IV. HISTORICAL BACKGROUND

A. Regional History

1630-1730

The first European to explore the Delaware River was Henry Hudson, who visited both the Hudson and the Delaware on his famous voyage of 1609. The English were slow to follow up on Hudson's discoveries, and in the 1610s Dutch traders plied the Delaware River. In 1631 the Dutch West India Company, formed to administer the Dutch land claims in North America, established a fishing and agricultural settlement called Swanendael near modern Lewes. The settlers came into conflict with a local Native American group called the Sickoneysincks, and the settlement was abandoned in 1632. In 1638 the Swedish government, acting in consort with dissident Dutch merchants, "purchased" the land on both banks of the Delaware from Cape Henlopen to modern Trenton from various Native American groups and set up a settlement called New Sweden. The center of the colony was Fort Christina, constructed at the confluence of the Christina River and Brandywine Creek in modern Wilmington. Swedish and Finnish immigrants set up scattered farms in the nearby countryside (Weslager 1961).

The Dutch West India Company, which still claimed the entire coastline from New York to the Chesapeake Bay, prepared to dispute the pretensions of the Swedes, and in 1651 they set up Fort Casimir at the present site of Newcastle. After five years of back and forth military struggle, the Dutch captured Fort Christina in 1655 and New Sweden ceased to exist as a political entity. Swedish and Finnish settlers remained in the region, however, and the log cabin of the American frontier may have been derived from their traditional building techniques. In the years that followed, the Dutch established other settlements in the region, including New Amstel at the old site of Fort Casimir. To resist the incursions of English settlers from the Chesapeake Bay region, a fort was constructed at modern Lewes, an area the Dutch called the Whorekil. In 1663 the Dutch West India Company handed over the administration of all its colonies in North America to the city of Amsterdam.

In 1664 English forces, acting on behalf of the Duke of York, brother of King Charles II, attacked and pillaged the Dutch settlements on the Delaware and the Hudson. Political control of the colonies passed from Amsterdam to the Duke of York, but his agents allowed Dutch and Swedish settlers to retain their lands and Dutch magistrates to keep their offices under his authority. In 1682 proprietary rights over the Delaware settlements were granted to William Penn, ending an inter-English rivalry, between the Duke of York and Lord Baltimore. Modern Delaware became the "three lower counties" of Pennsylvania, with political control based in Philadelphia. The residents of the lower counties became disgruntled with their status in the Pennsylvania legislature, and in 1704 they broke away and created the new colony of Delaware (Munroe 1993:42).

Settlement in the vicinity of the Laws Farm began in the 1660s under the Dutch, primarily along the St. Jones River. In 1680 the area, which had been part of Whorekil, was incorporated as St. Jones County. The name was changed to Kent in about 1682, at which time a census listed 99 inhabitants in the new county (Scharf 1888:1030). The county court met at private houses until about 1697, when a courthouse was built near a landing on the St. Jones River in what is now Dover. In 1699 some of the residents, seeking a central place for their community, petitioned the Assembly to establish a town, to be called Canterbury, at the courthouse. The Assembly, agreed, but specified that the town be called Dover. Little development took place in the new town, however, and in 1717 the residents petitioned the Assembly to refound it; again the Assembly complied, and commissioners were appointed to lay out the land in lots and sell them. A town was set up, with a central square at the intersection of the King's Road and a road called Long Street. Growth was still slow, but by 1729 a number of lots had been purchased and houses built.

1730-1770

The eighteenth century saw enormous population growth in Delaware, as in most of English North America. The population grew from perhaps 400 settlers in 1682 to over 64,000 in 1800. The new immigrants came from England, Ireland, Africa, and other, more crowded colonies, particularly Maryland. Dissenters, such as Presbyterians, Quakers, and Methodists, were a majority among these new arrivals, reducing the official Anglican church to minority status. The main settlements of the colony were the ports of New Castle and Lewes, with smaller hamlets growing up at places such as Christina Bridge and Cantwell's Bridge, where roads crossed the larger streams. Most of the residents were farmers, their homes mostly scattered along the rivers and later along the main roads. These farmers practiced a mixed, highly commercialized agriculture, including grains (especially wheat and corn) and livestock. Wheat was the most important export. Roads were developed to carry traffic between the towns; one of the most important was the north-south road from Wilmington to Lewes.

Because of the shortage of navigable waterways, growth in Kent County was slower than in Newcastle. The poorly drained interior of the county was particularly slow to develop. A further complicating factor was a long-running boundary dispute with Maryland, which was not resolved until 1765. At that time a number of settlers who had received their patents from Lord Baltimore, and thought of themselves as Marylanders, found that they were living in Delaware, and several major property disputes were created by the conflicting patents.

1770-1830

In the eighteenth century Delaware retained close economic ties with Philadelphia, and many of the colony's leaders also had social and family ties in the city. Those ties led the leaders of Delaware into supporting the political fervor that preceded the American Revolution,

even though Delaware had suffered no atrocities at British hands (Munroe 1993:62). Only one Revolutionary War battle was fought in Delaware, at Cooch's Bridge near Scottsborough during the campaign that led up to the Battle of Brandywine in 1777.

After the Battle of Brandywine, a British victory, the British occupied Wilmington and threatened the state capital at Newcastle. To escape the threat—and also because many Kent and Sussex residents were unhappy with the leadership being provided by Newcastle men during the crisis—the capital was moved to Dover. For a time the legislators met at various places around the state on a rotating basis, but in 1781 Dover was made the permanent capital. This move was a boon to the town, which grew sharply in the next decade.

In the early Federal period Delaware farmers were buoyed by inflated wheat prices, brought on by the Napoleonic Wars. However, after the return of peace in 1819 the state experienced an agricultural decline, as careless farming practices exhausted the land and many residents moved farther west (Hancock 1947:374). From 1810 to 1840 the population of Kent County actually fell, from 20,495 to 19,872. To arrest the decline, progressive farmers formed agricultural societies and experimented with new crop rotation methods, and their efforts led to more productive and less destructive agricultural practices later on in the century (Herman 1987:8). Kent County lagged behind New Castle in adopting the best practices, but by the 1850s significant improvements had been made (Hancock 1947:377). Delaware's industrial production increased in this period, mostly in the Piedmont region where water power was available to drive gristmills, fulling mills and snuff mills. An interesting feature of Delaware society in this period was the large number of free blacks, who in 1810 made up more than 75 percent of the black population of the state. Politically, Delaware, which had been the first state to ratify the constitution, remained staunchly Federalist throughout the period (Munroe 1993:85).

Although goods had been loaded at Fast Landing, now Leipsic, since the seventeenth century, a town did not begin to grow up at the landing until the early 1800s. The town served as a shipping point for grain and vegetables grown in the surrounding area, and as a focus for the profitable trade in muskrat furs. In 1814 the name of the town was changed to Leipsic, a center of the European fur trade. By 1850 about 250 people lived in the town, and its port was a "hive of activity" (Nelson 1983).

1830-1870

The increasing urbanization and industrialization of the eastern seaboard, along with steamships, the railroad, and other improvements in transportation, had a major impact on Delaware. Wilmington grew into a major city, with important manufacturing industries. The arrival of the railroad in 1854 led to a boom for Dover but was a major blow to Leipsic, Little Creek Landing, and other port towns, which were never again important regional centers. The railroad also had major impacts on agriculture. Although grain remained an important crop,

agriculture shifted toward the production of fruits and vegetables for Wilmington, Philadelphia, and other cities. Starting in about 1830, a boom in peach growing made many fortunes in Newcastle County and eastern Kent County. The agricultural expansion led to a great rebuilding in these areas, and many fine, large farmhouses survive from the period (Herman 1987). Western Kent County also began to modernize, and the excavation of drainage ditches raised productivity there as well. The Civil War had no great impact on the economy of the region, since the state saw little fighting and free black labor was already far more important than the relatively few slaves.

Detailed statistics available for this period allow some generalizations to be made about the social side of agriculture in Delaware (De Cunzo and Garcia 1992). Approximately 50 percent of farms were occupied by their owners, the other 50 percent by tenants. Some tenants paid cash rents, others a share of their crops. In all areas farm ownership was strongly correlated with age; older men were much more likely to own farms. Many tenants were able to accumulate enough capital to buy their own farms later on. Farm laborers, who worked for cash and board, outnumbered operators in all parts of the state, but especially in the south. A few blacks owned farms in this period, and a few more were tenants, but the great majority of the rural black population were laborers. The few black-owned farms were almost all on inferior land, valued at much less than the land of the average white farmer.

The first detailed map of Kent County was published by Byles of Philadelphia in 1859 (Figure 4). The map shows small towns at Leipsic, Cowgills Corner, and Little Creek Landing and farms spread rather thinly on the roads connecting them. The 1868 Beers *Atlas of the State of Delaware* (Figure 5) shows the increasing population growth around Dover, fed by the railroad. Other, smaller towns on the railroad, such as Dupont Station, were also growing, as port towns such as Leipsic declined.

1870-1940

The late nineteenth and early twentieth centuries in Delaware saw a continuation of trends begun in the 1830-1870 period. Wilmington continued to grow, and in 1920 it held nearly one in two residents of the state. The peach orchards never recovered from a devastating blight in the 1870s, and much of the less productive farmland was abandoned. The farm population began to fall as mechanization made agriculture less labor intensive and competition squeezed out many smaller farms. The depression of the 1930s saw a particularly high rate of farm abandonment. However, on Delaware's better soils grain and truck farming remained profitable, and Delaware farmers benefited from the worldwide surge in food prices that enriched so many American farmers in the 1890-1920 period (De Cunzo and Garcia 1992:28). New crops, such as strawberries and asparagus, helped many farmers. The economy of Little Creek Hundred received a substantial boost in 1881 when a cannery, for many years the largest in the state, opened in Leipsic (Nelson 1983).

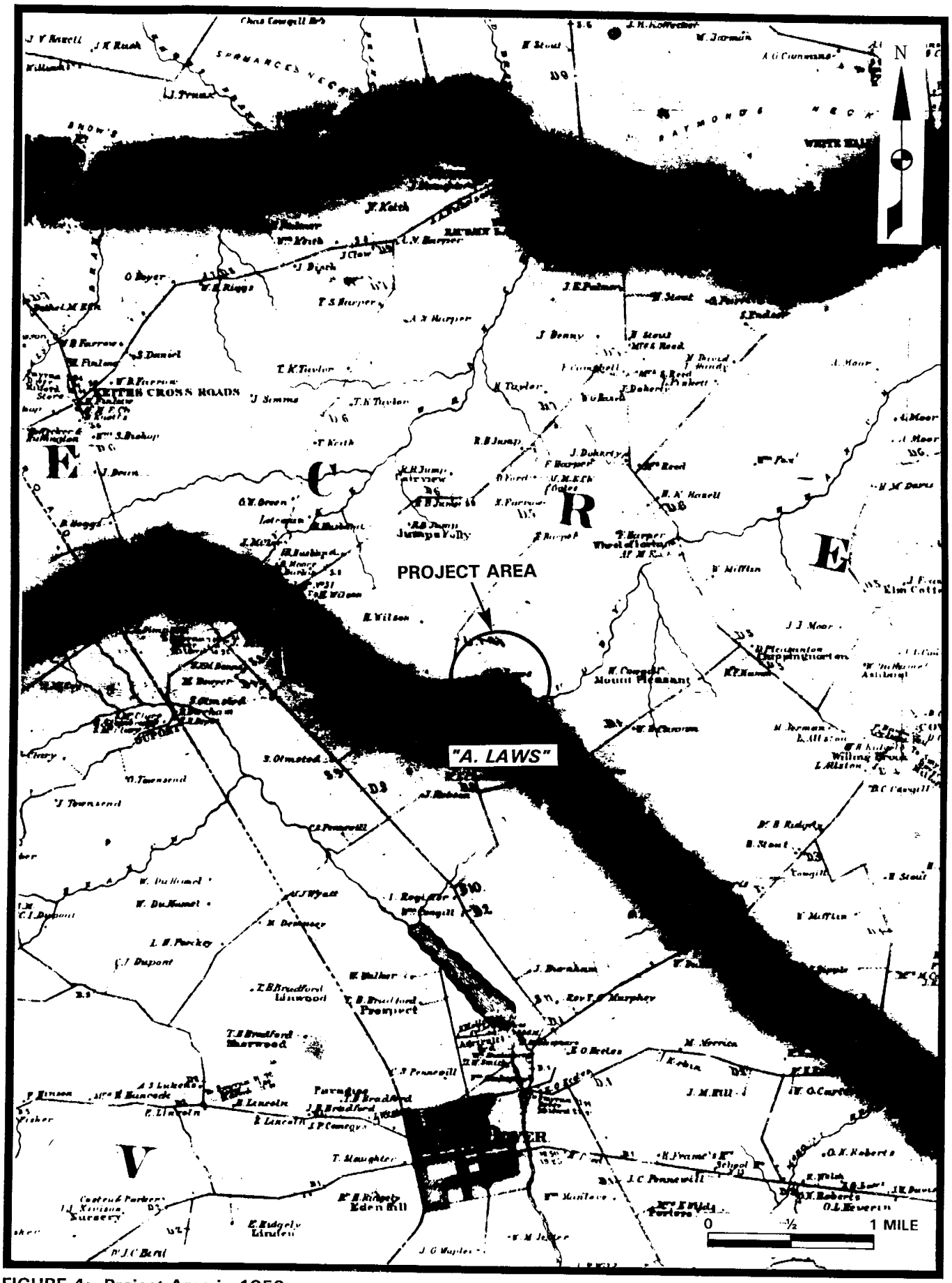

FIGURE 4: Project Area in 1859

SOURCE: Byles 1859

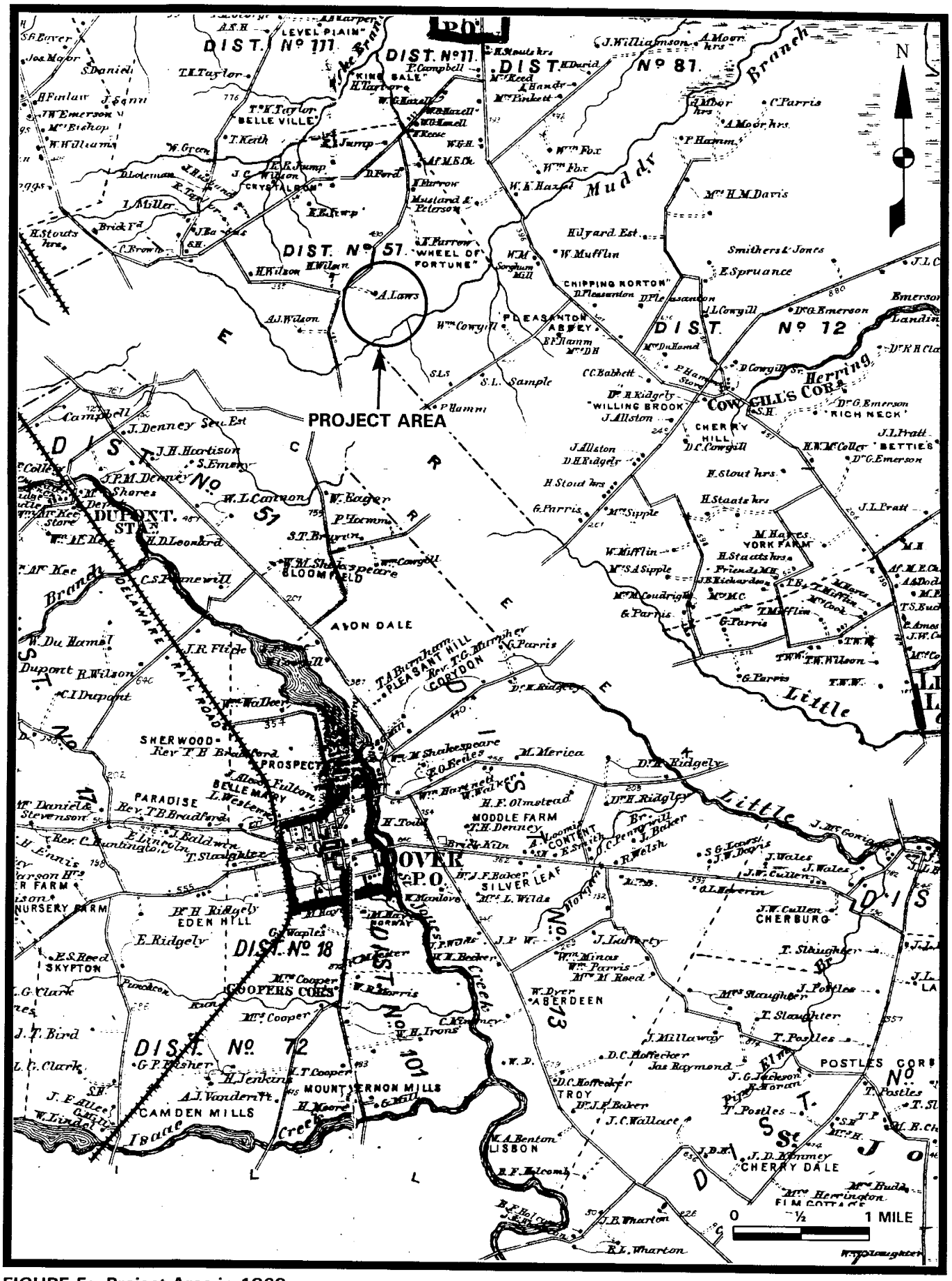

FIGURE 5: Project Area in 1868

SOURCE: Beers 1868

1940 to the Present

The expansion of state government and the development of Dover Air Force Base have led to major growth in Dover. Between 1945 and 1965 the population of the city more than doubled, and its boundaries were expanded to incorporate new housing tracts springing up in the surrounding countryside (Munroe 1993:242). The Route 13 corridor, less than a mile west of the Alexander Laws Farm, has developed into a major commercial strip. Agriculture remains economically important in the region, although the acreage in production continues to decline under the impact of suburbanization.

B. Site History

The Alexander Laws Farm, also known as the Leipsic Road Farm, is located in Little Creek Hundred about a mile northeast of Dover. The farm was part of a large tract called "Wheel of Fortune" patented in the seventeenth century by Richard Wilson and Richard Williams. In the eighteenth century the tract was said to contain 568 acres. Several pieces of the tract were later purchased by John Hamilton, a wealthy local landowner, including 200 acres he bought from John Houseman in 1747 that included at least part of the Laws Farm (Kent County Deeds N:152).

The 208-acre tract that later became the Alexander Laws Farm was assembled by John Hamm (or Ham), a well-to-do merchant and farmer who purchased three parcels of land from John Hamilton's heirs in 1771 and 1772 (Kent County Deeds T:45, 197, 202) (Table 2). The farm, located on both sides of the road from Dover to Fast Landing (Leipsic), was one of the oldest in the county, appearing in a deed of 1714 (Scharf 1888 I:1119). When John Hamm died, in 1798, he bequeathed the Laws Farm, on which he lived, to his son Charles. John Hamm's will (Kent County Wills N:203) and probate inventory (Kent County Probate Records A 21:151, 178-183; see Appendix B) convey his considerable wealth. To his son Dr. John Hamm, for example, he left a gold watch, an eight-day clock, several pieces of silver, a quarto Bible, a riding horse, a 15-year-old slave boy, and 200 pounds in money. His lands included six tracts of farmland containing at least 513 acres (the size of one tract is not given) and town lots in Dover. His inventory lists other luxury goods, including a carriage, a silver watch, a mahogany table and chairs, a walnut chest of drawers, a bookcase and books, and ten slaves.

Charles Hamm did not assume ownership of the farm until he came of age in 1801. When the 1800 U.S. Census of Delaware was taken, the household was headed by his mother, Susannah, and included one woman over 45 (Susannah), two women aged 16 to 26, two men aged 16 to 26, and two girls under ten. The 1810 U.S. Census records that Charles and his wife Letitia lived with 16 people, six of whom were slaves and five of whom were former slaves. In 1823 Charles and Letitia Hamm bought and moved to a farm on the State Road (present Route 13). They mortgaged the farm Charles had inherited from his father to Nicholas Ridgely, a local

TABLE 2

CHAIN OF TITLE FOR THE ALEXANDER LAWS FARM, 1747-1970

Owner	Dates	Occupancy	Tenant
John Hamilton	1747-1771		
John Hamm	1771-1798	Owner	
Charles Hamm	1798-1823	Owner	
Charles Hamm	1823-1829	Tenant	Samuel Rigs
Nicholas Ridgely	1829	Tenant	
Henry Ridgely	1830-1856	Tenant	Jacob Reeves
Joseph Foreacres	1856-1858	Owner	
Alexander Laws	1859-1868	Tenant	Charles Wheatman
Merritt Spinning and Wells Sexton	1868-1872	Owner (Spinning)	
Wells Sexton	1873-1877	Tenant	Henry Wilson
Sybrandt Nelson	1877-1878	Tenant	
Moses and Leanna Schneck	1878-1889	Owner	
Leanna Schneck	1889-1903	Tenant	Satterfield Taylor
Samuel C. Hill/ Wilmington Trust Co.	1903-1970	Tenant	
Little Creek Land Trust	1970-1994	Tenant	

magnate with whom they had family connections (Runk 1899:724). At the time of the 1828 Little Creek Hundred Tax Assessment (p. 35), the Laws Farm was leased to Samuel Rigs. The Hamms quickly defaulted on the mortgage, and in 1829 the Laws Farm was sold by the sheriff to the same Nicholas Ridgely (Kent County Deeds K4:233).

Nicholas Ridgely was a member of one of Delaware's most prominent families, and he was Chancellor of the State of Delaware. He died in 1830, leaving all his real estate to his nephew, Henry Ridgely. (In his will, Nicholas Ridgely freed all his slaves.) Henry Ridgely, a minor at the time of his uncle's death, went on to earn a degree in medicine but practiced for

only a few years. He had various business interests, becoming a director of the Farmer's Bank at the age of 26, an organizer of the Delaware Railroad Company, and a notable peach and grain farmer (Scharf 1888 I:1071). Neither Nicholas nor Henry Ridgely ever lived at the Laws Farm, so during the period of their ownership the farm was probably leased to a tenant.

The Little Creek Tax Assessments for 1852 to 1856 (p. 96) show that Dr. Henry Ridgely owned a 208-acre farm in the hundred (which must be the Laws Farm) and had leased it to Jacob A. Reeves. The farm is said to consist of 150 acres improved and 58 improved, with an old frame dwelling house, stable, and cribs in "tolerable repair." At the same time, Jacob A. Reeves was assessed for two horses, one yolk of oxen, four cows, two yearling heifers, and seven pigs, but no lands or buildings (Little Creek Tax Assessments p. 92). Statistics from the U.S. Agricultural Census of 1850 allow comparisons to be made between the Laws Farm and other Delaware farms. It was larger than the average size of 158 acres, and a greater percentage of the land was improved (72 percent vs. the average of 61 percent; De Cunzo and Garcia 1992:32).

In 1856 Henry Ridgely sold the Laws Farm to Joseph C. Foreacres, a resident of neighboring Duck Creek Hundred. Foreacres took out a mortgage with Ridgely for most of the purchase price of the farm (Kent County Deeds L4:223) and appears to have set up residence there. Foreacres appeared in the 1850 U.S. Census, when he was 26 years old; he lived with wife Mary, aged 28, two sons aged 3 and 1, and a farmhand named Franklin Moffitt. Two years later, in 1858, Joseph C. Foreacres sold the farm to Alexander Laws, a Leipsic merchant (Kent County Deeds O4:474). The farm was once again put under the care of a tenant farmer. According to the 1860 Little Creek Hundred Tax Assessments (p. 77), the Laws Farm, including a two-story dwelling, cribs, granary, and stable "in good repair," was leased to Charles Wheatman. Two Charles Wheatmans appear in the 1860 U.S. Census for Little Creek Hundred, one a single farmer, 22 years old, the other a 32-year-old farmer with a wife, a grown step-daughter, and four white servants. The latter seems the more likely to have been the occupant of the Laws Farm.

Alexander Laws owned the farm until 1868 when he sold it to two men from Oneida County, New York, Wells D. Sexton and Merritt Spinning. Alexander Laws is indicated as the owner of Site 7K-C-394 on both the Byles map of 1859 and the Beers map of 1868.

Merritt Spinning moved to Little Creek Hundred and took up residence on the Laws Farm. According to the 1870 U.S. Census, Spinning was then 34 years old, and he shared his home with his wife, Emma, two sons aged 8 and 10, and a 5-year-old daughter. Spinning was listed in the 1870 Agricultural Census. His main crops were "orchard products," presumably peaches, which accounted for $1,200 of the $2,170 worth of produce he sold in the year, winter wheat (275 bushels), corn (200 bushels), and potatoes (100 bushels). The farm also produced 225 pounds of wool from 50 sheep and 200 pounds of butter from 4 cows. Spinning paid $400 in wages to his farm laborers, and his farm was valued at $10,000.

In 1873, the Spinnings sold their share of the farm to their partner, Wells D. Sexton. Sexton remained in New York and leased the farm to tenants. In 1876 the tenant was Henry L. Wilson, and the farm was said to include 160 acres of arable land, 54 acres of bush, and a two-story dwelling house and "outbuildings" in "fair repair" (Little Creek Hundred Tax Assessments). In 1877 Wells Sexton died; his heirs sold the Laws Farm to Sybrandt Nelson of Madison County, New York (Kent County Deeds W5:159). In 1878 Nelson resold the farm to Moses Schneck of Philadelphia, Pennsylvania (Kent County Deeds Y5:435).

Moses Schneck moved to the farm, and he is listed in the 1880 U.S. Census. He gave his age as 52, and he shared his household with his wife, Leanna, a 19-year-old son, two farmhands, and a female servant. According to the 1880 Agricultural Census, the Schnecks raised 500 bushels of corn, 200 bushels of oats, and 100 bushels of wheat, as well as buckwheat, potatoes, sweet potatoes, butter, and 50 dozen eggs. His 200 apple trees yielded 250 bushels, but his 200 peach trees only 20 bushels. The farm had greatly declined in the preceding decade. The value of the farm's orchard products had fallen from $1,200 in 1870 to only $50 in 1880, the value of all agricultural products from $2,170 to $470, and the farm's value from $10,000 to $4,000. In 1889 the Schnecks transferred all interest in the farm to the wife and moved back to Philadelphia, and the farm was once again let to tenants. According to the 1896 Tax Assessments, the farm was leased to "S. Taylor"; the most likely Taylor in the same assessment is Satterfield Taylor, who owned four horses and two cows, but no land.

In 1903, Leanna Schneck, by then a widow, sold the farm to Samuel C. Hill of Wilmington. Hill was a businessman who owned one half of the Wilmington Paper Box Company and was a partner in the Wilmington Trust Company (Kent County Wills 1/3:224); the Laws Farm was once again leased to tenants. In 1970, Hill's heirs directed the Wilmington Trust Company to sell the farm to the Little Creek Hundred Land Trust (Kent County Deeds U25:286), which purchased it on behalf of property developers. No dwelling is mentioned in the 1970 deed, so the house may by then have been abandoned.

The history of the Laws Farm presents considerable difficulties for the interpretation of Site 7K-C-394. The very small quantities of creamware (1762-1820) and pearlware (1780 to 1840) recovered and the absence of white clay tobacco pipes effectively rules out occupation of the site before 1830, and there was very little archaeological evidence of occupation before 1850. Clearly there was another, earlier dwelling somewhere else on the farm. The deeds offer no evidence of a move, describing what seems to be the same two-story frame house from the beginning of the nineteenth century to its end, so the move cannot be dated from the deeds. The map evidence is also inconclusive. Both the 1859 Byles map and the 1868 Beers atlas show the "A Laws" residence somewhere within the Sarro Wetland project area, but neither places it at Site 7K-C-394. Byles placed the residence south of 7K-C-394, near where the Leipsic Road crossed Muddy Branch, while Beers placed the house about 500 feet north of the site. However, neither of these maps is completely accurate, and the site is within the margin of error of both.

It seems, therefore, that the farmhouse was at least near 7K-C-394 by 1859. The location of the earlier house is unknown. Recent USGS maps show that the large barn on the site was constructed between 1956, when a cluster of small outbuildings is shown in its location, and 1981 (Figure 6).

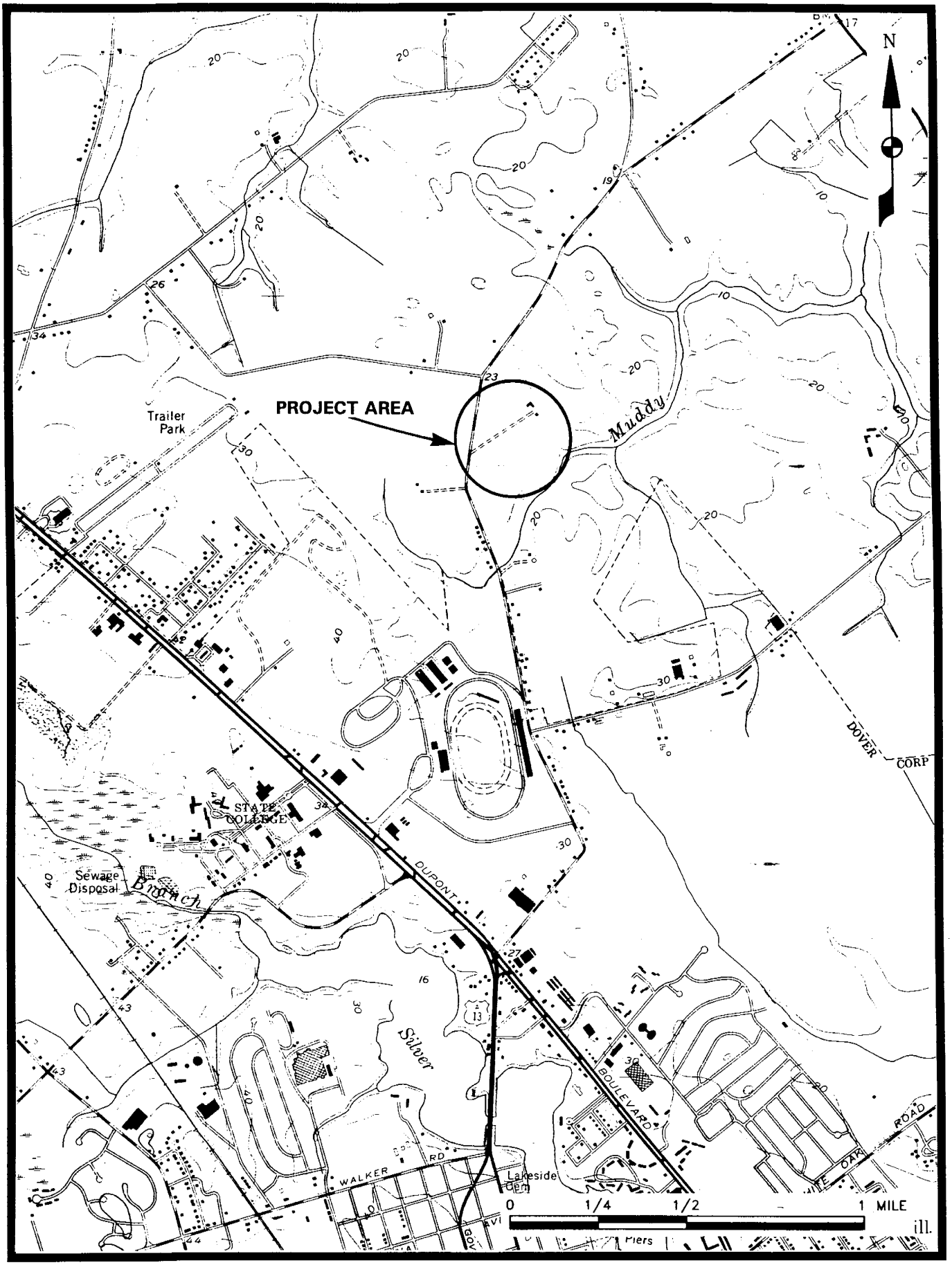

FIGURE 6: Project Area in 1981

SOURCE: USGS 7.5 Minute Quadrangle, Dover, Del 1956 (Photorevised 1981)