

CONTINENTAL STABLES IN LANCASTER

By JACOB HILL BYRNE, ESQ.

THE lot of ground on which the building of The Lancaster County Historical Society stands, 307 North Duke street, Lancaster, was part of an original tract of 500 acres.

William Penn, Proprietor of the Province of Pennsylvania, by deeds of lease and release, dated April 12 and April 13, 1682, granted to Richard Wooler, or Woolle, of Golding lane, London, a tract of land in the Province of Pennsylvania, containing 500 acres; said grant being in fee simple, but under a yearly quit-rent of one shilling for every 100 acres. It may be interesting to note here, that at this time it was practically impossible, under the laws of England, for an owner of land to make a conveyance directly to a purchaser. The English laws relating to land were still very largely feudal in character. They were laws which had been enacted to regulate and control the title, ownership, possession and use of land under the feudal system; and the main object of the feudal laws relating to land, was to prevent its alienation and transfer from one holder to another. For centuries, however, prior to this time, the English courts had been struggling to devise methods to facilitate the sale, alienation and transfer of land. It was peculiar to the English Crown, Parliament and people, that they made little or no effort to change the laws. Even as late as the end of the seventeenth century, formal acts of Parliament were regarded as almost sacred, and only to be amended as a last resort. Instead of changing the laws, as they became obsolete, it was the task of the English courts so to twist the laws by judicial interpretation, as to accomplish the object desired. In this effort to facilitate the transfer of land, the English courts had devised the doctrine of Uses and Possession, under which, when a person had the right to the use of the land and the possession thereof, though without title to ownership, it was possible to vest the fee simple title, or absolute ownership, in the person who had the use and possession of the land. A method was worked out, by which the owner of land, who desired to sell and convey it, or a portion thereof, to another, would execute a lease of the land to be conveyed, to the purchaser, and put him in possession of the land sold; and on the next day, execute to the purchaser a release of all his right, title and interest therein. This gave the purchaser the absolute ownership of the land. Therefore William Penn, in granting 500 acres of land in the Province of Pennsylvania to Richard Wooler, did not execute and deliver a deed of conveyance to him, as is the present custom, but first executed a lease to him for the land, and on the following day, executed and delivered to him a release of all his claim to these 500 acres.

It is also to be noted, in this transaction, that William Penn did not convey to Richard Wooler any certain, specific tract of land containing 500 acres, with fixed boundaries marked on the ground. What he actually did, was to grant to Richard Wooler the right to 500 acres of land in the Province of

Pennsylvania, to be located by a subsequent survey, at any place and wherever in the Province he desired. This right to 500 acres of land passed by descent to Thomas Wooler, son and heir, and only child, of Richard Wooler; and again passed by descent to Dawson Wooler, son and heir of Thomas Wooler.

Dawson Wooler, by deeds of lease and release, dated May 27 and May 28, 1714, granted said tract of 500 acres of land, to be located as above mentioned, to Samuel Arnold, who executed a declaration in writing, dated February 7, 1731-32, in which he acknowledged that he had received of James Steel, by the hand of David Barclay, the sum of £31: 10s., in full for the purchase of said 500 acres of land; and acknowledged that he had sold said tract of land to James Steel, and obliged himself, at any time, to execute proper conveyances for conveying the same to James Steel.

James Steele, in a similar declaration, dated May 1, 1733, and endorsed on the declaration made by Samuel Arnold, acknowledged that the sum of £31: 10s., which he had paid to Samuel Arnold for said tract of 500 acres, was the proper money of Andrew Hamilton, and paid by him, James Steele, for the use of Andrew Hamilton; and that said 500 acres of land were the sole property of Andrew Hamilton, and that the name of James Steele was used in said purchase only for the use of Andrew Hamilton. It does not appear in the recital of this declaration, and probably did not appear in the original declaration, but the fact was that Andrew Hamilton, at the time, was deputy governor of the Province and probably could not allow his name to appear in the transaction with very good grace. But having acquired the right to this tract of 500 acres of land, Andrew Hamilton proceeded to have the land office of the Proprietary Government, issue to him a warrant for the survey of this 500 acres, and chose to have the land located and surveyed so as to include the village of Hickory Town, an early name for Lancaster, which was growing rapidly in size and importance; and as much of the land surrounding the village as had not already been taken up by previous settlers, through formal and official warrants and patents. This warrant was dated May 1, 1733.

In pursuance of this warrant, the surveyor general of the Province had a tract of land surveyed for Andrew Hamilton, the survey being made on August 10, 1733, the land being described as,

“Beginning at a marked black oak, at a corner of Roody Moyer’s land; thence by the same land, southwest, 150 perches to a post; thence by the same land, northwest, 185 perches to a post; thence by vacant land, southwest, 147 perches and 5 feet to a post; thence by land of John Moyer, southeast, 159½ perches to a marked hickory; thence by the same land, south, southwest, 30 perches to a corner marked hickory; thence by the same land, southwest, 164 perches to a corner marked white oak; thence by land of John Shank, southeast, 161 perches to a corner marked hickory; thence by land of Jacob Hostator and Jacob Gritor, northeast, 164 perches to a post; thence by land of John Lane, northwest, 126 perches to a hickory; thence by the same land and land of Samuel Bethel, northeast, 160 perches to a hickory; thence by said Samuel Bethel’s land, southeast, 144 perches to a post; thence by land of

Torys Eby, northeast, 165 perches to a post; and thence by land of Michael Moyer, northwest, 165 perches to the place of beginning."

By this time, the laws of England and the laws of the Province had been changed to permit the execution and delivery of a deed of conveyance directly from the owner to a purchaser; and by a deed dated May 1, 1734, Andrew Hamilton and James Steel joined in conveying this tract of 500 acres of land to James Hamilton, a son of Andrew Hamilton. The deed described the premises as "All that tract of land situate in the County of Lancaster, whereon the court house of said county and sundry other houses and buildings now stand, containing 500 acres;" and recites that this tract of land was surveyed and laid out in pursuance of the Proprietary's warrant of May 1, 1733, unto said Andrew Hamilton, in right of the original purchase made of the late Proprietary, William Penn, by Richard Wooler, in and by deeds of lease and release of April 12 and 13, 1682, and since by sundry descents and grants, the right of, in and to the same land and premises, became vested in said Andrew Hamilton and James Steel, or one of them.

Having acquired title from his father and James Steel, James Hamilton applied to the Proprietaries for a patent, and on May 21, 1734, John Penn, Thomas Penn and Richard Penn, Proprietaries of Pennsylvania, granted a patent to James Hamilton for this tract of 500 acres, in which the land was described by metes and bounds, courses and distances, as above. William Penn had died in 1718, and his three sons, John, Thomas and Richard, had succeeded him as Proprietors of the Province.

At this time, it was still the law of England, that all precious metals, gold and silver, found under the surface of the ground, regardless of the ownership of the land, belonged to the Crown exclusively; but often, in royal grants, the Crown would reserve only a part of such precious metals or ores, if any, which might be found. It was also the law that the Lord of the Manor had the exclusive right to hawk, hunt, fish and fowl on all the land included in the manor, regardless of grants of parts thereof. At this time, too, many of the old feudal forms of tenure of land still continued in force, at least technically; and one of the commonest forms of land tenure prevailing in England was that of free and common soccage. Under this form of tenure, the occupant of the land had the practical ownership thereof absolutely, but was bound by the feudal duty of fealty or allegiance to the Lord of the Manor, and was also bound to render some easy service, or to pay a slight rent to the Lord, as a sign of his paramount right; though the service to be rendered might be waived. It is interesting to note, therefore, that in the patent from the Proprietors to James Hamilton, the former reserved three full and clear fifth parts of all royal mines, free from all deductions and reprisals for digging and refining the same.

From that time to the present, this reservation has been of no practical effect; because, unfortunately, no gold or silver has ever been found in the soil now occupied by the city of Lancaster. A good deal of gold and silver has been sunk in the ground, but not in such shape that it could be dug up and refined, and put to practical use or in circulation again. In the patent,

also, the Proprietors granted to James Hamilton, his heirs and assigns, the free leave, right and liberty to hawk, hunt, fish and fowl in and upon the land granted thereby, or upon any part thereof; and also provided that the said tract of land should be holden of them, their heirs and successors, Proprietaries of Pennsylvania, as of their Manor or reputed Manor of Conestoga, in the county of Lancaster, in free and common soccage, by fealty only, in lieu of all other services; but reserved a quit-rent of one English silver shilling for every hundred acres of the same.

The conveyance from Andrew Hamilton and James Steel to James Hamilton, and the patent from the Proprietaries to James Hamilton, still left an outstanding interest, — that of Samuel Arnold. Therefore, the said Samuel Arnold, by deed dated June 21, 1750, conveyed all his right, title and interest in this tract of 500 acres of land to James Hamilton. In this deed, Samuel Arnold, of London, is described as an upholsterer; and there is a variation in the spelling of the name of the original purchaser from William Penn, and of his son and grandson. The name of the original purchaser is given as Richard Woolle, a tanner, of Golding lane, London, instead of Wooler, as in the previous recitals. His son is described as Thomas Woolle, a silkman, of Stepney; and the grandson as Dawson Woolle.

Having acquired title from Andrew Hamilton and James Steel, and by patent from the Proprietaries, James Hamilton immediately proceeded to lay out the plan of a town, which he called Lancaster, by streets and lots; and began to grant and convey building lots, the earliest deeds being dated May 1, 1735. James Hamilton and his successors in the ownership of these lots, never sold any lots for a cash consideration. No money was paid down by the purchasers. The consideration in the grant of all lots was the annual payment perpetually of a ground rent. The earliest lots granted, were subject to a ground rent of seven shillings a year; though, later, the amount of yearly rent reserved was increased from time to time, until by 1815, when the last lots were granted in this way, the rent had risen to as high as £4 for some lots. After about the year 1835, it became possible for the owners of lots to purchase the ground rents from the trustees of the Hamilton estate, and thus to extinguish them; and to-day, very few of the original ground rents are still in force.

The ownership of the lots on which the building of The Lancaster County Historical Society and the adjoining buildings stand, remained in the Hamilton family until May 1, 1808, at which time William Hamilton, who succeeded James Hamilton in the management of the family real estate, granted four lots of ground to Rev. Henry Muhlenberg.¹ These were Lots No. 771, 772, 773 and 774, located at the northeast corner of Walnut and Duke streets, the numbers running from south to north. The lots fronted on Duke street, and each lot contained in front 64 feet, 4½ inches, and in depth, to an alley, fourteen feet wide, 245 feet. The total frontage of the four lots was 257

¹ The Rev. Dr. Gotthilf Henry Ernest Muhlenberg was pastor of Trinity Lutheran church, Lancaster, from 1780 to 1815.

feet, 6 inches, and extended to a point midway between Walnut and Lemon streets. Each lot was granted subject to a ground rent of 17s. 6d., and subject to a condition that the grantee, or his heirs or assigns, was obligated to erect thereon within two years, a dwelling house at least twenty feet square, with a good chimney of brick or stone, laid with lime and sand mortar.

In connection with these lots, the matter of special interest to The Lancaster County Historical Society is the fact that at the time of the grant to Rev. Henry Muhlenberg, there was already erected on part of the lots, a two story brick building,—the same building as now stands here,—which included the building now owned by Dr. Theodore B. Appel, except the brick wing later built on the south side of the Appel property, the building of The Lancaster County Historical Society, and the property owned by the heirs of the late Owen P. Bricker, Esq. At the time of the grant, this was all one building, but was subsequently divided into three parts.

There is no documentary proof that this building stood on these lots at the time of the grant to Rev. Henry Muhlenberg, but the fact is practically certain. For a period of more than a hundred years, there has been a general and positive tradition of the existence of the building and of the purpose for which it was erected and used. According to the same tradition, the lots on the opposite corner of the two streets, that is at the northwest corner of Duke and Walnut streets, were occupied by the barracks of the military garrison of the town. And the tradition which has prevailed is that the two story brick building on the lots at the northeast corner, was also part of the military establishment and was used as a military stable. This tradition is strengthened to the point of certainty by the declaration of the late Dr. Frank R. Diffenderffer that his grandfather, who remembered the massacre of the remnant of the Conestoga Indians by the Paxton Boys in 1763, told him that this building had originally been used as a military stable.

Practically, the only element of uncertainty about the building in question, is the date when it was built. This date is not known; and it cannot be established whether the building was erected before or during the Revolutionary War. All the circumstances point to a time not later than the Revolutionary War, but do not preclude an earlier origin. From a military point of view, there would seem to have been no reason whatever to establish the barracks and stable of a military post in Lancaster *after* the Revolution; but before or during that eventful period, it was not only entirely reasonable, but almost essential, that a military post should be established in Lancaster. It was near enough to active operations during the war, to make it highly important as a station for the assembly and distribution of troops and supplies; and it was far enough away, to make it secure from British raids.

But it is also highly probable that Lancaster was a strong military post during the colonial period, before the Revolution. Until long after the Revolution, it was the largest and most important inland town in the country. It was noted for its manufacturing industries, especially of arms and cloth, and it was the center of one of the richest agricultural sections in all the colonies. During all the wars of the English colonies against the French and Indians,

or against the Indians alone; and amidst the threats of Indian troubles to the west, prior to the Revolution, Lancaster was in a particularly favorable location as a base for military operations. From this point, troops and supplies could be dispatched quickly to any threatened point, north, west or southwest. It is reasonable, therefore, to suppose that there was a military post, with the necessary barracks and stable, at this point; and it is not improbable that the barracks and stable—this building in question,—may have been built and used for military purposes during the colonial period, before the Revolution.

The architecture of the building aids in determining the approximate time of its erection. Its style and the kind of bricks used are peculiar to the colonial and revolutionary periods. There is some contention that the building was not originally constructed as a military stable; that it was originally built for some other purpose, and afterward converted into a stable, or row of stables; but the wide entrances, with flattened arches, traces of which still remain, indicate that it was built in the first place as a stable; and the character and size of the town at that time, preclude the idea that so large a stable should have been erected for any other than military purposes.

At a later period, there is record evidence that the whole building, from the northern wall of the portion now owned by the Bricker heirs, to the southern wall of the original building on the property now owned by Dr. Appel, was a stable. As noted before, the four lots were granted by William Hamilton to Rev. Henry Muhlenberg on May 1, 1808. Here it may be observed that during the whole colonial and revolutionary periods, the Hamiltons retained the ownership and title of the lots at the northwest and northeast corners of Duke and Walnut streets, and permitted the use of them, without charge or rent, by the colonial and continental governments for public and military purposes, during a long period of years. The four deeds from William Hamilton to Rev. Henry Muhlenberg are not on record, and probably are no longer in existence; but a deed is on record, dated December 15, 1827, from Rev. Henry Augustus Muhlenberg, surviving executor of the will of Rev. Henry Muhlenberg, to Jacob Hensel, which conveyed the whole four lots. In this deed, there is no mention of the character of any building or buildings erected on the lots. By a deed, dated March 27, 1829, Jacob Hensel and wife conveyed the same four lots to Samuel Slaymaker; again there being no mention of any buildings thereon.

Samuel Slaymaker died seized of the four lots, or, at least, of three of them; and in partition proceedings in the Orphans' Court, they were accepted by his son, Henry Y. Slaymaker; who, by a deed dated October 6, 1836, conveyed "All those certain three two-story brick stables and two and one-half lots of ground," to Jacob McCully. This is the first mention of any buildings on these lots, and of the character of the buildings. Jacob McCully and wife, by deed dated November 7, 1836, conveyed the same property, described as "All the within mentioned and described three two-story stables and two and one-half lots of ground," to Henry E. Leman. And this is the last mention of the stable or stables.

The two and one-half lots conveyed to Henry E. Leman fronted on Duke

street, 160 feet, 11¼ inches, extending north from the corner of Walnut street. He retained the ownership and title of the whole property until April 1, 1853, when he conveyed "All that certain two-story brick dwelling house and lot of ground . . . containing in front on Duke street, 64 feet, 10 inches." This is the property which now includes the two dwelling houses, Nos. 311 and 313, which subsequently became the property of Owen P. Bricker, the elder, and now belongs to his heirs. On March 31, 1873, Henry E. Leman and wife conveyed to Daniel G. Baker, "All that certain piece of ground . . . containing in front on North Duke street, 29 feet, 5 inches . . . on which is erected a two-story brick dwelling house." This is the property now owned by The Lancaster County Historical Society; the Society having purchased it from Louise H. Mathews on May 3, 1924. On April 1, 1874, Henry E. Leman conveyed the remainder of the original two and one-half lots, being the piece of ground at the corner of Duke and Walnut streets, fronting on Duke street, 65 feet, 7 inches, to the First Methodist Episcopal church. This is the property now owned by Dr. Theodore B. Appel.

In connection with the nature of the building on these premises, and the use to which it was originally put, there are three very interesting references to the matter, which were found by Mr. William F. Worner in his valuable research work, and reported by him to the writer. Christopher Marshall made the following entry in his diary, under date of October 7, 1777: "Came to town this evening, a company of Light Horse from North Carolina, near upon fifty, with their wagons, etc.; put up their horses at the Continental stables."

Under date of January 25, 1778, Marshall again entered in his diary: "After dinner came back into town the eleven wagons with baggage that, it's said, was sent a few days post by Gen. Howe from Philadelphia, for the use of his people who are prisoners in this state, and which arrived here a few days ago and left the day before; but by order from the Board of War they were sent after, the goods put into our stores, the wagons and horses sent to the Continental stables, the officers, under restrictions, at Jordan's [tavern], the wagoners and some prisoners sent to prison, and the women to ramble about the town."

And in the issue of January 28, 1778, of the Pennsylvania Packet and General Advertiser, a newspaper published in Lancaster, appears the following notice: "Was found on about the 10th instant near the Continental stables in the borough of Lancaster, a remnant of blue broadcloth, about three yards, which was offered by a soldier for sale, and stopped by the person to whom it was offered, he supposing it to have been stolen. Whoever has lost the same, by applying at the store of Mease and Caldwell, in Mr. Sanderson's house, may have it by proving their property and paying for this advertisement. George Streyley."

These references establish conclusively the existence of the stables during the Revolutionary War.

Additional light on the subject of the Continental stables is thrown by a transaction which appears in the records of the recorder's office of Lancaster county, and which was reported to The Lancaster County Historical Society

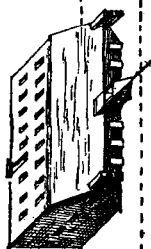
by Mr. J. Clyde Heath, manager of the First Title Insurance Company of Lancaster, who discovered it. By a deed dated May 1, 1760, and recorded October 28, 1768, in Record Book M, Page 479, James Hamilton granted and conveyed to James Webb, "All that large lot of ground situate in or near the Borough of Lancaster. Consisting of four lots, marked Nos. 534, 535, 536 and 537. Containing in front on Duke street, two hundred and fifty-seven feet, six inches, and in front two hundred and forty-five feet on Walnut street, and in front on a fourteen feet alley, two hundred and fifty-seven and one-half feet. Bounded on the east by Duke street, on the south by Walnut street, on the west by said fourteen feet alley and on the north by lot No. 533."

A declaration of use, dated August 30, 1768, was endorsed by James Webb on the original deed and was recorded on the same day in Record Book M, Page 480, in which "James Webb doth hereby declare that said large lot of ground, containing four lots, Nos. 534, 535, 536 and 537, with the buildings thereon erected, are to and for the use, intent and purpose of erecting, finishing and completing good and sufficient barracks thereon for accommodating and lodging such of his Majesty's soldiers as should pass in and through said county of Lancaster, or otherwise be duly stationed in the same county and for no other use, intent or purpose, which said barracks have since been erected and built at the charge and expense of the Province aforesaid. And that he hath not any claim, estate, right, title or interest in the premises to himself, his heirs, executors, administrators or assigns. And said James Webb doth hereby release and quit-claim all and every other right, title, interest, claim and demand unto said premises, which he, his heirs, executors, administrators, now have or might or could have in the same."

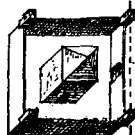
The James Webb mentioned in this deed and declaration, was one of the prominent citizens of Lancaster at the time, was a sheriff of Lancaster county, and probably was sheriff at the time the deed was made to him by James Hamilton. This deed was made during the French and Indian War, when Lancaster was a very important post in the military operations against the French and their Indian allies. It had evidently become necessary to establish barracks, store houses, magazines and stables here, and the four lots were conveyed to James Webb to enable the Provincial Government to erect the necessary buildings. In the declaration, dated August 30, 1768, James Webb declared that the barracks had already been built, and this is conclusive proof that the barracks had been built some time between May 1, 1760, and August 30, 1768.

It is impossible to suppose that the Provincial Government, in a time of war, when troops were being constantly sent from the eastern part of Pennsylvania into the west, and when large quantities of military supplies were being transported in the same direction, would have built large barracks at the northwest corner of Duke and Walnut streets in the borough of Lancaster, without, at the same time, building stables for the accommodation of the large number of horses required in that service; and while there is no mention on the records of the construction of the stables, there is no doubt that they were built about the same time.

JAMES STREET



Government Warehouse



Powder House

CHRISTIAN

DUKE

QUEEN



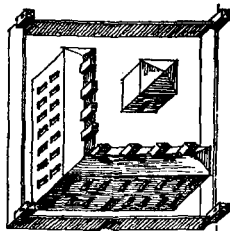
LEMON STREET

STREET

STREET

STREET

The Barracks



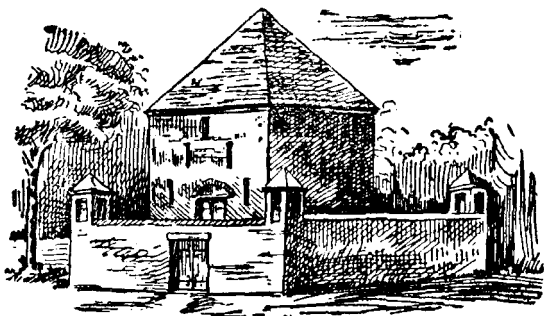
Government Stables

WALNUT STREET

*Relative position of the
Government Buildings in 1776.
Lancaster, Pa.*

These barracks, which were on the site now occupied by the First Methodist Episcopal church, were originally built of brick. The Rev. Manasseh Cutler visited Lancaster on Friday, September 26, 1788, and in a very fine description of the town, as it was at that time, said: "At the part where I entered Lancaster, are the old brick barracks, commissary's store, powder house, etc., all out of repair." It is reasonable to suppose that if the barracks were built of brick, the stables, which were just as important, both as regards use and safety, were also built of the same almost imperishable material. And this hypothesis supports the presumption that the building now standing on these premises, was the original building erected by the Provincial Government for use as military stables.

The conversion of the original building from stables to dwelling houses, also creates an overwhelming inference that the first use of the building was as a stable, and that the same buildings as stand there now, were the original stable buildings, erected sometime between 1760 and 1768. The lots being located on what was then the edge of the heart of a rapidly growing town, it is entirely unreasonable to suppose that the building thereon could have been used for some other purpose first, and afterward turned into stables. The natural inference is to the contrary; that the building was first used as a stable, and later, as the growth of the town forced stables to less valuable ground, was turned into dwelling houses; and, altogether, tradition and evidence are convincing that the original building, and as it now stands, was built as a military stable by the Provincial Government during or immediately after the French and Indian War, and was occupied as such by Washington's army during the Revolution.



OLD POWDER HOUSE—1777.