

3. WHO WAS NATHAN WILLIAMS?

*While a landowner's family typically is well documented,
his non-white tenants and neighborhood smallholders
are virtually invisible in the public record.*

The search for historical documentation about Nathan Williams reflects the difficulties hampering any attempt to conduct historical research into the antebellum nonwhite underclass. There were at least three persons by that name in Kent County during this period. The other two were prosperous, and therefore well documented, white men in Smyrna and Milford. In order to sort out the activities of the three contemporaries, it was frequently necessary to review and dismiss records involving the other two Nathans.

In 1840, John Pleasanton's heirs were dividing a hardscrabble tenant farm. This was not the family's main holding; their elegant brick house, Pleasanton Abbey, stood on well drained soils east of town, unlike the poorly-drained clay soil of his tenant farms (Kent County Orphans Court Plot Book "1826" page 290).

Pleasanton had bought the farm from Loockerman heirs in 1818 (Kent County Deed Book J-2, page 251). The land had suffered from neglect; two generations of absentee landowners and guardians of minor heirs had done nothing to improve the property. Like much of Kent County at the time, this farm was on the verge of becoming totally unproductive waste land.

In 1822, Pleasanton was assessed for 286 acres of the home farm in Little Creek Hundred and 486 acres in Murderkill Hundred, which then, before 1823, included the present West Dover Hundred, including the project area. Just

over a third of the Murderkill Hundred holding was described as cleared ground.

John Pleasanton died in 1838, leaving a detailed will, dividing the farms among his various children. Most of the tracts were assigned wholly to one heir or another, but the former Loockerman property was split between children and grandchildren.

In the estate division, his daughter Mary DuHamel, received the better-drained eastern part of the property, except a small clearing "lately" in the tenure of Nathan Williams, "free Negro," as provided by her father's will:

"...and also the cleared or arable land (excepting the lot now in the tenure of Nathan Williams free negro) and twenty five acres of the woodland immediately adjoining to the same cleared or arable land, being part of the tract or parcel of land in Dover Hundred which I purchased from Thomas Davy and Elizabeth his wife.
..."

Mary eventually asserted a clear title to the whole 168-plus acres of her share, but there is no evidence that she bought the Williams interest. Nor is there a deed from her father to Williams. Obviously he had never owned the property free and clear, but he held enough of a claim that it could not be allocated in the estate division.

It is clear, from the terms used, that Williams was in possession when Pleasanton made his will, but had

left when in 1840 the land was described as "lately" in his tenure.

THE HUTT FAMILY

While the activities of the Pleasanton family are well documented, the Hutt and Williams families are not so well represented in the county archives. Whereas the Pleasantons are found in the Orphans Court and deed records, a Hutt reference is more likely to be found in the poorhouse and indentured service records.

A Kent County bond dated 24 September 1824 records a marriage of Nathan Williams to Ann Hutt. Nathan and Isaac Williams both signed the bond in their own handwriting. No race is mentioned in the bond, and no place of residence is given for any of the parties.

Marriage bonds for poor nonwhite people during the antebellum period are unusual, if not unique in this case. From other references, it is obvious that both individuals were nonwhite.

Hutt is not a name found frequently in Central Delaware public records; where they appear in the record, they are identified as mulatto. Outside decennial census returns, the family left a sparse paper trail. Yet they have lived in the area since the early eighteenth century. There is not a single deed recorded for a Hutt before 1835 in the Kent County Recorder's office.

Historians would identify such people as "underclass," almost impossible to chronicle. Individuals named Hutt are not numerous in records associated with the Native community, which included several prosperous landowners. They are chronicled primarily in the records of unfortunates who needed public assistance of one kind or another.

In 1758, John Hutt petitioned the Orphans Court to grant him his "freedom dues" commonly paid at the end of a term of indentured servitude. Hutt had been bound by the court to serve to the age of 31. His master, Charles Hillyard, died and his widow remarried to Presley Raymond. After the Raymonds were dead and Hutt's term had expired, Hutt asked the court to require the Raymonds' administrator to pay the dues.

On August 7, 1764, two mulatto boys, James and Presley Hutt, were bound as indentured servants, of their "own free will and accord, and with the advice and consent of his father and mother." The parents were unnamed, and the boys' marks were appended to the indentures. James was two years old and Presley was six, which may raise questions about free will. The masters were Isaac Carty and James Voshell, well-known white farmers. At the end of their indentures, the boys were each to receive two suits of "good working cloaths," one of which was to be new. There was no mention of freedom dues.

Another Hutt, named David, was born about 1758, according to later records. His relationship to James and Presley is not documented, but he would have been about six years old, the same age as Presley. It is always possible that David and Presley were the same person, but the records are not adequate to sort them out.

Two years later, in August of 1766, the overseer of the poor for Little Creek Hundred found a home for Charles Hutt, an orphan who was almost three years old. With the consent of two justices of the peace, the boy was bound to Samuel Whitman as a servant to the age of 21. The master was to provide "sufficient meat, drink, washing, lodging and apparel" but there

was no mention of education or freedom dues (Record Group 3555, Delaware Public Archives).

The fact that two of the mulatto boys were named Charles and Presley may be circumstantial evidence that they were sons of John Hutt, who had been bound to Charles Hillyard and Presley Raymond. Samuel Whitman, who took Charles, was a friend, and later husband, of Agness Loatman Sappington, a member of the Native American community who lived on the Bloomsbury tract excavated by the author for the Delaware Department of Transportation (Heite and Blume 2001).

Charles Hutt was a taxable in Little Creek Hundred in 1785; he accumulated some property, which he lost in a suit in 1799 (Kent County Chancery case H#8; Scharf 1888:1118).

David Hutt, "negro," was taxed in 1804, owning livestock but no land in Little Creek Hundred. The 1819 assessment, which distinguishes between negroes and mulattoes, lists David Hutt as a "mulatto," which could legally identify a person of either African or Native American descent. In Little Creek Hundred the term was most commonly used to identify people of Indian descent when a distinction was made.

In the 1830 census David Hutt and Nathan Williams are listed next to one another in Dover Hundred, which usually is construed to mean that they were next-door neighbors. He probably was a senior relative, most likely grandfather, of Mrs. Williams.

David Hutt was admitted to the county almshouse June 2, 1845 at the age of 87. He was, therefore, born around 1758, about the same time as Presley Hutt. His wife, Rachel Hutt, aged 75, entered with him and died June 22, 1845. When they first came to the

almshouse they were listed as being from Little Creek Hundred. When David re-entered the house on December 15, 1845, he was listed as a resident of Dover Hundred. He died at the poorhouse December 15, 1847 (Trustees of the Poor records, Delaware Archives).

David and his wife are the best-documented Hutts in Kent County, but the records of William Hutt are more colorful.

William Hutt fathered a female child who was born July 28, 1834 to Ann Cott. She was a member of the Indian-descended community in Little Creek and Dover hundreds. The bastardy bond, now at the Delaware Public Archives, dated December 6, 1834, was signed by her father, John Cott, as well as Samuel Johnson and William Hutt.

In 1840, Ann married Elijah Durham, according to an entry in the Cott family Bible. Elijah's brother, William (1819-1857), was a Methodist minister, according to his tombstone at Immanuel (formerly Manship) Church in Cheswold. They were sons of George and Susan Durham, tenants on Henry M. Ridgely's Fox Hall farm, the next property westward from the Pleasanton farm.

Ann Hutt is therefore clearly identified as associated with the Indian-descended community that still exists in the neighborhood. Members of this community in a later generation developed the residential neighborhood on the opposite side of the present McKee Road.

THE WILLIAMS FAMILY

Nathan Williams was born about 1802, according to his own 1842 testimony in which he is declared to be forty years of age.

Possible identifications of the relatives of Nathan Williams are somewhat more abundant. There were "mulatto" Williams families listed in the records of the period, and there were "negro" Williams families as well as white. Nathan was identified as a "free negro" in some documents, but only through identification by white record keepers.

Among the Nanticoke Indians who adopted European names were some people named Williams, who lived on the Locust Neck reservation in the present Sussex County, then in Maryland. A John Williams was one of the Nanticoke who signed the petition to recognize George Pocatus as their chief in 1759. (*Maryland Archives* 31:354, 283).

There was a Williams marriage among the local Indian population, around the time Nathan Williams was born. Hannah, daughter of Daniel Durham, who died in 1801, married someone named Williams at about that time. The marriage is documented only by the fact that her name changed during the estate probate of her father.. (Probate file, Delaware Public Archives).

James Williams may have been Hannah's husband. In 1816, he bought the share of Handsor Durham in the Jolley's Neck estate of Benjamin Durham, her brother. The Orphans Court permitted Williams to buy the heirs' shares in the fifteen acres. It was valued at \$45.93 (Kent County Orphans Court case file of Benjamin Durham, 1816, Delaware Public Archives; Kent County Deed Book O-2, page 278).

In a few instances, including the 1797 and 1819 Little Creek assessments and the 1828 Duck Creek assessment tax collectors distinguished between negro and mulatto taxpayers. In these lists, the

Indian-descended families appear consistently as "mulattoes," whereas in other years they are lumped with blacks.

Nathan Williams is listed in the racially-specific 1828 Little Creek Hundred assessment as a "negro." The 1838 Dover Hundred tax assessment is another of these lists that make the distinctions. It lists a Benjamin Williams, mulatto, but Nathan is absent from the list. A direct comparison is therefore impossible here, too.

So far, it has not been possible to attribute Nathan unequivocally to any of the northern Kent County black or mulatto Williams families, or to the Williams family from the Locust Neck Nanticoke community. There was a Kent County "white" family whose modern descendants claim an Indian tradition, who lived west of the project area later in the nineteenth century (Beverly Dancing Bear, personal communication).

As always, the records of poor nonwhite propertyless people are ephemeral at best. The scarcity of documentation, in turn, has resulted in their being under-represented in the published histories. There is exactly one entry for a Hutt in the 1888 Scharf history, and that was Charles on the 1785 Little Creek Hundred tax list.

RECORDS OF NATHAN WILLIAMS

Nathan Williams, newly married, appears first in the 1825 Little Creek Hundred assessment with no property but the poll tax. The Little Creek Hundred assessment for 1828 identified him as "negro," assessed for a sow and pigs as well as his poll.

The transfer list filed with the 1831 Dover Hundred assessment notes

that he had been transferred from Little Creek Hundred.

In the 1830 census, Nathan Williams was listed as a male free colored person between 24 and 36 years with a colored male under ten. There was also a female between ten and 24 (evidently born between 1806 and 1820) and another female under ten. If the older female is Ann Hutt Williams, she was under 18 when they were married in 1824, when Nathan was 22 years old.

The family must have been living in the neighborhood, if not on the property, because the same page contains entries for known neighbors, including John Denney, Angelica Handsor, David Hutt, and Cuffy Johns, who lived on the nearby road now known as Denney's Road. We may assume with confidence, then, that Williams moved to the property around 1829 or 1830, and that he was already an established householder with a son and a daughter at home

By 1836, Nathan Williams was in financial trouble. There is a "d" for delinquent next to his name in the Dover Hundred tax list. The 1839 Dover Hundred tax delinquency list includes Nathan Williams "N" with the notation, "good for nothing and insolvent."

At the time of Pleasanton's demise, 1838, Nathan Williams clearly was in trouble. His claim to the smallholding where he lived was not a documented title. The commissioners who divided the Pleasanton property for the Orphans Court acknowledged the Williams claim when they allocated

CREDITORS OF NATHAN WILLIAMS	
<i>1842 June Term, Superior Court, insolvent docket page 229</i>	
Foster Pritchett.....	10.00
Robt Fowler.....	4.00
George Parris.....	3 or 4.00
Isaiah Songo.....	5.00
Betsey Anderson.....	10.00
Doct. Isaac Jump.....	20.00

the land, but they did not set it aside in terms of an actual survey, which would have been customary if a transfer had in fact occurred.

On November 8, 1839, Nathan Williams indentured three of his children to William Jamison, and received a total of \$6 consideration. The transaction must

have been painful, for Williams was literate and their new master could not sign his name. His children were not to be guaranteed the education he had enjoyed. Each child was to receive cash instead of an education, "it being deemed inexpedient to stipulate for education in reading and writing." An illiterate master was unlikely to take kindly to educating his servants who were not entitled to free public schooling.

His daughter Lanty, who was three years, four months, and 26 days old, was bound to serve until the age of eighteen and receive twelve dollars and two suits of clothes "suitable to her condition, one of which is to be new" at the end of her term. She was to be taught the "trade" of servant.

Her master, William Jamison, conveyed her indenture in 1840 to John Moore, Jr. In 1847, when Lanty was eleven years old, Moore conveyed her indenture to Dr. Martin W. Bates. Two years later, Bates conveyed Lanty to Reuben Bowman. Then, in 1850, she was conveyed to Daniel Godwin. In each case, the conveyances were witnessed by justices of the peace and recorded in court (Indentures, Delaware Public Archives). The law and procedures were designed to protect the masters; there

was no similar provision for the justices to verify that freedom dues were paid.

William Jamison also took Nathan Williams' nine-year-old son Richard, who was to be trained in the business of farming and serve to the age of 21. Richard was to receive \$30 at the end of his term. Jamison conveyed Richard's time to James Pierce in 1840. In turn, Pierce conveyed Richard's indenture to John Reid in 1843.

Nathan's son John, seven years old, was bound to Jamison to serve until he was 21, when he was to get \$20. There are no transfers attached to his file at the archives.

The 1840 census describes Nathan Williams as a free colored man between the ages of 36 and 55 (about 38 actually) whose household included a woman in the same age bracket and two females under the age of ten. The two children mentioned in the census a decade earlier would have been more than ten years old, had they been present.

The two resident children on the 1840 census could not have been the same who were listed in 1830. Unless her age was mis-stated, the adult female could not be the same person.

Circumstances indicate a title less than fee, such as a contract for a deed. Not uncommonly, even today, poor people can obtain land by a lease-purchase agreement of this sort. In earlier times, such titles were called "terriers" because they were recorded only in the seller's rent-rolls, or terrier records. The actual sale, for purpose of the public record, would occur after the tenant made the agreed final payment.

Because there was no public recording of land contracts, it is possible

that a substantial number of transfers to poor farmers never made it into the county land books, especially if they failed to complete the payments.

These indentures left Nathan Williams with one child, Mary, at home. Joseph P. Comegys paid him \$20 for her indenture in October 1841. Mary, then aged seven, was to be Comegys' servant until she was eighteen, at which time she was to be paid \$5 in place of an education.

In 1842, Williams found himself in jail for debt. Because he owned nothing, he was discharged without a sheriff's sale. Foster Pritchett and Dr. Isaac Jump were assigned Williams' assets (Insolvent docket, 1842 June Term, Delaware Public Archives).

He pleaded in his petition to the court that he had a wife and child to support. The cause of distress may have been sickness in the family, because his major creditor was Dr. Isaac Jump, who happened also to be the attending physician at the almshouse. Williams does not appear in the records of the county trustees of the poor, but straitened economic circumstances forced the breakup of the family.

Another of the creditors was Isaiah Songo, also a "mulatto" of Indian descent, also a tenant of John Pleasanton, to whom he owed money on a note.

John Grinage, another member of the Indian-descended community, was also a Pleasanton tenant, according to the estate papers.

Williams disappears from the Kent County records after this incident.