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HISTORICAL VALUE OF LAND SURVEYS

By A. L. MOREDOCK—*President, Greene County Historical Society*

The value of land surveys to genealogical research is well recognized, but their historical value is not so well known. In the study of Colonial history there is no stage of the Early Westward Movement where these land surveys mean so much as the time and place in that movement where one generation of pioneers was held on the Monongahela and the upper Ohio from 1763 to 1795.

Connected drafts of land surveys for Fayette, Greene, and Washington counties of Pennsylvania as found in Volume III of *The Horn Papers* aid in definitely locating many pioneers who had a part in important events occurring there immediately before and during the Revolution. It is hoped that adjacent counties will provide the same convenience and greatly facilitate research in the area settled by so many early pioneers.

Probably few, if any, localities of equal area such as the District of Northwest Augusta was settled by so many Revolutionary patriots. A study of the history of the Monongahela and Upper Ohio country in connection with these warrants, surveys, and patents shows that an overwhelming proportion of the settlers were loyal to the Revolutionary cause, thus disproving the assertion sometimes made that there was a preponderance of Tory influence there during the Revolution.

Some of these pioneers, the Harrods, Hardins, Browns, Hendersons, and others, went early to Kentucky from the Monongahela, but the great majority of those who came previous to 1794 remained until General Wayne's victory at Fallen Timbers opened the way for a second stage of the Westward Movement which peopled the Mississippi Valley.

Geography is the handmaiden of history. Time is often lost without its association with place, and place in the abstract is not enough. To illustrate: The editor of this magazine sought the location of Ezekiel DeWitt's cabin, where a meeting for the selection of a courthouse for Ohio county was held. After a search through the original records its location was found indicated in a certain survey on Buffalo Creek.¹ However, to locate it definitely it was necessary to plot and connect adjoining surveys. Had it been a short distance eastward, in Washington county, Pennsylvania, where we now have connected land surveys, it would have been an easy matter to find its location.

¹ *Upper Ohio Valley Pioneer*, I (March, 1946), 8, note 5.

Ever since its reestablishment in 1940, the activities of the West Virginia Historical Society has consisted in the holding of annual meetings at which interesting papers have been read and friendships made and renewed. Well and good, but the society has had no definite program. Apparently through apathy, nothing has been done towards building up the membership of the society, in sponsoring local societies, or giving press or radio publicity to state history.

The society will be holding its annual meeting soon after this is published and the state legislature its regular session shortly thereafter. We hope that the officers of the West Virginia Historical Society may appear at its annual meeting with some definite program prepared for discussion and adoption by its members, particularly in the matter of securing adequate legislation, and that, following its approval, each individual member of the society will aid in carrying out that program.

With a constructive plan of action backed by even a handful of individuals ready to put forth the necessary effort to carry it out, West Virginia should soon make great forward strides in its history program. We say further, that with the intelligent use of its as yet in many instances untouched rich and interesting resources of the raw materials of history, West Virginia can in a few years produce historical writings comparable both in quality and volume with that of its neighbors.

Mr. Moredock, in his article "Historical Value of Land Surveys," hints at the need for a set of maps of the West Virginia panhandle based on its first land surveys. This matter has not been overlooked, and much time has been spent in tracing and piecing together certain surveys, particularly those along the Ohio River and its principal tributaries. For instance, four such connected surveys were used in preparing the map of New Martinsville appearing in our last issue. The task, however, of collecting the data and preparing and joining up plats of thousands of surveys in Ohio and Monongalia counties and preparing and publishing maps based thereupon will be an undertaking of no inconsiderable magnitude. Who *can* and *will* tackle the job?

We say in behalf of our esteemed friend, Mr. A. L. Moredock, that to the person interested, Volume III of the *Horn Papers*—this being the map volume with its 81 folding maps by townships together with a large sectional map of Western Pennsylvania and portions of northwestern (West) Virginia—is well worth the price asked for the entire three-volume set. Indeed, our personal reaction is that Volume III might well have been produced as an entirely separate publication.

It is regretted that the article "Tyler County Courthouse Controversy" has such an abrupt termination. We hope that something will some day come to light which will enable us to complete the unfinished story and record what happened there in 1842.

—D. N.

(Continued from page 41)

The land surveys plotted together by townships as shown in *The Horn Papers* have a special historical value, since they enable us to locate men prominent in the boundary controversy, the Revolution, and Indian border warfare. They also locate where lived the politicians so ably described by Russell Ferguson in *Western Pennsylvania Politics*. By them we can place many of the "hot heads" of the Whiskey Rebellion.

They may be examined and compared as to dates and contiguity. They also show the location of unclaimed land in 1783 and 1784 when the land office of Pennsylvania again began to operate and disgusted Pennsylvanians found Virginians fixed on locations which they coveted. Note, for instance, where large tracts of Daniel McFarland, Thomas Leiper, and Robert Morris are located.²

The surveys and patent maps of the district also throw much light on the whereabouts of many of the adventurous pioneers who made possible the permanent settlement of Kentucky twenty years before the country north of the Ohio was safe for homesteaders.

George Rogers Clark's conquest of the Northwest with his little band was among the most brilliant and important accomplishments in the war for independence. Land warrants, surveys, and patents located south-east of the Ohio show where many of these men came from. The assembled surveys, now presented by townships in the three south-western counties of Pennsylvania, locates many of them. In West Virginia, the Virginia surveys show the same, but no connected map of the surveys has yet been prepared.

There may be no real controversy as to which route most pioneers took in making the all-important early settlements in Kentucky. However, there have been so many loose references to wilderness trails that it is high time this interesting phase of the Westward Movement be studied and understood.

The committee publishing *The Horn Papers* fully realized the need of documentary proof of numerous interesting statements contained therein. There are a sufficient number of these to stimulate research, which is the purpose of the publication. In order to aid those interested in such research, the committee has spared no expense in preparing the volume composed entirely of maps and containing data not heretofore available. The maps show that there were many more early settlers on the Monongahela and upper Ohio than have been heretofore known, and these surveys are of great assistance, showing where individuals located at designated places on streams and hills and in valleys.

The statement is often made that certain individuals received grants of land, in Fayette, Greene, and Washington counties given for services as Revolutionary soldiers. So far as we know none of the patents for land in these counties so state. The lands that George Washington secured in Fayette and Washington counties seem to have been secured in the same way and under the same conditions as were all Virginia grants finally recognized by Pennsylvania. The land patent maps for Greene county do not disclose that Washington secured any land in that county.

² *The Horn Papers*, III, (1945), 30, 43, 44.

As to the large acreage patented in the present Washington and Greene counties by Robert Morris, Daniel McFarland and others, evidently as partial compensation for services or financial aid to the Colonial cause, it passed through the regular course of warrant and survey by Pennsylvania authority followed by patents in standard form. It is historically instructive to learn how the rectangular and square surveys skirt the irregularly formed surveys held by tomahawk rights by earlier settlers of the district, showing where and how far these settlements had spread before the Pennsylvania Land Office resumed its operations in 1783 and 1784. As early as 1771 to 1773 a few of these rectangular surveys were made by Pennsylvania for Joseph Reed, Jared Ingersoll and others whose influence in Penn's government seems to have enabled them to arbitrarily lay out claims in rectangular form on the outskirts of the settlers' claims.

To understand the relation of land surveys with the history of a district, consideration must be given to the procedure of pioneer settlers in acquiring title to their homesteads. Where large tracts were granted individuals, or a group of individuals, the date of the title thereto often fixes the time of settlement of the grantee. The real winner of the West, the man with an ax and rifle, then moved in and blazed the trees on the lines of his claim. This for a time was his tomahawk title, and he defended it with his rifle. Even where there was no difficulty in procuring a survey and subsequent patent or grant other than time and distance, several years passed before his title was complete.

On the Monongahela and Upper Ohio there were relatively few large grants to land speculators. An immense territory was quickly settled and covered by tomahawk rights. Conditions brought delay in the process of acquiring the dated sheepskin patent. Engrossed in the business of building and clearing, a few years slipped by while the Pennsylvanians sought to have new county seats brought nearer to them. The westward march of these counties was slow. The Virginians marked time: The border fight was on; it was submerged somewhat during the strenuous defense of the frontier in Revolutionary years but flared anew as soon as victory was won. During this time the land office of Pennsylvania was closed. Though Virginia was more interested than was Pennsylvania in what transpired west of the mountains, few if any Virginia surveys were made.

Twenty years had passed before the bounds of Pennsylvania were established and the drone of the transit man and the echo of his ax men were again heard on stream and hillside. We can safely say the majority of the homesteaders on the Monongahela and upper Ohio had built their cabins and improved their claims fifteen or twenty years before obtaining patents or grants to their lands.

We can see why it required so many surveying crews to accomplish the work of running the lines and preparing the plats of the vast majority of those in the three counties dated 1785 and 1786.

Owing to different surveying crews we have many cases where streams are laid down on some surveys, missing on adjoining ones and indicated on others at some distance away. The same is true of roads. No roads are

shown in Greene county and only the Redstone-Washington Road in Washington county. Several are shown in Fayette county and are often omitted in adjoining surveys leaving long gaps in their course. There were perhaps as many early roads in Washington county as in Fayette. We know there were some in that part of Washington county that became Greene county in 1796. The dates of these surveys in the whole district furnish no clues as to why some roads were shown and others omitted. This seems to have been subject to the whims of surveyors.

Cabins had already been erected on nearly all of these tracts when surveyed and on many of them forts had also been built. The only structures shown are those on the Gist settlement, one in South Wharton in Fayette county, and one on North Tenmile Creek in Washington county. The two last mentioned are unnamed.

The names given these surveys are both interesting and instructive. They often show familiarity with literature and history. Some are humorous, but the vast majority disclose the serious determination of those pioneers.

THE TYLER COUNTY COURTHOUSE CONTROVERSY

When the county of Tyler was created out of the southern half of Ohio county by an act of the Virginia Assembly, it was provided that the justices for the new county should meet at the house of Charles Wells, Senior, there to hold its monthly sessions until a county seat was selected and public buildings for the new county completed. The first court is said to have been held at Wells's just below the present site of Sistersville, on January 9, 1815.¹

Wells kept a tavern, and it is probable that this was the "house" where court was held. He came to the Ohio country about 1776. Other members of the family settled near the present town of Wellsburg, Brooke county. Charles Wells, Senior, married twice and was reported to have had twenty-two children.²

The act of the Assembly also provided that the selection of a permanent county seat should be made by six commissioners, Dudley Evans and Levi Morgan of Monongalia county, Moses Congleton and Samuel Chambers of Brooke County, and Benjamin Robinson and David [Daniel] Davidson, Jr., of Harrison county, "a majority of whom may act," and who were "impartially and correctly to ascertain the most proper place for holding courts, and erecting the public buildings for said county . . . to make report thereof to the court of said county of Tyler, whereupon they shall proceed to erect the necessary public buildings at the place so fixed . . . which when completed shall be the permanent place for holding courts for the said county."

In September, 1815, four of the commissioners³

¹ Act of December 6, 1814, *Acts passed at a General Assembly of the Commonwealth of Virginia begun . . . the 10th day of December, 1814*, (Richmond, 1815), 87-88; Virgil A. Lewis, *History of West Virginia* (Philadelphia, 1889), 635.

² Zadok Cramer, *The Navigator . . . Eighth Edition* (Pittsburgh, 1814).

³ Legislative Petitions, MSS., Tyler County, Counter-Petition of December 9, 1815, (Virginia State Library, Richmond, Va.)

Dudley Evans, Daniel Davison Junr., Moses Conkelton [Congleton],⁴ and Samuel Chambers met in said new county and after spending two days in riding thro the county to get every nesary information have reported to our court unanously that they have located the seat of Justice on an Elevated peice of ground on the bank of the ohio river, the property of two sisters daughters of Charles Wells decd. who have give gratously one acre of land with a suficent quantity of timber and stone, to Erect the public building and have laid out lots with convenient streets and alleys and offers the lots for sale on genorous principles.

The action of the commissioners did not meet with popular approval. No town then existed on the spot, though shortly afterwards the locality was named Sistersville in honor of the Wells sisters. By way of contrast, the town of Middlebourne, which had been established two years earlier,⁵ was more centrally located. A petition was presented at the next session of the Assembly stating that⁶

much injustice has been done to a large propotion of the citizens of said county, by fixing the site, for erecting the public Buildings necessary for holding a court; by the commissions appointed for that purpose, Inasmuch, as they have fixed the same on the bank of the Ohio far from the center of Territory, or population, there being only Twenty nine freeholders, on said River, from the place where the dividing line between Tyler & Ohio counties intersects, with the same, comprehending all within four & half miles from said river, and being Thirty five miles distance to Wood County line . . .

Five pages of signatures were appended to the petition together with affidavits to the effect that the commissioners at the time of their investigation had been overheard to make statements indicating that they did not have "a correct knowledge of the geography and population" of the county, that they did not devote sufficient time to their duties "altho they were strongly urged by many to do so," and that they were influenced by "improper representations made by men actuated by Lucrative motives . . . who did not consider the general interest of the citizens of the county."

The affidavits also went on to state that members of the committee had been overheard to remark that if it had not been for an island, the county seat would have been located at the plantation of Obediah Paden; that Samuel Chambers, one of the commissioners, was surprised to see so fine a country above Middlebourne, as he had understood it was poor hills covered with pine; that Dudley Evans stated he was well acquainted with the land on Fishing and Fish Creeks, and they had the most sorry collection of land within his knowledge, but that he was not acquainted with the land on Middle Island Creek except on the head of Muckleroy Creek; and that Daniel

⁴ Dudley Evans was then a member and Daniel Davison, Jr. and Moses Congleton had previously served as members of the House of Delegates.—Register of the General Assembly of Virginia, *Fourteenth Annual Report of the Library Board of the Virginia State Library* (Richmond, 1917), 262, 286, 303.

⁵ Act of January 27, 1813, *Acts passed at a General Assembly . . . begun . . . 17th day of May, 1813*, (Richmond, 1813), 99.

⁶ Tyler County Petition, December 9, 1815.

Davison remarked that he understood it was fourteen miles from the Ohio River to the mouth of Arnolds Creek.

The petition also set forth the advantages over Sistersville offered by the Town of Middlebourne, on the north side of Middle Island Creek, a fine navigable stream, extending for many miles above said Town, and emptying into the Ohio river about Thirty miles below, affording extensive bodies of fertile Land, a great part now in a high state of cultivation; The said navigable stream, together with the many smaller water courses which empty therein, contains the principle part of the population of said County, and must consequently bare the principle part of all county charges. Your petitioners therefore pray that your Honourable body will pass a law fixing the seat of Justice for said County, in the Town of Middlebourne, on a public square given up by the proprietor for that purpose . . . We beg leave to observe that the Town of Middlebourne from the place fixed on by the Commissioners, is about nine miles, having to cross the dividing ridge which divides the waters of Ohio & Middle Island Creek, and from the extrem roughness of the same, it is almost impossible to make good roads, which is entirely out of the general rout pursued by the greater part of the citizens, in taking their produce to market . . . that there is not more than six freeholders within four & half miles of the present seat of Justice, and that within the same distance of Peter Robertson, on Muckleroy Creek, a branch of Middle Island, eighteen miles from the place fixed on by the Comrs., and nine miles above Middlebourne, there is Twenty seven, and that within the limits of four and half miles of Middlebourne upwards of forty, exclusive of the Inhabitants of the Town, the greater part of which as well as those living on Fish & Fishing Creeks will have to pass through said Town, or within a few miles, comprehending at least two thirds of the inhabitants of said county, fifty seven lotts in said Town, has been already sold, which is improving with great rapidity, possessing the advantage of a fine Grist & saw mill, within two miles, from which place, flour & scantling can be transported by water into the Ohio with great facility & ease, and from the present seat it is seven miles to the nearest mills and entirely surrounded by Hills, on one side, which almost entirely cuts of the communication with all the county baring of from the river.

While this petition was being circulated for the purpose of obtaining signatures, word got to the ears of the Sistersville adherents, for on the same day that it was presented to the Assembly at Richmond a counter petition was filed in which some of the Middlebourne advocates were referred to as⁷

designing men . . . who wish to monopolize all the power and aggrandize themselves at the publick expence, who have by undue influence and unward [unwearied] deligence we believe have perswaded many inocent persons to set their signatures to a petision to your Honorable body to pass a law . . . to move the seat of Justice from the place as above chosen by the commisioners to a place called

⁷ Tyler County Counter-Petition, December 9, 1815.

Middleburn on Middlisland creek a narrow raped winding stream . . . The last mentioned petition we believe make some eronious statements as to the local situation of our county which we think unnecessary to innumerate . . .

But two pages of signatures accompanied this counter-petition. The arguments offered in favor of Middlebourne were obviously considered the better of the two, for a bill was passed on January 8, 1816, fixing Middlebourne as the county seat.⁸

. . . the permanent seat of justice . . . is hereby established at the town of Middlebourn . . . and the Court of said county of Tyler is hereby required to proceed to the erection of such public buildings on the public square in the said town as are required by law . . . So soon as the said buildings shall be erected . . . the Court . . . shall thenceforth be held at the court-house in the said town . . . until the said buildings are erected as aforesaid, the said Court shall fix on and appoint some convenient place within the said town for holding courts for the said county of Tyler.

Complying with this direction, a log jail was built at Middlebourne and preparations were made towards constructing a courthouse. Meanwhile, smarting under their defeat, the adherents of a river location for the seat of justice prepared to renew the fight at Richmond. When the Assembly met there in December, 1817, three petitions were presented asking for a change from Middlebourne, two favoring Sistersville and one favoring the mouth of Fishing Creek, now New Martinsville.⁹

One of the Sistersville petitions mentioned that town's commercial advantages, being located at a central point on the Ohio River and "the only deposit for the produce of the county. Roads lead from all quarters to this place which makes it convenient for the inhabitants of Tyler to attend to the transactions of their business." It went on to ask the Assembly to "reinstate the county seat of justice at the town of Sistersville—or appoint disinterested commissioners to review the county, & place the seat of justice in such part or place thereof as in their judgment shall appear equitable and just."

The "mouth of Fishing Creek" petition was signed by some sixteen persons stating that

we were called on in the month of June last to sign a petition which we understood to be for a review of Tyler county by commissioners to locate the seat of justice thereof in some more suitable place . . . We beg leave to dissent and protest against any petition which may pray for any object but a review of said county by commissioners as we wish said seat of justice placed at the mouth of Fishing Creek.

Middlebourne, alive to the threat, defended itself by presenting two petitions seeking maintenance of the status quo, one of which¹⁰ again be-

⁸ *Acts passed at a General Assembly . . . begun . . . the 4th day of December, 1815*, (Richmond, 1816), 224. Arthur Ingram and John McCoy were the Tyler county delegates at this session.—Register, 92.

⁹ Tyler County Petitions, December 18, 20, 1817.

¹⁰ Tyler County Petitions, December 18, 1817.

littled the Sistersville site as being "on one line of the county & far from the center of territory of said county also from the center of population" and pointing out "that the said county of Tyler has been at great expense in building a jail, and in contracting and preparing to build a court-house at the present seat of justice."

The petitions were referred to committee, those asking for a change marked "Rejected," and the matter dropped. John McCoy and William Wells were the Tyler county members of the House of Delegates at this session of the Assembly.¹¹

The matter, not forgotten, simmered along for over a score of years, during which time Sistersville overtook and passed Middlebourne in size and importance, so that by the early 1840s Sistersville had four stores and about eighty dwellings with "one of the best landings on the Ohio," contrasted with three stores, a church and about fifty dwellings for Middlebourne.¹² A ferry had been established across the Ohio at Sistersville,¹³ an academy incorporated, composed of two buildings with desks for fifty scholars,¹⁴ and the town incorporated in 1839.¹⁵

At the session of the Assembly immediately following the one during which Sistersville was incorporated, a memorial was presented again setting forth the advantages of Sistersville¹⁶ and pointing out that

the inhabitants of other counties bounded by the Ohio River have almost universally found it best for their interests to establish their seats of justice at that river . . . an amount of money has already been subscribed by certain individuals sufficient to erect all necessary public buildings of a better and more expensive character than those now occupied [in Middlebourne]

and concluded by asking that the matter of a change be settled by a majority vote of the citizens of the county.

The memorial was unopposed and, it being considered reasonable, the Assembly passed an act¹⁷ providing that at the next general election a vote be taken, the names of the voters and how they voted should be recorded, and if five-ninths of the votes cast were in favor of a removal to Sistersville then that should be the permanent place for holding courts, and, in the event of such change, detailed directions were to be followed as to the construction of a courthouse, jail, and clerk's office, all of brick or stone, at Sistersville.

The vote was duly taken at the next election, held in April, 1841, 358 votes were cast for and 357 against removal of the courthouse, a majority of one; this, however, was 34 votes short of the necessary five-ninths.

¹¹ Register, 97.

¹² Henry Howe, *Historical Collections of Virginia* (Charleston, S. C., 1845), 496. The data had been collected by Howe in about 1843.—Preface, iii.

¹³ Act of January 28, 1818, *Acts passed at a General Assembly . . . begun . . . the 1st day of December, 1817*, (Richmond, 1818), 128.

¹⁴ Act of January 17, 1837, *Acts of the General Assembly . . . session of 1836-37*, (Richmond, 1837), 167; Tyler County Petition, January 9, 1838.

¹⁵ Act of February 2, 1839, *Acts of the General Assembly . . . session commencing 7th January . . . 1839* (Richmond, 1839), 180.

¹⁶ Tyler County Petition, December 3, 1840.

¹⁷ Act of February 1, 1841, *Acts of the General Assembly . . . session commencing 1st December, 1840* (Richmond, 1841), 62-65. James M. Stephenson was the Tyler County delegate.—Register, 150.

Sistersville immediately accused its rival of dirty work at the cross-roads; Middlebourne retorted with allusions to the landed interests of the former. Both sides got busy; petitions were circulated and presented to the Assembly when it met the following December,¹⁸ that by Sistersville stating

It is certain that the law directing the poll to be taken was never published before the election, nor was a copy of it in the possession of any citizen of the county until a few days before the vote was taken, and then only a single manuscript copy was brought into the county. Owing to this fact erroneous representations as to the provisions of the law (and particularly the mode in which the expense of the new public buildings were to be defrayed) were industriously circulated by some and believed by many. These representations induced many to vote against the removal or not to vote at all. And to oppose the removal, every county officer brought his influence to bear upon the voters.

This petition, with 655 names appended to it, concluded by asking for another vote on the matter "and further that a majority of the votes shall determine the question."

Middlebourne presented its side in a petition of remonstrance bearing 575 names:

The subject of the removal of the seat of justice . . . has been agitated for a number of years by a few individuals at Sistersville who are the owners of nearly all the real estate in and about that place; this agitation is of considerable interest to the citizens of Middlebourne, has very much retarded the growth and prosperity of the place, and in order to put to rest the question of removal, it was generally agreed that a law should be asked for authorizing a vote as above stated, it being distinctly understood that unless there was a decided majority in favor of a removal, that the question should be regarded as settled . . . one family of great wealth and respectability and influence is interested in the removal, whereas the citizens of Middlebourne are poor . . . a memorial being circulated by the people of Sistersville contains many charges and allegations against the people of Middlebourne . . . wholly unfounded . . . it is said that the population on the river is diminishing from the fact that the land there is getting into the hands of the wealthy.

The author of this vitriolic retort concluded by requesting the Assembly to drop the matter.

The petition of Sistersville, however, was heeded, except insofar as its request that a bare majority vote should decide the question, and on January 12, 1842, the former act was revived, providing that another vote be taken at the next general election.¹⁹

Presumably a vote was taken and Sistersville again defeated, for Middlebourne is still the county seat of Tyler county. Unfortunately, no records have been located shedding light on the matter, either the court records in Tyler County, Wheeling newspapers of the period, or records of the Virginia Assembly.

¹⁸ Tyler County Petitions, December 8, 10, 1841.

¹⁹ *Acts of the General Assembly . . . session commencing 6th December 1841*, (Richmond, 1842), 40. Presley Martin was the Tyler County delegate at that session.—Register, 152.

OHIO COUNTY ORDER BOOK NO. 1

(Continued from page 15)

& Whereas it may be Expedient that Constables should be appointed within this County, ordered therefore that John [3] Caldwell Stephen Parr, Thos. Williamson, Eliazar Williamson, John Bodkin, Thos. Clark, Danl Morgan be summoned to attend our next County Court then & there to be sworn in as Constables, But if any of the above Recited persons shall think it expedient to qualify in as Constables before the next Justice of the peace, there attendance at Court is hereby Remitted Respectively. Ordered that Captn Saml. Mason, Lieut: Ebenezar Zane James McConnel & Conrad Wheat being first sworn to view the Best & most direct way for the laying out a Road from Fort Henery to the first fork of Wheeling & thereupon due return make to our next County Court.

Ordered that this Court be adjourned untill Court in Coarse.

DAVID SHEEPHERD

* * * * *

There was no session of the county court in February. However, a meeting of the Committee of Safety, which had been continued to the first Monday in February⁴ was probably postponed to Saturday the 8th, at which time the following proceedings were had:

JOURNAL OF THE COMMITTEE [OF SAFETY]

[*American Pioneer*, (Concinnati), II (September, 1843), 397-398]

SATURDAY, FEBRUARY 8, 1777

The committee met on the 8th day of February, according to adjournment.

Present—John McColloch, Zechariah Sprigg, Samuel Teter, Benjamin Biggs, John Williamson, James Clements, Jacob Leffler, Jos. Ogle, Silas Hedges, Jacob Peatt, John Huff, and Charles McClain. James Clements took the oath of committee man, and took his seat accordingly.

The committee then made choice of colonel Silas Hedges as chairman.

Resolved, that John McColloch, John Williamson, Zechariah Sprigg, and Charles McClain be appointed to prepare a letter of information to his excellency the governor, respecting the state of the companies to be recruited within this county.⁵

The committee met according to adjournment, where [upon] Mr. Charles McClain made report to this committee, that on Friday last David Shepherd and said McClain had reviewed, at the forks of Wheeling, six sufficient soldiers of lieutenant Zane's quota, one of lieutenant Stroup's, and three of Thomas Clark, ensign; and likewise Mr. Zechariah Sprigg and Silas Hedges reported to this committee that they had reviewed and passed of captain Lemmon's quota three

⁴ See page 12, note 23.

⁵ The following notation by Geo. S. McKiernan in 1843 appears at this point in the *American Pioneer*, 397: "Here the journal appears to be imperfect. It is probable that the committee made a short adjournment at this stage of their business, to enable the subcommittee to prepare the 'letter of information.'" "

men, lieutenant McIntyre's three men, lieutenant Biggs one man, and ensign John McCormick's three. And having narrowly examined their hopes and expectations of remitting their respective quotas of men in a reasonable time, pray that they may be recommended to his honor the governor, with indulgence of continuing in their several appointments until the first day of April, by which time they have reasons to think that they may raise their respective quotas; and if they should then fail, they pray no further indulgence. Two reasons they assign:—One for that the packet for this county did not arrive in the county until some short date before the election, by which the whole country was overrun with recruiting officers from Yohagana county—as likewise by an order of the council of war lately passed, for the raising of twenty-two companies of volunteers to go on an expected expedition against the Indians in the spring ensuing.

And whereas, major Rogers has not appeared to accept of the appointment of captain, by not attending nor sending any message to this committee for that purpose, by reason of which, and other reasons, this committee do take it for granted that means to resign his appointment; there we would beg leave to recommend that Mr. Silas Zane be indulged with the appointment of captain, who is of the opinion that he can raise the quota of captain by the first of April; and this committee being of the opinion that it will be with much difficulty that the two companies may be raised within this county, beg leave of his excellency and the honorable council, to appoint a lieutenant for said company, who may raise a lieutenant's quota in any other quarter, as to you shall seem meet.

Resolved, that it be recommended to the county lieutenant of this county, that a guard of thirty men at least be ordered to guard the inhabitants of Grave creek.

SILAS HEDGES Vice President

PATRICK HENRY TO SILAS HEDGES^o

[*American Pioneer, op. cit.*, 398-399]

Williamsburgh, March 4, 1777

SIR—The proceedings of your committee were handed to me. The officers are continued agreeable to your recommendation. Captain Zane is no doubt proper. Let him proceed in his enlistments and be a captain. Appoint the lieutenant you mention, to recruit in any part of the state. If new appointments are necessary in lieu of any who shall fail to raise their respective quotas, make them, because we can't tell how to do it so well as your committee.

I am, sir, your most humble servant,

P. HENRY JR.

Silas Hedges, esq., Chairman of the Committee of Ohio County.

* * * * *

Publication of Ohio county order book I is now resumed with the first entry for the March session:

^o This letter is not included in, *Official Letters of the Governors of the State of Virginia*, Vol. I, Letters of Patrick Henry, (Richmond, 1926.)

MONDAY, MARCH 3, 1777

[3] . . . present David Shepherd, Silas Hedges, Zachariah Sprigg, William Scott, James Caldwell, Gentlemen.

David Rodgers took the oath of Justice of peace & took his seat on the Bench According.

Messrs. Ebenezar Zane, Conrad Wheat & Saml. Mason, agreeable to a former order of this Court for the purpose of laying out the best and most direct way for a road from Fort Henery to the first forks of Wheeling reported as follows viz. from Fort Henery over the ridge to the lower end of Masons Bottom thence up the creek bank to Wheats Narrows, thence to the top & along the north side of Mill's Nobb to a blas'd white walnut on Mills old road thence to the upper end of Mills field on the creek bank, thence up the creek bank to Hawkin's old house, thence to a blas'd white oak on Williamson's road thence to the fork of Wheeling. Order'd that Conrad Wheat be appointed an overseer of said road & that the tithables on three miles of each side be summond to work thereon untill the same be completed.

[4] Henry Nelson came into court & complains that Wm. Sparks had in an illegal manner taken away his child & unjustly detains the same without his consent. Order'd [Sparks summoned to next court.]

Order'd that James Fitzpatrick an orphan child be bound unto Sam Bruce to learn the art & mistery of a taylor untill he shall arrive to the age of twenty one years.

Order'd that Isaac Tade & hannah Melatto orphan children be bound unto David Rodgers Esqr. untill the boyes shall be of the age of twenty one years & the girl untill she be of the age of eighteen.

Order'd that Robert Henderson a retaken prisoner amongst the Indians be bound unto David Rodgers Esq. untill he be of the age of twenty one years to learn the art & mistery of a weaver But provided any parent or near relation should appear further Order'd that sd Rodgers yield up sd child the parent or relations paying reasonable costs & expenses

Order'd that this Court be adjourned until court in coarse

DAVID SHEEPHERD

MONDAY, APRIL 7, 1777

[Present: Silas Hedges, William Scott, Daniel McClain, David Rodgers.]

This court is adjourned till tomorrow at eight of the clock.

SILAS HEDGES

TUESDAY, APRIL 8, 1777

[Present: Silas Hedges, David Rodgers, Zachariah Sprigg, Daniel McClain & Thos Waller.]

Isaac Tayler took the oath of subsheriff in open court.

[Bill of sale, William Hawkins to Jno Wilson, acknowledged and recorded.]

[Wm Sparks appears; case continued; child to remain in custody of Sparks until that time.]

[Jno. Walker appears and answers complaint of Jno O'Fin re ownership of a bed; Court considering the evidence, orders [5] that the sheriff give the bed to Jno Walker as his property, O'Fin to pay costs.]

Winney Price came into court & made complaint that she was unjustly detained in service by her master Jno Mitchel, the Court having considered the matter agreeable to the evidence that appeared ordered that the case lay over till the next court & that she continue in the service of sd Mitchel until that time.

Jno Mitchel appeared in support of his attachment & produced Benjamin Biggs as his surety notwithstanding the case is ordered to lay over until the next court.

[Court adjourned until three o'clock in the afternoon.]

SILAS HEDGES

The Court met according to adjournment, Present as above.

Then came into court Winey Price, & having informed this Court that she would cheerfully compromise matters with her master Jno Mitchel, begs leave of this Court that she be indulg'd the liberty of indenting herself to her old master Jno Mitchel for & during the term of eighteen months from the twenty fifth day of May insuing therefore order'd that the s'd Winey Price be indulg'd that liberty for & in consideration of all her past of *her past* offences & misdemeanours.

The Court taking into their consideration the expediency of having a coarhouse erected⁷ ordered that a house for that purpose be erected of the following dimentions & conveniences, viz:

a dimond corner'd house of dimentions twenty two by eighteen feet in the clear one storey & one half high a floor above and below of hewd or sawn plank ten joice in the upper floor, nine or ten feet high in the lower storey a coarts bentch & clarks table, two windows of eight lights each eight by ten inches A pair of stairs & cabbin roof, a plain door & hinges of iron likewise plain window shutters, with iron hinges.

(To be Continued)

⁷ The Court at its January 7th session had ordered purchase of the land upon which Black's cabin stood, *ante*. The deed conveying the land reads:

"Know all men by these presents that I Abraham Vanmetre, of Bartley [Berkley] County & Colony of Virginia do Bargain & sell for the Consideration of Twenty pounds paid when Levy'd of the County Current money to the Court of Ohio County & Successors a Lot of Land, Containing of Two acres which I Claim Lying on the Head of the Northly fork of short Creek known by Black's Cabbin bound as follows beginning at a white oak standing near the head of a spring & Running thence N 56 W 20 pole to a stake thence south 34 W: 16 pole to a stake thence S: 56: E: 20 p to a stake N; 34: E 16: p to the Beginning, Containing Two acres Land for the use publick of the Sd County. I do hereby Bind myself my Heirs & assigns and forever Quit my Claim for the above two acres as witness my hand & seal this sixth day of March one thousand seven hundred and seventy seven.

Interlin'd Before Sign'd

Witness

ANDREW FOUTS,
CONROD STROUP, JOHN SPALEN
—Deeds Book 1, (Ohio County Court, Wheeling), 1.

ABRAHAM VANMETRE, [Seal]

Acknowledged in open Court & ordered
to be Recorded: Test

JAMES McMECHEN, C: C"

BOOK REVIEW

HORN PAPERS: EARLY WESTWARD MOVEMENT ON THE MONONGAHELA AND UPPER OHIO 1765-1795. By *W. F. Horn*
Published by the Greene County Historical Society, Waynesburg, Pa.
3 v. \$30.00.

(Continued from page 16)

The remaining material in this three-volume work is based upon the original material which was the result of many years of research on the part of W. F. Horn and based upon the diaries and papers of Jacob Horn who was a justice of the Virginia court in Northwest Augusta from 1772 to 1774.

The early court dockets are interesting, and the June, 1772, term of the Camp Catfish Corte, Northwest Augusta County, Colony of Virginia had six cases. The first was that of Conrad Sycks and Jeremiah Glasgow against Elizabeth Bozarth, for destroying by fire a bridge across Eckerlin Creek, now called White Clay Creek. The other five cases were for the cost of slaves, petition for road work, claims for ferry rights, and claims against the colony of Virginia by Thomas and Nate Gist, William Harrod, George Wilson and Thomas Ackford. This case was dismissed.

There is also the story of the lead plates planted by the French at the streams of the Ohio Valley, and where the English colonists later swarmed. It is a very interesting account of the plates, giving the exact location and dates where each of the five plates were laid, the sixth being found in a trunk belonging to a deceased sister of Mr. Horn.

The other interesting things found in these volumes are: The information concerning the Indian tribes of the region, material concerning George Rogers Clark and his conquest of the Northwest, the story of the first organized efforts to settle Kentucky, and over 500 sketches covering the period of 1763 to 1880. The history of many forgotten towns is found in these volumes, such as McCullough Town, Razortown, and many others.

Volume 3 contains maps of Fayette county, Greene county, and Washington county, Pennsylvania. It is hoped that this volume will aid the researcher in locating many pioneers of the time and the part they played in the Great Westward movement through land of the District of West Augusta, 1765-1795.

This three-volume work contains a wealth of material which should be of great help to the student of history; however, it is so detailed that in many cases it leads to confusion. Footnotes and a bibliography would also aid the researcher. The Horn papers shed much light on many events which are important in the history of the Upper Ohio Valley which future historians will use to their advantage.

VIRGINIA EBELING

Assistant Librarian, Ohio County Public Library, Wheeling, W. Va.