MARYLAND HISTORICAL TRUST
DETERMINATION OF ELIGIBILITY FORM

Property Name: Smith House/Smith-Sutton House (Chilly Hollow) Inventory Number: BA-2418

Address: 1846 Sutton Avenue Historic district: ___ yes X no

City: St Denis Zip Code: ___ County: Baltimore County

USGS Quadrangle(s): Relay

Property Owner: ___ Tax Account ID Number: ___

Tax Map Parcel Number(s): ___ Tax Map Number: ___

Project: ___ Agency: DDOT/FHWA

Agency Prepared By: E. Elinsky

Preparer's Name: ___ Date Prepared: 4/14/1982

Documentation is presented in: federal file

Preparer's Eligibility Recommendation: X Eligibility recommended ___ Eligibility not recommended

Criteria: A B C D Considerations: A B C D E F G

Complete if the property is a contributing or non-contributing resource to a NR district/property:

Name of the District/Property: ___

Inventory Number: ___ Eligible: ___ yes Listed: ___ yes

Site visit by MHT Staff ___ yes X no Name: ___ Date: ___

Description of Property and Justification: *(Please attach map and photo)*

Significance:
This property is not only significant for the architectural character of the stone house, but also for its strong association with the community of St. Denis, named for Denis A. Smith, who owned the property in the early decades of the 19th century, and who played an important role in the establishment of the town. Subdivided and developed as St. Denis Park, the town was one of the earliest Baltimore suburbs.

[See form for description]

MARYLAND HISTORICAL TRUST REVIEW

Eligibility recommended X **Eligibility not recommended** ___

Criteria: A B C D **Considerations:** A B C D E F G

MHT Comments: Federal DOE

Reviewer, Office of Preservation Services	**Date**
Susan Minogue (NR)	Monday, April 19, 1982
Reviewer, National Register Program	**Date**

MARYLAND INVENTORY OF HISTORIC PROPERTIES

Maryland Historical Trust
State Historic Sites Inventory Form

Survey No. BA 2418
Magi No. 0324185304
DOE ___yes x no

1. Name (indicate preferred name)

historic CHILLY HOLLOW

and/or common SUTTON HOUSE

2. Location

street & number 1846 SUTTON AVENUE ___ not for publication

city, town St. Denis ___ vicinity of congressional district Councilmanic District 1st ~~3rd~~

state Maryland county Baltimore County

3. Classification

Category	Ownership	Status	Present Use	
___ district	___ public	x occupied	___ agriculture	___ museum
x building(s)	x private	___ unoccupied	___ commercial	___ park
___ structure	___ both	___ work in progress	___ educational	x private residence
___ site	**Public Acquisition**	**Accessible**	___ entertainment	___ religious
___ object	___ in process	x yes: restricted	___ government	___ scientific
	___ being considered	___ yes: unrestricted	___ industrial	___ transportation
	x not applicable	___ no	___ military	___ other:

4. Owner of Property (give names and mailing addresses of all owners)

name Charles H. Wehland & Charles E. Wehland

street & number 6451 Lawyers Hill Road telephone no.:

city, town Baltimore state and zip code MD 21227

5. Location of Legal Description

courthouse, registry of deeds, etc. County Courts Building liber Wills 24

street & number 401 Bosley Avenue folio 282

city, town Towson state MD 21204

6. Representation in Existing Historical Surveys

title Maryland Historical Trust Inventory as "Sutton House"

date December 1989 ___ federal x state x county ___ local

depository for survey records 100 Community Place

city, town Crownsville state MD 21032

Condition		Check one	Check one
___ excellent	___ deteriorated	_x_ unaltered	_x_ original site
_x_ good	___ ruins	___ altered	___ moved date of move _____
___ fair	___ unexposed		

Prepare both a summary paragraph and a general description of the resource and its various elements as it exists today.

Chilly Hollow is a two-story stone house in vernacular style, gable roofed, with a T-shaped footprint. There is a somewhat formal front, three bays wide, with two dormers lighting the attic, also a three-bay wide hip-roofed one-story entrance porch, only one step above grade. The main block had two inside end-chimneys of brick. The rear wing is four bays long. Roofing is standing seam sheet metal, probably tin painted red. The most interesting feature of the rear wall is the pair of square attic windows, four lights each, that are turned to produce a double diamond shape. The attic of the main block is lighted by a "diamond" window at each end. The chimney serving the rear wing is brick and rises about three bays back through the roof ridge.

Inside, the house is very plain, lacking any plaster applied decoration. There are large box locks on the doors, wide plank flooring, short doors, plain mantels, and upstairs, low ceilings. The restoration contractors in 1994 found the ornamental curved top of a typical colonial cast-iron fireback in the enormous kitchen fireplace that was designed for country cooking. The part of the fireback that would have contained lettering indicating where it was cast was missing. Cast iron firebacks were known to have been made at Elkridge Furnace only 0.45 mile away, one extant bearing the date 1763. However, that furnace shut down in the very late 1700s, date uncertain, then got into blast again in 1826.

The house sits on a small plateau above South Street. The same premises contains the Sutton family cemetery which has been transmitted without reservation along with the house parcel through the various deeds and wills. Mr. Wehland's mother was born in the house in 1884 and recalled that in her childhood there were still vestiges of wharves on the north shore of the river.

8. Significance

Survey No. BA 2418

Period

___ prehistoric
___ 1400–1499
___ 1500–1599
___ 1600–1699
___ 1700–1799
___ 1800–1899
___ 1900–

Areas of Significance—Check and justify below

___ archeology-prehistoric
___ archeology-historic
___ agriculture
X architecture
___ art
___ commerce
___ communications
___ community planning
___ conservation
___ economics
___ education
___ engineering
___ exploration/settlement
___ industry
___ invention
___ landscape architecture
___ law
___ literature
___ military
___ music
___ philosophy
___ politics/government
___ religion
___ science
___ sculpture
___ social/humanitarian
___ theater
___ transportation
___ other (specify)

Specific dates **Builder/Architect** Unknown

check: Applicable Criteria: __A __B __C __D
and/or
Applicable Exception: __A __B __C __D __E __F __G

Level of Significance: __national __state __local

Prepare both a summary paragraph of significance and a general statement of history and support.

Chilly Hollow is a sturdy country house that apparently dates to about 1810. It is not found in the 1798 tax list nor is it on maps of the road to nearby Norwood's Ferry where the post road crossed the Patapsco to Elkridge Landing. Possibly the stone house was put up by Charles Ridgely of William. Conceivably it is the small square very close to the road and the river marked on an 1804 travelers' strip map for going from Philadelphia to Washington. In 1815, the Ridgely heirs sold a 500-acre tract of "United Friendship" to John Gadsby. (1) Gadsby mortgaged the place to Dennis A. Smith in 1815. In 1816, Gadsby conveyed the property to Smith via a deed of trust. (2) Then Smith mortgaged the property to the Bank of the United States branch in Baltimore. The 1818 tax list still carried Gadsby as owner, showing that he (or actually Smith) had $500 worth of improvements, which would easily include a house of this size.

Dennis A. Smith in 1817 invested his own money in building a private toll bridges where U. S. 1 now crosses the Patapsco. The bridge was designed by the self-trained British engineer John Davis, and its plans survive in the Maryland Historical Society's graphics collection and were published in the *Sun* in 1934. (3) The Maryland Historical Society's broadside collection also owns a poster issued by Smith in 1817 setting forth the rates of toll; that item was published in the society's magazine in 1944. (4) Construction of the bridge had been authorized by the general Assembly in 1816. (5) Smith had to purchase the Norwood family's ferry privileges and ferry landing for $25,000. (6)

Chilly Hollow was not intended as Smith's residence—possibly it was for the bridge tender or ferry keeper—because he was building an imposing neo-classical house just west of Baltimore City. The mansion was designed by the itinerant French architect Joseph Jacques Rameé who also planned the formal gardens. (7) Benjamin Henry Latrobe's letters in 1817 reveal he was building still another house, 40 by 50 feet, for Dennis Smith in Washington. (8) Smith also paid for building one of the Five Mills at Calverton on Gwynns Falls, drawing on a fortune made on U. S. bonds and the proceeds from his share in privateering vessels during the War of 1812. The Calverton Mills were another John Davis engineering marvel.

Following the post-war depression, Smith lost his golden touch and was involved in the collapse of the Bank of the United States, resulting in his indictment. But no laws had existed to prohibit the bank officers from borrowing the bank's funds to buy stock for their personal accounts. Ruin, rather than jail time, was Smith's fate. He had to sell Calverton and it was advertised it in the *American* in early 1821 as "The New Mansion House lately finished in a style of magnificence rarely equaled in this country . . . " Smith had already retired to his stone house at Saint Dennis as revealed in the advertisement which described the place as his former residence. (9)

In 1838, Smith offered to sell the stone house along with one of his new enterprises, the "Thomas Viaduct Tavern" or "Relay House." (10) The coming of the railroad in 1827 and thereafter made the property even more valuable. The Relay House was depicted in *Harper's New Monthly Magazine* in 1853 when the railroad was completed to Wheeling on the Ohio River. (11) It also appeared in numerous Civil War photographs and drawings of the batteries that ringed the junction and viaduct during the conflict. (12) It was described as a 32-room three-story frame structure when it burned on December 24, 1897. (13)

Not long after Smith placed his advertisement, the properties were in the hands of his trustee in bankruptcy, John L Williams, who sold it to Samuel Sutton and his partner John Hoover in 1838. (14) Both Sutton and Hoover were listed in the deed as residents of Washington, D. C. In 1840, Sutton became sole owner.

Smith retired to a third residence, Woodland, near Randallstown that is now the subdivision of "Julian Woods." Smith died there in 1851 and was buried at Saint Thomas P. E. Church, Garrison Forest Road, where he had served as both warden and vestryman. Various published accounts state that Smith was a former State Treasurer but that is not so; he was indeed treasurer of the Baltimore and York Town Turnpike Company and cashier of the Mechanics Bank. Smith's great Calverton mansion was purchased by Baltimore County to use as an almshouse; it last saw service as the Hebrew Orphanage and was destroyed by fire on November 12, 1874. (15) Local tradition holds that St. Denis, spelled the French way, is a wry comment on Dennis A. Smith's high living and irregular banking methods.

The Samuel Sutton house was shown on the 1850 county map by J. C. Sidney and P. J. Browne not far from "Smith's Bridge." The 1853 water supply map by James Slade and the 1877 county atlas by G. M. Hopkins also showed the Samuel Sutton house. Robert Taylor's 1857 countywide map showed the grounds as "United Friendship." Sutton was a native of England as demonstrated by his tombstone. Samuel Sutton probably wrote to the *Maryland Farmer* in 1875 because that journal reported his growing of an 11-pound cantaloupe (September 12). During the 1860s and 70s he began to sell lots to individual suburban homebuilders and large parcels to the Baltimore City photographer Richard Walzl who had turned to real estate speculation. (16) Both Relay and St. Denis suburbs grew up on the former Sutton tracts. Sutton died on February 16, 1883. His will called the place "Chilly Hollow." (17) The remaining property was surveyed into lots and offered at auction by trustee Ferdinand C. Latrobe, who was later to serve as Mayor of Baltimore.

The house parcel was advertised as 11-plus acres fronting on the Washington Turnpike and Rolling Road and Patapsco river, "improved by a stone mansion, tenant house, barn, stable, etc., etc. " (18)

It took eight years to settle the estate because of a protracted lawsuit with petitions and exceptions filed against the trustee's sales. The day of the public sale on the premises, very few bidders were present and the first small lots that were offered brought such low prices that the four daughters of the deceased wanted the sale stopped; however, the trustee agreed that the family should bid in the home place and some of the lots to keep the estate from going at a sacrifice. Mrs. Lucy S. Isaacs of Elkridge, one of the four heirs, bid in the main house and grounds at a mere $1,777.83. Later, she wanted to keep the property and have the sale ratified. The other heirs sued to have the sale set aside, which the court did. Eventually, Latrobe made a private sale at a much higher price to another of the sisters, Mrs. Mary Ann Peake of Columbus, Ohio. (19)

Sutton was buried on the premises in a walled enclosure on the east side of present South Street. The plat describing the properties in the 1883 sale noted that the "graveyard was reserved." (20) However, when trustee Latrobe conveyed Lot K, there was no reservation clause in the deed, presumably because the buyer was the late owner's daughter, Mrs. Mary Ann Peake. who bought all 11-plus acres on July 11, 1891. Only five days later, Mrs. Peake sold to Mrs. Mary B. McDaniel and Miss Lena Faith for $4000. No reservation clause was inserted into the document; thus the cemetery continues to run with the property. (21)

Some of the testimony mentioned watching the auction from the porch and described family conferences in the kitchen and parlor. Two of Samuel Sutton's sons-in-law had farmed the place for various periods, first William Peake, and on his death, George M. Ring. The most enlightening description of the place was given by witness R. W. Eareckson, who stated:

> The property is very much out of repair. The out buildings are falling down, the dwelling house is very old and decaying. It is a stone house; considering the state of the buildings and the land I consider the lot to be nothing but farm land not in a high state of cultivation. I think anywhere from 150 to 175 dollars per acre to be a good price for it. (22)

There were a number of riverside parcels called "willow lots" or "willow gardens" which were presumably valuable for growing basket-making materials, as was the case in nearby Elkridge. (23) None of the witnesses stated that Sutton had built the house; Mrs. Mary A. Peake testified that she had been familiar with it for 45 years, which would take her memories back to 1839, the year after Dennis Smith advertised the farm for sale. (24)

Since 1891, the property has descended without deeds, through various family connections, although some outlying lots were detached. Mrs. McDaniel described her residence as St. Denis in her will and left her share to her sister Lena (or Mary Magdalena) Faith in 1897. (25) The inventory of Mrs. McDaniel's estate showed $100 worth of "stock and fixtures" and her will mentioned "stock in store." The inventory also showed 19 cows, five hogs, and a flock of poultry. (26)

In 1926, Miss Faith left the Sutton Avenue house as she called it to her niece Margaret L. Turner. The will described Miss Faith as "residing at the Relay in Baltimore County." She gave instructions to be buried at Grace Protestant Episcopal Church in Elkridge and mentioned her late brother George Faith and her late sister Rebecca Turner. She also left a modest sum to take care of "my colored man, Abe Scott . . . toward providing him a place in some colored home." (27) Interestingly, George Faith had been one of the neighborhood witnesses at the Peake-vs-Sutton case in 1884 and gave his occupation as being an employee of the Orange Grove Mill. (28)

Miss Margaret L. Turner married Charles H. Wehland, the father of the present co-owner of the house. The complex descent was recited in a deed for adjoining property made in 1965. (29) Some of the cemetery inscriptions were noted in the 1984 Elkridge House Tour leaflet, and the dates for Samuel Sutton's first wife, Mary R. Sutton were given as March 8, 1800 to December 30, 1859. (30) This house was thoroughly restored in 1996.

NOTES:

1. Baltimore City Deeds, WG 135:471, Maryland State Archives, Annapolis (hereafter cited as MSA).

2. Baltimore City Deeds, WG 141:439, MSA.

3. F. C. Latrobe, "Old Mechanical Drawings Given Historical Society, " Baltimore *Sun*, August 19, 1934.

4. Raphael Semmes, "Vignettes of Maryland History," *Maryland Historical Magazine*, 39 (June 1944):123.

5. Laws of Maryland, Acts of 1815, Chapter 79.

6. Baltimore City Deeds, WG 137:101, MSA. Smith's side of the river was "Rag Landing" in colonial times. A ferry boat was advertised as early as 1763 when a notice appeared in the *Maryland Gazette* (November 3) offering the effects of the late Captain Henry Ayton. Ayton's stone house was two stories, 20 by 40 feet, and it is tempting to suggest that it matches Chilly Hollow---however, its absence from the 1798 tax list undermines the possibility. Ayton's house could easily have been in Anne Arundel County.

7. Paul F. Norton, "The Architect of Calverton," *Maryland Historical Magazine*, 76 (Summer 1981): 114-115, 122.

8. Talbot Hamlin, *Benjamin Henry Latrobe* (New York, 1955), pp. 464, 488n.

9. Baltimore *American*, January 10, 1821, adv.

10. Baltimore *American*, September 14, 1838, adv.

11. Brantz Mayer, "A June Jaunt," *Harper's New Monthly Magazine*, 14 (June 1853):539.

12. *Harper's Weekly*, May 25 and June 1, 1861, pp. 351, 346, respectively.

13. *Maryland Journal,* Towson, January 1, 1898.

14. Baltimore City Deeds, WG 135:476, 477, MSA.

15. J. Thomas Scharf, *History of Baltimore City and County* (Philadelphia, 1881), p. 841.

16. Baltimore County Deeds, EHA 78:500.

17. Baltimore County Wills, TP 7:67. Baltimore *American*, February 18, 1883.

18. *Maryland Journal,* June 30, 1883.

19. Baltimore County Deeds, JWS 187:530.

20. Baltimore County Plat Books, JWS 1:156.

21. Baltimore County Deeds, JWS 187:533.

22. Baltimore County Judicial Records, WMI 99:50.

23. Joetta M. Cramm, *A Pictorial History of Howard County* (Norfolk, 1987), p. 27.

24. Baltimore County Judicial Records, WMI 99:26.

25. Baltimore County Wills, HJH 11:164.

26. Baltimore County Inventories, HJH 30:40.

27. Baltimore County Wills, 24:280.

28. Baltimore County Judicial Records, WMI 99:30.

29. Baltimore County Deeds, RRG 44126:290.

30. "Elkridge House Tour," list of sites, 1984, p. 5.

9. Major Bibliographical References

Survey No. BA 2418

D. A. Smith, "A Valuable Farm for Sale," Baltimore American, September 15, 1838, adv.

10. Geographical Data

Acreage of nominated property 1.4625

Quadrangle name RELAY, MD

Quadrangle scale 1:24,000

UTM References do NOT complete UTM references

	Zone	Easting	Northing		Zone	Easting	Northing
A				B			
C				D			
E				F			
G				H			

Verbal boundary description and justification

See Tax Map 108, Grid 22, Parcel P365.

List all states and counties for properties overlapping state or county boundaries

state		code	county	code
state	None	code	county	code

11. Form Prepared By

name/title John McGrain, County Historian

organization Office of Planning date February 22, 2000

street & number 401 Bosley Avenue telephone 410-887-3495

city or town Towson state MD 21204

The Maryland Historic Sites Inventory was officially created by an Act of the Maryland Legislature to be found in the Annotated Code of Maryland, Article 41, Section 181 KA, 1974 supplement.

The survey and inventory are being prepared for information and record purposes only and do not constitute any infringement of individual property rights.

return to: Maryland Historical Trust
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