

DR. THOMAS WALKER AND THE
LOYAL COMPANY OF VIRGINIA

BY ARCHIBALD HENDERSON

The present paper presents a view of Thomas Walker, more particularly in relation to land transactions, with a sweeping survey of his life and career. It anticipates the publication of a full length biography. This study constitutes, moreover, a part of a more extended survey of the activities of the land companies of the Old Southwest during the eighteenth century. The paper is appearing now in the Washington bicentennial year, in anticipation of the biography, primarily because of the relations between Thomas Walker and George Washington; and incidentally with other Revolutionary figures: Jefferson, Henry, Pendleton, Preston, Henderson, Lewis, Johnson, Mercer, Donelson, and others.

For particular courtesies, in placing a mass of unpublished material at my disposal, my thanks are particularly due to Dr. William Cabell Rives of Washington, D.C., Mr. Albert S. Bolling of Charlottesville, Va., and Miss Rose Page of "Keswick," Cobham, Va. For courtesies extended and assistance rendered in prosecuting certain lines of research, I am indebted to Prince Pierre Troubetzkoy and his wife, *née* Amélie Rives, now resident at the ancestral Walker home, Castle Hill; to Mr. David J. Mays of Richmond, and to Miss Mary Minor Lewis of Charlottesville. A series of important letters concerned with the activities of the Loyal Company, from the Draper Mss., are published here for the first time. I am indebted, in varying degrees, to Miss Louise Phelps Kellogg of the State Historical Society of Wisconsin, to Mr. Ernest R. Spofford of the Historical Society of Pennsylvania, to Mr. John C. Fitzpatrick of Washington, to Dr. H. R. McIlwaine, librarian of the Virginia State Library, to Dr. Lyon G. Tyler, the historian, a descendant of Thomas Walker, to Mr. Clarence S. Brigham, Director of the American Antiquarian Society, to Mr. Lawrence C. Wroth, librarian of the John Carter Brown Library, and to my colleague, Dr. James B. Bullitt. Any other acknowledgments are made in footnotes.

I

IN THIS era of America's coming of age and the birth of American biography, a closer scrutiny of the moving forces in our early history is decisively necessitated. In our preoccupation with the Mont Blancs and Mount Everests of the Revolutionary landscape in the South, and especially in Virginia—Washington and Jefferson, Madison and Mason, Henry and Lee—we have overlooked the lesser peaks, the lower Alps. We look in vain for biographies of George Wythe, Peyton Randolph, Edmund Pendleton and Thomas Walker. Yet much of the deeper thinking, constructive legislation, and strenuous labor which the times demanded was the contribution of these memorable figures and others of their stamp. Of the pioneering and exploratory spirits of the eighteenth century in the Old Southwest—George Washington and George Rogers Clark, Richard Henderson and Daniel Boone, James Robertson and John Sevier, George Croghan and Thomas Cresap, Simon Kenton and Joseph Martin—history and biography have not been silent. But we still await, not without impatience, desiderated biographies of Thomas Walker and Andrew Lewis, Christopher Gist and James Harrod, William Preston and John Floyd.

Of the neglected figures, Thomas Walker is easily the most distinguished—for versatility and cultural range, indefatigable labors in many fields, pioneering thought and action, intimate association with leading men of his day, and constructive accomplishment. He was active and competent in many lines—as physician and surgeon, surveyor and commissary, soldier and legislator, explorer and colonizer, treaty negotiator, politician and diplomat.

An eminent medical authority a century ago, James Thacher, called Walker "one of the most eminent surgeons in America."¹ Walker was the leader of the first

¹James Thacher: *American Medical Biography, or Memoirs of Eminent Physicians who have Flourished in America*, 2 vols., Boston, 1828.

party of white men to explore Kentucky, and first to keep a diary of his explorations, which has been preserved; and the cabin he and his companions erected near present Barbourville, Kentucky, in 1750 was the "Farthest West" of Anglo-Saxon civilization in this region, of that day. For thirty years, with intermissions due to war service and other causes, he represented Louisa and Albemarle counties in the House of Burgesses, on the Virginia Committee of Safety, and on the Council of State. During the French and Indian War he served under Washington as Commissary General with the rank of major. From 1749 onward until his death in 1794 he was the leading spirit in the great land corporation, the Loyal Company of Virginia, which he was active in founding and in serving as Agent for forty years. In 1779-1780, in association with Daniel Smith, he represented Virginia in the running of the North Carolina-Virginia dividing line westward from the point to which it had been extended by his friend and neighbor, Peter Jefferson, and his other friend, whose family was united to his own by marriage, Joshua Fry. He and Andrew Lewis represented the Colony of Virginia at the Treaty of Fort Stanwix in 1768, and signed on behalf of Virginia the treaty negotiated there with the Six Nations. The two succeeding years he and Andrew Lewis represented Virginia in negotiating an agreement with the Cherokee tribe of Indians for the establishment of a new boundary line, signing the treaty at Lochaber, South Carolina, in 1770. In 1774 he was appointed by the Virginia legislature to negotiate a peace with the Shawnee tribe of Indians, following the latter's defeat at the battle of the Great Kanawha; and presided as commissioner for Virginia at the treaty with the Western Indians held at Pittsburgh, September 12 to October 21, 1775. As agent of the Loyal Company of Virginia, he was active in promoting western colonization and the westward movement, through the sale of the company's lands.

As member of the Virginia Council of State, he wrote first his signature, which was followed by those of Nathaniel Harrison, James Madison and Bolling Stark, to the Instructions issued in 1778 to George Rogers Clark for the government and administration of the new county of Illinois.

Thomas Walker was a friend and associate of the leading men of his day in Virginia, and had many acquaintances of eminence throughout the colonies. He was intimately associated with Washington, in the French and Indian War, in business and land affairs, and by family connections. He stood by Washington's side at Braddock's humiliating defeat, and aided him in restoring the shattered morale of the troops and effecting an orderly retreat. He was thrice connected with Washington: by successive marriages to two of Washington's cousins (first cousins once removed) and by the marriage of Washington's elder brother, Samuel, to the cousin of his first wife. He was the intimate friend and neighbor of Peter Jefferson, whom he attended in his last illness and served as executor. He was the guardian and preceptor of Peter Jefferson's son, Thomas; and in 1770 and 1771 served jointly with him as representatives of Albemarle County in the Virginia House of Burgesses. It was under Jefferson's administration that he was instrumental in extending the dividing line between North Carolina and Virginia; and it was on this journey that he bore Jefferson's instructions to George Rogers Clark for locating the site of the fortification, later occupied by Clark and his troops and named Fort Jefferson. Among his associates and acquaintances, in addition to the Washingtons and the Jeffersons, may be mentioned Benjamin Franklin, Patrick Henry, James Madison, Edmund Pendleton, Andrew, Thomas, Charles, Nicholas and John Lewis, George Rogers Clark, William Preston, John Floyd, James Mercer, Richard Henderson, Isaac Shelby, the Lees, the Pages, the Gilmers, the Nelsons, the Tuckers, the Maurys, the Thorntons, the Meri-

wethers, the Randolphs, the Blands, the Careys; and all the governors of Virginia for a period of almost half a century.

Thomas Walker was one of the most assiduous workers for the public interest, and one of the most active patriots, of his day. He ranks with Christopher Gist, Richard Henderson, George Rogers Clark and James Harrod as one of the truly constructive forces in the opening of the trans-Allegheny region to settlement and colonization. For skill in successful diplomatic negotiations with the Indians he was unsurpassed by any of his contemporaries, and he had the unquestioned confidence of the Indian chiefs. He was a strong swimmer in the central current of the movement of the times. It is indisputable that, in the theatre in which he operated, he was one of the most shrewd, vigorous, effective and useful men of his day.

II

Thomas Walker, born January 25, 1715, was the third child and second son of Thomas Walker, of King and Queen County, Virginia, and Susanna Peachy, his wife, to whom he was married on September 24, 1709. The Thomas Walker who served in the Virginia House of Burgesses in 1662 is believed to have been the progenitor of the Walker family in Virginia; and is stated, on hearsay evidence, to have been the grandfather of the subject of the present inquiry.¹ The ancestors of Dr. Thomas Walker are said to have come from Staffordshire, England, and to have settled about 1650 in

¹Consult Draper Mss., 13ZZ 1-42; R. C. M. Page: *Genealogy of the Page Family in Virginia, also a Condensed Account of the Nelson, Walker, Pendleton, and Randolph Families*, 2d edition (New York: Publishers Printing Co., 1893); *Journal of the House of Burgesses*, September 11 and 19, 1663; September 19, October 23 and 26, November 2 and 9, 1666, and September 26, 1667, where mention is made of Captain Thomas Walker and Major Thomas Walker. In the same journal, for the period 1753-1758, occur also the names: Henry, Peter, and "Lieut. Coll." John Walker. See also the compilations: William Ayres (ed.), *Historical Sketches* (Pineville, Ky., 1925), and Ann Walker Burns (ed.), *Daniel Boone's Predecessor in Kentucky* (Frankfort, Ky., c. 1928.)

Tidewater, Virginia, some of them living in Gloucester County.¹

While still a lad, Thomas lost his father and went to live at Williamsburg with his sister, Mary Peachy, the second wife of Dr. George Gilmer, to whom she was married on May 13, 1732. Dr. Gilmer, a native of Scotland and a graduate of the University of Edinburgh, had settled in Virginia early in the eighteenth century; and for full half a century, until his death on January 15, 1757, successfully "combined the vocations of physician, surgeon and druggist." Thomas came under the tutelage of his brother-in-law; and is said to have lived in a drug-store. Although his name does not appear on the rolls, there is constant and reliable tradition that he was a student at William and Mary College; and it is unlikely that he ever received a medical degree. On the representation, by his brother-in-law, Dr. George Gilmer, of his preparation and fitness, he was doubtless licensed to practice medicine by the county or other authorities, according to law. He settled at Fredericksburg and practiced medicine there and in eastern Virginia for a number of years.² He won a more than local eminence as physician and surgeon, and had a number of pupils among whom may be mentioned George Gilmer, Jr., his nephew, George Conway Taylor of Orange, later an agent of the Loyal Company, and William Baynham, subsequently famous, who was under Dr. Walker's tutelage for five years.³ Dr. Walker, as mentioned earlier, was authoritatively described as "one of the most eminent surgeons in America;" and is credited with being one of the earliest in America or abroad to trephine bone for suppurative osteomyelitis.⁴ Dr.

¹E. T. Sale: *Manors of Virginia in Colonial Times* (Philadelphia, 1909), chapter "Castle Hill," pp. 229-235.

²W. H. T. Squires: *The Days of Yesteryear* (Portsmouth, 1928); William Ayres: *Historical Sketches*.

³W. B. Blanton, M.D.: *Medicine in Virginia in the Eighteenth Century* (Richmond, 1931), pp. 13-14, 79. Blanton calls Walker "one of the most eminent men of his day;" and states that Thomas Walker, Sr. "is said also to have been a physician."

⁴Kelly and Burrage: *Dictionary of American Medical Biography* (New York, 1928), p. 1253, quoting Ashurst: *Principles and Practice of Surgery* (Philadelphia, 1893).

Walker's most famous pupil was William Baynham, who has been termed by Blanton the "finest anatomist of the century in America."

For a long period of years, Walker had a general store at Fredericksburg, and subsequently it appears in Louisa County. He made shipments, sometimes as many as five hogsheads of tobacco at a time, to English and Scotch merchants: John Norton and Son, William Montgomery and Sons, and Matthew Gale, London; Morgan Thomas and Company, Edward Harford, Jr., Farrell and Jones, and Thomas, Griffiths and Thomas, Bristol; Thomas and John Backhouse, and Dobson, Doltera and Walker, Liverpool; and Crawford and Gammell, Greenock. Books, mathematical instruments, and various medicines were ordered from abroad by him at different times, from 1747 onward; and among the articles specifically listed in the comprehensive orders are: gunpowder in bulk, drop shot, bars of lead, men's, women's and boys' hats, Welch Cotton, German Serge, Saxon green, light drab, blue Nap, Irish linens, Duffell, drawing knives, wrapper and cord, rugs, saws, files, table knives and forks, penknives, cutters, women's scissors, frying pans, candle moulds, pepper boxes, salt-petre, brimstone. Large quantities of rum, molasses and sugar were ordered from Edward Voss in Norfolk. The shipments to Dr. Thomas Walker at Fredericksburg were sometimes sent in care of Mr. Robert Jackson.¹ In his business as a merchant, Dr. Walker "was for many years largely engaged in importing directly from the mother country the innumerable articles needful, both for himself and others, for the cultivation of colonial plantations and the comfort of colonial homes."²

¹This information regarding Dr. Walker's mercantile business is derived from original orders, bills and receipts owned by Dr. William Cabell Rives of Washington, D. C., one of Dr. Walker's descendants.

²Preface (pages 13 and 14) by William Cabell Rives to *Journal of An Exploration in the Spring of the Year 1750, by Dr. Thomas Walker, of Virginia* (Boston, 1888).

III

On some unknown date, during the year 1741, Thomas Walker was married to the widow of Nicholas Meriwether. Her maiden name was Mildred Thornton; and she was first cousin, once removed, to George Washington.¹ By this marriage, Dr. Walker acquired possession of the Castle Hill estate, comprising about eleven thousand acres of land in present Albemarle County, which was originally part of a grant from George II to one Nicholas Meriwether. Shortly prior to 1754, it is believed, Dr. Walker and family removed from Fredericksburg to the Castle Hill property, and resided for some years in a house probably not now standing.² It is claimed that Dr. Walker introduced into this section the delicately flavored apple later renowned under the name of the Albemarle pippin.

For all his talents as physician and surgeon, Dr. Walker after a time wearied of the hardships and fatiguing journeys imposed by the practice of medicine. His large estate and the duties of maintaining it presumably took up the better part of his time after his removal to Castle Hill. Although serving as Commissary General during the French and Indian War, he was not infrequently called upon for medical aid; and on June 3, 1758, John Blair, acting Governor of Virginia, wrote him: "I have sent you a Chest of Medicine's from Mr. Pasteur's Shop, with Instruments; but cannot yet hear of a Surgeon for you which gives me much concern."³ During the last illness of his friend and neighbor, Colonel Peter Jefferson, who died on August 17, 1757, he visited him professionally

¹George Washington's own aunt, Mildred Washington, was married first to Roger Gregory; and their daughter, Elizabeth, was married to Reuben Thornton. The daughter of Reuben and Elizabeth Gregory Thornton was Mildred Thornton, Thomas Walker's first wife.

²Goods were shipped from London by William Montgomery and Sons to Thomas Walker in Louisa County in 1754. Albemarle was cut off from Louisa County in 1759. Fredericksburg, on the Rappahannock River, was in Spotsylvania County; and goods were shipped from abroad direct to Fredericksburg or to Yorktown.

³*Journal of the House of Burgesses, 1758-1761*, p. 261.

on June 25, three times in July, and eleven times during the month of August.¹ The original bill rendered by Dr. Walker for these medical services was for many years to be seen at Castle Hill.

Like many leading men of the day—George Washington, George Rogers Clark, William Preston, John Floyd, for example—Walker turned surveyor in response to the need for taking care of and subdividing his large landed estate. Through his contact with speculative and adventurous spirits of the day, he learned of the efforts made by the colony of Virginia to promote western colonization and the settlement of unappropriated lands. Beginning with 1743 the Virginia Council began to make large, and in some cases vast, grants of land to individuals and corporations.² Walker was an adventurous spirit, who found allurements in the *terra incognita* of the fabled West. While still a young man, in company with a friend, William Winston, his senior in years, he made many tours of hunting and exploration, venturing as far as the headwaters of the James.³ "Strong in body, courageous, enterprising, intelligent, he was impelled by his curiosity and restless energy to leave his wife and young children for a season; and, if not to forget them, yet, like the hunter in Horace, to pass his nights under the cold canopy of the skies in the unknown region beyond the mountains. . . . The love of exploration and adventure grew with experience and with expanding knowledge and capacity, and becoming a leader of men into the wilderness, Thomas Walker won the confidence of the adventurous spirits among whom he lived, and attracted the attention—especially when frontier service involving hardship and danger was needed—of many of the successive governors of

¹H. S. Randall in his *Life of Jefferson* (Philadelphia, 1871) is doubtless in error in the statement that Peter Jefferson's death was sudden.

²Consult Archibald Henderson: *A Pre-Revolutionary Revolt in the Old Southwest. Miss. Valley Hist. Rev.*, vol. xvii, No. 2, 1930.

³Walker thus early became acquainted with the region where he was to find a home and settle for the remainder of his life.

Virginia."¹ In 1748 Walker accompanied as surveyor a party headed by Colonel James Patton, and consisting besides of Colonel John Buchanan, Patton's son-in-law, Colonel James Wood and Major Charles Campbell, on a journey through Southwest Virginia and East Tennessee, as far as the Indian and Clinch Rivers.² The object of this journey was to locate and survey extensive tracts of land, by authority of a grant of 100,000 acres to Colonel Patton by the Virginia Council in 1745. One of the adventurous spirits, who accompanied this party, was the hunter and scout, John Findlay, afterwards to become famous as Daniel Boone's guide to Kentucky in 1769. On this trip, which did not extend beyond the Holston River, Walker met one Samuel Stalnaker between the Reedy Creek Settlement and Holston River on his way to visit the Cherokee Indians. When Walker visited this region two years later, he found (March 23) Samuel Stalnaker's camp, and the next day "helped him to raise his house."³ On Fry and Jefferson's map (1751) Stalnaker's cabin is set down as the extreme western settlement in 1748.

There seems reason to believe that Dr. Walker lived at the Wolf Hills, which he named, the present Abingdon, Virginia, for the period 1748 to 1754.⁴ On March 29, 1752, there was surveyed for Thomas Walker a deed for a tract of land totalling 6,780 acres, entitled Burk's Garden, located on Castle's Creek, a branch of Indian River.⁵ A grant, presumably for this land, was obtained from George II on July 14, 1752. This grant was for a large area surrounding and including the site of the present Abingdon, Va. In 1743

¹W. C. Rives: *Preface to Journal of an Exploration, &c.*

²Consult L. P. Summers: *History of Southwest Virginia, 1746-1788* (Richmond, 1903), pp. 42-3. Colonel James Patton was a magistrate and high sheriff of Augusta County, and his son-in-law, John Buchanan, was a deputy surveyor.

³Consult Walker's *Journal of 1750*.

⁴These dates are approximate.

⁵Surveyor's record, Augusta County, at Staunton.

Walker obtained a grant from the Virginia Council of 10,000 acres.¹

In the year 1748, Mr. Gray, Mr. Ashford Hughes and others obtained a grant from the Governor and Council for 10,000 acres of land lying on the waters of New River. This grant was soon afterward assigned to Peter Jefferson, Dr. Thomas Walker, and Thomas and David Meriwether. These lands were surveyed and principally settled in the early days of the settlement of this section.² Evidently Walker was so occupied with the surveying of his own lands and the lands of the Loyal Company, as we shall see, that he sought official position as a surveyor. On September 29, 1752, he qualified as a deputy surveyor of Augusta County.³ Early in 1777 Dr. Walker, Joseph Black and Samuel Briggs gave 120 acres of land to Washington County for the town to be built at Black's Fort.⁴ On October 7, 1781, Dr. Walker, through his attorney in fact, Daniel Smith, sold 484 acres for a nominal consideration to the Town of Abingdon.

IV

During the earlier decades of the eighteenth century, a great stimulus to colonization in the unsettled portions of the commonwealth of Virginia was given by the action of the Governor and Council of Virginia in making many and large grants of lands. For a decade following August 27, 1754, the date of the Governor's instructions, no tracts larger than 1000 acres to any individual were granted for land "lying to the Westward

¹This is No. 25 in the forty-three tracts issued by the Virginia Council between 1743 and 1760, and a list of which was laid by John Blair, Clerk of the Council, before the House of Burgesses, December 6, 1769. See *Ohio Company Papers*, vol. I (J), 80ff., in the Library of the Historical Society of Pennsylvania.

²L. P. Summers: *History of Southwest Virginia, &c.*, p. 51.

³L. P. Summers, *ibid.*, p. 43.

⁴Summers, *ibid.*, pp. 268-9, 619, 621. The power of attorney from Dr. Walker constituting Daniel Smith his attorney in fact to convey said lands was executed September 9, 1777. Daniel Smith was later associated with Dr. Walker in running the North Carolina-Virginia boundary line.

of the ridge of Mountains which separate the Rivers Roanoke, James and Potomac from the Mississippi."¹ But for a quarter of a century prior to August 27, 1754, vast tracts of land were granted to groups of individuals, ranging from 10,000 to 800,000 acres. The spirit of speculation was rife in Virginia; and Walker's surveying expedition in locating Colonel Patton's grant, while it doubtless genuinely stimulated interest in the rich lands on the Western waters, may rather be interpreted as symbolic of the feverish speculative activity of the times. Within a space of little more than two years, immense grants were made to three important land companies, including among the co-partners many of the leading Virginians of the day, as well as men of prominence in the adjoining colonies. Among the members of the three land companies appear such representative Virginia names as Washington, Lee, Dinwiddie, Taylor, Mason, Pendleton, Carter, Nelson, Lewis, Walker, Jefferson, Meriwether, Fry, Maury, Willis, Henry, Mercer, Preston.

The first of these large companies to secure a grant was the Loyal Company of Virginia, headed by John Lewis who emigrated from Pennsylvania in 1732 and founded Staunton, Virginia. There is little doubt that, on account of his superior knowledge of the Western country, Walker was influential in organizing the company, his name appearing second in the list of grantees. On July 12, 1748, according to the Virginia Council records, a grant was made: "To John Lewis Esq. & others eight hundred thousand acres in one or more surveys, beginning on the bounds between this colony and North Carolina, and running to the Westward and to the North, so as to include the said Quantity." The full list of names is as follows: John Lewis, Thomas Walker, John Meriwether, Charles Lewis, James Power, Peter Jefferson, Charles Dick, Charles

¹Report of John Blair, Clerk of the Council, laid before the House of Burgesses on December 6, 1769. Consult *Ohio Company Papers*, vol. I (J), 88 ff., in the Library of the Historical Society of Pennsylvania.

Barrett, Joshua Fry, Thomas Turpin, John Harvie, Thomas Meriwether, Thomas Meriwether, Jr., John Baylor, Samuel Waddy, Robert Barrett, Henry Willis, Peachy Gilmer, John Lewis, James Maury, Thomas Lewis, Peter Hedgman, John Moore, Robert Martin, Henry Tate, Richard Jones, William Wood, Samuel Dalton, Francis Thornton, Francis Thornton, Jr., John Thornton, John Pierce, William Stephenson, Nicholas Lewis, Nicholas Meriwether, William Hudson, Francis Meriwether, Humphrey Hill, John Dixon, and Edmund Pendleton.¹

Peter Jefferson and Joshua Fry, neighbors of Thomas Walker in Albemarle County, who completed the running of the dividing line between North Carolina and Virginia the very year of the grant, were undoubtedly active in the organization of the company, having examined and surveyed the lands contiguous to those sought by the company. The western point of the boundary line run by Fry and Jefferson was on Steep Rock Creek, now known as Laurel Fork, a tributary of the Holston River, some twenty-five miles southeast of Abingdon, Va. At this time there was no line delimiting any bounds to western settlement. The more magnificent lands in the "back parts of Virginia," north and west of the western end of the dividing line on Steep Rock Creek, were available to the forty grantees headed by John Lewis, Esq.²

¹Consult *Ohio Company Papers*, volume I, (J), p. 80; Augusta County Records (Staunton, Va.), "Record Book 1834," pp. 380ff. The name of Edmund Pendleton does not appear in the list in the *Ohio Company Papers*: it was added by an order of Council, May 7, 1753, having been inadvertently omitted in the Council's order of July 12, 1749. This is grant No. 14 in forty-three such grants issued by Governor and Council from 1743 to 1760.

²Consult Fry and Jefferson's map of Virginia, 1751. In 1749 Colonel Joshua Fry was living on Hardware River, near Carter's Bridge, between Charlottesville and Scottsville, having settled there in 1744. Seven years earlier, 1737, Peter Jefferson had settled in the neighborhood of present Charlottesville, being preceded by only two or three settlers in that region. Consult brief autobiography of Thomas Jefferson in P. L. Ford (ed.), *Works of Thomas Jefferson* (New York, 1892), volume I, page 3; and *Memoir of Colonel Joshua Fry*, by Rev. Philip Slaughter, D.D. In the year 1749, in his *Explication of the Shorter Catechism*, Dr. John Thomson refers to Amelia and neighboring counties in the centre of present Virginia as the "back parts of Virginia." In the list of grantees, only the name of John Lewis which leads bears the designation "Esq."

V

Doubtless at the first meeting of the association, a name was chosen, notably the Loyal Land Company of Virginia. It is usually spoken of as the Loyal Company of Virginia. John Lewis acted as the directive head of the company for four years. In launching the company, he proceeded energetically, securing the appointment on December 12, 1749, of Dr. Thomas Walker as agent, for the purpose of exploring the Western wilderness where the lands were to be taken up.¹ Walker set off from Castle Hill on March 6, 1749-1750, accompanied by Ambrose Powell, great-grandfather of the Confederate general Ambrose Powell Hill; William Tomlinson, who afterwards settled in Kentucky; Colby Chew, connected through his mother with Presidents Taylor and Madison and a captain under Washington in the French and Indian War; Henry Lawless and John Hughes. Each man had a horse, and two more horses were taken along to carry the baggage. The party made a wide cast through eastern Kentucky, traversing Cumberland and Ouasio-to Gaps, and passing by or near present Barbourville, Paintsville, Hot Springs and Staunton. By April 28, Lawless and Hughes had erected a small cabin, eight by twelve feet, some four miles below present Barbourville. This cabin, evidently intended to serve as a record of the Loyal Company's claim² and also to house the company's surveyors, is historic as the first house built in Kentucky by white men. It appears on De Vaugondy's map (1755) and also on Mitchell's map (1755), on the latter with the legend: "Walkers—the extent of the English settlements 1750."

Walker and party had missed the Blue Grass region and failed by only fifteen miles of seeing, from Pilot

¹Dr. Walker's original diary (1749-1750), owned by Dr. William Cabell Rives, of Washington, D. C., begins as follows: "Having, on the 12th of December last, been employed for a certain consideration to go to the Westward in order to discover a proper Place for a Settlement &c."

²Walker's company established a pre-emption claim—"cabin rights" and "corn rights—" by claiming land around the cabin and planting corn and peach stones.

Knob, the "beautiful levels" of "Kentake." Much of the land was densely wooded, a sort of jungle difficult of passage; and Walker's journal gives unfavorable reports of the land. Walker named a number of natural features of the country, chiefly after his companions; and brought back with him the first detailed knowledge of the trans-Allegheny country acquired by a Virginian. The geographical and topographical information acquired by Walker on this trip was early utilized by the historians and map makers of the day, although not with scientific accuracy. On De Vaugondy's map (1755), Walker's settlement on the Cumberland is laid down quite accurately as to latitude, but is too far west. Crooked Creek, and Powell's, Lawless', Hughes' and Frederick's Rivers, all laid down on the map, are shown as flowing into the Ohio, whereas, with the exception of the last named, they are tributaries of the Cumberland. Mitchell's map (1755) and Lewis Evans' map (1755) also contain data evidently furnished by Walker. Lewis is the only one of the cartographers who makes specific acknowledgment. In Lewis Evans' *Analysis* (2nd ed., Phila., 1755) quoted in Pownall's work,¹ Evans says: "As for the Branches of Ohio, which head in the New Virginia, I am particularly obliged to DR. THOMAS WALKER, for the Intelligence of what Names they bear, and what Rivers they fall into Northward and Westward, but this Gentleman, being on a Journey when I happened to see him, had not his Notes, whereby he might otherwise have rendered those Parts more perfect." The following year, Christopher Gist explored Kentucky for the Ohio Company, making a far more comprehensive exploration than did Walker. Whilst Walker and Gist anticipated Daniel Boone by seventeen and sixteen years, respectively, in visiting Kentucky, they had themselves been anticipated by numerous hunters and explorers: Vielé, Chartier,

¹Thomas Pownall, *Topographical Description of North America*, 1776, p. 34.

Couture, Walsh, Nairns, Hughes and others;¹ but they were the only explorers who kept minute records of their explorations. Doubtless Walker expected the Loyal Company to take up large bodies of land in the neighborhood of the small cabin built by his party; but this expectation was never realized. In 1767 Walker interested Patrick Henry and William Fleming in some sort of land scheme in Kentucky, probably as a phase of the operations of the Loyal Company; but nothing more was heard of this scheme in which Henry exhibited such a lively interest.² The Loyal Company took up no lands in Kentucky: all their lands were east of the Alleghenies. A number of surveys, evidently on the basis of Gist's original exploration, were made on behalf of the Ohio Company by John Floyd and his surveying party in 1775³. Only the Transylvania Company, of the three companies which sent explorers into Kentucky, made effective use of the report of the extended reconnaissance made by the company's scout and surveyor, Daniel Boone. For the years 1775 and 1776 the history of Kentucky is primarily the history of the activities of the Transylvania Company.⁴

Upon the return of their agent, Walker, from Kentucky, the Loyal Company entered actively upon the prosecution of the business of locating and selling lands. It was not long before they ran afoul of the conflicting claims of the Ohio Company, which issued a caveat to stop the activities of the Loyal Company. While the matters at issue were pending, the Loyal

¹C. W. Alvord: *The Daniel Boone Myth*, in *Journal of the Illinois State Historical Society*, vol. xix, Nos. 1-2, 1926, pp. 16-30.

²Patrick Henry to William Fleming, Louisa, June 10, 1767. See Documents, *post*.

³Consult Fayette County, Kentucky, Complete Record Book "B," pp. 279 ff., case of Hugh Innes' Heirs v. John Bradford; Floyd Mss., Draper Collection, Madison, Wisconsin; R. H. Collins' Ms. Notes, in Durrett Collection, University of Chicago.

⁴Consult the following publications of the writer: *The Conquest of the Old Southwest* (New York, 1920); *The Star of Empire* (Durham, N. C., 1919); *The Creative Forces in Westward Expansion: Henderson and Boone*, in *American Historical Review*, October, 1914; *Richard Henderson and the Occupation of Kentucky*, in *Mississippi Valley Historical Review*, December, 1914; *The Transylvania Company and the Founding of Henderson, Kentucky* (1929); *Memorial Celebration in Honor of the Transylvania Company* (1929); and *Transylvania: a Story of the Bold and Almost Successful Attempt to Found the Fourteenth American Colony*, in the *Century Magazine*, Autumn, 1929, vol. 119, No. 1.

Company circulated advertisements throughout the British colonies, "inviting settlers to come and settle their lands by promising to survey for them the place & quantity of land they should choose, at the cheap rate of £3 per hundred acres with the Surveyors' fees, right or composition money and patent fee; at the same time offering if required a reasonable time for payment, in which case the company was to retain the title as security for the purchase money and receive interest after a limited time."¹

The four years, allowed by the Council for completing the surveys, now being nearly expired, the Council on June 14, 1753, acting upon the petition of the Loyal Company, granted the company four years more to enable them to complete the surveying and selling of the lands. At this time John Lewis gave up the active leadership of the company, and was succeeded by Thomas Walker, under the specific title of Agent, which post he held until his death on November 9, 1794. Throughout this entire period, save for the interruption of his official activities for the company during the French and Indian War, Walker was energetic and tireless in furthering the business of the company. So actively did he enter upon the duties of Agent that many surveys were immediately made and a great quantity of land was sold. The terms were satisfactory to intending settlers; and before the autumn of 1754 lands were sold to about two hundred families, *already settled upon the lands.*² In the second letter to Walker which has been preserved,³ his factor

¹Bill filed in suit of the Successors of the Loyal Company v. David French, Giles County, Virginia, May 23, 1832. Augusta County Records, Staunton, Va., "Record Book 1834," pp. 380ff. L. P. Summers in his *History of Southwest Virginia, 1746-1786*, p. 51, states that "the Loyal Company got into a dispute with Colonel James Patton, who had an unfinished grant below where this company were to begin." The grant of 100,000 acres, issued by the Council to James Patton and others, was described in the grant as "in Augusta County on three branches of the Mississippi River, the one known by the name of Woods River, the other two to the *Westward thereof* on (indecipherable) the waters of the said River." *Ohio Company Papers*, vol. I (J), l. c.

²This is a striking illustration of the streaming of the population into southwest Virginia in the middle years of the eighteenth century, and the prevailing practice of "squatting" upon unoccupied lands in the "back country."

³See Documents, *post*.

Robert Jackson writes from Fredericksburg, July 12, 1753, regarding a visit to Stafford, Prince William County: "I am not forgetting that your affairs with ye Loyal Company give seeming pleasure to every man there, when we understood ye matter was agreed."

VI

Walker's wide reputation as hunter, surveyor and scout, gained as the result of his expedition to the Westward in 1748 and 1750, brought him prominently forward at the opening of the French and Indian War. Known as a man of ability, vigor and resource, who had engaged successfully in trade, Walker, toward the close of the year 1754, it is presumed, was appointed by the Virginia House of Burgesses, Commissary General of the Virginia troops, with the rank of major. For the duration of the war, Walker was energetically engaged upon this business, to the entire neglect of the affairs of the Loyal Company. In the midst of arms speculation languishes.

In pursuance of his enterprise of procuring supplies of all sorts—flour, wheat, horses, wagons, boats and what-not, for General Braddock's projected expedition against Fort Duquesne, Walker in February and March, 1755, made a disagreeable and arduous trip to Philadelphia. For a time he traveled with a Jew (an observer of the Sabbath), "who is no disagreeable companion." After swimming his horses over Will's Creek, he rode to Col Cresap's.¹ Two days later, while on his journey, he records: "Finding ye creek up, and missing my way, I was obliged to lie without fire, liquor or bedding." After travelling for several days over rough roads in a mountainous country, he finally arrived at the house of a widow "who prepared me a great plenty of sausage & eggs of which I ate very

¹For Cresap consult Lawrence C. Wroth: *The Story of Thomas Cresap: a Maryland Pioneer*. First published in the *Maryland Historical Magazine*, March, 1914; reprinted by the Cresap Society (Columbus, Ohio, 1928).

heartily & then set out for Nicholas Johnson's where I got just as it was dark."

Walker's initial objective is the camp near Colonel Cresap's, where he reports to General Sir John St. Clare and receives orders and directions to proceed to Philadelphia. Benjamin Franklin, the postmaster-general of Pennsylvania, was occupied at this time with procuring a hundred and fifty wagons and enough horses to haul them for Braddock's army. On February (March?) 22, Walker records in his diary, evidently acting in obedience to General St. Clare's orders: "Waited this day on the Ingenius Franklin for his assistance."¹ On the next day Walker attended "the English Church where they have a Ring of bells 8 in number a Poor Parson & a Clerk suitable"; and that evening "dined with Mr. Franklin." The next day, in company with Franklin, he visited the State House, and waited some time until "there was Floped Hatts Enough to go on Business"—a quaint style of describing a quorum of Quakers. After some negotiations, Walker was given an order by "one of their commissions in arithmetick . . . to purchase fourteen thousand Bushills of wheat have the same ground Bolted and Packed in Casks and also to employ a sufficient Number of Carriages to transport it to Conogochick (Conococheague)." Walker reported this commission in letters to Governor Dinwiddie and Sir John St. Clare, and set out for camp—travelling via Lancaster, Harris' Ferry, Carlisle, Shippensburg and Col. Cresap's. At camp Walker records: "found many things in disorder but our People in High Spirit."²

During the spring and summer, Walker was busily engaged in the arduous duties of the commissariat. In his official capacity, he accompanied Braddock's army in the disastrous expedition against Fort Duquesne, doubtless in close association with his wife's close relative, Col. George Washington. According to

¹Franklin was generally called "the ingenious Dr. Franklin."

²See Documents, *post*.

reliable tradition, Walker, like Daniel Boone, escaped from the battlefield on horseback, after powerfully seconding Washington's efforts "in restoring order and in bringing off to a place of safety the shattered remnant of the British and Virginia forces."¹ Twenty-one years later Walker revisited the battle-ground in company with a party headed by Judge J. Yeates, who thus describes the incident (Pittsburgh, August 21, 1776):

My feelings were heightened by the warm and glowing narration of that day's events by Dr Walker, who was an eye witness. He pointed out the ford where the army crossed the Monongahela (below Turtle Creek 800 yds.) a finer sight could not have been beheld, the shining barrels of the muskets, the excellent order of the men, the cleanliness of their appearance, the joy depicted on every face at being so near Fort Du Quesne, the highest object of their wishes—the music re-echoed through the mountains. How brilliant the morning—how melancholy the evening! The Savages and French had hardly an idea of victory when they made the attack. Brad-dock appeared almost to have courted defeat. Against every remonstrance of Sir Peter Halket, Major Washington, and others of his officers, he refused to let a man leave his rank; they fired in platoon against no object—how very dispiriting to a gallant soldier; they were shot down in whole ranks. The enemy observing the *infatuation* of the General, felt assured of victory, redoubled their exertions, and fired with such fatal precision as to cause our men to throw away their guns and run off in the greatest disorder. The officers in vain attempted to arrest their course—they were compelled to follow their example. How differently did they cross the river now—without arms, order or music, the hellish yells of the Indians, and the groans and shrieks of the dying and the wounded falling upon their ears. . . .²

In writing to Walker, to congratulate him upon escaping with his life, Robert Jackson, Walker's factor, quaintly exclaims, concerning this incredible rout of a well officered army of British regulars by one-fourth their number of naked French and Indians: "For my

¹W. C. Rives: *Journal of An Exploration &c* (Boston, 1888), Preface, p. 19.

²*The Register of Pennsylvania*. Edited by Samuel Hazard, Vol. VI, pp. 104-5. The above account is evidently a transcription by Judge Yeates of Dr. Walker's *visa voce* account.

own part, if such a thing was inserted in ye best Hystory in ye world I would burn ye book."¹

During the next twelve months and more, the people of Hampshire, Frederick and Augusta counties underwent indescribable sufferings from Indian raids. Washington, with inadequate and disorderly militia, was attempting to protect the western frontier of Virginia by means of a chain of small stockaded forts stretching from Winchester to Fort Cumberland. Walker was constantly traveling along this chain of forts, prosecuting the difficult tasks of the commissary and experiencing great difficulty in securing the funds for carrying it on. On these journeys Walker was in grave danger of being cut off and killed by the Indians. Writing to Washington from Williamsburg, April 14, 1756, Walker says: "As soon as my accounts are settled I shall proceed to you as fast as possible and in the mean time you may assure your self nothing in my Power shall be wanting for the good of the Common Cause & Honour of every worthy individual of the Virginia Regiment." The militia began to desert in numbers, and were defended by the people in their desertion.² During these trying times, Walker was performing heroic service in procuring cattle, hogs, grain, and other supplies, and in especial the salt indispensable for preventing the beef and pork from

¹See fragment of letter, among Documents, *post*. Jackson wrote Walker a second congratulatory letter, from Fredericksburg, September 25, 1755, ending: "Please to tender my compliments to your old lady, and tell her I am glad she has got you back again." At this time Mrs. Walker was only thirty-four years of age.

²On April 26, 1756, Governor Dinwiddie wrote Washington that he had "sent express to the counties of Frederick, Fairfax, Prince William, Culpeper, Orange, Stafford, Spotsylvania, Caroline, Albemarle, and Louisa, ordering the commanding officers of each to march one half of their whole militia immediately to Winchester; and I shall send directly to Fredericksburg 40 lbs powder 500 small arms, with shott and flints to Commissary Walker who goes up from this to take the necessary care in distributing the same." Profoundly moved by the terrible sufferings of the frontier settlers, constantly harried by the Indians, Washington had written to Governor Dinwiddie four days earlier: "The supplicating tears of the women, and moving petitions from the men, melt me into such deadly sorrow, that I solemnly declare, if I know my own mind, I could offer myself a willing sacrifice to the butchering enemy, provided that would contribute to the people's ease." Washington Mss., Library of Congress; Dinwiddie Papers, *passim*, and L. K. Koontz: *The Virginia Frontier, 1754-1763* (1925), *passim*. Consult Walker to Washington, December 26, 1755: Documents, *post*.

spoiling.¹ Washington and Walker broke down under the superhuman strain, and were months in regaining health and strength. Fortunately Walker had a valuable deputy in young Colby Chew, who had accompanied him in the exploration of Kentucky.² Doubtless the hardships of the frontier, constant travel from post to post in all weathers and with inadequate accommodation, finally laid low the Commissary General, himself an M.D. In midsummer, 1758, he was suffering acutely from rheumatism in his knees; and on August 14, he writes Washington: "I am now reduced to a mere scelleton nor able to walk without crutches."³

In 1760, the prominent borderer, Thomas Cresap of Old Town, Maryland, presented an account to Thomas Walker for various supplies, for grazing cattle and sheep, and for wintering wagon horses, for the years 1755 and 1756. These were supplies purchased by Walker's contractors for the use of the forces under the command of Col. George Washington. In reply Walker protested both against Cresap's delay in presenting the accounts and against being expected to pay the debts due from the Crown. In 1764 Cresap brought suit in Augusta County, Virginia, against Walker for the settlement of these accounts—an incident revealing some of the vicissitudes of the life of a commissary general.⁴

Dr. Walker was very active in providing supplies for the expedition against the Cherokee tribe in 1761, led by Col. William Byrd. The expenses for the expedition were provided by the Crown; and Brigadier

¹Consult Documents, *post*.

²Colby Chew served as "under commissary" and held the rank of captain in the colonial troops during the French and Indian war, and was killed during that conflict. He was commended by his superior officers as a brave soldier. In a letter from New York, March 14, 1757, to Washington, Joseph Chew, Washington's intimate friend, bespeaks his favor and interest for his younger brother, Colby, and sends his "best respects" to Dr. Thomas Walker: "I greatly thank him for his kindness to my brother." Washington Mss., Library of Congress.

³See Documents, *post*.

⁴Consult Augusta County Records, Staunton, Va.; Order of Court, 1758 and suit of *Cresap v. Walker*, August, 1764. In the records of the suit are copies of the letters exchanged between Walker and Cresap. See under Documents, *post*.

General Monckton "sent through the hands of the Contractor's Agents at Philadelphia orders to Dr. Walker for supplying" Col. Byrd.¹ The matter was to be left entirely in Dr. Walker's hands. On April 19, 1761, Byrd wrote urgently to Amherst regarding the provisions and supplies for the projected expedition. Ten days earlier Col. Byrd informed Dr. Walker that Messrs. Plumsted & Franks, of Philadelphia, Agents for the Contractors for Victualing his Majesty's Forces in North America, desired him to provide carriages, provisions and other necessaries for the Virginia troops. Walker was doubtful of the authenticity of the commission, as he had learned that Plumsted & Franks had also written to Dr. Hugh Mercer of Fredericksburg to the same effect. However, on April 11, Walker wrote Plumsted & Franks from Williamsburg, setting forth the terms on which he would undertake the commission: five per cent on the accounts for provisions, wages, forage, &c. Walker suggests that the contractors propose terms for wagonage to Col. Byrd. In the meantime he will follow Col. Byrd's instructions until he hears from the contractors.

On April 15, the day after his arrival at Castle Hill, Walker received the letter from Plumsted & Franks, the delay being caused by its initial submission to Doctor Hugh Mercer who declined to act. Walker at once drafted a detailed letter, regarding prices for cattle, sheep, flour, carriage, &c.; and then instructed his agents at Winchester and Staunton to provide the troops with provisions on their march, as far as Fort Lewis. After traveling to Fort Chiswell, to ransom eighteen prisoners from the Cherokee, on the Governor's orders, Walker returns on May 2 to Castle Hill where he finds a letter from Plumsted & Franks written three days earlier, requesting him to meet them in conference on May 23. After making extensive preparations for supplying the various forts, he set

¹General Jeffrey Amherst to Colonel William Byrd, New York, May 11, 1761. Original letter in Draper Mss., 4Z232.

out on May 25 for Philadelphia. General Monckton was very angry on learning from Walker that he had not been authorized to provide carriages and other necessaries. The business with Plumsted & Franks was finally concluded on June 19, on terms satisfactory to Walker, who at once set out for Fort Chiswell, where he found an ample supply of provisions and carriages already accumulated by his agents under Col. Byrd's direction. Hurt by some criticism of his conduct in the matter, by Lieutenant Governor Fauquier in a letter of date May 26, Walker wrote him a lengthy letter, describing the entire affair and enclosing copies of the correspondence.¹

VII

The operations of the Loyal Company had been completely stopped by the French and Indian War. Moreover the four-years' extension of time for complying with the terms of the grant, allowed the company by the Governor's Council in 1753, expired in 1757. Nothing daunted, however, the company on the expiration of the war petitioned the Governor and Council on May 25, 1763, for a renewal and confirmation of their grant. In their petition the company set forth that "inasmuch as the completion of their surveys were (*sic*) obstructed by a public enemy for the want of that protection which Government was bound to afford them, the Crown could not justifiably take advantage of their failure to complete their survey within the time prescribed, as the war *occurred* during that time. . ."² The answer of the Council was in the negative, on the ground that they were restrained by the King's instructions in 1761 (shortly afterwards promulgated in the royal proclamation of 1763) from "encouraging or any wise facilitating the

¹The original of this letter, to Lt. Gov. Fauquier from Walker, at Fort Chiswell, July 4, 1761, is owned by Dr. William Cabell Rives of Washington, D. C., who supplied me with a copy. See Documents, *post*.

²Proceedings Governor's Council. Consult also Augusta County Records, historic sketch of the Loyal Company, filed in the bill of Successors of the Loyal Company v. David French, May 23, 1832.

settlement of the Western Frontier of the Colonies."

The beginning in Virginia of revolt against British rule will now be seen to date, not from the stamp act agitations in 1765, but from the defiance of the King's instructions, in 1763. Undismayed by the adverse decision of Governor and Council, Walker and his associates of the Loyal Company proceeded in open and flagrant prosecution of their plans. Their conduct, extraordinary and lawless as it undoubtedly was, is explainable only on the ground that they acted with the tacit encouragement if not the actual collusion of Governor and Council. In later *pièces justificatives*, the company explained that they were "nevertheless encouraged by sentiments expressed by members of the Council of the Justice of their claims, to persevere and perform their contracts with their settlers. . . ."¹ Thirty-three years later, in pleading the company's cause before the Virginia Court of Appeals, Edmund Pendleton, leading member of the company, somewhat speciously though probably truthfully argued that the denial of the company's petition for renewal or confirmation of the grant "arose not from want of equity in its foundation, but because the British ministry designing to oppress America and stop the settlement of that frontier (too remote to be easily subjugated)" had "instructed their governors not to grant any lands on the waters of the Mississippi; and a royal proclamation had issued prohibiting all persons from settling on any of those lands, and even requiring those, settled under patents, to remove to the interior parts of the country."²

¹Successors of the Loyal Company v. David French, *l. c.*

²Bill filed in suit, in High Court of Chancery, Richmond, Va., in 1799, by Edmund Pendleton and Nicholas Lewis, surviving members of the Loyal Land Company, against Patton and other settlers. Pendleton's view is in a measure confirmed by the report of the Board of Trade, delivered to the Privy Council, April 29, 1772, in which it is asserted that the proclamation of 1763 was promulgated for the purpose of confining the settlements to the coast in order that they might be "within reach of the trade and commerce of this kingdom" and be maintained "in due subordination to, and dependence upon, the mother country." Public Record Office, *Colonial Office Papers*, 391.79, *passim*. The report is printed in Albert Henry Smyth (ed.), *Writings of Benjamin Franklin* (New York, 1907), V, 467 ff. Cf. Archibald Henderson: A Pre-Revolutionary Revolt in the Old Southwest, *Mississippi Valley Historical Review*, XVII, No. 2, Sept., 1933, pp. 191-212.

In consequence of the representations of the Loyal Company, most of the former settlers returned after 1763 to the company's lands which had been surveyed for them. Moreover, many others applied to Dr. Walker, the Agent of the Company, and had lands surveyed for them—"on being truly informed of the condition of the company's grants, and on being assured that they should have the lands on the same terms as the former settlers, if the company should confirm their titles." Indeed, Walker in 1766 published broadcast throughout the Old Southwest advertisements "requesting all persons who had contracted for any of the company's land and were driven off their settlements during the recent war, to return and claim the same or it would be sold to others."¹

From 1763 onward until the Revolution, leading figures in the Old Southwest audaciously treated the royal proclamation as a "scrap of paper." In spite of the abrogation of their charters, Virginians continued to look upon her boundaries as extending indefinitely westward on the south, northwestward on the north. The abrogation of Virginia's charter in 1624 was interpreted by Virginians "to affect the government only and not the political existence of the colony within the original bounds, which remained intact, subject in its vacant lands to the eminent domain of the King."² Washington had no faith in the proclamation of 1763, which he described as a "temporary expedient to quiet the minds of the Indians," and sought in every way to evade or circumvent it. Mason mocked at the "new fangled doctrine" of Indian claims and imperial control as a grave menace to colonial power. Jefferson in his "Summary View of the Rights of British America" denounces as "fictitious" the "principle that all lands belong originally to the king"; and declares that the king "has no right to grant lands of himself." In

¹L. P. Summers: *History of Southwest Virginia, 1746-1786*, &c, p. 83.

²L. G. Tyler: *History of Virginia: Federal Period, 1763-1861* (New York, 1924), p. 12.

establishing the independent, though short-lived state of Transylvania, Henderson challenged what he termed the "absurd doctrine of Kings and Popes having right to claim and dispose of countries at their will and pleasure." These and other Southern "rebels" of the 1760's and 1770's against the royal proclamation of 1763 and the new land policy of imperial control were anticipating by a century and a half Woodrow Wilson's principle of "self-determination."

The Loyal Company, in face of the interdiction of King, governor and council, calmly proceeded to dispose of their lands east of the proclamation line. They were, however, unable to control the lands to the west of that line, from which settlers were warned off by the proclamation itself. Two steps must be taken in order to make these lands available for settlement and speculation. It was necessary: first, to quiet the claims of the various Indian tribes to this western territory; and second, to move the boundary line further westward. When Sir William Johnson, Superintendent of Indian Affairs for the Northern Department, arranged for a great cession of territory to the crown by the Six Nations in 1768, Walker's influence with the Virginia legislators was so strong that he secured the appointment, as Virginia's representatives at the Treaty of Fort Stanwix in October, 1768, of Andrew Lewis and himself—the leaders, respectively, of the Greenbrier and Loyal Land Companies! By this treaty, a large territory south of the Ohio River and extending to the westward as far as the Tennessee River was ceded to the crown for a valuable consideration by the Six Nations. By a piece of shady negotiation, concerning which Walker claimed to have been kept in ignorance, Sir William Johnson induced the Iroquois to sell an immense tract of land to a group of Pennsylvania speculators. The speculation was so tied in with the treaty itself, that the former was made the indispensable condition to the latter. Walker afterwards reported to the Virginia assembly that he signed as a witness, not as Com-

missioner of Virginia; but he publicly acknowledged that, even had he been asked to sign as Commissioner, he would have done so, as that was the only way the cession could have been secured.¹ Four years later, George Mason wrote: "The whole transaction wore the face of mystery and knavery; for though Dr. Walker was there as a public commissioner for Virginia, he was refused access to the conferences, the caution was used to conceal from him what they were about, and everything until the business was finished, was conducted privately with the Indian chiefs by Sir William Johnston [*sic*] and the traders."² The great Virginia speculators, whose representatives were Virginia's own commissioners, were deeply interested financially in persuading the Iroquois to yield their claim to the immense western territory within Virginia's ancient charter limits. Both the commissioners represented companies interested in land lying north and west of the then western extension of the southern boundary line. Walker's subsequent defence, under fire, that he did not sign as Virginia's commissioner but only as a witness, appears to be disingenuous. Even had he been fully cognizant of Johnson's secret deal with the Pennsylvania speculators, he would doubtless have signed the treaty which secured the cession of the Iroquois claim on the western frontier of Virginia. In the report of his mission, Walker makes no charges against Sir William Johnson; and does not claim that he signed the treaty as a mere witness.³

¹Deposition of Thomas Walker, being only fragmentary notes. Original document preserved in the Virginia State Archives at Richmond. See Documents, *post*. Only a portion of this deposition, which omits certain essential facts, is printed in *Calendar Virginia Papers*, I, pp. 297-8.

²Mason to Randolph, October 19, 1782, in K. M. Rowland: *Life of George Mason*, vol. ii, p. 26; see also p. 342.

³Letter of the commissioners, December 14, 1768, in Virginia House of Burgesses, *Journal, 1766-1769*, p. xxx. Andrew Lewis, who had to attend a treaty with the Cherokee tribe at Fort Chiswell, on October 25, 1768, accompanied Walker to Fort Stanwix, but left for Fort Chiswell before the opening of the treaty with the Iroquois. Consult *Sir William Johnson Papers* (Albany, 1928), vol. vi, pp. 297-8, 316-7, 406-7, 436-7; also C. W. Alvord, *The Mississippi Valley in British Politics* (Cleveland, 1917), vol. ii, pp. 65-70. Concerning reports regarding the methods employed by the Virginia Commissioner at Fort Stanwix, see Stuart to Hillsborough, January 20, 1770 in Public Record Office, *Colonial Office Papers*, 5. 71, p. 102.

VIII

Owing to the growing encroachments of white settlers upon Indian territory and the steady pressure of population westward, the necessity of establishing a satisfactory western boundary line became urgent. The boundary lines on the west of both North and South Carolina, Pennsylvania and Maryland had been completed, to the satisfaction of both whites and Indians. The western boundary line of Virginia remained to be determined. In the late autumn of 1767, the Earl of Shelburne wrote to Francis Fauquier, Lieutenant-Governor of Virginia, instructing him to arrange with Sir William Johnson and John Stuart for running such a line.¹ In accordance with instructions, John Stuart negotiated a treaty with the Cherokee tribe at Hard Labor, South Carolina, on October 13, 1768, three weeks before the treaty at Fort Stanwix. The new boundary line negotiated by Stuart ran from Chiswell's Mine (present Wytheville, Virginia) to the mouth of the Great Kanawha. In letters to Sir William Johnson, Stuart protested against the claim of the Iroquois to territory south of the Ohio River and as far west as the Tennessee—a territory to which the Cherokee had long laid claim. After the treaty of Fort Stanwix, General Thomas Gage pointed out to Johnson that the "Southern Nations . . . by no Means admit of these claims of the Six Nations."² Johnson replied that the "Principal Claim" to the territory, namely that of the Six Nations, was now removed; and that "the Crown has only to settle with the Southern Indians concerning it . . ."³

When Walker and Lewis presented their report of the Fort Stanwix treaty to Governor Botetourt of

¹Shelburne to Fauquier, Whitehall, November 14, 1767. In *Sir William Johnson Papers* (Albany, 1927), vol. v, p. 793. Consult also John Blair to Sir William Johnson, *l. c.*, vol. vi, pp. 143-4.

²Gage to Johnson, New York, December 5, 1768. In *Sir William Johnson Papers*, vol. vi, pp. 513-4.

³Johnson to Gage, Johnson Hall, Dec. 16, 1768. In *Sir William Johnson Papers*, vol. vi, pp. 536-538.

Virginia, he commissioned them further to consult with John Stuart, in order to negotiate another line still further to the westward, in view of the recent cession to the Crown by the Six Nations of a vast territory at the back of Virginia.¹ The commissioners who, as leaders of the Loyal and Greenbrier Companies, were deeply interested financially in having the boundary line moved farther to the westward, were especially concerned about the settlers on the companies' lands west of the boundary line. In their negotiations with the Cherokee tribe, they arranged with the Cherokee that these settlers should not be molested until the new boundary could be run.

The proposed boundary line already agreed upon was still not satisfactory to the land companies; and a memorial of the House of Burgesses, obviously inspired by Walker and Lewis, made the extravagant demand that Virginia's southern boundary be extended due west to the Ohio River! In spite of the machinations of Lewis, who tried to induce Governor Botetourt to ignore Stuart and deal directly with the Indian chiefs, the governor remained firm; and Stuart's sound views ultimately prevailed. By the treaty held at Lochaber, S. C. on October 18, 1770, a new boundary line was established, running from the point where the North Carolina line terminates, due west to the Holston River, and thence in a straight line to the mouth of the Great Kanawha.² The line, called the Ministerial Line, was run by Colonel John Donelson; and by agreement with the Cherokee chiefs, for a consideration of four hundred pounds in addition to the original twenty-five hundred pounds agreed upon, the line was changed to run as follows: from six miles east of the Long Island of Holston River direct to the Louisa River, and thence down that stream to the Ohio. Whether through an error, which seems inconceivable,

¹For this letter, correspondence regarding treaties and boundary lines, and official instructions, consult Virginia House of Burgesses, *Journals, 1766-1769*, Introduction.

²Consult Archibald Henderson: *Conquest of the Old Southwest* (New York, 1920), Chapter XII. See, in particular, map of treaty lines, facing page 192.

or by collusion with the Cherokee chiefs, the line was run on to the Kentucky River, instead of only to the Louisa River, and thence down the Kentucky River to the Ohio. By this unauthorized procedure, which was ultimately ratified by the Crown, Virginia gained for nothing a very much larger area than was provided in the treaty and the subsequent agreement with the Cherokee chiefs. This was a great triumph for the land companies, especially for the Loyal Company, since their original grant was to be situated north and west of the extreme western extension of Virginia's southern boundary.¹

IX

Ever since 1763, Thomas Walker, as Agent of the Loyal Company, had been acting in open disregard of the King's instructions, the action of Governor and Council, and the royal proclamation of 1763. A menace from a new quarter now arose to jeopardize the interests of the Loyal Company. In 1754 Governor Dinwiddie had offered bounty lands to the extent of 200,000 acres to the officers and soldiers who should fight in the French and Indian War. This offer was confirmed in the royal proclamation of 1763; and later still the amounts of bounty land to be granted each soldier were greatly increased. No active steps to obtain this land were taken until Col. George Washington, on behalf of himself and the other officers and soldiers of the first Virginia regiment, petitioned the Governor and Council on November 4, 1772, that more than twenty surveys be allowed and that directions be given in what manner patents ought to issue for the land already surveyed. Two days later Washington appeared in person before the Council

¹For details regarding these negotiations, consult C. W. Alvord: *The Mississippi Valley in British Politics*, vol. ii, Chapter III. "The Indian Boundary Line." Cf. also William Preston to George Washington, May 27, 1774 and affidavit, footnote, p. 2, in S. M. Hamilton (ed.), *Letters to Washington and Accompanying Papers, 1752-1776* (Boston, 1898-1902), V. pp. 1-3.

and presented a scheme of partition of certain surveys, whereupon the Council immediately ordered that patents be issued, according to this scheme, to a considerable number of officers and soldiers mentioned by name, including Washington, who was to receive 20,147 acres. Washington volunteered to present this arrangement to a meeting of the several claimants, to be held at Fredericksburg, for their ratification; and this plan was finally effectuated by Washington on November 23, following. According to the Council's order, the patents were to issue without rights and with a reservation of quitrents from the Feast of St. Michael, next after 15 years from the date of the grants, according to the proclamation. On November 3, 1773, a memorial of Col. George Washington was presented to the Council, which validated five more surveys for the officers and soldiers, totalling 72,299 acres.¹

Some of these surveys were laid on lands of the Loyal and Greenbrier Companies; and the inevitable explosion occurred. On December 15, 1773, petitions were received from Thomas Walker and Andrew Lewis and sundry inhabitants settled on grants of the two companies; and also a counter petition from Hugh Mercer and sundry other officers. The following day the Council ordered that the officers and soldiers might settle wherever they chose, save on land settled and cleared; and that every such settler be allowed 50 acres, and 50 acres for every 3 acres cleared, such lands to be taken as part of the grants to the Loyal and Greenbrier Companies.

This order of the Council was eminently satisfactory to the land companies, the members of which chose to interpret it as a confirmation by the Council of the original grant. Accordingly, in 1774 and 1775, on this

¹For these and immediately subsequent events, consult *Journals of the Virginia Council*, Class 5, Vol. 1440. For the years immediately preceding the Revolution, these journals appear not to have been utilized by American historical scholars; and there is no copy of the journals in the Virginia State Archives, or perhaps in the United States, with the exception of the writer's copy.

vague authorization which Edmund Pendleton called their "gleam of hope," the companies proceeded as usual, had surveys made, and were preparing to carry them into grant when the flight of Governor Dunmore put a temporary stop to their audacious activities. By the 16th of December, 1773, Walker had made 980 surveys and sold 201,554 acres, slightly more than one-fourth of the original grant.¹

X

Dr. Thomas Walker was one of the most active, useful and competent men of his day, in Virginia or in any of the American colonies. He was a representative from Louisa County in the House of Burgesses almost continuously from 1752 to 1759; and in 1765 supported the famous "Resolution against the Stamp Act." After the formation of Albemarle County he represented that county in the House of Burgesses continuously from 1761 until 1771, during the last two years having as his fellow-representative from Albemarle, his friend and close neighbor, young Thomas Jefferson, then beginning one of the most eminent public careers of any American in our history. In 1775 Walker again represented Albemarle in the Virginia Assembly, being a member of the historic Revolutionary Convention, and also of the State Committee of Public Safety; and in 1782, for the last time, he represented Albemarle in the Virginia Assembly. On October 11, 1776, he was appointed along with Fielding Lewis, Washington's brother-in-law, a member of the Privy Council of Virginia, serving in this capacity in 1776, 1777, and 1778. His name heads the list of the famous instructions of December 12, 1778, issued to George Rogers Clark for the

¹R. G. Durrett: *Centenary of Kentucky (Filson Club Publications No. 7)*, pp. 23-4; L. P. Summers: *History of Southwest Virginia, 1746-1786*, pp. 52, 83. Consult also Augusta County Records, Staunton, Va., "Record Book 1834," pp. 411 ff., for complete list of separate tracts of land sold by the Loyal Company, with the names of the purchasers.

government of the newly constituted Virginia County of Illinois.¹

Throughout his career, Walker exhibited extraordinary skill in dealing with the Indians, understanding their racial psychology and possessing the faculty of winning and holding their friendship. He was constantly appointed on commissions having to do with the Indians, in promoting trade, concluding peace, running boundary lines. In April, 1757, an Act was passed by the Virginia Assembly, providing for the establishment and maintenance of trading posts with the Indians. By this Act Thomas Walker, Peter Randolph, William Randolph, Richard Bland, and Archibald Carey were appointed "Trustees and Directors for the better managing and carrying on such Indian trade," with power to contract with factors to do the buying and selling. An eighteenth century Volstead proviso in the Act reads as follows: "But provided always that the said Trustees shall not send out, or permit or suffer to be sent out, any rum, brandy, or other spirituous liquors to be bartered or sold to such Indians by any such factor or factors or other person by them employed for carrying on the said trade."²

At the final session of the Virginia Assembly, on June 24, 1775, George Washington, Thomas Walker, James Wood, Andrew Lewis, John Walker, and Adam Stephen were appointed commissioners to ratify a peace with the Indian tribesmen.³ The treaty in question was held at Pittsburg, lasting from September 12 until October 21, 1775. Walker was also one of the three commissioners appointed by Congress, the others being Lewis Morris and James Wilson. Walker presided at the sessions of the commissioners, delivered speeches, and was an influential figure in the nego-

¹George Rogers Clark Papers in *Illinois Historical Collections*, vol. VIII, p. 82.

²William Waller Hening: *The Statutes at Large, Being a Collection of All the Laws of Virginia, from the First Session* (Richmond, 1819), pp. 116-118.

³Washington did not serve.

tiations. In 1776, along with John Harvie of Virginia and John Montgomery and Jasper Yeates, Walker served as Indian Commissioner; and signed with them the warning letter to county lieutenants, Pittsburg, August 31, 1776.¹

On July 4, 1776—historic date!—the Virginia Convention appointed commissioners to “collect, take and commit to writing, the evidence on behalf of this government against the several persons pretending to claim lands within the territory and limits of Virginia under deed and purchases from the Indians.”² Although not one of the fifteen commissioners appointed, Walker made an interesting deposition for the use of the commissioners at Williamsburg, on March 15, 1777, in especial testifying regarding Indian claims to the trans-Allegheny region at the back of Virginia, and the activities of Judge Richard Henderson in establishing the independent state of Transylvania.³ The following year, on December 19, 1778, Thomas Walker and the Rev. James Madison, the latter subsequently succeeded by Daniel Smith, were appointed by the House of Delegates commissioners for Virginia for extending the North Carolina–Virginia boundary line. Richard Henderson headed the North Carolina commissioners, consisting besides himself of William Bailey Smith, John Williams, Caswell James Kerr, and Orandatus Davis.⁴ A disagreement between the two commissions, regarding the correctness of their respective lines, resulted in the withdrawal of the North Carolina commission on November 1, 1780, after running sixty-seven miles. The Virginia commissioners continued the line to the Tennessee River.

¹The complete record of the treaty at Pittsburg in the autumn of 1775 is published in Reuben Gold Thwaites and Louise Phelps Kellogg (editors): *The Revolution on the Upper Ohio, 1776–1777* (Madison, 1908), pp. 25–135. The original is owned by Dr. William Cabell Rives, Washington, D. C. Consult also Thwaites and Kellogg (editors): *Dunmore's War* (Madison, 1905), *passim*.

²Journal of the Virginia Conventions (Richmond, 1816), p. 83.

³See Documents, *post*. This deposition, for some reason, was not published along with the many others which appeared in the *Calendar of Virginia Papers*, volume I.

⁴*State Records of North Carolina*, vol. xxiv, pp. 223–4.

The line run by Walker and Smith was grossly in error, ultimately proving to be twelve miles off the true line at its intersection with the Tennessee River.¹ On this journey Walker bore an important letter from Governor Jefferson to George Rogers Clark, with instructions for the erection of a fort, which was named by Clark Fort Jefferson.² Upon the return journey Walker stopped at the French Lick on the Cumberland River where Richard Henderson, with the assistance of John Donelson and James Donelson, was laying the foundation of Nashborough (present Nashville), and drafting the famous Cumberland Compact.³ Ever since his western explorations as a young man, Walker was regarded in Virginia and in the nation as an authority on the western country. On July 20, 1781 he was appointed as Commissioner of Virginia to settle all accounts of disbursements and claims in connection with the western part of Virginia, including Kentucky; but he declined it on the ground that "he was advanced considerably beyond his grand climacteric" which "must make great difference, as well in his mental as bodily ability."⁴ In the Assembly of 1782 he was a member of the committee appointed to present the claims of Virginia to the western territory north of the Ohio as one of the preliminaries to be discussed and settled in connection with the treaty of peace between England and the colonies at the close of the Revolution.

¹The report of the North Carolina commissioners appears in *North Carolina State Records*, vol. xiv, pp. 353-355. The report of the Virginia commissioners appears in Hening's *Statutes at Large*, volume x, pp. 541-2. Consult also W. R. Garrett: Northern Boundary of Tennessee, in *The American Historical Magazine* (Nashville, Tenn.), January, 1901, pp. 18-39.

²J. A. James (ed.): *George Rogers Clark Papers, Illinois Historical Collections*, vol. VIII, pp. 386 ff. The original of this letter is in the Draper Mss., 50 J 6.

³Consult Archibald Henderson: Richard Henderson: The Authorship of the Cumberland Compact and the Founding of Nashville, *Tennessee Historical Magazine*, September, 1916, and *The Conquest of the Old Southwest* (New York, 1920); St. G. L. Sioussat: The Journal of Daniel Smith, *Tennessee Historical Magazine*, March, 1915.

⁴Thomas Walker to Governor Nelson, Aug. 7, 1781. *Calendar of Virginia State Papers*, vol II, p. 298.

XI

After July 4, 1776, Virginia, now an American state, took an adverse attitude generally toward the various land companies, especially those which had secured land by purchase from the Indian tribes. On October 27, 1778, Thomas Walker, on behalf of himself and the Loyal Company, presented a memorial to the Virginia House of Delegates, praying that their titles be confirmed to them; and a little later sundry purchasers of lands under the grant of the Loyal Company presented a petition, "setting forth that they are content to hold their several purchases on the terms stipulated with the said company; that they are in possession of and have improved the land which they have bought; and praying that their titles may be confirmed." On November 3, Walker's memorial was referred to the Committee of Propositions and Grievances; and there were also before the committee several petitions in opposition to Walker's memorial and two in its support. On November 11, Mr. Cary submitted an elaborate report from the Committee of Propositions and Grievances. After setting forth in detail the activities of the Loyal Company and their agent, Thomas Walker, the report continued:

It further appears to the committee, that the conduct of the company, and their said agent, hath been fair and upright in every instance, constantly adhering to the terms of sale, and never demanding a higher price, or refusing to sell to any settler the land he chose, unless when he desired to have a large tract, which the agent always refused, as it would have enabled the purchaser to extort an advanced price from other settlers, or have kept the land unseated, and weakened the settlement. . . .

It further appears, from the testimony of Robert Preston and John Floyd, formerly assistant surveyors of Fincastle county, that, in their opinion there are between one thousand and twelve hundred settlers in the counties of Montgomery and Washington, who expect to obtain titles to their lands from this company. But it appears that in 1776, an advertisement was published by Col. Wm. Preston, importing that he was empowered by the agent to take bond and security for three

pounds per 100 acres, for all lands surveyed and sold by the company, appointing a time and place when he would attend for that purpose, and that he was ready, upon receiving such bonds, and the surveyor's fees, to deliver the surveys; and it is admitted by the agent that no such bonds were then given.

Whereupon, the committee have come to the following resolutions:

Resolved, that it is the opinion of this committee, That so much of the memorial of the said Thomas Walker, Esq. as prays that he may be enabled agreeable to the tenor of his contracts, and the conditions of the grant to the Loyal Company to make conveyances for 254 surveys, made before the 14th day of January 1757, and containing 45,390 acres of land, is reasonable.

Resolved, that it is the opinion of this committee, That so much of the memorial of the said Thomas Walker, as relates to the 756 surveys, containing 156,164 acres of land, so far as there are actual contracts or entries made with the said Walker, or his agent, and as to all those who have signed a petition in favor of the Loyal Company's grant, is reasonable; and that the said Walker ought to be empowered to make titles for the same.

Resolved, that it is the opinion of this committee, That so much of the memorial of the said Thomas Walker and Company; as prays, to be allowed so much time, to complete their surveys, as they had to come when hostilities commenced, be rejected.¹

It was ordered that the said report and resolutions do lie on the table. On November 28 the resolutions of the Committee of Propositions and Grievances were adopted without modification.

It was expected that at the 1778 session the General Assembly would pass an act for opening a land office and provide for adjusting old claims; but this was not done until 1779, when there were passed: an act for establishing a land office; and another, very elaborate act for determining the terms on which titles should be granted, for the vacant lands of the commonwealth.² The surveys of the land companies came under the provisions of the Virginia land act; and on December 16, 1779, Walker laid the case of the Loyal Company, with the list of all the surveys and accompanying documents, before the Virginia Court of Appeals. The

¹*Journals of the House of Delegates* (Richmond, 1916), pp. 28, 35, 37, 41, 53-54, and 87-88.

²Hening: *Statutes at Large*, vol. x, pp. 35-50, and pp. 50-65.

final hearing came four years later, on May 2, 1783, at which time the Attorney General was heard in opposition to the claims of the Loyal and Greenbrier Company. The decision of the Court of Appeals was as follows:

The several claims of Thomas Walker, esquire, on behalf of himself and the other members of the Loyal Company, and Thomas Nelson, esquire, on behalf of the Greenbrier company, to grants of all the land surveyed under several orders of council, bearing date the 12th of July, 1749, the 29th of October, 1751, the 14th of June, 1753, and the 16th of December, 1773, came on to be heard yesterday and this day; and thereupon, the arguments of the counsel for the claimants and of the attorney general of the commonwealth, having been fully heard and considered. It is the opinion of the court, and accordingly decreed and ordered, that all surveys made by a county surveyor, or his deputy, properly qualified, according to law, previous to the year 1776, and certified to have been made by virtue of the orders of council to the Loyal and Greenbrier companies, or either of them, ought to be confirmed; and that the register be directed to issue patents upon all such surveys as shall be returned, and so certified.¹

On November 25, 1783, the Committee of Propositions and Grievances reported upon the petition of divers inhabitants of Greenbrier County. In accordance with the decree of the Court of Appeals, rendered May 2, 1783, the committee were of the opinion that "the greater part of the lands for which certificates were given to the petitioners as aforesaid, are included in the surveys of the said Greenbrier Company, confirmed by the said decree." According it was

*Resolved, that it is the opinion of this committee, That the petition of divers inhabitants of the said county of Greenbrier, praying that patents may issue for the lands contained in the said certificates, is reasonable.*²

This resolution was recommitted to the same committee; and no further mention of either the Loyal or

¹Case of the Loyal and Greenbrier Companies: 4 Call (Va.), 21-32. For various activities of these companies, particularly in subsequent years, consult also *Hamilton v. Maze*: 4 Call (Va.), 196-213; *Ross v. Keywood*, 2 Munford, 141; *French v. The Successors of the Loyal Company*, 5 Leigh, 627-685, decided July, 1834; *Cline's Heirs v. Catron*, 22 Grattan, 378-395, decided in June 1872; and *Loyal Company v. South etc.*, and *Preston*: Report to the House of Delegates, *Journal*, 1803-4, p. 66; 1804, p. 94.

²*Journal of the House of Delegates*, October session, 1783, p. 33.

Greenbrier Company is made in the records of this session of the Assembly.

XII

When a fine old Virginia gentleman sets his teeth into a fat, juicy grant of land, he is extremely reluctant to let go. Until almost the day of his death in 1794, Walker continued his activities as Agent of the Loyal Company. Under the authority granted him by the company to appoint other agents to collect the monies due them and to cause grants to be issued, Walker (on October 10, 1789) appointed as agent of the company, Francis Preston, who served until 1793. On November 9, 1793, Walker appointed his former pupil in medical science, George Conway Taylor, of Orange County, Virginia, an agent for the company; and on November 11, 1797, Taylor appointed William Draper to act for him, giving him a power of attorney for that purpose. In 1799 Edmund Pendleton and Nicholas Lewis, sole surviving members of the Loyal Company, brought suit against James Patton and other settlers, in the high court of chancery at Richmond. In 1802 this suit was shifted to Staunton, and in 1809 transferred back to Richmond. One thing only could stop this litigation; and in 1811, opposite the last record of this case, appear the fateful words: "Abated by the death of Edmund Pendleton and Nicholas Lewis."

In spite of the death of all the original members of the Loyal Company, the heirs continued to prosecute the affairs of the company, to collect dues on land, and to institute suits. Francis Walker succeeded his father, Thomas Walker, as Agent of the company, in 1794; and on January 24, 1802, he appointed Francis Smith of Washington County an agent of the company. Smith was succeeded in 1818 by William Nelson, of Louisa County, who served until June, 1829, when he in turn was succeeded by Thomas Walker Gilmer.¹

¹Consult I. G. Tyler (ed.): *The Loyal Company: Tyler's Quarterly Historical and Genealogical Magazine*, vol. 20, pp. 86-95.

On February 25, 1818, the representatives of the original grantees of the Loyal Company were incorporated by act of the Virginia Assembly as "The Successors of the Loyal Company" and empowered to sue and be sued in their corporate capacity. Difficulties were encountered in collecting the fees and dues of the Loyal Company, as set forth in one of the suits:

The said Agents either requested or by public notice demanded of the occupants or holders of each tract of land individually the payment of the fees and dues of said company, but those to whom no patents have issued have uniformly neglected and refused to pay the same, and have fraudulently and surreptitiously obtained grants from the Commonwealth either by certificates from the Court of Commissioners appointed under the 8th Section of the Act of 1779 or by some other mode of granting waste and unappropriated lands and have ever since the obtaining of said grants contended that having procured the legal title independent of the Company they are not obliged to pay the price contracted to be given for each of the several tracts of land, but that the same are discharged from all lien created on them notwithstanding the several tracts of land were surveyed for the original settlers at the expense of the said Company under specific contracts with each settler.¹

Litigation continued through the last century, and the final suit on record, it appears, was decided one hundred and twenty-three years after the original grant of the Loyal Company of Virginia.

XIII

Not long ago I visited beautiful Castle Hill, near Cobham, Virginia, the home of the famous Russian painter, Prince Pierre Troubetzkoy, and his wife, born Amélie Rives, the noted writer, and great-great-granddaughter of Thomas Walker. Here in singular conjunction in this mansion architecturally meet two centuries. Built by Thomas Walker in 1765, Castle Hill is one of the few houses now standing in Virginia which was erected before the Revolution. It faces

¹The Successors of the Loyal Company v. David French, being a suit brought before Judge James E. Brown of the Circuit Superior Court of Law at Chancery of the County of Giles, on May 23, 1832.

towards the mountains, to the northwest. Remodeled by the Hon. William Cabell Rives in 1824, by the juxtaposition of another house to the quaint, original eighteenth century mansion, the present Castle Hill, the nineteenth century house, faces to the south-east. The generous portico is supported on Corinthian columns; and the two spacious wings, added by Mr. Rives in 1840, are used as conservatories, stocked with native and exotic plants in great variety. The nineteenth century mansion looks out upon an extensive velvet lawn, girt about with a beautiful oval of the most magnificent, umbrageous and lofty box bushes in America, towering to the amazing height of from forty to fifty feet. Here Banastre Tarleton, delayed by his rapacious dragoons, greedy for a savory Southern breakfast of hot griddle cakes, lingered a wee bit too long on the bright morning of June 4, 1781, in the course of his dash to capture the governor and legislature of Virginia. From the Cuckoo Tavern nearby, Captain Jack Jouett made his forty-mile headlong gallop across country at break-neck speed to warn the unsuspecting governor and legislature of the dreaded Tarleton's approach—a ride which to patriotic Virginians surpasses in importance the much shorter ride of Paul Revere. For not even the historian can surmise the disheartenment to the cause of the colonies, in that dark hour, which might have followed Tarleton's capture of Jefferson, Henry, Lee, Harrison, and Nelson.¹

¹For an interesting narrative of these events, see Virginius Dabney: *Jouett Outrides Tarleton and Saves Jefferson from Capture*, in *Scribner's Magazine*, June, 1928, pp. 691-698. The following joint resolution was passed by the Virginia House of Delegates, 1781: "Resolved, That the executive be desired to present to Captain Jack Jouett an elegant sword and pair of pistols as a memorial of the high sense which the General Assembly entertain of his activity and enterprise in watching the motions of the enemy's cavalry on their late incursion to Charlottesville and conveying to the assembly timely information of their approach, whereby the designs of the enemy were frustrated and many valuable stores preserved." The incident has been celebrated by the young Virginia poet, Lawrence Lee, in the ballad, *A Hawk from Cuckoo Tavern* (Gaylordsville, Va., 1930), of which one stanza runs:

O, Jouett was off for Charlottesville,
 Bent forward on the leather;
 As a hawk that travels with the wind
 Sped man and horse together.

At Castle Hill is still pointed out the spot where Thomas Walker held his many friendly conferences with Indian chieftains, who habitually broke here their journeys on the way to Williamsburg to interview the governor. Walker was a man of wide and various learning, especially concerning the history, practices, and psychology of the different Indian tribes, secrets of woodlore, and sizes, habits and weights of the wild beasts of the forest. He assisted Thomas Jefferson, his friend, protégé and erstwhile pupil, in supplying information regarding the animals of America and especially regarding the Indians, sought by M. Barbé de Marbois, the scholarly secretary of the French Legation. These notes supplied by Walker were afterwards incorporated by Jefferson in his famous "Notes on Virginia," which has been described as "a notable contribution to American scientific writing" and "perhaps the most frequently reprinted book ever written in the United States south of Mason's and Dixon's line." In making these inquiries of Dr. Walker, Jefferson says that he knows "nobody else who can give me equal information on all points."¹ Walker and Jefferson also exchanged interesting letters regarding Peter Jefferson's estate, and regarding grants of Western lands.²

Dr. Walker's correspondence with Washington covered a period of some thirty to forty years. The few letters which have been preserved have the curious, almost indescribable interest which attaches to the intercourse of two strongly marked personalities and historic characters. During the dark days of the

¹See Jefferson to Walker, Monticello, September 25, 1781, in Documents, *post*. Consult Paul Leicester Ford (ed.): *The Writings of Thomas Jefferson* (New York, 1894), vol. III, pp. 68-295, for "Notes on the State of Virginia." Dr. Walker was one of those "judicious persons, well acquainted with the species," referred to by Jefferson in the following passage (p. 139): "The weights of the large animals shall be expressed in the English avoirdupoise, pound and its decimals; those of the smaller, in the same ounce and its decimals. Those which are marked thus *, are actual weights of particular subjects, deemed among the largest of their species. Those which are marked thus †, are furnished by judicious persons, well acquainted with the species, and saying, from conjecture only, what the largest individual they had seen would probably have weighed."

²See Documents, *post*.

French and Indian War, when Washington was sore beset with problems of command, discipline and supplies, his fiery temper, usually repressed, sometimes broke control. Writing to Col. Adam Stephen, on November 28, 1755, concerning Dr. Walker's failure to arrive at camp on the appointed date, Washington hotly exclaims: "Such disobedience of command, as I have generally met with, is insufferable and shall not go unpunished." To the irascible young Washington, seventeen years his junior, the imperturbable Walker disarmingly replies: "Your tender reprimand I must agree there was room for as I was detained five days longer than was expected when I parted with you by bad weather & other accidents but am in hopes it will not be attended with any great Inconvenience." Twenty-nine years later, when Washington has become the idol of America and the admiration of the world, the matter-of-fact Walker begins a letter in this amusing way (as who should say: Let me get this off my chest so that we can get to something really important, the business in hand):

DEAR SIR

The language I am acquainted with being in my opinion too poor to do justice to your merit I shall be silent on that head.

He concludes the letter very graciously, in alluding to his wife, Washington's first cousin, once removed:

Your relation is very well and desires her best compliments (to) Your Lady, Betsy & self to which please add mine to your Lady, Betsy & self should be extremely happy to see you both any where but more particularly at this place.¹

Both Walker and Washington held shares in the Dismal Swamp Company, a subject which had interested the latter since his survey of the region in Virginia and North Carolina in 1763. Several of their letters are concerned with affairs of the company,

¹Walker to Washington, Castle Hill, January 24, 1784. See Documents, *post*.

which Washington believed would ultimately prove lucrative. He retained shares in the company to the time of his death, and specifically disposes of them in his will.¹

At Castle Hill, Thomas Walker lived the rich and colorful life of the Virginia aristocrat of the eighteenth century. Here, says the late William Cabell Rives, "the doors have opened to welcome five men who were either to be, or were actually at the time of their respective visits, Presidents of the United States, and to many others who have made their mark as statesmen, judges, diplomatists, and soldiers."² Thomas Walker was an exceptionally useful citizen, a true patriot, and a figure of great influence in the life of his time. He served well his country, his colony and state, the Loyal Company, and his family, which has contributed not a few important figures to our history. In his book of American travels, Anburey describes a visit to Col. John Walker, Thomas Walker's eldest son and Washington's aide-de-camp, which presents an unforgettable picture of an American patriot:

I was very much pleased with a very noble and animated speech of the Colonel's father, a man possessing all his faculties with strong understanding, although [nearly] eighty years of age. One day in chat, while each was delivering his sentiment of what would be the state of America a century hence, the old man, with great fire and spirit, declared his opinion that the Americans would then reverence the resolution of their forefathers and would eagerly impress an adequate idea of the sacred value of freedom in the minds of their children, that it may descend to the latest posterity; that if, in any future ages, they should be again called forth to revenge public injuries to secure that freedom, they should adopt the same measures that secured it to them by their brave ancestors.³

¹For the history of Washington's relations with the Dismal Swamp and the Dismal Swamp Company, consult the three articles of Archibald Henderson: George Washington and the Great Dismal Swamp, in *The News and Observer* (Raleigh, N. C.), April 3, 10 and 17, 1927.

²Preface to *Journal of an Exploration &c.*, l. c., p 32.

³Thomas Anburey: *Travels through the Interior Parts of America* (London, 1791), vol. II, p. 403.

DOCUMENTS

Fredburg 12 July 1753—

SR/

Y^r: Lett^{rs} came to my Store was down at New Castle, & since have had no opportunity of seeing anth: Strother neither do I think it of much use however I shall mention it shortly—

I will ord^r Peter Gale's Ball^e to be paid by y^e Richmond which will Sail in three weeks

Since you left Grants Bond, I waited on him in Prince William County —& so we met him at Stafford—I informed him of your directions & he promised to pay me Sixty or Eighty pounds very soon on Condition of forbearing him a little longer for y^e rest which I agreed to, but am apprehensive its to no purpose

I am very desirous of getting as much as would pay Colo Slaughter who I hear has taken a step with you which I did not expect as he now owes me upwards of £70—

I am not forget(ting) that your affairs with y^e Loyal Company give seeming pleasure to every man there, when we understood y^e matter was agreed—

& hope it will be y^e last difference that will happen between (you) & them—

I am in great hurry & hope you excuse these incoherent hints from him who is yours wth great Esteem

ROB; JACKSON¹

DIARY

A few sheets of a little diary, containing date *Februy ye 11, 1755*. Describes many difficulties in securing flour, wheat, horses, boats, etc. for the commissary business. Under heading "22" (of some month—perhaps February or March, 1755), Walker describes attending a meeting, regarding commissary matters. The most interesting note is: "Waited this day on the Ingenius Franklin for his assistance." The diary continues:

23

Went to the English Church where they have a Ring of Bells 8 in number a Poor Parson & a Clerk suitable Dined with Mr. Franklin

¹Draper Mss., 1 QQ 79 (2).

24

Dined with Mr. Allen after dinner went in company with Mr. Franklin to the State house, waited some before there was Floped Hatts Enough to go on Business but at length there being a Proper Number the(y) withdrew into ye Librerary leaving me in ye assembly room & after half an hour spent in debate I was called & informed by one of their commissions in arithmetick that they had agreed to purchase fourteen thousand Bushells of wheat have the same ground Bolted and Packed in Casks and also to employ a sufficient Number of Carriages to transport it to Conigochick which says Mr Pemberton is more than half ye quantity you want. I soon found it was the whole therefore told them it was very well. I was then to wait on Mr Isaac Norris Speaker for his concurrence which I did in ye night—he informed me he was well satisfied with their agreement and assigned the Paper—. I was then to wait for instructions to the upland members of the Committee or commishn which was not ready till four.

25

in the afternoon and then Mr Fox with the grave smiles of Quaker waited on me with them and modestly proposed striking of [f] two thousand Busshells of wheat as they were taken in y^e Quantity of flour fourteen thousand Busshells would make which I with much difficulty diverted him from by telling him I had wrote to Governor Dinwiddee & S^r John St Clare & had enclosed a Copy of their agreement to each & how inconsistent it would be with the charecter of such a set of wise & grave men to do & undo in such a manner & for my part I would not hear the least part of it as I had from under all hands what was done last nigh(t) & at length I got over it & set out . . .

Rode to White Horse . . .
 Lancaster
 to James Wrights
 Harris's Ferry
 Crossed Susquehanna Rode to Hendricks
 Rode to Carlile
 Rode to Shippensburg
 Rode to Hoops
 Rode to Col^o. Cresaps
 to ye Camp. found many things in disorder but
 our People in high Spirit.¹

¹Original owned by Dr. W. C. Rives, Washington, D. C.

A FRAGMENT

ROBERT JACKSON TO THOMAS WALKER

Fredericksburg, July 28, 1755

"Ye melancholy news of ye defeat was received. We then had but little hope that one of our acquaintance was safe. But about——we were advised that yourself, Col. Washington, and many others had escaped in whole skins, which gave us inexpressible joy.

"Can it be supposed, when this story is read in ye annals of Virginia a century or two hence, that any Englishman or his posterity will believe it, when it is told that about three hundred naked French and Indians vanquished twelve or thirteen hundred regular troops, commanded by brave and experienced officers? For my own part, if such a thing was inserted in ye best History in ye world, I would burn ye Book.

"My dear Friend, we have suffered for your supposed loss, and I believe it would be to ye satisfaction of every friend you have that you would resign your present employment, and sure I am your acquaintance at Castle Hill will rejoice with us."

Winchester November y^e 26 1755S^r:

I received the instructions you left here, last night Col^o Stephens being at Connigochig occasioned my not having them sooner—. I have made enquiry into the state of the cattle under the care of M^r Shepherd & Capt Perry and am told by Cap^t Perry and others that many of them are so weak they cannot be drove to Fort Cumberland, those that are fit to slaughter I shall order up as fast as salt can be provided to salt them. The others I don't know what to do with unless you think proper to order them to be sold or leave them on the Hands of the Drovers. If they are ordered to be sold the Publick must sustain a considerable loss, if left on the Hands of the Drovers they perhaps ruined. Unless you think proper to lay in provision for more than twelve hundred men I think five Hundred Hogs with what Beef is already purchased will be full as much as will be Used before the last of July at which

time no doubt but fat Cattle may be had on good terms—Col^o Stephens informs me the Gentlemen in Maryland propose passing our money as theirs which I am doubtful will occasion difficulty in getting so many watermen as is at this time wanted—Our stock of seasoned Timber is not near sufficient to make Cask for alle the Beef and Pork that must be provided, that I think it may be best to dry the Pork and the best of the Beef as it will save salt and be more convenient to carry—Salt is much wanted at the Fort but as some waggons are gone from here and some from Connigochig hope that want will soon be removed—Should be glad of Particular instructions what to do with M^r Shepherd as the matter is wholly left to you by the contract a copy of which is inclosed—shall spend some days at Conigochig in engaging watermen and hope to contract for what Pork we shall want at court next Tuesday except what is on the south Branch which the owners will doubtless carry to Fort Cumberland as I shall give them all proper notice—If you should not approve of any part of my intentions hope you will run over as soon as opportunity permits acquainte me therewith and you may depend I shall always follow your directions to the utmost of my Power but as many unexpected things happen hope you will impute my freedom in giving my opinion in this free plain manner to nothing but a desire of doing all I can for the good of the Service which I assure you nearly affects your

Most Humble Serv^t
THOMAS WALKER¹

[To Col. George Washington]

Winchester December ye 4th 1755

S^r:

I have ordered all the Cattle that are fit for slaughter to Fort Cumberland in two droves have bargained for wintering some and stall-feeding some. Colo Stephens has agreed with Lord Fairfax for ten. The other weak ones I have instructed M^r Andrew Shepherd to bargain in my behalf for the Wintering.—I have offered fifteen shillings Per hundred for Pork delivered at Fort Cumberland and cannot Purchase any at that price

¹Washington Mss., Library of Congress.

here, but am in hopes of getting all that is wanted, on the South branch Pattersons creek and the north Fork at that or a little more. As the Hamshire Election is next Wednesday I intend as soon as I can to bargain with some of the South Branch people least at the Election they agree among them selves not to sell under too great a Price.—The Stores here are in bad order also at Conigochig Some of the meat quite spoiled and more I am afraid in danger, that I shall as soon as the business at the Fort is in a good way come down to put things right here—Mr John Jones has been very ill some time and is now like to die, which has obliged me to employ Mr Rob^t Rutherford to do the duty here and has occasioned much loss of time to me.—Your contracts for cattle are paid except Vanmeters who I have not seen, and when I do shall not know whether to allow him for the fifth quarter or not as it is not mentioned in his contract—By the advice of Col^o Stephen I have sent Cap^t Hog two Hundred Pounds as M^cNeal assured me less would not do, the Beef purchased amounting to one hundred and fifty pounds beside Pork & Grain—The Money I had of you will soon be Expended Therefore desire you will send about one Thousand Pounds more to pay Waggonage and for Pork. Some part in Small Bills will be necessary as change is hard to be got

I am at a loss in many things for want of your advice, but hope for the Pleasure of seeing you at leasure soon that my Difficultys may be removed. I have bought two Hundred Busshells of salt at Conigochig of M^r Ross Expecting at that time to have had part of it sent of[f] directly up but the water fell so fast the water-men did not care to Venture—

I am Sir your

Most Humble Serv^t

THOMAS WALKER¹

[To Col. George Washington]

Fort Cumberland December 17

1755

S^r

I have done the best in my power with the Carolina Cattle, Having killed ten of the best that was brought up and finding

¹Washington Mss., Library of Congress.

them unfit for use drove the others up to Daniel Cresaps Plantation which is the best chance we have of keeping them alive—as I could not engage the wintering of them below through the scarcety of Fodder.—Some are left below & some on the South Branch to winter some are sold and some to be stallfed many are dead & missing as it was impossible to keep them from eating Ivey when drove through the Barren hills that abound with that Shrub M^r Shepherd will shew you a State of his account on which I have wrote to prevent changing the weight of the Beef is Right according to M^r Dicks Tryal.—The Ballance due to Shepherd is 437-7-9 I docked him of nine days keeping y^e Cattle in consideration that he was to have only a proper proportion for driving to Fort Cumberland & my having taken some off his hands at the south Branch which will be some cost to lodge at proper stations. Yours of y^e 3^d Ins^t: I received here when it was too late to propose driving back to Carolina as Provinder could not be had on the Road to keep them alive.—I have ordered M^r Rutherford to forward the Salt with all possible Dispatch.—I shall spare no pains to do everything in my power for the good of the Service & am sensible much depends on me but could I have the pleasure of your assistance a few days, I make no doubt things would soon be in a fair way here. Your tender repremand I must agree there was room for as I was detained five days longer than was Expected when I parted with you by bad weather & other accidents but am in hopes it will not be attended with any great Inconvenience. The weather is (so) extreamly cold that our Beef cannot take hurt at present I am S^r

your Most H^{ble} Serv^t

THOMAS WALKER¹

To [Col. George Washington]

Fort Cumberland 10^{ber} y^e 17 1755

S^r

If you will lodge one Hundred pounds in the Hands of M^r Robert Rutherford to Pay for such Necessarys as may be wanted for the Servis I will be accountable for it. If M^r

¹Washington Mss., Library of Congress.

Rutherford wants any direction beg you will give such as you think proper & oblige your Most

Humble Servant

THOMAS WALKER¹

[To Col. George Washington]

Fort Cumberland December y^e 26 1755

S^r:

I have got most of the Cattle slaughtered except those that were under the care of Shepherd & Perry, and to my great satisfaction assure you these we now kill are better than they were in August, occasioned by the Corn remaining in the Fields of the poor unhappy familys that are slaughtered or captivated by our Savage enemys. Most of Shepherds and Perrys I am in hopes to keep alive at a small expense & by Herding them in proper Woods they may be fit to eat in June. I dayly expect Pork & am just out of Cash and as I have promised the People ready money they will think themselves ill used if they are not paid on the delivery of their Hoggs, that if you can conveniently send Six or seven Hundred Pounds and lodge the sum mentioned in my last with M^r Rob^t Rutherford or more if you think necessary it will save me the trouble of rideing down and also put it in my power to comply with my promise to the Persons with whom I have bargained for Pork. I should be glad to know as soon as is consistant with Your convenience what Provisions You would have provided at Ashbys & Cox's Forts also what I am to provide For the Expedition such as Tools, Pack Sadles, Bells, Horse Shoes, Nails &c.

I am with the compliments

of y^e Season your

Most H^{ble} Serv^t

THOMAS WALKER²

[To Col. George Washington]

¹Washington Mss., Library of Congress.

²Washington Mss., Library of Congress.

Williamsburg April y^e 14 1756S^r:

As the Committee have not Settled my accounts with M^r Kilpaterick, I shall endeavour to settle them myself, for the following reasons to wit. As I have the Vouchers here it will be attended with trouble & Hazard to carry them up to fort Cumberland, & when that is done they must be brought here again. The Road from the blue ridge to the Fort being at this time dangerous is a further reason for should I be cut off] or my Vouchers lost my Family might suffer much and further, I expect it will be agreeable to you as it will save you the Trouble of Settling with the Committee, after settling with me.—I should much rather choose to settle with you than that set of Gentlemen, was it not for the reasons above mentioned. As what I have wrote is truth & though in my plain way hope no apology is necessary.—As soon as my accounts are settled I shall proceed to you as fast as possible and in the mean time you may assure your self nothing in my Power shall be wanting for the good of the Common Cause & Honour of every worthy individual of the Virginia Rigiment I hope the diligence of my assistants will prevent my absence being of the least ill consequence to the Common Cause, That the Governor of all things May Protect, & Direct you, is the Prayer of

Your Most Humble Servant

THOMAS WALKER¹

[To Colonel George Washington]

Winchester, June y^e 30 1756.

SIR: As I am very unwell and our numbers decreasing here I propose going home tomorrow and shall go to Fredericksburg as soon as I am able to settle my affairs there. I have given Mr. Rutherford 216-17-8 in gold and paper which sum is as much or more than I had in my hands of the publick money when that is gone any sum may think proper to supply him with for the publick service I will be answerable for, I have ordered him to engage a young man to assist him. Seven of the militia deserted last night and I am doubtful many more will

¹Washington Mss., Library of Congress.

follow them as some gentlemen below have been so imprudent as to offer for a small consideration to defend them against any damage for deserting. I am,

Your Most Humble Serv^t

THOMAS WALKER¹

[To Col. George Washington]

Fort Lowdon July y^e 24
1758

DEAR S^r

I have the Pleasure of congratulating you on being elected by a great majority of the freholders of Frederick.

I am at present very Ill with the Rhumatism in my knees which with the different contradictory orders from M^r Hoops puts me much to it, how to act and indeed almost determines me not to be concerned further than I have already engaged. of which I will write you more fully when opportunity Permits.

I am S^r

Your Humble Serv^t

THO^s WALKER²

P.S. I propose to send y^e next convoy on y^e 14 of next month & hope for some waggons down from you & a Guard.

[To Col. George Washington]

Winchester August y^e 14 1758

DEAR COLO:

This day the Waggons set off from Pearises and about five Hundred Beef Cattle are to set off tomorrow I am surprised at Col^o Bouquets Paragraph as I have Letters from M^r Hoops of very Late Dates in one of which he writes that he has 600 Beef Cattle of 500 Each & in another that Yeiser has sent up 400 That I need only send those gathered there not being an occasion for so much expedition as he had before desired & I have no orders for any further Purchase as yet. If I had timely

¹Washington Mss., Library of Congress.

²Washington Mss., Library of Congress.

orders & money I am persuaded you need not fear wanting Cattle Hogs & Sheep for six months from this time.

It gives me great concern to find by you that we have so little Hopes of doing anything to our Credit or advantage. For Virginia will not for some time be able to make such another struggle for the Common good & it is said our next crop of tobacco will be at least 250,000 Pounds Sterling short of a Common one. It is impossible for me to Join you I am now reduced to a mere scelleton nor able to walk without crutches & have not yet got clear of my disorder. This afternoon I intend Homewards on a Litter where I have hopes of recovering some flesh & strength.

Was I in health it would give me pleasure to see you though would not make the Campaign & in any office of Drugery.

That things may take a more favourable turn than in all Human Probability can be expected & that the Virginians may be rewarded as I expect they Merrit is the Prayer of

Dear Sir your Most Humble Serv^t

THO^s WALKER¹

[To Col. George Washington]

TO THOMAS WALKER, ESQ.

Old Town, August 30th, 1760.

DEAR SIR:—

The answer given me by Mr. Hoops, to my account, pasturage of cattle in 1758, greatly surprises me. He tells me the account is out of time, the charge is exorbitant, and that he don't believe that the pasturage was had. It is very extraordinary that a man of his forbearance should be cut out of his money. As to the rate charged, it is the same paid me daily, and as to the number of cattle and sheep charged, it is not a fourth part of what was pastured that year by me, Mr. Galbraith only signing a certificate for those last taken away, without allowing anything for what were killed the whole summer for the garrison at Fort Cumberland. As I always looked on you as a gentleman of an established good character, I cannot think that you will agree to an act of injustice. There-

¹Washington Mss., Library of Congress

fore hope you will order the payment of this account and prevent my giving you any trouble, that on its not being discharged I must, in justice to myself, do, and which would be very disagreeable to me. At the time the cattle were brought to my plantation, there was above 60 acres of meadow fit to mow, as good as ever scythe was put into, besides 60 acres of exceeding good pasture, and they had the full swing of the whole plantation. If I am obliged to make use of any means to right myself, which may not be agreeable to you, hope you will excuse me, as I choose rather to seek justice in Virginia than in Pennsylvania. I am, sir,

Your most humble servant

THOMAS CRESAP¹

Castle Hill, September 30, 1760.

SIR:

Your favor of ye 30th of August came to hand the other day. The contents thereof surprise me, I suppose, as much as Mr. Hoop's answer did you. I shall not at present enter into the justness, or reasonableness, of the account, as I presume that is out of the question. You, I make no doubt, are sensible the money ought to have been paid by the Crown, and I should have thought your experience from the year 1755 would have convinced you that it was necessary to apply either before or at the time the Commissioners settled the accounts for the campaign of 1758, as no regard has been paid to any accounts that were not brought in before such settlements of any campaign were finished. As to your seeking justice in Virginia, I presume no Court, or jury, can be of opinion that I am to pay the debts due from the Crown which remain unpaid from the neglect of the creditors. Could I assist you I should with the greatest pleasure, but as I cannot, must leave you to take any method you may think just and most likely to recover your due. I am,

Your most humble servant,

- THOMAS WALKER²

¹Orders of Court, Augusta County Records, 1758, Staunton, Va.

²Judgments Suffered, Augusta County Records, August, 1764 (B), Staunton, Va.

Fort Chiswell July ye 4 1761

S^r

The Letter you was pleased to Honour me with, bearing Date May ye 26th 1761, was Just now delivered by Col^o William Byrd, one Paragraph of which occasions me great surprise and uneasiness, which I hope will be a sufficient excuse for troubling you with the Following account of my Proceedings relative to the Part of your Letter, which I beg to transcribe as follows

I hope the provisions for subsisting the Men are ready. General Amherst has wrote to me on that Head by which I find you are employed in that Business, of which I am Extremely glad; having had Experience of your Diligence in that Department.

From the Date of your Letter, and the time generally required to convey Letters so far as from this Quarter to General Amherst and from him to you I conclude General Amherst must have had some information dated in April of my being employed to Provide Provisions Carriages and other necessaries for the March of the Troops under the Command of Col^o William Byrd, And as complaints may be made of delays for want of such necessaries being provided in time, I shall endeavour to satisfie you, that I am not in fault by giving A just and full account of My Proceedings and the authorities on which I proceeded.

On the ninth day of April Col^o Byrd informed me, that Mess^{rs} Plumsted & Franks of Philadelphia Agents for the Contractors for Victualing his Majestys Forces in North America, desired I would provide Carriages Provisions and other necessaries for the Virginia Troops. But had not sent any money nor mentioned any method of supplying me with money for this Service; which Occasioned me to doubt, they were not in earnest; and that really was the Case for in a very short time Those Gentlemen wrote to Doctor Hugh Mercer of Fredericksburgh, desiring he would undertake to Provide for the Troops before mentioned. Notwithstanding this surmise I in answer told Col^o Byrd I would write some proposals if he thought Proper to send them to Philadelphia but as I had been very Ill used in last years Payments he must

excuse my Acting otherwise than by his orders until I knew on what Terms and how I was to be supplied with money. The Col^o readily agreed to send my proposals which I prepared in Willi^{sb}g on ye 11th of April as follows

GENTLEMEN.

The Honourable William Byrd Esq^r has informed me that you are desirous I should undertake to Victual the Troops intended for an Expedition against the Cherokees through the Frontiers of Virginia, and that I should provide Carriages Forrage &c for the same—As the Interest of my King and Country are concerned in this undertaking I shall not refuse your proposals, provided the Terms are such as I can comply with, and as you have been silent on this Occasion I shall take the liberty to propose such as I would accept. Williamsburgh april ye 11th 1761 First The risk and expense of sending often to Pensilvania makes it necessary that the money should be lodged in this Government either in the hands of the Governor the Treasurer or my own and I am ready to give undoubted security for rendering an acc^t of any sum or Sums of money that may be necessary to put into my Hands The reward I ask is 5 P^r C^t on the Acc^{ts} for Provisions Wages Forrage &c purchased or employed and paid for by me. I know complaints have been made of the extravagance of Virginia Waggonage. I therefore recommend it to you to propose terms to Col^o Byrd which no doubt he will comply with provided the end can be answered by those Terms.

About twenty Thousand pounds sterling may be sufficient which M^r Thomas Willing thinks you had best remit in Bills of Exchange

as you have Persons amongst you better acquainted with Issuing Provisions than can be had here I would advise you to send some Persons for that purpose as I cannot attend that branch of Business, though if you desire it I will endeavour to employ Persons who may answer the purpose on the Terms you shall propose. The risk in carrying Vouchers through such an extent of Country and over so many Rivers &c makes it necessary for you to appoint Persons to state(?) & settle my acc^{ts} in this Governm^t unless one or both of you will come here for that Purpose.

I shall follow Col^o Byrds Instructions untill the Bearer returns with your answer and if you can provide better for your Purpose I shall with Pleasure decline the service, but untill I have your answer I shall deem myself in your service, on the Terms above mentioned I am

To Mess^{rs} Plumsted & Franks { Gentlemen your most H^{ble} Ser^t
 THOMAS WALKER

On the 12th I set out for Castle Hill where I arrived on ye 14th and on ye 15th a messenger from Mess^{rs} Plumsted & Franks arrived at my House who had waited on Doctor Hugh Mercer and on his refusing to act was ordered to bring the Following Letter to me

Doctor Walker

S^r

We were yesterday informed by our General Monkton that the Virginia Troops were to be Victualld by the Crown as we are unacquainted with the Terms heretofore allowed by the Colony can't [tell] how it may be done.—We therefore desirous that the service may be executed by some Gentleman of known Good Character have from our knowledge of you taken the freedom to apply and offer you our request that you may take the same on you. It is not in our power to say what terms we would or can offer We are desirous of having the same conducted in the best manner for our constituents & would be very glad to hear what proposals you would make for the executing this trust. We know it may be attended with some difficultys but most of those from your Knowledge of the Country will very readily be got over—as we apprehend some necessary provision may soon be wanted. Should it so happen we must request you may take the same and we will most thankfully repay you till we can get the Victualing settled—you will very greatly oblige us in giving us the State of Provision (Live Cattle) with you and on what terms you think those Troops in their Campaign may be supplied and on what terms suitable Carriage may be procured for the service of same. We must request also what terms you think suitable Persons to issue out the provision may be procured that can be

confided in, The rout of those troops we know not but be it where it may they must be supplied with provision and have necessary Clerks for Issuing the same.—We would in your answer to this have you as particular as possible and state the same in as plain a manner as may be in case you incline to undertake the Charge which we hope and expect you will or if not that you will be so kind as to recommend some reputable and good person in whom we may place confidence.

We have given the Express orders to wait your answer and hope it may be agreeable to our wish to settle the terms on which this must be done we will meet you at Carlile or York Town allowing us ten Days to get there after the Express returns here

Philadelphia april ye 6th { We are S^r
1761 { Your obliged Humb^l Serv^{ts}
PLUMSTED & FRANK

The above vague inconsistant Letter left me under greater difficulties than I was before I received it as I was not authorised to provide any Carriages nor as I understood the Letter any Provisions for the Gent omitted mentioning the time the Troops were to be Victuald at ye Expence of the Crown, and had they been more full and Clear on those heads I should have been very unwilling to have advanced money & staked my Credit to any great amount, when I was only to receive my own Money on producing such Vouchers as the Gentleman should please to like in Philadelphia or some other part of Pennsylvania which was the treatment I met with last year. But as I expected the Proposals of ye 11th were on the way to Pennsylvania I concluded I would write as Plain & full an answer, as I could, which I did & dispatched the messenger on ye same day in the afternoon with it as follows.

Virginia April ye 15th 1761

GENTLEMEN

Yours of ye 6th came to hand Just now. I wrote you from Williamsburgh as you will see by the Inclosed Copy, which I cannot add much to (the copy mentioned is of my Proposals of ye 11th)—The terms the Colony have Victuald the Troops on

are very Various from Six pence to ten pence per Ration, according to the prices of Provisions & distance from the Inhabitants the Contractors paying carriage and all other Expences.

If I have health am not doubtfull of any insurmountable difficultys, while I have money to pay the necessary Expences. Provisions for the Present shall be Provided.—The Price of Cattle after July will be about two Pence Per Pound allowing for the fifth Quarter & from that to Eighteen Shillings Per Hundred. Pork is not to be had in summer. Sheep at Fifteen Shillings Each, Flower at about 10/ or 11/ at the Mills Paying for Carriage by the Hundred I think best, when the Carriages travel without Troops; but when they are under the direction of Officers I think they should be paid by the day, and I believe the Waggoners here will carry on the same Terms Per Hundred as they used to do from Carlile to Pittsburgh

There are very few Persons here well acquainted with Issuing Provisions I would therefore recommend the sending two Persons for the Principal Posts & I can procure People for the others at five Shillings Virginia Currency P^r Day

I cannot wait on you at Carlisle or York for the following reason.—There now is at Fort Chiswell a number of Cherokee Indians with Eighteen of our Prisoners and the Governor of this Colony has desired I would go to purchase those Prisoners and send the Indians to their Nation, which service I had promised to undertake before Col^l Byrd got to Williamsburgh, & must comply. About the last of May if it should be necessary I could wait on you.

When I mentioned Bills of Exchange in my last I looked on them to be better than any other remittance Except Virginia Currency which I am told is not to [be?] had amongst you. Bills now sell at forty Per Cent and If two or three African Ships arrive exchange Will rise five Per Cent.—The Rout of the Troops is intended up the River Roanoak, thence crossing great Cunhaway & the Branches thereof to Holstons River and Thence down near the River to the great Island, & where then I cannot say. I am

To Mess^{rs} Plumsted
& Franks—

{ - Gentlemen your most Humble Svt
THOMAS WALKER

In consequence of What Col^o Byrd had said to me, and the above Letter, I dispatched a messenger to my agent at Winchester, with orders to Provide for the Troops while there, and on their March to Staunton, And another Messenger to My Agent at Staunton with orders for him to Provide at Staunton and for the march to Fort Lewis; And soon after went to Fort Chiswell taking Fort Fauquair & Lewis in my way

I was detained much longer at Fort Chiswell than I expected by the frequent & heavy Rains,—on ye Twenty first day of May at 2 in the Morning I got to Castle Hill where I found the Following Letter

Philadelphia april ye 29:17[61]

DOCTOR WALKER

We received your favour p the Express we sent and are well pleased to find you incline to accept [torn] supplying the Virginia Troops with provisions [torn] we may be able to settle the Comⁿ on such terms as may be agreeable as soon as my Partner comes to town.

But cannot as yet say in what Manner, but shall write you fully after we have confere together which I was in hopes might have been done so as to come by Cl^o Mercer, but his stay will not admit of it.—your Letter from Williamsburgh never came to hand nor do I believe it now ever will.—I would recommend it to you if Practicable to have all our agreements for money of Penselvania, as by that we can have no mistakes respecting Exchange, and we can more readily supply you with Money, so that the thought of sending Exchange to Virginia, which we apprehend we cannot comply with, may be laid aside.—I have wrote to M^r Hoops respecting a Clerk to be with you & expect soon to hear from him, if none such as I approve will send you one that now lives with me and is acquainted with the modes

It would give me great satisfaction to have met you att Carlile in order to fix our agreement and hope still we may do it in a few weeks, if you can mannage your agreement negotiation with the Indians so as to meet us the 23 of May either or both will attend you.—You'l pleas to inform us if you can do

¹Evidently "commission."

[torn] that time or on what day you will be there which will greatly oblige

Excuse this as itt is your friends &

wrote in great haste & hurry PLUMSTED & FRANKS

on ye 22 of May I dispatched an active agent of mine to the Forts with orders to lay in forty or fifty Thousand of Flour at fort Chiswell and ten or Eleven at each of the other Forts, on the 25 I began my Journey to Pensylvania in order to meet those Cautious agents Mess^{rs} Plumsted & Franks who seemed not likely to impower me to answer the end untill we had a meeting & I was very desirous of being enabled to act to the purpose or to decline the Business as it must End in discredit

On my applying to those Gentlemen in Philadelphia they were willing to employ me to Purchase the necessary Provision, but said they had no authority to direct providing Carriages or any necessarys but Provisions. That I must wait untill General Monckton Came to Philadelphia, which I did and on notice I waited on him. The General seemed very angry that I had not been authorised sooner to Provide Carriages and other necessarys. soon after my waiting on the General a Bargain was proposed to me by his order, which I was Willing to close with and on acquainting the Agents thereof they approved the Bargain but thought it unsafe to confirm it until they had the Concurrence of Some Gentlemen in new york [torn] were also concerned for the Contractors, and a [torn] was sent to new york whose return I was to wait and on his return the Business was concluded on ye 19th of June in Philadelphia. not less than five hundred miles from Fort Chiswell, which is the place where the chief part of the Provisions is to be stored.

I set out Immediatly for this Place, where I am fortunate enough to find Plenty of Provisions and Carriages for the March of the Troops. Those Provisions and Carriages were Provided by my Agents under the Particular direction of Col^o Byrd, who ventured at his own Risk to order them to be Provided. A considerable expence will attend this sudden and unexpected preparation for Col^o Byrds march, that might have been saved if I had been present: and where that expence ought to fall I Leave to better judges than I am to determine

The following Letter M^r: Plumsted delivered to me at his House in Philadelphia, the messenger having missed me on his way & returned on hearing I was gone to Philadelphia; which I insert, that your Honour may know the whole proceedings between us, Prior to the Bargain.

Philadelphia May 30th 1761

M^r: Thomas Walker
SIR

We wrote you by Col^o: Mercer and therein agreeable to what you mentioned in yours of meeting us the latter end of this month fixed for our meeting at Carlile ye 23 Ins^t: I am affraid that Letter never came to your hands, as we have heard nothing from you, therefore are att a Loss what to write but our desire of knowing in what state the Troops and Provisions may be in and if practicable to have the pleasure of seeing you in order to ascertain the same we have forwarded this special messenger and shall be greatly obliged you may favour us with such an answer as may bring us together, in order to regulate the whole state of Provisions. We are satisfied to meet you at any the nearest settlements or Carlile if your business is such that you cannot come further forward and will sett out on the return of the Express [torn] be lost

We are sorry itt should have so happened that our meeting could not be on the time we fixed and and that we have no Letter or Messuage from you and can attribute itt to nothing but the Loss of our Letter by Col^o: Mercer whom we know undertook the delivery otherways should have sent an Express on purpose to you, we are thus pressing for an Expeditious answer as we have reason to expect our General Monkton in Town in less than fourteen days from this d[ate? torn] must make some report to him— We have sent directions for M^r: Hambleton to come down in order to be forwarded as an Issuing Clerk to you and expect he may be at Carlile in about three weeks

we are Sir y^r: &c

PLUMSTED & FRANKS

I hope what I have wrote will fully satisfie your Honour, that I have done as much as the Agents, General Amherst, or

any other Person, or Persons had a Right to expect from me, and if you should be satisfied of that, I make no doubt, should any Fault be found, you will do me the Justice to make a candid Representation of those [torn] which will be adding a great Obligation to the many Favours already conferred on

Your Honours Most obliged Humble

Servant

THOMAS WALKER¹

To The Honourable
Francis Fauquair Esq
Endorsement:

To the Governor of Virginia
July ye 4th 1761

Louisa June 10th 1767

DEAR SIR;

Agreeable to my promise I have conversed with M^r. Walker on the subject of your going out to reconnoitre the lands lying on the Mississippi near its junction with the Ohio. He is pleased to say that you are very agreeable to him & that he shall be satisfied to rely on your prudence & Veracity in viewing that country and in fixing on some such Spot as would be proper for the first company of adventurers to begin the execution of the Scheme I hinted to you. I must refer you to that Gentleman for the explanation of many particulars relative to the affair which are not yet bro^t to any fixed point; I mean that the outlines of the Scheme are only planned as yet. However—before any great or Effective headway can be made in it I think some knowledge of the country is obviously necessary. Pardon me if I recommend to you a diary. Even the trees, herbs grass stones hills &c. I think out (*sic*) to be described. The reason I wish you to be so particular is that a succinct account of your Journal may be pointed in order to invite our countrymen to become settlers. The Task is arduous. To View that vast forest, describe the face of the country & such of the rivers Creeks &c. as present themselves to view is a work of much Trouble hazard & fatigue & will in my Judgement intitle you to the favourable notice of every gentleman engaged in the Scheme. I think you'll not have Time from [—] to finish

¹Original owned by Dr. William Cabell Rives, Washington, D. C.

the Jaunt. I wish it was convenient for you to begin sooner. Whenever you go I wish you a safe Journey and that Success which those who labor for prosperity deserve—I am

Dear Sir

Y^r mo hble Serv^t

P. HENRY JR

P.S. I have mentioned your going out to Sundry other gentlemen & everybody is fond of it.

P. H.

To Captⁿ W^m Fleming—

Augusta

By favor of^t

M^r Walker

Jan^y 14th 1769

DEAR SIR

Some days ago I received a letter from And^w at Williamsburg from that place he is gone to Charlestown & he needs to go from thence to ye Borders of ye Cherokee Country In order to adjust Some thing Relating to treating with ye Indians—it being Suposed yt both Intendant & Indians are on a wrong Sent, at least one very Diferent from what we intend, he does not Expect to be home before ye last of Feb^y. The Council will not renew nor give new Grants for Land till they receive fresh Instructions, But in the mean time it is the opinion of Both the Nelsons ye Surveying go on on ye new River whether any other were consulted on y^e affair I know not but this some Consolation—I would not have go much further than ye mines or Reed Creek—Receive fees for w^t you do & w^t you have done & keep it at a Safe Deposit till we know more of ye matter & let people know ye terms are ye same that were told them before & I expect it will be in the summer before anything further is known. I shall take some opportunity of writing to you Soon & am Dear Sir with much Esteem your assured friend

THO^s LEWIS²

[To Col. Thomas Preston]

¹Draper Mss., 15zz3.

²Draper Mss., 2QQ 106. Thomas Lewis, elder brother of Andrew and Charles Lewis, was a man of highly individual character with a gift for pungent expression. For many years he was surveyor and justice of the peace for Augusta County. He was a delegate to the Virginia Convention in 1775.

May 27th 1771.D^r S^r

I spent a good deal of time in Williamsburgh this Spring where my chief business was to inquire *when we might go to Surveying on the Frontier* and what success we had a right to expect in a renewal of our order, as there had been *some alarming accounts of an enormous govnt on our Frontiers* as to the Grant M^r Doak can give you a full account of the Limits and the reservations which I think are sufficient for such Land as will be included within the Ministerial Line which *Col^o Donaldson is now running*. The Honble the President does not think proper to permit any surveying to be done before Donaldsons Report is sent home and order^s from thence are received which I think will not be had before January or February next. M^r Doak give me a disagreeable account of the behavior of some of the settlers on the Western waters. It is my opinion that all such as act in opposition to Legal authority ought to be punished as far as Law & Justice will permit before the faction gets strong Root. But for such as have settled on Lands the property of others I think is best to let them alone until matters are settled unless in such instances as make it necessary to Eject in order to Make Titles to others or where any Person choses to settle his own Lands My reasons for the above are first it May Discourage the settlement to Eject a Person & leave the land Vacant secondly others may settle on the Land & make a second & third Ejection Necessary & Lastly I think the Lands cannot be made less Valuable by Inhabitants continuing on them. I hope to be out in August & should be out sooner were it not for fear of some disturbance between those settlers that will be left out of *the Ministerial Line & Col^o Donaldson*. Should I be in that country when such an event happens there would probably [be] some suspicions that I had encouraged it As some man had better steal an Horse than others look over the Hedge Pleas to offer my Compliments to your Lady I am

D^r S^r Ever yoursTHOMAS WALKER¹

[To Col. William Preston]

Endorsement:

Doct^r Walkers Letter

May 1771

¹Draper Mss., 2QQ126(2).

D^r S^r

M^r Arthur Campbell assures me there is nothing done relative to surveying on the western waters, therefore I shall decline going down. M^r Linches order I think begins on Roanoak & probably the Governor & Council may not (authorize ?) the Reed Island is part of the Western Waters, you may depend on hearing the first intelligence. My compliments your Lady will oblige

D^r S^r your Humble Serv^tTHOMAS WALKER¹

New London April y^o 30 1773
[To Col. William Preston]

December ye 15th 1773D^r S^r

Pleas to survey such Lands as are settled within the Limits of the Grant made to the Loyal Company according to your Instructions on that head. If any disputes should arise amongst the settlers with respect of Rights I should be glad the disputants would leave the dispute to reference and have the matter amicably settled. I am totally disinterested but most ardently wish matters should be settled amongst themselves I am

D^r S^r Your Humble Serv^tTHOMAS WALKER²

To Col^o William
Preston Surveyor
of Botetourt }

(Copy)

February y^o 21-1781.D^r S^r—

On the 5th Inst. I set out from Castle Hill to attend the Commissioners in your quarter, but after travelling through wet weather, bad roads, and high waters to Col^o Cabell's, he informed me that the sudden call of the Assembly had determined himself & brother not to attend, must therefore request

¹Draper Mss., 2QQ145.²Draper Mss., 2QQ157.

you to send the plots and certificates for the lands surveyed for the Loyal Company to Richmond, on or before ye 29th of March. If no safe opportunity offers, please to hire an Express. I have wrote Col^o Samuel Lewis for the same purpose; one messenger may serve both, which I have no doubt you will contrive between you, enclosing them to General Lewis will be best, & the Necessary Expense M^r John Harvie will pay by General Lewis' directions, as he has money of mine in his hands.

News—Cornwallis at Bithabarda [Bethabara]—the Lead Mines, I suppose, his object. Pray dont let him get back. One 60 gun ship & 2 frigates French in our bay in quest of G. Arnold, part of Graves' fleet in quest of them.

On January y^e 14th I intermarried with M^{rs} Elizabeth Thornton, an old sweetheart of mine. Please give my compliments to your lady and family. I am

Dear S^r: your humble servant

(Signed)

THOMAS WALKER¹

Col. W^m Preston—in

Montgomery County.

Endorsed in Col. Preston's handwriting: D^r Walker, Feb. 1781 came to hand the 27th of March at 10 o'clock.

W^m PRESTON

March 15th 1774

DEAR S^r

I Expect D^r Walker will be at our court on his way to your County & by him I Expect you Receive this, with whom you may advise about the recording of Surveys & whether there will be any Impropriety of your Signing &c. I am Sure it would be most convenient as ye County are now Divided, to have these Survey Recorded in y^e County where the land lys, there they may be of use, here of none,—I make no doubt but you have a great many officers Warrents presented you before now. I have but very few & some of these not far from Pitsburge—Col^o Washington Sent two Surveys made by one Crawford to be signed by me, but this I refuse. These are Strange Sort of requests & I think ought not to be complied with—I Suppose

¹Draper Mss., 5QQ92.

you may have demand of the Same nature The man viz Crawford who made y^e Surveys have by the Influence of Col^o Washington obtained an assistants comission. without my privity, you must know that y^e gov^r has Interested himself in his favor. & wrote me an oblidging letter on the occasion, telling he is not to Act if disagreeable to me, I must recve him as such tho it is hard on some of my other assts who might Expect to be Employed in such affairs. The most knowing amongst y^e Officers begin to Suspect, their rights under the proclamation of 1763 (if I never told you before, they have no (rights at all) but let them go on. A Suspension of these Claims is dreaded by Some, & if anybody writes to y^e ministry I Little Doubt all will be countermanded. I have had a long letter from Col^o Washington & he in return one as long—I have heard it has been remarked that Some of the Surveys of 68 & 9 were made by John when you were not present, you know how ready Some of our good friends are at finding out, & giving things a bad complexion lye not at their mercy in Such matters. have you moved yet, is And^w with you have you Set him to work, how does he behave,—I wrote this at home you may have more from Court if any thing Occurs—let me hear how you goe on

Staunton y^e 15th D^r Walker is hear he knows all I can say & refer you to him I cannot now attend to money affairs, I am aff(r)aid you will be perplexed with officers, & y^e Surveys you make for them, I would advise when they present their war-rants you Indorse y^e time & y^e place where this they Should not alter—if you Suffer it otherwise you will be plagued & Con-founded beyond measure

Addressed:

To Col^o. William Preston¹

Endorsed: Mr. Tho^s Lewis's letter

March 15th 1774

Sept^r y^e 4th 1774

D^r S^r

I am much obliged to you for your favour by *Major Phillips* & have since had great pleasure by seeing that *Cap^t Floyd* is

¹Draper Mss., 3QQ3.

returned safe, your Letter to the major gave me that satisfaction, I hope your other surveyors are also safe as you suppose them to be.

Mischief being done within fifteen miles of your house gives me pain, not so much for you Considering you safe as yet, as for the poor defenceless People west & Northwest of you. But as danger is so near, your preparing for defence is undoub(t)edly laudable, Before this make no doubt but your fort is finished & by keeping a proper guard I cannot apprehend any danger, as you cannot be taken but by surprise, which I flatter myself from your understanding & care will never happen.

The Inclosed Piece wrote by M^r Tho^s Jefferson, the perusal of which I expect will give you satisfaction, your care of it I can depend on as I have no other copy.

The members at their meeting on the 1st of August appointed seven Deligates to meet at Philadelphia, the Deligates from the other colonies, to Witt, *Peyton Randolph, Richard Henry Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison, & Edmund Pendleton.* Who are Impowered to agree to a non Importation from Briton after the 1st of November & a non exportation to Briton after the 10th of August Next. Safety to you & Family with success in your undertakings & compliment fill the paper of y^{rs}

THOS WALKER¹

[To Col. William Preston]

DEPOSITION OF WALKER—FRAGMENTARY NOTES

Wm. Walker being sworn says—That he was app^{td} a Com^r. & attended at F: Stanwix—Genl: Lewis, other Com^r was called off—Sir Wm Johnston had a state of Virg^a claim—who said the Indians acknow^d Vir^a claim—refused copies of minutes—promised auth^o documents—gave deed of Session—deferred giving any other papers—got a copy of Treaty from Gent at bar—Com^{rs} of any State only asked Questions ab^t respective claims—No Com^r held any conference with Indians—Considered himself in signing Ina^a claim—not as Com^r

¹Draper Mss., 3QQ90. The "piece" of Jefferson here referred to is evidently *A Summary View of the Rights of British America*. In P. L. Ford (Ed.): *Writings of Thomas Jefferson* (New York, 1892-1899), vol. I, pp. 421-427.

but as witness—beleives if he had been called on as Com^r he should have signed it in that character, as he was informed the Lands could only be had on those terms. In F^t: Stanwix treaty Indians complied with Vir^a claim—Pamphlet of India^a claim a perfect record of the transaction does not know that Sir W^m Johnston [*sic*] was under any restriction as to suspending the immediate Ex^{on} of treaty.

Nothing said as he knows of any land lying west of the Ohio—On Ex^{on} of deed thinks Indians were called to table & acknowledged it, & beleives marked it—Custom for Indians to treat by chiefs—one chief generally signing for his nation—Saw Indians who s^d they lived at Squirrel Hill, hath heard that Delawars lived at Monongahala—Shawnese had towns opposite mouth Scioto in year 1756—at this purchase considered territory as delivered up on Ex^{on} of Deed as far as Deed went—Letters from Mr Stewart claimed part of this land for Cherokees—Indians always bound lands sold by natural boundaries—Remembers Nor^d Indians with Braddock, supposes they were invited by him. Had Convers^{on} with Sir W^m on treaty of Lancaster—thought on finishing treaty at fort Stanwix that the affair was concluded.¹

DEPOSITION OF THOMAS WALKER REGARDING INDIAN CLAIMS
AND THE TRANSYLVANIA COMPANY

Thomas Walker Esquire of lawful age being first sworn on the Holy Evangelists of Almighty God, deposes, and saith, That in the month of April 1750 he named a Certain River which he has since understood was at that time called Shawnee, Cumberland, That he has often heard that the Shawnese have lived on Cumberland River but at what time he knows not, That the Shawnese and Delawares have been Tenants at Will to the Six Nations for near thirty two years past, That the Six Nations permitted the Shawnese & Delawares to live under their patronage and protection upon their (that is) the Six

¹The original is in the Virginia State Archives, Richmond. It has been printed, in a garbled and incomplete draft, in *Calendar Virginia State Papers*, vol. I, pp. 297-8. "William" is an error for "Thomas."

Nations Conquered Lands, but that he Never heard that. the Shawnese had lived on Cumberland River by the Consent of the six Nations tho' at the same time he believes that such part of the Shawnese as liv'd their had not at That time been taken under the Protection of the Six Nations This Deponent further Saith that he hath never heard that those lands or any part thereof of which Attacullalah (*sic*) and other Indian Chiefs when at his House in the month of August, 1751. Observ'd that they never went into them but they ran with Blood have been since included with the Territory of Virginia in Consequence of any Purchase made from the Cherokees. That he is acquainted with the Cherokees & Six Nations and has often transacted Business with them That he has always understood, that the lands on the Kentucky & Cumberland River, belonged to the Six Nations, as well from Information as by the Deed of Cession made to the British Crown At Fort Stanwix in 1768, in which the six Nations reserved the Liberty of hunting on the said Lands for themselves & such others as they thought proper, that he has been informed, that the Shawnese Delawares, & Part of the Six Nations have actually used the said Lands for Hunting. That he never heard that the Cherokees claimed the said lands Until Sometime after the Proclamation of 1763, when they were Claimed by John Stuart Superintendent of Indian Affairs for an in Behalf of the Cherokees, that when he was first acquainted with these Lands he discovered no Inhabitants but perceiv'd Vestiges of Houses: That he has Understood it to be the Custom of the Six Nations, Either to Exterminate or expell those Nations whom they Conquer from the Conquered Lands tho' they some times adopt some of the Conquered into their own Nations & in the particular Instance of the Delawares they took them under protection even after Conquest, that he hath never understood that any Tribe of Indians had inhabited Tenesee River except the Cherokees nor any other Indians the South East side of the Ohio except the Shawnese who lived partly opposite to the mouth of Scioto River partly near the Confluence of the great Kanhawa with the Ohio & Partly about Twenty miles below Fort Pitt—That this Deponent's presence informed General Lewis and several others that Attaculacullah upon their crossing the Holston

River, when he Conducted the Said Stewart out of the Cherokee Country told him that he the said Stewart must go before as they passed through the White Peoples Country as he had gone before during their Passing through the Cherokee Country And this Deponent further Saith that One Crogan an Agent for the British Crown Informed him that at a Treaty held at a Shawnese Town near the mouth of Scioto between some of the Chiefs of the Cherokees & the Six Nations the Cherokees on coming into the Council House threw down a parcel of Skins telling those of the six nations that they had killed the Deer for Food after they had come into their Country and the Skins were theirs (the six nations) that the distance from the Mouth of the Cherokee River to the Mouth of Cumberland is Computed by some to be about Twelve by others about Fourteen Miles, that the Charter of King James to the Treasurer & Comp^y of Virginia in the year 1609 includes all that Territory which Richard Henderson claims, That some Surveys were made of the Lands in dispute for Officers in Consequence of the proclamation in 1763. Sometime before the first day of October, 1774. That this Deponent is induced to believe that the sd. Henderson hath attempted to Erect a Government independent of Virginia from his having Seen a Commission said to have been given (by) him in the Style of Sole proprietor of Transylvania to a Justice of the peace and has been also informed that a House of Representatives has been chosen & a Chairman and Clerk appointed, That he hath understood from Authority which he Confides in that the said Henderson hath appointed a Surveyor for his aforesaid Territories. That it is his opinion that Donaldson's Line was Intended as a Temporary Expedient only, that all the Indians with whom this Deponent hath been acquainted have described the Boundaries as Limits of Lands between themselves & any other Nation of Indians by Natural Marks such as Water Courses and mountains, That he hath understood that the Cherokees have disavowed the sale of the Lands lying between Cumberland mountain & the Ohio, by the Copy of a letter sent by Andrew Boyd from the Cherokees in Answer to a Letter wrote them by Lord Dunmore: This Deponent also saith that the Indians in the disposal of their Lands always

depute some one or more of the Chiefs of their Nation to enter into the Contract on behalf of the whole.

Deposition before Jo. Prentis and Edm. Randolph, at Williamsburg, Va., March 15, 1777.¹

March y^o 23^d 1778

D^r SIR

The Fate of the Grants in this state, are likely to be determined soon after the 20th day of next Sission of assembly. It will be proper to have ready a list of the surveys made for the Loyal Comp^y. I purpose being at your house on y^o 15th of April. but if any cross accident should happen pleas to forward the list directed to Col^o Edmund Pendleton or self

Grantees have a right to take any depositions in suport of their claims, giving notice of the time and place to such persons as the Governor shall appoint to superintend the taking of them. should the Governor omit appointing Mss^{rs} Montgumry & Crocket may be proper to act as they have the confidence of the People. You can judge best when & where to appoint and whom to call on to depose. Your court being the 7th will afford an opportunity of giving notice. any trouble or expense you are at shall be made satisfaction for. Least misfortune should prevent my attendance permit me to throw out some hints relative to what may be necessary in the depositions.

First that I was exploring the country far west of the settlements in 1750. How far they can depose on that head must depend on their own observation & information. Secondly, that I bargained for the Lands at three pounds per Hundred exclusive of Rights & Fees Third by that I endeavored to prevent persons having more Land than they could soon settle Forthly that I insisted no man should sell his Land or improvement before living & making a crop on it, that strangers should have some chance with Hunters & fifthly that I never distressed any person for money in payment for any of those Lands. Sixthly that when any de(s)putes arose I endeavored to

¹Original in Virginia State Library, Richmond, Va.

accomodate them in an equitable manner. Your knowledge may suggest other matters necessary to ask the deponents. With Comp^{ts} to your Lady & Family

I am D^r S^r Your affectionate H^{ble} Servant

THOMAS WALKER¹

[To Col. William Preston]

Annotation:

D^r Tho^s Walker

March 23^d, 1778.

Loyal Land Company

&

trip of 1750

May y^e 28th 1778

D^r S^r

I have received y^e £35 for Subsistance of the recruits & also £9 for the bounty of two Drafts, the £9 not being included either in your account stated, or in your Memorandum to me left it doubtfull whether you had not recived the bounty Money, I therefore keep the nine pounds either to return into the Treasury if not yours or to account with Col^o Pendleton for it if you are indebted that sum to him on acc^t of fees, or if his account is more will pay the ballance & settle with you when opportunity serves

The land matter is put off[f] to the second Monday in next Session. I will endeavour to send you a Copy of the Petition against the Grantees with my opinion I am with Compliments to

Your Lady & Family D^r S^r

your affectionate H^{ble} Serv^t

THOMAS WALKER²

P.S. Paid Mr Trigg £70
to whom I refer for
News

[To Col. William Preston]

¹Draper Mss., 4QQ164(1).

²Draper Mss., 4QQ172.

Williamsburg, July y^e 9th 1778

D^r S^r

Pleas to give my Compliments to Cap^t *John Floyd* & tel him I have paid the ten Guineys he had of *Doctor Franklin* to the Treasurer who is thought the proper person to receive it

Col^o: *Pendleton* has sent me his acc^t again^t Col^o: *Pattons* estate, amounting to £19:11-4 if you order I will pay it

You have not given any answer respecting the nine pounds

By a friend I have procured a copy of the petition against Monopilies, which I send you with an alphebetical list of names, there was two Copys [*erased*] differing as you will se in the copy, & by that list I am led to believe that many signed both & some oftener than once were I with you, you could sugjest some better plan perhaps to render the designs of designing men Abortive. My opinion is to take well witnessed certificates from such persons as choose to give them, that they are willing or rather desirous of holding their Lands, or becoming purchasers of the Loyal Company, and any thing further that you may think proper.

To set a petition [*erased*] on foot would alarm the promoters of the former petitioners, and they would probaly by the common modes of geting such papers signed increase their forces much

I did not expect the name of *Evan Shelby*, *Isaac Ruddle*, or any of the *Montgomerys* to the petition, perhaps they with others were not properly acquainted with the true intention.

Certificates from the signers would be much to the purpose. John Reed you know I have and beleive he signed both Petitions tho the spelling differs the same you will find in the List of Edmonsons & others. If you should think proper to appoint any Person or persons to take trouble in this business I would gladly reward them for the trouble they take.

Your Neighbour Michael Price will I beleive sign cheerfully and probaly many of connections & acquaintance.

The Certificates may answer to satisfy me who will expect Patents from me when the office is opened

I am sorry you have had such a disagreeable time with the savages, but hope the game will soon be up

I have wrote *Major Daniel Smith* to the same effect, the Letters go under Cover to M^r: *John Montgumerie* with request

of safe Conveyance, with compliments to your Lady Family and Friends I am

Dear Sir your Humble Servant

THOMAS WALKER¹

[To Col. William Preston]

Endorsed:

Doctor Walkers Letter—July 9, 1778.

of use

Capt. J^{no} Floyd got 10 guineas of D^r Franklin (when he had escap^d British Captivity & fled to France.)

Loyal Land Company

SIR,

I have the honour to acquaint you that in the neighborhood of the City, we have a british officer prisoner of war, of the rank of Captain who is very desirous of quitting his party, & coming over to ours, from a full conviction of the justice of our cause; & an utter abhorrence of the cruelties & inhumanity, of the warfare, in which he has been employed which has been among the Savages & in case he should be exchanged, & be sent back again to canada, he is apprehensive that he shall be detached as a partisan in the same detestable service, namely, to murder and scalp his friends & benefactors who have treated him during his captivity with the utmost lenity and kindness. This officer in proof of his sincerity, is willing to take the oath of allegiance to the united States, or to sign any paper that may be thought necessary to prove that, he has not been tampered with, but that, it is his own free voluntary act. And he is ready & able to make important discoveries, relative to the manner of their carrying on the indian War upon our frontiers, the places they stop at, in coming & going to & from Canada, in order to get Intelligence, the persons most active therein, as well as their concealed friends & Abettors now residing in the northern & western parts of these States, many of whom have taken the oaths of Allegiance to & bear commissions under *King George*, & have been enrolled to the number of between three & four thousand, & the register of their names already delivered in to Gov. Tryon, & stand ready, when occasion offers, to rise in arms, & support the King's Troops.

¹Drapers Mss., 4QQ179(2).

This officer at the same time that he makes a full tender of his Services to the united States, is not solicitous of being employed in the military Line, wherein he was bred, neither does he stipulate any thing for himself, except only that his name, & offers may be carefully concealed, lest his good Will to our cause should prove his ruin, nevertheless he confides that he shall meet with nothing but honorable treatment and hopes that in case he should by this step lose his baggage which he left in Canada, & his arrearages that the loss will some way or other be made good to him

I am with much respect

Sir

Y^r most Obed^t &

very humble Servant^t

THOMAS WALKER¹

Boston 21st Oct 1778.

Honble major Gen^l Heath

October y^e 23^d 1778

D^r S^r

Your favour of y^e 13 Ins^t I received by Cap^t Floyd & am much obliged to you for the trouble you have taken to enable me to justify myself & Company

For your disorder I would recommend Bleeding 12 ounces at first 14 days after 8 & repeat 14 days after the last quantity to be taken, and during the intervals of your Bleedings to take 60 grains of Plicurific Root powdered every morning noon and night Mixed in any Liquid you Choose, to live sparingly & use as much exercise as you can without fateage. Pleas to give My Compliments to your Lady & Family I am D^r S^r with great esteem your Humble Ser^t

THOMAS WALKER²

P.S. If the above directions should not have the desir'd (effect)

I recommend an Issue in the

Arm _____

[To Col. William Preston]

¹Original in Library of Congress. There is some doubt as to the authorship of this letter. The handwriting is similar to that of Dr. Thomas Walker. There is, however, no confirmation of his presence in Boston at the date of this letter or on any other date.

²Draper Mss., 4QQ183.

W^mburg, December y^e 16th 1778

D^r S^r

Col^o Pattons & the Loyal company's affairs are as they were, intended to be taken up when the Land office is opened, I should be wanting in gratitude not to acknowledge in behalf of the Company your signal servis's & unwearied diligence something of the same kind again next session will I believe be of service—

Writing to *Major Daniel Smith* may be dangerous as it may fall into bad hands, you may have an opportunity of speaking or dropping him a line on the subject

There is no news here worth notice except that *Mr James Buchanan* is appointed as you requested, With Compliments to your Lady & Family I am,

D^r S^r your Most Humble Servant

THOMAS WALKER¹

[To Col. William Preston]

Fort Chiswell August y^e 11th 1779

D^r S^r

Some of the Inclosed are open for your perusal which pleas to seal after & forward, from them you will be informed of some things I should otherwise have wrote, Col^o Pendletons is to go open to General Lewes for his perusal. On the other side you will find a line intended to be shewn the Commissioners if it should be necessary

If you should find necessary to deliver any Plots & certificates I think the Plotts may be dated at the time of survey with a note that they were entered in your Book by consent of partys as your office is more convenient to the People than that of Augusta.

Several Tracts were Survey[ed] under an order of Council to Ashford Hughes & others & purchased by Peter Jefferson, Thomas & David Meriweth[er] and Thomas Walker, those I believe are all entered & properly noted in the plot Book that the Certificates may be made out properly, You will pleas to receive the purchase money for such as you deliver in that or the

¹Drapier Mss., 4QQ184.

Loyal Grant, with the Fees where they have not been paid. no purchase money has been paid but by Arthur Campbell & he has My Bond for a Title in which it is expressed. Mr Floyd I expect may find me at the Beginning of the Line, with Compliments & I am

D^r S^r yours

THO^s WALKER¹

Address: Col^o William Preston
in Montgomery County

March y^r 9th 1780

D^r S^r

French Lick on Cumberland River

If any Land warrants comes to your hands & you should not see me before the first of May pleas to have entrys made in the best manner you can for them, perhaps with mine, some of my friends may send pleas to do the same for them, Washington county I fear will be your only chance. Thomas Walling, Elisha Walling Junior, Joseph Martin, Mordecai Hard, & probably many others may be willing to inform you of such Lands as may bring me my money If they should not suit to settle on, I am very Hearty and Still hope to see you next Month with Comp^{ts} to your Lady and Family I am

D^r S^r your Most Humble Serv^t

THOMAS WALKER²

P. Remember me to Col^o Ingles
[To Col. William Preston]

Rockingham August 7th 1781

DEAR SIR

I am set down to tell you as well as I can that, that Scoundrel who you charged with letters & Plans never came near me, a stranger brought them to me y^o 29 July as he passed along, Yesterday I dispatched a messenger to D^r Walker to bring him this way, to advise what is best to be done & return you the Plans Signed I wish y^o messenger may not be too late, if the Doct^r comes this way he will bring a Book wherein his other

¹Draper Mss., 5QQ6.

²Draper Mss., 5QQ21.

Surveys are entered for you to record these. You and he may fill up the names as will be most agreeable to Contract, transfer at the judgment of y^e Commissioners but of such matters I cannot Judge, so well as you two can. If I have overlooked any of the plans you will be pleased to signe for me, as you see the others done & observe the same method on the record, I hope the D^r if not set off before will be here this night or to morrow for Shall in that case confer on this subject & he will be the Bearer of this, if otherwise I see no prospect of this coming to your hands in time.

As to the matter of fees I think it most proper that you adjust this business with y^e Company who I flatter myself will do you Justice. as to taking fees as they have been rated since y^e revolution, my opinion of the matter is that you had better lose all you have done or have to do in this matter, than take Something so hard to be distinguished from a nothing—if ever honesty or understanding be restored to a Certain Club, you may hope for relieve in your other business but in y^e present business I hope you will have Justice done you it may be I talk Idly—Whilst KNAVES & FOOLS ar dominant, an honest man may expect rude treatment. be it so; notwithstanding I have Some Comfort in a reflection that most evils of a moral or political nature find a Cure in their Excess. if this were invariably to be relyed on, I could congratulate you on the near approach. of y^e removal of many moral & Political Evils that press us very hard, I am sure their extravagance if not at their hight, must have what Some people Call a ne plus ultra, let us hope so . . .

News there is none here worth your attention Except that *Gen Washington* has or is about to beseige N York, and Some talk of a peace, or Something of that kind to be attempted in a treaty to be held at viana this fall . . . I have been a Tab^o begar of a long time—you live in a rascaly County so do I—& so does everybody a majority of Rascals will render any place Rascaly. I wish it were in my power, to retire with some few I could name from such rascaly Scenes as too frequently present themselves . . .

Aug^t 20th D^r Walker not coming according to Expectation & having no oportunity of Sending to you till this by M^r

Trigs presents with one, to him I comit this with y^o Papers you Sent me Inclosed to D^r Walker on whom M^r Trig waits I hope they will Come Safe to your hands—I, likewise Send a Small Record book for y^r purpose of recording those you sent, wherein the former Surveys were Recorded, M^r Trigg presented me with a Sumons to appear before the Court of Commissioners in September as a witness with regard Some Claims of Mrs Engliss relative to Burks Garden in Consequence of Some Contract with one Burk by Col^o Patton, it is impossible for me to attend, my State of health will not permit, & other engagement of a Publick nature put it out of my power, I understand by Trigg what is wanted from me is to Say whether Col^o Buchanan was duly commissioned by the masters of the Colledge to Survey. I Suppose you know he was not, he only gave a Bond to me for y^o due performance of Deputy all this was done, not indeed with my approbation but at ye pressing Instance of Col^o Patton a circumstance that my giving way to has given me many times much uneasiness, This Induces me to request you will fall on Some method to Accomodate this matter with ye Commiss^{rs} as may be most consistent with equity, you know how an adverse determanation of this circumstance may affect the whole of Pattons &c Grant, it is therefore the Ideas of heirs that this matter be adjusted with the least noise possible, it is an interesting affair, you know how mortifying a Concern such an inquiry is to me, I have reason to hope for every thing from your Justice & friendship; if Still it may be necessary for your Justification that what ever determination may be had on y^o matter may be Confirmed by Court of Chancery, I would beg that ye above Circumstance may be not brought into inquiry more especially as I cannot See of what Consequence it can be to the Claimants. I hope D^r Walker will accompany Mr Trigg to your country may Heaven be your Counselor & Protection Still believe me to be with true affection

Your most
Humble Serv^t
THO^s LEWIS^l

To Col^o W^m Preston.

¹Draper Mss., 5QQ97(2).

Castle Hill August y^e 21st 1782

D^r S^r:

The Piles unhappily prevents my having the pleasure of seeing you with the Commissioners, I have wrote & sent them everything that I think will be necessary, Col^o Pendleton writes me that he expects the Court of appeals will in October finish the Companys affairs, therefore hope for the pleasure of seeing you here on your way to Richmond or from Richmond the first day of that month, but if business nor inclination should tempt you down, beg you send the needfull papers with a copy of those surveys that I left with you, of which the field Book is defaced & Plots lost. A report prevails that New York is blocked up by a French Fleet, not confirmed, much dry weather has made our prospect of clover very mean. Pleas to tender my most respectfull Complm^{ts} to your Lady & Family. I am

Dear Sir your most Humble Servant

THOMAS WALKER¹

P.S. I long to see you, Paper is scarce you se by y^e other side of this—

Endorsed:

To Col^o William Preston at Draper's Meadows

Castle Hill May y^e 9th 1783

SIR

The Court of appeals have confirmed all the surveys made for the Loyal and Green Bryar Companys, Probably some of the settlers may be uneasie from an expectation of the agents distressing them—for myself I promise not to distress any man that has acted and continues to act in my opinion fairly, and does make payment in a reasonable time—Col^o Lewis agent for the Green Bryar Company has agreed to do the same—I shall be obliged to you for makeing this my determination known to the Settlers, the composition money and patent fees must be paid in six months, the composition money is six

¹Draper Mss., 5QQ109.

shillings and eight pence for every fifty acres, or any smaller quantity, and if there is fifty six acres Thirteen shillings and four pence, and so in proportion for any quantity The patent fee is Ten Shillings Seven pence half penny for four hundred acres or any quantity under, if more one Shilling Three pence for every Hundred over—

with esteem your H^{ble} Serv^t
THOMAS WALKER¹

Endorsed:
To Col^o Wm Preston
in Montgomery County

DEAR SIR

M^r Pate delivered me your favour of the 7th Inst. The Court of appeals have not done anything with respect to the Grantees.

As to the People demanding their platts & certificates I am willing to indulge them as far as is in my power, probaly they do not know that the law directs that all those plats and certificates are to be laid before the Court of appeals before patents can issue, if any method can be fallen on to indemnify me I shall with the greatest pleasure deliver them up either on the payment of the purchase money or that being properly secured to the Company, the assembly have thought proper to give the People 12 months longer in most cases to pay for the lands, & I expect the matter will be determined in May next but in the mean time will gladly notify them as far as Justice & the Laws will enable me. With compliments to your Lady & family I am

with great respect D^r S^r your affectionate Servt
THOMAS WALKER²

January y^e 17th 1783
[To Col. William Preston]

¹Draper Mss. 5QQ118.

²Draper Mss., 5QQ114.

DEAR SIR

The language I am acquainted with being in my opinion too poor to do justice to your merit I shall be silent on that head.

The present business is respecting the Dismal, the Company having shewed the value of those lands, many are so mean as to wish for what is most undoubtedly their property.

During M^r John Washingtons managing for us, he applied to M^r Cooper the then surveyor, to survey the companys Lands which as I am inform^d he said was out of his power, this was sometime before the late greivus contest began, after that commenced it is well known that part of the country was generally in the enemys possession of course no surveying could be done, since the return of Peace. M^r Robert Andrews has by appointment made the survey, the Company wish to have a meeting and have requested me as an old member & manager to appoint one, your being as old a member & manager and your character being the first at present in the world an appointment from you would in my opinion produce a full meeting, the place & time I submit to your better judgment and convenience, the inclosed list will shew you the place of residence of the different members.

Possibly you may desire my opinion with regard to the time & place of meeting as you have been long employed gloriously in distant parts of the United States, I would not wish you to pay any regard to what is mention on this head unless it coincides with your own opinion.

Richmond espetially during the May assembly will be most convenient to a majority.

Fredericksburg the next most convenient, that will suit your self, M^r Page, M^r Lewis & Thomas Walker.

M^r John Lewis of Fredericksburg informed me that he was impower by your Excellency & his Fathers will to sell the Lands we held in part(n)ership in the dismal to which he wished my concurrence, I am willing to sell & have inquired of some gentlemen from that part of the state into the value, that I submit to you and am willing to take any price for my part that is agreeable to the other Par(t)ners

Your relation is very well and desires her best complements (to) Your Lady, Betsy & self to which pleas ad mine to your

Lady, Betsy & self should be extremely happy to see you both any where but more particularly at this place I am

Dear Sir with the greatest esteem your
 Excellencys most H^{ble} Servant

THOMAS WALKER¹

Castle Hill Albermarle Jan^y 24th 1784

His Excellency General
 Washington

Enclosure of letter, of Jan. 24, 1784

David Jameson for Samuel Gist & self shares	1
David Mead for self & M ^r William Waters	1½
M ^r John Lewis for his Father & Nathaniel Bacon	2
Thomas Newton for Col ^o Tucker & Major Fairly	2
M ^r Man Page of Mansfield	½
M ^r William Nelson & brother	1
M ^r Secretary Thomas Nelson	1
Yourself	1
Thomas Walker & Joseph Hornsby	1

11

David Jameson York
 David Mead near Westover
 M^r Lewis Fredericksburg
 Thomas Newton Norfolk
 Man Page near Fredericksburg
 William Nelson—York
 Secretary Thomas Nelson near Hanover Court House
 Joseph Horn[s]by Williamsburg
 Thomas Walker Castle Hill Albermarle

Mount Vernon 10th of April, 1784

DEAR SIR—

Your favor of the 24th of Jan. only came to my hands by the Post on thursday last—if this letter is as long on its passage to you, the May Session will have ended before it reaches you.

The favorable sentiments you have been pleased to express for me, deserve my particular acknowledgements; and I thank

¹Washington Mss., Library of Congress. This letter refers to the Dismal Swamp lands.

you for your kind invitation to Castle hill; which I certainly shall avail myself of, if ever I should come into that part of the Country. In return, I hope it is unnecessary to give you assurance of the pleasure I should feel in seeing you, and my cousin at this retreat from all my public employments.

I much approve the proposal for a meeting of the Swamp Company, but I pray you to issue the summons, and to name the time and place for holding it. Richmond appears to me to be the most convenient place, but any other, or any time, shall have my attendance when it may be in my power. The first of May I am called to Philadelphia on business of different kinds—how long I shall be absent is uncertain, for it is probable I may make a more extensive tour, which would take much time to perform. I beg therefore that, the meeting may not be delayed on my acct. Whatever Resolutions the Company may come to, shall meet my concurrence.

Enclosed I send you the Copy of a letter from Doct^r Williamson of North Carolina, who is a delegate in Congress, and member of a Company who holds that part of the Dismal Swamp, which lyes South of the Virginia line. I send it, that the proposition may appear before the next meeting of our Company, and be considered by it.

With respect to the private purchase, made conjointly by yourself, our deceased friend, and me, I can only say that I gave my consent to the Sale because Col^o Lewis desired his part to be sold; and indeed, because my own circumstances made it necessary for me to raise money by some such means; but I accompanied that consent with an opinion, that a sale at this time would be premature; inasmuch as that the value of the Lands were not sufficiently known, nor had the spirit of emigration taken place in that extensive degree which was, and is, expected.

In February last at Fredericksburgh, I had an opportunity of seeing and conversing with M^r John Lewis on this subject; when it was our joint opinion that it would be imprudent to precipitate the Sale, before a just value could be obtained—but that it might be proper to advertise the Lands under just descriptions, in the several Gazettes to see if offers equal to our expectations, would be made for them. If you approve of

this measure for the Tracts in which you are concerned, it may be carried into effect along with that of Norfleets, which his father and I had between us in equal Moieties. M^{rs} Washington unites in best wishes for you and M^{rs} Walker with

D^r Sir Y^r Most obed Serv^t

G. WASHINGTON

P.S.

As it is now nine years since I have heard a tittle from the company, or how the affairs of it have been managed, if you would devote an hour for the purpose of giving this information I should receive it very kindly. I should be glad also to receive a copy of M^r Andrews^s Survey of the company's Lands—or, if that would be troublesome, I should be very glad to know what quantity there is of it.

Since writing the above I find (as I mean to send this letter by Post to Fredericksburgh), that I have not time to copy Doct^r Williamson's letter to me, and therefore I give you the original.

G. W—n¹

Col. Thos. Walker

Endorsement:

Doctor Walker in Albermarle

Mount Vernon 10th Ap^l 1785

DEAR SIR,

At the request of the Gentlemen who met in Richmond the day you parted with us, I have requested a meeting of the proprietors of the Dismal Swamp in Richmond on Monday the 2^d day of May next—at which time and place I should be glad to see you as it is indispensably necessary to put the affairs of the Company under some better management. I hope every member will bring with him such papers as he is possessed of respecting this business.

I wrote you a line similar to this, to go from Richmond, but M^r Carter informing me that he is about to send a Servant

¹Original owned by Dr. William Cabell Rives.

into your neighborhood I embrace the opportunity as more certain to give you this information.

I am D^r Sir

Y^r Most Obed^t H^{ble} Serv

G. WASHINGTON¹

[To Dr Thomas Walker]

DEAR SIR:

At our Montgomery February Court a Letter from you together with the Business of the Loyal Company was presented to me by Mr. Breckenridge, but my situation was then such, that obliged me to refuse it, as I had from a purchase of the clerkship of this county so involved myself in Business, that it was impossiable for me to do yours or at least to have given up so much of my time (to?) it, as would have been necessary, to have rendered you any advantage from the collection, therefore thought it best to refuse it, and wrote to you in March on the subject, but as the letter was lodged at Mrs. Ingles's for a conveyance I am lately informed they do not (know?) what became of it, I am rather dubious it hath never reached you. Let me again assure you, that it was from this motive only, and not for want of respect, (as I have the highest esteem for you, not only from the character always given you by Col. Ingles, to me, but from the small acquaintance I have had with you myself, that I did not receive the Business, as I can Assert to you from a perticular enquiry, that a collection of the company's money is not to be made, by half any person's time, but will require close application Industry and perseverance, a spirit of Rebellion still appearing amongst the people, which I thought had vanished when at your house in August last. The Book you wrote Capt. Preston to Deliver me I received, and have had Three of Tracts therein mentioned Resurveyed, but as Capt. Preston will not Receive 'em into his office, I do not know what to have done with ye plotts, the Lands we Tryed agreed exactly with your mem.^o the Distance Severally within half a pole in each line, and never in the longest course varied more than one length of the chain,

¹Original owned by Dr. William Cabell Rives.

In short I never Wast round such neat and exact Surveys in my life, I had to pay for the Three Surveys £4.17.6 and in order to do it had to give one McFarland who lives on Wolf creek whom the Surveyer swaped Houses with a Rec.^t for £5. in part of his Debt to the loyal comp.^y. for Lands on Wolf Creek. the 2/6 I am Debtor for. M.^r John Montgomery sen. Desired that you might be informed he wants a title to some small Tract of Land that lies between fort chisswell and Reed creek of about 100 acres and is ready to pay the money to any person you will Direct. If you think proper to Trust M.^r Shaw for the sum mentioned in the within enclosed Letter from Mr. Newell to me, and he pays me the money as soon as he there promises I will send it down by my Brother at the fall session of Assembly, with instructions either to contrive to you, or apply it in (any) other manner you shall in the enterim direct—which I daresay he will do as Capt. Newell is a Trafficing man, and believe pretty punctual. I cannot help mentioning again to you that I hope you will take no exception's at my refusing your Business, as from the many great and signal services you have done a Family with whom I'am nearly connected, I would not willingly Disoblige you. and Flatter myself that you will still Esteem me your Friend, you may assure yourself I will do you any Services in the County within my power and hope (you) will comman me you'l please excuse the imperfection's of this letter as I write in great Haste, Mr. Shaw the bearer having call'd late, and says must start very early.

I am Dear Sir with the highest
Esteem in haste your m.^o ob.^t
ABRAM TRIGG¹

June 17th 1785

[To Dr Thomas Walker]

Fredericksb^g: Oct: 30th. 1786

D^s SIR—

I rec'd your favour appointing a meeting of the Members of the Loyal Company at Richmond the 7th of next month—I

¹Original owned by Dr. W. C. Rives.

thought then, my public Duty wou'd make it very convenient to attend, but I have been so unwell as not to be able to give any attendance this session of the general Court, and I yet continue in so low a way that I am forbid to leave home by the time appointed, besides one of my children is lately taken with the putrid sore throat which evinces the disorder to be endemick, consequently I am more likely to have the Seeds of the Disorder in me than a person in Health, I therefore can not think of leaving home, before I am sure I am free from infection from the air of my sick Daughter—I have however written by this Conveyance to my Friend Mr. Harrison of Richmond requesting he will attend for me & be assured Sir what ever he shall do in this business shall be complied with on my part—I am fully invested with every Interest of the late Messrs. Dicks by their wills of record in the Court of this Corporation, and I am sorry to add that the Debts of the old Gentleman require more than all his Estate real and personal, so that his interest in the Loyal Company must be turned into Cash as soon as may be, as I am a stranger to the affairs of the Company may I request the favour of you to furnish me with a minute detail of them that I may know how to act, shou'd it be inconvenient to you to give me this Information by Le^r your communicating them verbally to my friend Mr. Harrison who will give them to me in writing will be the next best mode.

Mr. Maury lately mentioned to me a message he had from you to me respecting 200 acres of land the property of the late Mr. C. Dick . . .

Your most obed^t & very humble Serv^t

J^s

MERCER¹

James Mercer

{ *Addressed*
 Doctor Thomas Walker
 of Albemarle
 Recommended to the Care of
 B. Harrison Jun^r of
 Richmond }

¹Original owned by Dr. W. C. Rives.

Monticello Jan 18. 1790.

DEAR SIR

The principal object of the settlement of the administration of my father's estate being to make a final settlement between my brother and myself, to know what debts remain due from the estate & by whom they are to be paid, what monies are due to it & by whom they are to be received I have proceeded with that view to consider the papers which yourself & Mr Nicholas were so kind as to send the other day. the accounts of Kippen & co. needing some corrections & explanations which mr Nicholas alone can probably give, we have concluded to go to his house the day after tomorrow, that being the only day which my short stay here & my engagements will permit me to go from home. but there are several points upon which we must ask yours & mr Nicholas's opinions, which will be decisive for us where they concur, & have you differ[ent] we will take a middle term.

1. during a part of the time that I was a student in Williamsburg my expenses were greater than they ought to have been. it was therefore agreed that they should be paid by the estate, but that I should repay so much as they exceeded what they ought to have been. mr. Harvie has left a statement of my expenses during the period objected to; it comprehends those of the years 1760.1.2.3. being exactly the four years I was in Williamsburgh, two of them at the college, and the other two a student under mr Wythe. will you be so good as to say what ought to have been my reasonable expenses, during that term, all circumstances considered, which together with mr Nicholas's opinion, shall fix the balance I am to allow the estate on that article?

2. I remember that at the division of my father's estate two of my sisters portions had been paid, and if I do not forget it was said there was near money enough ready for two more, but, what I am sure I do not forget, was a determination of the gentlemen executors then present that, in consideration that I was then of full age, and my brother an infant only of 10 or 11 years old, I should be required to raise one portion only & his part of the estate was to furnish what else was unraised at that time: it was further agreed, as an easement to me, that mine

should be that of the youngest child, my sister Nancy. this has been so often spoken of among us on subsequent occasions that I apprehend we all remember it well enough; yet as it makes an article in the settlement between my brother & myself, I will ask the favor of you to say if it was, or was not so.

3. no explanation I think has ever taken place as to the maintenance of my sisters. The will directs that this should be 'out of the clear profits of the estate.' do you think that this means the clear profits till each of us came of age, and that it would be only for a deficiency of these that each should be liable after he came to his estate at full age? or do you think that the part which had a proprietor of full age to maintain was meant by my father to contribute as much to the maintenance of the family, as the part which had only an infant of 10 or 11 years to maintain? in this case the one would receive his estate with a 10 years burthen, and the other would receive his clear, and with an accumulation of ten years profits. if the latter be thought the most reasonable, then it becomes necessary to say what were the expenses of maintenance. I know but two ways of ascertaining them. 1. by a statement of what they were actually. the principal part of them are in yours & Kippen & co.'s accounts: yet on examining those accounts with a view to this it does not appear to me possible to separate with any degree of certainty the articles which were for my sisters. but you are the best judge whether you could do it in your account, and whether it will not be more impracticable in that of Kippen & Co. whose several factors & storekeepers are out of the country or out of being. the 2^d method would be to estimate what they have been probably by the year. this might be according to their ages, or by an average for every age from 11 to 21 years. there is an estimate in mr Harvie's handwriting of what he supposed they would be. this can be collated with yours & mr Nicholas's opinions & a result formed. the article of their board may be stated separately & with certainty because there was an agreement between the executors and my mother, that she should receive £6. for each of the younger & £10. for each of the elder, by the year. this was in January 1760. when her part of the estate was laid off in severalty. perhaps a middle sum of £8 might do for all ages.

4. there is a charge in your account of £200. paid to D. Carr Aug. 16. 1769. and in Kippen & co's account £100. in May 1770. was this last an over-payment or for what?

5. in your account there is credit for the £200 paid you by A. McCaul March 1761. and £220. by the same in Dec. 1764. but not for the payment of £200. which appears to have been made you Aug. 31, 1766. by mr McCaul's and mr Nicholas's accounts perhaps you might forget to enter this, or have accounted for it elsewhere.

I hope you will excuse the trouble I give you with these particulars when you see the impossibility of my brother & myself finishing this business without the aid of yourself & mr Nicholas on these points, and when it holds out the comfortable prospect that it is the last addition we shall have to make to the too much trouble you have already had with the affairs of our father. to incommode you as little as possible the bearer has orders to wait your perfect leisure. I have the honour to be with the most grateful sense of your favors & sentiments of the most perfect respect & esteem Sir, your most obedient & most humble servant.

TH: JEFFERSON¹

Annotation:
Mr. Jefferson
to
D^r Walker
Jan. 18th 1790

TO DR. THOS. WALKER

Monticello Jan. 25. 1790.

DEAR SIR

My brother & myself having had a final settlement of our affairs with mr Nicholas in behalf of the estate, it may be satisfactory to you to know on what principles it was done.—I proposed to mr Nicholas at once, & without making any question of it, that I would take on myself one half the maintenance of my sisters from my father's death. the result was as follows:

¹Original owned by Dr. W. C. Rives.

Balance of my acct against the estate (portions & maintenance not included)	£50 458-0-0
Half the maintenance of my sisters	392-1-0½
A. S. Jefferson's portion paid by me	200-0-0
Half the general balance against y ^e estate when R. J. came of age	73-2-6¾
	<hr/>
	1023-3-7½

add to this a moiety of the interest to be p^d on your acc^t. this forms the burthen with which I received my estate when I came of age, which has all been paid by me, except the last article of interest. My brother has only to pay one half the general balance against the estate, viz. £73-2-6¾ with the other moiety of your interest which constitutes therefore the whole burthen with which he received his estate when he came of age.

The maintenance of my sisters (viz. board, cloath^s. teach^s &c) was settled in a gross sum at £16-6-1 a year each till they attained 14 years of age

and £33-2-6 a year from that age till 21 or marriage. so that I allowed the estate the following articles. viz.

One half the board, clothing &c of my sisters	392-1-0½
A. S. Jefferson's portion in full of all the portions	200-0-0
Balance of expenses of my	
education	£ s d 125-13-11¾
books paid for by Dr. Walker	41-15-2 167-9-1¾
	<hr/>
	£759-10-2¼

Having paid a sum in gross for the articles of maintenance, portions, & my own education, I had nothing more to do with the details: these belonged of right to my brother, wheresoever dispersed: in fact they were all included in your acc^t mr Nicholas's, and Kippen & co's. these accounts therefore were merely his, to be aided only by a balance due from me of £133-15-2¾. the £212-0-10 paid you, had discharged this balance, and had overpaid it £78-5-7½ however I agreed to give up this overpayment, and further to take on myself half the interest due to you, tho' it is evident that it is paying a second

time in detail, what I had already once paid in gross. I knew that my brother's circumstances required indulgence, and was unwilling that advances made by you for the whole family should be delayed after it was signified that further delay would be inconvenient.

You will observe that we were obliged to state hypothetically the two articles of your account mentioned in my letter of the 18th instant: to wit the omission of credit for the £200 charged by Kippen & co. & mr Nicholas to have been paid to you Aug. 31. 1766. and your charge of Aug. 17. 1769. paid to D. Carr £200. which we think may be an error for £100. the first time I saw mr Carr after the loss of my books by fire, which was the Feb. following this payment, & when it must have been recent in his mind, he told me he had still one hundred pounds in the hands of the executors for which he had no immediate call, & which was at my service. I accepted the loan of it, we went to mr Nicholas together who gave us the order for it on Kippen & co. this shews that both mr Carr & mr Nicholas understood that your payment of the August before, had been only £100. I inclose you a copy of mr Carr's account against me, the original of which is in his own handwriting, which shews you his sense of the matter. but I presume the receipt you took from him will clear up the whole. I have allowed this £100 to his estate in an account on which there is little or nothing due, so that in the end it will be no debt of ours, should mr Carr have received so much more than he ought. in like manner Kippen & co. have received from the estate the £200 they have charged as paid to you in 1766. of course, if wrong, they must refund. so that the balance purely due from the estate to you was £201-2-6 (or rather £199-18 on account of the error of June 22 1765. in your account) and the interest due on that, against which is to be discounted my payment to you of £212-1-10 Sep. 1787. be so good as to let me know by the return of the bearer the amount of the interest on this *our balance*, and I will have my moiety of it immediately paid according to the order I have received from mr John Walker. I return you your account for which I had given a receipt to mr Francis Walker, and send also a copy of our final settlement, if we can have the two doubtful articles settled before my departure it will be

very pleasing to me. I have the honor to be with sentiments of the most perfect esteem and respect, Dear Sir

Your most obed^t
& most humble serv^t
TH: JEFFERSON¹

P.S. Jan. 27, 1790. I have seen mr Lewis since I wrote the preceding, & he tells me the balance of our separate private acc^t has not yet been paid you. we will assuredly have this payment made as soon as the tabaccoes on hand are sold.

March 13. 1790.

D^r SIR

M^r Rich^d Jones, son of Rich^d, this day called on me & informs me that you Said you had left in my hands his proportion of the money you had received for the Loial Company, as settled in April 1775. I suppose him to have mistaken you, & that you only meant that you purposed to pay it out of the Ball^a due to the Company from M^r Robinson's Estate; since I have examined our Accounts & find that I received none but my own part. I was in hopes we should have been able to have paid that Ballance, as the Court of Charcery have decreed Us about £1400 to be pd by the Public for the rest of the Mines; but the Assembly has charged the Payment upon the Aggregate Fund, which is unproductive & the Warrants thereon sell at a loss of 6% in the pound, w^{ch} is too great to bear, & we must wait 'til they can furnish a better. Out of this money we mean to pay the Ballance, as soon as We can be in Cash; and if you mean that M^r Jones shall be paid out of that money, you'l give him an Order on the Admor^s of M^r Robinson; w^{ch} shall be honoured out of the first money we receive for that demand.

How do you & good M^{rs} Walker this longtime? my best wishes attend you both I am

D^r S^r
Y^r Aff^e & Ob^t Serv^t
EDM^d PENDLETON²

¹Original owned by Dr. W. C. Rives.

²Original owned by Dr. W. C. Rives.

New York June 23, 1790

DEAR SIR

I have duly received your favor of June 7. and really wish it were in my power to give a satisfactory opinion as to what should be done relative to the grant of lands therein mentioned: but my absence and attention to other subjects have rendered these so little familiar to my mind that I am not competent to advise in them. if I recollect rightly, mr Mason's land was intended by him to lay asleep all Western claims which were not within the descriptions inserted in the law, or which should not comply with the conditions then pointed out. if this grant is saved under these descriptions or conditions I should imagine a caveat would secure what others have located on them, & that for the residue the Register could refuse his receipt if they are not saved by those descriptions or conditions. the assembly alone can relieve, and the power will not remain with them but till the independance of the Western country shall be acknowledged. thus, you see, sir, I have nothing but hypothesis & conjecture, instead of advice, to offer. the gentlemen of the law within our state can decide it on better grounds.

Our last advices from Europe shew an extensive war in the North of Europe certain, & render one probable between England and Spain, in which it is probable that France also would engage. I hope that peace and benefit will be our lot. perhaps it may dispose both powers to accomodate us in the affairs of the Western grants and the Mississippi.

Accept my cordial wishes for your health and happiness, and assurances of the sincere esteem & respect with which I am
Dear Sir

Your friend & servant

TH. JEFFERSON¹

Mr Daniel Smith is appointed Secretary of the territory South of the Ohio.

Caroline Sep^t 18th 1790.

D^R SIR

I have been very anxious to have the Ballance due to the Loyal Company from the Lead mine company paid that a Conveyance

¹Original owned by Dr. W. C. Rives.

from you might be executed for enabling Us to wind up that affair which is in the Court of Chancery; and had hoped that a recovery M^r Robinson's Adm^{rs} obtained in that Court ag^t the Public for rent of the Mines (the only fund we could properly apply to y^r Paym^t) would have enabled us to make it immediately, but behold the assembly (from whom I know not where to appeal) have sent us to the Aggregate fund for satisfaction, the Warrants for which produce at Market only from 16 to 17/ in the £. The admors not chusing to risque being privately charged with the loss, have proposed to the Creditors to take about one third of their demands in these Warrants, & the residue in Specie, which such as we have seen or heard from have accéded to, & would our Specie Assetts afford that proportion, I believe we should find no difficulty in so disposing of the whole Warrants; but as they will not, & I wish you to be paid, I hope you will come into the terms, in which case if you will, make out the Account & send it by your son to the Assembly, with an order for payment to him, he shall have the Warn^t & money during the sitting of the Court of Appeals in Nov^r if not sooner. To wind up this old affair wth a small loss of 20, or 30 out of the Interest, or by a little management with Sherifs in Arrear to make the Warrants of full value, seem to me preferable to leaving things in their present state of Suspence, & as a member of y^r Company, I give my consent and Opinion in fav^r of y^r accepting the terms.

Whilst I am on the subject of that Company pray what is to become of its affairs with their Western Settlers? Have we any prospect of getting anything, or was the cruel law, which released them from forfeiture on Nonpayment, the death Warrant to Our Hopes? Inclosed is a letter to M^r Sam^l Lewis in Answer to two I formerly reced from him for my advice how he should Act for the Greenbrier Company, in which M^r Robinson was Interested. I have left it Open for your Perusal, & if you find leisure, I will thank you to accompany it with y^r thoughts on the subject as the two C^{os} are much in the same situation. I am told since I wrote that M^r Lewis unfortunately is incapable of business, if so, you'l please either to return the L're to me, or forward it to his Brother at Staunton, who does business for him, as you think best. I much want to see you, & hoped to

have been able to make a Viset to my friends in Orange this fall, from whence I would most certainly have visited you, but am disappointed. Our best respects to M^{rs} Walker, I am with unalterable regard

D^r Sir

Y^r Aff^o & mo. Obt. Serv^t
EDM^d PENDLETON¹

Endorsed: Thomas Walker
in Albermarle

Mount Vernon 10th Oct. 1797

DEAR SIR,

In answering your favor of the 28^{ht} ult^o which has been duly received— I wish it was in my power to give you more satisfactory information than you will find, in this letter, relative to the lands near Suffolk.

Some years ago (before, if my memory serves me, I was called to administer the Government of the States) M^r John Lewis, as Executor of his father, Col. Fielding Lewis^s Will, informed me that the circumstances of that estate required that his father's interest in the lands w^{ch} were bought by him, your father, and myself, lying as above, should be sold. In reply, I told him that any bargain for it that Doct^r Walker & himself would make, I would abide by.—Since which I have never heard a tittle from either, on this subject—nor do I know in whose possession, or under what circumstances the lands now are.—That they are not sold I am inclined to believe, because the title papers are still in my care, and no application has ever been made for them.—

These, from a cursory examination, appear to be from.	acres
Jos ^h Jones to G. W-T.W. & T. L. for 2 tracts	872
Ja ^s Wright— D ^o D ^o D ^o	50
Step ⁿ Wright— D ^o D ^o D ^o	100
Kings Patent— D ^o D ^o D ^o	188

Total 1210

I thank you for offering to sell me your interest in the above lands, but I have no disposition to become the purchaser, having

¹Original owned by Dr. W. C. Rives.

lately sold my share of the Company's property in the Dismal swamp, and formerly a tract adjoining thereto, held by the deceased Col. Lewis & myself; I shall be willing, however, at any time, to join you & M^r John Lewis in disposing of them to any other purchaser—With esteem and regard

I am Sir

Your most Obed^t H^{ble} Serv^t

G. WASHINGTON¹

Francis Walker Esq^t

Endorsed:

Francis Walker Esq^t

near

Charlottesville

G^o Washington

¹Original owned by Dr. W. C. Rives. Francis Walker was the son of Dr. Thomas Walker.

Copyright of Proceedings of the American Antiquarian Society is the property of American Antiquarian Society and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.