

THOMAS LAPSLEY

A 1772 Settler In Southwestern Pennsylvania

Revised November 2005

Dean Froehlich

Compiler

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Preface to Revised Edition

This revision has come about as a result of new evidence being found which sheds additional light on the family of “The Widow Martha Lapsley”. This evidence was found after 1999 and provides answers to questions (i), (iii), and (v) in Mr. Froehlich’s introduction on p v of his 1983 compilation.

Question (i) asks: “When and where were Martha Lapsley and her son Thomas born?”. The new evidence discovered consists in part of the wills of Martha’s father and brother. Her father was William Irwin, who signed his Last Will and Testament¹ on 17 Sep 1743 in Chester Co., PA. The will identifies his widow, Mary, daughter Martha as an “unmarried minor” and three sons: Samuel, Thomas and William. Martha’s brother Thomas Irwin, signed his Last Will and Testament² on 13 Sep 1756, also in Chester Co, PA. This will initially identified him as “Thomas Erwing” but later as “Thomas Irwin” and identifies his sister Martha’s children as: “John Lapsly”, “Thomas Lapsly” and “Jean Lapsly” and further identifies his “brother” as “William Lapsly”. It should be noted here that there are over sixty known variant spellings of the surname “Irvine”³; of which nine are the most common spellings found in this country and are: “Erwin”, “Erwine”, “Erwing”, “Irvin”, “Irvine”, “Irving”, “Irwin”, “Irwine”, and “Irwing”.. Checking the index to the Wills and Intestate records for Chester Co., PA from 1714 to 1850 indicates the use of “Irwin” only. It would not be out of line to presume that Martha and her three identified children were all born in Chester Co., PA.: Martha sometime after 17 Sep 1722 (best guess at this time is ca 1730-31), and all three of her children sometime prior to 13 Sep 1756 (best guess here is ca 1750-55).

Question (iii) asks: “Who was Thomas Lapsley’s father?”. As indicated by Thomas Irwin’s Last Will and Testament above, his name was obviously William Lapsley. As to his date and place of birth, more research is needed to verify this, however it’s likely he was one of the original three brothers to migrate to the Colonies (ca 1735) from wherever. The three brothers were most likely Joseph Lapsley of VA, Thomas Lapsley of NC, and William Lapsley of both PA and VA. From Thomas Irwin’s will we see that William Lapsley and Martha Irwin were married, sometime prior to Sep 1753 at the latest (assuming no twins were born), possibly in Chester Co., PA.

Question (v) asks: “When and where did he die?” (referring to William Lapsley). Published information indicates that William served in the Augusta Co., VA militia company of “Capt. Joseph Lopsley” [sic] in Aug 1756⁴. William acquired 95 acres of land in Augusta Co., VA in Nov 1762⁵,

¹Chester Co., PA. Will Book “B”, pp 149-150; Market & High Streets, West Chester, PA – 19380.

²Chester Co., PA. Will Book “D”, pp 98-99; Market & High Streets, West Chester, PA – 19380.

³George F. Black, Ph.D., *The Surnames of Scotland, Their Origin, Meaning, and History*, pp 378-379; (Edinburgh, Scotland: Birlinn Limited, 1996); ISBN: 1-874744-83-1.

⁴Lloyd DeWitt Bockstruck, *Virginia’s Colonial Soldiers*, (Baltimore, MD: Genealogical Publishing Co., Inc, 1988); ISBN: 0-8063-1219-X. Hereafter referred to as Bockstruck..

⁵Peter Kline Kaylor & George Warren Chappelle, *Abstract of Land Grant Surveys, Augusta & Rockingham Counties, 1761 - 1791*, (Salem, MA: Higginson Book Company, date unk); p 10 in which the author cites p 24 of the County Record, but doesn’t mention which book. Originally published by Rockingham Historical

which was approximately 10-20 miles south of the original 400 acres acquired by Joseph Lapsley. William was court-martialed on 17 Apr 1767 in Augusta Co., VA⁶ for failing to attend a militia muster. The last dated entry (found to date) for William is a tax list in Botetourt Co., VA dated simply 1771⁷ ⁸.

From the foregoing, it's almost a certainty that William and Martha moved from Chester Co., PA to near Lexington, VA sometime prior to Aug 1756 and remained there until his apparent demise ca 1771-1772. Because William served with the county militia from ca Aug 1756 until at least Apr 1767 in Augusta Co., VA, it's probable that he was part of the VA expedition sent to help put down the "Cherokee Uprising" of 1760-1762 along "The Carolina Frontier"⁹. He may have received a land warrant for this service that he used to acquire the 95 acres above. That Martha (Irwin) Lapsley moved from VA to near Pittsburgh (then Ft. Pitt), PA may have been influenced by the fact that a James Irwin was living in that area – see the map on p 8 as well as Record No. 77 on p 75 of this revised compilation. It's entirely possible that James Irwin may have been a son of one of Martha's brothers.

While the foregoing information sheds some light on the life and times involved, it also raises still more questions. Several published works and public records, too numerous to list here, report that Joseph Lapsley settled near the town of Lexington, VA ca 1740 and married Sarah Woods. It's possible that William and Martha had more than just the three children listed above, some of whom may have been incorrectly listed as the children of Joseph and Sarah Lapsley. It is expected that in time, many of these additional questions will be answered by the discovery of new facts and relationships.

I would like to take this opportunity to express my appreciation to Mr. Froehlich for his excellent advice and assistance in my research efforts over the years, as well as his overseeing my efforts in preparing this revision for uploading to the internet.

Clyde Lapsley
Colorado Springs, Colorado

Society in 1938.

⁶Bockstruck, p 335.

⁷Unknown Author, *The Virginia Genealogist Vol. 10, # 3*, p 116; (Virginia: Publisher Unknown, 1966).

⁸Lyman Chalkley, *Chronicles of The Scotch-Irish Settlements in Virginia Extracted From The Original Court Records of August County 1746 - 1800*, Volume 1, pp 95-96; (Baltimore, MD: Genealogical Publishing Co., Inc., 1965); which can now be found on the internet at: <http://www.rootsweb.com/~chalkley/index.htm>.

⁹James C. Neagles, *U.S. Military Records, A Guide to Federal and State Sources, Colonial America to the Present*, pp 396-397; (Salt Lake City, UT: Ancestry Incorporated, 1994); ISBN: 0-916489-55-8.

PREFACE

Readers not acquainted with the number of governing bodies that successively and sometimes simultaneously administered the area in which the Lapsleys settled will find the compilation perplexing. At times the records seem to suggest the existence of more than one Thomas Lapsley or the existence of more than one seems needed to reconcile incompatibilities in the records that seem to appear when it is assumed all refer to the same person.

The confusion is caused by the records having been made by six different civil authorities. Prior to the appearance of the Lapsleys, the area around Pittsburgh was considered by the British Government and its colonial governors to be a part of the Crown Colony of Virginia. Thus, references to the Lapsleys prior to September 1780 are found in Virginia county court records: first in Augusta County, later in the District of West Augusta and finally in Yohogania County. Following the settlement of the Virginia-Pennsylvania boundary dispute, in September 1780, records of Lapsleys seem to appear in Pennsylvania county records: first in Washington County and, after 1788, in the newly created Allegheny County. No record of a Lapsley made between 1772 and 1780, the period of time when their lands lay in the Pennsylvania county of Westmoreland, has been found in that county – such was the dominance of Virginia. A single land record is the only exception to this rule: Thomas Lapsley recognized the authority of Pennsylvania, not Virginia, to grant land in the area in 1772.

Thus, records made within the lifetime of a settler in this area can be found in four counties of Pennsylvania and two in Virginia – one of which no longer exists – even if, as in the case of the Lapsleys, the person resided continuously in one place. For this reason the name of the civil jurisdiction from which each record is taken is reported as part of the record.

The records have been numbered consecutively and arranged chronologically without regard to content.. To further simplify use of them five categories of content have been defined and the numbers that correspond to records of similar content grouped together. The result is the Record Group Guide or directory to the five record groups that can be used to scan selectively only those records that are of special interest.

INTRODUCTION

The earliest known record of Thomas Lapsley is dated 23 October 1772. It consists of his application to the Proprietaries of Pennsylvania for a warrant to have land surveyed in his name. The survey of the land and subsequent records show it is located in what is now West Mifflin Township of Allegheny County on the southern side of the Monongahela River opposite the eastern section of Pittsburgh. The last record of Thomas Lapsley, made during his lifetime is his last will and testament which was probated 11 January 1808.

The earliest record of his mother, Martha Lapsley, is dated 20 May 1775. It is a record of her having appeared in court to eject a neighbor from land to which she claimed title. She also lived in Allegheny County, but a few miles south of her son's farm in what is now Jefferson Township. The last record of her (made during her lifetime) is a land patent she received in 1789. She died in the latter part of 1793.

When Martha Lapsley died she left only one heir, viz. Thomas. When he died he left a widow, who survived him for twenty years, four sons and six daughters. No attempt has been made to document systematically the lives of all of Thomas' children beyond the references to them that were encountered in those concerning their parents. The few additional records that concern only the children are compiled in an appendix to this report.

No records have been found that answer the following questions:

(i) When and where were Martha Lapsley and her son Thomas born? (ii) Where are their tombstones? (iii) Who was Thomas Lapsley's father, and (iv) when and where was he born? (v) When and where did he die? (vi) what was the maiden name of Thomas Lapsley's wife, and (vii) when, where and to whom was she born?

While the discovered records span only the last 35 years of Thomas Lapsley's life, they document a period of extraordinary competition for possession of land that is characterized by cunning and cruelty. Thomas Lapsley was among the first to settle in the midst of an area over which the British had recently fought the French and Indians for control. When military dominance of the area passed from French to British hands, British speculators quickly moved in to bargain possession of the area from the Indians. Competition between individuals, notably George Croghan but including George Washington and others, was concurrently mimicked in the rivalry between the Commonwealth of Pennsylvania and the Colony of Virginia for possession of the Region.

Discord and division were the warp and woof of these pioneer lives. Settlers, forced to support one government over the other, automatically found themselves alienated from their neighbors. The divided loyalties of the frontier were magnified and manifest in international conflict in the form of the Revolution. Simultaneously, the persistent antagonism between the settlers and Indians frequently erupted in hostile clashes of relatively minute magnitude but of horrible consequence. It was those who survived the violent planting of British civilization in western Pennsylvania who first challenged the authority of the the new, democratic, post-Revolutionary government in Washington. Thomas Lapsley's life was controlled by these events as he, in turn, sought to participate in controlling them.

The compiled records represent an attempt to identify and describe those events that Thomas Lapsley would have remembered at the end of his life. The records are, in a sense, an attempt to create and give to him a diary of the events that he surely would have noted if he had kept one.

Contemporary records have been selected and compiled to illustrate the events. Where secondary sources seemed able to convey the force and immediacy of contemporary records, but with greater economy of words, they have been substituted. All records are attempts to force history to furnish the reader with what information there is upon which to piece together the story of the life of an ancestor.

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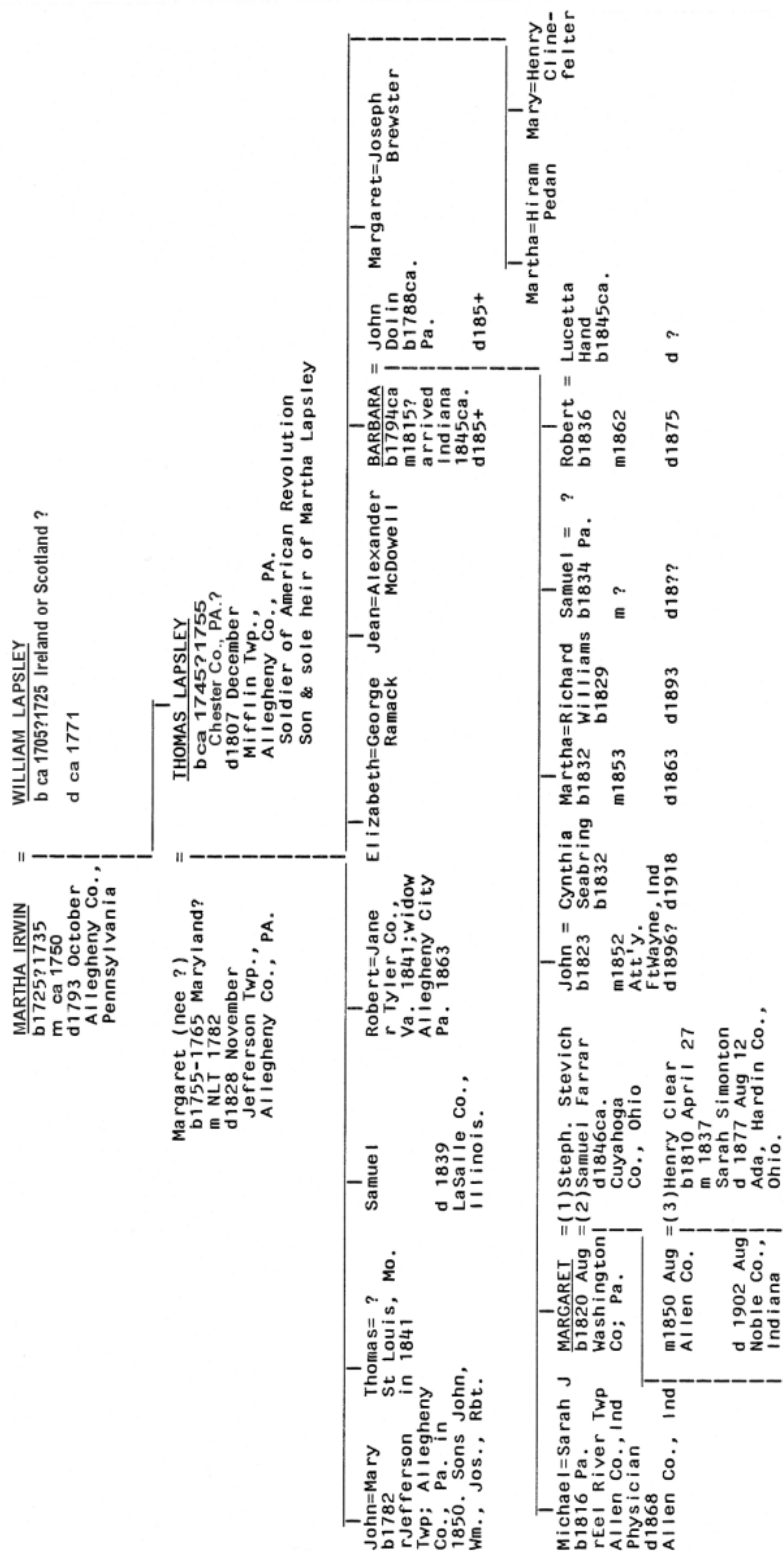
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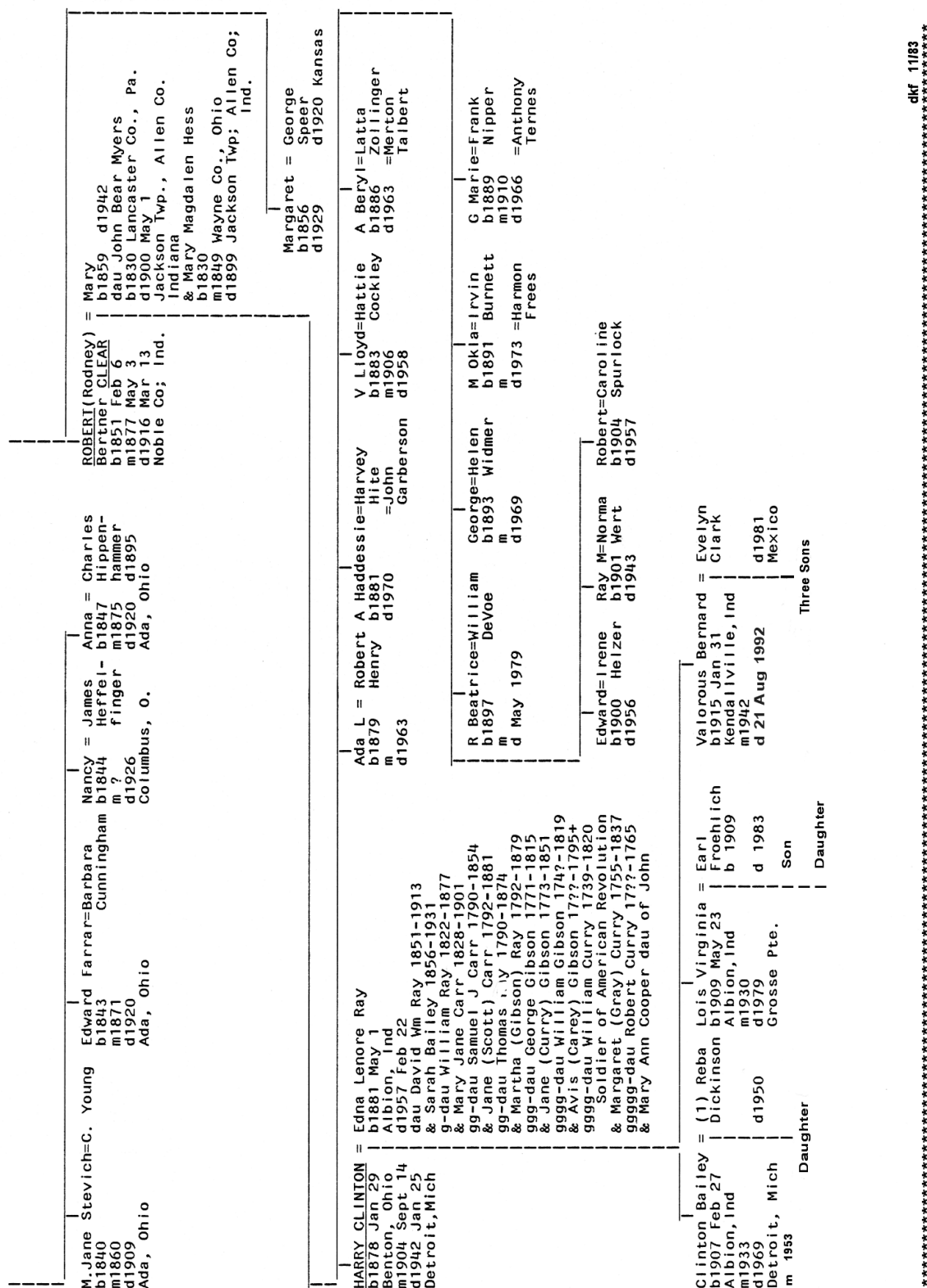
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Some Descendants
of
MARTHA IRWIN and WILLIAM LAPSLEY
of Yohogania County, Virginia,
Later known as Westmoreland, Washington and Allegheny Counties, Pennsylvania.



(1) Steph. Stevich b1820 Aug Washington Co; Pa. m1850 Aug Allen Co. d 1868
 (2) Samuel Farrar d1846ca. Cuyahoga Co., Ohio m1837 Sarah Simonton d 1877 Aug 12 Noble Co., Indiana
 (3) Henry Clear b1810 April 27 m 1837 Sarah Simonton d 1877 Aug 12 Noble Co., Indiana



Record No. 1

1766 -1769

AN UNSETTLED STATE OF AFFAIRS¹

“As soon as General Bouquet² had established peace with the Indians north-west of the Ohio, in the year 1766, a number of people commenced a settlement on the lands adjacent to Redstone Creek, which empties into the Monongahela river, about forty miles above its junction with the Allegany at Pittsburgh.

The boundary line not having been run between Pennsylvania and Virginia, and the land not having been purchased from the Indians no legal title could be obtained for the land, but it was well known that both provinces had always admitted the right of pre-emption to those who had settled and improved on the land, previous to warrants having issued for it to any other persons.

The proprietary of Pennsylvania having, in the year 1768, purchased the country from the Indians as far west as the Allegany and Ohio rivers, opened an office for the sale of those lands on the 3rd of April 1769. When the office was opened he made proclamation, and instructed his surveyors to respect the lands of actual settlers who had improved to the value of five pounds, and not to survey them on warrants (or locations) of a date posterior to the settlements, except to those by whom the settlements were made.

Favored by this indulgence, which however, was usual in both provinces, few of those who lived adjacent to the Monongahela, and had already occupied the land, applied to the office for locations or warrants. They were not certain to which province the soil belonged, and probably had a secret wish that it should belong to Virginia; because in that case it would cost them but about one fourteenth part of the price for which land was sold in Pennsylvania, and men easily believe according to their wishes.”

1 Findley, William. *History of the Insurrection, in the four Western Counties of Pennsylvania: In the year (MDCCXCIV)*. Samuel Harrison Smith: Philadelphia (MDCCXCVI) pp18-19.

2 Henry Bouquet (1719-1765), who was born of Swiss parents, was appointed in 1754 Lt- Col. in the British Royal American Regiment. He was George Washington's immediate superior in 1758 during Forbes Expedition to Fort Duquesne (Fort Pitt). He distinguished himself during Pontiac's War when he defeated the Indians at Bushy Run, Westmoreland Co. in 1763. See Sipe, C. Hale. *Fort Ligonier and Its Times*: Telegraph Press, Harrisburg, Pa. 1st ed. (1932), pp198-212. In October 1764 he met with Indian chiefs at the Muskingum River and set forth the terms on which peace was subsequently based. Boatner, Mark M. *Encyclopedia of the American Revolution*. David McKay Co., New York (1966). Hereafter cited as EAR.

Record No. 2

1769

VIRGINIA VERSUS PENNSYLVANIA³

“... Croghan⁴ wrote to Lord Dunmore⁵ that in 1769 the king had confirmed him in his Indian grant, an astonishing piece of misinformation, since, as Croghan well knew, this was exactly what the king had refused to do. Despite this confirmation of his title, continued Croghan, Pennsylvania had taken over the western country and sold much of his property. ‘*These people who thus purchased of Mr. Penn's agents made forcible entrys on my lands by which means I have been deprived the use of my property and had no means of relief or expectations, till the Colony of Virginia should extend their Jurisdiction, or his Majesty should grant a new colony.*’

If Croghan thought that Pennsylvania would meekly relinquish its claims, he was wrong. A chaotic condition arose with two sets of provincial officers struggling to control lands west of the Alleghenies”.

3 Wainwright, N. B. *George Croghan Wilderness Diplomat*. Univ. N. Carolina Pres Chapel Hill (1959), p288,

4 George Croghan (1710-1782) was born in County Roscommon, Ireland and emigrated to America in 1741. He spent most of his subsequent life on the frontier trading and speculating in land. Some of Thomas Lapsley's neighbors claimed to have purchased their land from him. See Volwiler, Albert T. *George Croghan and the Westward Movement 1741-1782*. Univ. Pennsylvania, A. H. Clark Co., Cleveland (1926). See Bothwell, Margaret P. The "Astonishing Croghans." *The Western Pennsylvania Historical Magazine*. 48:2, (1965). Hereafter cited as *WPHM*.

5 John Murray (1732-1809) was the 4th Earl of Dunmore. In 1770 he was appointed royal governor of New York and subsequently replaced Lord Botatourt as governor of Virginia. Early in 1774 Dr. John Connolly, Governor Dunmore's agent, seized possession of Fort Pitt and used it as a base from which to kill Indians who had been attacking settlers of the area. The Indians organized themselves for war and, in response, Governor Dunmore called out the militia of southwest Virginia and stationed them at Fort Pitt. The Indians were defeated on 10 October 1774 near Point Pleasant at the mouth of the Kanawha. This is known as Dunmore's War. On 5 June 1775 Dunmore in reaction to a riot fled Williamsburg and sought to establish a new seat of government on the British man-of-war, Fowney, then lying 12 miles off Yorktown. He became by that act the last royal governor of Virginia, but continued to lead a naval squadron that harassed the seacoast until 9 July 1776, See Smith, George *The Dictionary of National Biography*, 13:285 Oxford Univ. Press, London (1917). hereafter *DNB* and Dabney, Virginius, *Virginia, The New Dominion*. Doubleday & Co., New York (1971), pp 121-2. See also *EAR*.

Record No. 31769 APRIL PENNSYLVANIA LANDS UNDER VIRGINIA COURTS⁶

“The governor of Pennsylvania having opened the land-office in April 1769, several thousands of locations were applied for on the first day. The greatest number of these were taken for land laying north of the Monongahela, in what yet continues to be Westmoreland county, to the greater part of which the claim of Virginia was never supposed to extend, and great numbers made actual settlements in that country without any office rights. This settlement was very rapidly extended under Pennsylvania, as far north as Crooked creek above forty miles north of the Monongahela, and the first settlers were generally a more sober, orderly people, than commonly happens in the first settlement of new countries. A great proportion of them were farmer's sons, or farmers themselves, with rising families, who emigrated from the old counties, and who were generally acquainted with each other.

After the Virginia courts were erected a strange state of society was produced, in that part of Westmoreland county which now forms the counties of Washington and Fayette, and that part of Allegany which lies south of the Monongahela. Justices of the peace, who were then judges of the court in both states, held commissions under, and executed the laws of, their respective states, in such a manner as that magistrates, militia officers, &c. exercised their authority over the people in the same settlement, according as they made their election of submitting to the one or the other. Many submitted alternately to the one or the other, as it comported with their interest or their caprice, and it is reasonable to believe that by many neither was well submitted to. This relaxed state of society encouraged a greater number of ungovernable people to settle among them than otherwise would have done.

When the boundary line was amicably settled towards the end of the British war, a number of those who had imbibed the greatest prejudice against the laws of Pennsylvania together with those, who were offended at the high price, which those who had always adhered to Pennsylvania were obliged to pay for their land, projected a plan for erecting a new state.

By the terms of settling the boundary every person was to hold his land on the terms under which he had first settled. The new state scheme being made treasonable by a law of Pennsylvania, was no further attempted, but many of those who had strong prejudices against the government of Pennsylvania, sold their plantations and gave place to others.”

Record No. 41770 OCTOBER 17 GEORGE WASHINGTON'S SEARCH FOR LAND⁷

“Hunting for valuable real estate speculations, Washington arrived at Fort Pitt on October 17, 1770. and dined the next night at the officers' club with Croghan [George]. The following day,

6 Findlay. *op. cit.*, pp 21-2,

7 Wainwright, *op. cit.* pp 276-9.

he lunched at Croghan Hall,⁸ exchanged friendly speeches with Indians he met there, and listened to his host's proposal to sell his fifteen thousand acres for £750 sterling. The discussion turned to Vandalia,⁹ in which Croghan held a proprietary share, a share which he was willing to sell. Washington was greatly stimulated by the talk, his interest aroused both in the land and in Vandalia. But he was cautious. Later, as he journeyed down the Ohio past mile after mile of river front claimed by Croghan, he noted that '*the unsettled state of this country renders any purchase dangerous*'. Meanwhile, Croghan was writing a friend in Philadelphia that he had sold 100,000 acres of his lands, hopefully adding. '*I as likely to sell another tract to Coll. Washington and his friends. If I do THAT, I expect to have one good nights rest before Christmas, which is more than I have had for eight months past I assure you.*'

'*I have sold a parcel of lands to Coll. Washington,*' wrote Croghan a few months later. No bargain, however, had been closed, and Washington, heeding the advice of his western agent, never did buy. What distressed Washington's agent most was the curious manner in which Croghan was running his survey lines. It seemed axiomatic that any good land Croghan learned about was automatically included in his Indian grant. The kindest thing that could be said about Croghan's method of surveying was that it was based on conjecture. Irritated at Washington for not buying his lands, Croghan unjustly accused the Virginian of using him as a cat's paw while he spied out lands which Croghan did not own. He even went so far as to lay claim to the tract which Washington purchased.

After the Treaty of Fort Stanwix, Pennsylvania extended her jurisdiction west of the mountains to Pittsburgh. In 1771, Bedford County was created, and, in 1773, Westmoreland County was erected. Pennsylvania officials – justices of the peace, sheriffs, constables, tax collectors, surveyors – supported the authority of the proprietary government. Croghan, who maintained that the western limits of Pennsylvania did not come within twenty miles of Pittsburgh, looked on these officers as agents of oppression.

He had strong personal reasons for doing so. Pennsylvania would not recognize his Indian grant if it fell within the province; consequently, it was all-important to claim that the grant lay west of Pennsylvania. Then, too, there were Vandalia's pretensions to the same land, and Croghan served Vandalia, not Pennsylvania. He took an aggressive part in minimizing Pennsylvania's jurisdiction, acquiring for himself a host of enemies in Thomas Penn's colony.

8 Croghan Hall was built in 1759 on land in Pittsburgh near the Allegheny River that Croghan had acquired from the Indians. It was rebuilt after the Indians destroyed it in 1763. See Western Pennsylvania Historical Survey. (comp.) *Guidebook to Historic Places in Western Pennsylvania*. Univ. Pittsburgh Press (1938). Hereafter cited as *Guidebook*.

9 The Grand Ohio Company (1747-1779), or Walpole Company, consisted of prominent persons on both sides of the Atlantic who sought profit from speculating in lands, and the settlement of them, along the Ohio River. The Vandalia Colony originated in a grant of land, known as Indiana, that was part of the Treaty of Fort Stanwix (1768). It was intended to compensate a group of Pennsylvania traders who had suffered losses by the Indians during Pontiac's War. The Vandalia Colony was to have a royal government, but was to be owned by the shareholders of the Grand Ohio Company. Opposition by influential British and rival groups stalled realization of its objectives which finally vanished with the outbreak of hostilities in 1775. See James, Alfred P. *The Ohio Company, its inner history*. Univ. Pittsburgh Press (1959).

Croghan told settlers, who were flocking west in increasing numbers, that they would be fools to pay taxes to Pennsylvania before her western boundary¹⁰ was established. His servants drove off the collector and constable when they came for his own taxes. Encouraged by Croghan's example and advice, a large number of settlers petitioned the Bedford court not to serve any more processes west of Laurel Hill, for that country was not in Pennsylvania. Croghan also promoted a movement among those who favored Virginia jurisdiction to sue the Penns for 'glaring acts of injustice.'

Whose authority properly extended to the Pittsburgh area was an open question. Virginia was soon to challenge Pennsylvania's claim and Vandalia's pretensions. Meanwhile, with the approval of the Vandalia proprietors, Croghan received applications for lands and surveyed them and sold them. He also sold lands he claimed by right of the 772 Indiana Company shares transferred to him by Smallman.¹¹ Based on this holding alone, Croghan sold 100,000 acres, although a calculation showed that he was entitled to only 23,852 acres. In disgust, George Morgan¹² exclaimed that Croghan "only acted according to his usual practice, which is that of doing what he has no right to do."

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- 10 George Croghan's lands, purchased from the Six Nations, August 2, 1749, had a river frontage on the Monongahela and Ohio rivers extending from the mouth of Thompson's Run to the mouth of Raccoon Creek. The inland boundary was a straight line from a point 10 miles up Raccoon Creek (near Independence, Beaver County) to the south of Thompson's Run on the Monongahela (near Duquesne). Roughly, this tract embraced all of Allegheny County's river frontage on the south side of the Monongahela from Duquesne to the 'The Point' and on the south side of the Ohio from the 'The Point' to the county line and to a width of 5 to 10 miles from the river." Mulkearn, L. & Pugh, E. *A Traveler's Guide to Historic Western Pennsylvania*. Univ. Pittsburgh Press, Pittsburgh (1954), p 94. Descriptions of it also appear in Fleming, George T. *History of Pittsburgh and Environs*. 1:566-7, New York (1922) and in Wainwright. *op. cit.* pp 28, 49.
- 11 Major Thomas Smallman was a cousin to George Croghan and associated with him in Indian trade, See *Pennsylvania Magazine of History and Biography*, 46:279-80 (1922). Hereafter. cited as *PMHB*.
- 12 George Morgan (1742-1810), born in Philadelphia, was a merchant, soldier; explorer and agriculturist. Sir William Johnson, the British Indian Commissioner, arranged for him and his associates to obtain title from the Indians to the territory of Indiana to compensate them for losses sustained from Indian looting of their storehouses. In April 1776 he was made the first U. S. Commissioner for Indian affairs stationed at Fort Pitt. He settled at "Morganza", 18 miles from Pittsburgh, in 1802. His daughter Ann married: General Presley Neville whose nearby home was destroyed during the Whiskey Rebellion in which Thomas Lapsley took part. Brown, John H. Lamb's *Biographical Dictionary of the United States*. 5:554 Boston (1903).

Record No. 5

1772 OCTOBER 23 *THOS. LAPSLEY'S LAND WARRANT APPLICATION*^{13 14 15}

for *THOMAS LAPSLEY* 100 as in Bedford County Lying on the headwaters of Boustons Run and adjoining an improvment of Jacob Sinet and the waters of Streets Run in s'd County

1772 OCTOBER 23 *THOS. LAPSLEY'S WARRANT TO HAVE LAND SURVEYED*

Pennfylvania,ff. Whereas *THOMAS LAPFLY* of the County of Bedford hath requested that we would allow him to take up One hundred ---- acres of Land

Lying on the head Waters of Boustons Run and adjoining an

Improvement of Jacob Sinet and the waters of Streets Run in the faid County

Provided the fame Land does not lie in or interfere with our Manor of Bedford or any other our Manors or appointed Tracts for which he agrees to pay to our Ufe, within the Term of Six Months from the Date hereof, at the Rate of five pounds sterl'g or value therof in current Money of this Province, for every Hundred Acres; and alfo to pay the yearly Quit-rent of One penny – Sterling for every Acre thereof, to us our Heirs and Affigns for ever, with Intereft and Quit-rent, to commence from six months after Date hereof These are therefore to authorife and require you to furvey, or caufe to be furveyed, unto the faid *THOMAS LAPSLEY* ----- at the Place aforesaid, according to the Method of Townships appointed, the faid Quantity of One hundred Acres if not already furveyed or appropriated, and make Return thereof into the Secretary's Office, in café the faid Confirmation; for which this fhall be your fufficient Warrant: Which Warrant and furvey, in café the faid *THOMAS LAPSLEY* --- fulfil the above Agreement within Six Months from the Date hereof, fhall be valid, otherwife void, GIVEN under my Hand, and the Seal of the Land-Office, by Virtue of certain Powers from the faid Proprietaries, at Philadelphia, this twenty third Day of October Anno Domini One Thoufand Seven Hundred and Seventy Two

To John Lukens, Surveyor-General (signed) Rich'd Penn¹⁶

13 Dept. of Community Affairs, Bureau of Land Records, Harrisburg, Pennsylvania; *Book C, Vol 116*. Map of survey is attached.

14 It has been estimated that 25,000 Scotch-Irish emigrated from Ulster to Pennsylvania between 1771 and 1773. Economic disadvantages, rather than religious persecution, were the prime causes of the movement. See Albert, George D. *History of the County of Westmoreland, Pennsylvania, etc.* L. H. Evens, Philadelphia, (1882), p 45.

15 In the same month and year (October 1772) Major Charles Edmondstone, commander of two companies of Royal Irish, "... sold the materials in Fort Pitt to Edward Hand, the military surgeon of the garrison, Alexander Ross, and William Thompson for the sum of fifty pounds..." Edward Ward, the same man who had given up the Point to the French eighteen years before, was placed in charge of the property... See Baldwin, Leland D. *Pittsburgh: The Story of a City*. Univ. Pittsburgh Press (1938), p 71.

16 Son of William Penn, the original proprietor.

Record No. 6

1773 FEBRUARY 17

*THOS. LAPSLEY'S LAND SURVEY IS RECORDED*¹⁷

Bedford County, Pennsylvania

Survey of land situated on the West Side of Monongahela River on small Branches of Peters Creek & near the Road leading from the New Store to Pittsburgh & Surveyed the 17th Day of February 1773 In persuance of a Warrant Dated the 23d Day of October 1772¹⁸ ----- now Dickinson Twp. Allegeny Coty.

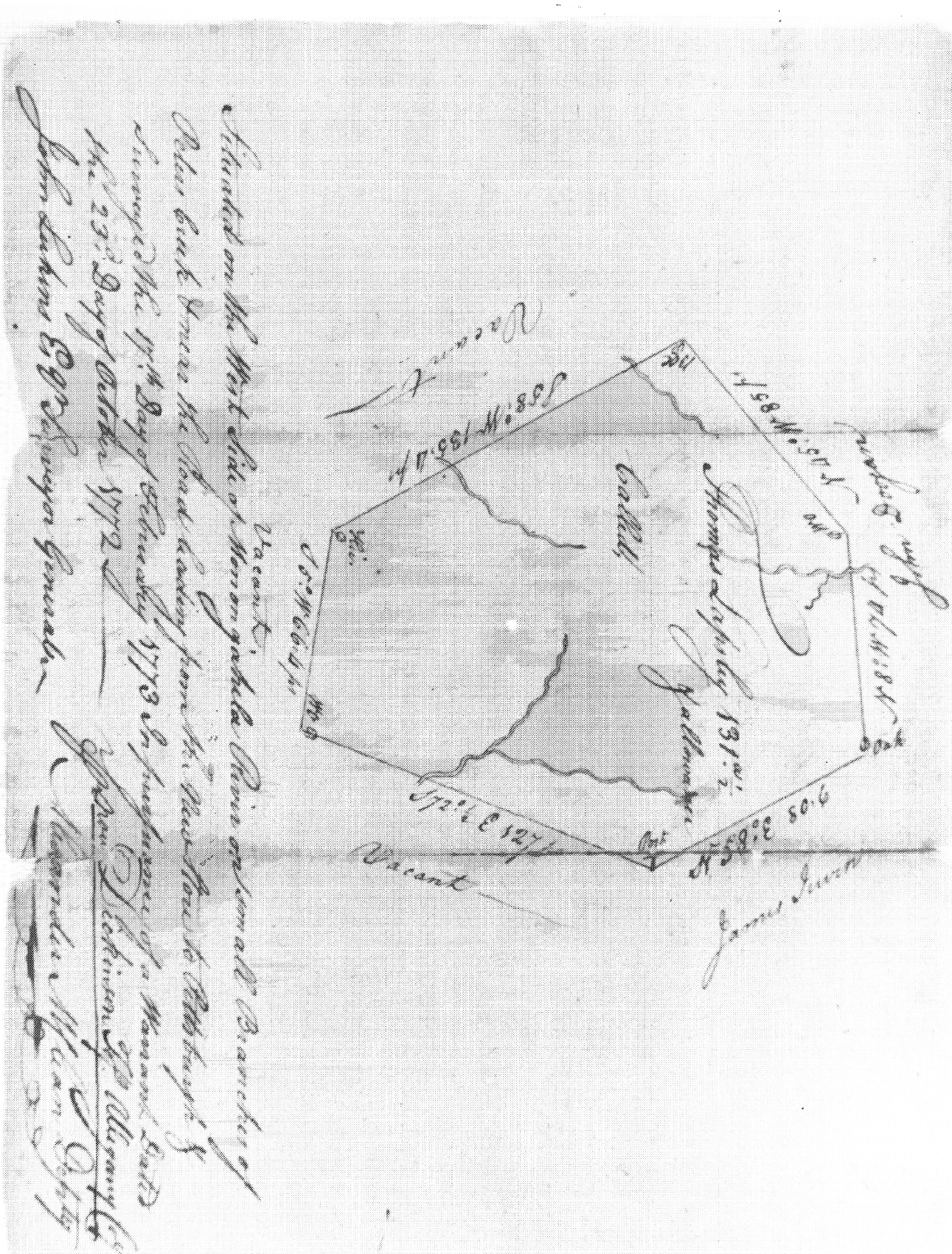
John Lukens Esqr. Surveyor General

Alexander McClean Deputy

17 Dept. of Community Affairs, Bureau of Land Records, Harrisburg, Pennsylvania, Book C, Vol 116, p 70.

18 Thomas Lapsley was the 7th person to obtain a warrant to survey land in the area of what is now Mifflin Twp., Allegheny County. He was preceded by Joseph Gray, Thomas Smith and John Travis in 1769; by Andrew Gray in 1770 and by Daniel and John McDarmut in 1772. See Warrant.. Atlas Allegheny County, Pa. Bureau of Land Records, Harrisburg, Pennsylvania. The land is located south of the New Glenwood Bridge that crosses the Monongahela to connect Pittsburgh, to the north, to Hays Boro on the south. It was situated south of the apex formed by Streets Run to the west and Bostons (or Reeds) Run to the east. The tract is now bounded on the east by Mifflin Road and on the west by Lebanon Road. It has an elevation of between 900 and 1200 feet. Thomas Lapsley named the land "Ken" which, when spelled "Kenn", means "A headland or point." It is "Very common in place-names." See Wright, Joseph. The English Dialect Dictionary. II:419, Putnam & Sons, New York (1902). "Ken" is also the name of the largest river in the Stewarty of Kirkcudbright about 25 miles from Dumfries in Galloway. See Leighton, John M. Swan's Views of the Lakes of Scotland, etc. Glasgow, 2nd ed 2:191 (1836). The land is now above the Homestead natural gas field. See Lytle, William & Fairall, Virginia. Oil and Gas Fields of Pennsylvania, (1963). Pennsylvania Geological Survey. 4th Series, map 3.

Map of Thomas Lapsley's Land



Record No. 7

1773

VIRGINIA VERSUS PENNSYLVANIA¹⁹

“Convinced that the powerful Vandalia project had fallen through, Lord Dunmore, governor of Virginia, decided to make good his colony’s western claims. Presumably, when Dunmore visited Pittsburgh in the summer of 1773, he met Croghan, for he agreed to recognize the validity of Croghan’s Indian grant. It may have been at Croghan’s suggestion that Dunmore appointed Dr. John Connolly²⁰ as his western agent.”

Record No. 8

1773 DECEMBER 29

CROGHAN VERSUS WASHINGTON²¹

“Croghan felt bitterly disappointed (at Washington’s refusal to buy land from him), but put forth every effort to hold his lands and to prevent Washington from winning them. Squatter rights would be certain to be an important factor in the final outcome. Crawford²² therefore employed frontiersmen to build good log cabins on Washington surveys and to clear an acre of ground around

19 Wainwright. *op. cit.* pp 286-7

20 Dr. John Connolly (ca. 1750-?), a nephew to George Croghan, has been described as a loyalist-conspirator. Dunmore appointed him a captain and made him the commandant of Virginia militia at Pittsburgh. Because of his “unconcealed Loyalist convictions he was forced by the local patriots to leave.” Dunmore supported Connolly’s scheme to return to the frontier and raise a regiment to be called the Queen’s Royal Rangers, equip an expedition to Detroit and capture Pittsburgh and Alexandria. Connolly was imprisoned, released and exchanged on condition that he return to England. See *EAR* and also *PMIB* 46:279-89 (1922).

21 Volwiler. *op. cit.* p 293-4.

22 William Crawford (1732-1782) was born in Orange Co., Virginia to parents of Scotch-Irish origins. His father died when he was 4 years old and his mother then married Richard Stephenson. In 1749 she and her seven sons became acquainted with George Washington who was then a surveyor in the employ of Lord Fairfax. William Crawford learned surveying from Washington and made it his occupation until about 23 years of age. Then in 1755 he received from the governor of Virginia a commission as ensign and joined Braddock’s march to route the French from Fort du Quesne (Fort Pitt). In 1767 he chose to settle on a tract of land on Braddock’s road, “...near the place, on the river, where, twelve years before, Braddock had crossed on his march... It was opposite the present town of Connelsville, where the village of New Haven is now located. Hugh Stephenson, Crawford’s half-brother, came to the valley soon after. Crawford maintained contact with Washington by means of infrequent visits and correspondence. See Butterfield, C. W. *The Washington-Crawford Letters, etc.* R. Clarke & Co. (1877). As early as 1769 Washington instructed Crawford to “seek out lands... [and] I will take upon me the part of securing them, as soon as there is a possibility of doing it, and will moreover be at all the cost and charge of surveying and patenting the same. Crawford obliged by surveying land for George, Samuel, John and Lund Washington. Crawford was tortured to death on 11 June 1782 by Indians near Upper Sandusky following the massacre of Moravian Indians at Gnadenhuetten. See *EAR* “Crawford’s death” and for book length treatment, Butterfield, C. W. *An Historical Account of the Expedition against Sandusky under Col. William Crawford in 1782, etc.* R. Clarke & Co., Cincinnati (1873).

each cabin. Croghan's brother and agent, Major Ward,²³ encouraged persons to go and settle upon the same lands, telling them that they did not belong to Virginia officers nor did Crawford have any orders from the governor of Virginia to survey them. Crawford reported to Washington on December 29, 1773, that they "took your *Land and say the [sic] Will keep it, I cold Drive them away but they will com back Emedetly as soon as my back is turned, They man I put on the Land they have drove away and Built a house so Close to his dore he cannot get into the house at the Dore...*" During this struggle, Washington's initial claims were based upon the land bounties which Governor Dinwiddie in 1754 had promised to Virginians who would enlist to fight the French; Croghan's initial claims rested upon his Indian purchase of 1749 and 1768. Both invested capital and tried to hold their lands by surveying them and by placing squatters on them. This rivalry of Washington and Croghan represented the frontier phase of the great struggle going on in London over the proposed establishment of Vandalia.

Record No. 9

1774

INDIAN WARFARE²⁴

"It was at this unfortunate time that a new Indian crisis arose. Virginia surveyors had alarmed the Shawnees some months earlier by entering their country. Croghan's efforts to preserve justice for the Shawnees were misunderstood by whites and reds alike. In turning back a party of Virginians, the Shawnees told them that Croghan had authorized the natives to kill and rob all intruders. Settlers thought that Croghan's attempts to keep the two races from each other's throats were evidence of his siding with the hated redskins.

In the spring of 1774, white men perpetrated a series of particularly brutal Indian murders. Among the victims were some Shawnees. Croghan stepped into the breach by neutralizing the Senecas and Delawares, neither of whom wanted war, and by sending messengers to the Indian towns, urging the natives to keep quiet and not to harm the traders. Connolly briefly cooperated in this good work. Bewildered and angered by the murders, the Shawnee chief Cornstalk, nevertheless, protected the English traders in his town and sent them safely under escort to Pittsburgh. Cornstalk did not want war, and it is probable that if Croghan had been given authority, war could have been prevented. Unfortunately, the measures pursued by Dunmore and Connolly made war inevitable. Patrick Henry, who had attended a conference between Dunmore and Connolly, said that Dunmore favored war in order to drive the Indians off a tract of land he desired.

23 Major Edward Ward was a prominent resident of Pittsburgh. He was in command of Fort Pitt when it was taken from the British by the French Marines commanded by Captain Contrecoeur in 1754. See Sweet, R. R. "Extracts. "The Boundary Controversy between Pennsylvania and Virginia." *The West Virginia Historical Magazine Quarterly*, 4:36 (1904). In 1760 Ward opened the first coal pit west of the Allegheny mountains at a place called Coal Hill, not far from the Lapsley plantations. In 1785 Edward Ward patented a tract of 331 acres of land east of Boston's Run near which Thomas Lapsley's land was located.

24 Wainright. *op. cit.* pp 288-289

Arthur St. Clair²⁵ came to Pittsburgh to appraise the situation. He found the settlers terrified and about to evacuate the area.”

Record No. 10

1774

LORD DUNMORE INCITES INDIAN WAR²⁶

“In or about the year 1774, governor Lord Dunmore opened several offices for the sale of land within the bounds of what are now called the four western counties of Pennsylvania. The warrants were granted on paying two shillings and six-pence fees: The purchase money was trifling, being only ten shillings per hundred acres, and even that was not demanded. This was an effectual inducement to apply to Dunmore’s agents in preference to the Pennsylvania land-office; the land being the property of the king was at the disposal of the governor, who also procured a court of Virginia to be extended to the Ohio, and in a short time two county courts were held south of the Monongahela, and one north of it at Redstone old fort, all of them within the territory since ascertained to belong to Pennsylvania. Lord Dunmore also commenced an unprovoked war against the Indians then at peace, and led out an expedition against their towns, in defence of which a fever battle was fought at the mouth of the great Kenhawa; in which, though the Indians were defeated, the white people lost a number of men.

From the first settlement of this territory the inhabitants suffered by occasional predatory excursions of the Indians, but there had been no general war with them. It was well understood that the design of the British governor was to embroil the colonies with each other, and to produce a general Indian war, in order to turn their attention from the rapid progress of British encroachments, or weaken their confidence in each other, and oblige them to exhaust their strength in an Indian war. Though he failed in the first, he was too successful in the last; for his wanton attack on the Indians laid the foundation for that savage enmity which they displayed in their ceaseless depredations committed on the western frontiers during the whole course of the revolutionary war, and which probably is not yet extinguished.”

25 Arthur St. Clair (1737-1818), born in Scotland, emigrated to the colonies as an ensign in the 60th Foot (Royal American) Regiment in about 1757. He resigned in 1762 and settled in Boston, but subsequently purchased 4,000 acres in the Ligonier Valley of Pennsylvania to which he moved. In July 1775 he became a colonel in a militia regiment and in 1776 a colonel in the 2nd Pa. Bn. He retired as a Major General and, after serving in Congress, was appointed governor of the Northwest Territory, 1789-1802. See *EAR*.

26 Findley. *op. cit.* pp 19-20

Record No. 11

1774 JANUARY

VIRGINIA VERSUS PENNSYLVANIA²⁷

“With Croghan’s full support, Connolly claimed Pittsburgh for Virginia in January, 1774, and called up the militia. The first men to appear on the parade ground for the initial muster came from Croghan Hall. As commandant of the Pittsburgh militia, Connolly announced that he was going to appeal to the House of Burgesses for a new Virginia County at Pittsburgh. Connolly appointed several magistrates, including Croghan’s half-brother Edward Ward and his cousin Thomas Smallman. Of Connolly’s activities, a Pennsylvanian at Pittsburgh exclaimed, *‘Its thought here that ‘tis all Colonel Croghan’s intrigues.’* Certain it is that, when Lord Dunmore subsequently appointed justices of the peace for the new district of West Augusta, Croghan’s name headed the list, and that in Philadelphia people actually believed that Dunmore had seized Pittsburgh at Croghan’s suggestions.

Pennsylvanians were righteously indignant at Dunmore for wresting away territory that had been administered by Pennsylvania for five years. Arthur St. Clair, a former British army officer, was chief official for the Penns west of the mountains. ‘Mr. Croghan’s emissaries (and it is astonishing how many he has either duped or seduced to embrace his measures),’ wrote St. Clair, *‘are continually irritating the people against Pennsylvania, and assuring them they are not within its limits.’*

On the principle that any law was better than no law, Croghan had obeyed Pennsylvania’s laws, but he had otherwise denied her jurisdiction in his refusal to pay taxes. Had he paid those taxes, he said, his *‘liberty and property was in as much danger as all the rest of my fellow subjects in the Colonies have thought theirs, by submitting to a tax lay’d upon them by the British parliament, and which they have allways withstood.’* Now that Virginia had moved in, he refused to countenance Pennsylvania’s laws any longer, *‘for it must be granted that if any colony has a right to extend their laws to this country, Virginia must till his Majesty’s pleasure be known.’*

Record No. 12

1774 APRIL 8

WILLIAM CRAWFORD TO JOHN PENN²⁸

“Sir: As some very extraordinary occurrences have lately happened in this county, it is necessary to write an account of them to you. That which I now give, is at the request and with the approbation of all the magistrates that are at present attending the court. A few weeks ago Mr. Connolly went to Stanton [Virginia] and was sworn in as a justice of the peace for Augusta county, in which it is pretended that the country about Pittsburgh is included. He had, before this, brought with him, from Williamsburg, commissions of the peace for several gentlemen in this part of the province, but *none of them*, I believe, have accepted. A number of new militia officers have been lately appointed by Lord Dunmore; several musters of the militia have been held, and much confusion has been occasioned by them.”

27 Wainright. *op. cit.* pp 287-288

28 Butterfield. *Washington-Crawford letters*, *op. cit.* pp 42-3.

Record No. 13

1775 MAY 16

AUGUSTA COUNTY VIRGINIA COMMITTEE²⁹

“At a meeting of the inhabitants of that part of Augusta County that lies on the west side of the Laurel Hill, at Pittsburgh, the 16th day of May, 1775 the following gentlemen were chosen a Committee for the said District, viz George Croghan, John Campbell, Edward Ward, Thomas Smallman, John Cannon, John McCullaugh, William Gee, George Valandingham, John Gibson, Dorsey Penticost,³⁰ Edward Cook, William Crawford, Devereux Smith, John Anderson, David Rodgers, Jacob Vanmetre, Henry Enoch, James Ennis, George Willson, William Vance, David Shepherd, William Elliot, Richmond Willis, Samuel Sample, John Ormsby, Richard McMahon, John Nevill, and John Sweringer.

Resolved unanimously, That this Committee have the highest sense of the spirited behaviour of their brethren in New-England, and do most cordially approve of their opposing the invaders of American rights and privileges to the utmost extreme, and that each member of this Committee, respectively, will animate and encourage their neighbourhood to follow the brave example.

Resolved, That the recommendation of the Richmond Convention, of the 20th of last March, relative to the embodying, arming, and disciplining of the Militia, be immediately carried into execution with the greatest diligence in this County, by the officers appointed for that end; and that the recommendation of the said Convention to the several Committees of this Colony, to collect from their constituents, in such manner as shall be most agreeable to them, so much money as shall be sufficient to purchase half a pound of gunpowder, and one pound of lead, flints, and cartridge paper, for every tithable person in their County, be likewise carried into execution.”

29 Force, Peter (ed.) *American Archives. 4th series*, 2:612-5. Washington, D. C. (1839).

30 See Diener, Mary A. F. *The Honorable Dorsey Pentecost, Esquire*. Pioneer Pub. Co., Fresno, Cal. Dorsey Pentecost held various juridical appointments in western Pennsylvania under both Pennsylvania and Virginia between 1770 and 1783. Between 1771 and 1773 he served as a surveyor for George Croghan. Pentecost operated a grist mill next to his house on the eastern branch of Chartier's Creek, Washington County.

Record No. 14

1775 MAY 20 AT A COURT CONT'D AND HELD FOR AUGUSTA COUNTY³¹

Present Geo. Croghan, Ed Ward, Thos. Smallman, John Gibson³²

J G J³³ *LAPSELY* vs Reed Ind and Wt or Possession

Record No. 15

1775 NOVEMBER 21 A COURT HELD FOR AUGUSTA COUNTY [VIRGINIA]³⁴
at Pittsburgh, According to an Ordinance of the Convention held at
Richmond:

Present Geo Croghan, Edward Ward, Thos Smallman, John Cannon, Geo Vallandigham³⁵

Samuel Hinch is appointed Surveyor of the Highway in the room of David Steel.

31 Loveless, Richard *W. Records of the District of West Augusta, Ohio County, and Yohogania County, Virginia*. Columbus, Ohio. State Univ. Printing Dept. (1970), pp 544-7.

32 John Gibson (1740-1822) was reared on the Pennsylvania frontier and following his participation in the Forbes Expedition settled at Fort Pitt to become an Indian trader. Between 1776 and 1783 he held command positions in various patriot military organizations raised in Virginia, retiring as a brevet brigadier general. He settled in Allegheny County and became a judge of the court of common pleas and a Major General of the militia that placed him in opposition to family and friends who supported the Whiskey Rebellion. He served as Secretary of the Indian Territory, 1800-1816. His brother George Gibson (1747-1791) was the father of John Bannister Gibson a Chief Justice of the Pennsylvania Supreme Court. See *EAR*.

33 It appears that John Campbell was the clerk who recorded these minutes. It is uncertain what all his abbreviations mean, but J G J could mean "Judgment of a [the] Grand Jury."

34 See *Annals of the Carnegie Museum*. 1:556. Hereafter cited as *ACM*.

35 George Vallandigham (1736-1810) was born near Alexandria, Virginia. In about 1774 he purchased 1,000 acres of land on Robinson's Run, then in West Augusta County, not far from Thomas and Martha Lapsley's settlements. In addition to being a justice of the peace he commanded the 2nd Battalion of militia that was raised in Peter's Creek Township in which Thomas Lapsley was an ensign in 1782. Earlier, in 1774, he had been commissioned a colonel by Lord Dunmore and accompanied him in the expedition against the Chillicothe towns. Then in 1779 he was with Colonel Broadhead in the expedition up the Allegany and with him again in 1781 on his expedition against the Delawares on the Muskingum. He played an active part in the Whiskey Rebellion and "...suffered persecution accordingly." See Vallandigham, James L. *A Life of Clement L. Vallandigham, etc...* Turnball Bros., Baltimore (1872).

The persons App'd to View a road from Capn Fromans³⁶ to the Mouth of the Yough, made their report: It is Ord that the s'd road be Established and that John Malony and THOS. LAPSLEY and Edward Sharp be Survey and that Tithables with 3 miles on Each side work thereon.

Record No. 16

1776 - 1783 INDIAN ATTACKS AND REVOLUTION³⁷

During the whole time of the war with Britain, and for some time after it ceased, the country was cruelly wafted by perpetual savage depredations. The frontier was equally exposed on all sides, round the whole extent of the country, except perhaps a few miles on the east, near Youghiogany river. The whole of what is now Westmoreland and Allegany counties, except a very few townships, was either actually laid waste, or the inhabitants obliged to shelter themselves in forts... At this time it was usual with the Indians to attack those settlements in great force, accompanied by the militia of Canada.

But though the northern frontier of this country was thus perpetually harried, those in the more southwardly settlements were by no means exempted from their share of the general distress. Scarcely a neighbourhood in that whole extent of country, where savage cruelty could not be distinctly traced by the destruction of property and the blood of the inhabitants. The competition between the two rival governments, by preventing their union and system, greatly weakened their exertions in the common defence, and it was near the close of the war, before any accommodation was likely to take place by arrangements being made for an amicable adjustment of the boundary line."

Record No. 17

1776 DECEMBER 23 "THE DISTRICT OF WEST AUGUSTA

having been superseded by the three new Virginia counties of Ohio, Yohogania and Monongalia, of course the County Court for that district was superseded also, Augusta Town, where it was held, falling into Yohogania County.³⁸

The first day's session of the Yohogania Court was held on December 23 1776, the place not being noted in the record."

36 Froman's Fort is mentioned in a letter from Col. Aeneas Mackay and others to Jos. Shippen, Secretary of the Governor, dated Pittsburgh 8 July 1774. "Upon his [Captain Whiteeyes] return he found his house broken open by the Virginians, and about thirty pounds worth of his property taken, which was divided and sold by the robbers at one Froman's Fort, on Chartier creek..." Froman's Fort was located opposite Canonsburg, Washington Co. See Indian Forts Commission. *Report of the Commission to Locate the Site of the Frontier Forts of Pennsylvania*. 2:427-8 (1896).

37 Findley. *op. cit.* pp 22-3

38 Crumrine, Boyd. *"The County Court for the District of West Augusta, Virginia, held at Augusta Town, near Washington, Pennsylvania, 1776-1777.* Washington County Historical Society (1905), pp 24-5.

Record No. 181777 JANUARY 10 JOURNAL OF THE VIRGINIA COUNCIL³⁹

“Resolved that *the* Committees for the Counties of Yohogania, Monongalia and Ohio and the Militia Officers for all the other Counties within this Commonwealth respectively do and they are hereby required forthwith to form their several Quotas of Men raised in the said Counties into Companies and parts of Companies according to the Act of Assembly for raising six additional Battalions of Infantry on the Continental Establishment and that they transmit to this Board a List of the Companies and parts thereof so formed together with an Account of the progress of Enlistments within their several Jurisdictions.”

1777 FEBRUARY 12 JOURNAL OF THE VIRGINIA COUNCIL⁴⁰

“Congress having resolved that this Board forthwith cause to be levied, two hundred men to Garrison forts Pitt and Randolph... The Captains are to raise forty men each, the first Lieutenants twenty five men, the second Lieutenants twenty and the ensigns fifteen. In case any of the Officers aforementioned. - should refuse to accept their Commissions, or shall fail to raise their respective quotas of men by the first day of April next the first seven Justices of Yohogania County or any five of them are empowered to nominate other persons in lieu of such who fail to raise their Quotas... The Board have no doubt but the intention of Congress is to give to the Officers and Soldiers of these Garrisons the quantities of Land promised to the Continental Troops proportionally.”

“Ordered that Col: Pentecost cause one hundred men of the militia of Yohogania to garrison fort Pitt under proper Officers and that the said Garrison continue till they are relieved by a like number of Regulars.”

Record No. 191777 MARCH 17 PENNSYLVANIA MILITIA ORGANIZED⁴¹

“The Pennsylvania Militia, properly so-called, was organized under an act of March 17, 1777, which provided for compulsory enrollment by the constables of all able-bodied male whites between the ages of eighteen and fifty-three. Exemptions were extremely limited, and an estimated 60,000 men were enrolled.

“Each training company was divided by lot into eight equal Classes. These classes were an effective device for rotating service and establishing quotas. As need for men arose, each class was in its turn called for a two month *Tour of Active Duty*. This class system made it possible to call troops in such

39 Virginia Governors. *Official Letters of the Governors of the State of Virginia. Vol. I The Letters of Patrick Henry*. Richmond (1926). Hereafter cited as Virginia Governors.

40 *ibid.* pp 104-5.

41 Pennsylvania Historical and Museum Commission. Division of Public Records. Information Leaf let No. 3. *The Military System of Pennsylvania. During the Revolutionary War.* n.p., n.d.

numbers as were needed without depriving *any* particular district of its entire labor and protective force. Once on active duty, militiamen were reorganized into new but temporary commands, units entirely distinct from their permanent home companies. Under such a system the permanent training companies could have no campaign history, could win no battle honors.

On the frontier, where the menace from Indians allied with the British was constant, the response to calls for militia duty was excellent, but elsewhere it was much less satisfactory.

Pay for military service was often long delayed. Thousands of militiamen returned from tours of active duty unpaid, bearing only a slip signed by a commanding officer. General financial confusion and the collapse of wartime currencies made prompt payment impossible, but eventually, under an act of April 1, 1784, Pennsylvania compensated such men for their active service and settled accounts with certain other public creditors by passing to them interest-bearing *Certificates of the Funded or Militia Debt*.”

Record No. 20

1777 JULY 3 GOV. PATRICK HENRY TO GENERAL EDWARD HAND⁴²

Sir: By the constitution of this Commonwealth no Militia can be embody'd but by orders from the Executive Power. . - and I do hereby empower you to call for the number of Men necessary for defending the Frontiers from the County of Yohogany, Monongalia, Ohio, Hampshire, Botetourt, Augusta, Dunmore and Frederick until further Orders.”

Record No. 21

1777 SUMMER THE SEASON OF ALARM⁴³

“The summer of 1777 was a season of great alarm, and the whole settlement from Fort Pitt to Kentucky was broken up. A number of families assembled at the house of my father in order to erect a fort, but hearing that families had collected at Hoagland's and Beelor's, eight or ten miles nearer to the Ohio, for the same purpose, they only repaired the cabins as well as they could to resist an attack and remained in them for the summer. The others went on and built forts.”

⁴² Virginia Governors. *op. cit.* p 167.

⁴³ Revolutionary War Pension Application of John Struthers (1759-1845) who settled on the north branch of Chartier's Creek, Washington Co. in 1775 is cited in Dann, John C. *The Revolution Remembered: Eyewitness Accounts of the War for Independence*. Univ. Chicago Press (1980).

Record No. 22

1777 AUGUST 26

THE COURTHOUSE & THE OATH⁴⁴

“The next day, August 26th, business was begun in earnest, and among other important matters, certain gentlemen were appointed to make a tour of the different districts of the very large county of Yohogania to ‘Tender the Oath of Allegiance and Fidelity to the Commonwealth of Virginia to all free Male Inhabitants; agreeable to an Act of the Assembly entitled an act to oblige all free Male Inhabitants, above a certain age, to give assurances of allegiance to this State, and for other purposes therein mentioned: “And on this day was made the following order:

‘Ordered: That Isaac Cox, Oliver Miller⁴⁵ and Benjamin Kirkendall, be appointed, or any two of them, to Contract with proper person or persons, to build a Goal and court house in the following manner, and at the following place, Vizt.: The Goal and Court House are to be included in one whole and Intire Building, of sound round Oak, to go Twenty four feet Long and Sixteen feet wide; two Story high; The lower Story to be eight feet high, Petitioned in the Middle; with Squared hewed logs with Locks, and bears (bars) to the door and windows, according to law, which shall be the Goal. The upper story to be five feet high in the Sides, with a good Cabbin Roof, with Convenient seats for the Court & Bar, and a Clark’s table, to remain in one room, with a pair of stairs on the outside to Assend up to said Room, which shall be the place for holding Court; with two floors to be laid with strong hewed logs; the whole to be Compleat and Erected on the plantation of Andrew Heath at Such Convenient place as the said Issac Cox, Oliver Miller and Benjamin Kirkendall, Gentlemen, or any two of them shall think Proper.’

“The place where this court-house was erected has lately been well identified... as upon the farm now of George Gilmore, Jefferson Township, Allegheny County, Pa. , a short quarter of a mile back from terrace back of the bottom lands; about one mile from the boundary line of West Elizabeth, in plain view of East Elizabeth and Lock No. 3; about one hundred yards south of Mr. Gilmore’s house, and near the upper corner of what is known as Lobb’s old graveyard. The title to the land upon which it stood can be traced back from George Gilmore through his father. Benjamin Gilmore, McNutt heirs, Jacob Guest, John Pennell, and Richard Heath, to Captain Henry Heath, one of whose five sons was Andrew Heath, occupying the land, though not under known record title.

44 Crumrine. *op. cit.* pp 28-30. The Act required justices to make lists of those affirming and refusing the oaths and to submit the list to the county court within one month. The names of those refusing to take the oath were to be returned to the county lieutenant or chief commanding officer of the militia who was authorized to disarm them. Additionally, they were forbidden to hold any public office, serve on juries, sue for any debts, vote or be elected or buy and hold any land. See Crumrine, Boyd. *History of Washington County, Pennsylvania*. L. H. Everts & Co., Philadelphia (1882), p 188.

45 Thomas Lapsley witnessed the will of Oliver Miller that was probated in 1782. His son, also named Oliver Miller, was killed attacking the house of a tax collector during the Whiskey Rebellion. A stone farmhouse built in about 1808 by James Miller (son of Oliver, d 1782) has been restored and can be seen in South Park, Allegheny County.

Benjamin Keykendal patented land on Peter’s Creek in 1789 that was based upon a Virginia certificate. This tract and another patented to him in 1769 on the banks of the Monongahela north of Clairton Boro lay southeast of Martha Lapsley’s land.

Mr. Samuel J. Heath, a lineal descendant of Andrew Heath, living on another part of the Heath plantation, places the court-house, not on the Gilmore farm, but at the same corner of the old Lobb graveyard,⁴⁶ and nearer thereto.”

Record No. 23

1777 SEPTEMBER 17 COUNCIL OF THE STATE OF VIRGINIA⁴⁷

“The Lieutenant Governor also laid before the Board a Letter of the 28th Ult. from Colonel John Campbell of Yohogania County on the Subject of granting Military Commissions for the said County, & upon other Matters in Answer thereto they advised his Honor to inform Col. Campbell that it is the Intention of this Board always to advise the Governor to Commission such persons; and that in the Instance of his County such Recommendation was waited for a considerable Time; till at last, it was judged absolutely necessary to leave the County no longer without officers, & therefore the Appointments were made with the advice of the Council only; which appointments being strictly constitutional cannot now be revoked, but on the Sentence of a Court Martial; & if there were such a power reposed in the Governor, the Board think it would be improper to exercise it *at a Time when the Authority of the Appointments is so wantonly called in Question that the Idea of the people having a Right to elect the Militia Officers is totally inadmissible* — [italics added] But with Respect to such Officers as may have refused to accept their Appointments, to Direct to supply their places with such persons as the County Court may recommend, & for that purpose to make use of the Blank Commissions he has, to inform him that his continuing in office, so troublesome as it is rendered amidst all this opposition, & that with a view to the preservation of the Constitution, merits the particular Thanks of the Executive.”

⁴⁶ Lobb’s Cemetery is located off the Calamity Hollow Road near the intersection with Elrama Road, about 2 miles SW of West Elizabeth. See *Guidebook*. This description of the location of the Yohogania County Courthouse places it very near the location of the lands that Thomas Lapsley had warranted to him in 1772 and those upon which his mother, Martha Lapsley, was living in 1778.

⁴⁷ Virginia Governors. *op. cit.* pp 491-2.

Record No. 24

1778 THE EARLIEST LOCAL CHURCH CONGREGATIONS⁴⁸

“There is reason to believe that as early as 1777 Dr. John McMillan⁴⁹ had labored among the settlers on the southern borders of the county (i.e. that portion of present-day Allegheny that was taken from Washington County). In 1781 they were united under the pastoral charge of Rev. John Clark, who labored as the stated supply of the two fields until 1783, when he was formally installed as the pastor of the little flocks, remaining in charge until April 15, 1789. He died in 1797, at the age of seventy nine years. The churches of Bethel and Lebanon, both of them to this day vigorous and self supporting, are the oldest churches of any denomination in Allegheny county.”⁵⁰

“The treaty with the Indians was signed in 1768, and the following spring the land office opened western Pennsylvania to settlers. About the year 1770, a large number of Scotch-Irish Presbyterians from York, Chester and Lancaster Counties, Pa., and from Winchester County, Va., and Mechlinsburg, N.C., came to the Norris and about twenty families from the vicinity of Elk River in Chester County, Pa., and from Cecil County, Md., came to the same section. They erected Forts Froman and Norris, and with the settlers who had preceded them, arranged meetings for worship as early as 1775. The next year two such separate and regular meetings were being held. One of these groups was served in 1775 by Rev. John McMillen, who came to them as regular pastor of the ‘Hill Church’ in 1778, the first preacher of the Presbyterian church to settle permanently west of the Alleghenies. The other group was of the Associate Presbyterian faith, and to them came first in 1779 (perhaps earlier), then permanently, in 1781, the Rev. Mathew Henderson, who was not unknown to these settlers, having had many of them in his congregations at Oxford (Chester Co., Pa.) Pencader (New Castle, Delaware), etc. from 1758. This congregation first held services, weather permitting, in the open, near the top of the hill known as Oak Springs cemetery in Canonsburg. After posting sentries to guard against Indians and other dangers, and stacking their rifles against convenient trees, they found seats on the ground above the preacher’s position. It was not until 1790 that they erected a building of logs as a church house. It was erected on the spot where the preacher usually stood when he preached to them.”

48 Finley, H. *The Covenantor and the Frontier: Some chronicles of the Reformed and the Associate Presbyterian churches, congregations and preachers, from the earliest records in America to the beginning of the nineteenth century. Most concerning their trek westward along what became known as the Mason and Dixon line.* Wing Printing Co., Detroit, Michigan (1937).

For a brief description of the historical origins and differences between the Presbyterians, Seceders and Covenantors see Buck, S. J. & Buck, E. H. *The Planting of Civilization in Western Pennsylvania* (1939), pp 120, 407-408, 421

49 William McMillan (1717-1792), the father of John, was born in Antrim, Ireland. In 1738 he married Margaret Rea with whom he emigrated to New Castle, Delaware in 1742. During the revolution he moved his family to a farm (“Donegal”) that is now in Jefferson Twp., Allegheny Co. See Thompson, Noah. *Early History of the Peters Creek Valley and the Early Settlers* (1973), p 42. “Washington’s tenants lived in McMillan’s parish...” Also see Guthrie, D. R. *John McMillan: The Apostle of Presbyterianism in the West 1752-1833* (1932).

50 Warner, A. & Co. *Churches of Allegheny County, Pennsylvania.* (n.d.) p 10

Record No. 251778 MARCH 24 MINUTES OF COURT OF YOHOGANIA COUNTY⁵¹

Court met pursuant to adjournment. Present: John Campbell, Isaac Cox, Richard Yeates, Joshua Wright, Wm. Crawford, Oliver Miller, Zacheriah Connell, John Decamp, Benjn Fry, Thos Freeman,⁵² Gentlemen Justices.

(66) View of a road from the Court house to Pittsburg, returned by Zadock Wright^{53 54} and Robert Henderson, viewers; passing by Zadock Wright's fields on Peters Creek, thence along the dividing Ridge passing the *Widow LAPSLEY's*, thence along the Old Road to Stewart's, thence along the widow *LAPSLEY's* old road to Jacob Bousman's⁵⁵ Ordered to be Confirmed.

Ordered that Zadock Wright be appointed Overseer of the Road from the Court house to *MARTHA LAPSLEY's*; Robert Henderson, Overseer of the Road from *MARTHA LAPSLEY's* to Jacob Judy's⁵⁶ and Sebastian Frederick⁵⁷, Overseer of the Road from Jacob Judy's to Jacob Bousman's; and that

51 *ACM op. cit.* 2:125-7.

52 Thomas Freeman settled at Red Stone and served as George Washington's western land agent until the spring of 1787 when he moved to Kentucky. See Jackson, Donald & Twohig, Dorothy (eds.) *The Diaries of George Washington*. 4:25, Charlottesville (1978).

53 Zadock Wright patented land on Peter's Creek in 1785 on a certificate from Virginia. The land lay southeast of Martha Lapsley's land in Jefferson Twp. and straddled both sides of Peter's Creek. "Zadock Wright was a native of Virginia, and in 1755 was a wagoner in Braddock's army... and was, without doubt, the first settler [of Jefferson Twp. , Allegheny Co.]. See Durant, B. S. W. *History of Allegheny Co., Pennsylvania, etc.* L. H. Everts & Co., Philadelphia (1876). Wright claimed to have settled the land in 1772. See Bell, Raymond N. "Virginia Land Grants in Pennsylvania" in *The Virginia Genealogist* 8:105. Jonathon Casber's pension application indicates Zadock Wright was serving as a captain in 1778 when Casber moved to Cox's Fort in Yohogeny County, Va. as does Joseph McDermott's application which indicates he was drafted in May 1778 to serve under Captain Zadock Wright. Wisconsin. State Historical Society. Library. *The Preston and Virginia Papers of the Draper Collection of Manuscripts*. Madison (1915). Item 6ZZ47.

54 Thomas Lapsley was an ensign in a military class commanded by Captain Zadock Wright on 8 January 1782.

55 Jacob Bausman settled at an early date on the southern embankment of the Monongahela, opposite Pittsburgh, north of where the Lapsley's lived. He was licensed in 1775 to keep a ferry across the river at the foot of Wood Street. Baldwin, Leland D. *Pittsburgh: The Story of a City*. *op. cit.* p 101.

56 Jacob Judy, heir at law of John Judy who was an assignee of Joshiah Winslow, was granted a certificate for 400 acres of land in Monongalia County on the waters of Sandy Creek adjoining the lands of Charles Donaldson that included his settlement made prior to 1769. See Fast, Richard E. "Pioneer Settlements on the Western Waters" in Transallegheny Historical Society. *The Transallegheny Historical Magazine*. 1:76 (1901).

57 Sebastian Frederick had 303 acres of land opposite 9 Mile Run on the southern embankment of the Monongahela surveyed to him in 1783 This land was northeast of that on which Thomas Lapsley settled. See *Warrantee Atlas Alleghany County. Mifflin Twp.*

the Tythable Inhabitants within three miles on each side of said Road work on and keep it in repair together with the Inhabitants of the town of Pittsburg.

Record No. 26

1778 MARCH 26 MINUTES OF COURT OF YOHOGANIA COUNTY⁵⁸

Court met according to adjournment. Present John Cannon, Richard Yeates, Joshua Wright, Samuel Newell, William Crawford, Gentlemen Justices.

(81) Ordered that John Minter, Maybery Evans⁵⁹, Nathan Ellis, Edward Kemp, Josiah Record, and James Scott be recommended to his Excellency as proper persons to serve as Captains of Militia and John Mason, James Hopkins Samuel Newell, John Chamberline Willm McCarmick Richard Crooks Nathl Blackmore Francis Reno Robert Henderson, *THOMAS LAPSLEY*, Willm Everard George Long Thomas Reed John White Junr & James Wherry as *Lieutenants of Militia* and Robert Newell, Michael Tygert Lewis Reno, George Wadale George Christ, Isaac McMichael William Murley, Edmund Riggs Samuel Johnston & Samuel Alexander as Ensigns of Militia.

Record No. 27

1778 MAY 26 MINUTES OF COURT OF YOHOGANIA COUNTY⁶⁰

Court met according to adjournment.

A new Commission of the pice, and Commission of Oyor and Terminer, directed to, John Campbell, Edward Ward, Thomas Smallman, Dorsey Pentecost, John Gibson, William Crawford, John Stephenson, John Cannon, George Vallandingham, William Goe, John Neavill, Isaac Cox, John McDowell, Richard Yeates, John McDonald, George McCormick, Philip Ross, Benjamin Kirkendall, William Harrison, Samuel Newell, Thomas Brown, Thomas Freeman, John Decomp, Joshua Wright, Oliver Miller, Benjamin Frye, Matthew Richie, Jacob Haymaker, Andrew Swearingen, Benjamin Harrison, Zachariah Connell, Isaac Leet Senr. Joseph Beeler Senr. John Carmichael, James Rogers, Isaac Meason, James McLane, James Blackstone, Joseph Beckett and Joseph Vance, Gentlemen, which being read as usual, the said William Goe, Thomas Freeman, Andrew Swearingen, John McDonald, Benjamin Frye and George Vallandingham, Took the usual oaths of Justices of the Peace and Justices of Oyer and Terminer.

Jacob Feagly

v

In Case

Hugh Brawdy

(23) Then came the defent. & pleads the general Issue. Then came a Jury viz. Joseph Shelton, William Taylor, Ezekial Johnston, Friend Cox, David Phillips, Alexander Douglas,

⁵⁸ *ACM op. cit. 2:137-9.*

⁵⁹ Mayberry Evans patented, on a Virginia certificate, 271 acres of land in Miff lin Twp. that lay northeast of Thomas Lapsley's plantation. See *Warrantee Atlas. op. cit.*

⁶⁰ *ACM op. cit. 2:224-30.*

John Wall, George Long, *THOS. LAPSY*, Michael Humble, Saml. Dunn & John Cox, who sayeth that the Defendant hath not paid the Dett as in pleading he hath alleged. Judgment for £ 7:8:9 int 7 S. 6 and Costs. at the suit of James Johnston.

Upon the Complaint of John Campbell Gentleman that Samuel St. Clair & Joseph Irwin have Intentionally *raised Sedition & mutinous Disturbances in the militia* [italics added]. Ordered that the said Samuel and Joseph be held in five hundred pounds Bail each, with two sureties for each in the sum of Two hundred & fifty pounds each. Whereupon the said Samuel St. Clair Came into Court with John Gorley and Michael Humble his securities and did Acknowledge to ow to Patrick Henry Esq. Governor or Chief Majestrate of the Common Welth or his Successor in Office the sd Samuel in five Hundred pounds, and the said Suretys in Two Hundred & Fifty pounds each, to be levied on their repective goods and Chattles Lands & Tenements, on the Condition that the said Samuel be of his Good Demeaner Towards all within this Common Wealth, and Towards all the Good Subjects of the same for one year and a day. Joseph Irwin, *THOMAS LAPSLEY* and John Gorley his sureties enter into recognezonce as Aforesaid.

THOMAS LAPSLEY and Robert Henderson *produced Commissions from the Governor*⁶¹ *appointing them Lut's of the Militia* which was read and sworn Accordingly.

1778 MAY 27 MINUTES OF THE COURT OF YOHOGANIA COUNTY

(27) Court met according to adjournm't.

President William Goe, George Vallandham Samuel Newell, John McDonnald, Gentlemen, Present.

Thomas Freeman Gentleman Present.

James Ravenscroft P.

v Hog Steeling

Samuel Beeler D.

Then came the parties and then came also a Jury, Towit: Joseph Shelton, Edward Kemp, Uriah Johnston, Ezekiel Johnston, Alexander Duglass, *THOMAS LAPSLEY*, George Long, William Marshall, Nathan Ellis, James Wright, Benjamin Collings, Benjamin Cox, which being Elected and Sworn Sayeth that the said Samuel is gelty. Ordered That the said Samuel be fined Ten pounds Current money, and four Hundred pounds of Tobacco. The Tobo'o to be paid to James Ravenscroft being Owner and Informer. Ordered that Thomas Moore be all'd five Days attendance as a witness in the above suit.

⁶¹ Patrick Henry (1736-1799) was elected the first governor of Virginia on 29 June 1776 shortly after Lord Dunmore fled Williamsburg. He was re-elected in 1777, 1778 1784 and 1785. See Malone, Dumas (ed.) *Dictionary of American Biography*. 8:554-9. Hereafter cited as *DAB*.

Record No. 281778 JUNE 23 MINUTES OF COURT OF YOHOGANIA COUNTY⁶²

Court met according to adjournaent.

(45) *THOMAS LAPSLEY a a Lieut. in the Militia came into Court and Informs them he is in dayly fears on acco 'nt of being apprehended by the Military Law and desires the protection of this Court on a Matter which from the testimony of the Evidence now aduced appears an Affair of Slander. the said Mr. LAPSLEY now surrenders himself to this Court. Whereupon Proclamation being made that if any person could ought say against the said THOS. LAPSLEY they might then be heard, but none appearing the Court are of Opinion the said Mr. LAPSLEY be and he is hereby discharged and the Sheriff of this County is hereby commanded to protect the said Mr. LAPSLEY, free Injury or Insult for that Cause."*

Record No. 291778 JULY 27 MINUTES OF COURT OF YOHOGANIA COUNTY⁶³

Present Isaac Cox, Benjamin Kirkendall, Joseph Becket, Joshua Wright, Gentlemen Justices.

James Rogers Gent. named in the Commission of the peace and Commission of Oyer & Terminer came into Court and swore to the Same.

William Caldwell v Thomas Fry, *THOS. LAPSLEY S.B.*⁶⁴

William Caldwell v Peter Reasner, *THOMAS LAPSLEY S.B.*

THOMAS LAPSLEY who stands bound by Recognizance taken before John Gibson, John Stephenson & Wm. Harrison Gent. to this Court personally appeared and no evidences appearing to prosecute Ordered the said *THOS. LAPSLEY* be discharged from his Recognizance.

⁶² *ACM op. cit.* 2:242.

⁶³ *ibid.* p 246.

⁶⁴ *S. B.* is probably the clerk's abbreviation for *Surety Bail*.

Record No. 30

1778 AUGUST 25

MINUTES OF COURT OF YOHOGANIA COUNTY⁶⁵

Present William Goe, Richard Yeates, Samuel Newell, Oliver Miller, James Rogers, Joseph Beckett.

(59) Review of a Road from Peters Creek to the house of Robert Henderson beginning at the lower end of Zadock Wrights field from thence following the Ridge to Jacob Barrackmans land leaving him on the right hand from thence to *MARTHA LAPSLEY's* Land leaving her to the right hand from thence to Robert Hendersons. returned by the reviewers & ordered to be confirmed.

Record No. 31

1778 NOVEMBER 24

A COURT HELD FOR YOHOGANIA COUNTY⁶⁶

Present: Edward Ward, Isaac Cox, Samuel Newell, Oliver Miller, Gentlemen Justices.

(87) *LAPSLEY* vs Reed. Ordered that a Commission Issue to Take Depositions in said Suit.

Record No. 32

1778 NOVEMBER 28

GOV. HENRY TO ARCHIBALD LOCHREY⁶⁷

Sir: I rec'd your Letter the copys of Depos accompanying it, by Mr. Rice; But as no Person's name is signed to the Letter, I am left to conjecture after the Author of it. Mr. Rice tells me you are the Author. I should have taken no notice of such an Epistle had it not been on such a subject as that of yours. Yesterday I laid the contents of all papers you sent me before the general assembly that is now sitting here. And I have hopes that they will take some step, *for restoring peace & harmony to the unhappy people who live in the disputed Territory* [italics added]. When they do, I shall lose no Time in doing what shall be my part in the Business. In the mean Time I recommend to you, to use all your Influence, to exert all your power & authority, *to preserve peace between your people and the Virginians*. Do every thing, suffer every thing, to attain this good End. Consider we have Enemys enough of the British & the Indians, without making Enemys of our own Brethren... let them bear with their unlucky situation a little longer, and justice will be done. Communicate this very letter to your people whom I greet, and am sir,

Yr H'ble servant

P. HENRY

Col. Arch'd Loughtey, [County Lieutenant]
Westmoreland County, Pennsylvania

⁶⁵ *ibid.* pp 252-2.

⁶⁶ *ibid.* pp 270-1.

⁶⁷ Virginia Governors. *op. cit.* p 334.

Record No. 331779 APRIL 15 COLONEL BRODHEAD TO PRESIDENT REED⁶⁸

Dear sir,

[Note: several paragraphs have been omitted.]

“The Indians at present are daily committing Murders in Westmoreland to such a degree that it is apprehended they have formed a Camp on some of the Waste Lands of the Inhabitants, but I suppose Col. Lochery must have informed you of this, and I have ordered ranging parties to cover them and drive out the Indians, and to intercept such as may hereafter approach; this plan appears to me from a considerable share of experience to be the most eligible, untill I am furnished with a supply of provisions, (for at present we have not even three days meat to subsist the Troops of the Garrison,) to enable us to attack some of their Towns. From every consideration I am persuaded the Delawares may be engaged to fight against the Six Nations though more numerous than themselves, provided they are well supplied and we have the means, that is Indian goods, Trinkets and black Wampum to pay them for their services . . .

With the most perfect regard and esteem,

I have the honor to be

Your Excell’y most obed’t and

Humble Serv’t,

DANIEL BRODHEAD,

Coll. Commanding Western Department

Directed,

His Excellency Joseph Reed, Esq.,

Governor of the State of Penns’a.

Record No. 341779 MAY 25 MINUTES OF COURT OF YOHOGANIA COUNTY⁶⁹

Court met according to adjournment.

Present Edward Ward Richard Yeates Benjamin Frye Benjamin Kuykendall, Isaac Con Thomas Smallman Oliver Miller Gentlemen Justices.

(175) Elizabeth Burns v Naomi Trapman. Then came a Jury towit. William Price David Andrews Mordecai Richards Hugh Sterling Abraham Miller Richard Crooks Henry Miller William Crow Richard Vaughan Bazil Brown *THOMAS LAPSLEY* & Robert Lowdon. Verd’t. & Jdgt. for Plaintiff.

⁶⁸ *Pennsylvania Archives. 1st Series., 12:106-7. Hereafter cited as PA.*

⁶⁹ *ACM op. cit. 2:345-6.*

Record No. 35

1779 MAY 26 MINUTES OF COURT OF YOHOGANIA COUNTY⁷⁰

Present Edward Ward Isaac Cox Jno. Stevenson William Harrison Joseph Sealer
William Crawford Gentlemen Justices.

*Sci. Fac.*⁷¹

(185) *LAPSLEY* v Read Oyer

Record No. 36

1779 JUNE 28 AT A COURT HELD FOR YOHOGANIA COUNTY⁷²

Present William Goe Olliver Miller Joshua Wright Benjamin Kuykendall,
Gentlemen Justices.

(188) John Read being served with a Scire fac's, at the suit of *MARTHA LAPSLEY*, for a Judgment obtained against him by the said Martha on a declaration of Ejectment In May 1775, came into Court produced Mr. Benja. Kuykendall as Evidence that he had fee'd an Atto. and that he neglecting his duty the first Court Judgt. was obtained against him, unpresidented the Court are of the oppinion that the matter in dispute be deferred till the next September Court and that the parties attend With their Wit's. at that time to have a decisive hearing.

Ordered that Jacob Bausman be appointed Surveyor of the Road from his house to the Widow Stewarts, Robert Henderson from thence to where the Road from the *widow LAPSLEYS* & Jno Read's forks, Jno. Read from thence to Benja. Kuykendall's Mill. *THOMAS LAPSLEY* from the forks of the Road to the Court House, and that the Inhabitants within three miles do keep sd. Road in repair.

Record No. 37

1779 SEPTEMBER 29 MINUTES OF COURT OF YOHOGANIA COUNTY⁷³

Present Edwd. Ward, William Crawford, Thomas Smallman William Harrison, and Thomas Freeman, Gent. Jus.

⁷⁰ *ibid.* 2:347-53.

⁷¹ *Scire facias* (Lat. that you make known). The name of a writ (and of the whole proceeding) founded on some public record. See Bouvier, John *Bouvier's Law Dictionary, etc. 3rd revision*, (1914), 2:3014. *Oyer* is a hearing.

⁷² *ibid.* 2:353-55.

⁷³ *ibid.* 2:360.

Ordered that Josias Crawford *THOMAS LAPSLEY* Jediah Ashcraft & Richd Crooks view a Road from Pentecosts Mills (cf. fn [30](#)) to McKees Ferry near the mouth of Yough and make a return of the Convenience & Inconvenience to next Ct.

Record No. 38

1779 OCTOBER 1 COURT MET ACCORDING TO ADJOURNMENT⁷⁴

Present Isaac Cox Joshua Wright Samuel Newell Joseph Beckett
Oliver Miller Gent. Justices.

Sciri Facias

MARTHA LAPSLEY v John Reed contd.

Record No. 39

1780 MAY 23 MINUTES OF COURT OF YOHOGANIA COUNTY⁷⁵

(267) The Grand Jury found the following Bills Vizt. vs Joseph Cox, for an assault on the Body of John Eliot; one against *John Reed* for Forgery being called pleads not Guilty, Whereupon the said *John Reed* with Hugh Sterling and Zadok Wright, his securities, held, himself in Ten thousand pounds the securities five thousand pounds each, for the appearance of the sd. John and answer to a Bill of Indictment Exhibited agt. him.

Record No. 40

1780 SEP'R 5 COL. BRODHEAD TO HON. T. PICKERING, ESQ.⁷⁶

Sir,

'Yesterday the Indians killed two men on Robinson's Run, in Youghaghany County & fired at two soldiers who were going to the lower Garrison (Fort Henry,) in a Canoe, one of them is wounded but both mad their escape . . .

The Troops have frequently been without bread for two or three days together & again without meat & have borne the Disappointment with a becoming fortitude, but unless they are better supplied than I see any prospect of, I am apprehensive that they will be quite out of temper.

⁷⁴ *ibid.* 2:390

⁷⁵ *ibid.* 2:418.

⁷⁶ *PA 1st Ser.*, 12:263-4. Most of the letter is not transcribed here.

I am very anxious to receive instructions from your Hon'ble Board respecting future supplies, and have the honor to be, &c.,

DAN'L BRODHEAD
Col. Command'g W.D.

Directed,
Hon'ble Tim. Pickering, Esqr.

Record No. 41

1780 SEPTEMBER 27 VA. - PA. BORDER DISPUTE SETTLED⁷⁷

"The agreement [concerning the location of the boundary line] was ratified by Pennsylvania on November 19, 1779, but Virginia held back. In May she had made provision for adjusting titles to land in the West, and commissioners had been appointed to investigate rights of claimants and to issue certificates. After the commissioners had visited the disputed area and distributed hundreds of certificates, the legislature, on July 1, 1780, ratified the agreement 'on condition that the private property and rights of all persons acquired under, founded on, or recognized by the laws of either country previous to the date hereof, be saved; and confirmed to them.' There was considerable grumbling in Pennsylvania over these proceedings, but on September 27, 1780, the conditions were accepted and the agreement was finally ratified. The establishment of the boundary agreed upon was delayed by local opposition, and it was not until November, 1782, that a temporary line was run as far as Ohio. The permanent boundary was surveyed and marked by commissioners representing the two states as far as the southwest corner of Pennsylvania in 1784. . ."

Record No. 42

1781 - 1783 SOLDIERS OF THE REVOLUTION: WASHINGTON COUNTY⁷⁸

LAPSLEY, THOMAS, private

Record No. 43

1781 - - 1782 RANGERS OF THE FRONTIER: WASHINGTON COUNTY⁷⁹

THOMAS LAPSLEY served with Cpt. Stockley's Rangers⁸⁰

⁷⁷ Buck & Buck. (1939) *op. cit.* 169-70.

⁷⁸ *PA 5th Ser.*, 4:715.

⁷⁹ *PA 3rd Ser.*, 23:216.

⁸⁰ Thomas Stokely (1753-1824) was, in 1776, a captain in the 1st Battalion of the Westmoreland County, Pennsylvania militia under Colonel John Proctor, Lt. Col. Archibald Lockry and Major John Shields. See *PA*, Ser. 2, 14:689. On 27 May 1780 Cpt. Stokely was nominated by the Supreme Executive Council to become an officer of the Ranging Company for the County of Westmoreland. See *Colonial Records of Pennsylvania*. 12:367. Hereafter cited as *Col. Rec. Pa.* On December 1781 the Supreme Executive Council ordered supplies to be given to Cpt. Thomas Stockley's [sic] Company of Rangers, "...raised in the county of Westmoreland, and the company of Rangers to be

Record No. 44

1781 JUNE 5 LETTER FROM JAMES MARSHALL, TO PRES. REED,
WASHINGTON COUNTY⁸¹

Sir: Since my arrival in this County, I have been making what progress I Can in organizing the Militia, altho, as yet, Deprived of the Assistance of the Sub Lieutenants, by the Indefatigable Opposition of a Certain Mr. Penticost and a few of his adherents, the old enemies of this government, who Immediately on my arrival got together at their Courthouse, in what they call Yohogania County, which is wholly involved in this and Westmoreland Counties, and to which the government of Virginia has sent no Orders for some Considerable time past. Notwithstanding they have resolved to go on with the jurisdiction run. Whereupon the said Penticost swore into an Old Commission of County Lieutenant, that he pretended to have by him for a long time, and thereupon assumed the Command of the Militia. Mr. Cannon (a Civil Officer under the government of Virginia), one of our Sub Lieutenants, publickly declares that government have Infringed upon the Rights of the people in appointing officers for them before they were represented, and instead of assisting me in Organizing the Militia, is using all his Influence to prevent it. Mr. Lite the other Sub Lieutenant refuses doing any thing until the artists [cartographers?] arrive on the spot, which leaves me without assistance, and must Consequently delay the formation of the Militia. However I Expect in a short time to have the buisness Completed, and that the artists will not fail in being on the line as soon as possible, which might prove fatal to the Interests of the State in this Quarter; for altho the people at large are well affected to this government, the junto would afford them great Opportunity of doing mischief, in a word Mr. Penticost and Mr. Cannon are ringleaders of Sedition,⁸² and are doing every thing in their power to revive the Jurisdiction of Virginia, in order to keep this Country in Confusion, and there not being a Court of Justice in this County, these disturbers of the peace go unpunished, two or three words of an Order from your Excellency would put the affairs of this Country into a better situation, and at the Same time Oblige a whole County.

". . . let me hope then, that as soon as there may be a Necessity, you will Enable us to Call out a number of our Militia for the defence of the Frontiers, and that we may be supplied with ammunition as soon as possible."

raised in the county of Washington for the defence of the Western frontiers..." On 6 June 1783 the Supreme Executive Council "Ordered, That Bedford, Westmoreland and Washington Ranging companies, be immediately discharged from the service of the State, but that, in a settlement of accounts, they be intituled to pay and rations 'till the first day of July next. It is expected that Captains Boyd and Stokely will come prepared to settle with the Comptroller General for the whole." See Col. Rec. Pa. 13:143; 592-3.

⁸¹ *PA 1st Ser., 9:193-4.*

⁸² The competition between Mr. Penticost and James Marshall appears to have been brought under administrative control for the Minutes of the Supreme Executive Council report, on 11 December 1781, that "The Honorable Dorset Pentecost, Esquire, presented to the Board a state of the accounts of James Marshall, Esquire, Lieutenant of the county of Washington, agreeably to the nineteenth section of the militia law of this State.. ." See *Col. Rec. Pa. 33:144.*

Record No. 45

1781 SEPTEMBER 8-16 FRONTIER RANGERS: WESTMORELAND CO.⁸³

THOMAS LAPSLEY served with Cpt. Rbt. Johnson's Company⁸⁴

Note: The lands upon which Martha and Thomas Lapsley settled were within West-moreland County, Pa. from 1773 to 1781.

Record No. 46

1782 JANUARY 8 CLASS ROLE OF CAPT ZADOK WRIGHT's MILITIA CO.⁸⁵

Captain
Zadok Wright⁸⁶

Lieutenant
Robt. Richy

Ensign
THOMAS LAPSLY

Drummer
Henry Kuykindall

83 *PA 3rd Ser. 23:308.* The Division of Archives and Manuscripts, Bureau of Archives and History, Pennsylvania Historical and Museum Commission has a certificate of interest that was issued on 31 March 1786 to Thomas Lapsley, Washington County militia, commanded by Capt. Robert Johnson for service rendered from 8-16 September 1781. *Certificate No. 11,541. Register, Vol. B, p 58. Militia Loan act of 1 April 1784 and 30 March 1785.* This record proves active militia duty by Thomas Lapsley during the Revolution. See also *PA 5th Ser., 4:407, 715.*

84 Brown, Parker B. "Reconstructing Crawford's Army of 1782" article in *WPHM 65:16-36* (1982) reports, ". . .that the Sandusky expedition rolls in the Militia Loan ledgers are published in the *Pennsylvania Archives* (3rd ser., 23) in a section called "Rangers on the Frontier 1778-1783." Brown then identifies, in footnote 26, the pages on which each of the companies appear that he has identified as having been in the expedition. He does not cite either of the pages (216, 308) on which Thomas Lapsley's name appears. Brown's most meticulous analysis of these records thus provides no evidence to indicate Lapsley was a member of that disastrous expedition.

85 Washington County, 2nd Battalion, 7th Company. See *Military Accounts: Militia.* Record of the Comptroller General, RG-4. Division of Archives and Manuscripts. Bureau of Archives and History. Pennsylvania Historical and Museum Commission. Also see *PA 6th Ser., 2:27-8.* This record proves active militia duty for Thomas Lapsley during the Revolution since he was reported to have marched, as were most others on that list.

86 Zadock Wright "proved to the satisfaction of the Court that he served as Lieut under Lord Dunmore '74." *ACM 2: 406.*

Fifer
Henry Kuykindall

Serjants

James Eliot

Thos. Parks

1st Class

Thos. Miller
Saml. Wilison
George Seakman
Jacob Fite

Saml. Glasco
Jacob Rob
*Jam's Sparks⁸⁷

2nd Class

Samuel Fauster
Thos. Kildue
Jam's Watson
John Eostub

John Chambers
Abrah Wilison
John McMeans

3rd Class

Jacob Beams
John Forgy
Joseph Heth
Tobias Woods

Jam's Wallas
Abrah Kuyhendall
John McNulty

4th Class

Wm. Miller
John Barracman
Brg. Kuyhendall
John Trombo

Silas Dexter
Abe. Beams
Benj. Read

5th Class

Gilbert Fite
John Miller
William Colter

John Heth
John Persol
Wm. Cauher

87 * Revolutionary War Pension Applications under the Act of 1832 are known to exist for names so marked. See National Genealogical Society. *Index to Revolutionary War Pension Applications in the National Archives. Bicentennial Edition.* Washington, D. C. (1976).

6th Class

John Say
Benj. Sweet
John Jones
Sam. Philips

Benj. Borgert (?)
Adam Sligh
John Reed
James Egnue

7th Class

William Lemaster
Wil'm Elliot
John Consaully
Adam McFarrin

John Wallas
*John Kincaid⁸⁸
Nath. Metheny

8th Class

John Malady
John Woods
Jam. Metheny
Oliver Eliot

John Shields
David Coot
James Kildue
John Stevinson

Giving from under my hand this 8 day of January 1782.
ZADOK WRIGHT, Capt.

Record No. 47

1782 FEBRUARY 3 OLIVER MILLER'S LAST WILL & TESTAMENT⁸⁹

Thomas Lapsley witnessed Oliver Miller's Will which was proved 12 March 1782.

⁸⁸ John Kincaid, age 85 years, (born 1748 in Lancaster Co., Pa.) resident of Jefferson Twp., Allegheny Co. deposed in an 1833 pension application that he was drafted from the County of Youghiogheny, State of Virginia on 1 May 1778. On 1 April 1779 he was drafted again from the same place and served 6 months under the command of Captain Zedock Wright. On 1 April 1781 he was drafted from the same place to serve 7 months under the command of Captain Cunningham who marched to McKeesport where he fell under the command of Colonel Loughery. This surely is the John Kincaid who warranted in 1785 and 1788 two tracts of land (400 & 102 Acres) northwest of those on which Martha Lapsley and John Shields resided near the intersection of Jefferson, Mifflin and Baldwin Twps.

⁸⁹ *Will Book 1, p 7.* Prothonotary's Office. Washington Co. Courthouse

Record No. 48

1782 FEBRY 4

COUNTY OF WASHINGTON⁹⁰

A RETURN OF THE MILITIA OFFICERS, ELECTED, AND
COMMISSIONED IN WASHINGTON COUNTY STATE OF
PENNSYLVANIA. VIZ:

2nd Battalion

George Vallandigham,⁹¹ Lieut. Colonel
Hugh Scott, Major

Zodock Wright,⁹² Captain
Robert Ritchey, Lieut.

THOMAS LAPSLEY Ensign, Elect

⁹⁰ *Military Papers: Militia. Records of the Secretary to the Supreme Executive Countil, or Secretary of the Commonwealth.* Division of Archives and Manuscripts. Bureau of Archives and History. Pennsylvania Historical and Museum Commission. See also *PA 6th Ser.*, 2:217-8.

⁹¹ On Dec'r 24, 1781 the Supreme Executive Council, "*Resolved, That ... George Vallandigham ... be appointed Sub-lieutenants of the county of Washington, and that they be commissioned accordingly.*" See *Col. Rec. Pa.* 13:157-8.

⁹² Zadock Wright may have been a member of the expedition to Sandusky under Colonel Crawford. There is a record of his having been on military duty between 16 May and 14 June 1782, the period of the campaign. See *PA 6th Ser.*, 2:219.

Clap Role of Cap^{tn} Jacob Wright & Comp^y of the

Zadok Wright Captⁿ

Robert Peckham Lieut^{nt}

Thomas Lapsley Ensign

Henry Thuykindall Dr^m

Henry Thuykindall Dr^m

James Eliot

Thos Minnahan

Thos Parks

Rank file

No 1

Thos Miller

Sam^l Willson

George Seaborn

Jacob Fite

Sam^l Glasco

Jacob Hob

Sam^l Foster

No 2

Wm^l Mellis

John Barreman

Wm^l Thuykindall

John Trombore

Chas^l Dexter

Abm^l Pearce

Berg Mead

No 3

William Lemont

Wm^l Eliot

John Consaul

Adam W^l farin

John Wallao

John Pineaid

Wm^l M^l Thony

No 4

John Molady

John Woods

Jam^l M^l Thony

Olive Eliot

John Shields

David Root

James Shields

John Stevenson

No 5

Samuel Faust

Thos Child

Jam^l Watson

Robert Foster

John Chamberlain

Abiah Willson

John M^l means

Gilbert Fite

John Miller

James Colter

John Hette

John Fessol

Wm^l Cacheron

John Jay

David Sweet

No 6

Giving from undersong

and this day of January 1782 Zadok Wright Captⁿ

Record No. 49

1782 MARCH 7 - 8

GNADENHUETTEN MASSACRE⁹³

Fort Pitt, April 12, 1782

My Dearest Love..

Things were in a strange state when I arrived. A number of the Country people had just returned from Moravian⁹⁴ towns, about 100 miles distant, where, 'tis said, they did not spare either age or sex. What was more extraordinary they did it in cool blood, having deliberated three days, during which time they were industrious in collecting all hands into their Church (they had embraced Christianity) where they fell on, while they were singing Hymns, and killed the whole. Many children were killed in their wretched Mother's arms. Whether this was right or wrong I do not pretend to determine. Things were still in greater confusion nearer home, for on the morning before my arrival here a party of Militia attacked some friendly Indians, who were not only under our protection, but several actually had commissions in our service, at the very nose of the garrison on a small island in the River, of whom they killed several.

People who have had Fathers, Mothers, Brothers or Children butchered, tortured, scalped by the savages — reasoning very differently on the subject of killing the Moravians to what people who live in the interior part of the country in safety do — their feelings are very different.”

Record No. 50

1782 MAY - JUNE

CRAWFORD'S EXPEDITION TO SANDUSKY⁹⁵

Colonel William Crawford departed his home on the Youghiogheny River east of the Lapsleys on 18 May and after receiving final orders from Gen. William Irvine at Pittsburgh rendezvoused at Mingo Bottom (near Steubenville, Ohio). There he was elected to command a force of between 485 and 580 young volunteers, most from Washington County, whose common objective was to kill every Indian they could find, but especially those in the area around Sandusky.

By 22 May the expedition had covered about 60 miles and were at the location of the Moravian settlements that had been destroyed less than a month earlier. On 4 June they reached Sandusky Old Town (3 miles SE of Upper Sandusky) only to find that the Indians had deserted the village. But 3 1/2 miles NE of Upper Sandusky scouts made contact with a force of about 100 British rangers and 200 Indians that resulted in 2 days of skirmishing that ended with Col. Crawford's forces retreating in scattered and disorganized groups. Major Williamson, the second in command, led most of the

93 Cited in Williams, Edward G. *Fort Pitt and the Revolution on the Western Frontier*. Historical Society of Western Pennsylvania. Pittsburgh, Pa. (1978), pp 180-1.

94 Moravian missionaries had settled, in 1773, Indians from several tribes in an area that now comprises Tuscarawas County, Ohio. *EAR*, p 439. Maj. David Williamson led the expedition to Gnadenhuetten.

95 See Butterfield, C.W. *An Historical Account of the Expedition against Sandusky, etc.* (1873) and Brown, Parker L. *op. cit.* and *EAR*.

volunteers back to Mingo Bottom where they arrived on 13 June. Col. Crawford and others were captured by the Indians.

Crawford and the other prisoners were marched 33 miles to the Half King's⁹⁶ town on the Upper Sandusky where 4 of the 9 prisoners were tomahawked and scalped. Later, all the remaining prisoners, except Crawford and Dr. Knight, a surgeon, were tomahawked by squaws and boys. On 11 June Crawford was stripped, bound, beaten, tethered to a post and had both ears cut off, shot at and prodded with burning ends of poles while squaws scattered burning coals in his path.

After 2 hours Crawford fell unconscious whereupon he was scalped and the bloody mop repeatedly thrown in Dr. Knight's⁹⁷ face. When Crawford regained consciousness he was slowly roasted to death. So ended the life of a man whom Martha and Thomas Lapsley had known as a justice of the peace for the Court of Yohogania County.

Record No. 51

1782 JUNE 22 - JULY 23 WASHINGTON COUNTY MILITIA⁹⁸

CAPTAIN CUNNINGHAM'S COMPANY.⁹⁹

Captain
Samuel Cunningham
Lieutenant
David McKee

96 "The Half King, also known as Tanacharison, was a Seneca chief and the main representative among the Ohio Indians of the Iroquois ruling body, the Onondaga Council. The English called him the Half King because of his dependence on the Council of the Six Nations. An enemy of the French, he was ally, adviser, informant, scout and comrade in arms to the English." Half King was present at Fort Pitt when Edward Ward, Croghan's half brother, surrendered it to the French in 1754. See Cleland, Hugh. *George Washington in the Ohio Valley*. Univ. Pittsburgh Press (1955), pp 46, 49.

97 Dr. John Knight who escaped and from whom most of what is known about the capture of Crawford was learned.

98 A certificate (No. 2013) was issued on 15 November 1784 to Thomas Lapsley under the Militia Loan Act of 1 April 1784. It identifies the time he served under Captain Cunningham as between 22 June and 23 July 1782. This record proves active militia duty for Thomas Lapsley during the Revolution. Crawford's expedition to Sandusky ended 20 June 1782. Division of Archives and Manuscripts. Bureau of Archives and History. Pennsylvania Historical and Museum Commission. *Register*, vol. A, p 67. See also *PA 5th Ser.*, 4:407,715.

99 *PA 2nd Ser.*, 14:750, 753; *6th Ser.*, 2:239.

Privates

Samuel Thompson	Joseph Gobin
Alex. Frew	John Gobin
Robert Johnson	John Chambers
Samuel English	Samuel McKinley
Patrick McDonnell	● Samuel Piersol
Archibald Ralston	Isaac Robb
William Montgomery	William French
Peter Lauderbach	James Stitt
William Ryan	James Colb
Thomas Armour	Philip Daley
Richard Byrn	Jacob Miller
James Parkison	George Plumer ¹⁰⁰
Daniel Devoire	Jesse Kirkpatrick
William Armstrong	● Joseph McDermott
John Knight	Archibald McDowell
Thomas James	George Levarick
James Fowler	Zackariah Figley
● John McLaughlin ¹⁰¹	
Lewis Cameron	Edward Nation
Henry Wood	Benjamin Cox
● Charles Harry	● William Jones ¹⁰²
● Sebastian Frederick	William Wells
THOMAS LAPSLEY	Josiah Crawford
John Stewart	James Kerr
Aaron Whittakar	

-
- 100 The Presbyterian congregation of Pittsburgh was incorporated by a legislative act of 1787 and, probably in the same year, built a church of squared logs... on land donated by the Penns. The Reverend Samuel Barr was the first pastor, and the chief pillar of the church was Jonathon Plumer, a New Englander, whose son George, born December 5, 1762, is reputed to have been the first white child born in Pittsburgh after the British occupation." See Baldwin, L. D. *op. cit.* p 110.
- 101 John McLaughlin, a resident of Adams Co., Ohio, declared on 1 August 1834 that he was drafted into a company of Washington Co. militia, under the command of Cpt. Samuel Cunningham, of Colonel Thomas Patterson's Regiment of Militia. They rendezvoused at the mouth of the Youghagany River and marched up the Allegheny River against the Indians. He was subsequently drafted, served under the same officers, who marched from Pittsburgh to Yellow Creek and there scouted and guarded the frontiers. During this tour he assisted in building a blockhouse afterwards called Yellow Creek Block house.
- 102 Declared in his pension application that he enlisted from Westmoreland County in April 1781 in a company commanded by Captain Cunningham. He was stationed at McKeesport at the mouth of the Youghioghny River and went out against the Indians in 1782.

Record No. 521782 JULY 13 HANNAS TOWN BURNED¹⁰³

Possibly in retaliation for Col. Crawford's expedition against the Indians at Sandusky a hostile Indian force assembled at what is now Buffalo, New York. About 250 Seneca Indians, together with a few British officers and 44 foresters set out on 9 June for the vicinity of Fort Pitt. Perhaps because Fort Pitt was being restored by Gen. Irvine at that time, the attack was diverted to nearby Hannas town. Nearly all of the cattle were either killed or set loose and all but two houses were burned. Casualties were light in the town, but heavy at Miller's Station where the Indians made a surprise attack and killed half a dozen and took about fifteen prisoners.

Record No. 531783 FEBRUARY 25 MARTHA LAPSLEY DEED TO JOHN REED¹⁰⁴

MARTHA LAPSLEY and John Shields¹⁰⁵ of Washington County Pa., sold to John Reed, mason, for 100 pounds, the land on which John Reed now lives - ". . . bounded by a white oak southwest side of the Court House Road .. and on line dividing between John Kinkead and the flagy¹⁰⁶ Spring of Crabtree Tract [David Redick's¹⁰⁷ land] ..."

103 Hannastown was the seat of government for Westmoreland County. See Williams, E. G. *Fort Pitt. op. cit.*

104 Washington County. Register of Deeds. *Deed Book A, pp 77-8.*

105 John Shields, of Letterkenny Twp., Cumberland Co., Pa., bought in 1778 from James Clark of the same place "... a certain tract plantation and parcel of Land Situate Lying and being on the Waters of Peters Creek in the County of Youghania in the State of Virginia Being Bounded by lands Jacob Bean on the West and Martha Lappsley on the North and Widow Sween on the East Containing Foure hundred acres..." See *Deed Book 1-B, p 348*. Washington County Courthouse. James Clark received a certificate from Virginia for land on the Waters of Peter's Creek by virtue of settlement made in 1775. See Bell, Raymond M "Virginia Land Grants" in *The Virginia Genealogist*. 7:81. A John Shields (1749-1815) is buried in the Lebanon Presbyterian Church Cemetery. A bronze plaque, affixed to the external wall that faces the cemetery, was presented to the Church by the Queen Alliquippa Chapter of the DAR, McKeesport, PA., and records his military service during the American Revolution.

106 See Craigie, William A. *A Dictionary of American English on Historical Principles*. Chicago (1940). Flag. Any one of various plants having coarse, swordlike leaves and usually found in moist places, p 1004. *Flaggy*. 1687 Waterbury Prop Rec. 209 "Ye norwest coner of his lot at ye flagey swamp", p 1005.

107 David Redick, Deputy Surveyor of Washington County, surveyed in 1781 the Town of Bassett which, on 4 November 1784, was renamed Washington. See Creigh, Alfred. *History of Washington from its first Settlement to the Present Time, etc. 1st ed., [Washington, Pa. 1870]*

Witnessed by Dd. Redic & THOS. LAPSLEY¹⁰⁸

- 108 The survey described in this deed does not enclose an area but merely defines a line that appears to have become the agreed upon northern-most boundary of Martha Lapsley's land and the southern-most boundary of John Reed's land. The deed appears to represent the final settlement of the dispute between those parties that was first admitted to court in May 1775.

There is no record of Martha Lapsley having received title to any land from either Virginia or Pennsylvania prior to the 1783 warrant. Virginia did not surrender control over the area in which she resided until September 1780 and Pennsylvania, which had closed its Land Office in 1776, resumed control by re-opening it in 1781. See *PA 3rd Ser.*, 3:502.

The Acts of the General Assembly of Virginia (May 1779), Chapter XII, Sec. IV, provided that up to 400 acres could be granted to every family who, prior to 1 January 1778, (i) settled themselves on land, (ii) settled others at their charge, or (iii) made improvements, built a house or hut and resided on the land for one year and made a crop of corn. Hening, William H. *The Statutes at Large, etc.* Richmond, X:39 (1822). It would appear that Martha Lapsley was therefore eligible to establish legal title to this land under that Act, but there is reason to suspect that her sympathy was more with Pennsylvania than Virginia. On two occasions, once in 1778 and again in 1782, residents who accepted the right of Virginia to govern the area signed petitions. The first petition was a request to have Yohogania County divided into two smaller counties and the latter a petition objecting to Pennsylvania's right to extend its authority over the area. Neither is signed by a Lapsley. See Bell, Raymond M. "Petitions from Yohogania County, Virginia" in *The Virginia Genealogist*, 17:212 (1978).

But, even if she did accept Virginia's right to rule there are other reasons why she accepted a solution compatible with Pennsylvania law and customs. First, John Reed seems to have continued to contest her claim, a complication that the Virginia commissioners probably wished referred to Pennsylvania courts for adjudication. See James, Alfred P. "The Role of Virginia and Virginians in the Early History of Southwestern Pennsylvania." in *WPHM* 34:61 (1951). Second, and probably more significant, was the fact that anyone residing in the area of land disputed between Virginia and Pennsylvania who received title to land under this Act was compelled to "swear an oath of fidelity to the United States of America." Hening "*Statutes at Large*" *op. cit.* X:179. Seceders refused to swear *any* oaths and there is reason to believe that Martha Lapsley adhered to their beliefs. Thus, she had to look to Pennsylvania for title to this land.

Her claim to this land seems to have been based upon a primitive type of claim that was recognized by settlers in western Pennsylvania, but not by the Pennsylvania Land Office. See Dunaway, W. F. *A History of Pennsylvania*. Prentice-Hall, New York: (1935), pp 243-4. These claims, known as *tomahawk rights* were established by "*deadening a few trees near a spring...*" "*Tomahawk rights had a commercial value and were often bought and sold. To ignore them was to come into conflict with the customs of the frontier and to invite disaster,*" It appears that John Reed did recognize her rights and acquired them by purchase as reported in the deed. It seems ironic that he first had to recognize Martha Lapsley's claim to this land, something that the Commonwealth of Pennsylvania would not do, before he could ask the Commonwealth of Pennsylvania to recognize his claim to it as he did when the Land Office granted him a warrant to survey "Reedsburgh" in 1785.

It was not until 1785, nearly two years after this sale, that most of those who settled around Martha Lapsley in the northwest corner of Jefferson Twp. where it abuts Mifflin, Baldwin and Snowden Twps. patented in Pennsylvania the lands on which they had been living. Only 2 of her 17 neighbors, neither of them adjacent to her, based their claim on certificates issued to them by the Virginia commissioners. The near simultaneous patenting of so much land in the area coincided with the abolition of the last vestiges of Yohogania County, which by then existed only in the northern neck of what is now W. Virginia.

Record No. 54

1783 MAY 1 *MARTHA LAPSLEY'S APPLICATION*¹⁰⁹ FOR A WARRANT

MARTHA LAPSLEY aplys to the Land Office for two Hundred and fifty acres on the Waters of peters Creek, Dickinson township, Wash.n County adjoining Land of Benjamin Reed Jno Reed Jas Torrance and others

Washington County SS: We the subscribers two of the Justices of the peace for s'd County Do hereby Certify that according to our best information the above Described Land was Improv'd in the year one thousand seven hundred and eighty three given under our hand this 31st Day of March 1786

Jno Reed
M.w McConnel

Record No. 55

1784 WASHINGTON COUNTY, CECIL TWP. TAX¹¹⁰

THOMAS LAPSLEY 280 acres 2 cows 2 sheep 158 value

1784 WASHINGTON COUNTY, PETERS TWP. SUPPLY TAX

THOMAS LAPSLEY 100 acres 2 horses 2 cattle 6 sheep 107 value

1784 WASHINGTON COUNTY, PETERS TWP. SUPPLY TAX

MARTHA LAPSLEY 100 acres 75 value

¹⁰⁹ Dept. of Community Affairs, Bureau of Land Records, Harrisburg, Pa.

¹¹⁰ These records are published in the PA 3rd Ser., 22:716, 738 where they are given the date 1781. Jane Fulcher and Raymond H. Bell report that the correct date is 1784. See Pennsylvania Genealogical Magazine, (1979), p 51.

Record No. 56

1784 SEPTEMBER 14 GEO. WASHINGTON'S ACCOUNT OF A VISIT
to his lands in Washington Co., Pa.¹¹¹

Remained at Gilbert Simpson's all day.-- before noon Colo. Willm. Butler and the officer Commanding the Garrison at Fort Pitt, a Capt. Luckett (Captain David Luckett, of the Maryland Line, in the Continental Army) came here-- as they confirmed the reports of the discontented temper of the Indians and the Mischiefs done by some of them-- [An Indian raid, as late as 1788, is recorded in near-by West Virginia] and the former advised me not to prosecute my intended trip to the Great Kanahawa, I resolved to decline it.

This day also the People who lives on my land on Millers Run¹¹² came here to set forth their pretensions to it; and to enquire into my Right-- after much conversation and attempts in them to discover all the flaws they could in my Deed &ca. -- and to establish a fair and upright intention in themselves-- and after much counselling which proceeded from a division of opinion among themselves-- they resolved (as all who lived on the land were not here) to give me their definite determination when I should come to the land, which I told them would probably happen on Friday or Saturday next.

1784 SEPTEMBER 15 AT GILBERT SIMPSON'S IN PENNSYLVANIA

This being the day appointed for the Sale of my moiety of the Co-partnership Stock-- many People were gathered (more out of curiosity I believe than from other motives) but not great Sale made. My Mill I could obtain no bid for, altho I offered an exemption from the payment of Rent for 15 months. The Plantation on which Mr. Simpson lives rented well-- viz for 500 Bushels of Wheat, payable at any place within the County that I or my Agent might direct. --the little chance of getting a good offer in money, or Rent, induced me to set it up to be bid for in Wheat.

Not meeting with any persons who will give me a satisfactory accot. of the Navigation of the Cheat River (tho' they generally agreed it was difficult where it passed thro' the Laurel Hill) nor any act. of the distance and kind of Country between that, or the Main branch of the Monongahela and the Waters of Potomack -- nor of the Country between the little Kanawha and the Waters of Monongahela tho' all agreed none of the former came near ten miles Creek as had been confidently asserted; I gave up the intention of returning home that way- - resolving after settling matters with those Persons who had seated my Lands on Millers Run, to return by the way I came; or by what is commonly called the Turkey foot Road.

111 Fitzpatrick, John C. (ed.) *The Diaries of George Washington: 1748-1799*. 2:291-99. Houghton Mifflin Co., New York (1925). See also Jackson, Donald & Twohig, Dorothy (eds.) *op. cit.*

112 Miller's Run is a branch of Chartier's Creek near Canonsburg, Pennsylvania. Washington bought the rights to survey 3,000 acres of bounty land in that area from Captain John Posey. It is not far from where the Lapsleys lived.

1784 SEPTEMBER 16

Continued at Simpsons all day in order to finish the business which was begun yesterday-- Gave leases to some of my Tents. on the Land where I now am.

1784 SEPTEMBER 17

Detained here by a settled Rain the whole day-- which gave me time to close my accts. with Gilbert Simpson, and put a final end to my Partnership with him. Agreed this day with a Major Thomas Freeman to superintend my business over the Mountain, upon terms to be inserted in his Instructions.

1784 SEPTEMBER 18 CHARTIER'S CREEK WASHINGTON CO., PA.

Set out with Doctr. Craik for my Land on Miller's Run (a branch of Shurtees Creek)-- crossed the Monongahela at Devoirs Ferry-- 16 miles from Simpsons--bated at one Hamiltons about 4 Miles from it, in Washington County, and lodged at a Colo. Cannons on the Waters of Shurtees Creek-- a kind hospitable Man; and sensible.

Most of the Land over which we passed was hilly-- some of it very rich-- others thin-- between a Colo. Cooks and the Ferry the Land was rich but broken-- about Shurtee and from thence to Colo. Cannons, the Soil is very luxurient and very uneven.

1784 SEPTEMBER 19 PATIENCE

Being Sunday, and the People living on my Land, APPARENTLY very religious,¹¹³ it was thought best to postpone going among them till tomorrow-- but rode to a Doctr. Johnsons [John Johnson] who had the keeping of Colo. Crawford's (surveying) Records-- but not finding him at home was disappointed in the business which carried me there.

1784 SEPTEMBER 20

Went early this Morning to view my Land, and to receive the final determination of those who live upon it-- having obtained a Pilot near the Land I went first to the plantation of Samuel McBride, who has about 5 acres of Meadow-- and 30 of arable Land under good fencing-- a Logged dwelling house with a punchion Roof, and Stable, or small barn, of the same kind-- the Land rather hilly, but good, first to the plantation of Samuel McBride, who has about

5 Acres of Meadow - - and
30 of arable Land

113 "These people, living in log dwellings with 'punchion' roofs, and their more commodious barns and stables at no great distance, were bound together by common hardships and common religious principles into a sort of cooperative settlement and were unwilling 'to separate or remove.'" See Ambler, Charles H. *George Washington and the West*. Chapel Hill, Univ. N. C. Press (1936) pp 139-40.

under good fencing-- a Logged dwelling house with a punchion Roof, and Stable, or small barn, of the same kind-- the Land rather hilly, but good, chiefly white oak. next--

James McBride¹¹⁴

3 or 4 Acres of Meadow

28 Do of arable Land

Pretty good fencing-- Land rather broken, but good-- white and black oak mix-ed-- a dwelling House and barn (of midling size) with Puncheon Roofs

Thomas Biggart¹¹⁵

Robert Walker living thereon as a Tenant--

No Meadow.-- abt.

20 Acres of arable Land a dwelling House and single Barn--fences tolerable-- and Land good.--

William Stewart

21/2 Acres of Meadow

20 Do of arable Land

only one house except a kind of building adjoining for common purposes.-- good Land and Midling fences- -

Matthew Hillast

has within my line k abt.

7 Acres of Meadow

3 besides, Arable-- also a small double Barn.--

Brice McGeechen¹¹⁶

3 Acres of Meadows

20 Do arable-- under

good fencing.-- A small new Barn good.--

114 McBride was a participant in Col. Crawford's expedition to Sandusky. See *PA 2nd Ser.*, 14:717.

115 Thomas Biggart (1740 ca.-1829) settled on land in Robinson Twp. about 1773, but Indian attacks caused him to relocate to the Miller's Run land where he remained during most of the Revolution. See Jackson, Donald & Twohig, Dorothy (eds.) *op. cit.* 4:29. The settlers' hostilities toward Washington have been preserved and transmitted to descendants who are now living. See McKune, Mary Bigger. "George Washington Is No Hero In My Book", *The Pittsburgh Press*, 27 June 1976, p 3.

116 Brice McGeehon was a private in Col. Crawford's expedition to Sandusky. *PA 2nd Ser.*, 14:173.

Duncan McGeechen¹¹⁷

2 Acres of Meadow

38 Do Arable Land

A good single Barn, dwelling House spring House and several other Houses.--the Plantation under good fencing.

David Reed¹¹⁸

claimed by the last mentioned (Duncan McGeechen)

2 Acres of Meadow

18 Do Arable Land

No body living on this place at present-- the dwelling House and fencing in bad order.

John Reed Esquire

4 Acres of Meadow

38 Do Arable Do

A small dwelling House-- but Logs for a large one, a Still House -- good Land-- and fencing

David Reed

2 Acres of Meadow

17 Do Arable

A good logged dwelling house with a bad Roof-- several other small Houses and indifferent Barn, or Stable-- bad fences; but very good Land

William Hillas

20 Acres of Arable Land

No Meadow

But one house, and that indifferent-- fences not good

John Glen

2 or 3 Acres of Meadow within my Line-- his plantation and the rest of his Land without.--

¹¹⁷ Duncan McGeehon served as a captain in Col. Crawford's expedition to Sandusky. *ibid.* 24:713.

¹¹⁸ See Jackson, Donald & Twohig, Dorothy *op. cit.* 4:30. "Only the brothers David Reed and Squire John Reed (d. 1816) achieved any real local prominence. Having moved to Miller's Run from Lancaster County, Pa., in 1777, they served as officers in the frontier militia during the war... Upon creation of Washington County in 1781, John Reed became one of the first justices of the county court and was again appointed a judge in 1788." John Reed was a private in Col. Crawford's expedition to Sandusky. *ibid.* 14:713.

James Scott¹¹⁹

Placed on the Land by THOMAS LAPSLEY-- has 17 Acres under good fencing-- only a dwelling House (which stops the door of a Cabbin built by Captn. Crawford) white oak Land-- - rather thin-- - but good bottom TO CLEAR for Meadow.--

Matthew Johnson

2 Acres of Meadow

24 Do Arable Land a good logged house-- - Materials for a dble Barn-- very gd. Land, but indifferent fences

James Scott

a large Plantation-- about

70 Acres of Arable Land

4 Do of improved Meadow

much more may be made into Meadow.-- the Land very good, as the fences also are-- A Barn dwelling House and some other Houses.--

The foregoing are all the Improvements upon this Tract which contains 2813 Acres

The Land is leveller than is common to be met with in this part of the Country, and good; the principal part of it is white oak, intermixed in many places with black oak; and is esteemed a valuable tract. Dined at David Reeds,¹²⁰ after which Mr. James Scot and Squire Reed began to enquire whether I would part with the Land, and upon what terms; adding, that tho' they did not conceive they could be dispossessed, yet to avoid contention, they would buy, if my terms were Moderate. I told them I had no inclination to sell; however, after hearing a great deal of their

119 “The ejectment of James Scott would appear to have had the most far-reaching consequences socially. Crawford had built a cabin on the land as proof of occupancy-- a common procedure. Scott was bold enough to live in a house which stood athwart Crawford's cabin door. In 1796, along with many other residents of Washington County, Scott had moved into the newly opened Beaver Valley. Here, too, the land was claimed by an eastern speculator. In August, 1796, the settlers- or squatters- met at James Scott's to organize an association to protect their claims. The organization launched at that time-- which was known as the Actual Settlers-- became a potent force in anti-Federalist (and therefore anti-Washington) politics in Western Pennsylvania for many years. The attorney for the Actual Settlers was Hugh Henry Brackenridge, who had earlier represented the Miller's Run settlers. The business agent and organizer of the Actual Settlers, John B. C. Lucas, used the organization as a springboard to the state legislature and eventually Congress. One of the chief opponents of the Actual Settlers was Judge Alexander Addison, who had bought the Miller's Run lands. Addison and Lucas were bitter opponents in a famous political battle which was an important chapter in the downfall of Federalism in Pennsylvania. It is safe to say that the struggle began with the Washington ejectment suit.” See Cleland, H. *George Washington in the Ohio Valley*. Univ. Pittsburgh Press, (1955), pp 294-295.

120 David Reed's two-story log cabin was still standing in 1938. “It is located in the northwestern part of Mount Pleasant Twp. about a quarter of a mile from the mining town of Southview on the right side of the township road to Primrose.” See Western Pennsylvania Historical Survey. *Guidebook*. *op. cit.* 134.

hardships, their Religious principles (which had brought them together as a society of Seceders)¹²¹ and unwillingness to separate or remove; I told them I would make them a last offer and this was-- the whole tract at 25 S. pr. Acre, the money to be paid at 3 annual payments with Interest;-- or to become Tenants upon leases of 999 years, at the annual Rent of Ten pounds pr. Ct, pr. Ann. -- The former they had a long consultation upon, and asked if I wd. take that price at a longer credit without Interest, and being answered in the Negative they then determined to stand suit to the Land; but it having been suggested that there were among them some who were disposed to relinquish their claim, I told them I would receive their answers individually; and accordingly by calling them as they stood

James Scott
William Stewart
THOMAS LAPSLEY
Samuel McBride
Brice McGeechin
Thomas Biggar
David Reed
William Hillas
James McBride
Duncan McGeechin
Matthew Johnson
John Reed and
John Glen

they severally answered, that they meant to stand suit, and abide the Issue of the Law.

This business being thus finished, I returned to Colo. Cannons¹²² in Company with myself, Colo. Neville [John], Captn. Swearingin [Captain Andrew Swearingen] (high Sheriff) and a Captn. Richie.¹²³ who had accompanied me to the Land.

121 Seceders were members of the original Secession Church that originated in Scotland in 1733. Hugh Cleland reports that "It is almost certain that these 'seceders' or Presbyterians, had as their pastor the Reverend John McMillan, a noted pioneer clergyman of the area." See *George Washington in Ohio Valley. op cit. fn 77, p 296*. Rev. McMillan organized, in 1778, the Bethel Presbyterian Church which is located in Bethel Twp., on the Bethel Road. In the same year he also organized the Lebanon Presbyterian Church which is located on the Lebanon Church Road opposite the Allegheny County Airport in Mifflin Twp. Both were subsequently served by Rev. John Clark from 1781 until 1789 in the case of the latter and until 1796 in the case of the former. See Western Pennsylvania Historical Survey. *Guidebook. op. cit. 4-5*.

122 See Jackson, Donald & Twohig, Dorothy (eds.) *op. cit. 4:26*. John Cannon (died 1799) owned about 800 acres on Chartier's Creek on the site of present-day Canonsburg, Pa. Cannon served as Washington's land agent in the region from 1786-94.

123 Captain Matthew Ritchie. Washington sold him the entire tract of 2813 acres in June 1796 for \$12,000. Together with Presley Neville he surveyed Martha Lapsley's plantation on 12 May 1786.

Record No. 57

1784 SEPTEMBER 21

Accompanied by Colo. Cannon and Captn. Swearingin who attended me to Debores ferry on the Monogahela which separates the Counties of Fayette and Washington, I returned to Gilbert Simpson's in the afternoon; after dining at one Wickershams Mill near Monongahela.

Colo. Cannon, Capt. Sweringin and Captn. Richie all promised to hunt up the evidences which could prove my possession and improvement of the Land before any of the present Occupiers ever saw it.

Record No. 581784 DECEMBER CAUSE # 110, APPEARANCE DOCKET WASHINGTON CO.¹²⁴

The Appearance Docket records that Mr. Smith entered a suit on behalf of "His Excellency George Washington" against eleven of the settlers who challenged his claim. The settlers were represented by Hugh N. Breckenridge, a Washington Co. lawyer. Thomas Lapsley's name does not appear among the defendants in this trial.

Record No. 591785 MARCH 19 MOUNT VERNON G. W. TO JOHN HARVIE¹²⁵

Sir: If I recollect right, I mentioned when I had the pleasure of seeing you at Mr. Jone's the first of last October, that I was reduced to the necessity of bring ejectments against sundry persons who had taken possession of a tract of Land which I hold, not far from Fort Pitt in the State of Pennsylvania, by Patent under this Government for 2813 acres.

124 Washington Co. Courthouse. *Appearance Docket: January 1782-Jun. 1792*, p 195. See Bothwell, Margaret P. "The Astonishing Croghans", *WPHM op. cit.* 141. "Now here we have the strange situation of Crawford [Col. Wm.], December 1773, referring to the lands as Washington's, yet Washington's claim, when asserted in court eleven years later, apparently hinged on an alleged patent from Lord Dunmmore dated 5 July 1775 [sic, 1774]. If Washington's title was not obtained until July 5, 1775, Croghan was speaking truthfully when he told the McBrides three years earlier, in 1772, that 'Washington had no right there.'"

125 Fitzpatrick, J. C. (ad.) *The Writings of George Washington from the Original Manuscript Sources: 1745-1799* (1938), 28:110-15. John Harvie was born in Scotland and died in 1807 in Richmond, Va. Upon emigration he settled in Albemarle County and practiced law. He was a Virginia commissioner to handle Indian affairs after 1774; a member of the Virginia conventions of 1775-6; a delegate to the Continental congress 1777-8, etc. and register of the land office of Virginia from 1780-1791. See *Lamb's Biographical Dictionary. op. cit.* 3:575.

I have lately received a letter from my Lawyer, Mr. Thos. Smith,¹²⁶ of Carlisle requesting information on several points; the following are his own words,

I am entirely unacquainted with the manner in which titles to Lands are acquired by improvements or occupancy, by the Laws and customs of Virginia. I suppose it must be under certain conditions and restrictions I should be glad to have the Laws, if any, pointed out. Does the occupier forfeit his right of pre-emption, if he does not apply for an office right in a given time? If so, when? By what Laws? Or is it by the regulations established in the Land Office? A certified copy of such regulations if any, may be necessary.

At the interview I had with that Gentleman in September, he told me it would be necessary to obtain a certified copy of the Surveyors return to the Land office, and of the date of the Warrt. upon which it was made. The latter I presume is in the hands of the surveyor, but the date no doubt, is recited in the return. Having (in the life time of Colo. Crawford, and by letter from him) received information that at the convention next before the 20th. of Septr. 1776, (the date of his letter) and ordinance passed for the purpose of saving equitable claims to the Western Lands, Mr. Smith requested some precise information respecting this Ordinance, that is, how far it will apply in my case.

After the many obliging acts of kindness I have received from you, and the generous terms upon which they have been rendered, I am really ashamed to give you more trouble; but as the dispute in which I am engaged is of importance, and a very ungenerous advantage has been taken of a situation in which I could not attend to my private concerns, or seek justice in due season, and as I believe no person can solve the queries of Mr. Smith, and give such accurate information on such points as can be made to subserve my cause as you, I am, however reluctantly, compelled to this application.

Mr. Smith's own words, which I have quoted, and his verbal application to me, wch. I have just now recited, will sufficiently apprise you of what has occurred to him; but I will go further, and take the liberty my good Sir, of giving you a state of the whole matter; from whence you will discover the points on which my opponents mean to hinge the success of their cause.

126 "Thomas Smith ... is entitled the dubious distinction of having, so to speak, 'closed the courts in Bedford County.' This gentleman, while serving as a Bedford County official, was commissioned to attend a convention in Philadelphia, to assist in writing the 1776 constitution of the Commonwealth of Pennsylvania. The state was then operating under the United States' Articles of Confederation. Thomas Smith departed Bedford on October 7, 1776, taking with him the office records. While he was absent, no court business could be transacted, and the citizens complained that there was no court to redress wrongs. The matter of writing a constitution consumed more time than was anticipated. Thus the first step of the local citizens was to have Smith resign. He refused, and after a lapse of time, an order was issued for his return to Bedford County, to deliver the missing court records. He again refused. Then an order for his arrest and imprisonment was issued. When it was served on him, he resigned and surrendered the court records." Bedford County Heritage Commission. *The kernel of Greatness* (1971), pp 47-48. See also Konkle, B. A. *The Life and Times of Thomas Smith: 1745-1809*. Campion & Co., Philadelphia (1904).

Colo. Crawford (William),¹²⁷ a liver on Yohioghane, an old and intimate acquaintance of mine, undertook to procure for me a tract of land in that Country; and accordingly made choice of the one, now in dispute, on the waters of Racoon and Millers runs, branches of Shurtees Creek, surveyed the same, amounting to 2813 acres, and purchased in my behalf the claim of some person to a part of the land, who pretended to have a right thereto. After this he build according to his own accot., and to the best of my recollection, (for the papers being in the hands of my Lawyer, I have memory only, and that a bad one, to resort to) three or four cabbins on different parts of the tract, and placed one or more persons thereon to hold possession of it for my benefit. All this preceeded the first view the present occupiers (my opponents) ever had of the Land, as they themselves have acknowledged to ME, and which I believe can be proved. So far as it respects one cabin there can be NO doubts, because it remains to this day; and is acknowledged by them to have been on the land when they first came to it. They built another cabin so close to the door of it, as to preclude the entrance of it: Crawford in his accot. of it to me, says, with a view to prevent occupation: they, on the other hand, say there was no inhabitant in the house at the time. Both may be right, for the fact is, as I have been informed, the owner being from home, this transaction took place in his absence.

It may be well to observe here that Colo. Crawford was only acting the part of a friend to me; for that time, tho' he was a Surveyor by regular appointment from the College of Wm. and Mary, it was for local purpose of surveying the 200,000 acres granted by Dinwiddie's Proclamation of 1754¹²⁸ who were entitled to it as a bounty: but as I proposed to cover this survey with a military warrant as soon as circumstances would permit, these steps were preliminary to obtain the Land. Accordingly, a warrant which I obtained in consequence of a purchase from one Captain Posey¹²⁹ (who under the British Kings Proclamation of 1763¹³⁰ was entitled to 3000 acres) whose

127 William Crawford (1732-1782) visited Washington at Mt. Vernon in March 1770, October 1771 and October 1772 to report on his surveys of land in western Pennsylvania. See Jackson & Twohig (eds.) *op. cit.* 2:218 *et. seq.*

128 Robert Dinwiddie, the Lieutenant Governor of the Colony of Virginia, sought to induce volunteer soldiers to oppose the French and Indians in the area of the forks of the Ohio and Monongahela Rivers by offering a bounty in land. Two hundred thousand acres, 100,000 contiguous with the fort to be built there and 100,000 on or near the east side of the Ohio River, were reserved for this purpose. A group of veterans with bounty claims asked Washington, in 1769, to arrange for the surveys to be made. Washington arranged for Crawford to be commissioned a special surveyor (limited to surveying only the 200,000 acre tract) by the President and Masters of the College of William and Mary. See Fitzpatrick. *The Writings. op. cit.* 3:282.

129 Captain John Posey served under Col. Washington during Forbes expedition against the French and Indians in the area of Pittsburgh (Ft. Duquesne) in 1758. He was therefore eligible to receive 3,000 acres of bounty land. Posey's farm was adjacent to Mt. Vernon and he first appears in Washington's papers beginning in 1761 and continues until April 1774. Between 1761-7 Washington lent about {L}1000 to Posey, a debt that caused Posey to forfeit his farm to Washington in 1769. See Thane, Elswyth *Potomac Squire*. Duel, Sloan & Pearce, New York (1963). Thomas Posey (1750-1818) was the son of Elizabeth Lloyd and, some have claimed, George Washington. He served as commissary general in Dunmore's War (1774), was commissioned a captain and took part in the battle of 6 July 1776 by which Lord Dunmore was defeated. He served the patriot forces throughout the Revolution. In 1793 he served under Gen. Wayne during the Indian campaigns in the northwest. In 1794 he

Bond I now have bearing the date the 14th. of Octr. 1770, assigning to me all his right to land under it, was located thereon; and Colo. Crawford, after receiving a commission to act as Deputy to Mr. Thos. Lewis,¹³¹ made a return of this survey to his principal, who returned it to the

settled in Kentucky and became a member of the state senate and later in the U. S. Senate. President Madison appointed him Governor of the Indiana Territory, a position he held until it became a state in 1816. At the time of this letter it appears Posay was a magistrate and county lieutenant in Spottsylvania Co., Va. The *William and Mary Quarterly 1st Ser.*, 6:66-8 (1897) reports that while Thomas Posey left many descendants nothing is known about his ancestry nor his relationship to other Poseys. See White, Jas. T. & Co. *The National Cyclopaedia of American Biography*, 13:265-6 (1906). J. C. Fitzpatrick reports there is no evidence that Washington was the father of Thomas Posey. See "The Washington Scandals" in *Scribners Magazine*, 81:398 (1927).

- 130 "The French and Indian War ended officially with the signing of the Treaty of Paris in February 1763. Eight months later, England's King George III issued a proclamation whereby men who had served in military units in the colony between 1754 and 1763 until such units were disbanded were entitled to bounty land, the amount of land depending upon the rank held by the individual. Each field officer was entitled to 5000 acres, each captain 3000 acres, each subaltern or staff officer 2000, each noncommissioned officer 200 acres and each private 50 acres. These benefits did not apply to persons who had served in various county militia.

Other than declaring that each man must personally apply for his own bounty land, the proclamation did not establish the procedure to be followed in claiming the land. The same proclamation, *by closing the territory inhabited by Indians, restricted the area in which land could be obtained*. Once the grants were issued, which not until 1779-1783, land involved was primarily in the western section of the Commonwealth of Virginia. In May 1779, the Virginia Legislature placed a time limitation on receiving such land by declaring '... no claim ... for military service founded upon the Proclamation [of 1763] shall hereafter be allowed [unless] a warrant ... shall have been obtained from the governor of Virginia ...; or ... the claimant making due proof in any court of record, and producing a certificate thereof to the register of the land office within the said time of twelve months, shall be admitted to a warrant, entry, and grant ..."

Between 17 August 1779 and 18 June 1783, some 1400 warrants based on certificates obtained either from Lord Dunmore while he was colonial governor or from county courts after receipt of proof of service were issued by the Land Office." Virginia State Library. Archives Division. *Index to French and Indian War Soldiers: French and Indian Bounty Certificates*. Also see Hening. *Statutes op. cit.* VII:663-9.

- 131 On 17 February 1774 Washington sent to Thomas Lewis, the surveyor for the District of Augusta, the survey that Crawford had made of the Miller's Run tract and asked him to "... do me the favour to Grant a certificate (by which I can apply for and obtain a Patent for the Tract of 2913 acres ...)" and "... obtain a deputation for Capt: Wm. Crawford to survey in the District between the Monongahela and Ohio, from Ft. Pitt downwards ..." The requests were necessitated when Washington learned, in December 1773, that the Governor and Council had decided that warrants to survey should be executed by the county surveyor. See Fitzpatrick. *The Writings. op. cit.* 3:182-3.

On 19 April 1774 William Crawford qualified as a deputy surveyor under Thomas Lewis in Augusta Co., Virginia. See Chalkley, Lyman. *Chronicles of the Scotch-Irish Settlement in Virginia, etc.* 1:179, Baltimore, Genealogical Publishing Co. (1965).

Secretary's office, from whence a Patent issued signed by Lord Dunmore in June or July 1774,¹³² for 2813 acres, reciting under what right I became entitled to the Land. Hence, and from the repeated warnings, which it is said can be proved were given at the time my opponents were about to take possession of the Land, and afterwards, comes my title.

The title of my opponents I know will be: 1st. That Crawfords survey was illegal, at least, was unauthorized. 2nd. That being a great land-jobber, he held, or endeavored to monopolise under one pretence or other much land: and tho' (for they do not deny the fact TO ME in private discussion, altho' considering the lapse of time, deaths, and dispersion of people, I may find some difficulty to prove it) they were told this was my land; yet conceiving my name was only made use of as a cover, and in this they say they were confirmed, having (after some of the warnings given them) searched the Land office of this State without discovering any such Grant to me. 3rd. That their possession of the Land, preceded my Patent or date of the Surveyors return to the Secretary's office; or even the date of Crawfords deputation under Lewis, before which, every transaction they will add, was invalid.

But to recapitulate, the Dispute, if my memory for want of papers does not deceive me, may be summed up in these words.

1st. In the year 1771, Crawford at my request looked out this Land for me, and made an actual survey on my account.

2nd. Some person (not of the opponents) setting up a claim to part included by the survey, he purchased them out, built one cabin, if not more, and placed a man therein to keep possession of the Land.

3rd. It was called my land, and generally believed to be so by every body, and under that persuasion was left by some, who uninformed of my right, had begun to build, before the present occupants took possession to the exclusion as I have related before of the person placed thereon by Crawford.

4th. That sometime in Octr. 1773 according to their own accot., these occupants took possession,

5th. That upon their doing so, and at several times thereafter, they were notified of my claim and intention to assert my right.

6th. That no survey was ever made of this Land, but the first one by Crawford.

7th. That it is declared in the Surveyors return, to be consequent of a warrant granted by Lord Dunmore to Jno. Posey assigned to me. But whether this warrt. is dated before or after possession was taken by my opponents, I know not, but the Survey will shew this.

¹³² The Colony of Virginia issued a patent to Washington for the Miller's Run lands on 5 July 1774. See *Virginia Colonial Patents, Book 42, 516-18*. Cited in Jackson & Twohig (eds.) *op. cit.* 4:23. The location of the tract is shown in Horn, W. P. *The Horn Papers, Vol. III*, Hagstrom Co., New York (1945) on map no. 71, Mt. Pleasant Twp., Washington Co.

8th. That after he received his deputation (which I believe was subsequent to their occupancy) he made a return of the survey to Mr. Lewis, who returned it to the Secretary's office in the early part, I believe, of the year 1774, and a Patent issued without any caveat¹³³ or opposition from these people.

9th. I believe, because I never heard otherwise, that no office rights either in this State or that of Pennsylvania, were ever obtained by my opponents, resting their title upon possession.

Under this statement of the matter, in which I have conceded everything I know, or which I think can be urged against my claim, I would thank you, as the matter will be determined in another State, for such advice and information of Acts of the Assembly, Acts of Convention, or rules of office which make to the point, as my long absence renders me quite an ignoramus in these matters, and as unfit for, as I am disinclined to controversies of this kind.

If pre-occupancy will take place of legal right, under the circumstances mentioned; it remains still a question how far the possession and improvements which were made in my behalf, previous to those of my opponents, will avail me; that is, under what title I should then claim the Land, and under that title how much of it I should hold, supposing one Cabin only to have been built and occupied, by any rule of Office, or Act of Government.

When I look back at the length of this letter, and consider how much trouble I am giving you, I must thro myself upon your goodness for an apology, whilst I assure you of the esteem and regard with which I am, etc.

Record No. 60

1785 TAX LISTS OF DICKINSON TWP., WASHINGTON CO. PA.¹³⁴

THOMAS and *MARTHA LAPSLEY* each appear on the lists from 1785 to 1789. They are the only persons named Lapsley who do appear on the lists.

133 On 18 April 1775 Lord Dunmore wrote to Washington to inform him that the surveyor "...did not qualify agreeable to the Act of Assembly directing the duty and qualifications of surveyors; if this is the Case the Patents will of Consequence be declared Null and Void." See Fitzpatrick. *The Writings. op. cit.* 3:280, fn 10.

134 "When Washington Co., Pa. was formed in 1781 it included all of Pennsylvania south of the Ohio River and west of Monongahela River. The northeastern section of the county, across the river from Fort Pitt was formed into Dickinson Township from Peters Township in 1785. The tax lists for this township, which became a part of Allegheny County in 1788 and 1789, are preserved at the courthouse in Washington, Pennsylvania." See Bell, Raymond H. "Tax Lists of Dickinson Township, Washington (now Allegheny) County, Pennsylvania 1785-89." *National Genealogical Society Quarterly*, 51:104-7 (1963).

Record No. 611785 APRIL 11 MOUNT VERNON G. W. TO THOMAS FREEMAN¹³⁵

Sir: Not having heard a tittle from you since I left Mr. Simpsons in Sept. last; I wish for the detail of your proceedings in my business since that period, particularly with respect to applications, if any, for my Lands in your neighbourhood or elsewhere, and what has been done with the mill. I have obtained, some time since, a Patent for the round bottom above Captenon, [Captening Creek] which may be rented upon the terms of my printed Advertisements.

Mr. Smith (especially as he lives at a distance, and is only in the county at the assizes)¹³⁶ should have every assistance in hunting up the evidence necessary for the prosecution of my ejectments in the Court of Washington, [Washington Co., PA.] particularly as they respect the improvements in my behalf, intecedent to the possession of the Land by the present occupants; and the notice given them of its being mine, at, or immediately after the Settlements made by them. Colo. John Stephenson, Mr. Marcs. Stephenson and Mr. Danl. Morgan are, I shou'd suppose, most likely be acquainted with Colo. Crawford's proceedings in this business. It is of consequence to ascertain all the improvements which were made for my use and benefit to the settlements of the present possessions. Colo. Crawford in a letter to me says, he built four houses on different parts of the Land; or made four improvements of some kind: if this can be proved it would defeat my opponents upon their own ground. I should be glad to hear frequently from you. Letters lodged in the post office at Baltimore or Alexa., will not fail of getting safe to my hands. I am, etc.

Record No. 621785 JULY 14 MOUNT VERNON G. W. TO THOMAS SMITH.¹³⁷

Sir: Your letter of the 9th. of Feby. was long on its passage to me; but my answer would not have been delayed 'till now, had not much time been spent in obtaining the several enclosures herewith sent you: a very necessary voucher however, viz the British King's proclamation, properly authenticated, forbidding the settlement of the Western Lands,¹³⁸ in defiance of which the Defendants took possession of the Land which was surveyed for military service, is not yet come to hand, but shall be sent as soon as it does.

135 Fitzpatrick. *op. cit.* 28:128.

136 Courts of Assize were composed of two or more judges who were sent on circuits to try, by jury, cases within various counties. See Bouvier. *op cit.* I:697.

137 Fitzpatrick. *op. cit.* 28:261-3.

138 To avoid further hostility between the colonists and the Indians, the King used the Proclamation of 1763 to prohibit granting any “. . . lands beyond the heads or sources of any of the rivers, which fall into the Atlantic ocean from the west and northwest. . .” This was generally understood to mean any land west of the Appalachian divide or the Allegheny Mountains. See Hening. *Statutes. op. cit.* VII:667.

The signature to Posey's Bond has the best proof of the handwriting I can obtain without incurring much trouble and expence: there are numbers in this part of the County, where he formerly lived, who are well acquainted with his hand writing; but these are far removed from the Executive of the State, or any of the judges of the Supreme Court of this Commonwealth. To me, I confess the proof seems unnecessary; for in my judgment there can be no higher evidence of the authenticity of the Bond, than the recognition of it in the Grant which, if I mistake not, expressly declares that it is granted to me as Assignee of John Posey; consequently this Government must have been satisfied of the legality of the assignment, and such as would warrant the Patent granted me thereon.

I transmit you the act of our Assembly¹³⁹ passed in the session of 1779, properly authenticated, in which is included all the Law relative to the present subject: in this you will find upon what footing settlement and pre-emption rights are placed; and what are the requisites necessary for rendering them valid. It is very certain the Defendants have not taken those necessary steps pointed out by Law, in order to give them a title by settlement or pre-emption: they knew that the Land had been surveyed for me; that it was always called mine; that one Cabin if no more was built upon it when they came there, and they were repeatedly forbidden from settling themselves there during the life of Mr. Crawford. Being thus apprized that their claim was contested, they should have submitted it to the decision of the Commissioners sent out to that Country for the special purpose of adjusting all such disputed titles; and altho' the jurisdiction of these Commrs. only extended to unpatented Lands, yet such a submission was necessary on the part of the Defendants, that they might obtain Certificates and act agreeably to the direction of the Law: as they failed to do this, I conceive they have precluded themselves from setting up a title by occupancy at this day: I say they failed to make this submission; because as I was never summoned to litigate their claim, any proceeding therein without such a process would have been illegal. I expect that one objection to my title will be, that this Land was not surveyed by a County Surveyor, but only by one invested with a special commission for surveying the 200,000 acres which were given as a bounty to the 1st. VA. regiment. But you will find that my case comes fully within the first clause of the Law; and as this Survey was covered with a military warrant, such as is mentioned in the Act, no person could more legally have made it than Mr. Crawford. I will observe here, that at the time this survey was RETURNED to the Office, Mr. Crawford was Deputy surveyor to Mr. Lewis. You will observe by a subsequent clause in the Law, that all locations made by Officers and Soldiers upon the Lands of actual settlers, shall be void; but this cannot operate against me for several reasons: in the first place it is confined merely to Locations, and cannot extend to Patents; secondly, admitting that my survey was made lawfully, then it is evident that instead of being intruded upon, the Defendants themselves were the intruders: and thirdly, setting my survey and Patent out of the question, I was the prior occupant and entitled to at least 1400¹⁴⁰ acres, admitting only one Cabin to have been built; altho' I believe, and Capt. Crawford in letters which I left with you expressly declares it, there were more; so that whichever way you view their title, it appears to be defective. From what cause I know not, but *I believe Capt. Posey's warrant is dated subsequent to the return of the Survey*¹⁴¹ [italics added] made by

139 See Hening. *Statutes. op. cit. X:xii.*

140 Anyone having settled on any of the western lands prior to 1 January 1778 was entitled to preempt up to 400 acres and those who built a house or hut or otherwise improved the land were entitled to purchase up to 1000 additional acres. See Hening. *Statutes. op. cit. X:39,40.*

141 Washington later reported that Posey's warrant was dated 25 February 1773. Washington asked Thomas Lewis to accept the survey that was based upon this warrant in February 1774.

Mr. Crawford, and if I remember right the recital in the Patent which you have make this appear; I apprise you of this lest any handle should be made of it by your Opponents.

The only difficulty which can arise in the prosecution of the ejectments in my conception (if my LEGAL title shou'd be thought insufficient, which I scarcely think possible) is to prove the EXTENT of my improvement before the Defendants took possession of the Land, and the warnings wch. they received afterwards to quit it.

Colo. Crawford who transacted my business in your County, or his Brother Val [Valentine Crawford] could have placed these matters in a clear point of view, as I dare say many others are able to do, if I knew who to fix upon and how to come at them; but never having an idea that it was necessary, and the removal of persons &c., may give some trouble.

To ease you as much as I am able of this, I have in a paper enclosed, put down the ground and supports of my title under all circumstances as they have occurred to me; and the plea which I suppose will be urged in behalf of my Opponents in opposition thereto.

I feel myself under great obligation to Mr. Wilson [James] for signifying a readiness to serve me in this suit, because I am satisfied motives of friendship more than of interest were at the bottom. His attendance in Congress must now render this impracticable if it were ever so necessary; but to me the case seems so clear and self evident, that I think nothing more is necessary but to state facts: however, as you understand the decision of your Courts better than I do, I leave it wholly to yourself to call in assistance or not, and from whom you please. I shall be glad to know when you think the cause will come to issue: if I could be morally certain of the time and nothing of greater importance should happen to prevent it, I would be in the Western Country at that time. I am, etc.

Record No. 63

1785 SEPTEMBER 10 MOUNT VERNON G. W. TO THOMAS SMITH¹⁴²

Sir: My last letter to you was so full, that I should not have troubled you again at this early period, but to observe as I did before, that upon reading the Proclamation which I then enclosed (and which I had scarce time to run over before it was dispatched), it appeared to me that as it forbid in general terms, the settlement of Lands upon the western waters, it might be necessary for me to adduce the subsequent Act of the King's Governor; by which the military rights under that Proclamation were recognized, and exempted¹⁴³ from the restriction thereof. Accordingly, I wrote to our Attorney General Mr. Randolph, for a certified copy thereof; under which the warrants for surveying these claims were directed to be issued; but in some measure he misconceived my request. However, his answer and reasoning applies with as much force to the order of Council, as

¹⁴² Fitzpatrick. *op. cit.* 28:261-3.

¹⁴³ The "*Act for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the commonwealth's land office.*" (May 1779) specifically repealed the 1763 restriction on settling land west of the Allegheny Mountains. It further stated that "All locations made by officers and soldiers upon the lands of actual settlers, shall be void..." See Hening. *Statutes. op. cit.* X:38-41. Pennsylvania opened these lands to settlement in April 1769. See Fitzpatrick. *The Writings. op. cit.* 2:522.

it does to the instruction which gave rise to it; I therefore send his letters with a Certificate of the Governor and the seal of the Commonwealth to give validity to the Acts wch. have been already forwarded to you from the Registers office under the direction of Mr. Harvie.

My title to the Land in dispute, in my own judgment, is so clear, that I can scarce conceive what my opponents will urge, that can have the least weight with an impartial Court and Jury; but as I apprehend there will be some management in obtaining the latter, it may not be amiss to apprise you, that from my best information (and a gentleman on whom I can depend, told me that he had it from Mr. Prothonotary Scott, brother to my principal opponent)¹⁴⁴ a majority of the occupants settled on the Land after my Patent had actually been issued, and consequently in his opinion, could not have the shadow of a claim. Putting my military *right* then, and all steps which were taken in consequence of it, out of the question, my improvment (admitting there never was more than one) which stands on the Land to this day, and which was acknowledged by themselves to be there when the Defendants first came to it, will entitle me, for settlement and pre-emption rights, to 1400 acres under our Laws, as you may perceive by the authentic documents already sent you: and these 1400 acres, without the aid of an irregular form and unnatural extension, would comprehend James Scott's farm, and I presume all those which were seated before I obtained my Patent. It appears to me therefore that in one way or other, they must be overthrown.

It has been reported to me (and as REPORT only I give it) that the Defendants are preparing to remove off. Whether, if true, the measure proceeds from a conviction of the futility of their claim, or that they mean to be prepared against the worst, or, as it was said whilst I was out, their only design was to gain time, I shall not decide: but be it as it may, as they have withheld the Land from me ten or twelve years after all the admonition I could give, and the favorable offers which have been made them, and finally have put me to the expence and trouble of bringing and supporting Ejectments, it is my wish and desire, whether they leave the land voluntarily, or are compelled to do so by a course of Law, that you will sue them respectively for Trespasses, rents or otherwise as you shall judge best and most proper to obtain justice for me. I should be glad to hear that this and my former letter had got safe to hand. I am, etc.

¹⁴⁴ James Scott, whom Washington claimed had been put on his land by Thomas Lapsley, was his "principal opponent."

Record No. 641786 MAY 1 *MARTHA LAPSLEY'S WARRANT TO HAVE LAND SURVEYED*¹⁴⁵

Whereas, *MARTHA LAPSLEY* of the County of hath requested to take up Two hundred and fifty ----- Acres of Land including an Improvement on the waters of Peters Creek adjoining land of *Benjamin Reed John Reed James Torrans* and others in Dickinson Township in the County of Washington- (PROVIDED the Land is not within the Laft Purchase made of the Indians) for which she agrees to pay, immediately, into the Office of the Receiver-General, for the use of this State, at the Rate of Ten Pounds per Hundred Acres, in Gold, Silver, Paper Money of this State, or Certificates, agreeable to an Act of Assembly, passed the First Day of April, 1784; Interest to commence from the first day of March 1783. THESE are, therefore, to authorize and require you to Survey, or cause to be surveyed, unto the said *MARTHA LAPSLEY* at the place aforesaid, according to the Method of Townships appointed, the said Quantity of Acres, if not already surveyed, or appropriated, and to make Return thereof into the Secretary's Office, in order for Confirmation; for which this shall be your Warrant.

IN WITNESS whereof, the Honorable Charles Biddle Esquire President of the Supreme Executive Council, hath hereunto set his Hand, and caused the said Seal of the said Commonwealth to be affixed, the first Day of May in the Year 1786

To JOHN LUKENS, esq. Surveyor-General.

Record No. 651786 MAY 12 *MARTHA LAPSLEY'S SURVEY OF LAND IS RECORDED*¹⁴⁶

A Draught of a Survey¹⁴⁷ called "*Rasbury fields*" situate on the waters of Peters Creek in Washington County, containing 288 Acs 52 ps and the usual allowance for Highways &c executed August ye 12th 1786 in Pursuance of a Warrant for 250 Acs granted to *MARTHA LAPSLEY* dated ye 1st of May 1786.

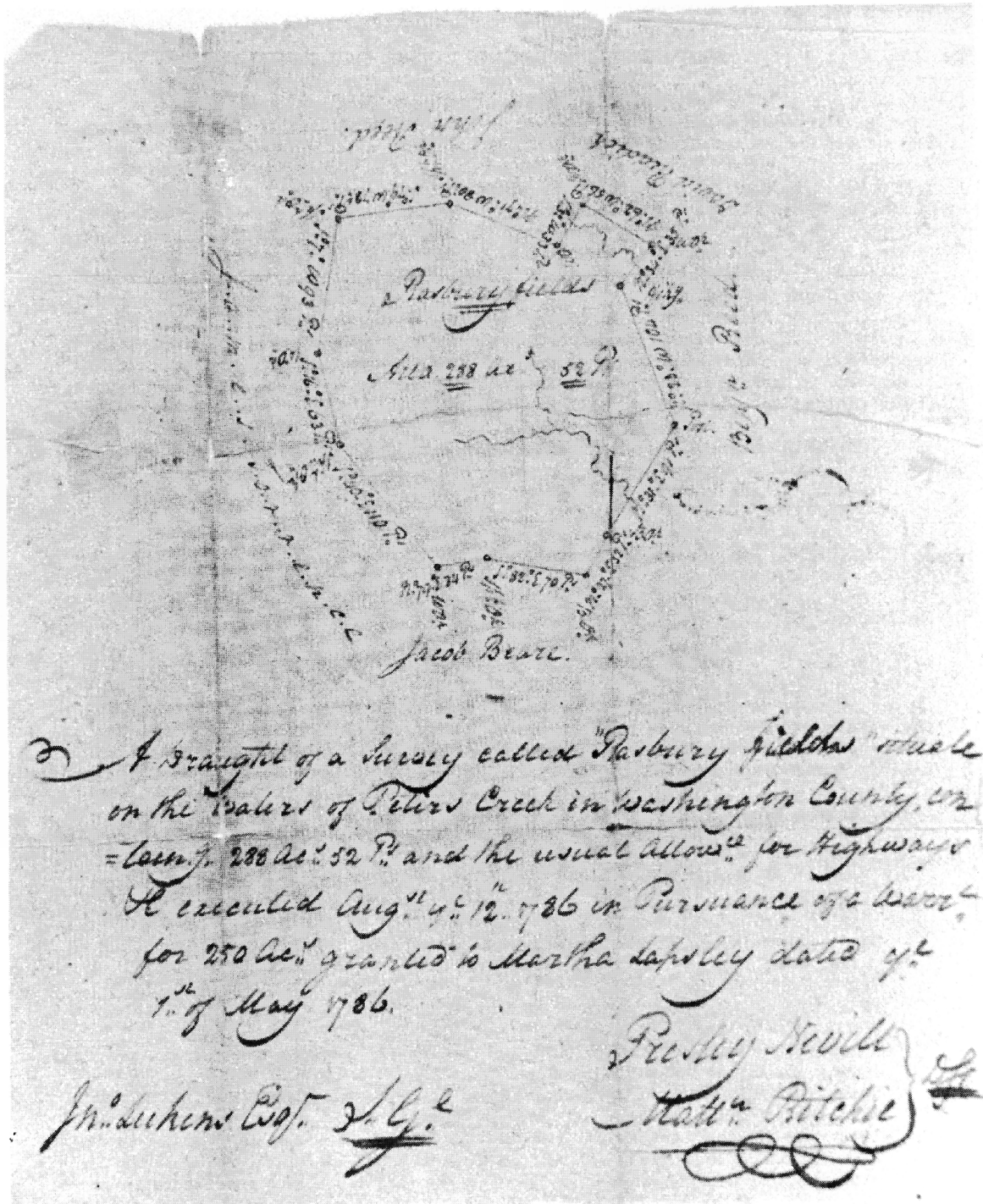
Jno. Lukens Esqr. S.Gl. Presley Nevill, Matthw. Ritchie D.S.s

145 Dept. Community Affairs. Bureau of Land Records. Harrisburg, Pa. *Book C-116, p 69.*

146 *ibid.*

147 A map of the survey is attached. Written on the reverse side is the following notation, "With Swim, Lapsley, Wallace & Shields May 1, 1786" Swim, probably refers to Barbara who, on the same date, was warranted land near Martha Lapsley. A John Wallace received a warrant to survey land near Martha Lapsley in December 1786. The land is in the Pleasant Hills subdivision, on Lewis Run Road, southeast of where it intersects with the Old Lebanon Church Road. For the locations of these lands, see "*Warrantee Atlas of Allegheny County, Pennsylvania*. Bureau of Land Records, Harrisburg, Pa., p 39.

Map of Martha Lapsley's Plantation



Record No. 66

1786 JULY 28

MOUNT VERNON

G. W. TO THOMAS SMITH¹⁴⁸

Sir: It would be more tiresome than interesting to assign reasons for my not having acknowledged receipt of your letters of the 26th. of Novr. and 7th. of Feby., 'ere this. It may be sufficient to inform you, that they came duly to hand, tho' I had not the pleasure of seeing Majr. McCormick whilst he was in Virginia, which I regretted, as I might have derived useful information from him respecting the the views and expectations of the occupants of my Land in Washington county; at the same time I might possibly have engaged him, or some other thro' him, who would have made it a point to bring forward such testimony as would evince, that pre-occupancy of the tract in dispute, was in me.

Without this I MAY fail in this particular, as it is not frequently found that people volunteer their services upon these occasions; but, on the contrary, that they generally hang back, from a desire of living (the idea is) in peace with their neighbours. For this reason I must refer you to the information given in my former letters; with a request that the evidences there named be summon'd (if you think it necessary) to prove what has been advanced.

The instances of decision, of wch. you have made minutes in your letter of the 20th. of Novr., in the western Courts, are indicative of a favorable determination of my Suit, and I would not depart from the legal ground on which I claim; yet as an auxiliary, the proof of pre-occupancy would drive my opponents from what they conceive to be their strong hold; for it is on this, (before what they call LEGAL steps were taken by me) that they, I am persuaded, rest their cause: but why ALL OF THEM should take this ground, when MOST OF THEM emigrated to this Country after the date of my patent, is misterious, and may comprehend more than I am aware of; for which, among other reasons, if I cou'd be ascertained of the precise time for the trial, I would endeavour to attend; especially as I have calls in that Country, among which, to dispose of that Land if the decision is favorable to me, and of my other tract where Simpson formerly lived, are most important. I have considered your remarks, and wish it was in my power to solve your Doubts; my answers shall be candid, tho' the explanations may be unfavorable.

However strange it may seem, the fact nevertheless is, that *Posey's [John] Warrant was not dated 'till the 25th.day of Novembr. 1773*, [italics added] (posterior, according to my opponents accot., to their settlemt.), this knowledge I have but lately obtained, and am exceedingly surprized at the fact, as the right was bought by me for this express purpose two or three years before,¹⁴⁹ as you may perceive by the date of the Bond which is now in your possession: this circumstance it is necessary to apprise you of, that if known to the Defendants you may be guarded against the force of it, as that the date of Colo. Crawford's deputation¹⁵⁰ is subsequent to their pretended settlement. The proof to the hand writing of Posey, I have already furnished you with.

148 Fitzpatrick. *op. cit.* 28:448-91.

149 On 14 October 1772 Washington entered in his account book, "By Cash pd. Captn. Posey for his Right to 3000 Acres of Land undr. ye Kings Proclamation of Octr. 1763--- 5 half Joes.£11.11.3. (Ledger B). See Fitzpatrick. *The Diaries. op. cit.* 11:83.

150 19 April 1774. See Chalkley. *op. cit.* 1:179.

I believe there has been no entry in the Surveyors Book of this tract; for I can find nothing there preceeding the record of the Survey; to what to ascribe this I know not, except to a neglect of office, or to the unacquaintedness of Colo. Crawford with business: the presumption however is, that the preceeding steps to issuing of the Patent, were legal and such as satisfied this government, under whose jurisdiction it was: and this Government having stipulated in its cession to Pennsylvania that the grants she had made, should be secured to the Grantees. I cannot conceive upon what ground the validity of mine can be questioned without arraigning the conduct of a sister State in the management of her own business.

The Council books, as I have before informed you, were either destroyed by the enemy, or mislaid as that no access can be had to them; it is not in my power therefore to furnish you with an authenticated copy of the Proclamation which takes off the restriction in that of 1763.

If you should hear of any persons wanting to buy improved Lands in the Counties of Fayette or Washington, I would thank you for letting them know that mine (already mentioned) are for sale. I wish you for no more than the real value of them, and if you could help me to fix this by comparison with the prices of Lands of equal quality, similarity of improvements and with the same advantages, in these Counties, it would oblige me. I would make the payments (being well secured) easy to the purchaser.

I should be glad to hear that this letter had got safe to your hands; an acknowledgement of it via Philada. or Baltimore, with direction to put it into the Post Office, will be most certain of a conveyance. I am, etc.

Record No. 67

1786 SEPTEMBER 11 COURT IS ANNOUNCED¹⁵¹

“PROCLAMATION. Whereas the honorable Thomas M’Kean, Esquire, doctor of laws, chief justice of the supreme court of the state of Pennsylvania, and of the courts of oyer and terminer and general goal delivery in and for said state, the honorable William Augustus Atlee, Esquire and the honorable Jacob Rush, Esquire, justices of the said supreme court, have issued their precept, bearing date the 29th day of July last, to me directed, for holding a court of oyer and terminer and general goal delivery, at the town of Washington, for the county of Washington, on Monday the twenty-third day of October next.

Notice is hereby given to all justices of the peace, the coroners and constables within the county of Washington, that they be then and there in their proper persons, with their rolls, records, inquisitions and examinations, and other remembrances, to do those things which to their office in that behalf appertain to be done, and all they who will prosecute against the prisoners that are or then shall be in the goal of ths said county, are to be then and there, to prosecute against them as shall be just.

¹⁵¹ *Pittsburgh Gazette. 11 September 1786.*

Dated at Washington the 11th day of September,
 in the year of our Lord one thousand and seven hundred
 and eight-six, and in the eleventh year of
 American independence.

James Marshel, Sheriff¹⁵²

Record No. 68

1786 SEPTEMBER 22 VIRGINIA G. W. TO CHARLES SIMMS¹⁵³

Dear sir: I now sit down to avail myself of your friendly offer of serving me, whilst you are on your Western tour.

I give you the trouble of some letters: that to Mr. Smith I leave open for your perusal, please seal before delivering it. Mr. Smith has my Patent. Posey's Bond on which my military right was founded, and on which the warrt. for surveying issued, together with every other public and private document which could be obtained in evidence of the regularity and legality of my claim. The plea of the Defendants will be, I know, that I cannot trace any steps of regular and authentic proceedings, back to their occupancy. For say they, you can find no entry in the Surveyor's books, nor on the records of Council, previous to *the Survey*; which is *the first legal process you can adduce, and this is not dated 'till Feby. [1774] when our settlement of the Land was in the month of Octr. proceeding, nay more, your warrant of Survey, which was laid upon this Land, received date in Novr. subsequent by a month to our settlement. The latter (under the rose) I believe is fact* [italics added], and is as unaccountable, as it may be unlucky, as my purchase from Posey (for the express purpose of covering this tract) was made, as will appear by the Bond, if my memory has not deceived me, in the year 1770; this difference, if it is not founded in mistake, is altogether incomprehensible, as *the land was explored and surveyed for me the first time in the fall of 1770,*¹⁵⁴ [italics added] or early in the following year; and this right, as I have before observed, was intended as the legal security to it.

The first and second surveys, or in other words, the legal return of the first differing dates, were both made by Captn. (afterwards Colonel) Crawford. The first was made whilst his commission was local; given for the express purpose of surveying 200,000 acres granted by Mr. Dinwiddie's

152 James Marshel (b 1753, Lancaster Co., Pa.) settled at Cross Creek prior the Revolution. He was a captain of militia and a justice of the peace in Westmoreland Co. When Washington Co. was organized he was commissioned a presiding judge. He acted as sheriff between 1784-7. See Ferguson, Russell J. *Early Western Pennsylvania Politics*. Univ. Pittsburgh Press, (1938), p 46.

153 Fitzpatrick. *op. cit.* 29:7-12.

154 Not until 4 November 1773 did the Virginia Executive Council advise the governor to issue warrants for the purpose of surveying lands on the western waters. Prior surveys for the soldiers claiming bounty land under the Royal Proclamation of 1763 observed the restrictions it contained. As late as 17 June 1774 the Council advised the governor "...to represent the whole Matter [viz, his Majesty's instruction from granting lands on any of the Western Waters] to his Majesty for farther directions thereupon." See Virginia Council. *Executive Journals of the Council of Colonial Virginia*. 6:549, Richmond (1966).

Proclamation, to the officers and soldiers of the FIRST Virgia. Regiment. The second, or, as I have before mentioned, the return, was made after¹⁵⁵ he had received a *deputation* under Mr. Thos. Lewis for Augusta, in which County the land was supposed to lie, and *this* [italics added] I believe did not happen 'till Feby. [sic, April 19] 1774; consequently the date of the deputation.

Upon these grounds, my LEGAL TITLE I am convinced will be disputed, with a view to establish THEIR OCCUPANCY; but there is an act (an authentic copy of which I have sent Mr. Smith) which legalizes the surveys of Crawford from the period he first held a commission from the College [William & Mary]. But for Arguments sake, supposing my Patent, and every thing which led to the attainment of it, were mere nullities, and my military claim out of the question, had I not an equal right with any other Citizen or subject, to obtain land in that Country? It cannot be laid to my charge that I have been either a monopolizer, or land-jobber, for I never sold a foot of Land in the Country, nor am I possessed of an acre west of the Allegheny (and the quantity comparatively speaking is small) that I do not hold under military rights; except the tract at what is called Washington's bottom, and about 2 or 300 acres at the Gt. Meadows, both of which I purchased: the latter at a high price. And that I surveyed this land before the defendants ever saw it; built one or more Cabins thereon before they came into the Country; hired people to live on it; gave them repeated notices of my right afterwards of the consequences of their usurpation, are facts. But whether evidence can NOW be obtained in support of all of them, is questionable; as the two Crawfords who were my principal Agents in that Country are both dead, others knowing to the transactions, removed, and a third sett unwilling, I have no doubt to come forward. Yet under these disadvantages, Charles Morgan will be able, or I am mistaken, to prove the survey was made a year or two before the Defendants pretend any claim to occupancy (the date of which requires better proof than their own assertion). And I think he is the most likely person to prove also that there were cabbins erected thereon for my benefit, claims antecedent to those of the Defendts. purchased by Crawford on my accot. to avoid disputes, a man hired to live on the land to keep other off it, and that frequent notices were given to them of the lands being mine, and admonishing them to quit it.

Marcus Stephenson must be knowing to many if not all of these circumstances. but a spell of sickness, I have been told, has impaired his memory, and may have rendered him an unfit evidence. Major Lite [Jacob Hite?] and George McCormick, or the brother who married Colo. Crawfords daughter cannot, I shou'd think, be unacquainted with many of these facts. There can be no question of Colo. Cannon's [John Cannon] testifying to what I have recited in my letter to Mr. Smith, because I had the information from his own mouth and he is a Gentn. of credit. I should think it strange indeed, if Colo. Jno. Stephenson from his connexion and intimacy with Colo. Crawford is not privy to most of these things. Possibly Mrs. Crawford may be as strong an evidence to some points as any one. Captn. Swearingin [Van Swearingen] also seemed to have knowledge of them.

The reason of my being so particular with you, my good Sir, is, that if any of these people should fall in your way, and upon enquiry It shall be found that they possess the knowledge I conceive of these transactions, but are unwilling to come forward, that effectual steps may be taken to compel them. There is reason to apprehend that an oath ONLY will extort from SOME OF THEM all they do know. Colo. Cannon, Chas. Morgan, Marcus Stephenson (if he has recollection enough), and perhaps Majr. Lite, must be more intimately acquainted with Colo. Crawfords proceedings on my

155 The survey was returned to Thomas Lewis on 17 February 1774. Crawford was not made a deputy surveyor to Mr. Lewis until 19 April 1774.

behalf in the early stages of this business, than any others. Morgan or Lite surveyed the Land; M:Stephenson carried the chain, and, I believe made the improvements. What G: McCormick and Cptn. Swearingin can say in the case, I know not, both I believe would willingly serve me, and would point out if they are acquainted with them, the evidences that may be essential on the tryal if it shall be found necessary for me to attack on this ground.

The enclosure No. 2 contains some queries which were put to Mr. Smith, but not answered, tho' touched upon by him as appears by his letter No. 3. I will thank you for doing what shall seem necessary in this business. There is an open Accot. between Vale. Crawford and me, by which it appears that he is about £100, in my debt. Conscious of this, and of my engagements for his, unsolicited, he wrote me the letter and sent me the Bill of sale referred to in my letter to Mr. Smith of the 8th. of May last, and now in his trust.

My Lands in Pennsylvania (west of the Laurel-hill) have been so unproductive of every thing but vexation and trouble, that I am resolved to sell them at long or short credits, as may best suit the purchaser, provided I can get near the value of them. The tract where the Mill is, lying in Fayette County, and commonly called Washington's bottom, contains about 1650 acres. The one in dispute, lying in Washington county, contains about 2,800 acres. The defendants were a long time deliberating on eligibility of giving me 25/per. acre, rather than to engage in a Law suit; but finally chose the latter: they must give more now if I cost them. Should you hear of any purchasers, or if you could discover the price it is probable to obtain from them, you would render me a service by the communication. Inclosed are several advertisements, one of which I pray you to have set up at the Court houses of the County in which the Lands lie, at Pittsburgh, and at such other places as you may think best.

I give you the trouble of proving (I believe before a Magistrate) the power of Attorney which I have executed before you, and to send it with my letter inclosed to Major Thomas Freeman who does business for me in that County.

I paid Mr. Smith, at the time the Ejectments were brought, some £20 If you could by indirect or other means, discover what would be proper compensation for his trouble in this business, I should be much obliged by it. I have had in the course of my life, so little to do with Law and Lawyers, that I feel myself extreamly awkward in these matters.

With sentiments of great esteem, etc.

ADVERTISEMENT

The Subscriber would sell his land in Fayette County, State of Pennsylvania, containing about 1630 acres, distinguished, commonly, by the name of Washington's Bottom Also, About 2800 acres on Miller's-run, a branch of Shirtee, in Washington Coty. and State aforesaid, if the Ejectments now depending are decided in his favor. The credits may be long or short according to the price given. To describe these Lands is needless, as the presumption, and wish of the proprietor is, that those who incline to purchase, would examine them well. Majr. Thos. Freeman will shew the land in Fayette County; and Majr. Geo:McCormick the other tract.

Record No. 69

1786 SEPTEMBER 22 MOUNT VERNON

G. W. TO THOMAS SMITH¹⁵⁶

Sir: the letter which you did me the favor of writing to me from Philada. the 9th. ulto came duly to hand.

A fever, of which I am but just recovered, makes me fearful of encountering the bad roads and disagreeable accommodations between this and the Western country at this season: other circumstances too, rendering it inconvenient for me to be from home at this time, have combined to set aside the journey I had it in contemplation to make to the Court of Nisi prius¹⁵⁷ to be holden in Washington county State of Pennsylvania, on the 23rd. of next month. Nor, upon a revision of the notes with which I have furnished you, do I see wherein I could add aught to them, were I to be present at the trial. *The summoning of a Jury so long before the merits of the cause will come LEGALLY before it, is, in my opinion, very much against me* [italics added]; for there can be no doubt but that every indirect (If not direct) means, which the Defendants and their friends can adopt, will be used to impress the members who constitute it, with all circumstances favorable to their claim. However, if it is an event to be regretted, it is equally unavoidable, as it is constitutional

There were Proclamations (as I have observed on a former occasion) and orders of Council in this State previous to the Revolution, which, could they have been adduced, might have subserved my cause, in as much as it would have appeared from them, that tho' military rights were recognized, and warrants of Survey were actually issued by the Executive previous, to the occupancy of the Defendants; yet, that their settlement of the Lands which were considered as appertaining to the State of Virga. was expressly contrary to a pointed Proclamation, consequently must not only have been illegal, but highly unwarrantable, as it was an invasion of private right (for the Defendants do not deny having been informed that the land was surveyed for me) as well as a contempt of public authority; however, the records of these proceedings are lost, as you will find by the authenticated Certificate, which has been heretofore sent you.

My opinion of the case, as I have mentioned in a former letter, is, that the legal title ought to be insisted upon strenuously; and that the Deed, as it was the last solemn act¹⁵⁸ of the Government, should be considered as conclusive evidence of the regularity of the antecedent proceedings; it being a fact well known in this Country, that by the removal of the Records from Williamsburgh whilst the enemy were manoeuvring in the State, many of them were lost or destroyed. To argue otherwise, is to arraign the conduct of the Government in the management of its own internal policy; and I do not know under, or by what authority the State of Pennsylvania can NOW, after having made a solemn compact with this State, by which she engages to confirm all legal established titles, go into such an enquiry. But, if notwithstanding, from the complexion of matters it should be conceived that the plea of pre-occupancy is likely to have weight; I would THEN as if to shew that EVEN ON

¹⁵⁶ Fitzpatrick. *op. cit.* 29:12-15.

¹⁵⁷ "For the purpose of holding trials by jury." See Bouvier. *op. cit.* I:2371.

¹⁵⁸ Governor Dunmore did not flee from Williamsburg until 5 June 1775 about one year after the date of the patent to Washington. Washington seems to mean "final approval" was given by the government.

THAT GROUND the defendants stand hindmost, call evidence to prove that the land was surveyed for me before they came into the Country; that a cabbin if no more (for one remain'd there in 1784) was built on the land before they ever saw it; that Colo. Cannon had fixed himself thereon before them; but discovering traces of a regular Survey, and upon enquiry finding it was made for me, quit it after having done some work thereon; that the Defendants were also told that the land belonged to me, whilst they were in the act of settling upon it, and were repeatedly informed of it afterwards, and admonished by public notices and private intimidations of the hazard they run, as I was determined (as soon as my public duty would allow me to attend to private concerns) to assert my right to the land. These all are indubitable facts; but where the evidences are, or by what means they can be drawn forward to prove them, are questions which I am not able to solve; unless Colo. Crawfords letters will be admitted, and those persons whom I have named in the notes formerly sent to you, will make them appear.

As I have confided this cause entirely to your management, I should, if Mr. Ross's abilities had not spoke so powerfully in his favour, have been perfectly well pleased at your choice of him as a coadjutor. With talents such as you describe, I cannot but be highly satisfied therewith.

My friend Colo. Sims, who will do me the favor of presenting this letter to you, is called to the Western Courts in your State on some business of his own. He perfectly understands the Laws of this State, the practices of our Courts, and the principles of our Land Office. You may place entire confidence in him, safely trusting him with all the communications I have to you and with a sight of the papers if he should incline to see them.

I am much obliged to you for the information respecting the Bill of Sale from Vale. Crawford. At the time of my writing to you on this business, I was quite ignorant of the agency you had in the matter, on behalf of another, the declaration of which will, I hope, be an apology for my application to you in a case where you were Counsel for another. I have requested the favor of Colo. Simm to do, or cause to be done what shall appear just and proper in this case. To secure my debt is all the inducement I have for resorting to the Bill of Sale.

I ought my good Sir, to have recollected the trouble you have had in this business 'ere this, and I intended to have compensated it out of the funds I had in that country, but in truth they have been very unproductive, but if you will be so obliging as to inform me by Colo. Simm with what sum can equal your expectations, I will resort to other means to lodge it in Philadelphia for you. With very great esteem, etc.

Record No. 70

1786 NOVEMBER 7 BEDFORD, PA. THOMAS SMITH TO G. W.¹⁵⁹

Sir: As the bearer is going immediately to Alexandria, I expect the Post Office there, I lay hold of the opportunity to inform you that on the 24th, 25th and 26th days of October, the Ejectments which I had the honour of bringing for you against James Scott and 12

¹⁵⁹ The George Washington Papers. Series 4:12, 935. Reel 96. See also Konkle. *Life and Times of Thomas Smith. op. cit.* 182-5.

others for lands on Millers Run, were tried¹⁶⁰ at Washington at Nisi Prius, & I have the very great pleasure to inform you that Verdicts have been given in your favour in every one of them your satisfaction upon this occasion may be equal to, but cannot exceed mine. I never was more agitated between hopes & fears in any cause in which I have been engaged-- I had, during the War been repeatedly chosen into almost every honourable office which my fellow Citizens could bestow, to which my mind gave me no pretensions & which must therefore have been the more flattering to my vanity but believe me Sir when I assure you that I am more proud of having it said that General Washington selected me as his Counsel in an affair of this importance, than of all the distinguished stations in which I had been so often placed.

I had good information that James Scott had the most plausible claim & that he was the ringleader or director of the rest; I therefore resolved to take the Bull by the Horns & removed the Ejectments into the Supreme Court¹⁶¹ (*italics added*) in fast order, as to have it in my power to try the Ejectments against him before the rest, reserving the Rule, so that had any unforeseen point turned up against me I could try the rest or not as I pleased.

That Trial therefore was ordered in on the 24th after Dinner & lasted that afternoon & the next Day & till 11 o'clock in the forenoon of the 26th when the Jury gave a Verdict for the Plaintiff. I thought the other Defendants would have contested Judgments & would not have been so mad as to have risked weaker cause before the same jury, but I was mistaken, every one of them insisted on having a trial nay each would have demanded a separate trial; but as I had consolidated the Ejectments against these Defendants, they were obliged to try them all together & the trial did not last long. I take it for granted that many of the Jury wished it had been in their power to have given Verdicts for the Defendants; I know that we had very strong prejudices, artfully fomented, to encounter-- I had applied to the Court to name the jury at a Time when the Bench was filled with such Justices as I believed would make out the most impartial list, which it was possible to obtain,

I can truly say that I only wished to have an impartial & dispassionate Jury, which I believed I could not otherwise obtain, & therefore I gave them notice to attend on a certain Day at the Prothonotary's Office in Philadelphia to strike-- they thereupon agreed that it should be done on the spot-- I took down the Jury list to Philadelphia myself having other business there--brought up the proper proofs--informed myself what witnesses might eventually be necessary, and even served the Subpoenas on as many as attended the preceding County Court.

I was assisted by Mr. Ross in a very masterly manner-- as had consulted together before I had the honour of receiving your Letter by Col. Sims, & it gave us satisfaction that we had agreed to conduct the trial upon Plan pointed out in that Letter that I had transcribed & brought up the Cases from the Books which were not be had at Washington to support the points on which you directed me to reply. In the letter last alluded to, you desired me to inform you with what sum you can equal my

¹⁶⁰ Hugh Henry Brackenridge (1748-1816) represented the defendants. He had been born in Scotland and, when about 5 years old, emigrated to Pennsylvania with his father. He was graduated from Princeton College in 1771 and served as a chaplain throughout the Revolutionary War. In 1781 he settled in Pittsburgh, was made a judge in 1789 and from 1799 until his death served as a judge of the Pennsylvania Supreme Court. See *PA 2nd Ser.*, 4:119 *fn.*

¹⁶¹ No record of the "...Pennsylvania Supreme Court decision in that ejectment litigation..." has been found. See Bothwell, Margaret P. in *WPHM* "The Astonishing Croghans" *op. cit.* 142.

expectations, & that you will lodge it for me in Philadelphia-- That (I) had motives in conducting this business, far more forcible than pecuniary considerations & therefore I trust you will pardon me if I decline naming any sum.

Mr. Washington who was at Fayette County with you, or Col. Simms will readily point out what is usual on such occasions and Mr. Ross to whom I have promised to divide with what I receive, & I will be perfectly satisfied-- I hardly know how to express myself-- let me assure you that I do not wish to receive a large fee.

I will take your Papers to Carlisle & will send them from thence to some place, either in Philadelphia, or Baltimore, as you will please to point out.

I believe that the Defendants in the Ejectment will be with you soon and endeavor to do what they ought to have done when you made them the offer. I verily believe that it was more their misfortune than their fault that they then rejected you have now THIRTEEN Plantations-- some of them well improved--I take it for granted that the improvements increase the value of the Land much more than all the expenses of the the Ejectments-- those who made them are not reduced to indigence-- they have put Crops this season which are now in the ground-- they wish to be permitted to take the grain away-- to give this kind may be improper in me-- to say more would be presumpt

Orders for obtaining Possession cannot be issued till the Supreme Court sits in January-- it will be necessary that you appoint an agent in the county to take Possession & lease the land for you-- otherwise the fences & even the buildings will probably be burned or otherwise destroyed.

Major Freeman put into my hand several small Bonds due to you to put in suit I have recovered most of the Money & paid it over to him- - he says he has some others, which when the Money shall be wanted I will pay to your interests as to his own.

I Pray you to excuse the length of this letter-- It is written during the hurry of the Court here & therefore I had not time to make it shorter, nor to write so fully as I wished. I have the honour to be with the utmost respect

Sir

Bedford 7th November 1786

Your very humble & most
obedient Servant,
THOMAS SMITH

P.S. Nothing can excuse me for writing to you in this desultory & hasty manner but my belief that you wish to have the earliest information respecting the event. There was a Gentleman who left Washington town after I heard that the Jury had agreed on the first Verdict & was going down into Virginia near to Mount Vernon-- Col Neville, at my desire, requested him to stay 'till they should give in their Verdict in Court; but he would not, his business requiring him to be at a certain place by a certain hour.

GENERAL WASHINGTON

Record No. 711786 NOVEMBER 27 MOUNT VERNON G. W. TO GEORGE McCARMICK¹⁶²

Sir: I have received your letter of the 31st. of October, and thank you for information contained therein. Since which I have obtained a full account of the decisions in my favor against the settlers of my Land on Miller's run, from Mr. Smith.

Altho' those people have little right to look to me for favor or indulgences, and were told, if they run me to the expence of a Law suit, that they were not to expect any; yet, as they are now in my power it is not my wish or intention to distress then more than the recovery of my property obliges me. They may therefore continue on their respective places either as Tenants at an equitable rent which shall be deemed reasonable between man and man, or as purchasers, if the terms can be agreed on between us; but they, nor no others will ever get it for 20/pr. acre, this is five shillings less pr. acre, than these people would have given whilst the matter was in dispute, could we have agreed on the security and times of payment. It will be a matter of indifference to me whether I sell the Land altogether, or in parcels of 2, 3, 4 or 500 acres, provided in the latter case the price is proportioned to the quality of the Land and the improvements thereon; and provided also that it is laid off in regular form and in such a manner as not to injure the rest. Nor should I be very solicitous about the payments, if the principal is well secured and the interest regularly paid at my house without giving me any trouble in the collection of it. For if this should be the case I would immediately put the Bond or Bonds in suit. A part of the purchase money I should require down, or at a short period, perhaps one fourth. On these terms also I would dispose of my land in Fayette county, near Yohoghany.

If I had known that you had removed from your former place of abode near my Land, to Cat-fish,¹⁶³ I should not have taken the liberty of referring those who might wish to become purchasers of it, to you to shew them the land, as it was too inconvenient for you to do it; but would have requested this favor of Colo. Cannon, who lives more convenient. The same cause prevents my requesting you to have an eye to it now. It could only suit a person who lives near, and can know almost every day, what is doing on the places, to take charge of them if the present occupants are determined to move. But if your Jersey friends or others should want to become purchasers, you might oblige them and me too by letting them know that my lands are for sale.

If it was really necessary to have the outlines of the Tract run, in order to ascertain the boundaries of it, I am very willing to pay the expence, but the course by which this was done ought to have been taken from the Patent as the final act.

I am much obliged to you for the information respecting the expeditions of Genl. Clarke [George Rogers Clark. He led an expedition against the Wabash Indians in the summer of 1786] &c., and for the account from Detroit. I wish, most sincerely, that the first may answer the purpose of giving Peace to the Western Settlements.

¹⁶² Fitzpatrick. *op. cit.* 29:86-88.

¹⁶³ The town of Washington, the seat of government for the county of same name, was established on the site of an Indian village known as Catfish Camp. It was named Washington in October 1781. See Mulkearn & Pugh. *Guide. op. cit.* 29:85-6.

Mr. Lear,¹⁶⁴ a young gentleman who lives with me and who is the bearer of this letter, will probably deliver it. If he should stand in need of your advice or assistance, I pray you to give it to him. I am, etc.

Record No. 72

1786 NOVEMBER 27 MOUNT VERNON G. W. TO PRESLEY NEVILLE¹⁶⁵

Dr.Sir:Accept my thanks for the information given me in your letter of the 25th. ulto.from the Court House of Washington, respecting the decision of one of my Ejectments. I have, since, been informed by Mr. Smith, of the favorable issue of the whole, and of the necessity there is of my paying immediate attention to the Tenements to prevent the waste and damage which otherwise will follow.

Consequent of this advice I send Mr. Lear, a young gentleman who lives with me, into that Country to take such measures for the preservation of my property as the exigency of the case, when investigated, may require. As it is more than probable he will see you, your friendly information of matters respecting this business, and advice to him would highly oblige me; as also your civilities to him.

Altho' the present occupants have little right to look to me for indulgences, and were told not to expect them; yet, as they are now in my power, it is neither my wish nor intention to distress them further than the recovery of my property from their usurpation, must unavoidably involve them in. They may therefore become Tenants upon terms equitable between man and man, or purchasers, it being my intention to dispose of the Land, from a conviction that property at the distance that is from the proprietor of it, never can be converted to uses so beneficial as the money arising from the sales; because those in whose fidelity and care we can depend, are too independent, and generally have too much business of their own to attend to smaller matters; and others who are less qualified, and more ready to accept trusts of this sort, are too apt to abuse them: this I have found to my cost.

As Pittsburgh is a point to which emigrants from the northern and Eastern States, and foreigners almost universally, direct their first steps, you would do me a favor to let those who may enquire for cultivated places in your presence, know that that tract, as well as the other (commonly called Washington's bottom) in Fayette county, are for sale. I would sell them altogether, or in parcels; but not, by the latter mode, in such a manner as to injure the sale of the rest. I would also give credit for the whole or greatest part of the purchase money, provided the principal is well secured, and the interest arising therefrom regularly paid at my own house without trouble or delay. You would oblige me too, my good Sir, by giving me your candid opinion of the value, or in other words, what these Lands ought to sell for upon the terms here mentioned.

If your Father is in that country now, I beg to be remembered to him and to Mrs. Neville. With esteem and regard, I am, etc.

¹⁶⁴ Tobias Lear (1762-1816) was Washington's personal secretary from 1786-93 and 1798-99. See Twohig, Dorothy (ed.) *The Papers of George Washington. The Journal of the Proceedings of the President 1793-1797*. Univ. Press of Virginia, Charlottesville (1981).

¹⁶⁵ Fitzpatrick. *op. cit.* 29:85-6.

Record No. 731786 NOVEMBER 28 MOUNT VERNON G. W. TO JOHN CANNON¹⁶⁶

Sir: I have just been advised by Mr. Smith, my counsel, of the favorable issue of the Ejectments I was compelled to bring for the recovery of my land in your neighborhood; and of the necessity there is for me to appoint an Agent to take care of my interest therein.

As I am not acquainted with anyone, who lives near the land, in whom I could place such entire confidence as yourself, permit me to ask if you could make it convenient to take charge of this Tract, so far as to see that each tenement, for the preservation of it, has some person living thereon, upon the best terms you can get them. And that you may not conceive, Sir, that I mean to give trouble without compensation, I beg leave to inform you, that whatever you may think adequate to the former, I will readily allow.

Altho' the present occupants of it have little reason to expect favor or indulgences at my hands, yet as they are now in my power, I do not wish to distress them further than the repossession of my Land, and common justice to myself naturally tends to. I am willing therefore they should remain on their respective places at such a rent as shall appear reasonable and just between man and man; and this I am perfectly willing you should fix, without considering, or in any degree attending to the loss I have sustained by being kept out of my property for more than twelve years. If you should incline to undertake this trust in my behalf, I shall be well satisfied with these or any other tenants, for the ensuing year; a longer term, I do not at present incline to let the Tenements for, as it is my intention to sell the land if I can obtain what I conceive it is worth and would not encumber it with Leases.

From the present scarcity of money I know it would sell low for ready cash, or on short credit; but permit me to ask your candid opinion of its real worth, and what you think it would sell for if credit was given for three fourths of the purchase money, three, four, or five years, with interest to be regularly and punctually paid at my own house during that term; and whether you conceive it would be most advantageous to me to sell it by the tract, or in parcels of one, two, three four, or five hundred acres, as be most convenient to the purchasers?

Mr. Lear who lives with me and who I expect will deliver this letter to you, will, if it is necessary, explain any matter that I may be deficient in.

I beg leave to recommend him to your civilities, and friendly advice what steps he had best take in this business, if you should be disinclined to engage in it yourself. With esteem, I am, etc.

¹⁶⁶ *ibid.* 29:90-1.

Record No. 74

1787 MAY 14 DAVID REDICK TO HON. JONATHAN HOGE¹⁶⁷
Washington, Pennsylvania

The Indians have begun their depredations; about ten days ago they killed a Family at the Mouth of Fish Creek, which heads in this County and falls into the Ohio about 12 miles below the State line. Last Tuesday Mr. Robt. Purday and his family was killed about 20 miles from this place, in Ohio County, Virg'a. Mr. Purday's wife is still liveing, and it is hoped will recover of the Tomhawk & Scalping knife. The Indians, contrary to their former way of waring, attacked 3 houses in the night without Firearms. The Discretionary Order to the County Lt. which I pray'd Council to grant last weinter, is now much wanted. It is a verry hard Case to see our Neibours driven from their homes, and because they happen to be on the other side of the State line, we cannot afford them any Relief; nor can we properly say WE are invaded untill the enemy attacks, AND KILLS TOO, on this side of the line. This unhappy Situation puts me in Mind of an old law of the Provence of Pennsylvania, which prohibited any person from shooting at an Indian until the Indian first shoot at him. I am sure it would be better for us to fight the Enemy in Virginia than in our own State, and unless they are met and checked there, they will soon be upon us.

I cannot think that any unbecoming use would be made of the order I mention, and I would willingly hope that Council will now think it prudent to forward such an order to the Lieu't of these three Western Counties--- through you, Sir, it will come before the Council. I would have wrote to the President & Council on the Subject, but a Coppy & digest the Subject to fit it for them...

I wish to hear from the Vice Pres't, how he is; please to present him my best wishes. I am, Hon'd Sir, yours, &c., DAVID REDICK

We are without Arms & Ammunition; perhaps Council could procure us some from the Continental Store at Pitt.

The high Sheriff of Ohio County came to town this Morning, and tells me that the people of that County is in the Utmost Consternation; that they are without Arms or Ammunition, and that if the Savages should continue their depredations they must, without some relief from us, be ruined. I believe we Could muster amongst ourselves nearly Firearms enough, but have no stores else, nor is there any powder to be got on purchase on this side the mountains as far as I can learn.

D. R. Directed,

Hon'be Jonathan Hoge, Esqr.

¹⁶⁷ *PA 1st Ser., 11:149-50.*

Record No. 75

1787 NOV 6

JAMES MARSHEL TO PRES. FRANKLIN¹⁶⁸

Sir, From late and authentic Accounts from the County of Washington, two families, Consisting of seven persons in each, six of whom, in each family, have been lately killed and scalped, and the remaining two persons taken prisoners by the Indians. This Circumstance, together with others of a like nature, in the neighbouring Counties in Virginia, I find has much alarmed the Inhabitants of Washington County. We are at present in a very bad situation for Defence, and our Circumstances in general, more Especially that of the frontier Inhabitants, is such that very few are able to purchase even a small Quantity of Ammunition. Besides, the frontier people of that County have suffered Considerably in the late war, and are by no means able to make so noble a stand as they then did. Permit me to observe... That in my opinion it will require at least one hundred men even to watch the approach of the Enemy, and that if two hundred active woods men were employed under the command of Experienced Officers it would probably be sufficient inducement to the frontiers to make a Stand. I well know the circumstances of the people on the frontiers and that however well disposed they may to support the Government as well as preserve their property, yet Considerable part of Washington County will be Evacuated should the Indians make incursions on our, or the neighbouring frontiers next spring, the people do not believe the Indians will discriminate between Pennsylvanians and the citizens of any other State, and the fact is they have not done it in their late depredations, for the last family they destroyed lived within thirteen or fourteen miles of the Center of Washington County.

Since I began to write I have had an account of Another family being killed in Washington County, near Pittsburg; this will, no doubt, also alarm the people of Westmoreland County, as they are Equally Exposed with us, and I Believe are in no better situation for Defence. I hope, therefore, that your Excellency and your Hon'ble Board will provide for the preservation and safety of our frontiers, and that the people may have timely notice thereof, that Instead of preparing to remove to a place of safety, they may prepare such places of safety on the present line of frontiers as they may think most advisable.

168 *ibid.* 209-10.

1789 MAY 15 PLANTATION "RASBERRY FIELDS" IS PATENTED TO
*MARTHA LAPSLEY*¹⁶⁹

to the place of beginning, containing Two hundred and Eighty eight Acres and fifty two perches-- and allowance of Fix per cent for roads, &c. with the appurtenances which faid tract was surveyed in purfuanee of a Warrant granted to the said *MARTHA LAPSLEY* dated 1st May 1786----- To have and to hold the faid tract or parcel of land, with the appurtenances unto the faid *MARTHA LAPSLEY*----- and her heirs, to the ufe of her the faid *MARTHA LAPSLEY* ----- her heirs and affigns forever ----- free and clear of all reftrictions and refervations as to mines, royalties, quit-rents or otherwife, excepting and referving only the fifth part of all gold and filver ore for the ufe of this commonwealth to be delivered at the pit's mouth, clear of all charges. In Witnefs whereof his Excellency Thomas Mifflin Esquire ----- Prefident of the Supreme Executive Council hath hereto fet his hand and caufed the ftate feal to be hereto affixed in Council the fifteenth day of May in the year of our Lord one thoufand feven hundred and Eighty nine - - and of the commonwealth the thirteenth--

Inrolled 28th May 1789 Thos. Mifflin

169 Dept. of Community Affairs. Bureau of Land Records. *Book P, Vol 16, 16.*

Record No. 771789 MAY 15 THOMAS LAPSLEY'S PATENT TO THE PLANTATION KEN¹⁷⁰

The Supreme Executive Council of the Commonwealth of Pennsylvania, To all to whom thefe Prefents come, Greeting: Know ye, that in confideration of the monies paid by *THOMAS LAPSLEY* into the Receiver Generals Office of the Ftate Proprietaries at the granting of the Warrant herein after mentioned and of the Sum of Five pounds three shillings lawful Money now paid by him into our Receiver Generals Office----- there is granted a certain tract of Land called "*KEN*" situate on the West side of Monongahela River on small Branches of Peters Creek and near the Road leading from the New Store to Pittsburg in Dickinson township Allegheny County Beginning at a Black Oak thence by vacant land South fifty eight degrees West One Hundred and thirty five perches and four tenths to a hickory South five degrees West Sixty six perches and four tenths to a White Oak and South Seventy two degrees & an half East One hundred & twenty seven perches to a post thence by land of *James Irwin* North fifty eight degrees East eighty perches and six tenths to an Oak thence by land of *John Doogan* North Eight degrees West Seventy four perches to a White Oak and North forty five degrees West Eighty five perches -----

to the place of beginning, containing One hundred and thirty one Acres and a half and allowance of fix percent for roads, &c. with the appurtenances which faid tract was furveyed in purfuance of a Warrant granted to said *THOMAS LAPSLEY* dated the 23rd October 1772 -----

To have and to hold the faid tract of land, with the appurtenances unto the faid *THOMAS LAPSLEY*----- and his heirs, to the ufe of him the faid *THOMAS LAPSLEY* his -----
- heirs and affigns forever----- free and clear of all refrictions as to mines, royalties, quit-rents or otherwife, excepting and referving only the fifth part of all gold and filver ore, for the ufe of the commonwealth to be delivered at the pit's mouth clear of all charges.

In Witnefs whereof his Excellency

Thomas Mifflin, Esquire ----- Prefident of the Supreme Executive Council hath hereto fet his hand and caufed the ftate feal to be hereto affixed, in Council the fifteenth day of May --- in the year of our Lord one thoufand feven hundred and eighty nine --- and of the commonwealth the thirteenth

Inrolled 28th May 1789

Thomas Mifflin

Attest Chas Biddle Secy

¹⁷⁰ *ibid.* Book P, Vol 16, 16.

Record No. 78

1790 MARCH 15 ALLEGHENY COUNTY GRAND JURY¹⁷¹

On this date *THOMAS LAPSLEY* was sworn a member of a grand jury convened in Allegheny County.

Record No. 79

1790 U.S. FEDERAL CENSUS
Allegheny County, Pennsylvania

THOMAS LAPSLEY is reported the head of a household consisting of two males, 16 years of age or older (i.e. born before 1774), two males under the age of 16 (i.e. born after 1774) and four white females.

Record No. 80

1791 MARCH TERM ALLEGHENY COUNTY GRAND JURY¹⁷²

THOMAS LAPSLEY was sworn a member of a grand jury on this date.

Record No. 81

1791 ALLEGHENY COUNTY TAX RETURNS¹⁷³
Mifflin Township

THOMAS LAPSLEY Amount of tax 7.4

MARTHA LAPSLEY Amount of tax 6.3

¹⁷¹ Allegheny County. *Quarter Sessions Court Minute Book No. 1*, p 55. Records covering the period from June 1789 to 1811 were in existence as of 1958 when Margaret P. Bothwell's article, "Precious Court Records" was published. See *WPHM* 41:137. Book No. 2, which covers the period from 1793 to 1809, thus including the events of the Whiskey Rebellion and its aftermath, cannot be found as of June 1979. The first courts of Allegheny County were held, in 1788, in a two-story log building owned by Andrew Watson at the corner of Front and Market Streets in Pittsburgh. In 1795 the courts were held at Irwin's Hall at the corner of Market and the Diamond. See Western Pennsylvania Historical Survey. *Guidebook. op. cit.* 9.

¹⁷² Allegheny County. *Quarter Sessions Court Minute Book No. 1*, p 112.

¹⁷³ *PA 3rd Ser.*, 22:647.

Record No. 82

1791 DECEMBER 21 PITTSBURGH MEMORIAL FROM THE INHABITANTS
OF THE COUNTIES OF WESTMORELAND, WASHINGTON,
FAYETTE AND ALLEGHENY TO THE GOVERNOR OF PA.¹⁷⁴

To his Excellency THOMAS MIFFLIN Esq., Governor of the State

of Pennsylvania SIR:-- We have the honor to address you, in behalf of the counties of Westmoreland, Fayette and Allegheny respecting the present defenceless state of their frontiers now exposed to the cruel ravages of a powerful and savage foe. The late defeat of the army under General St. Clair, has given rise to the most serious apprehensions to the inhabitants of those counties, who being entirely unprotected, as well as destitute of arms and ammunition for defending themselves, now look up to your Excellency as the Executive arm of the Government to ward off those dangers which threaten them as well the Commonwealth in General.

Your Excellency is well aware of the great extent of our frontier; and when you consider the high degree of spirit which the savages, animated by two successive victories, entertain, you may more easily conceive than we can describe the fears which pervade the breasts of those men, women and children, who are more immediately subject to their barbarities and depredations. Had the people a sufficiency of arms in their hands they might, in some measure, defend themselves until the General Government, to whose care the common defence is entrusted, should adopt efficient steps for that purpose. At the same time, we beg leave to state to your Excellency what occurs to us as the most speedy and effectual mode. When the extent of country to be protected is taken into view, we conceive that eight hundred effective men will not be deemed more than sufficient. They should be active partisans, under experienced officers and provided with good rifles, to suit the grand objective of meeting the enemy upon equal terms, to scouting and giving the alarm when needful. Such a body should have encouragement proportioned to the price of common labor in this country, which averages fifty shillings per month, as the pay allowed to the troops of the United States would not be a sufficient inducement to able bodied men, possessing the requisite qualifications. We suggest these general ideas, from our knowledge of local circumstances, which they, who are at a distance, unacquainted with the actual situation of the Western country, cannot so well perceive. It is not our wish to enter into a minute detail, being convinced that your Excellency is not only fully acquainted with, but feelingly alive to, those impressions which a state such as ours must give rise to; nor can we apply to any person more proper than yourself to procure the assistance which it requires.

In the meanwhile, we hope, from your attention, that a quantity of arms and ammunition, of good quality, will be forwarded to the several county lieutenants to be distributed among the most active men of the militia of these counties, who at present can make but a partial and feeble defence if attacked. They have draughted throughout the last summer, and those of Westmoreland even until now. This attended with great inconvenience and is particularly harassing to this part of the State; and the officers, as well as the men, taking their tour promiscuously, are not as well adapted to an active and hazardous service, as a select corps who have confidence in one another.

If nothing else can be done, we trust your Excellency will give orders for calling out the militia of the other counties, which, at least, may afford a temporary relief.

174 *PA 2nd Ser., 4:571-2.*

We have the honor to be, sir, with the greatest respect,
 Your Excellency's humble and obedient servants,
 Charles Campbell
 John Young
 On behalf of the county of Westmoreland
 Alexander Addison
 James Marshal
 Absalom Baird
 G. Blackney
 David Redick
 Washington
 Edward Cook
 Zadok Springer
 James Paul
 Fayette
 Presley Neville
 James O'Hare
 Edward Butler
 John Wilkens
 John McMasters
 Isaac Craig
 John McDowell
 Allegheny

Record No. 83

1792 MARCH TERM ALLEGHENY COUNTY GRAND JURY¹⁷⁵

THOMAS LAPSLEY was sworn a member of a grand jury on this date.

Record No. 84

1792 JUNE GENERAL ANTHONY WAYNE ARRIVES AT PITTSBURGH¹⁷⁶

"In June, 1792, General Wayne arrived at Pittsburgh and began the organization and disciplining of an army, which was named the "Legion of the United States." In November of the same year, he proceeded with his troops down the Ohio River to..." a victory over the Indians in 1794 that opened the Northwest Territory to settlement by, among many others, Thomas Lapsley's descendants.

¹⁷⁵ *Quarter Sessions Court Minute Book No. 1, p 149.*

¹⁷⁶ Bausman, Joseph H. *History of Beaver County, Pennsylvania and its Centennial Celebration*. The Knickerbocker Press, New York (1904).

Record No. 851792 SEPTEMBER 6 ALLEGHENY COUNTY GRAND JURY¹⁷⁷

THOMAS LAPSLEY was a witness for the defendant in the case of James Morrison for the use of William Fulten versus James Stitt. Jury found for the defendant.

Record No. 861793 OCTOBER 29 ESTATE OF *MARTHA LAPSLEY*¹⁷⁸

Know all men by these presents that we *THOMAS LAPSLEY* Robert Thompson and Samuel Meanor--- all in the County of Allegheny and State of Pennsylv'a are held and firmly bound unto Samuel Jones Esquire Register of Wills & granting Letters of Administration in the sum Two hundred Pounds- lawful mony of Pennsylvania to be paid to the said Samuel Jones or to his certain attorney Administrators or Successors or Assigns To which payment well & truly to be made we bind ourselves & each of us Jointly and Severally, for and in the whole our and each of our heirs Executors and administrators firmly by these presents sealed with our Seals dated Twenty ninth day of October 1793-----

The Condition of this Obligation is such, that if the above bounded *THOMAS LAPSLEY* Administrator of all and Singular the Goods Chattels Rights & Credits of *MARTHA LAPSLEY*--- late of the said County deceased do make or cause to be made a True and perfect Inventory of all and Singular the Goods and Chattels and Credits of the said deceased which shall come to his hand and knowledge on or before the Twenty ninth day of November next, and further do make or cause to be made a true and Just account of his administration on or before the Twenty Ninth day of October--- next ensuing and all the Residue of the said Goods &ct which shall be found remaining upon the said Administration account, the same being first examined and allowed by the orphans Court and delivered and pay unto such persons respectively, as the said Court by their decree or Sentence pursuant to an Act of General Assembly of Pennsylvania in such Case made and provided then this obligation to be void and of none effect, or else to be and remain in full force and Virtue- - -

Sealed and delivered in the presence of

Sally Jones

THOMAS LAPSLEY

Robert Thompson

Saml Menough

¹⁷⁷ *Quarter Sessions Court Minute Book No. 1, P 184.*

¹⁷⁸ Allegheny County. Registrar of Wills. *Bond 3:29 microfilm.*

§ An abbreviation for linsey-woolsey, a mixture of linen and wool, probably spun and wove by Martha Lapsley.

§§ “A tow card or hackle was used to separate the coarser fibers (tow) from the flax fibers. Tow was spun into coarse yarn and the flax into yarn of finer quality, e.g. tow was used to make grain sacks and boys trousers while the flax thread was used for shirts and frocks.” See Wright, John E. & Corbett, Doris S. *Pioneer Life in Western Pennsylvania*. Univ. Pittsburgh Press, (1940).

Record No. 881794 THE WESTERN INSURRECTION OR WHISKEY REBELLION¹⁸¹

“After the lapse of half a century, (so short lived is mere tradition,) there are but few who have any knowledge of the Western Insurrection, although their fathers and grandfathers were involved in its difficulties and sufferings. The writer, at this day [1859] meets with few persons who can converse with him on the subject of the Western Insurrection, having scarcely heard of these important occurrences in the history of their own immediate country.

Such was the termination of the Insurrection, which, for so long a time after it was over, served as a by-word and a stigma on the people of Western Pennsylvania. and some of its most eminent and deserving men.”

Record No. 891794 WASHINGTON COUNTY STILLS¹⁸²

“The distillation of domestic materials was comparatively more important in the Monongahela country than in any other region. Probably twelve or thirteen hundred, or about twenty-five percent of the stills engaged in this business in the United States about 1794, were located in Pennsylvania’s fourth survey.

Record No. 901794 JULY 4 EXTRACTS FROM THE NOTES OF MR. RAWLE,¹⁸³

Attorney for the District, taken in the Courfe of the Trials; and inferted here to Fupply Omiffions in my Narrative, or illuftrate fome Parts of it.

ANDREW BOGGS

“July 4, 1794, went to mufter at colonel Parker’s; people chiefly collected, and in their ranks; went to a piece of ground; muftered; manoeuvred, and returned to Parker’s: ranged themselves in companies. A paper was produced for every man to put his mark that oppofed the excife law; one paper went through two or three companies; faw, or heard of no man who refufed figning it, but one;

181 Brackenridge, Hugh *History of the Western Insurrection in Western Pennsylvania, commonly called the Whiskey Insurrection 1794*, W. S. Haven, Pittsburgh, (1859), p 326. Hereafter cited as Brackenridge. *Western Insurrection*, (1859).

182 Baldwin, L. D. *Whiskey Rebels: The Story of a Frontier Uprising*. Univ. Pittsburgh Press (1939), p 107.

183 W. Rawle (1759-1836) was appointed by President George Washington to be U. S. District Attorney in 1791. See *PA 2nd Ser.*, 4:397 fn. See Brackenridge, Hugh H. *Incidents of the Insurrection in the Western Parts of Pennsylvania in the Year 1794*. John McCulloch, Phila. (1795), Appendix: Notes on the Trials, pp 132-4. Hereafter cited as Brackenridge. *Incidents* (1795).

the people much displeased with him; he was threatened; speeches made against the excise law; said the power of Congress was such they did not know where it would end... that in their opinion they should not submit to the law at all; that it was better to take up arms against it; urged the people in strong terms to hold out, and not submit to it; asked a gentleman, whom I thought a friend, what was best for me to do, as the people had thrown out threats against me; said, he had been my friend; but it was time for me to say something for myself; that the crisis was come when they would have no such people, and I must be one way or other.

Had apprehensions both for my person and property; resolves passed at a committee, against every one that entered stills, and general threats held out against it. I understood they were to march to general Neville's house, and take the papers from his office respecting the excise law."

The above is extracted to show the disposition to outrage, even before the coming of marshal Lenox.

Record No. 91

1794 JULY 14

THE NEVILLE CONNECTION¹⁸⁴

"Since many of the occurrences of the movement against the excise tax were to center about the persons and personalities of the Nevilles it is necessary to introduce them upon the stage on which the Whiskey Insurrection was to be enacted.

The head of this clan was John Neville [d 1803], an aristocratic Virginian, born in 1731, the son of George Neville, who had been kidnapped from England as a lad, and of Ann Burroughs, a cousin of Lord Fairfax. John Neville became acquainted with the West as a soldier in Braddock's expedition and in Dunmore's War and moved to the Chartiers Valley seven miles from Pittsburgh probably in 1775. The same year with one hundred Virginia militamen he occupied Fort Pitt, and he commanded there until 1777. Later he commanded Virginia troops in the East and South. In 1780 he was taken a prisoner at Charleston, but he was exchanged in time to be present at the siege of Yorktown. At the close of the war he was brevetted brigadier general.

Upon his return home Neville was elected to the assembly and became the Washington County member of the supreme executive council. In fact in 1784 he was prominent enough to run for president and vice president of the council.

By this time he had amassed a considerable fortune, having held or sold close to ten thousand acres of land. Bower Hill, his home in the Chartiers Valley, across the hills southwest of Pittsburgh, was one of the finest establishments at that time in the western country.

Up to the time of his appointment as inspector of the excise, John Neville was one of the most popular men in the Monongahela country, in spite of his Federalist principles. A lavish entertainer both at Bower Hill and at his town house on Pittsburgh's Water Street, he bore as well a reputation for generosity to the poor.

184 See Baldwin. *Whiskey Rebels. op. cit. pp 44-7.*

John Neville's son, Presley, was also a Revolutionary veteran. Born in 1756, he was educated at the University of Pennsylvania. His country home, which he called Woodville, was situated on a slope across Chartiers Creek from Bower Hill, and his Pittsburgh home was on Water Street. His wife was a daughter of General Daniel Morgan.

John Neville's wife was a daughter of the Oldhams, a prominent Virginia family. Her sister was the wife of Abraham Kirkpatrick of Maryland, a Revolutionary major who had settled in Pittsburgh and had built up a fortune by speculation and money lending.

Major Issac Craig came into the connection by his marriage to Amelia, John Neville's daughter. Born in Ireland about 1742, he came to Philadelphia at twenty-five year of age or thereabouts and worked at his trade of carpenter. At the outbreak of the Revolution he became the American navy's first lieutenant of marines, serving aboard... Later as a member of the land forces... After a period of service in the arsenal at Carlisle he... In 1781 he was ordered to Fort Pitt, and from then until his death in 1826 he was a resident of Pittsburgh or its vicinity.

These were the members of the 'Neville connection', and among them they mustered a formidable array of offices. John Neville, until recently a member of the legislature, was federal inspector of the revenue; Presley Neville was a member of the assembly, surveyor of Allegheny County, which then extended to Lake Erie, and brigade inspector of the militia; Isaac Craig was deputy quartermaster general of the United States army, deputy commissary, and a notary public. With their wealth and their offices the members of the family must have wielded a tremendous influence in the village of little more than a thousand inhabitants by their employment of workmen and patronage of shopkeepers."

Record No. 92

1794 JULY 15

U.S. MARSHAL LENOX¹⁸⁵

"United States Marshal David Lenox left Philadelphia June 22 to serve the processes mentioned above. Lenox experienced no difficulty in Cumberland, Bedford, and Fayette counties and served his writs without molestation. On the evening of July 14 in Pittsburgh Lennox was introduced to Brackenridge at the latter's house and expressed his satisfaction that he had met with no insult or injury in the execution of his mission.

The next day Lenox and Neville rode out to serve the four or five remaining writs, all of them apparently in *that part of Allegheny that had once belonged to Washington* [Co.] [italics added] and that was exposed to the influence of the Mingo Creek Democratic Society. Four processes were served within a few hours, and all the recipients, according to Lenox, showed their contempt for the law. At least one of the processes distributed during the morning was served in a harvest field in the midst of a group of reapers. As soon as the officers had left, the news was bruited about the countryside. Since this was in the time of harvest and neighbors were engaged in helping in one

185 Baldwin. *Whiskey Rebels. op. cit. pp 113-4.*

another's fields and perhaps were overheated by liberal potations of whiskey,¹⁸⁶ it did not take long for a band of thirty or forty men to get together and decide upon pursuit.

Between eleven and twelve o'clock in the afternoon the marshal and the inspector stopped at William Miller's farm in the Peter's Creek region to serve a process against him. Miller and [Abraham] Kirkpatrick, Neville's brother-in-law, were cousins, and Miller had in the past given his political support to the family. It was a severe shock now to see the general ride up the lane with a strange man and to have the latter unfold a paper and begin to read a summons to set 'aside all manner of business and excuses' and appear in his proper person before the judge of the district court of the United States at Philadelphia upon August 12. 'I felt myself mad with passion,' said Miller afterward. 'I thought 250 dollars would ruin me; and to have to go [to] the federal court, at Philadelphia, would keep me from going to Kentucky this fall, after I had sold my plantation, and was getting ready. I felt my blood boil, at seeing general Neville along, to pilot the sheriff to my very door.'

Miller refused to receive the writ and Lenox remonstrated with him and pointed out the folly of opposing the law. Just then, Neville, who was sitting on his horse in the lane, called to Lenox to hurry, and Miller, looking up, saw a party of men running across the field as though to head off the marshal. Lenox and Neville set off at once, and the pursuers, seeing them in motion, fired a rifle from a distance of forty or fifty yards, Miller thought with the purpose of hitting them. Upon this Lenox reined in and upbraided the men and Neville seconded him, but the rioters 'answered in a language peculiar to themselves.' Discretion then prevailed over valor and the two men rode on, followed for some distance by the countrymen. Neville turned off to Bower Hill and Lenox went on to Pittsburgh.

It so happened that on this very day Dr. Absalom Baird of Washington, the brigade inspector of the county militia, was at the Mingo Creek regiment for exemption of service among the eighty thousand militiamen lately requisitioned by the governor. Suddenly a man appeared, running from the encounter at Miller's, and cried that 'the Federal Sheriff was taking away people to Philadelphia.' Notice was immediately sent around for the people to assemble, and a considerable number gathered, some of them armed. After some discussion a council was chosen and various proposals were made as to the line of action. Finally it was decided to capture the marshal and bring him to the meeting place and then pass upon what was to be done with him. At the time it was thought that Lenox was at Bower Hill. John Holcroft was chosen to command the expedition and the men were ordered to meet opposition with opposition and, if they were fired upon, to burn or destroy any obstacle that prevented their success. This party was composed of around forty men, only part of them with guns, and they left on their mission about midnight. Another party of eight men under Captain Pearsol was sent to Coal Hill, overlooking Pittsburgh, to intercept the marshal in case he was missed by the main force.

186 It is estimated that between 1790 and 1830 Americans drank more than 5 gallons of hard liquor per person per year --- about three times the average amount consumed in 1970. See Rorabaugh, W. J. *The Alcoholic Republic: An American Tradition*. Oxford Univ. Press, New York (1979).

1794 JULY 16

ATTACK ON BOWER HILL¹⁸⁷

[Bower Hill] the mansion was built on the highest part of the heel, [the hill was shaped similar to the sole of a boot] from its veranda one could obtain a spectacular view of the Chartiers Valley three hundred feet below and of the beautiful rolling country beyond. Presley Neville's country home, Woodville, was visible beyond the creek through a lane cut through the forest, and the two households had a system of signals by which they could communicate with each other... The Bower Hill mansion was a two-story frame house forty feet long and twenty feet wide, painted and papered in the best manner, and neatly furnished. A list of the goods in the house mentions carpets, four looking glasses, a Franklin stove, pictures and prints, an eight-day clock, and china, glass and silverware. The census of 1790 enumerated eighteen slaves and several white servants on the estate. On the southwestern verge of the heel were the negro cabins, and up the ravine from them was the distillery. At right angles from this line of buildings were the barns and stables. The outbuildings, therefore, formed a chevron-shaped line with the apex probably pointing south, and they protected the mansion on the southwest and southeast.

Holcroft and his men arrived at Bower Hill about day-break, Wednesday, July 16,; they dismounted and surrounded the house in irregular fashion. Neville at the time had in the house with him his wife, his little granddaughter, Harriet Craig, and a young woman who was visiting the family. He had just arisen as the attackers marched up and, hearing the commotion, he suspected the reason and challenged them. Holcroft claimed he thought the voice was that of the marshal and answered that they were friends from Washington come with a guard for him. Neville, however, ordered them to 'stand off' and emphasized the demand with a shot that struck Oliver Miller,¹⁸⁸ probably the father of William Miller, and wounded him so seriously that he later died. The front door of the house was open, but the attackers, fearing the general might have a swivel gun or cannon waiting for their reception, contented themselves with firing into the windows with their rifles. This was kept up for some twenty-five minutes. Neville within the house continued to fire, while the women lay on the floor to escape injury and loaded the guns. According the Neville's account he succeeded, unsupported, in wounding four more attackers and so discouraged them that they finally withdrew. Holcroft's account was that a signal horn blew in the house and the negro slaves from their quarters fired upon the rioters and wounded several, whereupon they retreated.

It was apparent that Holcroft and his party would be prosecuted unless they were supported by numbers sufficient to force a compromise. It was finally suggested as a solution that the militia march in force to Bower Hill and demand General Neville's resignation as inspector of the revenue, upon which 'he would be received as a good citizen and restored to the confidence of the people.' Major James McFarlane of the Mingo settlement, who had been an officer in the Revolution, came in from Pittsburgh with the news that the sheriff was raising a posse to oppose them and that soldiers had gone from the garrison to Bower Hill, but this seemed only to animate the men and it was determined to put the plan in execution. The only considerable opposition came from an aged

187 Baldwin. *Whiskey Rebels. op. cit. pp 115-20.*

188 This is the son of Oliver Miller whose will Thomas Lapsley witnessed in 1782. Oliver Miller, Sr., his wife Mary, and their son Oliver Miller, Jr. are buried in "... the old cemetery of the Bethel congregation on what was called the James Rhodes farm. This site now is occupied by the Verscharen Shopping Center." See Thompson, Noah. *Early History of The Peters Creek Valley. op. cit. p 48.*

clergyman, John Clark, pastor of Bethel Presbyterian Church, which was located within a few rods of Couch's Fort,¹⁸⁹ who endeavored vainly to dissuade them from the enterprise.

The march to Bower Hill was completed by five o'clock in the afternoon and the horses were left in charge of some of the unarmed men. The militiamen then drew up around the manor house 'with drums and all military pomp and parade.' Just before they closed in Neville left the house and concealed himself in a thicket, from which place he was perhaps a witness of the ensuing conflict. McFarlane and his committee took their place on an eminence near the house to direct the siege, but first they agreed to try peaceable methods. David Hamilton was selected to carry on the committee's negotiations and went to the house with a flag of truce. There he was met by Kirkpatrick, who, according to Neville, had been left to 'capitulate for the property.' Hamilton demanded that Neville come out and give up his commission and was informed that Neville was not there. He went back to the committee and returned with the demand that six citizens be admitted to search for papers. According to Hamilton, this demand was refused and the refusal precipitated the attack. Kirkpatrick, however, claimed that he agreed to permit the house to be searched but that Hamilton returned a third time with the further demand that the soldiers come out and ground arms. This demand, according to Kirkpatrick, he refused, saying that, if the men were not satisfied with the papers, their object must be to destroy property. Kirkpatrick's claim that he consented to a search for Neville's papers was a point in Alexander Hamilton's contention that the militia was obstinately bent on rebellion, but David Hamilton's version was latter supported by witnesses in court. Meanwhile, some of the outhouses were set on fire and some shots were fired by the beseigers. Since no compromise could be reached, the women and children were escorted out of the house and in the direction of Woodville, Presley Neville's home,

Firing now became general on both sides.... The battle had not advanced very far before the fire from the house suddenly ceased. Some accounts have it that a white flag was waved from a window. McFarlane, at any rate, supposed that a truce was desired and stepped from behind the tree that was sheltering him to order his men to cease firing. No sooner had he appeared than a shot struck him in the groin and he fell to the ground and expired almost immediately.

The battle was now resumed, and it is likely that the militia deliberately set fire to several of the auxiliary buildings, especially the negro cabins, from which, so local tradition says, Neville's slaves were assisting in the defense. It was only a matter of time before the house also would catch fire, so Kirkpatrick decided to come out with the soldiers and surrender. The soldiers were allowed to go where they pleased, and it was said that Kirkpatrick had almost escaped in their midst before he was recognized and detained. Meanwhile in the gathering darkness the work of destruction was accelerated. The men broke up the furniture in the house and set it on fire, articles of value were appropriated, the horses were shot, and the liquor from the cellar was brought out and distributed. Before long the little army that had entered the ground with such parade had become an enraged and drunken mob. Out of the dozen or more buildings on the estate, only one, the smokehouse, was saved, and that, so it was said, because Neville's negroes pleaded that it contained their only food. Even the grain and the fences shared in the general destruction. Neville, himself, in a letter to Tench Coxe, placed the total loss at about three thousand pounds."

189 A fort-like roadhouse is located on the left side of Bethel Road, which branches to the south off the Washington Road about a mile north of Clifton. See Western Pennsylvania Historical Survey. *Guidebook. op. cit.* 8.

Record No. 93

1794 JULY 16 EXTRACTS FROM THE NOTES OF MR. RAWLE,¹⁹⁰ ATTORNEY FOR THE DISTRICT, taken in the Courfe of the Trials; and inferted her to Fupply Omiffions in my Narrative, or illuftrate fome Parts of it.

JAMES THERR

“Was in committee about 12 or 1 o’clock after the first attack on Neville’s houfe, J.M’F. B.P. J.S. J.B. and myself, the committee. J.B. propofed that a fum of money be raifed, and given to fome ordinary perfons to ly in wait and privately take the life of general Neville. A vote was taken; majority againft it. Next propofal to call out a greater force to meet at Couche’s; agreed.”

JOHN HOLCROFT¹⁹¹

“James Gallagher came to me; went round as an exprefs to warn the inhabitants to fee what could be done; the marfhal being there, ferving proceffes. I went, and feveral others: confiderable numbers; fome armed; expreffes went to different parts; all turned out; myfelf appointed to command: a council chofen; proposals made in regard to bufinefs; no mention of general Neville; only of the marfhal at this time; the marfhal to be taken, and brought; then to be determined what to be done in regard to fending precepts on the different people; propofed if fired on, to burn or destroy any thing that came in our way; refolved that a party of us go to the coal hill at Pittsburgh, to intercept the marfhal, and if taken, brought back. Captain Pearfol appointed, and chofe eight men; orders given by the council if they met with oppofition to return it; we set out to general Neville’s at the fame time; got there at day break; drew up and counted; had 37 guns; difmounted; marched up to the houfe; challenged by general Neville; faid ftand off, and fired immediately; fhot Oliver Miller, who afterwards died; fome 25, fome 50, or 60 yards from the houfe. Our party returned fire; a horn blowed; negroes fired on our rear; wounded feveral of our people; retreated to Couche’s fort; fent three men to recal the party from the coal hill; went home; received a meffage that afternoon to come back with what ftrength I could get; met at Couche’s fort 300 guns; a body from C. came after counting; council called; a flag to be lent to general Neville; propofals that general Neville fhould refign his commission, be a good citizen, and nothing elfe; marched; halted two miles from Neville’s; M’Farlane appointed commander; flag fent in; anfwer, general Neville not at home; at Neville’s houfe 5 or 600 men.”

190 Cited in Brackenridge. *Incidents of the Infurrection op. cit.* 132-34.

191 Holcroft is reputed to have been the original “Tom the Tinker”. The location of his cabin is marked by a stone house that was erected in 1830. It is located on the road from Erama to Finleyville, to the right, soon after one has descended from the first high hill along that road. See Western Peunsylvania Historical Survey. *Guidebook. op. cit.* 130

Record No. 94

1794 JULY 23 “TOM THE TINKERS” NOTICE TO JOHN REED¹⁹²

Mr. Scull: I am under the necessity of requesting you to put the following in your next paper. It was found pasted on a tree, near my distillery.

JOHN REED

ADVERTISEMENT

In taking a survey of the troops under my direction in the late expedition against that insolent exciseman, John Neville, I find there were a great many delinquents, even among those who carry on distilling. It will, therefore, he observed that I, Tom the Tinker, will not suffer any certain class or set of men to be excluded the service of this my district, when notified to attend on any expedition carried on in order to obstruct the execution of the excise law, and obtain a repeal thereof.

And I do declare on my solemn word, that if such delinquents do not come forth on the next alarm, with equipments, and give their assistance as much as in them lies, in opposing the execution and obtaining a repeal of the excise law, he or they will be deemed as enemies and stand opposed to virtuous principles of republican liberty, and shall receive punishment according to the nature of the offense.

And whereas, a certain John Reed,¹⁹³ now resident in Washington, and being at his place near Pittsburgh, called Reedsburgh, and having a set of stills employed at said Reedsburgh, entered on the excise docket, contrary to the will and good pleasure of his fellow citizens, and came not forth to assist in the suppression of the execution of said law, by aiding and assisting in the late expedition, have, by delinquency, manifested his approbation to the execution of the aforesaid law, is hereby charged forthwith to cause the contents of this paper, without adding or diminishing, to be published in the Pittsburgh Gazette, the ensuing week, under the no less penalty than the presumption of his distillery.

Given under my hand, this 19th day of July, one thousand seven hundred and ninety-four.

TOM THE TINKER.

¹⁹² *PA 2nd Ser.*, 4:62-3.

¹⁹³ The same John Reed whom Martha Lapsley had tried to eject in 1775 and with whom she settled a boundary dispute by means of a deed in 1783. The *Pittsburgh Gazette*. 28 September 1793, announced that the inhabitants of the newly created 5th district within Mifflin and St. Clair Twps. would “...hold their annual elections at the house lately occupied by John Reed, fstone mafon, in Mifflin townfhip...”

Record No. 95

1794 AUGUST 1

FEIGNED BANISHMENT¹⁹⁴

“...it was the hope of the gentlemen from Washington to be able to concert some measure to SAVE THE TOWN, now threatened with destruction. They could see but two things that could be done, with any prospect of success in saving themselves; the first was, to compel or induce the obnoxious persons to absent themselves for a time, under the idea of banishment by the citizens; and the second, the march of the latter body, to meet the assemblage, as if to make common cause with them; that in this way, finding friends instead of enemies with the people of Pittsburgh, their violence might receive a direction which would render it harmless; and perhaps they might be persuaded to proceed no further than Braddock’s Field. They thought it certain if this were not done, or if the slightest resistance were made, the town would be laid in ashes. Brison and Day were particularly obnoxious; Kirkpatrick also was, from his being supposed the cause of M’Farlane’s death; that these were the primary objects of the popular resentment, but others were so in a secondary degree. They advised that all those against whom this resentment was directed should leave the town, for the safety of those who remained, and as a means of saving their own property. It was evident that the attempt of any individual to defend his house would be worse than useless; if present, he would be certain to lose his life, and the burning of his house would terminate in a general conflagration, with the loss of many other lives.

The committee now reported the message from Washington, and the names of the proscribed were read. Day and Brison were present-- Neville, and probably Kirkpatrick, were there, as it was supposed that every one in town who could attend had taken part in the meeting. It struck every one present that it would be advisable for these to absent themselves, or keep out of the way until the danger were past. There was no objection made; all seemed tacitly to acquiesce. It was a manoeuvre which all seemed to comprehend, as the only policy which could be adopted for the safety of the proscribed as well as of the rest of the citizens.

No disreputation attended the fictitious banishment; on the contrary, they would be regarded by the government with favor, as objects of persecution by the mob. It was not an exile from civilization to the wilderness, but from the wilderness to the seats of civilization, in which they would be sure to meet with a cordial reception from their fellow-citizens, and restored to their homes in triumph in the course of few weeks, as soon as the government should put down the insurrection.

It was agreed that the proscribed should leave the town ostensibly as if banished, and that those who remained behind, some of whom would have been glad to be banished also, should put on a mask of being with the mob, called ‘the people’, and the insurgents at Braddock’s Field. It was proposed that a committee should be appointed to conduct and manage the part which the inhabitants of the town should act. This committee, consisting of the number of twenty-one, was chosen, with power to elect their chairman. They were composed of the most respectable and substantial citizens...”

194 Brackenridge. *Western Insurrection*. (1859) *op. cit.* pp 88-9.

Record No. 961794 AUGUST 4 JUDGE WILSON TO PRESIDENT WASHINGTON¹⁹⁵

Philadelphia, Aug. 4th, 1794

Sir:- From the evidence which has been laid before me, I hereby notify you that in the counties of Washington and Allegheny, in Pennsylvania, laws of the United States are opposed, and the execution thereof obstructed by combinations too powerful to be suppressed by the ordinary course of judicial proceedings or by the powers vested in the Marshall of that district.

I have the honor to be with the highest consideration and respect,

JAMES WILSON

Record No. 971794 AUGUST 20 GENERAL WAYNE DEFEATS THE INDIANS¹⁹⁶

“After a winter spent in building Fort Greenville, Fort Recovery, and Fort Wayne (on the site of the city of that name in Indiana), and other operations, and after many fruitless efforts to secure an honorable peace [with the Indians] without conflict, General Wayne, in July, 1794, advanced towards the enemy, and, on the 20th of August, of that year, met them on the banks of the Maumee, or Miami-of-the-Lake, and totally routed them in a decisive battle.

This great victory of the American arms brought lasting peace to the western borders. But its effects were more than local; they were even national and international. By it the Indians who, in other parts of the country, north and south, were ripe for mischief, were overawed and quieted; and its influence upon the British government was such that Mr. Jay, the American Minister, who was meeting with vexatious delays and postponements on the part of that government, was enabled speedily to close his negotiations with Lord Grenville, and to secure the surrender of all the British posts still held within the Northwest Territory. This was the actual close of the War for Independence.”

Record No. 981794 AUGUST 29 TERMS OF SUBMISSION¹⁹⁷

“At a conference between the commissioners from the United States and the State of Pennsylvania, on the one part, and Messrs. Probst, Dickey, Nesbit, Marshall, Phillips, M’Clelland, Wallace and Wilson, conferees, appointed by the standing committee at Brownsville, (Redstone Old Fort,) on the 28th and 29th days of August, 1794, it was agreed, that the assurances required from the citizens in

¹⁹⁵ *PA 2nd Ser.*, 4:70.

¹⁹⁶ Bausman. *op. cit.* p 131.

¹⁹⁷ Brackenridge. *Western Insurrection. op. cit.* pp 236-8.

the fourth survey of Pennsylvania, should be given in writing, and their sense ascertained in the following manner:

That the citizens of the said survey, (Allegheny county excepted,) of the age of eighteen and upward, be required to assemble on Thursday, the 11th instant, in their respective townships, at the usual place for holding township meetings; and that between the hours of twelve and seven, in the afternoon of the same day, any two or more of the members of the meeting who assembled at Parkinson's Ferry on the the 14th ultimo, resident in the township, or a justice of the peace of said township, do openly propose to the people assembled, the following questions, 'Do you now engage to submit to the laws of the United States, and that you will not hereafter, directly or indirectly, oppose the execution of the acts for raising the revenue upon distilled spirits and stills? And do you also undertake to support, as far as the laws require, the civil authority in affording the protection due to all officers and other citizens? Yea, or nay?

That the said citizens, resident in Allegheny¹⁹⁸ county, shall meet in their respective election districts on the said day, and proceed in the same manner as if they were assembled in townships.

That a minute of the number of yeas and nays be made immediately after ascertaining the same.

That a written or printed declaration of such engagement be signed by all those who vote in the affirmative, of the following tenor, to wit:

I do [solemnly] promise [henceforth]¹⁹⁹ to submit to the laws of the United States; that I will not, directly nor indirectly, oppose the execution of the acts for raising a revenue on distilled spirits and stills; and that I will support, as far as the law requires, the civil authority in affording the protection due to all officers and other citizens.

This shall be signed in the presence of the said members or justices of the peace, attested by him or them, and lodged in his or their hands.

That the said persons, so proposing the questions stated as aforesaid, do assemble at the respective county court houses, on the 18th inst., and do ascertain and make report of the numbers of those who voted in the affirmative in the respective townships or districts, and of the number who voted in the negative; together with their opinion whether there be such a general submission of the people in their respective counties, that an office of inspection may be immediately and safely established therein.

That the said report, opinion and written or printed declarations, be transmitted to the commissioners, or any one of them, at Uniontown, on or before the 16th instant.

198 The names of Thomas Lapsley and John Shields appear as residents of Mifflin Twp. on "A General List of the Taxables of Allegheny County", dated 22 September 1794, vol. 2, verso pp 226,229. See *Pennsylvania Insurrection. 2 vols., 1794-6. Entry 1315*. Available as microfilm no. 16804. Manuscript Division. Library of Congress. No list of names of those who took the oath of submission or petitioned for mercy has been found for residents of Mifflin Twp.

199 "solemnly" and "henceforth" were objected to by the people and subsequently removed from the oath.

If the said assurances shall be BONA FIDE given in the manner prescribed, the commissioners on the part of the United States do promise and engage in the manner following, to wit:

‘1. No prosecution for any treason or other indictable offense against the United States, committed within the fourth survey of Pennsylvania, before the 22d day of August last, shall be commenced or prosecuted before the 10th day of July next, against any person who shall, within the time limited, subscribe such assurance and engagement as aforesaid, and perform the same.

‘2. On the said 10th day of July next there shall be granted a general pardon and oblivion of all the said offenses, excluding therefrom, nevertheless, every person who shall refuse or neglect to subscribe such assurance and engagement in manner aforesaid, or shall, after such subscription, violate the same, or willfully obstruct or attempt to obstruct the execution of the said acts, or be aiding or abetting therein.

‘5. Congress having, by an act passed on the 5th day of June last, authorized the State courts to take cognizance of offenses against the said acts for raising revenues upon distilled spirits and stills, the President has determined that he will direct suits against such delinquents to be prosecuted therein, if, upon experiment, it be found that local prejudices or other causes do not obstruct the faithful administration of justice; but it is to be understood that of this he must be the judge, and that he does not mean by this determination to impair any power vested in the Executive of the United States.

‘4. Certain beneficial arrangements for adjusting the delinquencies and prosecutions for penalties now depending, shall be made and communicated by the officers appointed to carry the said acts into execution.

JAMES ROSS
J. YEATES
Wm. BRADFORD

Signed, in behalf of the committee representing the fourth survey of Pennsylvania, unanimously by the members present-- John Probst, Robert Dickey, John Nesbit, David Phillips, John Marshall, Samuel Wilson, George Wallace, John M’Clelland. Pittsburgh Sept. 2, 1794.

“We, the underwritten, do also promise, in behalf of the State of Pennsylvania, that in case the assurances now proposed shall be BONA FIDE given and performed until the 10th day of July next, an act of free and general pardon and oblivion of all treasons, insurrections, arsons, riots, and other offenses infer to riots, committed, counseled, or suffered by any person or persons within the four western counties of Pennsylvania, since the 14th day of July last past, so far as the same concerns the said State, or the government thereof, shall be then granted; excluding therefrom every person who shall refuse or neglect to subscribe such assurance, or who shall after such subscription willfully violate the laws of the State or of the United States.

THOMAS M’KEAN,
WILLIAM IRVINE

Record No. 991794 SEPTEMBER 30 WASHINGTON'S SHOW OF STRENGTH²⁰⁰

Washington "... called into action the militia of Pennsylvania, Virginia, Maryland, and New Jersey to enforce the laws of the United States. By this demonstration of power, fifteen thousand strong, Washington hoped to 'prevent the effusion of blood', as well as to make resistance futile. This was his conception of the best way to uphold the power and dignity of the central government. For this purpose, in company with Alexander Hamilton, Secretary of the Treasury, Washington left Philadelphia for Carlisle, Pennsylvania, September 30, 1794, the same day on which he received information of Wayne's victory over the Indians at Fallen Timbers. At Carlisle Washington received his first direct information concerning the insurrectionists and their purposes. He talked with William Findley and David Redick,²⁰¹ representatives of a 'Committee of Safety' of the 'Whiskey Boys'

Record No. 1001794 OCTOBER 24 SOME OF THE INSURGENTS FLED²⁰²

"The third Parkinson's Ferry meeting, which convened on October 24 to hear the report of Findley and Redick, was completely controlled by the friends of order. The radicals had either fled the country or had been silenced by the approach of the army."

"It is said that about two thousand of the best riflemen of the western counties had left the country before the approach of the army."²⁰³

Record No. 1011794 NOVEMBER 1 THE ARMY ARRIVES²⁰⁴

"The army, leaving Bedford, entered the western counties about the 1st of November, 1794, and encamped near the Monongahela, so as to be within striking distance of any of the four counties. And now the question naturally suggests itself, what was there for it to do? There was certainly no fighting to be done; and among those of that army who most aspired to military glory, this was a subject of intense regret, as they were obliged to expend their rage merely in words of contempt and indignation against the cowardly insurgents. Instead of finding parties of these arrayed for war, and regularly embodied, not a hand, or even a voice, was raised to oppose them, or resist the government. The rural population remained distressingly quiet in their sylvan homes, widely

200 See Ambler. *op. cit.* 202-3.

201 David Redick owned the plantation "Crabtree" that lay adjacent to Martha Lapsley's plantation.

202 Baldwin. *Whiskey Rebels. op. cit.* 234.

203 Brackenridge. *Western Insurrection*, (1859). *op. cit.* 326.

204 *ibid.* 288-9.

scattered over the extensive forest region, the prevailing feeling being that of alarm, on account of the reported threats and ferocity of the army.

To aid the civil authority was now the only legitimate use that could have been made of them, as there was no longer any military opposition to put down. Instead of this, the business of the army was now supposed to be, not to prevent the commission of offenses, but to punish those that had been committed, which was the duty of the civil magistrate, and not of the army, until expressly called upon to lend its assistance; such was clearly the idea of the President, in his orders addressed to General Lee. These punishments should have been inflicted by course of law, and not by the bayonet, and for the same reason arrests should have been made by civil officers, on process issued by the civil magistrate. The courts, the marshals, or sheriffs, should have been the agents-- at least these should have been first tried, before calling on the soldiery. But the worst was the sending the arrested to Philadelphia for trial, which was more dreaded than the arrest itself, and as we have seen, was the immediate cause of the disturbances which have been related."

Record No. 102

1794 NOVEMBER 10

DIARY OF DR. ROBERT WELLFORD²⁰⁵

10th, Monday. The remainder of the Army proceeded to cross the Monongahela River for Washington County & Alleghany County. Mercer, Glassell & myself crossed at Parkinson's Ferry, and amused ourselves in viewing the spot upon which had stood the grand Warpost of Sedition, but at this place, which but a few months past had been notoriously famed throughout the Continent of America for every overt act that could stigmatize with infamy those concerned in the scenes of this place, not one bad citizen was now to be found, not a man that would avow even the slightest possible bias towards Insurgency... went in search of Tom the Tinkers habitation, & expressed a Guide to attend Glassell, Mercer & myself to Holcrofts, where we slept

Record No. 103

1794 NOVEMBER 10 NOTICE FOR RECEIVING OATHS OF ALLEGIANCE²⁰⁶

"TO THE CITIZENS OF ALLEGHENY COUNTY:

The period has now arrived wherein the good citizens of the county of Allegheny may, with safety, step toward in defense of the laws and the good order of the country.

His Excellency Henry Lee, General and Commander-in-Chief of a large, respectable and well regulated army of your fellow citizens, now within the four Western counties of Pennsylvania, hath given in charge to us, the subscribers, that each of us do immediately open books and receive the tests or oath of Allegiance of all good citizens. And it is expected that the friends to the government

205 Dr. Wellford (b England 1753) accompanied the Virginia troops who marched to suppress the Whiskey Rebellion. See "A Diary Kept by Dr. Robert Wellford, of Fredericksburg, Virginia, during the march of the Virginia Troops to Fort Pitt (Pittsburg) to suppress the Whiskey Insurrection in 1794." in *William and Mary Quarterly*, 11:15 (1902).

206 *PA 2nd Ser.*, 4:377-8.

will not hesitate a moment in complying with the requisition, it being absolutely necessary that his Excellency should know a state of the minds of the people before the army is withdrawn. We believe the intention is not to distress, but to relieve the deluded part of the union.

A. Tannehill

John Wilkins, Justices of the Peace

Record No. 104

1794 NOVEMBER 13 THE 'DREADFUL NIGHT'²⁰⁷

"The 13th of November was a 'Dreadful night' through the western country. Hundreds were arrested; offenders and witnesses together. Though directions were given to discriminate in their treatment, it could not always be done in the first instance. Men were thrown into jail, kept in cold barns or out-houses, or tied back to back in cellars. The officers, in some instances, behaved with mildness; in others, with wanton and unnecessary severity. A Captain Dunlap, of Philadelphia, is said to have conducted a number of prisoners from Washington to Pittsburgh with humanity. A Capt----- is said, on the other hand, to have driven a number under his custody like cattle before him, at a trot, in muddy roads, through the Chartiers creek to the middle; then impounded them in a wet stable, and insulted them, by ordering to be thrown into the manger dough and raw flesh to eat!

"...all had signed the amnesty except George Robinson and Mordecai M'Donald. And with regard to Robinson, I never heard a syllable alleged, but on the contrary, he was a most worthy, peaceable man, the chief burgess of Pittsburgh. His not signing the paper of submission was owing to a mistake of pride, which had existed with many, thinking it would be a virtual acknowledgment of having done something wrong in violation of the laws. Nevertheless, these were arrested on the night of the 13th of November... Nothing could be a greater proof to me of favoritism and prejudice, than the forming this list, and the management respecting it.

They were dragged out of their beds at two o'clock in the morning, but partly dressed; obliged to march, some of them without putting on their shoes, thus dragged away amid the cries of children and the tears of mothers; treated with language of the most insulting opprobrium, by those apprehending them; driven before a troop of horse at a trot, through muddy roads; seven miles from Pittsburgh, impounded in a pen on wet soil. The guard baying at them, and asking them how they would like to be hanged; some offering a dollar to have the privilege of shooting at them; carried thence four miles toward the town; obliged to lie all night on the wet earth, without covering, under a season of rains, sleet and snows²⁰⁸ driven from the fire with bayonets, when some of them, perishing, had crawled, endeavoring to be unseen, toward it; next day impounded in a waste house, and detained there five days, then removed to a newly built and damp room, without fire, in the garrison at Pittsburgh; at the end of ten days brought before the judiciary, and nothing appearing against them-- discharged!

207 Brackenridge. *Western Insurrection*, (1859). *op. cit.* 316-9.

208 Wellford wrote in his diary, "Saturday, Nov'r 22nd. Left McFarlands, 15 miles from Pittsburgh, on the west side of the Monongahela... the cold excessive, the Ink froze while writing, snowed this day. 23rd "...The cold excessive, said to have been from the year 1771 in no part of any winter more severe for 23 years." Wellford. *op. cit.* 116.

It is painful to contemplate such acts under any form of government, and especially under free institutions. It appears that some of the citizens who had most exerted themselves in support of the laws, were the victims of this dragoonade.

About three hundred arrests were made by the different military parties in the same night, chiefly in Washington and Allegheny counties. With few exceptions these arrests were made with a total disregard of the amnesty, an instance of bad faith most disgraceful to those concerned, and contrary to the express command of Washington in the general orders signed by Hamilton.

The agonizing distress of those citizens and their families, who were made the victims of perhaps PRIVATE RESENTMENTS on this occasion, can be more easily conceived than expressed. The consternation of others, when they observed the innocent, those who had signed the amnesty, witnesses and criminals, treated with such undistinguishing severity, was inexpressible. They justly apprehended that no man was safe, let his conduct have been ever so innocent, or his assurance of protection from government ever so great, if those who influenced the judiciary had enmity against him.”

Record No. 105

1794 NOVEMBER 29 GENERAL LEE'S PROCLAMATION OF PARDON²⁰⁹

By Henry Lee, Governor of the Commonwealth of Virginia, Major General therein, and Commander-in-Chief of the Militia Army, in the Service of the United States. A PROCLAMATION:

By virtue of the powers and authority vested in me by the President of the United States, and in obedience to his benign intentions therewith communicated, I do, by this, my proclamation, declare and make known to all concerned, that a full, free and entire pardon (excepting and providing as hereafter mentioned) is hereby granted to all persons residing within the counties of Washington, Allegheny, Westmoreland and Fayette, in the State of Pennsylvania, and in the county of Ohio, in the State of Virginia, guilty of treason or misprison of treason against the United States, or otherwise directly or indirectly engaged in the wicked and unhappy tumults and disturbances lately existing in those counties; excepting, nevertheless, from the benefit and effect of this pardon; all persons charged with the commission of offenses against the United States, and now actually in custody or held by recognizance to appear and answer for such offenses at any judicial court or courts, *excepting also all persons avoiding fair trial by abandonment of their homes; and excepting moreover, the following persons, the atrocity of whose conduct renders it proper to mark them by name for the purpose of subjecting them, with all possible certainty, to the regular course of judicial proceedings,* [italics added] and whom all officers, civil and military, are required to endeavor to apprehend and brought to justice, to wit:²¹⁰

209 *PA 2nd Ser., op. cit. 4:402-3.*

210 “A number of the men excepted from the general pardon surrendered themselves during the winter. Morgan released them on parole in consideration of their promise to appear before the federal court at Philadelphia, and it was said that only *two failed to show up* [italics added]. It is doubtful if any of them were prosecuted. Baldwin. *Whiskey Rebels. op. cit. 257.*

Benjamin Parkinson	Andrew Gardiner
John Holcroft	Daniel Hamilton
THO. LAPSLEY	William Miller
Edward Cook	Edward Wright
Richard Holcroft	David Bradford
John Mitchell	Alexander Fulton
Thomas Spiers	William Bradford
Geo. Parker	Wm. Hanna
Edward Magner, jun.	Thomas Hughes
David Lock	Ebenezer Gallagher
Peter Lyle	JOHN SHIELDS
William Hay	William McElhenny
Tho. Patton	Stephenson Jack
Patrick Jack and Andrew	Highlands, of the State of Pennsylvania, and-
William Sutherland	Robert Stephenson
William McKinley	John Moore, and
John McCormick, of Ohio county,	in the State of Virginia

PROVIDED, That no person who shall hereafter willfully obstruct, or attempt to obstruct the execution of any of the laws of the United States, or be in any wise aiding or abetting therein, shall be entitled to any benefit or advantage of the pardon herein granted: AND PROVIDED ALSO, That nothing herein contained shall extend, or be construed to extend to the remission or mitigation of any forfeiture of any penalty incurred by reason of infractions of, or obstructions to, the laws of the United States for collecting a revenue upon distilled spirits and stills.

Given under my hand, at Head Quarters, in Elizabeth Town, this twenty-ninth day of November, 1794.

HENRY LEE

Record No. 106

1794 DECEMBER 4 PETITION FROM JOHN SHIELDS²¹¹

About the 10th or 12th of November last I left home to visit a friend in Westmoreland County. I had no apprehension that I (a person who had signed the assurances of government) would be called for; but when hearing they were called for as well as others, I immediately came home and finding the judges removed from Pittsburg, I gave myself up to Adamson Tannahill, Esq.²¹² This I certify in truth.

(signed) JOHN SHIELDS

²¹¹ Creigh, Alfred. *History of Washington County, etc. 2nd edition*. B. Singerly, Harrisburg (1871). Appendix, 116.

²¹² Adamson Tannehill was, at this time, a local justice of the peace. At one time he had been a tavernkeeper in Pittsburgh and president of the Pittsburgh Fire Department. In 1812 he was elected to Congress. See Ferguson, Russell J. *Early Western Pennsylvania Politics*. Univ. Pittsburgh Press, (1938), p 165.

Record No. 1071794 DECEMBER 4 PETITION FROM *THOMAS LAPSLEY*²¹³

I do certify that I went abroad about the 10th or 12th day of November last to visit some friends, not knowing at the time of my departure that there was any charge against myself, as I had the submissive paper as prescribed by government; but hearing on my return that there had been a guard after me, I then proceeded as fast as possible and immediately delivered myself to justice before Adamson Tannihill, Esq.

(signed) *THOMAS LAPSLEY*

Record No. 1081794 DECEMBER 4 AFFIDAVIT FROM A. TANNIHILL²¹⁴

To Whom Concerned:-- I do certify that I heard Jacob Ferree say he was willing to give testimony that he saw *John Shield* sign a submission to the laws as directed by commissioners on behalf of the United States on the 11th of September last. I do also certify the I saw the names of John Shields and *THOMAS LAPSLEY* written on the paper of submission taken on that day, and that the name of *THOMAS LAPSLEY* I believe to be in his own handwriting.

²¹³ Creigh. *op. cit.* Appendix, 116-7.

²¹⁴ *ibid.*

Record No. 109

1794 DECEMBER 15 GEN. DANIEL MORGAN²¹⁵ TO JUDGE ADDISON²¹⁶

Judge Addison,²¹⁷ Washington:-- Sir: I am at a loss to know how to act with respect to the people charged with treasonable practices against the United States, who have come under my notice.

Since Judge Peters²¹⁸ left this country he wrote to me that they were to come under your notice. I will thank you to inform me in what way I am to act. The inclosed petition from *Shields* and *LAPSLEY* with some depositions I think comes more under your notice than mine. A number of characters mentioned in Governor Lee's proclamation have delivered themselves to me, who I have parolled at my own risk upon their giving me their words to come in whenever called on. If *Shields* and *LAPSLEY* had given themselves to me, I should have used the same lenity with them. As I believe the people of this county wish to come to order, and my intention is to encourage it as much as it lies in my power. Your immediate answer will particularly oblige

Sir, your obedient servant,

Record No. 110

1794 DECEMBER 24 DISTRICT ATTORNEY RAWLE TO JUDGE ADDISON²¹⁹

Dear sir: I have just now the pleasure of receiving yours of the 5th inst. Agreeably to your request, I proceed to make as full a statement of the reasons for excepting the persons specified in the proclamation as the present opportunity will admit.

215 Daniel Morgan (1736-1802) was born in New Jersey and served as a teamster in Braddocks 1755 march to Ft. Pitt. He is said to have first met George Washington in 1757 when both joined a volunteer militia raised to suppress an Indian uprising near Winchester, Va. Governor Dinwiddie commissioned him an ensign in 1758. Following Pontiac's War (1763) he farmed his bounty land for 9 years. In 1771 he was commissioned a captain and in 1773 served during Dunmore's War. In 1775 he commanded a Virginia company that was one of the first to reach Boston and subsequently joined Benedict Arnold's march to Quebec where he was taken prisoner. Upon release he returned to Virginia where, upon recommendation of Washington, he was appointed colonel of the 11th Virginia Rgt. which he commanded almost to the end of the war. It was as a major-general that he led Washington's militia against the tax revolt in western Pennsylvania. His daughter was married to Presley Neville (1775-1818).

216 Creigh. *op. cit.* *Appendix*, 116.

217 Alexander Addison (1759-1807) was born in Scotland and educated at Marischal College, Aberdeen University and emigrated to Washington Co., Pa. There he served an apprenticeship under David Redick who was admitted to the practice of law in that county in 1782. See Rowe, G. S. "Alexander Addison: The Disillusionment of a 'Republican Schoolmaster' in *WPMH* 62:221 (1979).

218 Richard Peters (1744-1828) was born in Philadelphia. In 1789 President Washington appointed him judge of the U. S. District Court in Pennsylvania.

219 Creigh. *op. cit.* *Appendix*, 116-7.

The offenses of B. Parkinson,*²²⁰ John Holcroft,* Daniel Hamilton, and David Bradford, are too generally known to require a particular enumeration. Arthur Gardner,* one of those who, on the 4th of July, at the meeting of Colonel Hamilton's battalion, agreed to oppose excise law by arms, etc.; met at Couch's; united in the attack on Gen. Neville's; issued orders for the meeting at Braddocks Field; of assisting at Catfish, the 14th of August, in raising liberty pole. *THOMAS LAPSLEY*, active at Neville's. William Miller, active at Neville's and opposed to signing the paper; very contemptuous of the laws and processes of the United States. The youth of George Parker was not known when his name was inserted. In respect to these submissions it is understood not to avail those who fly from home. It cannot be a bona fide submission in such cases. This also applies to *Shields* and *LAPSLEY* yet it is open to them all to explain the reasons of their absence; if proved to be of a justifiable nature, their right to present immunity will be restored.

Record No. 111

1795 APRIL 25 NOTICE IS HEREBY GIVEN²²¹

UNITED STATES PENNSYLVANIA DISTRICT

NOTICE is hereby given, that the trials of Criminals Caufes in the Circuit Court of the United States for the Pennsylvania Diftrict, will commence on Monday, the 4th day of May next, at the City Hall in Philadelphia: when and where all perfons bound by recognizance or otherwife to appear, are required to attend.

By order of the Honorable William Paterfon, Efq. one of the affociate juftices of the Supreme Court of the United States, and the Honorable Richard Peters, Efq. diftrict judge of the United States for the Pennfyvania diftrict.

LENOX, Marfhal. Marfhal's Office, March 11, 1795.

220 Those marked with a * delivered themselves to General Morgan under the direction of Judge Peters.

A list of names follows with brief descriptions of their offenses during the Whisky Rebellion. Among them are: John Shields, a principal in the affair at Neville's

221 *Pittsburgh Gazette. 25 April 1795.*

Record No. 112

1795

THE TRIALS^{222 223}

“The trials of the insurgents dragged on during most of the spring, summer, and fall of 1795. The difficulties of bringing jurors and witnesses from the West were great and hampered the proceedings at every step. Some of the prisoners brought east by the cavalry in December were admitted to bail at various times. The grand jury by the end of May had found more than thirty bills for treason, fourteen of them, it was said, against men still held in jail. These arraignments for treason stirred up a great deal of controversy as to the exact nature of the western opposition to government- - in other words as to whether or not it was levying war within the meaning of the Constitution. The adherents of the view that the opposition constituted treason had the advantage in the courts, and most of the accused escaped only because there was a lack of evidence against them. Brackenridge [Hugh H., their attorney] upheld the opinion that the westerners were involved only in riot, and later events seem to show the justice of his contentions. If every subsequent riot paralleling the Whiskey Insurrection in nature or rivaling it in size had been construed as treason and so treated, liberty would have become as constrained in the United States as it was under the Sennacheribs.

The trials, with two exceptions, were to no purpose, and the prisoners were acquitted for lack of proof; for the witnesses apparently were unwilling to say anything to the damage of their neighbors. On July 10 Washington [President] issued a proclamation pardoning all those who were not under indictment or sentence, and on August 26 Mifflin [Governor of Pennsylvania] followed with a similar proclamation for the state.”

Record No. 113

1795

SUMMING UP THE WHISKEY REBELLION²²⁴

“Hitherto but one side, and that the unfavorable side, as respects the insurgents, has been given by historians and public functionaries. There is another side, and it is that of the conduct of the government agents to the western people, in the pretended suppression, by military force, of an insurrection already suppressed by themselves. In doing this, there was a hundred times more gross violation of law-- more cruel injustice-- more wanton ruffianly acts, than were committed by the insurgents, and this without provocation. These outrages have hitherto been passed over almost in silence; but, if it be a duty to record and pronounce sentence of condemnation on the opposition to law and order, as a warning in future, it is not less so to hold up to just reprobation the cruel, wanton and oppressive of those government subordinates. All this would have been avoided by a simple proclamation of amnesty to the whole country, as at first proposed, by the commissioners, under the

222 Baldwin. *op. cit.* 262-3.

223 A list of all persons indicted by W. Rawle was furnished to the compiler by Robert J. Plowman, Chief, Archives Branch, Federal Archives and Records Center, Philadelphia. The list shows that the grand jury charged 19 of the 43 indictments with treason and the remainder with lesser charges. Nine of those indicted for treason were residents of Allegheny County; 7 residents of Washington County and 3 of Bedford. Neither Thomas Lapsley nor John Shields was among the indicted.

224 Brackenridge. *Western Insurrection. op. cit.* 242.

instructions of Washington, agreed to by the first committee of conference, and, as we contend, sufficiently ratified by the standing committee. Reason, gratitude, interest-- every consideration in this case, would have shed their benign influence over a well-meaning, but erring people. The march of an army of fifteen thousand men, at a greater expense than the whole whiskey tax ever yielded-- a tax which, after the trial of a few years, was repealed-- would not have taken place, to subdue a portion of our fellow-citizens; and the historian would not have had to record this unfortunate episode in our national history."

Record No. 114

1795 AUGUST 3

TREATY OF GREENVILLE²²⁵

"On the third of August... 1795, a treaty of peace with the Indians was concluded at Fort Greenville, [present county site of Darke Co., Ohio] which gave to the United States four fifths of the territory now embraced in the State of Ohio.

After these events, the menace of Indian hostility being removed, the country north of the Ohio, hitherto recognized as "the Indian country," and impossible of settlement, began to receive a flood of emigration."

225 Bausman. *op. cit.* 131.

Record No. 115

1798 U.S. DIRECT TAX FOR MIFFLIN TWP.,²²⁶
 Allegheny County, Pennsylvania.

THOS LAPSLY is reported the owner and occupant of two tracts of land within the above mentioned township. While tax was paid on both tracts of land, only one is reported to have had a taxable dwelling on it.

Record No. 116

1800 U.S. FEDERAL CENSUS
 Mifflin Twp., Allegheny Co., Pennsylvania

THOMAS LAPSLEY is reported the head of a household consisting of two males between the ages of 10-16 (i.e. born between 1784-1790), two other males who were under the age of 10 years (i.e. born between 1790-1800), one female between the ages of 10-16 and another under 10 years of age. Thomas Lapsley was then over 45 years of age (i.e. born before 1755). His wife was between 26-45 years of age, hence born between 1755 and 1774.

Record No. 117

1800 DECEMBER 2 PENNSYLVANIA SEPTENNIAL CENSUS²²⁷

The census for Allegheny County reports *THOMAS LAPSLEY's* occupation was that of a “farmer”.

226 *United States Direct Tax of 1798: Tax Lists for the State of Pennsylvania.* Microfilm No. 372. National Archives and Records Service. Washington. A copy of the same record that appears on page 751 of the same source spells the name Lapsley.

227 *Record Group 7: Records of the General Assembly. Subgroup: Records of the House of Representatives. Series: Septennial Census Returns, 1779-1863.* Bureau of Archives and History, Division of History, Pennsylvania Historical and Museum Commission. Harrisburg.

Record No. 1181807 DECEMBER 29 THOS LAPSLEY'S LAST WILL & TESTAMENT^{228 229}

In the Name of God Amen I THOMAS LAPSLEY of Mifflin Township Allegheny County & State of Pennsylvania being weake of Body but of Sound mind memory & understanding Blessed be God for the same etc. but knowing uncerternty of time & certernty of Deth have made this my last will & testament In manner following First I recomend my Soul to God who gave it my Body to the dust to be Buried in a Decent Christian manner at the descretion of my Executors as to the worldly estate wherewith God hath Blessed me It is my will that after my Decease all my Just Debt be paid out of my personal estate

I give and bequeath unto my beloved wife MARGARET her Living in the mantion house on the farm I now live on During her widowhood but if Shee Shold Marry again then She is to leave the place and Shall have from my estate one horse & saddle one Cow and one bed & Beding and all that She so weaves or the value thereof is to be returnd to my heirs at her Deceas

also it is my will and I do ordain that the Plantation where on I now live which is Patented in the Name of MARTHA LAPSLEY shall be equally Divided between my four Sons towit JOHN THOMAS SAMUEL and ROBERT according to quantity & quality and each of the Boys my Sons so receiving my lands Shall pay each Seventy five Dollers which will amount to three hundred Dollers which Shall be equally Divided between my Six daughters (viz) ELIZABETH JEAN MARGARET BARBARA MARY & MARTHA which will be fifty Dollers to each which Shall be paid to them or bare lawfull Interest in one year from my Decase as to my Sons who are of age and as to the minor sons they Shall make like payment in one year from there coming of age

also It is my will and I do order that my plantation or place of Land Lying in said County & Township ajoyning Lands of David Calhoon James Irwin and others Shall be Equally Divided between my Said Six Daughters towit ELIZABETH JEAN BARBARA MARGARET MARY and MARTHA to be sold to the best advantage at or before my youngest Daughter arives at the age of eighteen years at the Descration of my Executor hearin after Named and the money arising from Said Sail to be Equally Divided between my Said Daughters ELIZABETH JEAN BARBARA MARGARET MARY & MARTHA farther It is my will & I do ordain that all the profits arising from my Said Plantation whereon I now live Shall be bound for the Suport of my Said wife while She remains a widow and the Clothing Schooling & Boarding my minor Children and the overplus or

228 Allegheny County. Registrar of Wills. *Book 1:257*. An abstract of the Will appears in *Publications of the Genealogical Society of Pennsylvania*, Vol VII, No. 1, p 144 (March 1918).

229 Tombstones in the oldest part of the Lebanon Presbyterian Church Cemetery were read but none found for any Lapsley. It is here that a John Shields, possible neighbor to Martha Lapsley and associate of Thomas Lapsley, is buried. Tombstones were also read in the oldest section of the Bethel Presbyterian Church Cemetery, but none found for any Lapsley. A list of those buried in this cemetery was published by Degelman, W. C. *Bethel Presbyterian Church History* (1936) and it also contains no Lapsleys. The Lapsleys may have been buried in the cemetery that was on the James Rhodes land that became the Verscharen Shopping Center. See Thompson, Noah. *op. cit.* Neither the Peters Creek Cemetery nor the Chartiers Church Cemetery seem likely locations for Lapsley burials and therefore have not been searched.

Ballence if any Shall [faul?] to my son THOMAS if thinks proper to take the farm & comply with the above conditions also what ever Stock is on the place after Discharging of funeral expence & Just Debts & It is my will that it so remains provide the family live together if they canot So agree to live together I allow and it is my will that my Executors in There Descration so Dispose of the estate that my Children be raised & school withoute Infringing on or taking from there part of the reel estate

It is my will & I do ordain that if any of my Sons Shold Deceas before they have isue There part or portion Shall be equally Divided between They Surviving Brothers and also if a Daughter Deceas withoute Isue her part or portion Shall be equally Divided between hir Surviving Sisters

I also ordain that my Son JOHN is not to receive any part of or proffets from my Personal estate except what he has alredy rec'd

and Lastly I Do appoint James Patterson Esq Robert Thompson and William Allison Senr my whole end Sole Executors of this my last will and testement hereby revoking end Disanulling all other wills by me made

In witness where of I have hearunto Set my hand and afixed my Seal

this 29th Day of December A D 1807

Sind Seald in the presints of us

*John Shields
Robt Shields*

THOS LAPSLEY

1808 January 11

Allegheny County SS

Before me Samuel Jones Esq Register of wills & Granting Letters of Administration &c in & for said County came John Shields & Robert Shields the two subscribing witnesses to the Within will, and being duly sworn according to Law Deposeth & Saith that they were personally present and did see Thomas Lapsley the Testator within Named Sign Seal, & hear him publish pronounce and Declare the within as his last will & Testament, and that he was of Sound mind & Memory to the best of their Knowledge Witness my Hand the 11th January 1808

*For Saml Jones Regr
Wm Jones*

Record No. 119

1808 JANUARY 11 INVENTORY OF THOS. LAPSLEYS PERSONAL ESTATE²³⁰

\$412.14

Dec'd

*A True and perfect Inventory and conscionable appraisment of all and Singuler the good Chattles
rights and Credit which wear of THOMAS LAPSLEY late of Mifflin Township Allegheny County at
the time of his Death to wit*

Cash	\$ 4--62
Wearing apparel	6--
one Black Cow	10
one Do [Piedid?] Do	14
one Do Brindle	12--
one Do Do	10
two Heffers	11
one Steer	4
one Brown Cow	10
Do Bay horse	30
Do Do Do	30
28 Geese	7
Do Cuting Box	2--50
Do pitchforks riels & Sunderys	1--69
Do 20 bushls rye @ 40 cents pr bus'l	8--
Do 55 bushls wheat at	29--33
Do oats in Stack	18--
Do Hay in Stack	14
two Calves at	3--55
18 head of Hogs	13--
8 acres Grain in the Ground	11
Do Maul wedges Harow hillinghoes Mattack old Iron &c.	7
Do Carpenters tools tanner tools &c. &c.	6
Do Sleds & log Chain	4--
Do Grindstone	67
Do Plow & trees	3--
Do Hors Geers	7--
Do pack Sadls	3--75
Do Wheels and reel	2--30
Do Leather	6--
Carried Over	\$289--41

230 *ibid.* Bk. 1:257, no. 15.

<i>Brought over</i>	289--41
<i>two Sadls & Saddle bags</i>	6--50
<i>one Looome and tacklings</i>	4--
<i>Do Barrells tubs Pots &c</i>	12--50
<i>Bells & Sunderys</i>	2--
<i>Books Slates &c &c</i>	8--40
<i>Kitchen furniture &c</i>	10--
<i>Rasors & Shaving aperatus</i>	27
<i>a Silver Watche</i>	6--
<i>Silver Bukles Buttens &c</i>	5--
<i>one table & Nine Split bottomd Chairs</i>	2- -75
<i>Do Chest</i>	1--50
<i>fier Shovle & tongs</i>	1--
<i>a Looking Glass</i>	50
<i>4 Beds and Beding &c &c</i>	30--
<i>Beef and Pork</i>	9--
<i>Book Debts Due from the following Parsons</i>	
<i>to wit George Lowe</i>	11-31
<i>Martha MClaland widow</i>	12--

	\$412=14

Taken and appraised by us the Subscribers
the 7th Day of January AD. 1808

Sworn before me this
11th day of January 1808 *Andrew finney*
Saml:Jones Repr *Z[?] Leuedon*

Record No. 1201808 JANUARY 21 AUCTION OF THOS. LAPSLEY'S PERSONAL ESTATE²³¹

Vandue List
 1808
 THOMAS LAPSLEY
 dec 'd

\$143 .89

*A Bill of articles Sold at vandue Janry 21st 1808 of the Goods & Chattles belonging to
 the Estate of Thomas Lapsley Deceast* \$ cts

John Lapsley two pack saddles at	1	5
John Yant two Maul rings and a wedge at		81
Thomas Stewart one Mattack at		85
John Whithill old Iron at		63
George Cameron a Syth at	1	-1
Thomas McElheny old Seekles at		52
Rober Thompson one Flessing Knife at	1	
James Peagen auger and Chisel at		42
James McCowin 13 H arrow teeth at	1	92
John Lapsley one pot at	1	50
Do Lapsley one Do at		51
Thomas McElheny Junr two Hogsheads at		71
Hugh Rankin one Barrel at		45
Thos McElheny Jnr	1	
Thomas Lapsley one Sadle at		85
Mathew King one ax at		63
John Robertson two hogs at	3	6
Thomas McElheny 12 pigs at		6

²³¹ Allegheny County. Register of Wills.

<i>Jonathon Lowe one Brindled Cow at</i>	12 50
<i>Thomas McElheny one [? J Do at</i>	13 55
<i>Matthew King one heffer at</i>	5 50
<i>Washington Robertson one Steear at</i>	6 6
<i>Isaac Whitcraft one Calf at</i>	2 76
<i>Do Do one Black Cow at</i>	8 83
<i>James Peagen one hay Stack at</i>	7
<i>John Whithill two Sheep at</i>	6 75
<i>Mathew Calhoone two Do at</i>	6 18
<i>James McRoberts one Silver watch at</i>	11 76
<i>Thomas Stewart one Medical Book at</i>	2--
<i>James Leeper Sundree Books at</i>	80
<i>George Cameron Do Do at</i>	42
<i>John Lapsley two Chairs at</i>	1--
<i>Joseph Fulsher two Do at</i>	80
<i>George Cameron one Slate at</i>	43
<i>George Lowe one feather Bead at</i>	13--
<i>Joseph Fulsher one Bedsted 6 Cord at</i>	1 92
<i>Do Do one puter Dish at</i>	1 50
<i>James Greeves on Kegg at</i>	1 51
<i>John Yant on Puter Bason</i>	1 53
<i>Thomas McElheny Jr two tea pots</i>	82

Carried over 129 54

Brought Forward 129 54

<i>Samuel Tidbaul one Drawing Knife at</i>	70
<i>John Lapsley one handsaw at</i>	1 75
<i>Tobias Stilley one grindstone at</i>	1 10
<i>Joseph Fulsher one Dish & Plate at</i>	1 40
<i>Abraham Beam one pair Silver Bukles at</i>	1 26
<i>Robert Thompson one pair Do Knee Buckles @</i>	1 60
<i>John Yant one Lamp @</i>	50
<i>Andrew Martin Box & rasors @</i>	1 5
<i>Samuel Tidbaul one billing hoe @</i>	91
<i>James Robertson one tub @</i>	17
<i>Andrew Martain one Jacot Pattren</i>	1 3
<i>James Greeves one Wheel @</i>	51
<i>John McElheny Books @</i>	56
<i>William Allison 3 Books @</i>	1 15
<i>William Livingston 3 Do @</i>	66
<i>Vandu List</i>	143 89

Record No. 121

1810

U.S. FEDERAL CENSUS
Mifflin Twp, Allegheny Co. Pennsylvania

JOHN LAPSLEY is reported to be the head of a household consisting of himself, then between 26-45 years of age (i.e. born between 1765 and 1784), and three females. The eldest, presumably his wife, was also between 26 and 45 years of age. One female was between 16 and 26 years of age (i.e. born between 1784 and 1794), the other was under 10 years of age or born between 1800 and 1810.

1810

U.S. FEDERAL CENSUS
Mifflin Twp., Allegheny Co., Pennsylvania

MARGRET LAPSLEY is reported to be the head of a household consisting of ten persons. The eldest female, presumably Margret, was then over 45 years of age (i.e. born before 1765). Two females were then between 16-26 years of age (i.e. born between 1784 and 1794), one was then between 10 and 16 years of age (i.e. born between 1794 and 1800), while three were under 10 years of age or born between 1800 and 1810.

Record No. 122

1810 APRIL 2

APPOINTMENT OF GUARDIANS FOR THOMAS LAPSLEY'S
MINOR CHILDREN²³²

MARGARET LAPSLEY, relict of *THOMAS*, requests the Court to appoint guardians for *Robert, Margaret, Mary and Martha Lapsley* who were under 14 years of age at the death of their father. The Court appoints John Findley and Andrew Finney their guardians.

Record No. 123

1813 DECEMBER 11

GUARDIAN APPOINTED FOR SAMUEL LAPSLEY²³³

Samuel Lapsley, a minor above the age of 14 years, requested John Findley, Esq. his guardian until age 21 years.

232 Allegheny County. Orphans Court. *Guardian Appointments*. 1:140, No. 603.

233 Allegheny County. Orphan's Court. *Guardian Appointments*. 1:139.

Record No. 1241813 DECEMBER 30 VENDUE LIST OF THE ESTATE OF THOS LAPSLEY²³⁴

*List of article the property of THOMAS LAPSLEY Dec'd sold on the 30th day of
December 1813---*

<i>John Finley Junr</i>	<i>1 pair Horse Geers</i>	<i>1.70</i>
<i>Do Do</i>	<i>1 Do Do</i>	<i>2.00</i>
<i>George Sickman</i>	<i>2 ? ? ?</i>	<i>.55</i>
<i>Do Do</i>	<i>1 pair saddlebags</i>	<i>.75</i>
<i>John Lapsley</i>	<i>1 pack saddle</i>	<i>1.37</i>
<i>Thomas McElhinny</i>	<i>1 Plow</i>	<i>3.50</i>
<i>Jacob Sinkean</i>	<i>1 Iron Wedge</i>	<i>.80</i>
<i>David Gaut</i>	<i>1 Sugar Kettle</i>	<i>4.01</i>
<i>John Lapsley</i>	<i>1 Pott</i>	<i>1.00</i>
<i>Elisabeth Lapsley</i>	<i>1 bake oven</i>	<i>1.87</i>
<i>Do Do</i>	<i>1 Loom</i>	<i>1.55</i>
<i>Do Do</i>	<i>1 Cow</i>	<i>9.26</i>
<i>Do Do</i>	<i>1 Do</i>	<i>9.26</i>
<i>John Webb</i>	<i>1 Bay horse</i>	<i>26.00</i>
<i>Saml Mordock</i>	<i>1 Hay stack</i>	<i>20.00</i>
<i>Alexander Murdock</i>	<i>1 Do Do</i>	<i>22.05</i>
<i>John Lapsley</i>	<i>1 pair Geese</i>	<i>1.00</i>
<i>Do</i>	<i>1 Do</i>	<i>.90</i>
<i>Do</i>	<i>1 Do</i>	<i>1.00</i>
<i>Do</i>	<i>1 Do</i>	<i>1.00</i>
<i>Do</i>	<i>1 Pewter Dish</i>	<i>1.05</i>
<i>Do</i>	<i>1 Cutting Box</i>	<i>5.95</i>
<i>Mathew Calhoun</i>	<i>5 Hogs</i>	<i>8.37</i>
<i>William Stewart</i>	<i>1 Hay fork</i>	<i>.40</i>
<i>Robert Hamilton</i>	<i>1 log chain</i>	<i>1.9</i>
		<i>-----</i>
		<i>\$127.25^{1/2}</i>

²³⁴ Allegheny County. Registrar of Wills. *Vendue No. 13* (1813).

Record No. 125

1814 MAY 31

THE INHERITANCE OF THOMAS LAPSLEY'S DAUGHTERS²³⁵

WHEREAS *THOMAS LAPSLEY* late of the County of Allegheny in the Commonwealth of Pennsylvania, deceased, did die in and by his last will and Testament, bearing date the twenty ninth day of December in the year of our Lord one thousand eight hundred and seven, and remaining of record in the recorders Office in and for the County aforesaid, Constitute and appoint James Patterson, Esq. Robert Thompson and William Allison Senr his sole Executors of the aforesaid last Will and Testament, and made provision in said last Will in the words following to wit "I do order that my plantation or piece of land lying in said County and Township, adjoining David Calhoon and others and shall be equally divided between my said six Daughters to wit, *ELIZABETH, JEAN, BARBARA, MARGARET, MARY and MARTHA*, to be sold to the best advantage at or before my youngest arrives at the age of eighteen years at the discretion of my Executors" And WHEREAS in pursuance of the aforesaid Will the said James Patterson and William Allison Senr two of the Executors mentioned in said Will, Robert Thompson the other Executor having removed from the County and virtually renounced his power as executor leaving the other two to carry said last Will and Testament into complete effect according to the true meaning thereof. AND WHEREAS the said two Executors James Patterson and William Allison Senr have sold the above mentioned plantation or piece of land more particularly hereinafter described to George Roush--- NOW THIS INDENTURE made and concluded this thirty first day of May in the year of our Lord one thousand eight hundred and fourteen, Between the said James Patterson and William Allison Senr Executors as aforesaid of the one part and George Roush of the other part, both parties of the County of Allegheny and Commonwealth of Pennsylvania WITNESSETH that the said James Patterson and William Allison Senr for and in consideration of the full sum of Two thousand and one hundred and fifty four dollars lawful money of the United States by them in hand paid by the said George Roush, at or before the ensealing & delivery hereof the receipt whereof is hereby acknowledged, Hath granted, bargained, sold, aliened, enfeoffed, released and confirmed and by the Grant, bargain, Sell, alien, enfeoff, release and confirm unto the said George Roush his heirs and Assigns the aforesaid Plantation or piece of land bounded and described as follows, to wit Beginning at a corner and running south Seventy four degrees East one hundred and thirty perches to a post, thence north fifty five Degrees East, Eighty perches and one half to a black Oak, then north Eleven degrees West Seventy four perches to a White Oak, thence north forty eight degrees West Eighty five and one fourth perches to a black Oak, thence South fifty give West degrees one hundred and thirty five perches to a post, thence south Two degrees West Sixty five perches to the place of beginning, Containing one hundred and thirty one acres and Twenty four perches with allowance of six percent for Roads &c lying and situate in Mifflin Township County and Commonwealth aforesaid and adjoining land of Samuel Hamilton, David Calhoun and the aforesaid George Roush, it being the same tract of Land which Patented by the Commonwealth aforesaid to the aforesaid *THOMAS LAPSLEY* and bearing date AD 1789, as will fully appear by reference therto, TOGETHER with all and singular the Buildings, improvements, woods, ways, waters, water-courses, rights, liberties, privileges, hereditments and appurtenances whatsoever thereunto to belonging or in any wise appertaining and the reversions and remainders, rents, issues and profits thereof and also all the Estate, right, title, interest, claim or demand whatsoever of in and to the same TO have and to hold the said tract of land, hereditments and premises hereby granted or mentioned or etc. etc.

235 Allegheny County. *Deed Book T-19:397-8.*

Record No. 126

1817 JULY 9 ACCOUNT OF JAMES PATTERSON ESQ & ROBERT THOMPSON &
WILLIAM ALLISON, SR. OF THOS. LAPSLEY'S ESTATE²³⁶

*IMPRIMIS These Accountants charge themselves with all Singular the Goods Chattels, & Credits
of the Said Dec'd at the time of his Death Came to the hands of these Accountants According to an
Inventory thereof Exhibited into the Register at Pittsburgh*

Amounting to	\$412.
To Cash Rec'd of George McWilliams not	
Mentioned in the Inventory	22
To Advance on Sales at Vendue	24

	\$438

*Exhibited into the Registers Office
at Pittsburgh the Ninth day of July
1817*

*James Patterson
Acting Exec*

*Sworn & Subscribed
before me the same day
& year*

<i>Saml Jones</i>	
<i>Reg</i>	\$438

*Items the said Accountants pray an Allowance of their
payments & Disbursements viz.*

1. By Amt pd. Mathew Calhoon for coffin pr rect	\$ 6
2. " Dr. Saml Huey "	28
3. " Steel Semple Es "	4
4. " John Scull for writing "	1
5. " Chs. N. Lee pr prvo act	5 50
6. " Saml Jones Regr pr Rect	3 66
7. " Wm Steel Esq " "	56 19
8. " Enoch Hankins pr prvo act	19 27
9. " Alexander Calhoon pr rect	3 75
10. " "	7 79
11. " Jno Silley	2
12. " George Low " "	18 72
13. " Thos. McElheny "	2 40
14. " John Lapsely pr prov act	4 90
15. " Reg for Stating Advertising & pass of a/c	5
do Matthew McClelland acct	
mentioned in the Inventory and not recovered	12
Taken by the widow as pr appraisment bill	175 98

16.	"	David Coon (for surveying) pr rct	6
17.	"	E Penttana (Prothy) pr acctr	2
18.	"	John H. Chaplin pr rec t	5
19.	"	William Wilkins Esq "	5
20.	"	Elizabeth Allison Exetrs pr prov act	16 25
21.	"	James Patterson Ex "	36 25
22.	"	Register for further statg of this act	3

			\$427 79
			41 56

Balance in hands of this acct			469 35

Record No. 127

1820 U.S. FEDERAL CENSUS
Mifflin Twp., Allegheny Co., Pennsylvania

JOHN LAPSLEY is reported the head of a household consisting of seven persons. The eldest female, presumably his wife, was then between 26 and 45 years of age (i.e. born between 1775 and 1794). A female child who was then between 10 and 16 years of age (i.e. born between 1804-1810) is reported. Four males, all under the age of 10 years (i.e. born between 1810 and 1820), are reported. It appears that John Lapsley was engaged in manufacturing.

1820 U.S. FEDERAL CENSUS
Mifflin Twp., Allegheny Co., Pennsylvania

MARGRET LAPSLEY is reported the head of a household consisting of six persons. The eldest female, presumably Margret, was then over 45 years of age (i.e. born before 1775). Three other females, all between 16 and 26 years of age (i.e. born between 1794 and 1804), were enumerated in the household. Two males, both between 16 and 26 years of age (i.e. born 1794 and 1804), resided with her. Two persons were reported to be engaged in agriculture.

Record No. 128

1828 JANUARY SUBDIVISION OF MIFFLIN TOWNSHIP²³⁷

"Owing to the great extent of Mifflin Township, many persons, as its population increased, were obliged to travel eight or nine miles to the place of election, and the work of road making occasioned great inconvenience. At the April sessions, 1827, a petition for division having been filed, John Behan, David Coon and Robert Calhoun were appointed to consider the advisability of effecting the change proposed. A favorable report having been submitted, Jefferson [Township] was erected at January sessions, 1828, from the southern part of Mifflin and a small portion from St. Clair. Its area was 19,468 acres, and that of Mifflin was reduced to 17,750 acres."

237 Warner, A. & Co. *History of Allegheny County, Pennsylvania* p 78.

Record No. 129

1828 APRIL 9

AN EJECTMENT²³⁸*MARGARET LAPSLEY*

vs

John Lapsley, Robert Lapsley, Copy Sheff Lecky \$2.12-
and William LivingstonEjectment for a tract of
Land in Jefferson township
Allegheny County Served by
May 23rd 1828 On Motion.
rule to plead. Deft pleads Not Guilty
issue & rule for Trial 3rd March 1832**Record No. 130**

1828 MAY 22

AN EJECTMENT^{239 240}Israel
SeldenGeorge Ramack and Elizabeth
his wife late *Elizabeth Lapsley*.
Alexander McDowell and Jane his
wife, late *Jane Lapsley*. John
Dolin and Barbara his wife late
Barbara Lapsley. Henry Clinefelter
and Mary his wife, late *Mary*
Lapsley. Joseph Brewster and Mary
his wife late *Margaret Lapsley &*
Martha Lapsley.

Summons Debt in \$600-

served on all the Defts-
Except Robt Thompson.
Wm Allison Nihil as to
them Sheff Lecky \$2.45
May 22nd 1828 on Motion
rule to Declare Decr 1"
1828 on Motion of Mr
Fetterman Non Pros

50cts pd

by atty

vs narr March 13 1829

Dallas for

Patterson

when writ

is served

James Patterson Esqr Robert Thompson
William Allison Senr Exs of the last
Will & Testament of Thomas Lapsley, Dec'd,

238 Allegheny County. Court of Common Pleas No. 1. *Appearance Docket: January Term 1828 to April Term 1829*.

239 Allegheny County. Court of Common Pleas No. 1. *Appearance Docket 18: January Term 1828 to April Term 1829. Item No. 192*.

240 A biographical sketch of Alexander McDowell erroneously reports that "...his wife, Jane, was a daughter of Gen. Lapsley, an English soldier of the Revolution." See Warner, A. & Co. (pubs.) op. cit. p 521. Reference to General George Lapsley appears also in *Daughters of the American Revolution. Queen Alliquippa Chapter. Douglas, Sara (Sparks) Lynch (comp.) Records of Bible, Cemeteries, Church, Deeds, Wills, Quit Claims, etc. 1st Ser., Vol. 3, pp 2,33*. There it is reported that Gen. George Lapsley, a British soldier, died in 1776 and is buried in the Long Run Presbyterian Churchyard at Circleville, N. Huntingdon Twp., Westmoreland Co. Jane Lapsley (Mrs. Alexander McDowell) could not have been the daughter of anyone who died in 1776. Lists of burials in the Long Run Presbyterian Church Cemetery published by Albert, George D. op. cit. 553 and Mauss, Charles W. *History of the Long Run Presbyterian Church* (1931) do not include anyone named Lapsley or McDowell.

Fetterman²⁴¹

and John Lapsley, Robert Lapsley
for John & William Livingston terra tenants---
Lapsley
Patterson Livingston

Record No. 131

1824 OCTOBER 24 SHERIFF'S SALES²⁴²

All the right, title, interest and claim of *John Lapsley*, of, in, and to a small Piece of Land, situate in Mifflin township, adjoining land of Robert Hope,²⁴³ Jonathon Walker, and other lands of Lapsley aforesaid, containing five acres part of which is cleared. Seized and taken in execution as the property of said John Lapsley, at the suit of William Chambers.

ALSO

All the right, title, interest and claim of *Samuel Lapsley*, of, in and to a certain Tract of Land, in Mifflin township, bounded by lands of William Walker, Jr. Torrence, heirs of David Reddick, and others, containing three hundred acres, more or less, on which are three dwelling houses and two barns erected, with about one hundred acres cleared. The interest of the said Samuel Lapsley in the land aforesaid being one fourth part. Seized and taken in execution as the property of the said Samuel Lapsley, at the suit of James Patterson.

Record No. 132

1828 NOVR 24 RENUNCIATION OF ADMINISTRATION²⁴⁴

Know all men by these presents that I *John Lapsley* eldest son of *Margaret Lapsley* dec'd Do renounce all use and quit claim my right to the administration of the estate of said deceased and desire the same say be committed to Rob Lapsley Witness my hand & seal the 24th day of Novr 1828

In presence of
Jas. H Stewart

John Lapsley

241 Washington W. Fetterman (d 1838) was educated in and around Pittsburgh and was admitted to the bar in 1822. Trevanion B. Dallas (1801-1841) was admitted to the bar in 1822. See Fishman, Joel. "Historical Society Notes and Documents. The Pittsburgh Law Library Association, 1837-1841." in WPHM 64:189 (1981).

242 *Pittsburgh Gazette*. 22 October 1824.

243 Robert Hope (1758-1828), a soldier of the Revolution, and Jane Hope (1764-1839) are buried at the Long Run Presbyterian Church Cemetery. See Mauss. *op. cit.* 165.

244 Allegheny County. Registrar of Wills.

Record No. 1331828 NOVEMBER 24 ESTATE OF MARGARET LAPSLEY²⁴⁵

Sureties John Lapsley and
Jacob Hays Bond taken \$200,00

Be it remembered that on the 24 Day of Novr 1828 Letters of Administration in common form in the estate of *Margaret Lapsley* dec'd were duly granted to *Robert Lapsley* who was solemnly sworn to exhibit into the Registers Office at Pittsburgh within one month a true and Perfect inventory of the personal estate of said deceased And to settle the account of his Administration within one year or when thereunto--- legally required. And further that he would well and truly comply with the provisions of an act of Genl Assembly of this comth relating to coleateral inheritances-- Given under my hand.

H. Stewart, Regr.

Record No. 1341828 NOVEMBER 29 INVENTORY OF MARGRET LAPSLEY'S ESTATE²⁴⁶

*An Inventory and conscionable Apraisement of
the Goods and Chattels of Margret Lapsley Deceased appraised by Ebenezer Gallaes?
Thos. M Patterson*

<i>One Cow</i>	<i>\$07 50</i>
<i>One Bedstead with turned posts</i>	<i>1 50</i>
<i>One Bed and Bedding</i>	<i>20 00</i>
<i>One Bedstead with plane posts</i>	<i>1 00</i>
	<i>-----</i>
	<i>\$39 00</i>
	<i>-----</i>
	<i>30 00</i>

Allegheny County SS

Before me a Justice of the Peace in and for said County Personally came the above named appraisers and being sworn as law Directs Deposeth and saith that the above is a Just and true Inventory and conscionable Appraisement of all the Goods and Chattles of Margret Lapsley Deceased that came to their knowledge Sworn Before me the 29th day of November 1828 Witness my hand and Seal
John Snodgrass

²⁴⁵ *ibid. Administrations 1:105 No. 418. (1829). Microfilm.*

²⁴⁶ *ibid.*

Record No. 1351829 JANUARY 19 VENDUE BILL ON THE ESTATE OF MARGARET LAPSLEY²⁴⁷*The following Property Soald at the House of**Robert Lapsley to the following persons by Publick Sale for Cash*

<i>Purchaser Names</i>			
<i>Property</i>		<i>Dlls</i>	<i>Cts</i>
<hr/>			
<i>Thomas Patterson</i>	<i>To 1 Table</i>		<i>17</i>
<i>John Work</i>	<i>To one Bed and Cloaths</i>		
	<i>and Bedstead</i>	<i>17</i>	<i>62</i>
<i>Hiram Pedan</i>	<i>To one Cow & Calf</i>	<i>11</i>	<i>73</i>
<i>Robert Lapsley</i>	<i>To one Bible & Coffemill</i>		<i>50</i>
<i>Robert Lapsley</i>	<i>To one Bedstead</i>	<i>1</i>	<i>00</i>
		<hr/>	
		<i>\$31</i>	<i>04</i>

²⁴⁷ *ibid.*

Record No. 136

1829 JUNE 20 ACCOUNT OF ROBERT LAPSLEY, ADMINISTRATOR OF
THE ESTATE OF MARGARET LAPSLEY, DECEASED,²⁴⁸

This Accountant charges himself as follows viz.

<i>Amt of Inventory as Exhibited into the Registers Office</i>	<i>\$30 00</i>
<i>One bill sold for 50 cts (not included in appraisement)</i>	<i>50</i>
<i>One Table Frame do</i>	<i>17</i>
<i>One Old Coffee Mill "</i>	<i>12 ½</i>
	<i>-----</i>
	<i>\$30 79 ½</i>
<i>Balance due this Accountant</i>	<i>17 51 ½</i>
	<i>-----</i>

*There is also a Claim of the Estate against James
Patterson of Mifflin Township. And one against
John Lapsley not yet collected.*

\$48 31

*Exhibited into the Registers Office
at Pittsburgh 25 June 1829*

Errors Excepted

*Sworn & subscribed before me
the 20th June AD. 1829 Robert Lapsly*

*M. Stewart
Regr*

And claims Credit for the following payments & disbursements

<i>1 By cash paid H. McClelland funeral expense</i>	<i>\$ 9 75</i>
<i>2 " John Snodgrass Gua of Apprs</i>	<i>25</i>
<i>3 " John Dalzill for Funeral</i>	<i>68 ½</i>
<i>4 " Dr. Bussell profl. Services</i>	<i>12 75</i>
<i>5 " Regr Letters of Admt</i>	<i>3 43 ½</i>
<i>6 " John ?? for Coffin</i>	<i>5 00</i>
<i>7 " Jonothan Walker funeral expences</i>	<i>2 03</i>
<i>8 " W. W. Fetterman Esq profl services</i>	<i>5 00</i>
<i>" Regs Examg.filing, &c</i>	<i>5 10 ¾</i>
<i>" Advertising in two papers</i>	<i>1 10</i>
<i>" Stating act & Duplicate</i>	<i>2 00</i>
<i>" Clerk of Orphans Court</i>	<i>1 00</i>
	<i>-----</i>
	<i>\$48 31</i>

Confirmed 1829

Record No. 137

1829 AUGUST

ESTATE OF MARGARET LAPSLEY DEC'D²⁴⁹

The administration account of *Robert Lapsley* administrator of all and singular the goods and chattels, rights and credits which were of *Margaret Lapsley* deceased was presented shewing a balance due the administrator of Seventeen dollars fifty one and an half cents-- which account was confirmed by the Court.

Record No. 138

1828 JUNE 21

JOHN LAPSLEY SELLS PART OF HIS INHERITANCE²⁵⁰

JOHN LAPSLEY et. ux. to William Livingston. This Indenture is made the twenty first day of May In the year of our Lord one thousand eight hundred and twenty eight, Between JOHN LAPSLEY of Jefferson Township in Allegheny County and State of Pennsylvania and Mary his wife of the one part and William Livingston of Mifflin Township in the County and State aforesaid of the other part, Witnesseth that the said JOHN LAPSLEY and Mary his wife for and in consideration of the sum of eleven hundred and thirty dollars lawful money of the United States to them in hand paid by the said William Livingston at or before the ensealing or delivery hereof the receipt whereof is hereby acknowledged granted, bargained etc.---- Bounded and described as follows Beginning at Hickory on LEWISES RUN by lands of H. RHODES north thirty four east thirty five perches to a white oak thence by lands of Andersons heirs north sixty 62 degrees west fifty six perches to white oak then south (32) twenty two west thirty three perches to a post then by land of HOPE heirs and WALKER north seventy one west eighty and a half degrees to a Spanish oak thence south twenty nine west twenty two perches to a post thence by lands of LAPSLEYs heirs south 34 east one hundred and twenty perches to red oak thence north fifty three east thirty five perches to a post thence south fifty seven east one hundred and twenty perches to a post thence north 31 east twenty two perches to a post thence 23 west one hundred & four perches to the beginning. Containing seventy (74) four acres one quarter and nineteen perches Being part of a tract of Land Containing 288 acres and 52 perches which the Supreme Executive Council of the Commonwealth of Pennsylvania by their deed bearing date May 28 one thousand seven hundred and eighty nine enrolled in the Rolls office in patent Book No 16 page 16 granted to MARTHA LAPSLEY one fourth part thereof being the above described piece of land was bequeathed to JOHN LAPSLEY the grantor herein before named by will dated 29 December 1807 attested by THOMAS LAPSLEY deceased all which will appear on reference to records the other is tract or parcel of land adjoining the before described, bounded as follows. Beginning at a White oak thence N. 31 E 32 1/4 to a white oak thence on REDDICS line N. 66W26 pr. to a post thence on HOPE line S4 1/2 to a post N 67 1/2W 10 1/2 to a post S 72E 8 perches to the beginning Containing five acres and two perches &c It being part of a tract called REEDSBURGH granted transferred and conveyed to the said JOHN LAPSLEY. By a certain instrument of writing dated 30 day of January 1811 and again conveyed to the said JOHN LAPSLEY by the Sheriff of Allegheny County deed and a transfer thereon by W.W. Fetterman Esq. attached all which will appear by reference to those papers. Together with all and singular the

249 *ibid.* Administrations 2:377 No. 39.

250 Allegheny County. Register of Deeds. *Deed Book* 36:380-382.

buildings, improvements, woods, ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in any wise pertaining: and the reversions and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest property claim and demanded whatsoever of them the said JOHN LAPSLEY and Mary his wife in law as equity or otherwise however of in and to the same. To have and to hold the said Tract of Land Containing seventy nine acres one quarter and twenty one perches strict measure, hereditaments and premises hereby granted or mentioned or intended so to be with the appurtenances unto the said William Livingston his heirs and assigns, To and for the only proper use benefit and behoof of him the said William Livingston heirs and assigns forever. And the said JOHN LAPSLEY and Mary his wife for themselves and their heirs do covenant promise and agree to and with the said William Livingston his heirs and assigns by these presents that they the said JOHN LAPSLEY and Mary his wife and their heirs the said described tracts of land and premises hereby granted with the appurtenances unto the said William Livingston his heirs and assigns against them the said JOHN LAPSLEY and Mary his wife and their heirs and against all and every person or persons whomsoever lawfully claiming or to claim the same shall and will warrent and forever defend by these presents. In Witness Whereof the said JOHN LAPSLEY and wife have hereunto set their hand seal the day and year first above written.

Sealed and delivered in presence of	JOHN LAPSLEY
words one of them	
interlined before signing	her
John Snodgrass	Mary X Lapsley
	mark

Record No. 139

1832 ROBERT LAPSLEY SELLS HIS INHERITANCE²⁵¹

ROBERT LAPSLEY sold to Jeremiah and Samuel Sickman 84 acres of land adjoining George Sickman for \$400 and \$100 for the moveable property on it, viz, a windmill, 4 cows, 7 sheep, 10 hogs, etc. ROBERT LAPSLEY agreed to vacate the premises by 1 April 1832.

Record No. 140

1832 MIFFLIN-JEFFERSON TOWNSHIPS BOUNDARY CHANGED²⁵²

“In 1832 the boundary line between the two [townships] was so changed as to take from Jefferson 202 acres in favor of Mifflin.”

²⁵¹ Allegheny County. Register of Deeds.

²⁵² Warner, A. & Co. *op. cit.* 78.

Record No. 141

1832 OCTOBER 30

JOHN LAPSLEY SELLS HIS INHERITANCE²⁵³

This Indenture made and concluded the 30th day of October 1832, by and between JOHN LAPSLEY and Mary his wife on the one part and Samuel Sickman and Jeremiah Sickman of the other part all of the County of Allegheny, and township of Jefferson. Witnesseth, That whereas a patent issued out of the land office of the State of Pennsylvania to *MARTHA LAPSLEY* for a certain tract of land called "Rasberry Field" situate on the waters of Peters Creek then Washington County, but now Allegheny County. Beginning at white oak... thence by land of Jacob Beare north . . . thence by land of Benjamin Reed, North ... thence by land of David Redick north... thence by land of JOHN REED, north... thence by land of James Torrance south ... containing two hundred and eighty eight acres and fifty two perches and allowance (which said tract was surveyed in pursuance of a warrant granted to the said *MARTHA LAPSLEY* dated 1st of May 1786) which will more fully appear by reference to said patent in the Rolls office in Patent Book No. 16 page 16th which said tract legally descended to *THOMAS LAPSLEY*, son and legal heir of said *MARTHA LAPSLEY* and was by the last will and testament of the said *THOMAS LAPSLEY* ordered to be equally divided between four sons of him the said *THOMAS LAPSLEY*, viz. *JOHN LAPSLEY*, *THOMAS LAPSLEY*, *SAMUEL LAPSLEY* and *ROBERT LAPSLEY*, which will more fully appear by reference said will. And whereas a division has been made agreeable to the before mentioned will, the following described Lot or parcel of land was the allotment, or part that was laid off to *ROBERT*. Beginning at a white oak, thence by land of George Sickman south... thence by Lands of Henry Roads north... thence by lands of William Livingston, south ... thence by land of *SAMUEL LAPSLEY* south... containing eighty acres and one hundred and forty perches being part of the above recited tract of Land. And whereas Samuel and Jeremiah Sickman hath purchased all the right, title, claim and interest of said *ROBERT LAPSLEY* to the last above described Lot or parcel of land, and whereas agreeably to the last will and testament of *THOMAS LAPSLEY* deceased, if any of his four sons should depart life without leaving a surviving heir, then his or their dividend is to be equally divided amongst the living brothers. And whereas *JOHN LAPSLEY* hath purchased at Sheriff Sale, all the right, title, claim and interest of *THOMAS and SAMUEL LAPSLEY* in or to said Lot or parcel of ground which will more fully appear by reference to a deed or deeds from William Lackey, high Sheriff of the County of Allegheny bearing the date the 30th April 1828. Now this Indenture further witnesseth That the said *JOHN LAPSLEY* and Mary his wife for and in consideration of the sum of one hundred dollars lawful money of the United States to them in hand paid by the said Samuel and Jeremiah Sickman at or before the ensealing or delivery hereof the receipt whereof is hereby acknowledged, have granted, bargained, and sold by these presents Have and to Hold the same with all the appurtenances to the only proper use benefit, and behoof of them the said Samuel Sickman and Jeremiah Sickman their heirs and assignees forever-- so that neither we ourselves, our heirs, our executors, administrators or any person in our names or for our use or by virtue of claims either under the before mentioned will or by virtue of the Sheriff deed shall or will never set up any claim against said Land, but on the contrary we the said *JOHN LAPSLEY* and Mary his wife, the last above described Lot or parcel of Land will warrant and forever defend against ourselves and our heirs but against no other person whatsoever.

253 Allegheny County. Register of Deeds.. *Deed Book. 44:65-7.*

In witness whereof we do hereunto set our hands and seals the day and year first above written

JOHN LAPSLEY

her

Mary X Lapsley

mark

Received of Samuel and Jeremiah Sickman this 30th day of October 1832. one hundred dollars being the above mentioned consideration money in full. I say received by me.

JOHN LAPSLEY

Allegheny County SS Before me a Justice of the peace in and for said County personally came JOHN LAPSLEY and Mary his wife the grantors and acknowledged the within Indenture to be their act and deed and desired the same to be recorded as such for the purposes therein mentioned in the proper office for recording of deeds in said County the wife being of full age and after the contents being by me made fully known to her and by me examined separate and apart from her said husband and she thereunto voluntarily consenting without compulsion or coercion by her said husband. In testimony whereof I have hereunto set my hand and seal the 30th day of October 1832.

Recorded February 8th 1833

Record No. 142

1837 JANUARY 31

ROBERT LAPSLEY SELLS HIS INHERITANCE²⁵⁴

This Indenture made and concluded the 31st day of January 1837 between *ROBERT LAPSLEY* and Jane his wife of Moon Township Allegheny County of the one part and Samuel and Jeremiah Sickman of the County of Allegheny and township of Jefferson of the other part, Witnesseth that whereas a patent issued out of the land office of the state of Pennsylvania to *MARTHA LAPSELY* for a certain tract of land called Raspberry Fields situated on the waters of Peters Creek then Washington but now Allegheny County Beginning at a White oak thence by land of Jacob Bear North seventy nine degrees East thirty four perches to a Spanish Oak South eighty two degrees east seventy perches to a Black oak North twenty seven degrees East thirty two perches to a Black Oak thence by land of Benjamin Reed North thirty one degrees East ninety one perches to a post North twenty three degrees West one hundred and four perches to a Hickory and North thirty four degrees East thirty five perches to a White Oak thence by land of David Redick North sixty two degrees West fifty six perches to a white oak and South thirty two degrees West thirty three perches to a White oak thence by land of JOHN REED North seventy one degrees West eighty perches and a half to a Spanish Oak thence south seventy nine degrees West seventy eight perches and a half to a Spanish Oak thence by land of James Torrance South seven degrees West ninty three perches to a White Oak and South sixteen degrees East sixty three perches to a Spanish Oak and South forty degrees East one hundred and ten perches to the place of beginning containing two hundred and eighty eight acres and fifty two perches and allowances which said tract was surveyed in pursuance of a warrant granted to the said *MARTHA LAPSEY* dated first of May 1786 which will more fully appear by said pattent in the Rolls Office in Patent Book No 16 page 16 which said tract of land legally decended

254 Allegheny County. Register of Deeds. *Deed Book 3D-53:283-4.*

to *THOMAS LAPSLEY* son and legal heir of said *MARTHA LAPSLEY* and was by the last will and testament of said *THOMAS LAPSLEY* ordered to be equally divided between his four sons viz. *JOHN*, *THOMAS*, *SAMUEL* and *ROBERT* which will he more fully appear by said will and whereas a division has been made agreeably to the before mentioned will the following described Lot or parcel of land was the allotment or part that was laid off to *ROBERT LAPSLEY* Beginning at a White Oak thence by land of George Sickman South seventy nine degrees East thirty four perches to a black oak South eighty two degrees East seventy perches to a black oak North twenty seven degrees East thirty two perches to a post land of Henry Roads [Rhodes] North thirty one degrees East sixty nine perches to a post thence by land of William Livingston South forty seven degrees East one hundred and twenty perches to a post North fifty eight degrees east thirty five perches to a hickory thence by land of *SAMUEL LAPSLEY* South twenty five degrees and a half East fifty six perches to red oak South six and a half degrees East ten perches to a white oak South fifty degrees West one hundred and seventeen perches to a white oak South forty degrees East twenty five perches to the place of beginning containing eighty acres and one hundred and forty perches being part of the above recited tract patented land Now this indenture further Witnesseth that the said *ROBERT LAPSLEY* and Jane his wife for and in consideration of the sum of one thousand dollars lawful money of the State of Pennsylvania to them in hand paid by the said Samuel and Jeremiah Sickman the receipt whereof it hereby acknowledged they have granted bargained sold, enfeoffed, released and confirmed and by these presents do grant, bargain, sell, enfeoff, release, and confirm unto to the said Samuel and Jeremiah Sickman their heirs and assigns all of the last above mentioned Lot or parcel of land containing about eighty acres be the same more or less with all the appurtenances thereunto belonging To have and to hold the last above described Lot or parcel of ground to the said Samuel and Jeremiah Sickman their heirs and assigns to the only proper use benefit and behalf of them the said Samuel and Jeremiah Sickman and their heirs and assigns forever And the said *ROBERT LAPSLEY* and Jane his wife doth for themselves and their heirs covenant to and with the said Samuel and Jeremiah Sickman their heirs assigns the hereby granted premises as herein before described to the said Samuel and Jeremiah Sickman their heirs and assigns will warrant and defend In testimony whereof the said *ROBERT LAPSLEY* and Jane his wife have herunto set their hands and affixed their seals the day and year first above said

Attested by Thos. Varner

ROBERT LAPSLEY

Received on the day of the date her
of these presents from Samuel Jane X Lapsley
and Jeremiah Sickman one thousand mark
dollars being the above mentioned
consideration money in full say Received by me

Test Thos Varner

ROBERT LAPSLEY

Allegheny county SS Before me the subscriber a Justice of the Peace in and for said County personally came Robert Lapsly and Jane his wife and acknowledged the foregoing Indenture to be their act and deed and desired the same to be recorded as such in the proper office for recording of deeds in and for the County of Allegheny the wife being of full age and the contents having by me been made fully known to her and having by me been examined separately and apart from her said husband and she thereunto voluntarily consenting without any compulsion or coercion by her said husband In Testimony whereof I have hereunto set my hand and seal the day and year first above written

Thos. Varner

Recorded 29th April AD. 1837

Record No. 1431839 MARCH 26 SAMUEL LAPSLEY'S LAST WILL & TESTAMENT²⁵⁵

SAMUEL LAPSLEY made bequests to the following persons:

Benjamin Faughander)	Children of John Fauquander of LaSalle Co.
Julia Ann	")	\$1,000 each when 21 years of age or at
Emily Jane	")	date of marriage. Principal is to collect
)	interest to pay for their education and
)	maintenance.

Julius C. Coe		\$1,000 for attention during illness.
---------------	--	---------------------------------------

Martha Clinefelter)	Children of Mary Clinefelter, sister,
Margaret	")	were to receive bequests identical to
Findren	")	those granted to the Fauquander children.
Elvira J.	")	
Lucinda	")	

Executors named are "friends" Burton Ayres, John Faughander and William Waddingham.

Record No. 1441841 APRIL 26 ROBERT LAPSLEY SELLS CLAIM TO BROTHER'S ESTATE²⁵⁶

Indenture Made the twenty sixth day of April in the year of Our Lord one thousand eight hundred and forty one. Between ROBERT LAPSLEY of the *County of Tyler and State of Virginia* and Jane his wife of the first part and THOMAS LAPSLEY of the city of *St. Louis in the State of Missouri* of the second part. Witnesseth that the said parties of the first part for and in consideration of the sum of one hundred dollars lawful money of the United States of America unto them well and truly paid by the said party of the second part at or before the sealing and delivery of these presents the receipt whereof is hereby acknowledged have granted bargained sold aliened enfeoffed released conveyed and confirmed by these presents do grant bargain sell alien enfeoff release convey and confirm unto the said party of the second part his heir and assigns All the right title interest and claim of the said ROBERT LAPSLEY of in and to all the purport share and interest of SAMUEL LAPSLEY in the real estate of the father of the said SAMUEL lying and being in Jefferson or Mifflin Township in the county of Allegheny and State of Pennsylvania being the same which was devised to the said SAMUEL by his father. Also all the right title interest and class of the said ROBERT of in and to all his share purport and interest in the real estate of his late father THOMAS LAPSLEY and not heretofore conveyed. Together with all and singular the buildings improvements ways water water courses rights liberties privileges hereditments and appurtenances whatsoever there unto belonging or in any wise appertaining and the reversions and remainders rents issues and profits thereof and all the estate right title interest property claim and demand whatsoever of the said

255 Illinois. LaSalle County. Register of Wills.

256 Allegheny County. Register of Deeds. *Deed Book 3N-62:38-39.*

parties of the first part in law equity or otherwise howsoever of in and to the same and every part thereof To Have and To Hold the said described tract or parcel of Land hereditaments and premises hereby granted or mentioned and intended as to be with the appurtenances unto the said party of the second part his heirs assigns to and for the only proper use and behoof of the said party of the second part his heirs and assigns forever. And ROBERT LAPSLEY one of the said parties of the first part for himself his heirs executors and administrators doth by these presents covenant grant and agree to and with the said party of the second part his heirs and assigns that they the said parties of the first part and their heirs all and singular the hereditaments and premises herein above described and granted or mentioned or intended as to be with the assigns against them the said parties of the first part and their heirs and against all and every other person or persons whomsoever lawfully claiming or to claim the same or any part thereof shall and will Warrant and forever defend. In Witness Whereof the said parties of the first part have to these presents set their hands and seals
Dated the day & year first above written.

ROBERT LAPSLEY

Sealed & delivered in presence
of us Joseph L Fry Judge &c

her
Jane X Lapsley

Received the day of the date of the mark
above Indenture of the above named Grantee THOMAS LAPSLEY
the sum of one hundred dollars lawful money of the United States
being the consideration money therein mentioned in full.
Witness David A Williams ROBERT LAPSLEY

State of Virginia Tyler County SS On the twenty sixth day of April Anno Domini 1841 before me Joseph Fry one of the Judges of the General Court of Virginia came the above named Robert LAPSLEY and Jane his wife and acknowledged the above Indenture to be their act and deed and desired that the same might be recorded as such. She the said Jane being of full age and by me examined separate and apart from her said husband and the contents of the said Indenture being first made fully known to her declared that she did of her own free will and accord sign seal and as her act or deed deliver the same without any coercion or compulsion of her said husband Witness my hand and seal the day and year aforesaid

Joseph L Fry

State of Virginia Tyler County SS I David Hickman Clerk of the Circuit Superior Court of Law and Chancery of Tyler County aforesaid in the State of Virginia aforesaid do certify that Joseph L Fry Esquire before whom the within and foregoing acknowledgement was taken was at the time of taking the same and now is Judge of the Circuit Superior Court of Law and chancery for the Twentieth Circuit and Tenth Judicial District of Virginia of which Tyler County aforesaid forms part duly commissioned and sworn to all whose acts as such due faith and credit are due and of right outh to be given throughout the United States and elsewhere. In Testimony Whereof I have hereunto set my hand and affixed the seal of said *Circuit Superior Court of--* Court at Middletown in the county of Tyler aforesaid this twenty sixth day of April in the year of Our Lord one thousand eight hundred and forty one. David Hickman Clerk, State of Virginia Tyler County SS etc.

Record No. 145

1850 FEDERAL CENSUS^{257 258 259}
 Eel River Township, Allen County, Indiana

Dowling	John	b 1788 Pa
Dowling	BARBARA	b 1794 Pa
Dowling	John	b 1826 Pa
Dowling	Samuel	b 1837 Pa
Dowling	Martha	b 1831 Pa
Dowling	Robert	b 1836 Pa

Record No. 146

1850 AUGUST 22 MARGARET DOLIN²⁶⁰ MARRIED HENRY CLEAR

257 All ages reported in the censuses have been converted to birthyears.

258 John and Barbara Dolin were residents of Boston Twp., Summit Co. Ohio at the time of the 1840 Federal Census. It appears they departed Pennsylvania in about 1836-1838 and arrived in Indiana about a decade later. The earliest known record documenting the presence of the Dolins in Allen Co. is a patent, issued by the General Land Office (1847), to John Dolin, Jr. of Summit Co., Ohio for the SE 1/4 of the NE 1/4 of section 27 in township 32 North of Range 11 East in the District of Lands subject to sale at Fort Wayne, Indiana. This land was sold to Michael Dolin in 1848 with the stipulation that John Dolin, Senior and Barbary Dolin, his wife, were to retain use of the land for the duration of their lives. Michael Dolin returned title to this land to John Dolin, Jr. in 1856.

259 This is Barbara Lapsley, Thomas and Margaret Lapsley's daughter. See record no. [130](#) for evidence of her marriage to John Dolin. The death certificate of Margaret Dolan (Mrs. Henry Clear) reports that her mother's maiden name was Barbara Lapsley and her father was John Dolan. See Froehlich, Dean. Michael Dolin: 1754-1824. *A Revolutionary War Soldier* (1983) for a description of the Dolin ancestry.

260 Allen County, Indiana. *Marriage Book*, 2:250. Margaret Dolin was previously married to Stephen Stevich, by whom a daughter, Martha Jane (1840-1909), wife of Christian Young was born. By her second marriage, to Samuel Farrar (d 1846 ca.), she became the mother of Edward Johnson Farrar (1843-1920), Nancy (1845-1926), wife of Jerry Heffelfinger and Anna (1847-1920), wife of Charles Hippenhammer. Henry Clear (1810-1877) was first married to Sarah Simonton on 15 July 1837 in Allen County, Indiana. See *Marriage Book* 1-B:52. By that marriage he became the father of 3 daughters: Martha Ann (1840-1926), wife of John Q. Marquart, Mary Elizabeth (1842-1914), wife, first to Jacob S. Marquart and second to Albert N. Steel and Catherine E. (1844-1923), wife of Marquis L. Marquart. By his marriage to Margaret Dolan he became the father to Robert B. Clear (1851-1916) and Margaret (1856-1929), wife of George Speer. Henry Clear's death notice was published in the *Kenton [Ohio] Daily Democrat*, 18 August 1877.

Record No. 147

1850 FEDERAL CENSUS²⁶¹
 Eel River Township, Allen County, Indiana

Clare	Henry	b 1811 Va
<i>CLARE</i>	<i>MARGARET</i>	b 1822 Pa
Clare	Martha	b 1839 Ind
Clare	Mary	b 1841 Ind
Clare	Catherine	b 1844 Ind
[“]	Jane	b 1840 Oh
[“]	Edward	b 1843 Oh
[“]	Nancy	b 1844 Ind
[“]	Chantha	b 1846 Ind

Record No. 148

1860 FEDERAL CENSUS
 Eel River Township, Allen County, Indiana

Clear	Henry	b 1808 Oh
<i>CLEAR</i>	<i>MARGARET</i>	b 1824 Pa
Farrar	Nancy	b 1844 Oh
Clear	Robert	b 1851 Ind
Clear	Margaret	b 1854 Ind

Record No. 149

1870 FEDERAL CENSUS
 Village of Ada, Hardin County, Ohio.

Clear	Henry	b 1810 Va
<i>CLEAR</i>	<i>MARGRET</i>	b 1820 Pa
Farrar	E. J.	b 1846 Oh
<i>CLEAR</i>	<i>ROBERT</i>	b 1851 Oh
Clear	Margret	b 1855 Ind

²⁶¹ Margaret (Dolan) Clear's son, Edward J. Farrar, stated in a deposition taken on 22 May 1912 at Ada, Hardin Co., Ohio that he was 68 years of age and “. . . was born Nov. 7, 1843 at a little town (name now forgotten) in Cuyahoga Co., near Cleveland, Ohio. My parents (now dead) were Samuel Farrar and Margaret Dolin. When I was about a year old my mother moved to new lands 10 miles N. W. of Ft. Wayne, Ind. my father having died near Cleveland, and we lived with my grandparents and my uncle John Dolin (now dead) until I was about 14 years old, and then I went to Monroeville, Ind. and stayed there with my half sisters, Martha Marquard and Elizabeth Marquard now Steel one winter. I then came to this place, Ada, on a visit to my mother, who had remarried to Henry Clear (now dead) and moved here.” Civil War Pension Application on file at National Archives. E. J. Farrar served in Co. E, 88th Regiment of Indiana Infantry. He died in Ada on 27 April 1920.

Record No. 150

1877 May 3 ROBERT B CLEAR MARRIED MARY C MYERS²⁶²
 at Monroeville, Allen Co., Indiana.

Record No. 151

1880 FEDERAL CENSUS²⁶³
 Eel River Township, Allen County, Indiana

<i>CLEAR</i>	<i>ROBERT</i>	b 1850	IN:PA:OH
Clear	Mary C	b 1860	OH:PA:PA
<i>CLEAR</i>	<i>HARRY</i>	b 1878	OH:IN:OH
Clear	Ada	b 1879	IN:IN:OH

Record No. 152

1900 FEDERAL CENSUS
 Avilla, Noble County, Indiana

<i>CLEAR</i>	<i>ROBERT</i>	h 1850	IN:OH:PA
Clear	Mary	b 1859	IN:PA:OH
<i>CLEAR</i>	<i>HARRY</i>	b 1878	OH:IN:IN
Clear	Dassie	b 1881	IN:IN:IN
Clear	Lloyd	b 1883	IN:IN:IN
Clear	Berl	b 1886	IN:IN:IN
Clear	Ockla	b 1891	IN:IN:IN
Clear	George	b 1892	IN:IN:IN
Clear	Betrice	b 1897	IN:IN:IN
Clear	Edward	b 1899	IN:IN:IN

²⁶² Allen County, Indiana. *Marriage Book 12:259*.

²⁶³ Harry Clear was born 29 January 1878 in Benton Twp., Paulding Co., Ohio to Robert and Mary (Myers) Clear, See *Miscellaneous Records, Vol. 8*, p 382. County Recorder's Office, Paulding, Ohio. He died in Detroit, Michigan on 25 January 1942.

Record No. 153

1902 AUGUST 9

TOMBSTONE INSCRIPTIONS²⁶⁴ ²⁶⁵

HENRY CLEAR

born 27 April 1810

Died 12 August 1877

MARGRET CLEAR

born 28 October 1820

Died 9 August 1902

Record No. 154

1902 AUGUST 9

NEWSPAPER OBITUARY OF MARGARET (DOLAN) CLEAR

"Mrs. Margaret Clear, after a long and useful Christian life quietly fell asleep, at the home of her son, ROBERT CLEAR,²⁶⁶ near Albion, Ind. Aug. 9, 1902, at 6:30 a.m., aged 81 years, 9 months 5 days. The deceased's maiden name was MARGARET DOLAN, born at Washington, Pa., Oct 28, 1820. Her parents were American born. Her father was born in Washington Co., Pa. and her mother in Allegheny, Pa. Her grandparents on both sides of the house came from beyond the sea, except her mother's mother who was born in Maryland. Her grandfather Dolan came from Cork, Ireland. He was a landlord and farmer. He served four years in the British army; was taken prisoner in the American army under Benedict Arnold, serving three years seven months two days in the American army, being mustered out at Pugh, Pa.

Her grandmother Dolan was born in Paris, France, and her mother's father was THOMAS LAPSLEY, who was born in England and was Surgeon²⁶⁷ in the British army during the entire revolutionary war.

She was the mother of nine children six of whom are living, two sons and four daughters; the last marriage being to HENRY CLEAR There have also been born to her 23 grandchildren and six great grandchildren. She was an active member of the First Presbyterian Church of Ada, Ohio having

²⁶⁴ Woodlawn Cemetery. Ada, Ohio.

²⁶⁵ No death certificate has been found for Henry Clear. Margaret (Dolan) Clear's certificate was filed in Indiana. Robert B. Clear, her son, reported her date and place of birth and parents names and birthplaces. According to him she and her parents were born in Pennsylvania and her father was John Dolan and her mother Barbara Lapsley. See *Indiana State Board of Health Certificate No. 225*.

²⁶⁶ Robert B. Clear died 13 March 1916 in Elkhart Twp., Noble Co., Indiana. His son Lloyd V. Clear reported on the death certificate that he was the son of Henry Clear, born in Virginia, and Margaret Dolan, born in Ohio. Robert Clear is reported to have been born in Allen County, Indiana on 6 February 1851.

²⁶⁷ No records have been found to confirm that Thomas Lapsley was either a British soldier or a surgeon. The inventory of his personal estate includes medical books, but no medical instruments, medicines or debts due from patients. The 1800 Pennsylvania Septennial census reports that his occupation was that of a farmer. His military title is the only one by which he is referred in court records. The records of his military service during the Revolution clearly establish his service to the patriot forces during the entire period of the war.

united with the church over thirty years ago. Mrs. Clear was strong and active up to within a few months of her death; her mind never failed, but was clear to the end.

In her was fulfilled the scripture 'Thou shalt come to they grave in a full age, like a shock of corn cometh in its season.' Our dear friend had her dark as well as her bright days. She was often called to pass under 'the chastening rod', yet in all her sufferings and trials she was patient, uncomplaining and resigned to God's will. She loved her Savior; loved to commune with him in prayer. She loved the word and its beautiful promises and assurances were indeed precious to her and afforded her great comfort and support throughout life. She was endeared to all who knew her and especially was she dear to the members of her family, who knew her best, who were familiar with with her beaming face, her cheerful spirit, her kind... and exemplary life.

During her sickness she manifested remarkable patience, just waiting God's will for her. She had no regrets, but was ready to go. Her house was in order and all arrangements complete for her journey 'home'. In her life she taught how a Christian can live, and in her death she showed how a Christian can die. So that when the call came to summon her home, she felt assured of 'an abundant entrance into that rest which remaineth to the people of God.' Thus we can say 'Her life was a benediction; her death a glorious sunset.' And 'At the evening time it was light'

To the bereaved sons and daughters and the wide circle of relatives and friends we tender our heartfelt sympathy, and bid them be comforted in the hope that her end was peace.

J.F. Elder

The funeral services occurred at the Presbyterian church, Monday, 3:30 p.m., Aug. 11, the pastor Rev, J. P. Elder officiating. The interment was at Woodlawn. Among the relatives and friends from a distance were her daughter, Mrs. George Speer accompanied by her husband from Topeka, Kansas; Robert B. Clear and son, of Albion, Ind; Dr. A. C. Adams and... of Lafayette, and Mrs. Elizabeth Haller, of Lima."²⁶⁸

Record No. 155

1904 SEPTEMBER 4

HARRY CLINTON CLEAR MARRIED EDNA L RAY²⁶⁹

²⁶⁸ *Ada Record Newspaper. August 11, 1902* Original on file at the Ada Public Library, Hardin County, Ohio.

²⁶⁹ They were married on this date by Rev. A. E. Goff in Albion, Noble Co., Indiana. *Noble County Marriages. Book 8:492.* Edna L. Ray, the daughter of David Wm. and Sarah (Bailey) Ray, was born in Albion, Indiana on 1 May 1881 and died 22 February 1957 in Detroit, Michigan.

Record No. 1561909 MAY 23 BIRTH OF LOIS VIRGINIA CLEAR²⁷⁰Noble County Health Department
Certificate of Birth

THIS CERTIFIES, according to the Records of the Health Department

Lois Virginia Clear

Was born in Albion, Noble county, Indiana, on May 23 Year 1909

Child of Harry C. Clear and Edna L. Ray

Birthplace of father: Ohio Birthplace of mother: Indiana

Record was filed June 5, 1909 Certificate Number A-9-8

*

* *

²⁷⁰ Lois V. Clear married Earl Froehlich in Toledo, Ohio on 23 September 1930. She died in Grosse Pointe, Michigan on 22 August 1979. He died there on 21 August 1983.

MISCELLANEOUS RECORDS OF LAPSLEYS

Record No. 1571812 RESIDENTS OF THE ORIGINAL MIFFLIN TOWNSHIP²⁷¹

“Mifflin.-- “Beginning at the south of Street’s run, thence up the Monongahela river to the line of the county, and by the said line to the line of St. Clair township.

The above appears in the minutes of the court of quarter sessions at the first session after the formation of Allegheny county ... The following persons resided within the original limits of Mifflin, although it can not be authoritatively stated that the list is complete, at the various periods mentioned:

1812 JOHN LAPSLEY John Shields et alia

Record No. 1581830 U.S. FEDERAL CENSUS
Jefferson Twp., Allegheny Co., Pennsylvania

ROBERT LAPSLEY is reported the head of a household consisting of three persons. The eldest, a female between 50 and 60 years of age (i.e. born between 1770 and 1780), may have been a distant relative, housekeeper or mother-in-law since no female (a wife) approximating his age appears in the enumeration. Robert Lapsley is between 30 and 40 years of age (i.e. born between 1790 and 1800). Another male, between 5 and 10 years of age, (born between 1820 and 1825) resided in his household.

1830 U.S. FEDERAL CENSUS
Jefferson Twp., Allegheny Co., Pennsylvania

JOHN LAPSLEY is reported the head of a household consisting of ten persons. He, and apparently his wife, were then 40 to 50 years of age (i.e. born between 1780 and 1790). Two females, one between 20 and 30 years of age (i.e. born between 1800 and 1810) and the other between 5 and 10 years of age (i.e. born between 1820 and 1825) resided in the household. In addition to John, six males, all under the age of twenty are listed. Two were then between 15 and 20 years of age (i.e. born between 1810 and 1815), two more were then between 10 and 15 years of age (i.e. born between 1815 and 1820), while one was between 5 and 10 years of age (born 1820 to 1825) and the youngest was then under 5 years of age (i.e. born between 1825 and 1830).

“The names are remembered of the following residents prior to 1830:²⁷²

“... John LAPSLEY and sons John, William, Joseph and Robert.”

²⁷¹ Warner, A. & Co. *History of Allegheny County, Pennsylvania*. (1889), p 71.

²⁷² Warner, A. & Co. *History of Allegheny County, Pennsylvania*. (1889), Chapter VII:81, Jefferson Township.

1830

U.S. FEDERAL CENSUS
Peoria and Putnam Counties, Illinois

SAMUEL LAPSLEY is reported the head of a household consisting of seven persons. SAMUEL, and one other male, were then 30-40 years of age (i.e. born 1790 to 1800). Another male was then 20-30 years of age (i.e. born between 1800-1810). Three males were then under 15 years of age. Two were between 10 and 15 years of age (i.e. born between 1815 and 1820) and the youngest was then under 5 years of age (i.e. born between 1825 and 1830). The only female in the household was then 20-30 years of age (i.e. born between 1800 and 1810).

Record No. 1591835 APRIL 23 JOHN LAPSLEY SUES ROBERT CURRY, ESQ.²⁷³

Capias case, no bail required. This writ lost or mislaid by the Sheriff before service. Sept 4-1835 alias capias issued returnable to November Term 1835. Robert Curry, Esq.

Record No. 1601837 APRIL 3 JOHN LAPSLEY VS JAMES DEERFIELD²⁷⁴

Ejectment served by copy on John Gillam, tenant in possession of the within mentioned premises, April 13, 1837 Sheriff Trovillo \$1.87, Feb 28-1838 tried by Jury and Verdict for Plaintiff six cents damages and six cents costs, Plaintiff to pay Defendants landlord, Robert Curry, the sum of One hundred and one dollars and forty cents, and said landlord to receive the crop now in ground, if any Judgment for the Plaintiff upon his payment into Court the amount charged upon him him by the Jury in their Verdict within three weeks from March 5-1838, if not paid into Court within that time, then Judgment to be entered for Defendant. March 19-1838 received of William Livingston on behalf of JOHN LAPSLEY the said Plaintiff One hundred and one dollars and seventy-five cents (\$101.75/100) in specie being the sum with interest from the day of the Verdict charged by the Jury to be paid by the Plaintiff JOHN LAPSLEY, to Defts. landlord, Robert Curry, and by the said Plff. this day paid into Court to await the order of Court. March 5-1838 rule to show cause why the Judgt. Sci. Fa. No. 50 March Term 1837 (Com. Pleas.) should not be set off against the costs in this case. March 21-1838 rule made absolute and the balance of Plffs. bill in this case to be deducted out of the money paid into Court and Plff. to receive the balance. March 23-1838 notice that satisfaction has been made of Judgment No. 15 March 1838 (Com. Pleas) filed. March 28-1838 received of Pro. Liggett sixty-seven dollars and ninety-five cents being Plaintiffs bill, verd and attorneys fee per order of Court.

H. H. Van Amring
Atty for John LAPSLEY Dec 15-1843 received from Thomas Liggett,
late Prothy. Twenty-six dollars and twenty-seven cents (\$25.27)
Robert Creny

²⁷³ Allegheny County. Court of Common Pleas. *April Term 1835, p 301.*

²⁷⁴ Allegheny County. Common Please Court No. 2 *Appearance Docketed July Term 1833 to April Term 1837 p 575.*

Record No. 161

1837 APRIL 12 THOS LAPSLEY WHO SUES BY HIS GUARDIAN
 WILLIAM WADDINGHAN VERSUS JOHN LAPSLEY²⁷⁵

Summons in ejectment served by copy on Defendant, April 12, 1837 Sheriff Trovillo \$2.09, Dec 4-1837 Defendant pleads Librum Tenimentum and non cul and now to wit, Aug. 24 1838 rule for a commission to issue on part of Plff. to John Baldwin Esq. of *Rockville, Lassell County, Illinois*, commissioner to take testimony on interrogatories this day filed, Also rule for a commissioner to issue to George Cloud Esq., of *Abels Landing, Alexander County, Illinois* commissioner on part of Plaintiff to take testimony on interrogatories this day filed. Also rule for a commission to issue to Edward G. Davis Esq. of *Scott County state of Missouri*, commissioner on part of the Plaintiff to take testimony on interrogatories this day filed. Copy chd. Atty .75 Sept 8-1838 commissions to the persons & places above named issued (\$3.371/2 chd.) H. & M.S Nov 30-1838 commission to *St. Louis* returned and filed Dec 4-1838 commission to W. A. Baldwin returned and filed Nov. Term 1838 continued at costs of Plaintiff March 4-1839 on motion court order Plaintiff to give security for costs. March 5-1839 James May, Merchant tent in the sum of One hundred dollars sub. cond. as security for costs. Jan. 1839 continued at costs of term to Plaintiff. May 10-1839 Jury Sworn and discharged and cause continued till next term and agreement to amend the writ. Nov. 26-1839 tried by Jury and Verdict for the Plaintiff for One undivided fourth part with six cents damages and six cents costs same day, bill of exceptions and charge of Court filed. Dec. 27-1839 Judgment. Hab. Fa. & Fi. Fa. No. 319 April Term 1840

Record No. 162

1850 U.S. FEDERAL CENSUS
 Jefferson Twp., Allegheny Co., Pennsylvania.

JOHN LAPSLEY, age 68 (i.e. born 1782), born in Pennsylvania is enumerated in the household of Eliza Irwin, age 34, who was also born in Penn. Millison Jane Irwin, age 10 and Elizabeth Irwin, age 8, both born in Pennsylvania, also resided in the household.

Mary LAPSLEY, age 60 (i.e. born 1790) in Pennsylvania resided with Hugh Donaldson, age 30, born in Ireland.

ROBERT LAPSLEY, age 30, born in Penn is enumerated in the household of Robert Wilson, age 34, born in Pennsylvania. Mary J. Wilson, age 25 and John S. Wilson (both born in PA) also resided in the household.

THOMAS LAPSLEY, age 16, a farmer, born in Penn is enumerated in the household of Samuel Wilson, age 53, also a farmer and born in Pennsylvania.

²⁷⁵ Allegheny County. Common Pleas Court No. 2 *Appearance Docket July Term 1833 to April Term 1837* p 549

1850

U.S. FEDERAL CENSUS
Snowden Twp., Allegheny Co., Pennsylvania

John Lapsely	age 39	Carpenter born in Penn
Catherine “	45	Penn
Archibald “	21	Penn
Sarah “	15	Penn
Eliza Jane “	9	Penn
Eleanor “	8	Penn
Elvira “	6	Penn
Mary Lapsely	69	Penn

1850

U.S. FEDERAL CENSUS
1st Ward City of Allegheny, Allegheny Co., Pennsylvania

Jane LAPSLEY	age 45	born in Penn
William B. “	14	Penn
Margret “	14	Penn
Mary A. “	10	Penn

1850

U.S. FEDERAL CENSUS
East Birmingham Twp., Allegheny Co., Pennsylvania

John LAPSLEY	age 15	born in Penn
enumerated in the household of		
Robert B. Carnahan	age 24	Lawyer born in Penn
Eliza “	20	Penn

Record No. 163

1854 APRIL 1 APPOINTMENT OF GUARDIAN FOR MINOR CHILDREN OF
ROBERT LAPSLEY²⁷⁶

Mary A. and Margaret LAPSLEY, minor children of Robert LAPSLEY, over age 14 and without a guardian, request the Court to appoint Thomas Dorrington their guardian. Court approves.

It is believed they have rights to real estate in *LaSalle County, Illinois* under the will of their deceased uncle.

²⁷⁶ Allegheny County. Orphans' Court. *Appointments. Vol 11 :464 No.58.*

1854 APRIL 1 GUARDIAN APPOINTED FOR WILLIAM B. LAPSLEY²⁷⁷

William B. LAPSLEY, son of Robert LAPSLEY, deceased, over age 14 and without a guardian requests the Court to appoint Thomas Dorrington his guardian. Court approves.

It is believed that William B. LAPSLEY has rights to real estate in *LaSalle County, Illinois* under the will of his deceased uncle.

²⁷⁷ Allegheny County. Orphans' Court. *Appointments. Vol 11 :465.*

***** SPACE TO WRITE NOTES *****

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