THE KELLEY BROTHERS BUY AN ISLAND by Leslie Korenko

Datus and his brother Irad Kelley were looking to diversify and Huntington recalled how the Kelley brothers became interested in purchasing land west of Cleveland. Cunningham's Island was not their first choice. "Some time during the Summer of 1833 Mr. Irad Kelley of Cleveland conceived the idea that it would be a very fine thing to own a whole island and be 'monarch of all he surveyed,' and the more he thought of it the more anxious he became to consummate so desirable a speculation. His first idea was to buy Bull's Island in the Sandusky Bay (now known as Johnson's Island…). As a preliminary step Mr. Kelley visited or was about to visit Sandusky to make inquiries into the matter when his attention was directed to Cunningham's Island by someone, I think Hon. J. W. Allen of Cleveland, who told him it would prove much the most desirable speculation; that Gen. Simon Perkins of Warren was agent for the owners, who were very desirous to sell; and that it could undoubtedly be bought at a bargain."

It is not surprising that the Kelley family would know Allen. Cleveland was incorporated as a village in 1814 and Alfred Kelley, brother to Datus and Irad, was elected its first President in 1815 with just 12 votes cast at the election. The following year he resigned his position and Daniel Kelley was elected. Daniel retained his position until 1820. John W. Allen was then elected Cleveland's President. Alfred later moved to Columbus.

"This idea struck Mr. Kelley very favorably and he proceeded no farther in the Bull's Island matter, but embraced the earliest opportunity to advise with his brother, Datus Kelley… on the subject. He too entertained a very favorable idea of the project; not, however because he cared anything about the idea of 'owning a whole Island,' but because he saw intrinsic value in the timber and stone with which the island was known to abound; and the two brothers, as D. & I. Kelley, went immediately to work to carry their design into execution."

After an unproductive meeting in June 1833, Allen "introduced the subject of the sale of the island to Mr. Irad Kelley of Cleveland, recommending the purchase as a good investment. The latter it appears, had for some time been favorably impressed with the future value of the property, and had called the attention of his brother, Mr. Datus Kelley of Rockport, to the matter, and upon this application of Mr. Allen they concluded to, and did, visit the island with reference to its purchase.

The difficulties that followed the advent of Napier upon the island, that beset the inhabitants consequent upon his claim of ownership, the seizure of their stock, etc. without legal process, and, as they claimed, without the shadow of equitable right, rendered it imperative that something should be done to put a stop to this forcible appropriation of their property. They were naturally, therefore, very anxious that someone should purchase the island, in order by this means to have the matter of title definitely settled. They claimed none themselves, not even that of squatters on unoccupied lands, but they did claim ownership in the stock which they had raised and were pasturing at free commons upon the island. Upon the arrival therefore, of the Messrs. Kelley upon their visit for examination, it may be readily assumed that the interested parties were not backward in pointing out the desirability of the purchase. It is probable that they did not require it to be thus impressed upon them."

Remember, this was before the telegraph and railroads. All communications were accomplished by mail and any meetings or even the viewing of the property involved a major travel commitment. "On the 12th day of July 1833, [Datus and Irad] both visited the island the first time for the purpose of prospecting (as the California miners would say) and the results of their prospecting seems to have been entirely satisfactory since a few days after this event we find Mr. D. Kelley at Warren negotiating with Gen. Perkins for the purpose, which seems to have been accomplished with much less delay than is usually attendant upon transactions of such (to them at that time) magnitude; for we find, under date of August 23rd on the books of the firm of I. & D. Kelley a charge of cash paid for a deed of the Adams lot (so called) which is a small lot on the west end of the island *[Tate first purchase was 23.25 acres in Lot 1, bought from Taber [Jabez] and Lucy Adams of Mansfield "once State of Connecticut."]*, and immediately after this a charge of cash paid for expenses to Norwalk to have the deed recorded. The residue of the island was soon secured, and in the September following, Mr. D. Kelley again visited the island, this time as joint proprietor of the whole and as managing agent for the firm of I. & D. Kelley."

"As a result of their investigations, the first purchase of lands on the island were effected, as appears by date of contract, on the 20th day of August 1833, of John A. and Mary Rockwell, and Alfred K. Perkins, through Simon Perkins their attorney, and consisted, as detailed in said contracts, of lots numbered 'two, three, four, five, six and seven, and the west part of Lot 8, and containing 1,444 and 92/100 acres,' or almost ½ the total area of the island, for which they paid $2,167.35, or $1.50 per acre."

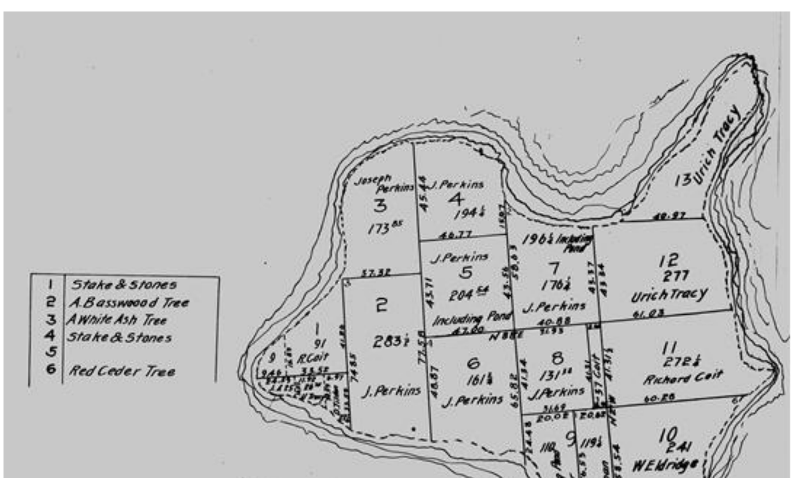
After that, the purchases came quickly. A large parcel of 119.25 acres transferred to the Kelleys on September 9 from George and Olive D. Swift of Kinsmon (Trumbull County) for $238.50 described as being located on "Cunningham's Island in Lake Erie in the Connecticut Western Reserve in the State of Ohio, and which is also in the County of Huron, and is known as part of Lot No. 9." *The name on the deed is Swift, but the map shows Kinsmon.*

As you can see from these deeds, few of the owners resided on the Island, several were residents of Connecticut. Richard Coit of Winchester in the County of Litchfield and State of Connecticut, transferred to Datus and Irad Kelley 91 acres of land, located in Lot 1 on September 18, 1833, and the whole of Lot No. 11 containing 272.25 acres, and 37 acres on the East side of Lot No. 8, which "contains in the whole as now surveyed 400.25 acres, and is the same and all the land which is set out to said Coit in the partition of said Cunningham's Island..."

"Other purchases then followed, until the fee of the entire remainder of the islands was obtained (through the principals or their attorneys) of the different owners, these subsequent purchases having been effected as fast as the names of the different owners, or their agents, could be ascertained, within a short time following the date of the original purchase. Upon obtaining possession of the island, the Messrs. Kelley proceeded to effect the expulsion there from of Benjamin A. Napier, by ejectment, from the lands upon which he had no legal or equitable claim, the possession of which he attempted forcibly to retain.

These proceedings led to a protracted litigation, in which the question of title was thoroughly investigated by the courts and eventuated in a more full and satisfactory confirmation of the same to the purchasers. Perhaps these would have been obtained had no such controversy arisen. Still the claimant persisted in his illegal acts until a conviction on a criminal charge, and narrow escape from the consequences thereof, induced his final absence from the neighborhood."

Those other purchases included 95 acres of land lying on the West side of Lot No. 9 and 22.25 acres of land lying on the East side of the South part of Lot No. 1, purchased for $200.



"Meaning hereby to convey all the land on said Island which was set off to Daniel Tilden, late of Portage County in said state, but aforesaid deceased..."

*On September 3, 1834, with most of the island's acreage resting in the Kelley name, one more deed transferred as John and Faith McClellan of Woodstock, Connecticut sold their nine acres to Datus**Error! Bookmark not defined.** and Irad for $45. The final two parcels would not transfer until 1935 and 1936: 241 acres bought from Wm. and Paulina Eldredge and L. P. Waldo (by reason of a mortgage) for $602.50 and 444 acres purchased from the heirs of Uriah Tracy by Gen. Simon Perkins, Attorney. It took the Kelley brothers three years and $4,513.56, not counting the litigation with Napier, to purchase all 2800.92 acres of island land.*

*F*rom the book Kelleys Island, The courageous, poignant & often quirky lives of island pioneer 1810-1861