Memorandum

To: Regional Director, Region Five

From: Superintendent, Harpers Ferry National Monument

Subject: Historic Building Site Report, Wagner Lots 35 to 43. Research Project No. HF-30B

Park Historian Sullivan has provided the following answers to the questions raised in Regional Historian Barnes' memorandum of April 23, 1959.

(1) Second paragraph, page 5: No deed of bill of sale or deed of conveyance as a result of the Sheriff's sale of 1845 has been found. Neither were there any newspaper references as a follow-up to the notice of sale that appeared October 9.

(2) Quotation on page 6 regarding the stone house occupied by the colored woman is found in: Hanter, Commissioner to Thomas Beorly, Deed of E&S, November, 1853, Deed Book 39, p. 477.

The end of paragraph 3, page 6, should read as follows: "No further description of the house was given. Since, in 1853, it was described as an 'old stone house,' it is valid to conclude that it was built sometime prior to 1836 by the Wagner family. If the house was built by Martin Grace after his purchase of the lot in 1839, assuming construction began immediately, the maximum age of the house in 1853 would have been fourteen years, which, relatively speaking, should not be considered an old house.

(3) Page 8, third line from bottom: We know the lot was vacant at that time as described in the Virginia Free Press, April 7, 1836, p. 4, c. 1. Vacant lots were selling for a price in the vicinity of $400.

(SGD) FRANK H. ANDERSON

Frank H. Anderson
Superintendent

In triplicate

Copy to: Director
Memorandum

To: Regional Director, Region Five

From: Superintendent, Harpers Ferry National Monument

Subject: Historic Building Site Report, Wager Lots 35 to 43, Research Project No. HF-30B

Enclosed please find four copies of the Historic Building Site Survey Report, "History of Wager Lots No. 35 to 43, 1751 to 1865," dated February 24, 1959, 19 pages. This report was written by Historian Arthur L. Sullivan, under the supervision of Historian Snell, as a part of Mr. Sullivan's in-service training. The study completes the history of the High Street area, Project No. HF-30.

(SGD) FRANK H. ANDERSON
Frank H. Anderson
Superintendent

In duplicate
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Harpers Ferry
(Area)

FILE CODE:

HISTORIC BUILDING SITE SURVEY REPORT

HISTORY OF
WAGER LOTS NO. 35 - 43
1751-1865

High Street Studies Series
No. 2

By
Arthur L. Sullivan
Park Historian

February 24, 1959

IMPORTANT
This file constitutes a part of the official records of the National Park Service and should not be separated or papers withdrawn without express authority of the official in charge. All files should be returned promptly to the File Room. Officials and employees will be held responsible for failure to observe these rules, which are necessary to protect the integrity of the official records.
HISTORIC BUILDING SITE SURVEY REPORT

HISTORY OF

WAGNER LOTS NO. 35 - 43

1751 - 1865

Harpers Ferry National Monument

High Street Studies Series
No. 2

Prepared by:

Arthur L. Sullivan
Park Historian
February 24, 1959
19 Pages
HF-308
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CHAPTER I

OWNERSHIP OF LAND, 1751 - 1835

The land embracing Wager Lots 35 through 43 inclusive, with which this report is concerned, was acquired by Robert Harper, a mill builder, on April 1, 1751, in a deed for 125 acres, from Lord Thomas Fairfax. Robert Harper died at Harpers Ferry in October, 1782, and bequeathed this 125 acres to his niece, Sarah Harper, the daughter of his brother, Joseph Harper, and the wife of John Wager, Senior. Thus, in this manner, the property passed into the hands of the Wager family. On June 15, 1796, with the exception of six acres retained in the "Six Acre Reservation" and about three-quarters more of an acre located in the "Ferry Lot Reservation," John Wager, Sr., sold all of this 125 acre tract to the United States Government for $7,016.66 for the purpose of establishing an Armory at Harpers Ferry.

On John Wager, Sr.'s death on September 21, 1803, the Six Acre Reservation (which included Lots No. 17-34) and the Ferry Lot passed to his son, John Wager, Jr. John Wager, Jr., died on October 22, 1813, and the estate, in turn, was passed to his four children, still minors, James Bates Wager, John William Stein Wager (who died March 22, 1823), Gerard Bond Wager, and Sarah Ann Wager. The Wager children held the estate in an undivided ownership from 1813 until 1833.


2. Last Will of Robert Harper of Berkeley County, Va., dated 26 September 1782, Office of the Judge Advocate General, Military Reservation Division, Reservation File, West Virginia, Box 41, Harpers Ferry (MS), National Archives Record Group 153.

On April 2, 1835, the Circuit Superior Court of Law and Chancery held for Jefferson County appointed Commissioners "to lay off and divide into three equal lots and parcels, the real estate at Harper's Ferry which descended to James B. Wager, Gerard B. Wager and Sally Ann Wager, now Sally Ann Swayne, the wife of Noah H. Swayne, from their father John Wager, deceased," the purpose being to settle the affairs of James B. Wager who had declared himself bankrupt in 1834 and availed himself of the insolvency laws.

On October 10, 1835, the commissioners reported to the Court: "To James B. Wager we allot & assign the following lots...Lots No. 1-7-9-15-19-23-25-27-37-39-41-44-46-47-53 & 56."

"To Gerard B. Wager we allot and assign the following lots...Lots No. 2-3-4-6-13-14-16-21-22-26-30-33-34-36-38-43-49-50-52 & 56."

"To Sarah Ann Swayne, the wife of Noah H. Swayne, we allot and assign the lots following as numbered...Lots No. 5-6-10-11-13-15-17-20-24-26-28-31-33-35-40-42-45-48-51 & 55." See 1835 plat, next page.

Lots 35 through 43 inclusive will now be treated individually and in numerical order dating from the time of the division of the Wager Six Acre Reservation to the 1859-1865 period.


Tracing of 1835 Wager Plat.
Original drawn by James M. Brown.
CHAPTER II

1. WAGER LOT NO. 35

Sarah Ann Swayne, wife of Noah H. Swayne was allotted Lot No. 35 in 1835, the year the Wager Six Acre Reservation was divided among the Wager heirs. The Swayses granted a twelve year lease on this lot to Patrick Farrel on February 1, 1839, which became effective April 1, 1839. After ten years, Swayne could give a two year notice of termination.

No building provisions were included in the lease, but it did provide for the appraisement of any improvements by two disinterested persons at the end of the lease. From this evidence we can conclude the lot was vacant at the time of the lease.

On December 30, 1841, Milton Garrett, the Constable, sold the leasehold of Farrel to William McGraw for $6. Farrel must have run into some sort of financial difficulty during this period.

McGraw too must have overextended himself, as a Sheriff's sale of all right and interest in his property was held on October 30, 1845, which included McGraw's leasehold and three houses on Lot No. 35. No physical description of these houses are on record, but they were apparently erected by McGraw between 1841-1845.

1. Swayne to Patrick Farrel, Lease, February 1, 1839, Deed Book 23, pp. 395-396.

2. Ibid.

3. Ibid.


The 1861 photograph of this area (See Appendix I in report 30A) pictures one house on either end of the lot; since there were three houses on the lot in 1845, either the view of the other is obstructed, or else it was torn down. The two houses in the photograph appear to be frame. The 1894 Sanborn Map gives the following dimensions of the houses: on High Street 29 x 18 feet; on Church Street 21 x 22 feet.

In 1853, Nicholas Marmion, Administrator of the McGraw estate, advertised 6 houses for rent near the Methodist Church in Harpers Ferry, which were probably the houses on Lot No. 35. This would indicate that no one had purchased the interests of McGraw in the Sheriff's sale of 1845 and the rights and interests of the property were retained by the McGraw estate.

Nicholas Marmion, administrator of William McGraw was summoned to Court in 1857 to "answer Noah N. Swayne and Sarah Ann his wife of a plea of Covenants broken. Damages five hundred dollars..." As the original lease granted was for a period of twelve years, which would terminate in 1851, these damages could possibly be for payment in arrears. Marmion must have paid the damages, as there is no record of any further disposition of the property.

Although it cannot be documented, Lot No. 35 was probably under lease to the McGraw estate in 1859 at the time of the John Brown Raid. The lot was still owned by the Swaines.

From the 1860 Census it appears that George E. Stephenson, a physician,

his wife and two children were living in the house fronting on High Street, and Clairea Jones, Charlotte Pipper and her five children were living in the house fronting on Church Street. These latter people were free negroes. The above named people were the probable occupants of these dwellings at the time of the John Brown Raid.

8. **WAGER LOT NO. 36**

Gerard B. Wager was allotted Lot No. 36 when the Wager Reserve was divided in 1833. He sold this lot, along with Lot No. 34 to Martin Grace on August 8, 1839.

Total price paid for the two lots was $1,900. The individual price of each lot is not known.

Martin Grace died in 1849, and under circuit court order, a Commissioner's sale of his property was held on September 17, 1853, which included Lot No. 36. In 1853, there was "an old stone house occupied by a colored woman" which fronted on High Street. No further description of the house was given, but it must have been built by the Wager family prior to 1835.

Thomas Boorly purchased this lot and dwelling in November of 1853, along with another lot for the sum total of $676. Because of the low price paid, and the fact that a colored woman was occupying the dwelling, we can assume

7a. 1860 Census Report, Reel 10, V.2, p.185.
7b. Ibid., p.186.
9. Ibid.
11. Ibid.
the building was old and in poor condition.

A check of the deed books from 1853 to 1865 had failed to show that the property was sold after 1853, thus we can only assume that Thomas Beery remained the owner of the lot and building at the time of the John Brown Raid.

According to the 1860 Census, Harah Gilbert, colored, and her three children were probably occupying this dwelling in 1859.

Old storehouse dimensions unknown, probably one or one and a half stories.

3. WAGER LOT NO. 37

James B. Wager was allotted Lot No. 37 in 1835, when the Wager Six Acre Reserve was divided among the Wager heirs, however, the lot was sold by the Commissioners appointed by the Court to aid in settling the debts of James B. Wager. James Dunncanson purchased the lot on June 18, 1838, for $370. At the time of purchase the lot was vacant.

On October 18, 1838, Dunncanson sold two-thirds of Lot No. 37 to James Andrew Louillard for $270. It was stated in this deed that the line would extend back "...to the line of the other third of said lot which was purchased by the Independent order of Odd Fellows." There is no record of this purchase and it is obvious that the Odd Fellows did not actually buy one third of the lot as Louillard purchased the other third on August 12, 1839, for the sum of

16. Ibid.
Thus, in 1839, Louillard was in complete possession of Lot No. 37.

The records go no further than 1839, thus, we must assume Louillard retained possession of the lot to sometime after the 1859 Raid.

The 1881 photograph (see Appendix I of report 30A) shows a three story house on Church Street, which appears to be made of wood and must have been erected by Louillard, probably shortly after he purchased the lot in 1839. Dimensions of the building are unknown.

From the 1880 Census it appears that George Ott, his wife and four children were occupying this dwelling and may have been the occupants at the time of the Raid in 1859.

4. WAGER LOT NO. 38

Gerard B. Wager was allotted Lot No. 38 in 1835 at the time of the division of the Wager Reserve. Wager sold the lot to Michael Doran on August 23, 1839, for $400. From the price paid, and since there was no specific reference to any building in the deed, the lot was undoubtedly vacant at the time of purchase.

Doran constructed a house on the lot sometime after the purchase of the lot and before 1850. The first and only reference to the building was found in an 1850 newspaper notice in which Doran advertised the house for rent.

"A three story stone house, on High Street, containing six large rooms and centre passage. The house is situated in a very healthy, airy part of the


17a. 1860 Census Report, Reel 10, V.2, p.185.

town, and has the advantage of a constant Spring on the Lot...” The house was still standing in 1851 as indicated by the photograph and measured 33 x 20 feet, according to the 1894 Sanborn Map.

Michael Doran remained the owner of Lot No. 38 to at least 1853, proof of this can be found in a Deed of B. & S. to Patrick O’Beirne from Mrs. Richard D. Doran for Lot No. 39. In describing her lot, she writes... “situated on Church Street...bounded on the East by Church Street, south by the Lot of Wm Deck’s [Wager Lot No. 40], west and north by the property of Michael Doran [Wager Lot No. 38].”

At the time of the raid, then, Michael Doran was the owner of Lot No. 38 and the building on the lot. Based upon the 1860 Census, it is probable 20a Israel Russell, a merchant, his wife and two children lived there in 1850.

5. WAGGER LOT NO. 39

James B. Wager was allotted Lot No. 39 in 1835 at the time of the division of the Wager Reserve. Commissioners were appointed by the Court to sell the property of J. B. Wager in order to settle his debts. Mary Ann Wager, wife of James B., purchased the lot and in turn sold it to Richard D. Doran on May 28, 1840, for the sum of $400. The lot was vacant at that time.

On August 29, 1842, Richard D. Doran sold the lot to Edward Fitzpatrick, for the same price he had paid for it two years previous, indicating that no


improvements were made during that two year period.

Fitzpatrick placed the lot in trust to Michael Doran and Gerard B. Wager, trustees for Richard D. Doran to secure $1,000. The date of this Deed of Trust is November 29, 1843. Fitzpatrick probably used the money to construct a house or houses on the lot during the years 1843–1844.

Fitzpatrick apparently could not live up to the terms of the trust, and the lot was sold on default at auction to Richard Doran on January 25, 1850, for the sum of $800. The price would indicate improvements were made on the lot. The 1861 photograph indicates a two story stone dwelling, fronted on High Street. The 1894 Sanborn Map indicates the building measured 28 x 21 feet.

The 1859 photograph (see Appendix I) also shows a two story frame dwelling, fronting on Church Street with a porch on one side and shed on the other. At that time the porch was in a dilapidated condition and was apparently torn down within the next two years, as it is not pictured in the 1861 photograph. This structure must have been built by Fitzpatrick some time after 1843. The Sanborn Map measures the building 18 x 20 feet.

Mrs. Richard Doran sold the lot to Patrick O’Beirne in 1863 for the sum of $350.

Thus we can conclude that Lot No. 39 was owned by Richard D. Doran in 1859.

22. Deed of B. & S., Doran to Fitzpatrick, August 29, 1843, Deed Book 26, pp.84–85.


-10-
Based upon the 1860 Census, it is probable that Redman Park, a stonecutter mason, his wife and five children occupied the dwelling on High Street at the time of the Raid. The house fronting on Church Street was listed as vacant.

6. WAGNER LOT NO. 40

The Swayne's were allotted Lot No. 40 when the Wagner Reserve was divided among the Wagner heirs in 1835. On February 1, 1839, the Swayne's granted a fifteen year lease to Martin Grace at an annual rent of $42. Under the terms of the lease, Grace was to erect on the lot within eight years, "a building of brick or stone not less than twenty feet in width, & not less than two Stories in height..."

Martin Grace died in 1849 and there is no record of him having built a building of brick or stone upon the lot. His leasehold was offered for sale at public auction in 1857 and the only mention of any building on the lot was in reference to a Stable, which could have been built anytime between 1839 and 1856, but it was probably constructed by Martin Grace sometime after he was granted the lease in 1839 and before his death in 1849.

The leasehold was not purchased at that time, however, and in 1858 the Court ordered Swayne to sell the lease to Commissioner Andrew Hunter for $760.

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25b. Ibid., p.185.
27. Ibid.
29. Ibid., December 25, 1856, p.2.
for the heirs of Grace. In July of the same year, Swayne advertised the lot for sale, which must have been purchased by William Deck, as we know he was the owner of the lot in 1863. Thus, William Deck was the owner of this lot at the time of the John Brown Raid in 1859. Both the 1859 and 1861 photographs show the lot was vacant in that period.

7. WASER LOT NO. 41

James B. Wager was allotted Lot No. 41 in 1835 at the time of the division of the Wager Reserve, which was sold by the Commissioners appointed by the Court in order to settle his debts, to Ann C. Stephenson on April 29, 1842. Ann C. Stephenson, in turn, sold the vacant lot to her son Philip P. W. Stephenson on April 30, 1844, for the sum of $280.

In 1850 Philip P. W. Stephenson sold the lot back to Ann C. Stephenson for $3,000. It was stated in the deed, that the brick house on the lot was built since the conveyance of the deed by Ann Stephenson to Philip Stephenson, which would date the erection of the house between 1844-1850, and must have been built by Philip Stephenson. The 1861 photograph shows the building with three stories. (See Appendix 1) The 1894 Sanborn Map give dimensions of 24 x 33 feet.


31. See Footnote No. 19.


33. Ibid.


35. Ibid.
Ann Stephenson presented the house and the lot as a gift to her grandson James Stephenson in 1852. The records go no further, thus we must conclude the house and lot were owned by James Stephenson at the time of the Raid in 1859.

From both the 1859 and 1861 photographs, it can be determined that a small one story frame building was standing on this lot fronting on Church Street, which was probably erected by the Stephensons sometime between 1844-1859.

From the 1860 Census, it appears that Philip W. Stephenson, his wife and son occupied the dwelling on High Street at the time of the 1859 Raid, while Samuel Lenny, a colored laborer lived in the house on Church Street.

8. **Wager Lot No. 43**

Wager Lot No. 43 was allotted to the Swaynes when the Wager Six Acre Reservation was divided among the Wager heirs in 1835. The only record pertaining to this lot which was found is of a lease granted to John Savin by the Swaynes in 1847. The lease was granted for a period of fifteen years at an annual rent of $30. Since no records of any change of ownership are available, we must assume Swayne was the owner of this lot in 1859 when the John Brown Raid occurred, and that Savin still retained his leasehold.

From an 1861 photograph, (See Appendix I, Report 30A) it can be determined

38. Ibid., p.185.
40. Ibid.
that a two story frame house was standing on the lot at that time, which in all probability was standing at the time of the John Brown Raid. Savin must have built this house sometime between 1847 and 1859 and probably shortly after he was granted the lease. The 1894 Sanborn Map gives the dimensions of the house as 23 x 18 feet.

Based on the 1860 Census, it is probable that Thomas P. Moore lived in this dwelling in 1859 when the John Brown Raid occurred.

9. **Wager Lot No. 43**

Gerard B. Wager was allotted Lot No. 43 in 1835 when the Wager Reserve was divided among the Wager heirs. Wager remained the sole owner of the lot and built a house on it sometime between the years 1835 and before his death in 1848. In 1854, the house and lot were advertised for sale: "The two story frame building, over basement, and Lot No. 43 on which it stands, "This is a large building and suitable for two families and constructed for same - now occupied by Geo. A. Plunkett, &c. If not sold, it will be offered for rent from April 1, 1854, to April 1, 1855."

From the 1894 Sanborn Map the dimensions of the building have been determined to be 29 x 20 feet.

Apparently Wager failed to sell the house, as no record of any such transaction has been found, thus we assume the estate of G. B. Wager was the owner of Lot No. 43 and the building on it in 1859 when the Raid occurred.

From the 1860 Census it appears that two families may have occupied this dwelling at the time of the Raid, John Hyatt, his wife and three children and Richard Langley, his wife and two children.


42. *Virginia Free Press*, February 16, 1854, p.3, c.3.

CHAPTER III

1859 HISTORICAL BASE MAP

1. HISTORICAL PLANS OF BUILDINGS

None have been found and it is highly unlikely that any will ever be found.

2. HISTORICAL PHOTOGRAPHS

One - see Appendix I.

3. SUMMARY AND 1859 HISTORICAL BASE MAP

1. Lot No. 35 in 1859: On High Street, a frame building 18 x 18 feet, probably occupied by George B. Stephenson and his family; on Church Street, a frame dwelling 21 x 22 feet, probably occupied by free negroes Clairea Jones, Charlotte Pipper and her children. These buildings were built by William McGraw between 1844-1845. In 1859 the lot was owned by the Swayne and was probably under lease to the McGraw Estate. (Neither building remains.)

2. Lot No. 36 in 1859: Fronting High Street, an old stone house in poor condition, dimensions unknown, probably occupied by Harah Gilbert, free negro, and her three children. Lot and building probably owned by Thomas Boeley. The building must have been built by the Wager family prior to 1838. (No longer standing.)

3. Lot No. 37 in 1859: Fronting on Church Street, a dwelling, dimensions unknown, probably frame. Probably built shortly after 1839 by Andrew Louillard. Occupants of this dwelling in 1859 may have been George Ott and his family. (No longer standing.)

4. Lot No. 38 in 1859: A three story stone house, 33 x 20 feet, containing six large rooms and centre passage with a spring on the lot. This building fronted on High Street. Built by Michael Doran sometime between 1839 and 1850, and probably occupied by Israel Russell and his family. The lot and building were owned by Michael Doran in 1859. (Still standing in 1859.)

5. Lot No. 39 in 1859: On High Street, a two story stone dwelling, 23 x 21 feet, probably occupied by Redman Burke and his family. On Church Street, a two story frame dwelling, 18 x 20 feet, listed as vacant in 1850. These houses were probably built by Edward Fitzpatrick during the years 1843-1844. In 1859, the lot and buildings were owned by Richard D. Doran. (Dwelling on High Street still standing in 1859.)
6. **Lot No. 40 in 1859:** Apparently vacant and owned at this time by William Deck.

7. **Lot No. 41 in 1859:** Fronting on High Street, a three story brick house, 24 x 33 feet; probably occupied by Philip P. W. Stephenson and family. On Church Street, a small one story frame building, probably occupied by Samuel Lenny, a colored laborer. The house on High Street was built by Philip Stephenson sometime between 1844-1850 and the house on Church Street was also built by Stephenson between 1844-1859. The lot and dwellings were owned by James Stephenson in 1859. (Still standing in 1859.)


9. **Lot No. 43 in 1859:** Fronting High Street, a two story frame building, 29 x 20 feet, suitable for two families. Built by Gerard B. Wager between 1835-1848. Probably occupied by John Hyatt and family and Richard Langley and family. Lot and building owned by the estate of Gerard B. Wager. (Still standing in 1859.)

Signed:

Arthur L. Sullivan
Park Historian
February 24, 1959
APPENDIX I

HISTORICAL PHOTOGRAPH
1. In the foreground, immediately to the right of the small trees to the left of the picture is the frame dwelling on Wager Lot No. 39.

2. Immediately to the right of Lot No. 39 is vacant Lot No. 40.

3. Next in line is the frame dwelling on Wager Lot No. 41.

4. To the right of this dwelling is the frame stable on Wager Lot No. 42.