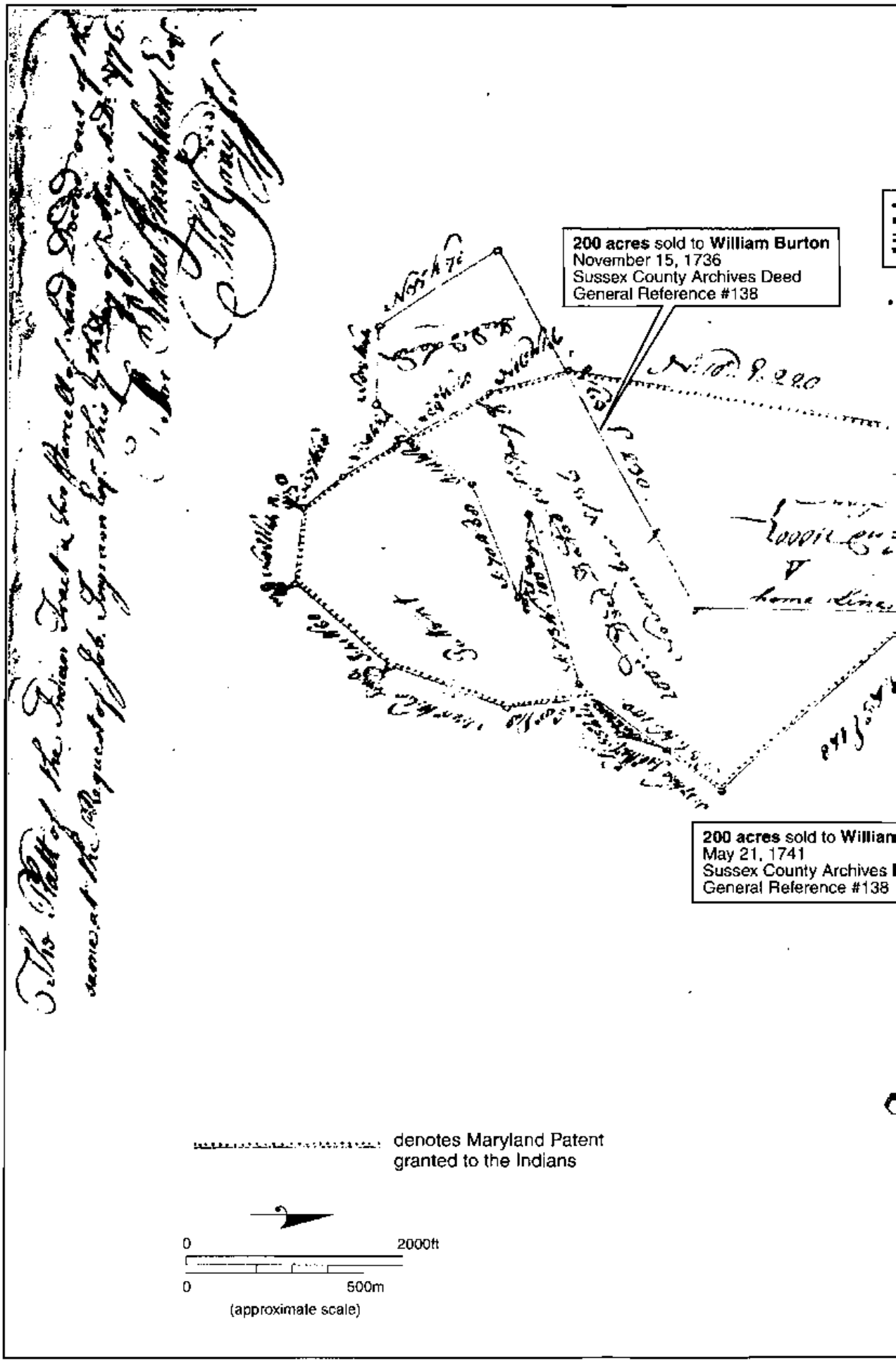
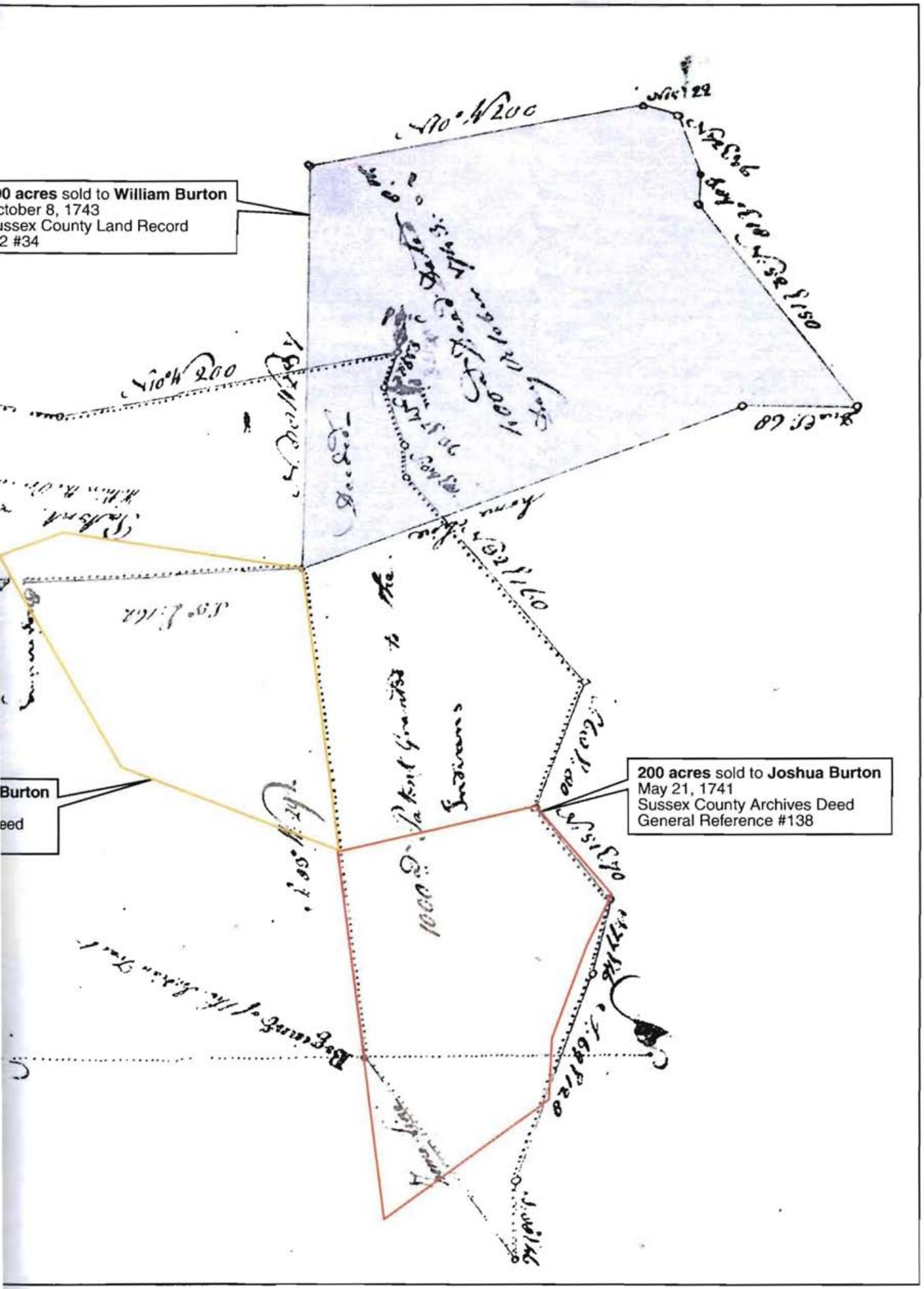


Figure 2. Plat (1776) of Job Ingram's land called "Indian Tract," showing the original 1714 Askekesky Pat



nt Land and subsequent Burton family purchases. (Delaware Public Archives).

4.0 RESULTS

Despite the sale of the Askekesky lands in the early 1740s reference to Indians, their former lands, and their use of the land continue into the present. Numerous post-reservation deeds mention the Indian lands, such as a 35-acre parcel called "Queen's Swamp" surveyed in 1776 for Jacob Burton (Sussex County Land Record B2#47), Job Ingram's 1776 survey of land called the "Indian Tract" (Sussex County Land Record I2#10), a parcel of vacant land called "Indian Land" conveyed to John Burton, Junior in 1794 (Sussex County Land Record B2#4), and a 830-acre parcel called "Indian Tract" or "Askaherson" surveyed to Benjamin Burton in the spring of 1796, over half-a-century after the termination of Indian occupation (Figure 3). References to Indian Branch, Queen's Swamp, Indian Town Road, and the Indian Heap have survived as labels on the landscape and as local traditions to the present. Writing in the second quarter of the twentieth century Weslager reported that "...near Millsboro, on Irons Branch, there is a plot of land known even today as Injun (sic) Town, believed to have been the main village of the Indian River Indians. Many stone Indian artifacts and pottery have been plowed up in this vicinity" (Weslager 1943:73).

According to local historian and archeologist William Marye, in 1711 the land known as Askekesky (various spellings) was described a being on the south side of Indian River, also known as Baltimore River, in Somerset County (now Sussex County). The tract began at the mouth of a branch called Askakeson, described as the southernmost fork of Indian River. The reservation was on land situated between Askakeson Branch and a stream called Indian Branch, bordered by Askakeson Branch from the stream's mouth to its head, and upon Indian Branch for a shorter distance. The tract apparently did not actually touch Indian River at all. Annual rents for the tract were five otter and three beaver skins (Marye 1940:25).

Marye undertook topographic research in the late 1930s in an effort to locate the land where Askekesky was situated. He concluded that the antiquarian historian J. Thomas Scharf's (author of *A History of Delaware*, 1888) statement that the Indian lands were located within the bounds of the town of Millsboro was incorrect. Instead Marye was able to identify a stream now called Shiloes or Shoals Branch as the stream once called Askakeson Branch (based on a 1753 deed record), and he identified Indian Branch and Indian Town Branch as being the same stream called Yellow or Irons Branch. Indian Town Branch served as a landmark for surveyors in the area, and Marye cited a 1714 Maryland Land Office Patent that placed Indian Town Branch (modern-day Irons Branch) at the "lower end" of the Indians' land (Marye 1940:26). Based on his research, Marye placed the location of what he referred to as the "Indian Town" somewhere within the reservation lands along Iron Branch.

The precise character and location of the Indian River Indian "town" are presently not known nor is the "town's" population during the 40 years of Indian occupation. Rountree and Davidson (1997:33) reviewed the contemporary literature regarding the Indian towns of the Eastern Shore and concluded that a nucleated settlement-style town as defined by Euro-American settlers was not likely to be the sort of settlement that was located on the reserved lands. Davidson's research into Indian villages of the Lower Delmarva focused on the Choptank, Nanticoke, Wicomico, and Pocomoke drainages and he concluded that these towns were actually small reservations that likely contained more than one actual settlement site. Several of these towns, including Askekesky, were a thousand or more acres in size (Davidson 1982:6).

A pattern of clusters of dwellings spread over a relatively large area may be the signature of Indian towns. The spread of the town should be viewed from perspectives of both time and space,

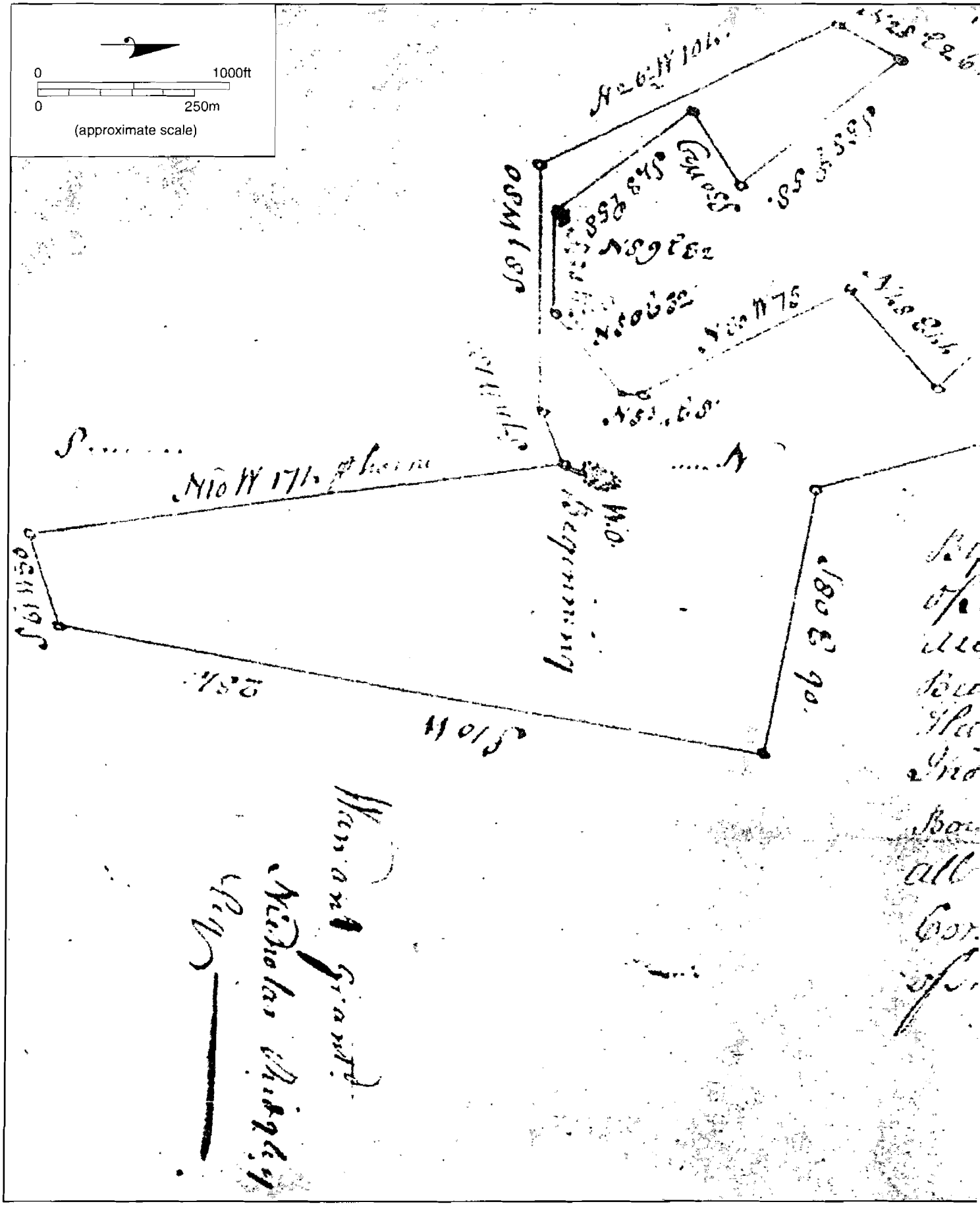
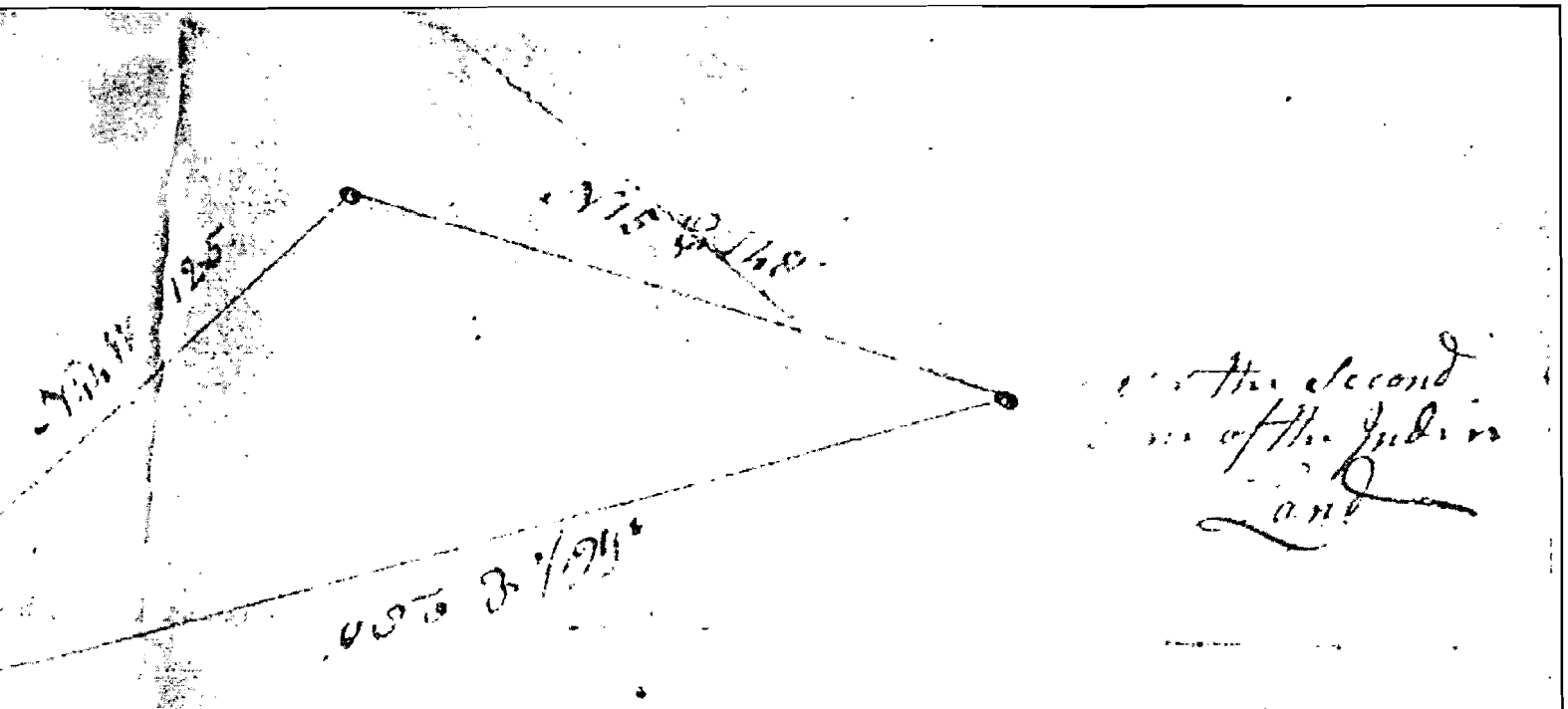


Figure 3. Plat of John Burton junior's survey for vacant land called "Indian Land," adjoining Job Ingram's land, 1794 (Dela



Copy of a Warrant from the Recorder of the City
of Phila. Dat. at Geo. Town the 21st day of March 1794
Authorizing me to survey and Locate for John
Stone Junr. a parcell of Vacant Land in Dagsberry
Hundred Whereon he hath made an improvement Called the
Land Beginning at Mark White Oak: & Stake a
Corner of Jobe Ingram Reserve Thence Running
Round its ye. the above plat. Home to the first Bounds
Containing Acres of Land Survey. the 26th Day
March 1794 —

By me Rhoad Shankland
Surveyor of the City

as the historical record suggests that areas of settlement shifted from time to time throughout the period of Indian occupation. This is a pattern that has been suggested by researchers examining eighteenth-century Indian village sites in Pennsylvania and Maryland (Kent 1984; Rountree and Davidson 1997:37; Stewart 1999:41). A town or village lacking a center or core may also be the pattern identified at the archeological sites of Chicone and Locust Neck, both colonial period Eastern Shore Indian settlements (Davidson et al. 1985). In the case of Chicone, multiple archeological sites were identified within a 300 hectar area presumed to contain the village, and along the Susquehanna River the series of sites known to have been occupied by the Susquehannock Indians apparently defined a general area where travelers and others could expect to find the village.

Contemporary government documents mention cabins occupied by Indians and the cabins are apparently somewhat remote from each other. In Virginia and on Maryland's Eastern shore, cabin appears to have been a term restricted to Indian dwellings. The term described a traditional bark-or-mat-covered Indian house also known as "wigwam" by the English. In some of the Eastern Shore Indian towns these traditional forms of housing were still in use as late as the 1790s, strongly indicating that the Indians retained traditional methods of housing throughout the eighteenth century (Rountree and Davidson 1997:137-138).

A limited amount of archeological field work has been undertaken at the locations of several of these Indian town sites, including Locust Neck and Chicone on the Lower Eastern Shore. Based on the results of the field investigations, the archeologists suggest that the artifacts associated with these sites may reflect a degree of cultural conservatism similar to that observed in the housing stock. Contrary to what was expected by the researchers, these Contact Period sites contain a relatively large amount of Native American ceramics and other artifacts dating from the Late Woodland Period, with much smaller amounts of selected European goods (Davidson et al. 1985:46-48). It is likely that archeological evidence of Askekesky will be of a similar character, displaying more Native American traits than European. It should be noted that several archeological sites are already recorded in general area of the Indian River Indian Town lands, and these sites are described as dating to the Late Woodland Period.

JMA researchers obtained copies of the original deeds, filed in Sussex County that related to the Indian River Indian Town lands and now on file at the Delaware Public Archives. Using the metes and bounds as written in the original deeds, these properties were drawn and then digitized. As Marye' research revealed and JMA's research underscores, many of the natural and topographic features that the original deeds mention have been renamed or altered making precise placement of the Indian River Indian lands problematic. JMA's research results yielded two potential "footprints" or locations for the "Askquessence" reserve. The boundaries for the Indian River Indian lands have been superimposed over the US 113 North/South Study Area (see Figures 4 and 5). The placement of these approximate boundaries is based on relating the historic records of the location of these lands to the modern configuration of the land.

The northern plan (Option 1, see Figure 4), which extends to Old Indian Town Road, appears the more likely location based on the amalgamation of cultural and landscape characteristics. The cultural characteristics include the location of roads, parcel boundaries, and the location of properties identified in the historic record in relation to the Indian lands. Landscape characteristics include the location of Indian River and its tributaries and their relationship to the historic description of the boundary of the Indian lands. The southern plan, although fit into the current configuration of the land, did not agree with as numerous characteristics as the northern plan.

Figure 4. Location of Askekesky, Option 1, based on historic maps and documentation. Superimposed on 2003 aerial image.

Figure 5. Location of Askekesky, Option 2, based on historic maps and documentation. Superimposed on aerial image.

Additional support for Option 1 as the approximate location of Askekesky is provided by the 1824 will of Benjamin Burton, a son of Joshua Burton. In his will Burton bequeaths to his nephew and namesake "all the land lying on the south side of a line drawn from the Indian Heap to the road that leads from the Store that Belongs to myself and brother, Miers Burton, to what is called the old landing, etc."(quoted in Anonymous 1940). The line described in the will follows the modern trace of Old Landing Road, and, if carried far enough to the west would terminate in the location of the present-day concrete plant (Figure 4).

In summary, using the historic documents and maps and superimposing these on modern aerials, JMA's researchers have been able to establish the approximate location and boundaries of the Indian River Indian lands known as Askekesky.

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- Survey of William Burton land, called "Hopewell." April 21, 1736. Unspecified acreage. North side of Indian River. Sussex County Land Record B4#11.

1741

- Wehohomacomus, Indian Queen, and Robin the Interpreter, to Joshua Burton, May 21, 1741. Deed for 200 acres. Sussex County Archive Deed, General Reference File #138.

- Wehocomocomus, the Indian Queen, and Young Robin, Grandson of Robin the Interpreter, both Indian Inhabitants of the Indian River Town, to William Burton, May 21, 1741. Deed for 200 acres. Sussex County Archive Deed, General Reference File #138.

1743 (1774)

- Weatomontonies, the Indian Queen, and Waspasson, both Indians "being Inhabitors of the Indian River Indian Town in Worcester County" to William Burton, for land known as "Ackquessance." October 8, 1743 certified copy dated April 12, 1774. 400 acres. Sussex County Land Record W2#34.

1774

- Survey of Robert and William Burton land, called "Hopewell." March 12, 1774. 820 acres. Land bordering Indian River and Indian Cabin Creek. Sussex County Land records B2#2.

1776

- Survey of Jacob Burton land, called "Queen Swamp." March 11, 1776. 35 acres. Sussex County Land Record B4#47.

- Survey of Jacob Burton land, called "Total End." June 20, 1776. 476 acres. Land bordering Indian Branch. Sussex County Land Record B4#51.

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1792

- Survey of John Burton, Jr's. land, called "Indian Land." March 26, 1792. Unspecified acreage. Dagsborough Hundred. Sussex County Land Record B2#4.

1796

- Certificate and Plat of Benjamin Burton, Jr. land, called "Indian Tract" or "Askaherson." May 30, 1796. 830 acres. Located in Dagsborough Hundred on Indian Branch. Sussex County Land Record B4#62.

No Date Specified

- Warrants and Surveys Sussex County. N.d. Unspecified acreage. Sussex County Land Record B4#65.

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