CHAPTER VIII.

SETTLEMENT OF THE COUNTY.

THE first white explorers of the vast country drained by the two principal tributaries of the Ohio River were Indian traders, French and English. The date of their first appearance here is not known, but it was certainly as early as 1732, when the attention of the Executive Council of Pennsylvania was called to the fact that Frenchmen were known to be among the Indians within the supposed western limits of the territory claimed by the proprietaries under the royal grant. This announcement caused considerable discussion and some vague action on the part of the Council, and there is no doubt that the fact, which then became publicly known, had the effect to bring in the English-speaking traders (if they were not already here) to gather their share of profit from the lucrative Indian barter.

The French traders came into this region from the north, down the valley of the Allegheny. Tradition says they penetrated from the mouth of that river southeastward into the country of the Monongahela (which there is no reason to doubt), and that some of them came many years before the campaigns of Washington and Braddock, and intermarrying with the Indians, settled and formed a village on the waters of Georges Creek, in what is now Georges township, Fayette County.

Of the English-speaking traders some were Pennsylvanians, who came in by way of the Juniata, but more were from Virginia and Maryland, who came west over the Indian trail leading from Old Town, Md., to the Youghiogheny, guided and perhaps induced to come to the Western wilds by Indians,[3] who from the earliest times were accustomed to visit the frontier trading-stations on the Potomac and at other points east of the mountains. These traders, both English and French, were adventurous men, ever ready and willing to brave the perils of the wilderness and risk their lives among the savages for the purpose of gain, but they were in no sense settlers, only wanderers from point to point, according to the requirements or inducements of their vocation. Who

[1] In the Pennsylvania Archives (xii. 347) is a plan of the fort, made by Col. Shippen, the engineer. On this plan are given the dimensions of the work, as follows: "The curtain, 97½ feet; the flanks, 16 feet; the faces of the bastions, 30 feet; a ditch between the bastions, 24 feet wide; and opposite the faces, 12 feet. The log-house for a magazine, and to contain the women and children, 39 feet square. A gate 6 feet wide and 8 feet high, and a drawbridge [illegible, but apparently 10] feet wide." In Judge Veech's "Monongahela of Old" is given a diagram of Fort Burd, but it is not drawn in accordance with these dimensions, the curtains being made too short as compared with the size of the bastions.

[2] James L. Bowman, in a historical sketch furnished by him to the *American Pioneer*, and published in 1843, said with regard to this first garrisoning of Fort Burd, "The probability is that after the accomplishment of the object for which the commanding officer was sent he placed Capt. Paull in command and returned to report."

[3] Judge Veech says ("Monongahela of Old," p. 26), "When the Virginia, Maryland, and Pennsylvania traders with the Indians on the Ohio began their operations, perhaps as early as 1740, they procured Indians to show them the best and easiest route, and this [the Nemacolin path to the Youghiogheny and Ohio] was the one they adopted." And he adds, "There is some evidence that Indian traders, both English and French, were in this country much earlier" than 1740.

they were is no more known than is the time when they first came, for few, if any, of their names have been preserved, other than those of Dunlap and Hugh Crawford, and they were of the class of later traders, who gave up their calling on the approach of permanent settlers.

Nor is it certainly known who was the first white man who made a settlement intended to be permanent within the territory that is now Fayette County. Veech believed that the first actual settlers here were Wendell Brown and his two sons, Maunus and Adam, with perhaps a third son, Thomas. "They came," he says, "in 1751 or 1752. Their first location was on Provance's Bottom, a short distance below little Jacob's Creek [in the present township of Nicholson]. But soon after some Indians enticed them away from that choice alluvial reach by promises to show them better land, and where they would enjoy greater security. They were led to the lands on which, in part, the descendants of Maunus now reside.[1] . . . They came as hunters, but soon became herdsmen and tillers of the soil. . . . When Washington's little army was at the Great Meadows, or Fort Necessity, the Browns packed provisions to him,—corn and beef." This last statement, however, seems very much like one of those doubtful traditions that are found clinging to all accounts of Washington's movements from Fort Necessity to Yorktown. It seems improbable, to say the least, that Wendell Brown would in that early time, and at his remote home in the wilderness, have had sufficient store of corn and beef to spare it from the necessities of his numerous family, and "pack" it several miles across the mountain and through the woods to help feed an army. Yet it may have been true. As to the date (1751–52) given by Mr. Veech as the time of Brown's first settlement on the Monongahela, it appears too early, and there is a doubt whether Wendell Brown should be named as the first settler in this county, though no doubt exists that he was here among the earliest.

Of settlements made within the limits of the present county of Fayette, the earliest which have been anything like definitely fixed and well authenticated were those which resulted from the operations of the Ohio Company, an organization or corporation to which reference has already been made in preceding chapters. The project of the formation of this company was originated in the year 1748 by Thomas Lee, a member of the Royal Council in Virginia; his object being to form an association of gentlemen for the purpose of promoting the settlement of the wild lands west of the Allegheny Mountains, within what was then supposed to be the territory of the colony of Virginia, and also to secure the Indian trade. For this purpose he associated with himself Mr. Hanbury, a London merchant, Lawrence Washington, and John Augustine Washington, of Virginia (brothers of Gen. George Washington), and ten other persons, residents of that colony and Maryland, and in March, 1749, this association was chartered as the Ohio Company by George the Second of England.

The royal grant to the company embraced five hundred thousand acres of land on the Ohio, and between the Monongahela and Kanawha Rivers, this being given on the express condition that it should be improved and settled (to a certain specified extent) within ten years[2] from the date of the charter.

"The object of the company," says Sparks, "was to settle the lands and to carry on the Indian trade upon a large scale. Hitherto the trade with the Western Indians had been mostly in the hands of the Pennsylvanians. The company conceived that they might derive an important advantage over their competitors in this trade from the water communication of the Potomac and the eastern branches of the Ohio [the Monongahela and Youghiogheny], whose headwaters approximated each other. The lands were to be chiefly taken on the south side of the Ohio, between the Monongahela and Kanawha Rivers, and west of the Alleghenies. The privilege was reserved, however, by the company of embracing a portion of the lands on the north side of the river, if it should be deemed expedient. Two hundred thousand acres were to be selected immediately, and to be held for ten years free from quit-rent or any tax to the king, on condition that the company should, at their own expense, seat one hundred families on the lands within seven years, and build a fort and maintain a garrison sufficient to protect the settlement.

"The first steps taken by the company were to order Mr. Hamburg, their agent in London, to send over for their use two cargoes of goods suited to the Indian trade, amounting in the whole to four thousand pounds sterling, one cargo to arrive in November, 1749, the other in March following.[3] They resolved

[1] South of Uniontown, near the line between South Union and Georges townships, in the histories of which townships further mention of the settlements of the Browns will be given.

[2] Sparks, in his "Life and Writings of Washington," says of this company that when it was first instituted Mr. Lee, its projector, was its principal organ and most efficient member. He died soon afterwards, and then the chief management fell on Lawrence Washington, who had engaged in the enterprise with an enthusiasm and energy peculiar to his character. His agency was short, however, as his rapidly declining health soon terminated in his death. Several of the company's shares changed hands. Governor Dinwiddie [of Virginia] and George Mason became proprietors. There were originally twenty shares, and the company never consisted of more than that number of members."

[3] The defeat of Washington and Braddock by the French in the years 1754 and 1755, as already narrated, and the consequent expulsion of the English from the country west of the Alleghenies, virtually closed the operations of the Ohio Company. Of this Sparks says, "The goods [designed for the company's prospective Indian trade on the Ohio] had come over from England, but had never been taken farther into the interior than Wills' Creek [Cumberland], where they were sold to traders and Indians, who received them at that post. Some progress had been made in constructing a road to the Monongahela, but the temper of the Indians was such as to discourage any attempt to send the goods at the company's risk to a more remote point." This was the end of the company's operations, at least as far as this region was concerned. About 1760 an attempt was made to revive the project, and Col. George Mercer was sent

also that such roads should be made and houses built as would facilitate the communication from the head of navigation on the Potomac River across the mountains to some point on the Monongahela. [This route would, almost of necessity, cross the territory of the present county of Fayette.] And as no attempt at establishing settlements could safely be made without some previous arrangements with the Indians, the company petitioned the government of Virginia to invite them to a treaty. As a preliminary to other proceedings, the company also sent out Mr. Christopher Gist, with instructions to explore the country, examine the quality of the lands, keep a journal of his adventures, draw as accurate a plan of the country as his observations would permit, and report the same to the board."

Gist performed his journey of exploration for the company in the summer and fall of the year 1750. In this trip he ascended the Juniata River, crossed the mountain, and went down the Kiskiminetas to the Allegheny, crossed that river, and proceeded down the Ohio to the Great Falls at Louisville, Ky. On this journey he did not enter the Monongahela Valley, but in November of the next year (1751) he traversed this region, coming up from Wills' Creek, crossing the Youghiogheny, descending the valley of that stream and the Monongahela, and passing down on the south and east side of the Ohio to the Great Kanawha, making a thorough inspection of the country, in which the principal part of the company's lands were to be located, and spending the whole of the winter of 1751–52 on the trip, and returning east by a more southern route.

In 1752 a treaty council (invited by the government of Virginia at the request of the Ohio Company, as before alluded to) was held with the Six Nations at Logstown, on the Ohio, a few miles below the confluence of the Allegheny and Monongahela; the object being to obtain the consent of the Indians to the locating of white settlements on the lands which the company should select,—the Six Nations being recognized as the aboriginal owners of this region, and the company ignoring all proprietorship by Penn in the lands west of the Laurel Hill range.

At this treaty there were present on the part of Virginia three commissioners, viz.: Col. Joshua Fry, Lunsford Lomax, and James Patton, and the company was represented by its agent, Christopher Gist. Every possible effort had been made by the French Governor of Canada to excite the hostility of the Six Nations towards the objects of the company, and the same had also been done by the Pennsylvania traders, who were alarmed at the prospect of competition in their lucrative trade with the natives. These efforts had had some effect in creating dissatisfaction and distrust among the savages, but this feeling was to a great extent removed by the arguments and persuasions of the commissioners and the company's agent, and the treaty resulted in a rather reluctant promise from the chiefs of the Six Nations not to molest any settlements which might be made under the auspices of the company in the region southeast of the Ohio and west of Laurel Hill.

Immediately after the conclusion of the treaty at Logstown, Mr. Gist was appointed surveyor for the Ohio Company, and was instructed to lay off a town and fort at Chartiers Creek, "a little below the present site of Pittsburgh, on the east side of the Ohio." The sum of £400 was set apart by the company for this purpose. For some cause which is not clear the site was not located according to these instructions, but in the forks of the Allegheny and Monongahela Rivers, and there in February, 1754, Capt. Trent with his company of men commenced the erection of a fort for the Ohio Company, which fort was captured by the French in the following April, and became the famed Fort du Quesne, as has already been mentioned.

The grant of lands to the Ohio Company, even vaguely described as those lands were, could not be said to embrace any of the territory which is now Fayette County; but the company assumed the right to make their own interpretation, and as they ignored all the rights of the Penns in this region, and, moreover, as they had no doubt that it was wholly to the westward of the western limits of Pennsylvania, they professed to regard this territory as within their scope, and made grants from it to various persons on condition of settlement. These grants from the company gave to those who received them no title (except the claim conferred by actual occupation, temporary as it proved), but they had the effect to bring immigrants here, and to locate upon the lands of this county the first settlements which were made in Pennsylvania west of the mountains.

Early in the period of their brief operations the company made propositions to the East Pennsylvania Dutch people to come here and settle, and this offer was accepted to the amount of fifty thousand acres, to be taken by about two hundred families, on the condition that they be exempted from paying taxes to support English religious worship, which very few of them could understand and none wished to attend. The company were willing enough to accede to this, but it required the sanction of government, to obtain which was a slow process, and before it could be accomplished the proposed settlers became indifferent or averse to the project, which thus finally fell through and was abandoned.

The first person who actually located a settlement on lands presumed to be of the Ohio Company was

out as an agent to England for this purpose. At times it seemed as if his efforts would be successful, but obstacles interposed, years of delay succeeded, and finally the breaking out of the Revolution caused all hopes of resuscitating the Ohio Company to be abandoned, and closed its existence.

their agent, Christopher Gist,[1] whose name frequently occurs in all accounts of the military and other operations in this region during the decade succeeding the year 1750. He had doubtless selected his location here when going out on the trip down the Ohio, on which he was engaged from the fall of 1751 to the spring of 1752. He took possession in the latter year, but probably did not make any improvements till the spring of 1753. He had certainly done so prior to November in that year, when Washington passed his "plantation" on his way to Le Bœuf, and said of it in his journal, "According to the best observation I could make, Mr. Gist's *new settlement* (which we passed by) bears almost west northwest seventy miles from Wills' Creek."

The place where Christopher Gist made his settlement, and which is so frequently mentioned in accounts of Washington's and Braddock's campaigns as "Gist's plantation," was the same which has been known for more than a century as "Mount Braddock," almost exactly in the territorial centre of Fayette County, the site of his pioneer residence being within the present township of Dunbar, but very near the line of the northeast extremity of North Union. His location was called by him "Monongahela," though many miles from that river. Washington, in the journal of his return from Le Bœuf, mentions it by this name, as follows: "Tuesday, the 1st of January, we left Mr. Frazier's house, and arrived at Mr. Gist's, at Monongahela, on the 2d;" and a letter written by Gist to Washington about eight weeks later is dated "Monongohella, February 23d, 1754."

Mr. Gist brought with him to his new settlement his sons, Richard and Thomas, and his son-in-law, William Cromweli. Soon after his arrival with his family there came eleven other families from across the mountains, under the auspices of the Ohio Company, and settled on lands in his vicinity, but the sites of their locations as well as their names are now unknown. Washington, when on his way from Gist's back to Virginia, in January, 1754, wrote in his journal, under date of the 6th of that month, "We met seventeen horses, loaded with materials and stores for a fort at the fork of the Ohio, and the day after some families going out to settle." And it is altogether probable that these were the families who settled in Gist's neighborhood. Sparks says, "In the mean time [that is, between the appointment of Gist as the company's agent and the building of the fort by Trent] Mr. Gist had fixed his residence on the other side of the Alleghenies, in the valley of the Monongahela, and induced eleven families to settle around him, on lands which it was presumed would be on the Ohio Company's grant."

Judge Veech expresses some doubt as to the settlement of the eleven families near Gist. He says, "We have seen it stated somewhere that Gist induced eleven families to settle around him, on lands presumed to be within the Ohio Company's grant. This may be so. But the late Col. James Paull, whose father, George Paull, was an early settler in that vicinity, and intimately acquainted with the Gists, said he never heard of these settlers." But in addition to the reasons already given for believing that the families did settle there, as stated, is this other, that the French commander, De Villiers, mentions in his journal that when returning to the Monongahela after his capture of Fort Necessity, on the 5th of July, 1754 (the day after the surrender), he arrived at Gist's, "and after having detached M. de la Chauvignerie to *burn the houses round about*, I continued my route and encamped three leagues from thence," which indicates that there was then a considerable settlement at that time in the vicinity of Gist's. In regard to the fact that Col. James Paull never heard of the settlement, there need only be said that as he was born about six years after those people had been burned out and driven away by the French, and as even his father, Capt. George Paull, did not come to this country before the fall of 1759,

[1] Christopher Gist was of English descent. His grandfather was Christopher Gist, who died in Baltimore County in 1691. His grandmother was Edith Cromwell, who died in 1694. They had one child, Richard, who was surveyor of the Western Shore, and was one of the commissioners, in 1729, for laying off the town of Baltimore, and presiding magistrate in 1736. In 1705 he married Zipporah Murray, and Christopher was one of the three sons. He was a resident of North Carolina before he came to Western Pennsylvania for the Ohio Company. He married Sarah Howard; his brother Nathaniel married Mary Howard; and Thomas, the third brother, married Violetta Howard, aunts of Gen. John Eager Howard. From either Nathaniel or Thomas descended General Gist, who was killed at the battle of Franklin, Tenn., near the close of the late civil war. Christopher had three sons—Nathaniel, Richard, and Thomas—and two daughters,—Anne and Violette. None of the sons except Nathaniel were married. Violette married William Cromwell. Because of his knowledge of the country on the Ohio, and his skill in dealing with the Indians, Christopher Gist was chosen to accompany Washington on his mission in 1753, and it was from his journal that Sparks and Irving derived their account of that expedition. With his sons, Nathaniel and Thomas, he was with Braddock on the fatal field of Monongahela, and for his services received a grant of twelve thousand acres of land from the king of England. After Braddock's defeat he raised a company of scouts in Virginia and Maryland, and did service on the frontier, being then known as Captain Gist. In 1756 he went to the Carolinas to enlist Cherokee Indians in the English service, and was successful in accomplishing his purpose. For a time he served as Indian agent in the South. Finally he removed from the Monongahela country back to North Carolina and died there.

Richard Gist was killed in the battle of King's Mountain. Thomas lived on the plantation, and was a man of note till his death about 1786. Anne lived with him until his death, when she joined her brother Nathaniel, and removed with him to the grant in Kentucky about the beginning of this century. Nathaniel Gist, the grandfather of Hon. Montgomery Blair, of Maryland, married Judith Carey Bell, of Buckingham County, Va., a grandniece of Archibald Carey, the mover of the Bill of Rights in the House of Burgesses. Nathaniel was a colonel in the Virginia line during the Revolutionary war, and afterwards removed to Kentucky, where he died early in the present century at an old age. He left two sons,—Henry Carey and Thomas Cecil. His eldest daughter, Sarah Howard, married the Hon. Jesse Bledsoe, United States senator from Kentucky and a distinguished jurist; his grandson, B. Gratz Brown, was the Democratic candidate for Vice-President in 1872. The second daughter of Col. Gist, Anne, married Col. Nathaniel Hart, a brother of Mrs. Henry Clay. The third daughter marred Dr. Boswell, of Lexington, Ky. The fourth daughter married Francis P. Blair, and they were the parents of Hon. Montgomery Blair and Francis P. Blair, Jr. The fifth daughter married Benjamin Gratz, of Lexington, Ky.

it is by no means strange that the former should have known nothing about their settlement.

Another settler who came at about the same time with Gist was William Stewart, said to be the same Stewart who was employed by Washington in some capacity in his expedition to the French forts on the Allegheny in 1753. He made his settlement on the west shore of the Youghiogheny, near where is the present borough of New Haven. From the fact of his location there the place became known as "Stewart's Crossings," and retained the name for many years. That Stewart came here early in 1753 is shown by an affidavit made by his son many years afterwards, of which the following is a copy:

"FAYETTE COUNTY, *ss.*

"Before the subscriber, one of the commonwealth's justices of the peace for said county, personally appeared William Stewart, who being of lawful age and duly sworn on the Holy Evangelists of Almighty God, saith, That he was living in this county, near Stewart's Crossings, in the year 1753, and part of the year 1754, until he was obliged to remove hence on account of the French taking possession of this country; that he was well acquainted with Captain Christopher Gist and family, and also with Mr. William Cromwell, Capt. Gist's son-in-law. He further saith that the land where Jonathan Hill now lives and the land where John Murphy now lives was settled by William Cromwell, as this deponent believes and always understood, as tenant to the said Christopher Gist. The said Cromwell claimed a place called the 'Beaver Dam,' which is the place now owned by Philip Shute, and where he now lives; and this deponent further saith that he always understood that the reason of said Cromwell's not settling on his own land (the Beaver Dam) was that the Indians in this country at that time were very plenty, and the said Cromwell's wife was afraid or did not choose to live so far from her father and mother, there being at that time but a very few families of white people settled in this country. . . . When this deponent's father, himself, and brothers first came into this country, in the beginning of the year 1753, they attempted to take possession of the said Beaver Dam, and were warned off by some of said Christopher Gist's family, who informed them that the same belonged to William Cromwell, the said Gist's son-in-law. And further deponent saith not.

"WILLIAM STEWART.

"Sworn and subscribed before me this 20th of April, 1786.

"JAMES FINLEY."

The victory of the French and their Indian allies over Washington at Fort Necessity in 1754 effected the expulsion of every English-speaking settler from this section of the country. There is nothing to show that at that time there were any others located in what is now Fayette County than Christopher Gist, his family, William Cromwell, the eleven unnamed families living near them, Stewart and family at the "Crossings," the Browns, Dunlap,[1] the trader on Dunlap's Creek, and possibly Hugh Crawford, though it is not likely that he was then here as a settler, and if he was his location at that time is unknown. There were some settlements then on the Monongahela, as is shown by De Villiers' journal of his march back from Fort Necessity to Fort du Quesne. An entry, dated July 6, 1754, reads, "I burned down the Hanguard. We then embarked (on the Monongahela); passing along, we burnt down all the settlements we found, and about four o'clock I delivered my detachment to M. de Contrecœur." But there is nothing to show that any of the settlements so destroyed by him were within the limits of the present county of Fayette.

After the French had been driven from the head of the Ohio by Forbes, and the English forts, Pitt and Burd, had been erected in 1759, the country became comparatively safe for settlers, but some time elapsed before the fugitives of 1754 began to return. A few "military permits" were issued by the commandant at Fort Pitt, and under this authority two or three (and perhaps more) temporary settlers were clustered in the vicinity of Fort Burd within about three years after its erection. One of these was William Colvin, who located near the fort in 1761, and received a settlement permit not long afterwards. William Jacobs settled at the mouth of Redstone Creek in 1761. He was driven away by fear of the Indians about two years later, but afterwards returned, and received a warrant for his claim soon after the opening of the Land Office.

Upon the conclusion of peace between France and England, by the treaty of Paris (Feb. 10, 1763), the king of Great Britain, desiring to appear to have the well-being of the Indians much at heart, issued a proclamation (in October of that year) declaring that they must not, and should not, be molested in their hunting-grounds by the encroachments of settlers, and forbidding any Governor of a colony or any military commander to issue any patents, warrants of survey, or settlement permits for lands to the westward of the head-streams of rivers flowing into the Atlantic,—this, of course, being an interdiction of all settlements west of the Alleghenies. But the effect was bad, for while the prohibition was disregarded by settlers and by the colonial authorities (particularly of Virginia), it caused the savages to be still more jealous of their rights, and to regard incoming settlers with increased distrust and dislike. This state of affairs was rendered still more alarming by the Indian troubles in the West, known as the Pontiac war, which occurred in that year, and by which the passions of the savages (particularly those west of the Alleghenies) were inflamed to such a degree that the few settlers in the valleys of the Monongahela and Youghiogheny Rivers, as well as those in other parts of the trans-Allegheny region, became terrified at the prospect and fled from the country.

But the thorough and decisive chastisement administered to the savages by Gen. Bouquet on the Muskingum in the fall of 1764 brought them to their

[1] Dunlap had certainly been located here before 1759, as his place is mentioned in Burd's journal in that year. And it is hardly likely that he would have come here after 1754 and before 1759, as the French were then in undisputed possession of the country, and used it wholly for their own purposes.

senses, and made the country once more safe, so that the years 1765 and 1766 not only saw the return of the people who had fled from the country between the Monongahela and Youghiogheny Rivers, but a very considerable increase of settlements in the same territory by fresh arrivals of immigrants from the frontiers of Maryland and Virginia, to which latter province this region was then supposed to belong. A letter dated Winchester, Va., April 30, 1765, said, "The frontier inhabitants of this colony and Maryland are removing fast over the Allegheny Mountains in order to settle and live there." The immigrants who came here in that and several succeeding years settled chiefly in the valley of the Redstone (which included also Dunlap's Creek in usual mention), at Turkey Foot, and some other points below on the Youghiogheny, in the valley of the Cheat, and in Gist's neighborhood. In the settlements at these places, with that at Pittsburgh, were embraced nearly all the white inhabitants of Pennsylvania west of the Alleghenies[1] until about the year 1770.

Information having come to the king of England that settlements were being made quite rapidly west of the mountains in defiance of his prohibition, he, in October, 1765, sent the following instructions to Governor Penn: "Whereas it hath been represented unto us that several persons from Pennsylvania and the back settlements of Virginia have immigrated to the westward of the Allegheny Mountains, and have there seated themselves on lands contiguous to the river Ohio, in express disobedience to our royal proclamation of Oct. 7, 1763, it is therefore our will and pleasure, and you are enjoined and required to put a stop to all these and all other like encroachments for the future by causing all persons who have irregularly seated themselves on lands to the westward of the Allegheny Mountains immediately to evacuate those premises." Instructions of the same purport had been sent to the Governor of Virginia in 1754, and a proclamation had been issued by the Governor, but without having the desired effect. The dissatisfaction among the Indians increased rapidly, and to a degree which awakened the authorities to the necessity for some action to allay it. The chiefs of the Six Nations were invited to a treaty council, which was accordingly held at Fort Pitt in May, 1766, at which no little dissatisfaction was expressed by the Indians at the unwarranted encroachments being made by the whites. In a letter dated at the fort on the 24th of the month mentioned, George Croghan, deputy Indian agent, said, "As soon as the peace was made last year [meaning the peace that followed Bouquet's victory of 1764], contrary to our engagements to them [the Indians], a number of our people came over the Great Mountain and settled at Redstone Creek and upon the Monongahela, before they had given the country to the king, their father." He also addressed Gen. Gage, commander-in-chief of the British forces in America, saying, "If some effectual measures are not speedily taken to remove those people settled on Redstone Creek till a boundary can be properly settled or proposed, and the Governors pursue vigorous measures, the consequences may be dreadful, and we be involved in all the calamities of another general war."

This resulted in the ordering of Capt. Alexander Mackay, with a detachment of the Forty-second Regiment of Foot, to Fort Burd, where he issued a proclamation, dated at Redstone Creek,[2] June 22, 1766, which proclamation was as follows: "To all people now inhabiting to the westward of the Allegheny Mountains: In consequence of several complaints made by the savages against the people who have presumed to inhabit some parts of the country west of the Allegheny Mountains, which by treaty belong to them, and had never been purchased, and which is contrary to his Majesty's royal proclamation, his Excellency, the commander-in-chief, out of compassion to your ignorance, before he proceeds to extremity, has been pleased to order me, with a detachment from the garrison at Fort Pitt, to come here and collect you together, to inform you of the lawless and licentious manner in which you behave, and to order you also to return to your several provinces without delay, which I am to do in the presence of some Indian chiefs now along with me. I therefore desire you will all come to this place along with the bearer, whom I have sent on purpose to collect you together.

"His Excellency, the commander-in-chief, has ordered, in case you should remain after this notice, to seize and make prize of all goods and merchandise brought on this side the Allegheny Mountains, or exposed to sale to Indians at any place except at his Majesty's garrison; that goods thus seized will be a lawful prize, and become the property of the captors. The Indians will be encouraged in this way of doing themselves justice, and if accidents should happen, you lawless people must look upon yourselves as the cause of whatever may be the consequence hurtful to your persons and estates; and if this should not be sufficient to make you return to your several provinces, his Excellency, the commander-in-chief, will order an armed force to drive you from the lands you have

[1] Judge Veech says, "The documentary history of 1765, '66, '67, and indeed of all that decade, speaks of no other settlements in Western Pennsylvania, or the West generally, than those within or immediately bordering upon the Monongahela, upon Cheat, upon the Yough, the Turkey Foot, and Redstone, the first and last being the most prominent, and the last the most extensive, covering all the interior settlements about Uniontown. Georges Creek settlers were referred to Cheat, those about Gist's to the Yough, while Turkey Foot took in all the mountain districts. All these settlements seem to have been nearly contemporaneous, those on the Redstone and the Monongahela border being perhaps the earliest, those on the Yough and Turkey Foot the latest, while those of Georges Creek and Cheat occupy an intermediate date, blending with all the others. They all range from 1763 to 1768, inclusive."

[2] At that time the name of "Redstone" was also given to the vicinity of Fort Burd and the valley of Dunlap's Creek.

taken possession of to the westward of the Allegheny Mountains, the property of the Indians, till such time as his Majesty may be pleased to fix a farther boundary. Such people as will not come to this place are to send their names and the province they belong to, and what they are to do, by the bearer, that his Excellency, the commander-in-chief, may be acquainted with their intentions."

On the 31st of July next following the publication of Mackay's manifesto, Governor Fauquier, of Virginia, issued a proclamation to the people who had presumed to settle to the westward of the Alleghenies in defiance of his previous warning and prohibition (which had been regarded by the people as a merely formal compliance with the king's order, and not intended to be enforced), and requiring all such to immediately evacuate their settlements, which if they failed to do promptly they must expect no protection or mercy from the government, but would be left to the revenge and retribution of the exasperated Indians.

In October, 1766, Governor Penn, at the request of the Assembly, addressed Governor Fauquier, saying that, without any authority whatever from Pennsylvania, settlements had been made near the Redstone Creek and the Monongahela, and that he had no doubt this had been done also without the consent of the government of Virginia, and in violation of the rights of the Indian nations. He desired Governor Fauquier to unite with him in removing the settlers from the lands in the Monongahela Valley, and promised, in case of necessity, to furnish a military force to effect the object. Governor Fauquier replied to this that he had already issued three proclamations to the settlers without effect, but that the commander-in-chief had taken a more effectual method to remove them by ordering an officer and a detachment of soldiers to summon the settlers on Redstone Creek, on the Monongahela, and in other parts west of the Allegheny Mountains to quit their illegal settlements, and in case of a refusal to threaten forcible expulsion and seizure of their movable property.

All these proclamations, with the show of military force, had the effect to terrify a few of the settlers into removal; but by far the greater part remained and were not disturbed by the military, which, after a short stay at Fort Burd, returned to garrison at Fort Pitt. In the summer of 1767, however, troops were again sent here to expel non-complying settlers, many of whom were then actually driven away; but they all made haste to return as soon as the force was withdrawn, and not a few of those who had thus been expelled came back accompanied by new settlers from the east of the mountains.

Finally all efforts to prevent settlements in this region and to expel those who had already located here failed. The extension of Mason and Dixon's line to the second crossing of Dunkard Creek, in 1767, showed that nearly all the settlements made were unquestionably in the jurisdiction of Pennsylvania, and in January, 1768, Governor Penn called the attention of the Assembly to this then recently discovered fact, narrated the ineffectual efforts made to that time to remove the settlers, mentioned the exasperation of the savages, which might not improbably result in a bloody war, and advised the enactment of a law severe enough to effect the desired result, and thus avert the horrors of a savage outbraak. Accordingly, on the 3d of February, 1768, an act was passed providing and declaring,—

"That if any person or persons settle upon any lands within this province not purchased of the Indians by the proprietors thereof, and shall neglect or refuse to remove themselves and families off and from the said land within the space of thirty days after he or they shall be required to do so, either by such persons as the Governor of this province shall appoint for that purpose, or by his proclamation, to be set up in the most public places of the settlements on such unpurchased lands, or if any person or persons being so removed shall afterwards return to his or their settlements, or the settlement of any other person, with his or their family, or without any family, to remain and settle on any such lands, or if any person shall, after the said notice, to be given as aforesaid, reside and settle on such lands, every such person or persons so neglecting or refusing to move with his or their family, or returning to settle as aforesaid, or that shall settle on any such lands after the requisition or notice aforesaid, being thereof legally convicted by their own confessions or the verdict of a jury, *shall suffer death without the benefit of clergy.*

"Provided always, nevertheless, that nothing herein contained shall be deemed or construed to extend to any person or persons who now are or hereafter may be settled on the main roads or communications leading through this province to Fort Pitt, under the approbation and permission of the commander-in-chief of his Majesty's forces in North America, or of the chief officer commanding in the Western District to the Ohio for the time being, for the more convenient accommodation of the soldiers and others, or to such person or persons as are or shall be settled in the neighborhood of Port Pitt, under the approbation and permission, or to a settlement made by George Croghan, deputy superintendent of Indian affairs under Sir William Johnson, on the Ohio River above said fort, anything herein contained to the contrary notwithstanding."

This law was doubtless as severe as Governor Penn had desired, but its folly exceeded its severity, for the evident brutality of its provisions barred the possibility of their execution, and it is by no means certain that this was not had in view by many of the members who voted for its enactment. A show was to be made, however, of carrying the law into effect, and soon after its passage the Governor appointed the Reverend Captain John Steele, of the Presbyterian

Church of Carlisle, John Allison, Christopher Lemes, and Capt. James Potter, of Cumberland County, to visit the Monongahela, Youghiogheny, and Redstone Valleys, as well as any other places west of the Allegheny Mountains where settlements might have been made within the supposed territory of Pennsylvania, to promulgate and explain the law, and induce the settlers to comply with its requirements. The commissioners took with them copies of a proclamation by the Governor, which, after a preamble reciting the provisions of the law, proceeded, "In pursuance, therefore, of the said act, I have thought proper, by the advice of the Council, to issue this my proclamation, hereby giving notice to all persons to remove themselves and families off and from said lands on or before the first day of May, 1768. And I do hereby strictly charge and command such person or persons, under the pains and penalties by it the said act imposed, that they do not, on any pretense whatever, remain or continue on the said lands longer than thirty days after the first day of May next." Besides this proclamation, the commissioners also had the Governor's instructions to call together at each of the settlements as many of the people as they could, and at such gatherings to read and explain the proclamation, to remonstrate with the settlers against their continuing on lands which still belonged to the Indians, and to warn them of the terrible danger which they, as well as other settlers, were incurring by their persistent refusal to remove. Finally, they were instructed to procure, if possible, the names of all the settlers at the several points, and report the list to the Governor on their return.

The commissioners, with the Reverend Captain Steele at their head, left Carlisle on the 2d of March, and proceeded to Fort Cumberland, from which place they traveled over the route pursued by Braddock's army to the Youghiogheny and to Gist's, thence by Burd's road to the Monongahela. What they did at the various settlements visited was related in their report to the Governor, as follows:

"We arrived at the settlement on Redstone on the 23d day of March. The people having heard of our coming had appointed a meeting among themselves on the 24th, to consult what measures to take. We took advantage of this meeting, read the act of Assembly and proclamation explaining the law, and giving the reasons of it as well as we could, and used our endeavors to persuade them to comply, alleging to them that it was the most probable method to entitle them to favor with the honorable proprietors when the land was purchased.

"After lamenting their distressed condition, they told us the people were not fully collected; but they expected all would attend on the Sabbath following, and then they would give us an answer. They, however, affirmed that the Indians were very peaceable, and seemed sorry that they were to be removed, and said they apprehended the English intended to make war upon the Indians, as they were moving off their people from the neighborhood. We labored to persuade them that they were imposed upon by a few straggling Indians; that Sir William Johnson, who had informed our government, must be better acquainted with the mind of the Six Nations, and that they were displeased with the white people's settling on their unpurchased lands.

"On Sabbath, the 27th of March, a considerable number attended (their names are subjoined), and most of them told us they were resolved to move off, and would petition your Honor for a preference in obtaining their improvements when a purchase was made. While we were conversing we were informed that a number of Indians were come to Indian Peter's.[1] We, judging it might be subservient to our main design that the Indians should be present while we were advising the people to obey the law, sent for them. They came, and after sermon delivered a speech, with a string of wampum, to be transmitted to your Honor. Their speech was: 'Ye are come, sent by your great men, to tell these people to go away from the land which ye say is ours; and we are sent by our great men, and are glad we have met here this day. We tell you the white people must stop, and we stop them till the treaty, and when George Croghan and our great men talk together we will tell them what to do.' The names of the Indians are subjoined.[2] They were from the Mingo town, about eighty miles from Redstone (on the Ohio, below Steubenville).

"After this the people were more confirmed that there was no danger of war. They dropt the design of petitioning, and said they would wait the issue of the treaty. Some, however, declared they would move off.

"We had sent a messenger to Cheat River and to Stewart's Crossings of Yougheganny, with several proclamations, requesting them to meet us at Giesse's [Gist's] place, as most central for both settlements. On the 30th of March about thirty or forty men met us there. We proceeded as at Red Stone, reading the act of Assembly and proclamation, and endeavored to convince them of the necessity and reasonableness of quitting the unpurchased land, but to no purpose. They had heard what the Indians had said at Red Stone, and reasoned in the same manner, declaring that they had no apprehension of war, that they would attend the treaty and take their measures accordingly. Many severe things were said of Mr. Croghan, and one Lawrence Harrison treated the law and our government with too much disrespect.

"On the 31st of March we came to the Great Crossings of Yougheghanny, and being informed by one

[1] "Indian Peter" was then living in a cabin located on what is now the property of Col. Samuel Evans, three miles east of Uniontown.

[2] As follows: "The Indians who came to Redstone, viz.: Captains Haven, Hornets, Mygog-Wigo, Nogawach, Strikebelt, Pouch, Gilly, and Slewbells."

Speer that eight or ten families lived in a place called the *Turkey Foot*, we sent some proclamations thither by said Speer, as we did to a few families nigh the crossings of Little Yough, judging it unnecessary to go amongst them. It is our opinion that some will move off, in obedience to the law, that the greater part will wait the treaty, and if they find that the Indians are indeed dissatisfied, we think the whole will be persuaded to move. The Indians coming to Red Stone and delivering their speeches greatly obstructed our design."

Appended to the commissioners' report was a list of settlers, as follows:

"The names of inhabitants near Red Stone: John Wiseman, Henry Prisser, William Linn, William Colvin, John Vervalson, Abraham Tygard, Thomas Brown, Richard Rodgers, Henry Swatz [Swartz], Joseph McClean, Jesse Martin, Adam Hatton, John Verwal, Jr., James Waller, Thomas Douter [Douthet, who owned a part of the site of Uniontown], Captain Coburn, John Delong, Peter Young, George Martin, Thomas Down, Andrew Gudgeon, Philip Sute, James Crawford, John Peters, Michael Hooter, Andrew Linn, Gabriel Conn, John Martin, Hans Cook, Daniel McKay, Josias Crawford, one Provence.

"Names of some who met us at Giesse's [Gist's] place: One Bloomfield [probably Brownfield], James Lynn, Ezekiel Johnson, Richard Harrison, Phil Sute, Jed Johnson, Thomas Geisse [Gist], Charles Lindsay, James Wallace [Waller?], Henry Burkman, Lawrence Harrison, Ralph Hickenbottom.[1]

"Names of the people at Turkey Foot: Henry Abrahams, Ezekiel Dewitt, James Spencer, Benjamin Jennings, John Cooper, Ezekiel Hickman, John Enslow, Henry Enslow, Benjamin Pursley."

Mr. Steele made a supplemental report to the Governor, in which, referring to the conferences with the settlers, he said, "The people at Red Stone alleged that the removing of them from the unpurchased lands was a contrivance of the gentlemen and merchants of Philadelphia that they might take rights for their improvements when a purchase was made. In confirmation of this they said that a gentleman of the name of Harris, and another called Wallace, with one Friggs, a pilot, spent a considerable time last August in viewing the lands and creeks thereabouts. I am of the opinion, from the appearance the people made, and the best intelligence we could obtain, that there are about an hundred and fifty families in the different settlements of Red Stone, Yougheganny, and Cheat."

This estimate was intended to include all the settlers in what is now Fayette County, and the about eight families on the east side of the Youghiogheny at Turkey Foot. The lists given in the commissioners' report of course omitted a great number of names of settlers, including a number who were somewhat prominent and well known as having been located in this region several years before 1768, as Christopher and Richard Gist, William Cromwell, Stewart of the "Crossings," Capt. William Crawford,[2] who had been settled near Stewart for about three years; Hugh Stevenson, on the Youghiogheny; Martin Hardin (father of Col. John Hardin), on Georges Creek; John McKibben, on Dunlap's Creek, and others.

The mission of the Rev. Mr. Steele and his associates ended in failure, for the few people who had promised to remove disregarded that promise and remained, for all the settlers were strong in confidence that results favorable to their continued occupation would come from the treaty council which was appointed to be held at Fort Pitt about a month later. At that treaty council there were present nearly two thousand Indians, including, besides chiefs and head men of the dominant Six Nations, representatives of the Delaware, Shawanese, Munsee, and Mohican tribes. On the part of the white men there were present George Croghan, deputy agent for Indian affairs; John Allen and Joseph Shippen, Jr., Esqrs.,

[1] "Ralph Higgenbottom resided on the Waynesburg road, in Menallen township, a little west of the Sandy Hill Quaker graveyard" ("Monongahela of Old"). Mr. Veech also says of the persons named by the commissioners that they resided at considerable distances from the places where they were met, as, for instance, "James McClean, who lived in North Union township, near the base of Laurel Hill; Thomas Douthet, on the tract where Uniontown now is; Captain Coburn, some ten miles southeast of New Geneva; Gabriel Conn, probably on Georges Creek, near Woodbridgetown. The Provances settled on Provance's Bottom, near Masontown, and on the other side of the river at the mouth of Big Whitely. The Brownfields located south and southeast of Uniontown."

[2] Captain (afterwards colonel) William Crawford settled on the west bank of the Youghiogheny at Stewart's Crossings. A deposition sworn by him, and having reference to his settlement here and some other matters, is found in the "Calendar of Virginia State Papers and other Manuscripts, 1652–1781. Preserved in the Capitol at Richmond. Arranged and edited by William Palmer, M.D., under authority of the Legislature of Virginia, vol. i. 1875." The deposition, which was taken before the Virginia commissioners, James Wood and Charles Simms, "at the house of John Ormsby, in Pittsburgh," is given in part below as establishing the date of Crawford's first coming to this region, and as explaining some other matters connected with the incoming of the settlers after the expulsion of the French and the building of the English forts, Pitt and Burd.

"Colonel William Crawford Deposeth and saith that his first acquaintance with the Country on the Ohio was in the year 1758, he then being an Officer in the Virginia Service. That between that time and the year 1765 a number of Settlements were made on the Public Roads in that Country by Permission of the Several Commanding Officers at Fort Pitt. That in the Fall of the year 1765 he made some Improvements on the West Side of the Allegheny Mountains; in the Spring of the year following he settled, and has continued to live out here ever since. That before that time, and in that year, a Considerable number of Settlements were made, he thinks near three hundred, without permission from any Commanding Officer; some of which settlements were made within the Limits of the Indiana Company's Claim, and some others within Col. Croghan's. From that time to the present the people continued to emigrate to this Country very fast. The Deponent being asked by Mr. Morgan if he knows the names of those who settled on the Indiana Claim in the year 1766, and on what Waters, answers that Zachel Morgan, James Chew, and Jacob Prickett came out in that year, and was informed by them that they settled up the Monongahala; that he has since seen Zachel Morgan's plantation, which is on the South side of the line run by Mason and Dixon, and that he believes that to be the first settlement made in this Country. . . ." The "Zachel Morgan's plantation" here mentioned was at Morgantown, W. Va.

commissioners for the province of Pennsylvania; Alexander McKee, commissary of Indian affairs; Col. John Reed, commandant of Fort Pitt, and several other military officers. The principal interpreter was Henry Montour, and many of the Monongahela and Redstone settlers were present and among the most anxious of the spectators.

The council proceeded in the usual way, with high-sounding speeches, hollow assurances of friendship, the presentation of divers belts and strings of wampum, and the distribution among the Indians of presents to the amount of £1500; but as the deliberations progressed it became more and more apparent that there existed among the savages no deep-seated dissatisfaction against the settlers; that nearly all the indignation at the encroachments of the whites was felt and expressed by the gentlemen acting for the Pennsylvania authorities; that these were extremely angry with the Indians because in a few instances they had sold small tracts to white men, and because they were now exhibiting a decided disinclination to *demand* the immediate removal of the settlers. Almost the only Indian of the Six Nations who complained was Tohonissahgarawa, who said, "Some of them" (the settlements) "are made directly on our war-path leading to our enemies' country, and we do not like it. . . . As we look upon it, it will be time enough for you to settle them when you have purchased them and the country becomes yours." The commissioners addressed the Indians, telling them that when Steele and his associates had visited the settlers the latter had promised to remove. "But, brethren," continued the commissioners, "we are sorry to tell you that as soon as the men sent by the Governor had prevailed on the settlers to consent to a compliance with the law, there came among them eight Indians who live at the Mingo town, down this river, and desired the people not to leave their settlements, but to sit quiet on them till the present treaty at this place should be concluded. The people, on receiving this advice and encouragement, suddenly changed their minds, and determined not to quit their places till they should hear further from the Indians. Now, brethren, we cannot help expressing to you our great concern at this behavior of those Indians, as it has absolutely frustrated the steps the Governor was taking to do you justice by the immediate removal of those people from your lands. And we must tell you, brethren, that the conduct of those Indians appears to us very astonishing; and we are much at a loss to account for the reason of it at this time, when the Six Nations are complaining of encroachments being made on their lands. . . . But, brethren, all that we have now to desire of you is that you will immediately send off some of your prudent and wise men with a message to the people settled at Red Stone, Youghiogheny, and Monongahela, to contradict the advice of the Indians from the Mingo town, and to acquaint them that you very much disapprove of their continuing any longer on their settlements, and that you expect they will quit them without delay. If you agree to this, we will send an honest and discreet white man to accompany your messengers. And, brethren, if, after receiving such notice from you, they shall refuse to remove by the time limited them, you may depend upon it the Governor will not fail to put the law into immediate execution against them."

Finally a reluctant consent to the proposition of the commissioners was gained from the Six Nations' chiefs. At a session held with these chiefs on the 9th of May, "It was agreed by them to comply with the request of the commissioners in sending messengers to the people settled at Red Stone, Youghiogany, and Monongahela, to signify to them the great displeasure of the Six Nations at their taking possession of the lands there and making settlements on them, and also that it is expected they will, with their families, remove without further notice. They accordingly appointed the White Mingo and the three deputies sent from the Six Nations' country to carry a message to that effect, and the commissioners agreed to send Mr. John Frazer and Mr. William Thompson to accompany them, with written instructions in behalf of the government of Pennsylvania."

"Monday, May 9, 1768, P.M.:

"The Indian messengers having agreed to set out for Red Stone Creek to-morrow, the commissioners, as an encouragement to them for the trouble of their journey, made them a present of some black wampum. They then desired Mr. Fraser and Capt. Thompson to hold themselves prepared for accompanying the Indian messengers in the morning, and wrote them a letter of instructions." In those instructions they said,—

"As soon as you arrive in the midst of the settlements near Red Stone Creek, it will be proper to convene as many of the settlers as possible, to whom the Indians may then deliver their message, which shall be given to you in writing; and we desire you will leave a few copies of it with the principal people, that they may communicate the same to those who live at any considerable distance from them. . . . You may then acquaint them that they must now be convinced by this message and the speech of the Six Nations that they have hitherto been grossly deceived by a few straggling Indians of no consequence, who may have encouraged them to continue on their settlements, and that they will now be left without the least pretense or excuse for staying on them any longer. . . . But should you find any of those inconsiderate people still actuated by a lawless and obstinate spirit to bid defiance to the civil authority, you may let them know that we were under no necessity of sending, in the name of the Governor, any further notice to them, or of being at the pains of making them acquainted with the real minds of the Indians, to induce them to quit their settlements, for that the powers of the government are sufficient to compel

them to pay due obedience to the laws, and they may depend on it they will be effectually exerted if they persist in their obstinacy. You may likewise assure them that they need not attempt to make an offer of terms with the government respecting their removal, as we hear some of them have vainly proposed to do, by saying they would go off the lands immediately on condition that they should be secured to them as soon as the purchase is made. It is a high insult to government for those people even to hint at such things."

The two gentlemen whom the Pennsylvania commissioners had designated, Messrs. John Frazer and William Thompson, being ready to set out on their contemplated journey from Fort Pitt to Redstone Creek, the Indian messengers were sent for, and at last made their appearance at the fort, but said that, after due consideration of the business on which it was proposed to send them, they had decided that they could by no means undertake it, and immediately returned to the commissioners the wampum which had been given them. Upon being interrogated as to their reasons for now declining to perform what they had once consented to, they answered that three of them were sent by the Six Nations' council to attend the treaty at the fort, and having received no directions from the council to proceed farther, they chose to return home in order to make report of what they had seen and heard. They further added that the driving of white people away from their settlements was a matter which no Indians could, with any satisfaction, be concerned in, and they thought it most proper for the English themselves to compel their own people to remove from the Indian lands. After this refusal of the Indians who had been appointed to carry the message from the Six Nations, the commissioners in vain attempted to persuade or procure others to execute the business, though they used great endeavors for that purpose, and they thought it both useless and imprudent to continue to press on the Indians a matter which they found they were generally so much averse to, and therefore they concluded to set out on their return to Philadelphia without further delay. But in a short time afterwards Guyasutha[1] came, with Arroas (a principal warrior of the Six Nations), to the commissioners, to whom the former addressed himself in effect as follows:

"Brethren,—I am very sorry to find that you have been disappointed in your expectations of the Indian messengers going to Redstone, according to your desire and our agreement; and I am much afraid that you are now going away from us with a discontented mind on this account. Believe me, brethren, this thought fills my heart with deepest grief, and I could not suffer you to leave us without speaking to you on this subject and endeavoring to make your minds easy. We were all of us much disposed to comply with your request, and expected it could have been done without difficulty, but I now find not only the Indians appointed by us but all our other young men are very unwilling to carry a message from us to the white people ordering them to remove from our lands. They say they would not choose to incur the ill will of those people, for if they should be now removed they will hereafter return to their settlements when the English have purchased the country from us. And we shall be very unhappy if, by our conduct towards them at this time, we shall give them reason to dislike us and treat us in an unkind manner when they again become our neighbors. We therefore hope, brethren, that you will not be displeased at us for not performing our agreement with you, for you may be assured that we have good hearts towards all our brethren, the English."

Upon the conclusion of this speech the commissioners returned to Guyasutha many thanks for his friendly expressions and behavior, assuring him that the conduct of all the Indians at the treaty council met their full approbation, and that they were now returning home with contented minds. They said to him that they had urged the chiefs to send a message by their own people to the Redstone and Monongahela settlers, entirely on account of the great anxiety they had to do everything in their power to forward the designs of the government, to do the Indians justice, and to redress every injury they complained of; but, as they found that the course proposed was repugnant to them, that they (the commissioners) would not press the matter further, though it appeared to them to be a proper and necessary course, and one which they regretted to be obliged to abandon. "They then took leave of the Indians in the most friendly manner, and set out on their return to Philadelphia."

This unlooked-for conclusion of the treaty council at Fort Pitt ended the efforts on the part of the proprietary government of Pennsylvania to expel the pioneer settlers from the valleys of the Monongahela, the Youghiogheny, and the Redstone.

The aboriginal title to the lands composing the present county of Fayette, as well as those embraced in a great number of other counties in this State, was acquired by the proprietaries of Pennsylvania by the terms of a treaty held with the Indians at Fort Stanwix (near Rome, N. Y.) in the autumn of 1768. In October of that year there were assembled at the fort, by invitation of Sir William Johnson, superintendent of Indian affairs, a great number of chiefs of the Mohawk, Oneida, Onondaga, Cayuga, Seneca, and Tuscarora tribes (composing the Six Nations), with other chiefs of the Delawares and Shawanese tribes, and on the 24th of that month these were con-

[1] This Guyasutha, or Kayashuta, was a chief who met Washington on his first appearance in this region in the fall of 1753. He was friendly to the English as against the French, but in the Revolutionary war took sides against the settlers, and was the leader of the Indian party which burned Hannastown, the county-seat of Westmoreland, in 1782.

vened in council with representatives of the royal authority and of the governments of Pennsylvania, Virginia, and New Jersey. The principal white persons present at the council were "the Honorable Sir William Johnson, Baronet, his Majesty's superintendent of Indian affairs; his Excellency William Franklin, Esq., Governor of New Jersey; Thomas Walker, Esq., commissioner for the colony of Virginia; Hon. Frederick Smith, chief justice of New Jersey; Richard Peters and James Tilghman, Esqrs., of the Council of Pennsylvania; George Croghan and Daniel Claus, Esqrs., deputy agents of Indian affairs; Guy Johnson, Esq., deputy agent and acting as secretary, with several gentlemen from the different colonies; John Butler, Esq., Mr. Andrew Montour, and Philip Phillips, interpreters for the Crown."

The council was opened by Sir William Johnson, who stated that Lieutenant-Governor Penn, of Pennsylvania, had been there and waited a considerable time, but was forced by press of business to return, leaving Messrs. Peters and Tilghman as his commissioners. He also explained to the chiefs the business on which he had called them together, and then, after some preliminary talk, the council adjourned for the day. Afterwards its sessions were continued from time to time until the 5th of November, when a treaty, known in history as the treaty of Fort Stanwix, by which the chiefs of the Six Nations ceded to Thomas Penn and Richard Penn, for the consideration of ten thousand pounds, an immense tract of land in Pennsylvania, described in the treaty by a great number of boundaries which it would be tedious to quote. This great purchase may, in a general way, be described as comprehending all of the present territory of the counties of Fayette, Westmoreland, Washington, Greene, Somerset, Cambria, Columbia, Wyoming, Sullivan, and Susquehanna, nearly all of Wayne, Luzerne, Montour, Northumberland, Union, and Indiana, and parts of Beaver, Allegheny, Armstrong, Clearfield, Centre, Clinton, Lycoming, Bradford, Pike, and Snyder.

The Indian title to this great tract having now been acquired by the Penns, measures were immediately taken to prepare the newly-purchased lands for sale to settlers. On the 23d of February, 1769, they published an advertisement for the general information of the public, to the effect that their Land Office in Philadelphia would be open on the 3d of April next following at ten o'clock A.M. to receive applications from all persons inclined to take up lands in the new purchase, upon the terms of five pounds sterling per one hundred acres, and one penny per acre per annum quit-rent.

"It being known that great numbers of people would attend [at the Land Office on the day of opening], ready to give in their locations at the same instant, it was the opinion of the Governor and proprietary agents that the most unexceptionable method of receiving the locations would be to put them all together (after being received from the people) into a box or trunk, and after mixing them well together to draw them out and number them in the order they should be drawn, in order to determine the preference of those respecting vacant lands. Those who had settled plantations, especially those who had settled, by permission of the commanding officers, to the westward, were declared to have a preference. But those persons who had settled or made what they called improvements since the purchase should not thereby acquire any advantage. The locations (after being put into a trunk prepared for the purpose, and frequently well mixed) were drawn out"[1] in the manner above described.

Prior to the opening of the Land Office in 1769, the settlers west of the Alleghenies (with a very few exceptions[2]) held the lands on which they had located solely by occupation, on what were then known as "tomahawk improvement" claims. The manner in which the settler recorded his tomahawk claim was to deaden a few trees near a spring, and to cut the initials of his name in the bark of others, as indicative of his intention to hold and occupy the lands adjacent to or surrounded by the blazed and deadened trees. These "claims" constituted no title, and were of no legal value, except so far as they were evidences of actual occupation. They were not sanctioned by any law, but were generally (though not always) recognized and respected by the settlers; and thus, in the applications which were afterwards made at the Land Office for the various tracts, there were very few collisions between rival claimants for the same lands.

The plan of drawing the names of applicants by lot, which was adopted at the opening of the Land Office in April, 1769, as before noticed, was discontinued after about three months, and then the warrants were issued regularly on applications as reached in the routine of business at the office. In the first three months there had been issued daily, on an average, over one hundred warrants for lands west of the mountains and below Kittaning. The surveys of lands within the territory which now forms Fayette County were begun on the 12th of August, 1769, by the three brothers, Archibald, Moses, and Alexander McClean, of whom the first two were deputy surveyors, while Alexander (who afterwards succeeded to that office and became a more widely-famed surveyor than either of his brothers) was then a young man of about twenty-three years of age, and an assistant surveyor under them. During the remainder of that

[1] Addison's Reports, Appendix, p. 395.

[2] These very few exceptions were persons who held military permits for settlement near the forts and on the lines of army roads; also those to whom "grants of preference" had been given. Veech says only *one* "grant of preference" was issued in Fayette County, viz., to Hugh Crawford, dated Jan. 22, 1768, for 500 acres, for his services as "Interpreter and conductor of the Indians" in the running of the extension of Mason and Dixon's line in 1767. And in a few instances the Indians sold lands direct to settlers in this county,—as to Gist, the Browns, and to some of the Provances, at Provance's Bottom, on the Monongahela.

year they made and completed seventy official surveys in Fayette County territory; and in the following year they executed eighty more in the same territory, besides a large number in the part which is still Westmoreland County, and some in Somerset and Washington.

In the next succeeding five years there were but few surveys of land made in what is now Fayette territory, viz.: In the year 1771, twelve surveys; in 1772, fourteen surveys; in 1773, eleven; in 1774, seven; in 1775, two. During the Revolution, Pennsylvania adopted the recommendation of Congress to cease the granting of warrants for wild lands to settlers. This was intended to discourage settlements (temporarily) and thus promote enlistments in the Continental army. It is doubtful whether this measure had the effect intended, but it closed the Land Office, thus preventing settlers from acquiring titles to their lands, and from procuring official surveys, of which none were made in the present territory of Fayette County from 1775 to 1782, in which latter year three surveys were made here, and the same number in 1783. On the 1st of July, 1784, the Land Office was reopened by the State of Pennsylvania,[1] and from that time until 1790, the number of surveys made each year in what is now Fayette County were as follows: In 1784, twenty; in 1785, two hundred and fifty-eight; in 1786, one hundred and fifty; in 1787, eighty-eight; in 1788, sixty-two; in 1789, twenty-eight; and in 1790, nineteen. Two or three years afterwards they began to grow a little more numerous, but never again reached anything like the previous figures.

During the Revolution, when Pennsylvania had closed her Land Office and issued no warrants for wild lands west of the Alleghenies, the government of Virginia pursued an opposite course in the issuance of "certificates" (corresponding to the Pennsylvania warrants) for lands in this same section of country. The reason why this was done by Virginia was because she claimed and regarded as her own, the territory which now forms the western part of Pennsylvania as far eastward as the Laurel Hill. On this territory (extending, however, farther southward) she laid out her counties of Yohogania, Monongalia, and Ohio, the latter bordering on the Ohio River, and the two others lying to the eastward of it, covering all of what is now Fayette County. It was on lands in these Virginia counties that the "Virginia certificates" were issued in great numbers, principally in 1779 and 1780. A board of commissioners, appointed for the purpose, granted to such *bona fide* settlers as would build a cabin and raise a crop a certificate for four hundred acres, of which the purchase price was ten shillings per one hundred acres. The cost of the certificate was two shillings and sixpence; this latter being all that the settler was compelled to pay down on his purchase of four hundred acres. Thus the purchaser of lands from Virginia paid less than one-tenth the amount which he would have been compelled to pay to Pennsylvania for the same lands. For this reason he often chose to take the cheaper Virginia title, and when he had so purchased it was but natural that he should incline towards Virginia partisanship, at least so far as to desire the success of that government in its boundary controversy against Pennsylvania. The greater part of the lands in the present counties of Washington and Greene were taken up on these Virginia certificates, but the reverse was the case in the territory that is now Fayette, where nearly all the settlers took titles from Pennsylvania, and where few Virginia certificates are found. The reason for this was that prior to the close of the Revolution many, and probably by far the greater part of the people, believed that the State line would eventually be established on the Monongahela, giving sole jurisdiction east of that river to Pennsylvania, and all west of it to Virginia.

But in the settlement of the controversy between the States it was agreed "That the private property and rights of all persons acquired under, founded on, or recognized by the laws of either country be saved and confirmed to them, although they should be found to fall within the other; and that in the decision of disputes thereon, preference shall be given to the elder or prior right, whichever of the States the same shall be acquired under such persons paying within whose boundary their lands shall be included the same purchase or consideration money which would have been due from them to the State under which they claimed the right; and where such money hath, since the Declaration of Independence, been received by either State for lands which, under the before-named agreement, falls within the other, the same shall be refunded and repaid; and that the inhabitants of the disputed territory now ceded to Pennsylvania shall not before the 1st of December in the year 1784 be subject to the payment of any tax, nor at any time hereafter to the payment of any arrears of taxes or impositions heretofore laid by either State; and we do hereby accept and fully ratify the said recited conditions and the boundary line formed."

And in the adjustment of claims which succeeded the settlement of the controversy the rule was observed to recognize the validity of the oldest titles, whether acquired from Virginia or from Pennsylvania. So the Virginia certificates (when antedating all other claims to the said lands) were as good and valid as if they had been warrants from the Pennsylvania Land Office, and the titles were afterwards perfected by the issuance of Pennsylvania patents on them. The price of lands, which was £5 per one hundred acres under the Pennsylvania proprietaries, and under the State till 1784, was then reduced to £3 10*s.*, and the quit-rent (one penny per acre per annum), which had pre-

[1] There was no longer any proprietaryship by the Penns, this having ceased on the passage of "An Act for vesting the estates of the late proprietaries in this Commonwealth." This, usually called the "Divesting Act," was passed Nov. 27, 1779.

viously been required, was then discontinued, but interest was demanded from the date of first improvement. Again, in 1792, the price was further reduced to £2 10*s*. per one hundred acres, with interest as before. This continued till 1814, when the price was placed at $10 per one hundred acres, with interest from date of settlement.

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[1] The country around Pittsburgh was then claimed by both Virginia and Pennsylvania, but Clarke, being a Virginian, viewed the matter entirely from the Virginian stand-point.

[2] Dr. John Connolly, a nephew of George Croghan, the deputy superintendent of Indian affairs.

[3] All this region was at that time claimed by Virginia to be within its "West Augusta" District.