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Magazine of the

Jefferson County Historical Society

Volume LXXXVIII
December 2022

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Magazine of the

JEFFERSON COUNTY HISTORICAL SOCIETY



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"History by apprising them [citizens] of the past will enable them to judge of the future; it will avail them of the experience of other times and other nations; it will qualify them as judges of the actions and designs of men; it will enable them to know ambition under every disguise it may assume; and knowing it, to defeat its views."

Thomas Jefferson, Notes on the State of Virginia, Query 14, 1781

"It is history that teaches us to hope."

Robert E. Lee, letter to Charles Marshall, 1870

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JEFFERSON COUNTY HISTORICAL SOCIETY

Organized May 21, 1927

To identify, present, preserve and promote the history of Jefferson County

www.jeffersonhistoricalwv.org

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PUBLICATIONS

One copy of the Magazine is mailed to each person with a paid membership. Back issues, original or reprint, may be obtained by sending a check or money order to:

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1935-1964 $20 ($23 PPD)
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GEAR

Hats $20.00 ($23.00 PPD)
Shirts $30.00 ($33.00 PPD)

EDITOR'S NOTE

Everything is pretty much back to normal here in Jefferson. Still some mask wearers around but each to their own. Importantly, the picnic is back.

We have two very interesting articles this year. They are both long, but I think you will find them to be very informative.

The first is a continuation of the Bedinger/Washington chronicles from a member of the family. It recounts the experiences of the Bedinger brothers who fought in the Revolution and on the frontier.



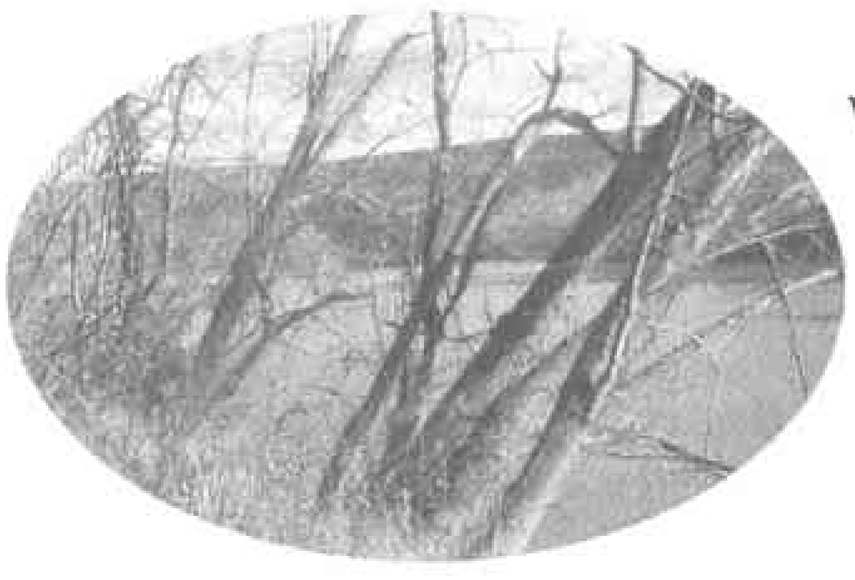
Next is also from a previous author and it is about a little-known early settler who established an ordinary here. As always, you will recognize a lot of early names.

This is my last magazine. I have been the editor since 2007 and it is time to pass it on. I do not know who the new editor will be but he/she can be contacted through the Society website.

What will bother me the most are the mistakes that I did not catch, which will be there forever. I have enjoyed doing it and now I can spend more time digging War Between the State's relics out of Jefferson's dirt.

Confession: If you have the 2009 issue look at page 124, bottom photo slightly left of center. You can see that an armed Captain John Brown was at the annual picnic, appropriate for the John Brown issue. And it is at the Allstadt house where his men captured Mr. Allstadt and his son and freed seven slaves in 1859.

Progressive in Martinsburg has been a great printer. David has done the formatting for five years and has been terrific. He is responsible for the professional appearance for which I get the credit. Finally, a thank you for the authors that have made it all possible.



I am a life member of the Society so I will see you around.

Jim Glymph,
at home on the Avon Bend
of the Shenandoah River

Brothers of the Revolution

M. S. Doug Bedinger

"Breathes there a man, with soul so dead,
Who never to himself hath said,
This is my own, my native land!"

The Patriot
Sir Walter Scott

On the 14th of June 1775 the Continental Congress called for companies of expert riflemen to be raised to join George Washington's Continental forces at Boston. Captain Hugh Stephenson of Berkeley County[1] was authorized to recruit a rifle company of 100 young and athletic men. The brothers Henry and George Michael Bedinger readily enlisted for a year in Stephenson's company. The recruits were skilled sharpshooters with their long flintlock rifles. In addition to Stephenson's company enlisted in Shepherdstown, a company was organized by Captain Daniel Morgan of nearby Winchester. Two companies were formed in Maryland and six companies were organized in Pennsylvania.

At first glance, it might seem incredible that 100 young men from Shepherdstown, a small hamlet on the frontier would at the first call abandon their livelihoods and take up arms to fight the mighty British, the force that had been the sovereign governing power for all their lives. George Michael, Henry and the other volunteers had without doubt heard of the passion fomented by Patrick Henry when he exhorted to his fellow colonial patriots at the Virginia Convention of March 23, 1775 "Give me liberty or give me death!" Shepherdstown was on a principal trade route and at a well-used Potomac River crossing, Pack Horse Ford. News was not relayed rapidly but it was conveyed surely and the villagers had heard about the Boston Tea Party, decrees of the crown raising their taxes, British Governor Dunmore's proclamation of martial law, and the British Parliament's claim of supreme authority over the American colonies. Unrest between the colonists and the British had been brewing for some time. Samuel Washington, in 1775 a resident of Berkeley County, and three of his brothers were among the signers of the Westmoreland Resolutions of 1766 pledging to prevent the execution of the Stamp Act.

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1 What is now Jefferson County was part of Berkeley until 1801.

Measures taken by the British were heatedly debated in the homes, taverns and in the Virginia House of Burgesses.

There was some delay in outfitting the Berkeley County volunteers with rifles which were made by the gunsmiths in Shepherdstown. Henry, years later wrote to the son of one of the volunteers, Samuel Finley.[2] "In the near time your father obtained from the gunsmith a remarkable neat light rifle the stock inlaid and ornamented with silver which he held until compelled as we were all of us to ground our arms in surrender to the enemy of the 18th day of November 1776."[3]

Continuing with Henry's letter:

> In our company were many young men of considerable fortune who generally entered from patriotic motives. A few days before we left Shepherdstown, Captain Stephenson and the other officers found it necessary in completing the organization of the Company to select four sergeants and insisted the Company should elect them from among themselves – to this the Company agreed. Your father was elected as 1st sergeant almost by acclamation. William Kelly stood next, Josiah Flagg 3rd, and me 4th. These small commissions were at the time not thought of much consequence, but it had in the end considerable bearing in the line of promotion the year following... A set of Corporals were also elected and had a like preference the year following.
> Henry's brother, George Michael, was elected corporal.

Bee-Line to Boston

> Thy Spirit, Independence let me share,
> Lord of the Lion Heart, and Eagle Eye,
> Thy steps I follow, with my bosom bare,
> Nor heed the storm that howls along the sky.
> From a patriotic song, 1775,[4]

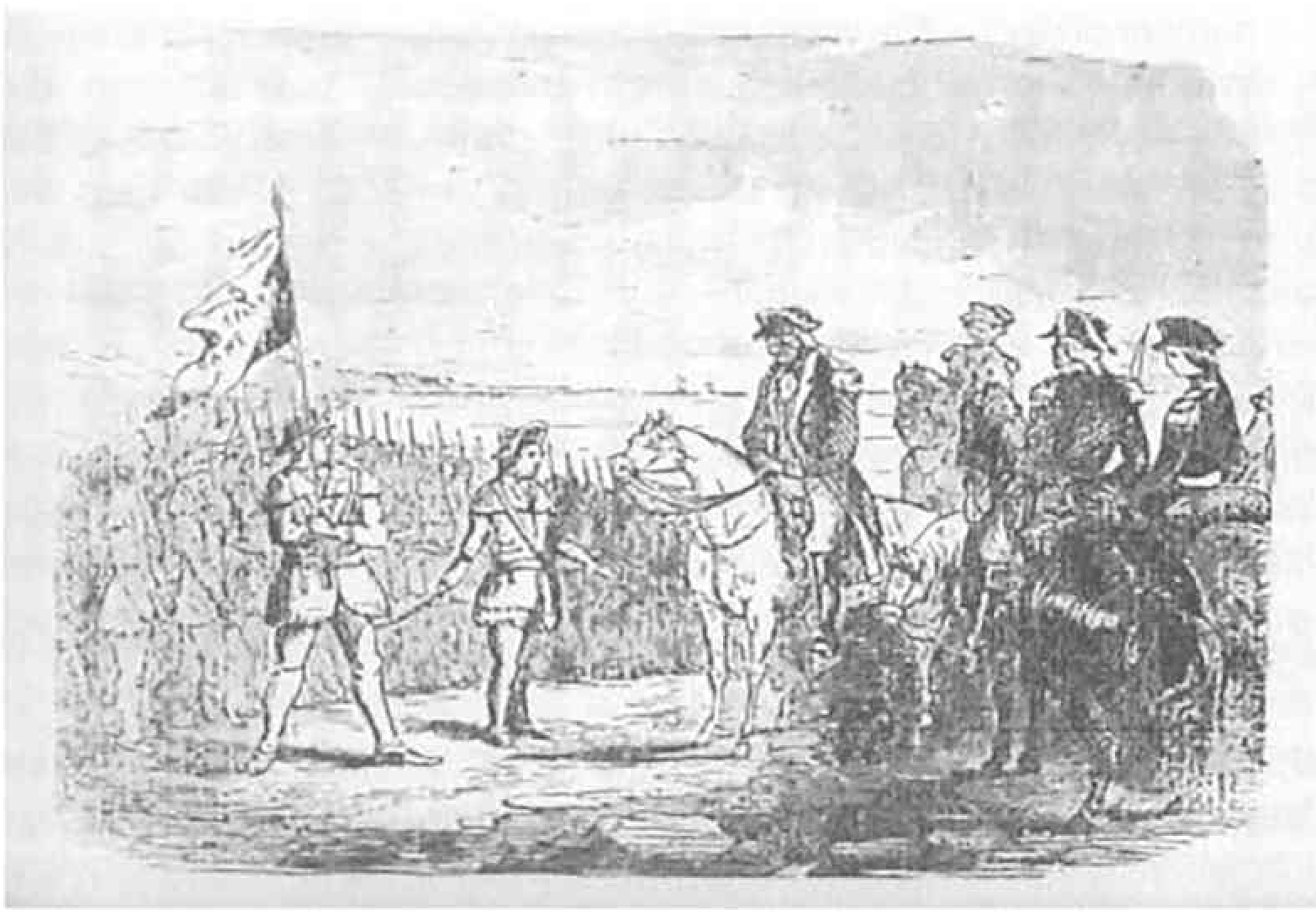
The volunteers were ready to move out and join General Washington at the siege of Boston. On June 10 the riflemen gathered for a barbeque

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2 Letter of Henry to the son of Samuel Finley in Bedinger and Dandridge Family Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University, Durham, North Carolina.

3 Henry is referring to the surrender of the American forces at Fort Washington, New York.

4 This refrain of a patriotic song was found among the papers of George Michael Bedinger in the Draper manuscript collection, Danske Dandridge presumed it was written by George Michael Bedinger



General Washington reviewing the Bee Line March arriving in Cambridge.
By Alexander Boteler

given them by their friends and neighbors at Stephenson's spring. When they were about to disperse someone proposed that they should rise, and join hands in a pledge to meet again on that same spot, as many as should survive, on that day in fifty years. On 17th of June 1775 they set out making a "bee-line to Boston," a long and hazardous journey of 600 miles through sparsely populated country.

Here is continued the letter from Henry to the son of Samuel Finley:

> Captain Morgan met with equal success at Winchester and raised a most noble Company. His Company was also detained for want of arms. When these obstacles were removed it was agreed together that Stephenson, who was the senior officer should cross the Potomac River at Shepherdstown and Morgan at Harpers Ferry, meet at Frederick Town proceed together to headquarters at Cambridge. Morgan however crossed the day before us on the 15th July did not stop or wait for us at Frederick, but continued with every possible speed to Cambridge.
>
> Morgan having the start, we used every exertion to overhaul him in vain. Although we marched (always in single file) from 30 to 36 miles a

number of days, -- the weather being excessively warm and the distance very little short of 600 miles, a pretty trying scene to young men who had never experienced such persevering fatigue. Ninety-eight of our Company arrived at Camp on the 9th August. One of our men was accidentally wounded in the leg by a wad and another sick, both were left on the way.

Henry kept a journal each day of the march to Boston.[5] When they reached the Conewago Valley in Pennsylvania the company refreshed themselves at a tavern while the Bedinger brothers dined with their uncle, Nicholas Biettinger,[6] their late father's elder brother, and his wife Maria. Nicholas was busy raising and equipping at his own expense a volunteer military company which he would command as captain.[7]

Upon reaching headquarters of the army at Cambridge, Captain Stephenson's company was reviewed by General Washington. George Michael recalled his first encounter with the Commander-in-Chief: "It was near Cambridge College that our outfit first saw him and presented their arms to him as he slowly rode by us looking attentively and affectionately at the soldiers from his native state. When he shook hands with our captain, it was said they both shed tears."[8]

The rifle companies from Virginia, Maryland and Pennsylvania swelled the Continental forces at Cambridge by 1400 men—described by Washington Irving in his *Life of Washington* as stalwart fellows, hunters and bush fighters; many of them upwards of six feet high, and of vigorous frames; dressed in fringed frocks, or rifle shirts and round hats. Their displays of sharpshooting were soon among the marvels of the camp.

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5 Diary of Major Henry Bedinger of Jefferson County, W. VA., from July 17, 1775 to May 24, 1776. This diary in 1957 was owned by Colonel Henry B. Davenport, of Charleston West Virginia. A copy of the diary is in the archives of Shepherdstown University Library, Shepherdstown, West Virginia. The diary was printed in Dandridge, Danske, 1910, Historic Shepherdstown, The Michie Company, Printers, Charlottesville, Virginia, 389 p., p. 97-104.

6 Nicholas' name was spelled Biettinger, later Bittinger. Most of Nicholas' children spelled it Bittinger, except one who chose Bedinger.

7 Levin, Alexandra Lee, 1995, For A Brave America the Bedinger Brothers in War and Peace, 1775-1843, Shamrock Hollow, John Day, Oregon, 215 p., p. 6.

8 From Bedinger and Dandridge Collection, Duke University and Lyman Draper, George Michael Bedinger papers. quoted in Levin, Alexandra Lee, 1995, For A Brave America the Bedinger Brothers in War and Peace, 1775-1843, Shamrock Hollow, John Day, Oregon, 215 p., p. 10.

Siege of Boston

Within a month after joining Washington's forces, the Virginia Company was ordered to join the forces at Roxbury on the front line of the siege of Boston. The militia was within artillery range of the British who intermittently fired cannon shots into their vicinity. Henry and George Michael were stationed in an abandoned house where Henry records that cannon balls fell close by and one came through the house. He noted in his journal that it seemed somewhat frightful at the time since no one of the company was used to hearing cannon firing or being within range of cannon shot.[9]

These hardy young riflemen were at first called by the British regulars "a rabble in calico petticoats" as a term of contempt. Their uniform consisted of tow linen or homespun shirts, buckskin breeches, leggings, and moccasins. They wore round felt hats, looped on one side and ornamented with a buck tail. They carried long rifles, shot pouches, powder horns, tomahawks and scalping knives. They soon proved themselves to be superior marksmen; armed with their accurate rifled flintlocks they could pick off British sentries at distances that astounded the redcoats. The British, armed with smooth bore muskets that were notably inaccurate even at close range, turned from scoffing them to fearing and hating them as they feared and hated no other troops. The British soldiers soon learned not to carelessly expose themselves when serving on sentry duty.

British troops had been under siege at Boston since the war had come with the armed conflicts at Lexington and Concord near Boston, then continuing with engagements at Breed's Hill and Bunker Hill on June 17. The British did have access to and from Boston by maritime routes. But, with delays in communicating and transporting reinforcements and supplies across 3,000 miles of ocean, the bottled-up British troops were running short of food and supplies. When word reached King George of the state of the rebellion in the American Colonies, the English Cabinet hurriedly dispatched 2,000 reinforcements to Boston with resolution to have an army of 20,000 regulars in America before mid-1776.

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9 Dandridge, Danske, 1909, George Michael Bedinger, A Kentucky Pioneer: The Michie Company, Printers, Charlottesville, Virginia, 389 p., p. 105-107.

Henry recounts in his journal the building of defensive positions, desertions of the British soldiers, injuries sustained by cannon balls shot at the Americans, American raiding parties, skirmishes with British troops, and trial and punishment of soldiers who broke laws and regulations. Captain Daniel Morgan's Company was ordered to Canada, where at the siege of Quebec, Morgan and most of his company were taken prisoner.

The placement by the Continental soldiers of the fortifications at Dorchester Heights, with artillery brought to Roxbury by General Knox from Fort Ticonderoga, is related in Henry's journal. The fortification at Dorchester Heights placed British fleet movements and shipping to and from Boston at great risk. British General Howe decided to withdraw from Boston and agreed not to torch the city if the Americans allowed the British ships to pass unmolested past Dorchester Heights. And so in March of 1776 the British ships departed Boston harbor carrying the British forces and many American Tories that had sought protection by the British in Boston. By forcing the British retreat from Boston, the Americans achieved a great victory at the siege of Boston.

Holding Staten Island

General Washington, thinking that General Howe would take his troops to New York, immediately marched the whole battalion of riflemen at Roxbury to New York where units of the Continental Army had been building fortifications. The Virginia Rifle Company, with Captain Stephenson's Company, was ordered to New York, marched over Kingsbridge arriving at New York on March 28. On March 30th Henry records that five American regiments arrived and were stationed on Staten Island. The British Ship *Asia* with troops and artillery and a few other ships were anchored off Sandy Hook, New Jersey within view of the Continental soldiers on Staten Island.

Among the inhabitants of Staten Island were many Tories some of whom worked and cooperated with men of the British ships. Tories caught by the Americans dealing with the British or known to bring the British accounts of the Continental soldiers' positions were captured and sent to prison with British captives. Though there was no general engagement with the British, there were frequent skirmishes. In one incident of which George Michael tells, he, Henry and a dozen others of his company captured thirteen British soldiers who had come ashore from the *Asia* to

get water at a fresh-water spring on Staten Island.[10] The Virginians placed a strong guard on the watering place to keep the British from restocking their supplies. Henry noted in his journal that on the night of April 8th four deserters from the *Asia* brought accounts that the Captains of the British ships were very much exasperated with the Continentals and swore vengeance upon us.[11]

In March 1776 General Washington, knowing that Captain Hugh Stephenson's Company would soon be completing their tour of duty, wrote to the President of the Continental Congress recommending Captain Stephenson of the Virginia Riflemen be made Lieutenant Colonel of a new rifle battalion. Henry was recommended by General Washington to serve in Hugh Stephenson's new Rifle Battalion as Third Lieutenant. Henry's journal entry of May 24th, 1776: "Rec'd Orders My Self to proceed homewards, &c."[12] After returning to Shepherdstown, Henry was active in recruiting riflemen for the new battalion.

George Michael and Joseph Swearingen[13] were expecting a general engagement with the British and desirous of participating. They volunteered to remain for a time on Staten Island. Their extended tour was soon to be interrupted by the arrival from Halifax of General Howe's fleet transporting 9,000 men. On the second day of June, Howe's fleet dropped anchor at Sandy Hook. A few days later General Howe's troops in smaller vessels landed on Staten Island and established a base. The British began scouring the island for rebels. George Michael and Joseph Swearingen were among a few Continental soldiers on Staten Island. Pursued closely by the British soldiers, George Michael and his friend

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10 Draper, Lyman, The George M. Bedinger Papers, Volume 1A of The Draper Manuscript Collection in the Draper Manuscript Collection, Transcribed and Indexed by Craig L. Heath, 2002, Heritage Books, Inc., Bowie, Maryland, p. 85.

11 Dandridge, Danske, 1910, Historic Shepherdstown, The Michie Company, Printers, Charlottesville, Virginia, 389 p., p. 139.

12 Diary of Major Henry Bedinger of Jefferson County, W. VA., from July 17, 1775 to May 24, 1776.

13 Joseph Swearingen was the brother of Benoni Swearingen, one of George Michael's closest friends. Joseph Swearingen enlisted as a private in Captain Stephenson's Company, rose to the rank of Lieutenant in the 12th Virginia Regiment, later designated the 8th Virginia Regiment. He commanded a company of the 12th Virginia Regiment. He was promoted to Colonel and served for eight years. He was taken prisoner in Charleston, 12 May 1780 and was prisoner until the end of the war. Reference: Whyte, Karel L., 1997/1999, Swearingen/Vanswearingen and Related Families, published by the author, 417 p. and Index.

made their escape to New Jersey in a small skiff. In their haste to get away, George Michael and Joseph left behind their baggage and blankets. Safely in New Jersey the two soldiers made their way to the rifle company of George Michael's uncle, Nicholas Biettinger, stationed at Amboy where they stayed a short time. While there, George Michael volunteered to join an attack on a British vessel but the vessel left the coast before the plan was executed.

While George Michael and Joseph Swearingen were on Staten Island, the Second Continental Congress was convening in Philadelphia. On the 7th of June, Richard Henry Lee, Virginia delegate to the Congress, proposed the resolution for independence of the colonies, which had been endorsed by the Virginia Assembly. On July 2, 1776, the Second Continental Congress voted to approve the Declaration of Independence and it was ratified on July 4, 1776. On July 6th the momentous news reached George Michael in Amboy that the Second Continental Congress had voted for independence. The declaration was to be publicly read in Philadelphia.

George Michael left for home making a special effort to reach Philadelphia and to hear that immortal document proclaimed to the people.[14] On July 8th, the citizens of Philadelphia were summoned to the State House Yard by the bells of the city. At 12 noon, Colonel John Nixon publicly read the Declaration of Independence for the first time. Following the event and continuing long into the night, the bells of the city rang in celebration.

Battle of Fort Washington

Henry recruited riflemen for the company in Winchester. He recorded a list of the names of men in Captain Shepherd's Company. Eight companies of riflemen were recruited in Virginia during the summer of 1776 for the Battalion that was to be commanded by Hugh Stephenson. Hugh Stephenson died in August 1776 and his successor was Colonel Moses Rawlins of Maryland.

Younger brother Daniel Bedinger had implored his older brothers and mother to let him enlist. But, they insisted he was too young and must

14 Draper, Lyman, The George M. Bedinger Papers, Volume 1A of The Draper Manuscript Collection in the Draper Manuscript Collection, Transcribed and Indexed by Craig L. Heath, 2002, Heritage Books, Inc., Bowie, Maryland, p. 11.

stay at home. In early September, Daniel had forlornly watched them march northward to join Washington's forces in New York. But, this time he resolved that he would run away and join Henry's regiment.

> The company, after a long march, reached Bergen [New Jersey], to which place they had been ordered, and, upon the second day after they arrived in camp a haggard, footsore, hollow-eyed boy of fifteen dragged himself into Bergen, and enquired of the first soldier he met where Lieutenant Henry Bedinger was to be found. It was Daniel, who had eluded the vigilance of his brother Michael and of his mother, and had run away in the middle of the night; trailed the company like a fox-hound, and now arrived in camp, tired to death and more than half starved. He got his way, and was enrolled in Captain Shepherd's company of riflemen.[15]

George Michael did not re-enlist when Henry had done so. George Michael remained at home for a time with his mother and his younger siblings. However, it was not George Michael's nature to stand idly by when such a circumstance presented itself. George Michael left home and marched to join his brothers in New York. His progress was halted several times by British soldiers. He tells of his inability to cross the river at Trenton where the British occupied the ferry house and fired on patriots that tried to cross over. He returned home and in November volunteered in a company of riflemen under Colonel William Morgan. It was fortunate that he did not reach his brothers at Fort Washington because afterwards he would be the means of saving the life of Daniel and providing for the well-being of Henry when he was held prisoner.

The regiment of Henry and Daniel was assembled at Bergen, New Jersey. It was immediately ordered up the Hudson River to Fort Lee. It was then ordered to cross the river and assist in the defense of Fort Washington on Manhattan Island where there were about 3,000 men under command of Colonel Magaw. The British and hired Hessian mercenary soldiers approached Fort Washington with a force of 8,000 to 12,000 men under a flag of truce demanding the surrender of Fort Washington. Colonel Magaw replied that he would defend the Fort to the last "extremity." The Continentals prepared for a contest. Henry and Daniel's regiment was

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15 Dandridge, 1909, 232 p., p. 25.

assigned to the defense of a small ridge overlooking the North River.

At the break of day the next morning the enemy commenced a tremendous cannonade on every side, while their troops advanced. A few of the Americans were killed by the cannon and grape shot. The Americans did not fire a shot until the enemy had gained the summit. Though the enemy outnumbered the Americans by at least four times, the American rifles brought down so many enemy that they gave way several times; but with their overwhelming numbers they at last succeeded in possessing the summit.

Here the story is quoted from the account of George Michael who had been told the story by his brothers:[16]

> What a brave defense the riflemen made that day is well known. In the midst of the battle Henry, who with fifty picked men, of whom Daniel was one, had been stationed to repulse the enemy as they came up the hill towards the Fort. Henry heard a Hessian Captain speak to his men in German, telling them to follow his example and reserve their fire until close. Henry, recognizing his mother tongue, watched the approach of the Hessian officer up the hill, and, when they were close upon each other, each leveled his rifle, and fired at the same instant. Henry was wounded in the finger, which disabled his right hand. The ball, passing, took off a lock of his hair. His own ball, with truer aim, killed the Hessian officer, who fell, shot through the brain.

Captain Bedinger's younger brother, Daniel, then a little past fifteen, shot 27 rounds in this engagement, and was often heard to say, after discharging his piece, "there, take that you devils!" His youthful intrepidity and gallant conduct, so particularly attracted the attention of the officers that, though taken prisoner, he was promoted to an ensigncy, his commission dating back six months that he might take precedence of the other ensigns of his company.

The overwhelming force of the enemy prevailed and Henry, Daniel and their unit retreated to the defenses inside the Fort. Colonel Magaw sent out terms for surrender. The garrison of Fort Washington consisting of 2673 privates and 210 officers marched out, ground arms, and instead of being treated as agreed upon, to be allowed to retain baggage, clothes, and side arms, every valuable article was torn away from both officers

16 Dandridge, 1909, 232 p., p. 25-26.

and soldiers.

The two brothers were imprisoned. Daniel, the youngest, for a few months; Henry, the elder, for nearly 4 years. Both were confined in prison ships with the cruelest treatment, in filthy holds, impure atmosphere, and a small allowance of food. With such treatment it was no wonder that but eight hundred of the twenty-eight hundred prisoners taken at Fort Washington survived. Henry and many of his fellow officers were released from the prison ship and placed on a parole of honor to remain within certain limits of Flatbush, sparingly provisioned but better treated. During the captivity of his brother Henry, George Michael would by labor, loans at different times, and the property sold which he inherited from his father, procure money to convey to the British commissary of prisons, to pay his brother Henry's board. It is pleasant to add, that the British officers having charge of these matters were faithful in the proper application of funds thus placed in their hands. George Michael made many trips on this labor of fraternal affection. This, with his attention to his mother and family kept George Michael from regularly serving in the army of General Washington. Henry after four years was released under an exchange agreement.

A Boy in Prison

Conveyed to York we found, at length, too late,
That Death was better than the prisoner's fate
There doomed to famine, shackles, and despair,
Condemned to breathe a foul, infected air,
In sickly hulks, devoted while we lay, –
Successive funerals gloomed each dismal day

Philip Freneau
A Poet on a Prison Ship[17]

It was four days before the privates taken at Fort Washington had one morsel to eat. They were given a little moldy biscuit and raw pork. They were marched to New York, and Daniel was lodged with many others, perhaps the whole company, in the Old Sugar House on Liberty Street.

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17 Opening stanza of a Philip Freneaus's poem describing the horrors and suffering of himself and other prisoners aboard the prison ships, quoted by Danske Dandridge in "Prisoners of the American Revolution." Philip Freneau of New York, the poet of the revolution, as he has been called, was of French Huguenot ancestry.

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Daniel was held prisoner for four months under harsh conditions of starvation and exposure where he nearly died. There was no glass in the windows and scarce one of the prisoners was properly clothed. When it snowed they were drifted over as they slept.

One day Daniel discovered in some vats a deposit of sugar which he was glad to scrape to sustain life. A man confined with him in the Old Sugar House, used to tell his descendants that the most terrible fight he ever engaged in was a struggle with a comrade in prison for the carcass of a decayed rat.

It is possible that Henry may have found some means of communicating with his young brother, and even of supplying him, sometimes, with food. Daniel, however, was soon put on board a prison ship, possibly the Whitby, in New York Harbor.

The poor boy had yielded to despair. He had turned his face to the wall to die. How bitterly he must have regretted the home he had been so ready to leave a few months before. And now the iron had eaten into his soul, and he longed for death, as the only means of release from his terrible sufferings.

When the Hessian officers in charge of exchanging prisoners went among the prisoners, they twice passed the poor boy Daniel as being too far gone to be moved. But he, with a sudden revival of hope and desire to live, begged and entreated the Hessian in his mother's native language not to leave him behind. The Hessian, who is said to have been an officer, declared that he would be responsible for him. He had him lifted and laid down in the bottom of a boat, as he was too feeble to sit or stand. In this condition he accompanied the other prisoners to a church in New York where the exchange was made. Daniel was conveyed to Philadelphia, where he completely collapsed, and was taken to one of the military hospitals.[18]

George Michael Bedinger and Benoni Swearingen had volunteered for a

18 Dandridge, Danske, 1910, American Prisoners of the Revolution, edition of 2005, D. N Goodchild, Philadelphia, 369 p., pp. 59-63

three-month tour of duty in a company of Volunteer Riflemen commanded by William Morgan[19] of Berkeley County, Virginia. George Michael, Edward Lucas and William Lucas were the lieutenants of the company. When the company reached Philadelphia George Michael heard of the exchange of prisoners taken at the Battle of Fort Washington. Following is George Michael's narrative:

> When Captain William Morgan's Company got to Philadelphia which I think was about the first of January 1777, I found my brother Daniel with a few others of those soldiers who had been taken with him at Fort Washington, all of them sick and so much reduced that I think few of them got well. I took him a few miles out of the city to a Quaker's house where I left him until he should be able to bear to be hauled home. I then left him and I think the next day overtook our company of riflemen.

An account of the meeting of the two brothers was written in 1871 in a letter by Dr. B. F. Bedinger, son of George Michael, to Mrs. Henrietta Bedinger Lee, one of Daniel's daughters.

> My father went to the hospital in search of his brother, but did not recognize him. On inquiry if there were any [that had been] prisoners there a feeble voice responded, from a pile of straw and rags in a corner, "Yes, Michael, there is one."Overcome by his feelings my father knelt by the side of the poor emaciated boy, and took him in his arms. He then bore him to a house where he could procure some comforts in the way of food and clothing. After this he got an armchair, two pillows, and some leather straps. He placed his suffering and beloved charge in the chair, supported him by the pillows, swung him by the leather straps to his back, and carried him some miles into the country where he found a friendly asylum for him in the house of some good Quakers. There he nursed him, and by the aid of the kind owners, who were farmers, gave him nourishing food, until he partially recovered strength. But your father was very impatient to get home, and wished to proceed before he was well enough to walk, and did so leave, while my father walked by his side, with his arm around him to support

19 William Morgan was the son of Richard ap Morgan and the father of Colonel Abraham Morgan who married Anna Maria Bedinger the sister of George Michael.

him. Thus they traveled from the neighborhood of Philadelphia, Pennsylvania to Shepherdstown, Virginia, of course by short stages, when my father restored him safe to his mother and family. After your father recovered his health he again re-entered the service and continued in it to the end of the war. He was made Lieutenant, and I have heard my father speak of many battles he was in, but I have forgotten the names and places. It was told of George Michael that he could never speak of the condition in which he found his young brother, without tears filling his eyes.[20]

Battles of Piscataway and Germantown

While Daniel was convalescing with the Quaker family near Philadelphia, George Michael continued his military tour with Captain William Morgan's Company and fought in the engagement against the British in March 1777 at Piscataway.

Our company had voluntarily entered the service for three months. All but three or four of them stayed three or four more days over that time, as General Washington, by a messenger to the company had requested us to stay eight days longer and as the captain was then absent I spoke to the company pressing them upon their honor not to leave us before the morning of the fourth day, which most of them complied with. In that three-month tour we were stationed near at the enemy's quarters, and kept them from pillaging and foraging as far as we were able. In New Jersey in the winter of '77 early in March had a short though sharp conflict with the enemy which was then called the battle of Piscataway under the command of Colonel Thurston, (I think Charles Thurston) where we were overpowered by vastly superior numbers prepared for us with cavalry, infantry and artillery.[21]

At the conclusion of his three-month tour with Captain William Morgan's Company, George Michael returned to the Quaker home where Daniel was being cared for and helped him walk home to Shepherdstown. The boy

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20 This very touching and convincingly factual narrative by George Michael's son, Dr. B. F. Bedinger, does not include the fact that before he assisted Daniel home to Shepherdstown, George Michael returned to his Company and was in the Battles of Piscataway and Germantown. After his three-month term of duty was completed, George Michael returned to his brother at the Quaker home.

21 George Michael Bedinger, sworn statement of 1836.

was dangerously ill and his mother and George Michael, no doubt, nursed him to the best of their abilities. Hearing of the defeat of Washington at Brandywine in September of 1777, George Michael could no longer resist the appeal to arms.

We [George Michael Bedinger and Benoni Swearingen]...went to the American army about 16 miles from Germantown and entered the company commanded by Captain Joseph Swearingen, in the 12th Virginia Regiment, commanded by Col James Wood, being in General Scott's Brigade, and General Adam Stephen's Division. We remained in service six weeks when we were honorably discharged. General Wood said in our discharge that we, Benoni Swearingen and myself, had distinguished ourselves in the most brave and extraordinary manner on the day of the Battle of Germantown on the 4th of October. In the morning before the battle the Adjutant General addressed us thus: "Gentlemen Volunteers, you now have an opportunity to distinguish yourselves, you are not confined to any particular platoon or corps." These words were to the best of my recollection, or words to that effect. When our company began the engagement, Benoni Swearingen and I immediately advanced with such speed that we soon left our advancing army behind us. Prepared to defend ourselves with our rifles and our swords, we got between the fire of the contending armies, and it was believed by those who saw us advance that we would both be certainly killed, but through fog, smoke, and the mercies of God, we both escaped unhurt (the morning had been very foggy and smoky).[22]

Before we left the army to return home, we were both told we could have appointments in the regiment, but our mothers were widows, and as I had one brother who was a prisoner at Fort Washington, had just gotten home and whose life was despaired of, I returned home with my worthy companion and well-tried friend, Benoni Swearingen, to Shepherdstown. No other important engagement took place that season between Washington's army and the British.[23]

Supplies to Valley Forge

General Washington and his army went into camp at Valley Forge during the winter of 1777-1778. No doubt the Berkeley County Virginians under

22 Ibid.
23 Ibid.

Colonel Wood shared the privations of that most trying winter. During the hardships that winter, George Michael, provided what aid and comfort he could by taking wagon loads of winter clothing, blankets and other supplies to Washington's troops at Valley Forge.

War on the Frontier

The treaty in 1774 that ended the war between the British and the Shawnee Indians ceded the territory south of the Ohio River to the Dominion of Virginia and the land north of the Ohio River to the Shawnees. In 1775, Daniel Boone began construction of his fort at Boonesborough, having presumption of right by Richard Henderson's purchase of a large tract of land in Kentucky[24] from several chiefs of the Cherokees. Needless to say, most of the Indians were not in agreement with these treaties and conditions. Most Indian tribes, Creeks, Choctaws, Cherokees, Shawnees and Chickasaws considered Kentucky to be their rightful hunting ground. During the French and Indian War, the French had established outposts and made agreements with the Indians offering goods and rewards for savagery committed against the colonial frontiersmen and the British. Now that that the American colonists were at war with the British, the British were taking the part of the French in stirring up the tribes. The British found willing allies such as chief Black Fish of the Shawnees, who hoped to drive the Americans out of Kentucky and reclaim their hunting grounds. In the spring and summer of 1777 the Indians in the pay of the British had begun their attacks on frontier settlements. The British supplied them with guns, gunpowder and lead and paid them for all the scalps they brought in.

Expedition to Kentucky

In early 1779, George Michael was in Shepherdstown with his mother and his siblings. His brother, Daniel though his health had not fully recovered from ill treatment during incarceration by the British, re-enlisted and returned to service as a guard over the many Hessians that were held at Winchester. Brother Henry was still held prisoner by the British in Flatbush, New York.

In March of 1779, George Michael joined a group of Shepherdstown men on a journey led by Captain John Strode to Boonesborough, Kentucky.

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24 Kentucky, until June 1, 1792 was part of the Commonwealth of Virginia.

The others in the party were Colonel William Morgan, and his son Ralph, Major Thomas Swearingen and his brother Benoni, John Taylor, James Duncan, John Constant, Samuel Duree and two slaves belonging to the Swearingens. The group followed the Great Valley Road following the Shenandoah Valley from Shepherdstown to the present site of Roanoke. There, the group followed what is known today as the Wilderness Road which took them took them through Cumberland Gap on the trail blazed by Daniel Boone in 1775 to Boone's Trace and on to Boonesborough which had been established by Daniel Boone.



George Michael Bedinger
National Portrait Gallery

When the party neared Boonesborough they had a near encounter with the Indians that had been spying on the fort, but they arrived safely and found but fifteen men at the fort with Captain John Holder in command. Daniel Boone and his family had travelled to North Carolina. Not more than two hours after their arrival a young man named Jacob Starnes burst into the fort with the terrible news that his father's party of ten men who had left Boonesborough to return to Virginia had been attacked by Indians spying on the fort. The Indians had massacred all but the young man.

The distress of the fort induced George Michael and other men of his party to join in defense of the fort with Captain John Holder's Company. George Michael stayed until about November 1779. A part of the time he acted as a scout. He went with small groups of hunters from the fort, taking his turn with the other men to provide meat for the residents of the fort. To this course he was induced by the feeling of humanity and sympathy for women and children who were unable to leave the country, and who, if they had attempted it, would have been massacred by the Indians, who were constantly scouring the country round the fort. The fort would have in all probability been taken by the Indians had the group from Shepherdstown not joined in the defense of the fort when it did.

George Michael considered his service at this place and time as the most dangerous, difficult, and at the same time the most useful to his country. Mainly by the success of the hunting excursions in which the hunters had to slip out at night, retire to some distance from the fort, kill game, which was generally buffalo, and pack it in some succeeding night. By these tactics the inhabitants of the fort were provided with food.

Raid on the Shawnee Village of Chillicothe

During George Michael's service at Boonesborough, an expedition under Colonel John Bowman of the Virginia Militia against the Shawnee Indian town of Chillicothe was planned and executed. George Michael volunteered and acted as Adjutant and Quartermaster. Colonel Bowman's force proceeded to the Ohio River by way of the Licking River where they waited some time for other troops to join them. They went to the town with plans to station their forces on each side of the town, attempt a surprise attack and take the town. But the Indians were apprised of the approach of Bowman's force when a man stationed near the Indian houses fired his gun killing an Indian. The Indians sought shelter in the council-house and sent runners to nearby Indian villages for reinforcements. Some of Bowman's men sacked the Indian huts for silver ornaments and clothes and rounded up the horses. George Michael had led a small group of 15 and was stationed behind a large oak log not over forty paces from the council-house. From this shelter they planned to charge the council-house when the others of Bowman's force began their assault. Amid the chaos, Colonel Bowman's leadership of the men failed and the assault was not carried out. Later in the morning the Colonel crept up at a safe distance to George Michael's party and shouted that he could not help them and for them to retreat as best they could. Being pinned down by the Indians who could fire from the council-house, George Michael had cautioned his men to stay down and not expose themselves. One who did raise his head to look at the council-house was shot dead. Bedinger told all his men to put their hats on sticks and raise them to draw fire and then all jump up and run for their lives, dodging and running in a zig-zag course until they reached cover. He counted "one, two, three!" and started running as he had told his men to do. Bullets whistled past him, but being agile and fast, he reached a tree and took shelter. Upon looking back, none of the men had followed immediately, but after all the Indians had fired at George Michael, they were able to escape before the Indians could reload.

When Bedinger's party reached their comrades, they were in a confused mass. Some were guarding the 300 horses they had captured. Colonel Bowman told Bedinger that he and the officers could not control the men. He asked Bedinger to speak to them and try to restore order. Bedinger appealed to them saying:

> Men, it is not a question now of how much we can get, but of our lives. The Indians are gathering in force here, and I saw them send runners to the other towns. In a little while there will be an overpowering force of Indians about us. The only hope is to get back to the Ohio River as fast as we can, and we must obey orders, or all of us will be killed.

The men saw the reasonableness of this and responded. They formed a hollow square with the horses in the middle, Bowman at the lead and Bedinger at the rear. They had made a orderly retreat of some seven miles, when Bedinger realized the Indians were closing in upon them. He rushed ahead and ordered the men to form in a defensive position shielded by rocks and fallen trees. The Indians surrounded the men with the intent of keeping them in position until reinforcements arrived. Black Fish, the Shawnee chief, could be constantly heard urging his men to keep up the fight. Bowman stated he did not know what to do. Bedinger immediately decided a charge must be made, with tomahawk and rifle, directly at the part of the Indian line where Black Fish's voice could be heard. Bedinger led a group of about 60 men who fought their way through the Indian line and managed to wound Black Fish. This demoralized the Indians and they left, carrying their leader with them. Black Fish died as they approached Chillicothe.

Bowman's force was able to continue its retreat and by traveling all night reached the Ohio River. All the troops managed to safely cross the river and return to their respective places. The troops never received any compensation for their services. Bowman, about 35 years old, was a native of Virginia. Major Bedinger thought Bowman, a 35 year old Virginian, was an honest man and not a coward, but that he was unacquainted with Indian fighting. The plan of attack having failed, he seemed to be incapable of acting in any meaningful manner.[25]

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25 George Michael's recollections of his experiences at Boonesborough and Bowman's raid of the Indian town of Chillicothe are taken from the following: "Declaration for Pension of George M. Bedinger for service in the Revolutionary War", in Bedinger and Dandridge Family Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University,

Although initially blamed for not taking the Indian council-house and the eight or ten casualties suffered, the raid lead by Colonel Bowman was successful in the destruction of the Shawnee village and the death of Chief Black Fish.

During the summer of 1779, George Michael and the two Swearingens, Benoni and Major Thomas, and Samuel Duree established land claims by making improvements on tracts of land they surveyed in the valley of Muddy Creek, near Boonesborough. George Michael remained at Boonesborough until November of 1779 when it is probable that his tenure at Boonesborough allowed him to meet Daniel Boone who had returned from North Carolina.

Most of the men in the Shepherdstown party returned to Virginia. Ralph Morgan and Captain John Strode remained in Kentucky. Captain Strode had come to Kentucky in 1776 when he marked and improved the land before returning to Virginia. After he led the Shepherdstown party to Kentucky, he settled on the lands he had claimed on Strode's Creek, built a cabin and encouraged others to settle around him. By the year 1781, Strode's Station included twenty-five cabins. Captain John Strode was the brother of James Strode the father of Rachel Strode who married Henry. Ralph Morgan built Morgan's Station. Ralph Morgan's father, Colonel William Morgan was also the father of Colonel Abraham Morgan who married Anna Maria Bedinger, the sister of George Michael. George Michael's older sister, Elizabeth, married Abel Morgan, brother of Colonel William Morgan. While in Kentucky, Samuel Duree established a claim on Muddy Creek. He returned to Shepherdstown in the fall of 1779 and in the spring of 1780 led a group of families and single men, about 30 in all, back to the area.[26] Benoni Swearingen returned to Shepherdstown. In 1785 Benoni married George Michael's sister Sarah Bedinger. Benoni lived in Maryland near Shepherdstown and represented his district in the Maryland Legislature.

Durham, North Carolina; Draper, Lyman, The George M. Bedinger Papers, Volume 1A of The Draper Manuscript Collection in the Draper Manuscript Collection, Transcribed and Indexed by Craig L. Heath, Heritage Books, Inc., Bowie, Maryland., pp. 271-293.; and Dandridge, 1909, 232 p., p. 43-65.

26 Peter Samuel Duree and about 12 men, attempting to establish a fort, built a cabin near the mouth of Muddy Creek. In the winter of 1781-82, they were besieged by Indians. They took shelter in the cabin, but after two days the men were compelled to venture out. They were attacked and Samuel Duree and all but two or three of the men were killed. The story of the massacre and the miraculous escape of Samuel Duree's wife is recounted in "History of Kentucky" by Lewis Collins, pp. 421-422, published in 1847.

George Michael returned to Shepherdstown in the fall of 1779. When he arrived in Shepherdstown, Henry was there having been paroled by the British in the spring of 1779. It was usual for the British to parole American officers on the condition, sworn to by the parolee, that they not re-engage in the fight against the British for a specified period of time. The conditions of his parole were respected by Henry as was commonly done by the American officers.

Attack on Strode's Station

George Michael returned to Kentucky in late 1780 or early 1781 and was at Strode's Station when it was attacked by Indians March 1, 1781. [27] In the attack, two pioneers were killed, one wounded, and most of the livestock was destroyed by the Indians. George Michael returned to Virginia and joined Colonel William Darke's forces. He recruited a company for the regiment of Colonel Darke in Berkeley County. In May 1781, he took command of the militia company under Colonel Darke and was engaged in military operations in Virginia where General Cornwallis was active in attacking strategic resources of the patriots. George Michael's company was active through the period leading up to and at the siege of Yorktown.

Southern Campaign

February 18, 1779, Captain Abraham Shepherd of the Virginia Rifles wrote to Lieutenant Henry Bedinger, still a prisoner of the British, describing his efforts to get the imprisoned Bedinger exchanged, and giving news about their friends and families. In a letter, dated March 29, 1779, written from Long Island, Bedinger informed his mother, "the prospect of an exchange of Prisoners taking place, appears much nearer and favourable than formerly." In the same letter he also noted a consequence of his time as a prisoner of war, "I am much hardened and can undergo almost Anything".[28] Henry was paroled by the British in the spring of 1779. His official prison release was dated November 1, 1780.

Abraham Shepherd, in a letter to his brother Colonel David Shepherd in August of 1780 wrote:

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27 TIP #267 – GRANT'S FORT, BUSH SETTLEMENT, ESTILL'S STATION, STRODE'S STATION by Sandi Gorin (sgorin@glasgow-ky.com)

28 Swearingen-Bedinger Papers, 1759-1948, Manuscripts Division, William L. Clements Library, University of Michigan, finding aid created by Shannon Wait, June 2011.

Henry Bedinger has returned home on parole Very low and weak, has been Unwell this 15 months past, hope he will soon Recover, he is Anxious to join me here and I should be happy he should as his Abilities and honesty may be depended on and should we Continue our Scheme it will be Really Necessary to have him.

The "scheme" referred to by Abraham Shepherd was a business arrangement in which the partners would buy salt, furs, and other necessities and sell them to supply the American army. In December of the same year he writes, "Bedinger is now capable of joining us, he can advance ten Thousand pounds,[29] we shall buy all the wheat we can and pray you don't lose one skin of no kind, Bear skins will sell extremely well..."[30]

The Continental forces in the south under the command of General Horatio Gates had suffered serious losses. In addition to the capture by the British of Charleston, South Carolina, May 12, 1780, the cities of Savannah, Georgia and Camden, South Carolina also had fallen to the British.

In October 1780 General Nathanael Greene was placed in command of the Continental forces in the southern theater by General George Washington replacing General Gates. General Greene fought a dozen skirmishes in North and South Carolina against the much superior in number force of General Cornwallis. General Greene conducted a campaign of avoidance and attrition against the British in a string of battles that were tactical victories for the British but weakened the British by the high cost of casualties. About 2,000 British troops died in these engagements. Greene summed up his tactics in a motto that became famous: "We fight, get beat, rise, and fight again."

Daniel was able to enlist again and rejoin the fight,[31] which he did probably in the fall of 1779 or early in 1780. Ironically his initial assignment was

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29 The amount quoted, "Ten thousand pounds", is an inordinately large amount considering the financial condition of Henry and his family and must represent an error in transcribing the original hand-written document.

30 Letter from Abraham Shepherd writing his brother Colonel David Shepherd in August of 1780, quoted in Dandridge, 1909, 232 p., pp. 82-83.

31 Danske Dandridge, unpublished manuscript, in Bedinger and Dandridge Family Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University.

guarding Hessian prisoners of war held at Winchester, Virginia.[32,33] George Michael returned from Kentucky to Shepherdstown in the fall of 1779. With Henry now released from imprisonment by the British, Henry, George Michael and their mother were concerned about the welfare of Daniel with the Virginia Regiment in the south. They knew that Daniel's health still suffered from the results of his confinement, but he had been eager to rejoin the fight. George Michael knew that he could aid the patriot cause by taking supplies to the army in the south and that such a venture would allow him to see his brother Daniel. But first he finished building his mother a house in Shepherdstown which would be more convenient and safer for her and her family during his absence.[34]

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32 Levin, Alexandra Lee, 1995, For A Brave America the Bedinger Brothers in War and Peace, 1775-1843, Shamrock Hollow, John Day, Oregon, 215 p.

33 Published statements are found that Daniel was captured by the British at the battle of Brandywine that took place in September of 1777. The published statements: (1) Bittinger ,1904, Bittinger and Bedinger Families, p. 55-56, states Daniel was taken prisoner at Brandywine and held prisoner until summer of 1778, and (2) Heitman, Francis B., 1893, *Historical Register of Officers of the Continental Army during the War of the Revolution, April, 1775 to December, 1778*: Washington, 552 p. In addition, a statement is found in the Bedinger and Dandridge papers at Duke University (my notes p. 34 from copies made at Duke, 2012) in a series of unrelated topics without discussion or source: "Daniel was taken prisoner at Brandywine in 1777."

The following paragraph will set the record straight: According to Daniel's daughter, Henrietta Bedinger Lee, her father's papers and journals were destroyed when the home Daniel built, "Bedford", was destroyed by fire by the order of General David Hunter of the Union Army during the Civil War. Any records or journals that Daniel may have kept with regard to his military record were probably destroyed in the fire. The military record we have for Daniel Bedinger is based largely on journals of Henry Bedinger and depositions and notes left by George Michael Bedinger. These sources reveal that Daniel was not at the Battle of Brandywine. We know from Henry's journal and statements of George Michael Bedinger that Daniel was captured at Fort Washington in 1776. We know also from statements written by George Michael Bedinger who rescued Daniel in January 1777 in Philadelphia that Daniel was in Shepherdstown at the time of the Battle of Brandywine. Thus, we attribute as erroneous the statements that Daniel was at and captured at the Battle of Brandywine. The probable source of the erroneous placement of Daniel at the Battle of Brandywine is from a letter written by Dr. B.F. Bedinger, son of George Michael Bedinger, in which Dr. Bedinger recalls his father telling of Daniel's military career. He mentions remembering somewhat vaguely that Daniel was at the Battle of Brandywine. This appears to be the source of the statement that we find not credible and we attribute it to the span of many years and a faulty memory on the part of B. F. Bedinger.

34 The house George Michael built for his mother was at the corner of Princess and New Streets (Lot 119) in Shepherdstown, Virginia.

It may have been supplies that Abraham Shepherd obtained for the army that George Michael set out to deliver in the autumn of 1780. The destination of the supplies was the High Hills of the Santee in South Carolina where Daniel's regiment was serving under General Greene.[35] The expedition was hazardous in view of the fact that the Tories in the south were gaining ascendancy and carrying on a war of extermination with the Whigs.[36] We assume he found Daniel in the Santee Hills, but have no documentary proof. George Michael returned to Virginia with a load of indigo from John Rutledge, Governor of South Carolina.

In December of 1780 General Daniel Morgan reported for duty to General Greene at Charlotte, North Carolina. General Greene split his forces, giving General Morgan the region west of the Catawba River in the upper Santee River Basin in which to protect civilians and ordered him not to face the British in a serious frontal engagement. Daniel's Virginia Regiment under the command of General Morgan marched northward to avoid being caught between the British units of General Cornwallis and Colonel Banastre Tarleton. Cornwallis ordered Tarleton to pursue and face Morgan. Tarleton asked for reinforcements of British regulars which were sent. Tarleton was in hot pursuit when General Morgan reached a place called Cowpens, a grazing area for cattle on the Broad River. Morgan defeated Tarleton at the Battle of Cowpens. Among the riflemen in Morgan's army was Daniel along with other experienced riflemen from Virginia, Maryland and Delaware.

The battle was over in less than an hour. It was a complete victory for the Patriot force. British losses were staggering: 110 dead, over 200 wounded and a total of 829 captured. Morgan lost only 12 killed and 60 wounded. General Morgan's forces conducted a double envelopment of Tarleton's forces, the only double envelopment of the war. It is considered to this day to be one of the most brilliant tactics in military history. The Battle of Cowpens was one of the turning points of the war in favor of the American patriots.[37]

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35 Dandridge, 1909, 232 p., p. 78, 202.

36 The Tories were Americans loyal to the British many of whom fought against the Revolutionary Army. The Whigs were American patriots loyal to the revolutionary cause.

37 The events of battle of Cowpens can be found in several sources including the National Park Service (http://www.nps.gov/cowp/historyculture/the-battle-of-cowpens.htm) and the Wikipedia account (http://en.wikipedia.org/wiki/Battle_of_Cowpens) which is based largely upon the following references: Babits, Lawrence E., 1998, A Devil of a

Knowing Cornwallis would come after him, General Morgan, burdened as he was by the prisoners, pressed northeastward gaining distance on the pursuing Cornwallis. The prisoners were taken to the prison at Winchester, Virginia.

General Cornwallis, having failed to defeat General Morgan, turned his attention to General Greene. In his zeal to travel swiftly to overtake General Greene, General Cornwallis burned his supporting supplies and baggage. With Cornwallis far from his supply centers and short on food, General Greene eventually felt confident enough to face Cornwallis directly. Positioning his forces at Guilford Court House, South Carolina, he fought Cornwallis 15 March 1781 with some success employing the tactics General Morgan had used at Cowpens. Here, Cornwallis was the tactical victor, but his casualties forced him to retreat for supply and reinforcement.

To summarize Daniel's movements in the southern campaign, we infer that Daniel was at Big Hills on the Santee in South Carolina with General Greene, resting his troops there in the fall of 1780, when George Michael carried to the Patriot troops wagon loads of supplies. Daniel with the Virginia Militia had thus been in the engagements and skirmishes under Greene in the months preceding.[38] Lt. Daniel Bedinger attracted General Greene's notice under his command as a valuable officer.[39] Daniel was in the service of General Daniel Morgan at the Battle of Cowpens.[40] Afterward, he was again in the service of General Green. During his service under General Greene, Daniel was commissioned Ensign of the 4th Virginia Regiment, February 1781.[41] With General Greene he would have seen action at the Battles of Guilford Court House and Eutaw Springs. From Henry's journal it appears that Daniel was in Virginia through most of 1781.

Whipping: The Battle of Cowpens Chapel Hill: University of North Carolina Press and Buchanan, John, 1997, The Road to Guilford Courthouse, The American Revolution in the Carolinas, John Wiley and Sons, New York.

38 Dandridge, 1910, 389 p., pp. 222-224.

39 "To George Washington from Josiah Parker, 1 July 1789," Founders Online, National Archives, last modified July 12, 2016, http://founders.archives.gov/documents/Washington/05-03-02-0044. [Original source: The Papers of George Washington, Presidential Series, vol. 3, 15 June 1789–5 September 1789, ed. Dorothy Twohig. Charlottesville: University Press of Virginia, 1989, pp. 102–104.]

40 Dandridge, 1910, 389 p., p. 224.

41 Compiled Service Records of Soldiers who served in the American Revolution, Fold3, Ancestry.com.

Despite winning a tactical victory the Battle of Eutaw Springs, the British again lost strategically to General Greene. The British inability to stop Greene's continuing operations forced them to abandon most of the British operations in the South, leaving them in control of a small number of isolated enclaves at Wilmington, Charleston, and Savannah. The British attempt to control the South with Loyalist support had failed even before General Cornwallis surrendered at Yorktown.

Virginia Campaign

After the Battle of Guilford Court House, Cornwallis found his main force at long distance from his sources of supply and realized that the patriots were relying on supplies from Virginia. Cornwallis marched his army northward to establish headquarters in Virginia, leaving the Continental forces under General Greene to gain the upper hand in South Carolina. February 20, 1781 General Washington had placed the Marquis de Lafayette in command of the Continental army in Virginia.

In the spring of 1781, Henry's health was somewhat improved from the debilitating conditions of his imprisonment by the British. In November 1780, Henry was released from parole and no longer prohibited from engaging in military operations. George Michael, after carrying wagon loads of supplies to General Greene in the Santee Hills of North Carolina, returned to Kentucky in late winter of 1780-1781. He was at Strode's Station when Indians attacked the station on 1 March 1781. May 1781 he was back in Virginia where he and Henry recruited men to serve in companies commanded by Colonel William Darke. Colonel Darke's companies were to reinforce the Continental units in Virginia.

Captain Henry Bedinger, adjutant of one of Colonel Darke's companies recorded in his journal May 14, 1781: "Set out from Winchester about Ten O'clock with 47 men, 5 Women, 1 Baggage wagon and Driver with instructions from Colonel Darke to proceed to Fredericksburg & from thence to the place of General Rendezvous [which was to be Cumberland Old Court House, near Charlottesville]."[42]

Henry, worn out from long marches in rainy weather and chilled from wading in cold rivers, had come down with a feverish cold. Unable to participate in all excursions and skirmishes of the army, Captain Henry

42 Dandridge, 1910, 389 p., pp. 216-217.

Bedinger was placed in charge of military provisions at Cumberland Old Court House.[43]

In mid-1781 after General Cornwallis and Colonel Banastre Tarleton with a force of 7,000 men, moved their campaigns to Virginia. All three Bedinger brothers with the Virginia Continental forces in Virginia were now under the command of General Marquis de Lafayette. George Michael, in command of the militia company that he had recruited, engaged in operations against General Cornwallis' troops. The Continental forces, less than one-third that of the British, conducted evasive skirmishes and surprise raids upon Colonel Tarleton's forces to hamper their raids and curtail their foraging of the Virginia countryside. To bolster his forces General Lafayette dispatched a letter addressed to Captain Henry Bedinger stating, "I am on my way towards the Enemy and request the Riflemen of your company, armed with their own rifles, and so many of them mounted...as possible may join me with all possible expedition."[44]

Colonel Tarleton rode with a small British force to Charlottesville, Virginia where the Virginia legislature was meeting. All but three members of the legislature fled safely, including Robert Rutherford, the representative from Berkeley County. Tarleton almost captured Governor Thomas Jefferson as well, but had to content himself with several bottles of wine from Jefferson's estate at Monticello.[45] Next, Colonel Tarleton planned to raid the Continental's supply of provisions being held under the supervision of Captain Henry Bedinger. Learning of Colonel Tarleton's plan, Captain Bedinger managed to transport all the supplies to safety across the James River. When Tarleton left, Captain Bedinger brought the supplies back across the river.[46]

On August 1, 1781, Lt. Daniel Bedinger came into Henry's camp on his way from Goochland Court House where he was to join his company. His detail had been reduced from 40 to 18 by desertions and casualties. On August 22 Henry received a letter from Daniel, delivered by Captain Samuel Finley, written at camp near Ruffin's Ferry.[47]

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43 Levin, Alexandra Lee, 1995, For A Brave America the Bedinger Brothers in War and Peace, 1775-1843, Shamrock Hollow, John Day, Oregon, 215 p., p. 53.

44 Swearingen-Bedinger Papers, 1759-1948, William L. Clements Library, The University of Michigan, finding aid created by Shannon Wait, June 2011.

45 Clary, David A., 2007, Adopted Son: Washington, Lafayette, and the Friendship that Saved the Revolution, Bantam Books, New York, 306 p.

46 Dandridge, 1909, 232 p., p. 83.

47 Dandridge, 1909, 232 p., pp. 83-84.

Siege of Yorktown

September 9, 1781 Captain Henry Bedinger, in a letter to Abraham Morgan, wrote that twenty-eight ships of the French line arrived at Jamestown landing three thousand men. Bedinger also wrote that His Excellency George Washington arrived in camp. In his letter to Abraham Swearingen, who was in the business of supplying provisions to the army, he stated that the Colonial troops would be greatly wanting flour, and likewise beef and pork. He added: "I'm just now losing what little hair I had left when you saw me last, and expect by the time I shall arrive with you shall be Bald as an Eagle..."[48]

On the fourteenth day of September, 1781, George Washington reached the headquarters of General Lafayette in Williamsburg.[49] Henry in his journal records that Lieutenant Daniel, two other officers and twelve privates came down with ague [chills] and fever at the headquarters camp in Williamsburg.

In a letter written in 1834, George Michael describes his companies' approach to Yorktown, before the siege, when the British were established there in force.

> ... [y]ou are under a mistake in relation to my being present on the 12th of October when Cornwallis was captured. I am confident very few officers or men in our army rendered more essential services than I think I did at or before the siege of York, and when I think of it I hope I shall ever, while I have life and reason, most humbly, devoutly, and heartily thank and adore the supreme Author of all Goodness and Mercy, who then and so often since has saved me from impending dangers.
>
> And altho' it is with reluctance I am induced to speak or write even to a brother of my own services, I cannot here, in justice to myself and those who were with me, omit stating to you, as well as I can now recollect after the lapse of 53 years, that I was present at the siege of York, & was with the first party that dared in hope to go near our enemies in Yorktown: viz., Cornwallis's Army.

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48 Bedinger, Henry, Letter to Cap. Abram Shepherd, September 9, 1781, in Magazine of the Jefferson County Historical Society, vol. 1, 1935, p. 49.

49 Carrington, Henry B., 1881, Battles of the American Revolution 1775-1781, Promontory Press, New York, 712 p.

A short time before Yorktown was besieged, and when our army lay near Williamsburg, Colonel Darke marched a detachment of, I think, less than one thousand, mostly militia, who were then or afterwards called The Forlorn Hope, as it was then generally thought that on our arrival at the suburbs of the town the British troops, horse and foot, would immediately Sally out upon us and cut us off as we had no other troops to help or aid us near.

When we got in sight of the enemy and were expecting an Immediate attack, from their cavalry, I acting as Adjutant, or could say Major, and as the men had marched in platoons and open columns, marched them up into close solid columns, faced outwards, front rank kneeling, but arms firm; fixed bayonets, leaning out at an angle of near forty-five degrees. This maneuver having been performed briskly and promptly, it is believed that the enemy thought us well disciplined if not regular troops, & that we were only an advance party, & that the U. S. Army were close at hand.

They did not attack us, except at a distance so great that they could not do us much injury, but suffered us to go back without much firing ... I never yet have been able to account for such a motion. I think it was the Colonel's usual fire and rashness & that General Washington perhaps had a desire to know what the enemy would do on such an occasion and acceded to it. It was , in my opinion, an extraordinary, and I think an unnecessary temerity. We had much to lose, and I have never been able to see what great advantage could have been expected of it.

When the whole of our army marched and besieged York I was also with them until after the militias time had experienced, & would have stayed longer but was in bad health, & troops were flocking in from all quarters. The sick were hauled home in wagons. I think I was hauled part of the way home in a waggon, if not all the way. Colonel Darke, when I came away, said that within a few days he expected the British Army would surrender, regretted that I could not see it ..."[50]

In early October Captain Henry Bedinger was laying off ground for huts for winter quarters when his brother Major George Michael Bedinger arrived on his return from Yorktown. Henry described Michael as being "somewhat indisposed." On his way, Michael had stopped at General

50 Dandridge, 1909, 232 p., pp. 79-82.



Protumna, built in 1801 by Major Henry Bedinger in the Tabler Station area, Berkeley County

Washington's headquarters in Williamsburg. A few days later, on 14 October 1781, Michael, carrying letters from Henry to his mother and Captain Shepherd, set out for Shepherdstown by way of Richmond, where he was to settle the accounts of his company.

On October 15 Henry records in his journal that the British ships coming to the aid of General Cornwallis were met at the entrance of Chesapeake Bay by the French ships under De Grasse. The British fleet was badly battered by the French and turned back to New York leaving Cornwallis to his fate in Yorktown.[51]

The surrender of British troops under General Cornwallis at Yorktown signaled the ultimate victory of the Continental Army over the British.

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51 Dandridge, 1909, 232 p., p. 84. and Levin, Alexandra Lee, 1995, For A Brave America the Bedinger Brothers in War and Peace, 1775-1843, Shamrock Hollow, John Day, Oregon, 215 p., p. 53.

However, the armed conflict between the Colonies and Britain would continue. The British were still ensconced in Charleston, South Carolina and Savannah, Georgia. The British were on the frontier of Virginia (now Kentucky) and not deterred by the surrender of British forces at Yorktown and, with Loyalists and Indian allies, were engaged in armed attacks and sieges of American settlements.

Henry writes in his journal, dated November 15, 1781, of his safe arrival in "Shepherd's Town, where I arrived that Evening to Give Joy to my Friends & Satisfaction to my Self after a Journey of 193 Miles from Cumberland Old Ct. House, where I left my Brother Daniel and Many Friends."

Henry, in the spring of 1783, raised another company at Shepherdstown before the treaty that officially ended the war and was near marching them off from Shepherdstown, when he received orders calling off the operation.[52]

British Evacuate Savannah and Charleston

Daniel was at the siege of Yorktown and witnessed the surrender of the British.[53] Daniel was commissioned May 7, 1782 lieutenant in the 4th Regiment Virginia Line.[54] They were assigned to Lieutenant Colonel Thomas Posey's detachment of the 7th Virginia Regiment under General Anthony Wayne and were marched south to bolster General Greene's forces. By 1782, General Greene had regained the entire southland except for British strongholds at Savannah and Charleston.

General Wayne led his soldiers to Savannah. On May 21, 1782, the British under Colonel Brown marched out of Savannah in strong force to confront rapidly advancing General Wayne. Wayne got between Colonel Brown and Savannah, attacked him at midnight, and routed his force. The Americans lost five killed and two wounded. On June 24 a part of General Wayne's army, lying about 5 miles from Savannah, was fiercely attacked

52 Danske Dandridge, unpublished manuscript, in Bedinger and Dandridge Family Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University, Durham, North Carolina.

53 Danske Dandridge, unpublished manuscript, in Bedinger and Dandridge Family Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University, Durham, North Carolina.

54 Southern Campaigns American Revolution Pension Statements and Rosters, http://revwarapps.org/w8138.pdf.

by a body of Creek Indians, who first drove the troops and took two pieces of artillery but they were soon routed by a spirited charge. The brief battle was fought hand-to-hand with swords, bayonets, and tomahawks; fourteen Indians and two white men were killed. The royalists coming out of Savannah to assist the Indians were driven back. On July 11, 1782, the British troops evacuated Savannah, after an occupation of three and a half years. General Wayne took possession of the city, and of the province of Georgia.[55]

The remaining British stronghold in the south was the city of Charleston which had been taken by the British under General Sir Henry Clinton May 12, 1780.

A preliminary peace treaty was signed in Paris November 30, 1782. Terms include recognition of American independence and the boundaries of the United States, along with British withdrawal from America. The British Army marched out of Charleston, ending the occupation, Dec. 14, 1782. Charlestown had been occupied by the British for thirty months and two days when they finally left. Major General Alexander Leslie agreed not to destroy the city if the patriots would allow his troops to depart safely. Upon the firing of the morning cannon the British, their allies, their Loyalists, and 5,000 slaves moved out of the forward works, while the Continentals of Major General Anthony Wayne moved in - keeping a respectful distance. We perceive that Lt. Daniel Bedinger serving under General Wayne was at Fort Johnson on James Island to witness the departure of the British.[56]

Battle of Blue Licks

Although the main British army under Lord Cornwallis had surrendered at Yorktown in October 1781, virtually ending the war in the east, fighting on the western frontier continued. Aided by the British garrison at Fort Detroit, Indians north of the Ohio River redoubled their efforts to drive the American settlers out of western Virginia (now Kentucky and West Virginia).

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55 Henry's Statement of Daniel Bedinger's service given January 31, 1839, by Captain Henry Bedinger, 5th Regiment Revolutionary Army in Southern Campaigns American Revolution Pension Statements and Rosters.

56 Henry's Statement of Daniel Bedinger's service given January 31, 1839, by Captain Henry Bedinger, 5th Regiment Revolutionary Army in Southern Campaigns American Revolution Pension Statements and Rosters.



Bedford Home of Daniel Bedinger.
Built in 1799 near Shepherdstown

In August 1782, with British support, about 50 Loyalists, and 300 Indians, crossed the Ohio River into Kentucky. They meant to surprise and destroy the settlement of Bryan Station, but their movement was discovered and the settlers took shelter within their stockade. The British led force laid siege to Bryan Station on August 15, killing all of the settlers' livestock and destroying their crops, but withdrew after two days when they learned that two contingents of militia were on their way to aid the settlers. The Virginia militia was led by Colonel Benjamin Logan, which included Captain George Michael Bedinger, and a force of Kentucky militia led by Colonel John Todd assisted by Lieutenant Colonel Daniel Boone.

The Kentucky militia of about 180 men arrived at Bryan Station on August 18. Colonel Logan was gathering men and had not yet arrived. The Kentucky militiamen could pursue the raiders immediately to keep them from escaping, or they could wait for Logan to arrive with reinforcements. Daniel Boone advised waiting for the Virginia militia, that were only a day away, but others urged immediate action, pointing out that the enemy force had a 40-mile lead on them. Boone felt compelled to go along. The Kentuckians set out on horseback over an old buffalo trail.

On the morning of August 19, the Kentuckians reached the Licking River, near a spring and salt lick known as the Lower Blue Licks. A few Indian

scouts were seen watching them from across the river. Behind the scouts was a hill around which the river looped. Colonel Todd called a council and asked Daniel Boone, the most experienced woodsman, what he thought. Boone said he had been growing increasingly suspicious because of the obvious trail the Indians had left. He felt the Indians were trying to lead them into an ambush. Against the counsel of Colonel John Todd, Daniel Boone and other officers to await reinforcements, the militiamen charged across the river and attacked the Indian and Loyalist force. It was a trap. Being heavily outnumbered, the American force was badly defeated.[57,58,59]

Captain George Michael Bedinger has oft been reported as taking part in the Battle of Blue Licks. However, Bedinger with Colonel Logan and the Virginia militia arrived at Lower Blue licks the day after the battle and had the grim task of retrieving the bodies of their comrades.

After the war, George Michael established his home at Lower Blue Licks. Many years later Bedinger took his grandson, Everett Wade Bedinger, behind him on his horse to revisit the battlefield. His grandson recalled his grandfather's telling him about the deadly scene the Virginia militia found when they arrived the day after the battle.[60]

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57 "Daniel Boone and the defeat at Blue Licks", published by the Boone Society, Minneapolis, 2005, by Neal Hammon. http://genealogytrails.com/main/military/battleofbluelick.html. George Michael is listed among the participants in the battle in this publication. However, in searching the references given in this publication, there is no documentation to substantiate his presence at the Battle of Blue Licks.

58 George Michael is reported by Collins in his History of Kentucky (full reference given below) to have fought in the battle, however no primary documentation of his presence at the battle is known to this writer. The definitive statement accepted by this writer is given in the biography *The Late Hon. George Michael Bedinger* written by George William Ranson in 1881 for the Carlyle, Kentucky Mercury it which it is stated, "In 1782 occurred the slaughter of the ill-fated force at Lower Blue Licks. Bedinger was not at that point at the time. He was with Ben. Logan's Command which arrived at that place a day or two after the battle and discharged the melancholy duty of burying their fallen friends and comrades."

59 Collins, Lewis, 1847, History of Kentucky, published by Lewis Collins, Maysville, KY; and J. A. & U. P. James, Cincinnati, 560 p., p 485.

60 Everett Wade Bedinger, An Autobiography, undated, manuscript, 136 p.

Treaty of Peace

The Treaty of Paris, ending the Revolution, was signed September 3, 1783.

After the War

Daniel was selected to membership in the Society of the Cincinnati. His certification bears the signature of George Washington and the date of March 1, 1787 at Mount Vernon. Henry received the same honor. The Society was composed of officers selected by General Washington who served for the duration of the war. George Michael had enlisted for several terms of limited duration because he felt the need to be in Shepherdstown at times to provide aid for his mother and siblings and to be there to aid his brother Daniel when he was recovering from British imprisonment.

Reunion at Stephenson's Spring

Years had passed since Captain Hugh Stephenson's company of one hundred volunteers had met at a barbecue near Shepherdstown. On that day they had pledged to meet again at the spring when fifty years had rolled away. Two aging brothers met at the rendezvous midway between *Bedford*[61] and the home of their nephew Daniel Morgan. Three other men had survived but were too feeble to attend the reunion. Each brother arrived on horseback, Henry, aged seventy-one, from Martinsburg in nearby Berkeley County, and George Michael, aged sixty-nine, from Nicholas County, Kentucky. The two old brothers embraced and looked into each other's eyes for the last time.

The reunion was commemorated by a detachment of artillery marching with colors unfurled to the cadence of fife and drum. While George Michael greeted his comrade's descendants, the detachment of artillery on a nearby height fired a salute. Songs were sung, toasts were drunk and the band concluded with "Auld Lang Syne."[62]

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61 Home of Daniel Bedinger, built in 1799.

62 An account of the barbecue appeared in the Harper's Ferry Free Press and is recounted by Levin, Alexandra Lee, 1995, For A Brave America the Bedinger Brothers in War and Peace, 1775-1843, Shamrock Hollow, John Day, Oregon, 215 p., pp. 164-165 and Dandridge, 1909, 232 p., pp. 188-193.

Below is a patriotic song written by Henry which would have been appropriately sung at this celebration:[63]

Hail America hail, unrivalled in fame
Thy foes in confusion, turn pale at thy Name
On the rock rooted Virtues, firmly seated sublime
Beneath the break harmless, the billows of time

For the striped flagg shall wave, Still we Glory Pursue
And freedom-find harmless, ever a Guardian in you
Huzza, Huzza, Huzza my brave Americans,
whom freedom Secures
For the high C[ ] of Crest blazing Glory is yours
Let Spain boast the treasure, that glows in her mines
And Gallia rejoice in her Olives and Vines

In bright sparkling Jewells let India prevail
And her [ ] ours to Charm you, diffuse in each gale
"Tis America alone, that is blest with the Soil
Where the fair fruits of Virtues, and Liberty Smile
Huzza, Huzza, Huzza my Brave American,
whom freedom secures
For a Washington, Franklin & Hancock are yours

Our bosoms in raptures, beat high at thy Name,
Why health is our transport, thy triumph's our fame
Like our Sires with our Swords, will support thy renown
What they bought with their flood, we'll preserve with our Own
Smile ye Guardians of freedom, and ye brave Sons implore
That America ay flourish till time is no more
Huzza, Huzza, Huzza my brave Americans,
whom freedom secures
For Adams, and Randolph, and Pinkney are yours

63 From correspondence and memorabilia of Henry Bedinger in the care of Reid Wilburn.

Whilst the Sword of Oppression, unscathed remains
The blood of our Heroes, Still Crimson the plains
See Weeping America, exhort ev'ry Son
That their hearts and their Glory, may alway be one
'Tis the Charter of freedom attend to the Call
United we Flourish, divided we fall.
Huzza, Huzza, Huzza, my brave Americans,
whom freedom Secures
For a Green, and a Morgan, & Howard are yours

The Muses to thee, Sure glad tribute shall pay
With freedom they flourish, with freedom decay
And their hearts faintly Murmur or Silently Stand
Whilst the Sword of oppression suspends o'r the land
Can the Eagle soar high, Can she dart like the wind
If her files are oppressed and her pinions Confined
Huzza, Huzza, Huzza, my brave Americans,
whom freedom secures
For a Lincoln, a Gates, and a Morgan, are yours.

With sweetness and beauty thy daughters surprise
With rose blooming Cheeks and love languishing Eyes
Haste ye graces cried Venus, to America repair,
Fit consorts to heroes, the first of the fair
For to whom should the blessings of freedom descend

But the Sons of those Sires, whom their freedom defend
Huzza, Huzza, Huzza, my brave Americans,
whom freedom Secures
For a Putnam, a Sterling and a Marion are yours
Finis

M. S. Doug Bedinger continues his research in the history and genealogy of the Bedinger and related families, writing articles and maintaining a family website at www.bedinger.org.

An Ordinary Story: The Pioneer Thomas Hart at the First Crossroads in what is now West Virginia

Stephen Stec

This is the story of one of the overlooked pioneers of the Lower Valley, someone whose profile did not fit the stereotype of the hardy German or wily Scots-Irish frontier folk. The subject of this article had a back story that was pretty common among the early settlers west of the Blue Ridge, but over time that back story has gotten less familiar. It was first overtaken by the narrative of rugged individualism, and with that tradition's deconstruction and discrediting, the type of person that Thomas Hart typified has not been rediscovered in our view of the distant past. After all, who can think in sympathetic terms today of a lapsed Quaker who failed to find his fortune in the first defining moment of westward expansion?

The 2020 issue of the *Magazine* included a reconstruction of the West Virginia portion of the original Wagon Road – known as Hite's Wagon Road – that brought the first European settlers from the Northern colonies across the Potomac into the Shenandoah Valley. A self-selected group of provisioners, profiteers and entrepreneurs jockeyed among themselves to be the main purveyors of supplies and services to the migrating masses. By the early 1730s, a few stops along the Maryland part of the route from Philadelphia had been set up, including the Monocacy settlement where the Van Meters had a base; Park Hall, on the western slope of South Mountain; and Garrison's Spring (later Hickory Tavern) near the future site of Sharpsburg. After travelers would accomplish the difficult and sometimes treacherous crossing of the Potomac they might pause for refreshment at the home of Samuel Taylor, the ferry operator, or camp at

Editor's Note: Our format makes it hard to include readable maps. Internet maps are easier to read and enlarge. Use ***https://www.oldemaps.co.uk/map-witney.jpg*** to find Whitney and Horton in England. ***https://www.bl.uk/collection-items/map-of-the-province-of-pennsilvania*** for Hart and others in Pennsylvania. Areas in Frederick, Berkeley and Jefferson may be found on the Varle map ***https://www.loc.gov/resource/g3883f.la001258/?r=-1.458,-0.027,3.916,1.598,0,*** the 1852 S. Howell Brown map ***https://www.loc.gov/item/2005625308/*** and Google Earth.

the high ground where Rattlesnake Run came near to the Trough rising from Pack Horse Ford.

In 1732, the country from there to the early Quaker and German settlements around Opequon Creek was largely empty. Given that a wagon could make fifteen miles on a good day, there were opportunities to be had for someone with a keen eye to provide some form of accommodation to the increasing numbers of travelers on their way up the Valley. After the Potomac crossing, the next important points along the Wagon Road were the springs at the head of Rattlesnake Run (formerly Taylor's Run and Lucas's Run) and at the spot where the Wagon Road crossed the Elk Branch. This latter place was close to where the newly cut Wagon Road met an old Indian trail that ran from the Blue Ridge to the Warm Spring (Berkeley Springs), which to this day in some sections is called the Warm Spring Road. According to tradition, the spring at the Elk Branch had been frequented as a place of natural refreshment by Native Americans for centuries.

Thomas Hart was from Warminster Township in Bucks County, Pennsylvania. Indications are that he considered himself the type of ambitious and capable person with some means at his disposal who could make his fortune by building an ordinary or inn on the Elk Branch. He took out his land rights when European settlement in the Valley was less than four years old and a single road carried all traffic through the Valley. Even at that time, there were clouds billowing on the horizon. His vision came at a time when the frontier was indeed limitless but also fraught with risk. Things would not go according to plan.

The Harts

But first, who was Thomas Hart? To understand him better, it's necessary to go back a couple of generations earlier to the time when the Society of Friends was rapidly expanding in England. The name Hart appears quite frequently in early Quaker records.[1] Christopher (aka Kester) and

1 One Thomas Hart (1629-1704), a prominent Quaker and merchant of Enfield, near London, held the Enfield Monthly Meeting in his house, which Quaker founder George Fox often visited. He had business interests in Barbados and was one of the 12 Quakers including William Penn who successfully bid in 1682-3 for the Carteret plantations in East Jersey. Edward Hart was a leader of the Quakers in New Amsterdam (New York) who was arrested by Peter Stuyvesant in 1657.

Mary Hart, Thomas Hart's grandparents, had close personal contacts with George Fox, the founder of the Society of Friends, and hosted early meetings of the Society in their home in the town of Witney, Oxfordshire. Witney had grown rapidly in the preceding decade. It was famous as the center of the manufacture and worldwide export of a heavy, durable, closely woven broadcloth with its shag unshorn, made from Cotswold sheep's wool.[2] Flemish immigrants brought the technology of making this cloth from a town near Antwerp called Duffel, which gave its name to the cloth – "duffel" (as in duffel bags), anglicized as "duffields."[3] Communities of skilled laborers were particularly fertile ground for the pacifist message of the Quakers and their notion of the "inner light" following the turmoil of the English Civil Wars. Witney was the perfect community to become an important center of religious dissent; by the 1670s it was the home of the largest Quaker meeting in the shire.

John Hart, Thomas's father, was born at Witney on November 16, 1651,[4] and grew up during the most dynamic period of Quaker history. A charismatic youth, by the fireside in his home he was exposed to the

2 In England this cloth was first made in Colchester and Braintree prior to the 1630s; the center of manufacture moved to Witney by 1663. The cloth was made primarily for trade with the "Red Indians" in exchange for pelts, but it was also popular in Eastern Europe and among mariners and others who needed heavy outer clothing (the last Witney blanket manufactory only closed in 2002). See Eric Kerridge, Textile Manufactures in Early Modern England (Manchester U. Press, 1985).

3 From "The Natural History of Oxford-Shire" (1705) – "Duffields and blankets consists the chief trade of Witney … These Duffields, … otherwise called shags, and by the merchants, trucking-cloth, they make in pieces about 30 yards long and one yard ¾ broad, and dye them red or blue, which are the colours that best please the Indians of Virginia and New England, with whom the merchants truck them for beaver, and other furs of several beasts etc. … They send all their Duffields and blankets weekly in wagons up to London." See also James Playfair, A System of Geography (1809), Vol. 2, p. 322; see also Kerridge. In one of the ironies of Jefferson County history, Hart, the first settler at Duffields, had roots in the English town where making "duffields" was the major industry. Duffield's Depot in Jefferson County was named after Richard Duffield, a son-in-law of General William Darke. Richard Duffield is supposed to have come from Bensalem, Pennsylvania, close to the lands of the Harts and Darkes (see below). Although his pedigree is not proven, he may be descended from Robert Duffield (born ca 1635, Yorkshire), who arrived in 1682 and was buried in the Pennypack Churchyard in 1692. Family researchers show Robert's wife to have been Bridget *Hart*. Among his descendants were son Benjamin Duffield (born 1661, who lived in Burlington and later Moreland Manor near Byberry; his death was reported 4 Jun 1741 in the *American Weekly Mercury*) and Samuel Duffield, a Philadelphia physician.

4 Joseph C. Martindale, A History of the Townships of Byberry and Moreland in Philadelphia, Pa. (1867), at 209.

intense doctrinal discussions of the prominent leaders and thinkers of the Society of Friends, including the earliest missionaries who had journeyed to the Chesapeake and New England. He began to take part in debates himself and became a preacher of some note. William Penn and other Quaker leaders who, despite being persecuted, often were successful at business, began investing in colonial ventures; Hart's many acquaintances therefore included several leaders of the new settlement of Burlington in West Jersey. Soon, John Hart found that he was personally involved with certain families as well, as he courted Susannah Rush, the daughter of John and Susanna (Lucas) Rush of Hornton, Oxfordshire.

A constellation of interrelated Quaker families, whose names will be familiar to Jefferson Countians, forged their bonds this way in England – bonds so strong that over the course of a century they carried them over the Atlantic Ocean to the Delaware Valley and then across the Blue Ridge. There was Robert Lucas, belonging to the family of John Hart's future mother-in-law, who arrived with his eldest son, John, to America in April 1679, years before William Penn's patent became effective in Pennsylvania. Lucas immediately petitioned Sir Edmund Andross, territorial representative of the Duke of York, for a grant of land on the west side of the Delaware "near the falls." Andross allowed the grant[5] and William Penn later confirmed it and added a further grant. The locality was afterwards included in Falls Township and was known as Crookhorne (or Crewcorne) at the Falls. It was located directly across the Delaware from the mill of Mahlon Stacey, who had arrived the year before and whose settlement on the east side of the Falls of the Delaware was the core of the future city of Trenton, N.J. The people chose Robert Lucas as one of the first four magistrates in May 1680 and he thereafter was frequently in leadership roles in the civil affairs of the settlement. His grandson, Edward, was Thomas Hart's cousin and went with him to Virginia.[6]

Then there were the Darkes. William Darke, a skinner and glover aged about 58 years, of Rysing, Camden, Gloucestershire, arrived in June 1680 on the same ship – the *Content* – that bore Robert Lucas's wife and the

5 NYSA_A1879-78_V21_0061.

6 More details can be found in S. Gordon Smyth, "Bucks County Pioneers in the Valley of Virginia" (Friends Meeting House, Wrightstown Meeting, November 8, 1913), reproduced in: A Collection of Papers Read Before the Bucks County Historical Society, Vol. IV (1917), 447-66, 451.

rest of his family. Darke also settled at the Falls and was later joined by his son, John, and John's stepmother, Alice.[7] John Darke would move from the Falls about 15 miles away to Byberry and would marry Jane Rush, the youngest sister of John Hart's wife Susannah. Their daughter Mary became the wife of Edward Lucas.

But most important to Hart was his future father-in-law, John Rush, who had been a Quaker since about 1660 and according to tradition had been a commander of a troop of horse in Oliver Cromwell's army.[8] Rush led his extended family to join William Penn's "Holy Experiment" to establish a Quaker paradise in America. In fact, he was one of the first subscribers, taking up 1000 acres. John Hart, betrothed to Susannah Rush, also took up 1000 acres in October 1681.[9] Hart went before the Monthly Meeting in London on the 9th day of the 11th month (i.e., February 9, 1682, N.S.[10]) where he and Susannah Rush declared their intention to marry. On April 10th, Hart received a certificate of removal from the Witney Monthly Meeting, and he traveled to Pennsylvania not long thereafter. Susannah arrived in the colony with the Rush family the following year.

Poetquessink (Byberry) and Warminster

In 1682, with the arrival of some of William Penn's first settlers on the ship *Welcome*, the area around Poetquessink (Poquessing) Creek received an influx of individuals and families. This locality, which today is the northernmost neighborhood within the Philadelphia city limits, would be named Byberry. Things moved quite fast. Thomas Holme, surveyor of the province, arrived in Pennsylvania in August 1682. He got right to work and made a survey for Hart on Poetquessink Creek consisting of 484 acres on September 1st. John Rush's first parcel was laid out next to John Hart's. John Hart immediately stepped into leadership roles in the new colony.

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7 Wife Alice, aged about 63, arrived in the latter end of Aug 1684 from London on the *Charles* with son John, born May 4, 1667. See *Pa Mag of Hist and Bio*, 1885, p 229. In England the family belonged to the Broad Campden MM where records show that John was Alice's stepson, having been born to William's first wife, Honor, who died during the birth of twins William and Samuel in 1670.

8 See, e.g., Smyth, at 455.

9 By lease and release dated October 12, 1681, William Penn of Worminghurst in the County of Sussex, Esq., granted John Hart 1000 acres to be laid out in Pennsylvania. The record can be found in the British Archives.

10 See https://simple.wikipedia.org/wiki/Old_Style_and_New_Style_dates

He was described in Proud's *History of Pennsylvania* (1797) as a man of "rank, character and reputation" inferred to be "a great preacher."[11] On September 12, 1682, Hart was named to the first grand jury in the colony, for the court at Upland.[12] Penn set up the three counties of Chester, Philadelphia and Bucks later that year, and, as Byberry fell within Philadelphia County, Hart was named to the first Assembly held for that county. Also, in 1682 he and Henry Waddy were appointed to visit and administer to the poor and sick of the upper part of Philadelphia County at the expense of the Monthly Meeting. The Rush cohort sited their remaining land rights about ten miles inland from Byberry at Warminster, in Bucks County. Hart's 485-acre warrant for a survey at Warminster was issued on July 5, 1684, and the survey was returned October 11, again adjoining that of John Rush.

Although he held civil office, John Hart's main interests were religious, in accordance with the character of Penn's social experiment. Following the example of his parents, at the July 1683 Quarterly Meeting in Philadelphia, it was decided that a first day meeting would be established at Takony and Poetquessink, with monthly meetings to be held alternately at Sarah Seary's in Oxford and John Hart's house in Byberry. A roving Monthly Meeting was soon rotated among Germantown, Byberry, Oxford and Cheltenham, with the meetings in Byberry held at John Hart's house.[13] In June 1685 the weekly meetings previously held at Giles Knight's were also moved to John Hart's house. On July 28, 1685, Hart was one of the trustees for surveying 10 acres for a burying ground at Byberry. The meetings were moved to other houses later, but Hart continued to preach and to serve as clerk of the Monthly Meeting until at least 1687. At a Monthly Meeting on April 30, 1688, held at Dublin, he gave a report about the goings-on at Germantown regarding the debate over slavery.

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11 Robert Proud, *The History of Pennsylvania in North America,* Vol. I (Philadelphia, 1797), at 369, note.

12 W.W.H. Davis, "History of the Hart Family of Warminster, Bucks County, Pennsylvania" (1867), available at https://archive.org/details/historyofhartfam00byudavi/page/n15. Davis's account is not entirely accurate.

13 One such meeting took place on June 2, 1684, and another on February 2, 1685, N.S. See Martindale at 32, 251.

The Keithian Schism

It was not long until the idealistic Quakers' euphoria passed away and was overtaken by squabbling and doctrinal disputes. George Keith, a learned preacher who had gone to Holland and Germany with George Fox and William Penn, arrived in Pennsylvania about 1684, where he immediately became a spiritual leader of the Pennsylvania Friends.[14] He was known for a famous "apologia" at John Osgood's house in Gracechurch Street in London in 1678 that had caused controversy. Once in America, he again became outspoken about the errors of the Quakers. Despite being a contender of doctrine, in 1689, William Penn designated Keith to be schoolmaster of the new school in Philadelphia. As a result of the controversy surrounding his appointment, factions formed, and various maneuvers and stratagems were employed in all directions.

Keith's departure from the mainstream has been characterized as a reaction to the harsher conditions of the wilderness in comparison to the industrial towns of England and Wales where many of the Quakers had come from. The Keithians sought stronger communal bonds, particularly in the rites of the Lord's Supper and adult baptism and abandoned some of the radical independence of the traditional Quakers. Keithians considered themselves to be true Christians, calling themselves Christian Quakers.[15] They have been called the first "American" denomination because they grew out of debates over how an Old World community should respond to the challenges and changes wrought by the American frontier.[16]

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14 R.E.E. Harkness, "Early Relations of Baptists and Quakers," *Church History,* Vol. 2, No. 4 (Dec. 1933), 227-242.

15 In a tract he published, "A faithful relation of the great opposition made by some preachers among the Quakers … ," Keith laid out three differences – he held that Christ's body ascended into heaven after death, he prayed to Christ Jesus directly, and he contended that there was no direct way to God the Father but only through the intercession of Christ. Keith's insistence that a Christian Quaker required the intercession of Christ conflicted with the essential Quaker doctrine that God could speak directly to the hearts of Quakers through "inner light." In the tract Keith asserts that William Penn, Thomas Hart (the Jersey investor) and George Whitehead were his defenders. In *The Christian Quaker* he further claimed that he had been persecuted for disagreeing that the "light within" was sufficient, without anything else, to Salvation.

16 Notes and Documents (Jon Butler): The Records of the First "American" Denomination: The Keithians of Pennsylvania, 1694-1700. *Pa. Mag. of Hist. and Bio.* Vol. CXX, Nos. 1/2 (Jan/Apr 1996) 89 ff.

The year 1691 marked the schism. Twenty-eight mainstream Quakers leveled an accusation against Keith, who responded with a defense in the form of a published tract addressed to the September 1692 Yearly Meeting at Burlington. John Hart was one of the five subscribers to Keith's tract, which was considered by many to be malicious and seditious. A warrant was issued against the publishers, but it is unclear whether Hart was arrested. But Keith had a great deal of support among his fellow countrymen. Even after his published writings were condemned by several meetings including the influential Yearly Meeting at Tredaven (Third Haven) in Maryland in 1692, 16 of the 32 meetings under the Yearly Meeting for Pennsylvania and New Jersey followed Keith.[17] On Poetquessink Creek especially the conflicts were at a high pitch. With the schism, the Keithians with Hart as their minister held the Byberry meeting house, while the Friends including the Knight family retreated to the house of Henry English for their meetings. The same year, while living at Byberry, John Hart published "An Essay on the Subject of Oaths" together with Thomas Budd. Hart also advocated egalitarian doctrines that emphasized the ability of the holy spirit to work in all Friends and denied distinctions among Public Friends, who were preaching Quakers responsible for proselytizing and doctrinal clarification.[18] At the next yearly meeting at Burlington, on April 7, 1693, the Keithians including Hart were disowned. This situation went on for two or three years.

Penn, however, had some sympathy for Keith, and on April 21, 1693, he and other prominent Quakers of London wrote a letter to Hart and others giving "brotherly advice." Keith and Budd went to London to plead their case in 1694 at the Yearly Meeting and wrote encouraging words back to their friends in Pennsylvania. But there was no unanimity even among the Keithians. Keith and Budd disputed some of Hart's doctrine and on May 4, 1694, Hart's ideas caused a split with William Davis of the Chester County Keithians.

These squabbles continued while, in 1695, at the next Yearly Meeting, the Quakers held Keith to be out of unity. Hart started to preach in a Keithian meeting at the house of John Swift in Southampton, a few miles north of

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17 John Comly, Friends Miscellany (1831) 105-07. The Darkes apparently did not follow the Keithians. In 1695, John Darke and Will Darke were witnesses to the marriage of Henry Comly and Agnes Heaton at Middletown. See Martindale at 253.

18 See Butler, op cit.

Byberry in Bucks County. Meanwhile, Keith had an epiphany and joined the Established Church in England, which caused some of the congregants at Poetquessink to leave to establish All Saints Anglican church at Lower Dublin. Adult baptism being one of the Christian Quaker tenets, Hart led his cohort to apply for baptism to the Baptists of Pennypack. The Baptists wrote to their former minister in England, Elias Keach, who advised them not to baptize the Christian Quakers. Among the obstacles were the notions of not serving in government or taking oaths. The by-now former Keithians apparently took adult baptism into their own hands. Thomas Rutter, who baptized John Hart in 1697, was a Keithian schismatic from Germantown who had been a leader of the Philadelphia Friends and became a minister among the Philadelphia Baptists. He was also William Penn's blacksmith.[19]

Perhaps connected with the death of the venerable John Rush in 1698, around this time, Hart sold some land from his Byberry grant while reserving one acre for the burying ground. He seems to have refocused his center of activity to the Warminster tract, where their house was on the north side of the road near Johnsville.[20] He continued to be the preacher and leader of the congregation at Swift's house in Southampton, who were called "Keithians, practicing Believers Baptism." But they were no longer a bother to the Friends.[21] In 1702, Keith returned to America to try to convert Quakers to the Established Church. His journal states that he met some Baptists from his former friends but could not convince them. After John Watts, the pastor of the Pennypack Baptist Church, died on August 27, 1702, Hart's group was finally invited to join the Baptists. The former Keithians were called Quaker-Baptists because they kept their former language, plain dress and manners.[22]

Also of significance to the Harts was the arrival in 1701 of an entire Baptist congregation of 16 families from Pembrokeshire, Wales, who first settled

19 Morgan Edwards' "Materials Towards a History of the Baptists in Pennsylvania" (1770), quoted in David Spencer, Early Baptists of Philadelphia (1877), refers to one of the body of Keithians in the vicinity of Pennypack being baptized on September 27, 1697, without naming him.

20 Davis; Smyth. Martindale, however, states that he sold all his possessions in Byberry in 1705 and moved to Southampton.

21 Friends Miscellany, quoting Gough's History.

22 I have not read Edwards' account, but from the parts quoted in Spencer, it appears that the William Davis with whom Hart had quarreled had become a leader of the Pennypack Baptists but left them in 1701 amidst further disagreements over the sabbath.

in the vicinity of Pennypack. They prospered by attracting many Welsh Quakers into their ranks, but due to a disagreement over laying on of hands, some of them went off to purchase the Welsh Tract in Delaware, while leaving 22 members at Pennypack. With the death of Watts, the Welsh minister, Rev. Thomas Griffith, was invited to preach at Pennypack. However, Griffith's main assignment was with the Welsh Tract, [23] so it seems that Pennypack must have required the services of an assistant minister. The church minutes specifically brought attention to John Hart being the minister of the Swift group. Hart was appointed in 1703 and continued in that role until his death. From this serendipitous occurrence, the Harts became entangled with a Welsh community that included the family of Thomas Hart's future wife, Esther Miles.

A Baptist account quoted by Comly states about John Hart: "He was not ordained; but was reckoned a good preacher, and a most pious Christian." The newly combined church met at Swift's house until he moved, and then at Peter Chamberline's house in Philadelphia County. This became the Southampton Church. Hart also preached at an associated church at Philadelphia, probably that of Rutter. In 1707, the Pennypack/ Southampton church was one of the charter members of the Philadelphia Association, the first Baptist association in America.

Thomas Hart

In the same manner that his father John grew up in the heyday of Quaker adventurism only to carve a new identity and community among the Baptists, Thomas Hart grew up surrounded by a different form of controversy and became a different kind of American pioneer. Thomas Hart's early years were spent watching how Penn's vision of paradise faded before the harsh realities of frontier life. Born in the New World among his Rush relatives at Byberry in 1685 or 6, he witnessed how his father John, a respected preacher from Old England, was drawn into one dispute after another, drifting away from the Society of Friends. His formative years were shaped by his father's transition from Quaker leadership to schismatic to ministering to a new Baptist community that included an influx of Welsh culture.

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23 See Spencer, Ch. 2.

Thomas was the second son born to John Hart and Susannah (Rush) Hart. His family moved to Warminster when he was entering his teens and the merger with the Baptists and the arrival of the Welsh settlers took place when Thomas was about 17. Thomas's older brother, John, would remain in Warminster for his whole life and carry on the family's Pennsylvania traditions in the Southampton congregation. During Thomas's youth, the Welsh Baptists of Southampton were led by their long-time pastor, Jenkin Jones, to whom Thomas's father became assistant in turn. Another Welsh congregant was Griffith Miles, a leading church elder. His wife, the former Bridget Edwards, was the daughter of Alexander Edwards, a wealthy landowner.[24] This couple had a daughter Esther, who attracted Thomas's interest.

Meanwhile, as John Hart neared old age, he made provisions for his children, including Thomas, to whom he conveyed by articles of agreement dated March 18, 1711, N.S., 200 acres and certain improvements at Warminster. Three years later, on September 11, 1714, John Hart made his will, in which he confirmed his agreement with Thomas. He died shortly thereafter and was laid to rest in the burying ground at the Pennypack/ Southampton Church. The widow Susannah returned to Byberry to spend her remaining days with her Rush kinfolk.[25] With the confirmation of his inheritance, Thomas married Esther Miles and began a family at Warminster. Sons Miles and Thomas Jr. are documented, while substantial evidence points to other sons, Aron and Josiah, and a daughter, Mary.[26]

There is little direct evidence concerning what Thomas Hart did during his early adulthood. He was called a yeoman and husbandman, indicating that he worked his 200-acre tract in Warminster. He may have simply been a farmer who benefited as much from the prosperity and connections of his accomplished Hart siblings, Welsh in-laws, and Rush, Darke and Lucas

24 When Alexander Edwards died in 1712, he left legacies to his granddaughters, including Esther.

25 See Davis, "History of the Hart Family." Thomas's mother died at Byberry on February 27, 1725 and was buried next to her husband at Pennypack.

26 Terry family researchers show that Mary, daughter of Thomas Hart and Esther Miles, married Jesper Terry in New Jersey on July 29, 1735. See www.genforum.genealogy.com/terry/messages/4748.html by jspruell@earthlink.net (accessed 23 Mar 2012). Family researchers have also pointed to a possible son James. The parentage of James Hart, who married into the Finneys in Lancaster, Pennsylvania, and settled in Orange County, North Carolina, is disputed.

cousins as from his own initiative. But more likely he had some special abilities that matched the ambition that would later manifest itself in his leap of faith into the Virginia wilderness.

Around this same time, a German linen weaver who was the same age as Thomas Hart came to Skippack Creek in Philadelphia County (now Montgomery County) from Kingston, Ulster County, New York, and purchased 150 acres of land. He bought a bit more land in 1716 and the next year paid quitrent on 174 acres of land in the Perkiomen Creek area. His name was Hans Jost Hite.[27] This German weaver had immigrated from Bonfeld, near the Kraichgau in Germany, only a few years earlier, in 1710, and like many other German Palatines, immediately encountered a hostile New York government that was encouraging resettlement of Palatines into the other colonies. In his short time in New York, he encountered many Germans and Dutch who had settled there decades earlier, among them John Van Meter. Van Meter also left New York, in 1714, to Salem, New Jersey, where he purchased 1600 acres, showing that he was then in a significantly wealthier category than Hite.[28] But Hite was prospering, and on November 15, 1718, he moved to another tract on Perkiomen Creek (now near Schwenksville, Montgomery County), where he built a grist mill on 600 acres, near the site of the Dutch Township.[29]

Hite's new home was about 25 miles from Warminster. Hart might have had personal contacts with Hite and/or the Van Meters through his neighbors and associates, such as Gerrit Wynkoop, from a family of shippers and brewers. Wynkoop had come to Pennsylvania from Kingston about 1717 and purchased land in Moreland Manor, which straddled Byberry and Bucks County, in 1727. Isaac Van Meter's wife was a Wynkoop and others of the family married into the DuBois family. A descendant of the family, Cornelius Wynkoop, would later take over Entler's Tavern in Shepherdstown.

In 1719, two things happened. Esther's father, Griffith Miles, died leaving certain legacies to his family members. And in an apparently friendly

27 His name appears in Pennsylvania records as Hans Justus Heyd, Heyt, Heydt, etc.

28 The Van Meters and HItes would intermarry in subsequent generations. Some researchers contend that they were already kin in New York through mutual connections with the DuBois family.

29 The Dutch Township was intended for the settlement of the Dutch Company from Long Island, which did not materialize.

transaction that same year, Thomas – called a yeoman – sold his 200 acres to his cousin, James Rush of Byberry. But this was not a real sale, since Hart continued living at Warminster as before; the deed was not recorded until many years later, possibly after Thomas's death.[30] Perhaps Thomas had granted the land in pledge to secure an infusion of capital from his cousin that he used for some kind of business venture. In any case, he was later wealthy enough that he could become one of the largest landowners in the Lower Valley. But that was still years away and in 1719 Hart's future was far from certain as many pieces of the puzzle were yet to fall into place.[31]

The resettling of Palatines from the territory of the unfriendly New York government was not yet fully resolved. The Maryland frontier was slowly advancing, and about 1724, the Van Meters bought property and set up shop in the Monocacy Valley as an outpost for their New York and New Jersey based interests. Between 1723-27, Palatines were invited to the Pennsylvania frontier where they established the Tulpehocken and Swatara settlements. But the encroachment heightened tensions with the Iroquois Confederacy and the Shawnee. In 1728, in what has been called the "first frontier crisis," violence erupted between Native Americans and Pennsylvanians on the frontier. The predicate was a brewing conflict between the Shawnee and Conestoga Indians that threatened to spill over into the increasingly dense German and English settlements. On May 10, the inhabitants of Colebrookdale on Perkiomen Creek, including Jost Hite (Yost Hyt), petitioned the government for relief from Indian attacks in their area, even though the actual violence had been grossly exaggerated.[32] Although the crisis was averted, the focus of frontier expansion shifted towards Virginia, where there was no danger of conflict with Native Americans, who had largely withdrawn from the Shenandoah Valley.

30 Bucks County Deed Book 9, p. 356. Ux Esther. The deed, followed by John Hart, Jr.'s release (as heir at law to their father), dated December 11, 1719, was not proven in court until Feb. 15, 1745, N.S., and was only recorded on Oct. 13, 1756.

31 Some researchers point to what they consider a second marriage of Thomas Hart, implying that Esther died before 1722, although this is not proven. This is due to the record of a 1722 marriage of one Thomas Hart to Mary Combs at the Philadelphia MM (see Smyth, although he did not know about Thomas's marriage to Esther Miles). The Thomas Hart who married Mary Combs may be from the Hart family of bricklayers in Philadelphia who are sometimes confused with the Harts of Byberry and Warminster. See also Davis (1867).

32 Another petitioner was Christian Nighswanger, who would later migrate to the Valley.

Thomas Hart was aware of the forces drawing his neighbors towards the Valley, but he was still engaged in local affairs in 1731 when Jost Hite sold his mill and bought out the Van Meter rights to 40,000 acres in the Lower Valley. Hart's name appears on a petition for a road in Warminster around the same time that Hite and his 16 families were cutting the Wagon Road from the Potomac and crossing the Elk Branch at the future site of Hart's ordinary on their way to the Opeckon settlement.

Hart was a typical second son of a prominent family. Not in line to inherit the mantle of his father, he took a much greater interest in the frontier than his elder brother John, who would remain a leader of their community and of the Baptists. At Warminster John served as county sheriff, coroner, and justice of the peace, as well as deacon of the Southampton Church. John's son, Joseph, would serve as an officer in the Revolutionary War from Warminster. Another son, Oliver, who was born into the Southampton community in 1723, would grow up to become a renowned Baptist minister serving in Charleston, South Carolina, and New Jersey. Oliver Hart is the subject of a recent biography that lionizes him as the most important evangelical leader in the Colonial South and a founder of the Southern Baptist church.[33] These members of the Hart family earned pride of place in the early family histories, including W.W.H. Davis's "History of the Hart Family of Warminster, Bucks County, Pennsylvania" (1867). Oddly, Davis's history implies that he and his Hart family correspondents (including Oliver, Joseph and Silas Hart, Thomas's nephews) had no knowledge of Thomas Hart's fate after he left Warminster. At least, Davis chose not to elaborate on Thomas's subsequent history.

The Ordinary

We know that, once in Virginia, Thomas Hart operated an ordinary. In Pennsylvania, as far as is known, he did not have direct experience in this line of business. The only records found so far that refer to an occupation in his home colony call him a yeoman or husbandman. As we will see, there were some others with whom Hart may have been acquainted who did have prior experience in the hospitality field. But before exploring those connections, it is worth having an understanding of the ordinary as an institution, particularly on the American frontier.

33 Eric C. Smith, Oliver Hart and the Rise of Baptist America (Oxford U. Press, 2020).

The system of the ordinary, dating from the late Elizabethan era in England, was an innovation on the typical inn or tavern that had existed since at least the Middle Ages. What was new and modern about the ordinary was that it provided a set meal at specific times of day for any and all comers at a standard price. The hours, meals and prices were typically set by law. Competition was kept low by requiring a license. Ordinaries frequently served important local social and political functions. Sometimes the public nature of the place would be evident by the placement of stocks and whipping posts, or even a jail.

Because authorities would grant exclusive licenses for ordinaries within a specific territory, ownership could be quite lucrative. Increasing the opportunity for profit was the introduction of coffee into Europe and the Colonies at the end of the 17th Century, which supplemented the usual offering of cider, claret, rum and spirits.[34] In England, the ordinary was a tried-and-true institution that had seen better days, with many in the larger cities having shifted from simple public accommodation to a cover for gambling dens or other disreputable activities. In the American colonies, the ordinary took on a specific form in response to local social, economic, and environmental conditions. This was especially true in the tobacco-growing colonies of Virginia and Maryland, where there were no towns to speak of and the custom was for landowners to provide a measure of general hospitality to the public at large. Once lands inland got cleared and waterborne transport faded in importance, road transport drove the demand for provision of services to travelers. The first ordinaries in the Tidewater and Piedmont served travelers engaged in going to and fro on business to the courthouses. This category often took on the seediness of their London or Bristol counterparts and were the subject of much debate within the Virginia legislature as early as the 1670s.[35] But with frontier expansion, subsequently another kind of ordinary sprung up as waystations for the migrating hordes.

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34 The proprietor of the first coffee house in Maryland was a garrulous and cosmopolitan Dutchman, Garrett Van Swearingen, whose curious history cast a colorful air upon his establishment at St. Mary's City. The Swearingen family would branch out in various directions, including to the Lower Valley as operators of the Potomac ferry at Shepherdstown.

35 See Paton Yoder, "Tavern Regulation in Virginia: Rationale and Reality," 87 *Va. Mag. Hist. & Biog.* 259-278 (July 1979). Virginia law required any place serving intoxicating beverages to also provide lodging and meals, as well as everything needed to take care of horses. When it came to providing beds for the traveler, Virginia's laws were a bit less specific than those of Maryland, which required each licensed ordinary to maintain a minimum of six featherbeds for travelers.

The steady demand for accommodation on new roads built towards the frontier, where many of the customers consisted of migrating families, guaranteed that this form of American ordinary would maintain a certain homeliness and freshness. The frontier ordinary likely depended less on the sale of individual alcoholic beverages or on vices such as gambling and prostitution. Much of its custom would come from families in wagons, in comparatively greater need of meals, lodging and fodder. These customers were not traveling light either – their wagons bringing all the necessities of frontier settlement often held a barrel of cider from their former homes. But most importantly, the frontier ordinary would have worked mostly on a cash basis; offering credit to customers was a notorious incentive for alcohol sales.[36] The more wholesome variant of the American ordinary contributed to the term being used to describe a typical inn well into the 1800s, long after it had been discarded in England as evoking images of seediness and ruin.

In the boom and bust of the frontier, an ordinary might have a relatively fleeting existence, or it could obtain a degree of permanence as a part of the local infrastructure. For example, as settlement grew between Beall's Landing on the Potomac (now Georgetown in DC) to the upper Maryland settlements around Monocacy and Frederick, Owen's Ordinary was built at a crossroads where the roads to Bladensburg and Baltimore diverged from the Frederick Road. Here Rockville, the Montgomery County seat, would later arise. From there the road continued on to Dowden's Ordinary (Clarksburg), at the crossing of the old Seneca Trail, before arriving at the courthouse in Frederick, Maryland. This was in fact the route taken by the main body of General Braddock's British forces on their way to defeat against the French and Indians in 1755. Some of Braddock's men wrote in their journals about the conditions in these places in a not always flattering way.

Several elements of the ordinary system played a role in the success or failure of those on the frontier. Naturally, infrastructure and supply were of critical importance, most of all an excellent source of water available

36 Since the 17th Century, Virginia had struggled to deal with the effect of extending credit for the purchase of alcoholic beverages on the tendency of ordinary citizens to fall prey to temptation on their occasional trips to and from the courthouse. In 1734, the law was tightened to restrict a tavernkeeper to recovery of a maximum of 20 shillings per annum on credit from all but the wealthiest patrons. See Sharon V. Salinger, *Taverns and Drinking in Early America* (Johns Hopkins U. Press, 2004), at 41-42.

year-round. Springhouses stood at the center of an ordinary complex, protected from the trampling hooves of oxen, cattle and horses. Not just the vicinity of the spring but also the integrity of the road had to be maintained in the face of heavy traffic. Draft animals required sufficient provender and livery stables were needed for horses.

Local suppliers in the vicinity of the ordinary had to be depended upon to provide various staples. Typically, the human fare would consist of johnnycakes or pone with butter, other dairy products, buckwheat and barley, beef and bacon, as well as venison, fowl or other game provided by hunters. Apples and cherries were grown locally, and processed in the form of cider, brandy or punch. Bacon was a popular menu item. Travel writers from the colonial era often complained when an inn would run out of everything except gammon, the sinewy part of the ham hock. Tea and coffee, lemons, wines, rum, oil, black pepper, and other imported items, specialty goods, textiles and manufactured goods would need to be supplied from manufacturing and trading centers – in the case of the Lower Valley, from Philadelphia (or later Lancaster). Relying on these places for anything other than finished or imported goods could quickly send an innkeeper into debt.

The earlier "tippling house," essentially a bar or pub, was expressly forbidden by law.[37] This prohibition raised the prominence of the ordinary in social intercourse. There might be forms of entertainment, such as cockfighting and horse racing, and continuous exchange of news and advertisements. Prior to 1740, no games of cards or dice were allowed in taverns. In that year, backgammon was made an exception. The prohibition against gambling was gradually lifted during the time that Thomas Hart kept an ordinary. In 1744, billiards and bowling were allowed, and in 1748 permission was extended to chess and draughts (checkers). Historians, however, believe that the prior restrictions were generally ignored.[38]

In Colonial times and after, taverns, inns and ordinaries in the tobacco planting regions of the Tidewater and Piedmont were typically staffed by slave labor. Sales, mortgages and estate records occasionally describe in detail the number, names and even ages of slaves attached to a particular inn. Records in the early period of settlement west of the Blue Ridge are

37 See Yoder, at 277.
38 Yoder, at 266.

less illuminating. In the 1730s, slavery was legal in New York, New Jersey and Pennsylvania, so it would not have been exceptional for those coming from the Northern Provinces at the time to have encountered slaves or to have exploited their labor. However, among the Quakers slavery was controversial and it was uncommon among the migrating smallholder families as well. "The History of the Townships of Byberry and Moreland" states that there were no slaves there before 1720, so the Harts were not personally accustomed to slave labor.

Investors in the Valley and Hart's Cohort

When Jost Hite took over the land rights of the Van Meters covering the Lower Valley in 1731, he expected that the investors which the Van Meters had lined up, many of them connected with the Monocacy settlement, would come along. Some, such as the Taylors, Shepherds, Spurgeons, and Garrisons, had moved quickly to secure patents and made their fortunes by filling the needs of the travelers at the banks of the Potomac. But, as Hite would later testify in his complaint against Lord Fairfax, some of the original investors got cold feet as disputes arose over conflicting claims to land rights. The Colonial government extended the deadline for Hite and his partner Robert McKay to settle their claims until Christmas 1735, which did not leave much time for them to find new buyers. Hite described the need to give relatively large grants and favorable terms in order to replace those who withdrew. It was a buyer's market, as shown by the low price of the land.[39] Following are some of the names mentioned by Hite as those he dealt with after patents were no longer issued:

Thomas Morgan (450 acres), Thomas Hart (1500 a.), Reuben Rutherford (395 a.), Richard Morgan (175 a.), Gershom Keys (100 a.), Richard

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39 Hart promised to pay £40 Virginia currency in two installments for his 1500 acres. Compare this to the price of lottery land offered in Hart's home county of Bucks the same year, which was £15-10s Pennsylvania currency per 100 acres, or £232-10s for 1500 acres. See Donna B. Munger, *Pennsylvania Land Records: A History and Guide for Research* (Wilmington DE: 1991), at 71-73. The Virginia pound was about one-third stronger than the Pennsylvania pound at the time, meaning that £40 Virginia currency was equivalent to about £53 Pennsylvania currency. Thus, Pennsylvania land was more than four times as expensive as Valley land. See John J. McCusker, "How Much Is That in Real Money? A Historical Price Index for Use as a Deflator of Money Values in the Economy of the United States," *Proceedings of the American Antiquarian Society* 1992, at 333, available at https://www.americanantiquarian.org/proceedings/44517778.pdf [accessed July 17, 2020].

Stephenson and William Davis (750 a.), William Burk (300 a.), Benjamin Borden (3300 a.), Thomas Rutherford (1800 a.), Samuel Dark (600 a.), David Lloyd (400 a.), Richard Morgan (200 a.), Isaac Pennington (147 a.), Lewis and John Neill (640 a.), William Williams assignee of John Lilburn dec'd (200 a.), and others.

Each of these presents an interesting story, but it is significant that Hart was one of the largest of the new investors, in the league of the ambitious land developer Borden and the rich merchant Rutherford.

While some of the new investors were from Hart's milieu, there is no clear evidence of Hart having connections with any of the earliest settlers who acquired patent land in the Valley prior to 1735. The possibility which stands out is Robert Worthington, a wealthy Quaker innkeeper from Philadelphia County, operator of the former Governor Fairman Mansion at Shackamaxon, where the great and venerable Treaty-Elm of William Penn was located.[40] There is much misinformation about the early history of the Worthingtons in America, but what appears reliable is that the Worthingtons were from Pownall, Cheshire, England, where their family estate in the village of Styal was called Quarrel Banks or Quarry Banks. Samuel Worthington of this family came to Salem, New Jersey in 1712, and other family members in 1714. Some say that Robert Worthington was Samuel's father, and that he followed Samuel to America from Ireland where he had lived for several years, then relocated to Philadelphia in 1722. At the age of 66, in 1729, at Burlington, he married for the second time to Mary Martha Burtis or Alburtis and had three more children with her. She stated in a deposition that they moved to Virginia not long after their marriage.

Worthington patented a large estate called Quarry Bank New Stile on October 3, 1734.[41] This 3000-acre tract on a fine meadow on the headwaters of Evitts Run extended from the vicinity of the future Charles Town almost to Summit Point, encompassing part of the Long Marsh. The tract is the site of the Piedmont mansion today. Quarry Bank may have been intended as a place of public accommodation, like the inn that

40 See Milligan, *Ohio's Founding Fathers* (2003); *NY Post,* March 2, 1892; Abstracts of General Loan Office Mortgages, *Publications of the Genealogical Society of Penna.,* Vol. VI (1917), 280.

41 New Stile apparently refers to Styal, the Worthington home village in Cheshire.

Worthington ran in Philadelphia. If so, it would have operated quite well in conjunction with an ordinary at the Elk Branch as waystations along the heavily trafficked route. Robert Worthington had some interest in the Patuxent Iron Works, belonging to his fellow Quakers, Richard Snowden and others, at the future site of Laurel, Maryland.[42] On the way back from a business trip there in October 1735 he died at a nearby inn.[43]

Samuel Brittain or Britton, who married Worthington's widow, Mary, may have been a member of the Bucks County Brittains who were connected with the Darkes from the Falls Township days. Certainly, generations of the Worthingtons in the Lower Valley were closely acquainted with the Darkes.[44] The possibility that Worthington played a role in Hart's interest in the Lower Valley cannot be dismissed.

It was before Worthington's death, no later than the spring of 1735, when, at almost fifty years of age, Hart set his sights on those two choice spots with a vision to establish a place of accommodation at the first major crossroads that the stream of migrants from the Northern Provinces to

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42 According to the Thomas Worthington manuscript (written by his daughter), two Worthington brothers came to Philadelphia in 1683-4. One of them took his son Robert to Maryland, where he "built ironworks," apparently Snowden's ironworks at Laurel. Martindale's "History of the Townships of Byberry and Moreland" (1867) states that three Worthington brothers came to Byberry in 1705. One of the brothers, Samuel, was said to have removed to Maryland in 1732; according to Martindale, this branch was the one that produced a member of Congress and a Governor of Ohio. What these stories have in common with the sparse record is that the Worthingtons were involved in Maryland ironworks and Robert Worthington left Pennsylvania in 1732. The Hopewell Friends History states that Worthington was a merchant, exporter and farmer and promoter of settlement in his part of the Valley.

43 Worthington's death was not so sudden that he was unable to make a will. See Robert "Warthington." Md. Calendar of Wills 7.162 (21.516), October 2, 1735. November 1, 1735; see also O'Dell, p. 102. Worthington's will mentions that his land in Virginia was formerly known as Every's Marsh. Putting this together with the name of Evitts Run, one may speculate that there was an Everett or variation thereof whom the run and tract were originally named after.

44 Robert Worthington, Jr., or Robert the younger, the son of Robert the elder and his second wife Mary, was born in 1734 just before his father's death. He grew up a close friend of the Darke family and after he and his wife died, their orphan son Thomas became the ward of the Revolutionary War officer William Darke. Darke sent Thomas to Ohio, where he later became a senator. Strangely enough, from his first marriage, the elder Robert Worthington had a grandson through his son Samuel also named Robert who was older than Robert the son. Consequently, an oddity appeared in the county records in which Robert Worthington, Sr. was in fact the nephew of Robert Worthington, Jr.

the Valley would encounter in the Colony of Virginia. On March 29 of that year, he contracted with Jost Hite to purchase 1500 acres of land in two tracts, 1000 acres to be located at the Elk Branch *"on the Waggon Road from Potomack to Opeckon"* and 500 acres a few miles north on another small branch.[45] But when he contracted with Hite, he was still referred to as "Thomas Hart of Warminster," a "husbandman."[46] Hart had come to view the land before purchasing it and was in Hite's territory when the two men reached their agreement.[47] By the time he relocated from Warminster, Hart was one of the most prominent personages between the Potomac, the Shenandoah and the Opequon.

Let us imagine for a moment that the death of Robert Worthington and the interruption of the project to build an inn at Quarry Banks solidified Thomas Hart's resolve to establish an ordinary at the Elk Branch. How might his plans have taken shape? Together with a group of associates he had conceived of an ambition to focus a community on these two streams of water. Some of the friends and family he had enlisted to join him would rise to prominence and play a major role in the development not only of the Lower Valley but in the American frontier as it expanded westward.

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45 For copies of the bond and survey, see my article, "Catarina Beierlin's Gravestone Revisited," *JCHS Mag,* Vol. LXXXII (Dec. 2016) 17, 20-21. The conveyance bond, dated March 29, 1735, states in pertinent part:

> Know all men by these presents that I Jost Hite of the County of Orange in the Province of Virginia Gentleman am held and firmly bound unto Thomas Hart of Warminster in the County of Bucks and Province of Pennsylvania husbandman … but if the abovenamed Jost Hite … shall make unto the abovenamed Thomas Hart … a good and lawful title to two tracts of land the one being 1000 acres and at Elk Branch *on the Waggon Road from Potomack to Opeckon* the other being 500 acres at a spring or branch two miles or more northward from the abovesaid branch then this present obligation to be void else to remain and be in force.

See also *Paul v Hite*, Augusta County, Virginia, Chancery Causes 1821-052.

46 Warren Hofstra, in *The Planting of New Virginia,* states that Hart had a 137-acre farm in Warminster that he sold in October 1734. However, my search of the deeds has not located this record.

47 The witnesses on Hite's conveyance bond were the Quakers John Frost and Isaac Pennington, both of whom were early settlers in the Lower Valley. Frost was a miller in the Hopewell neighborhood whose survey was made in 1734. His origins are obscure but there was a John Frost who had old land rights in Bucks County. Pennington was a large landowner near the Shenandoah in the vicinity of Berryville. Son of an Indian trader from Cecil County, Maryland, Pennington would become a constable and also accompanied the Mayo/Brooke surveying party up the Potomac to determine the bounds of the Northern Neck in 1736-7. The Penningtons were associates of the Teagues, also from Cecil County.

The first and foremost of Hart's associates was his young newlywed cousin, Edward Lucas.[48] Hite's conveyance bond to Hart specifically mentioned a second tract at a spring or branch two miles or more northward of the main tract on the Elk Branch. This second tract, near the head of Rattlesnake Run, was intended for Lucas.[49] Although Lucas's claim was derivative of Hart's, the Lucas family name would long outlast Hart's in the annals of the Lower Valley and in American frontier history. The most famous member of the family was Robert Lucas, an Ohio governor who also became the first governor of the Iowa Territory. Other Lucas family members served in Congress.

Edward was born on December 24, 1710, in Bucks County. He married Mary Darke, daughter of John Darke of Byberry Township, and died in Virginia in 1772. Smyth stated that Edward came into Virginia about 1734. One plausible explanation why Hart went out of his way to cover Lucas under his agreement with Hite, was that Lucas was a junior partner in Hart's business venture. It would have been advantageous to control not just the Elk Branch crossing but also Rattlesnake Run where the wagon traffic would pass on the way. From the original plan to locate 500 acres, for unknown reasons, Lucas's purchase was reduced to 200 acres, and Edward located his homestead called Cold Spring, on his way to becoming a major landholder in the area.[50] Hart added the surplus to his claim and

48 Hart's grandmother Susannah (Lucas) Rush was likely a close relative to Edward Lucas's grandfather Robert. Edward was also a cousin to Thomas Hart by marriage, as Edward's wife, Mary Darke, was Hart's first cousin.

49 See *Paul v Hite*, Deposition of Thomas Hart [Jr], aged 71 years, taken on Sep. 27, 1794, at the house of Cornelius Wynkoop in Shepherdstown. In answer to William Darke's question, Thomas Hart Jr. testified that "the 200 acres where Edward Lucas lives" was supposed to be the other (originally 500-acre) part of Hart's purchase north of the Elk Branch. See also Deposition of Edward Lucas, taken on Sep. 5, 1795. This Edward Lucas was the son of the first Edward Lucas in the Valley. Lucas testified that his father had purchased the 200 acres where he lived from Hart.

50 See Smyth; *Paul v Hite* chancery case, Deposition of Thomas Hart [Jr]. In answer to William Darke's question, Thomas Hart Jr. testified that "the 200 acres where Edward Lucas lives" was supposed to be the other (originally 500-acre) part of Hart's purchase north of the Elk Branch. Edward Lucas's homestead was at a spring which is today called Elmwood Farm Spring, near the head of Rattlesnake Run. Cold Spring and Elmwood are the names of the mansion houses built on the Lucas estate – both are on the National Register of Historic Places. Lucas's original tract fell under the controversy between Hite and Lord Fairfax. As a result, he could not get clear title. Smyth observed that Edward conveyed the Pennsylvania land he owned in Falls Township and his inherited interests

employed deputy surveyor John Smith to make a survey for 1300 acres on the Elk Branch.

Another member of the Bucks County contingent was Samuel Darke. Hite mentioned Darke among those persons to whom he had sold land rights, in his case for 600 acres. Besides being Hart's cousin on the Rush side, Darke was also Lucas's brother-in-law. His rights were located just north of Hart's survey near the "Main Road," between Hart and Lucas.[51] When it came to keeping an ordinary, a local supply of staples was a necessity. Hart regularly purchased items from Darke, including beef, bacon, gunpowder and flaxseed.[52]

The picture begins to emerge that Hart, Darke and Lucas planned their venture together in Bucks County aimed at the servicing of travelers in the gateway region of the Shenandoah Valley. This conclusion fits Hofstra's observation that Hart and Darke were not integrated into the Opeckon economy but were essentially a distant outpost of the Philadelphia one. One can then draw an interesting parallel to the first Pennsylvania Assembly in 1683, which included Assemblymen Samuel Darke, Robert Lucas and John Hart.

Although the record is sparse, some of Hart's other neighbors may have been connected to him from his Bucks County days. Robert Buckles was another early settler from Bucks County, a contemporary of Edward Lucas in Makefield Township when the latter moved to Virginia.[53] Buckles settled between Lucas and Samuel Taylor on Rattlesnake Run, not far from the course of the old wagon road.[54] He was in the area by 1736 and

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in certain lands in Middletown Township to his brother, John, in 1749. This was around the time that Fairfax opened his Land Office and started giving grants to cover the disputed lands. Lucas accumulated neighboring lands from Fairfax in the 1750s, and finally got a grant from Fairfax for the original 200 acres in 1768.

51 Darke could not get title from Hite either. If he took out an early survey it has not been discovered. He eventually received a Fairfax grant for 360 acres, surveyed on April 4, 1750, which describes the general location of his original claim and refers to the main road. He sold out in 1756, not long after Thomas Hart left the area.

52 See Hofstra.

53 A 1733 deed in Bucks County shows the connection.

54 According to a descendant, his original cabin was on the east side of Route 230 where it crosses Rattlesnake Run. See also the reference to the road from Buckles Marsh to the old wagon road at Thomas Hart's, April 2, 1755, Frederick County Order Book 6, p. 207.

Foote named him as one of the first settlers of the Lower Valley.[55] He had no known family relationship to Hart but his friendship with Lucas could indicate membership in Hart's cohort. The Rutherfords have also been credited to Bucks County, although there is reason to doubt the connection.[56]

More likely connections are with Hart's neighbors to the southwest – David Lloyd and George Pemberton. The Pemberton name is another one from the early Quaker leadership – Phineas Pemberton was an Assemblyman and the first register of wills and court clerk of Bucks County. Like the Darkes and Lucas, he lived at the Falls.[57] David Lloyd arrived around the same time as Hart and took up 400 acres. Lloyd was an acquaintance of the Knight family of Byberry and witnessed a wedding of a son of Giles Knight in 1717 in Philadelphia.[58] Evidence points to Chester County, Pennsylvania as his earlier residence.

Thomas Hart's immediate family also got into the act. Out of Hart's 1300 acres at the Elk Branch, he sold the 200 acres at the lower end of his survey to his brother-in-law, John Miles of Philadelphia, who built a house with shingles, a rarity at the time.[59] Hart's sons, Miles and Thomas, Jr., who were underage when the family first moved to Virginia, later took up

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55 William Henry Foote, Sketches of Virginia, Historical and Biographical (1856). Buckles only appears once in the official record prior to 1750, when in 1736 he joined residents west of the Shenandoah in protesting against plans to build a wagon road through Chester's Gap. See Orange County Road Petitions, Va. State Library, Microfilm reel #565. This petition was one in a series of maneuvers related to the course of the first wagon road crossing the Blue Ridge. Thomas Chester, who operated a ferry near the forks of the Shenandoah, lobbied for Chester's Gap, while Jost Hite led a group aiming to build the wagon road through Ashby's Gap.

56 Smyth thought that Thomas Rutherford may have been related to Scottish Presbyterian Rutherfords who came to Philadelphia and Bucks County in 1730. See Smyth, at 451.

57 George Pemberton's connection to Bucks County has not been confirmed in the histories (e.g., Davis, 1905), but it would seem too much of a coincidence to believe there was no relationship to the family of Phineas. A George Pemberton of Hanover County, Virginia, is mentioned in Orange County in 1737, Order Book 1, pp 223, 239, having obtained attachment against the estate of Robert Kendall. Whether this is the same Pemberton who settled in the Lower Valley is uncertain.

58 Martindale, "History of the Townships of Byberry and Moreland," at 302.

59 See deposition in *Paul v Hite*. John Miles died in 1747. According to Smyth, John Miles was the son of Thomas Miles of Bucks County. His tract, inherited by his daughter Margaret, who married John Paul, son of James Paul of Warminster, was the subject of the *Paul v Hite* lawsuit.

portions of the survey. There is also some evidence of a son-in-law, Jasper Terry, who married Mary -- Thomas and Esther Hart's supposed daughter -- in New Jersey on July 29, 1735. Terry appears in Orange County records as early as 1739 and was later associated with Miles Hart and Aron Hart.[60] Aron is another reputed son of Thomas and Esther.[61] A Josiah Hart found in the record may have been Thomas's son or nephew.

The *Hite-Fairfax* dispute likely prevented Thomas Hart's venture from growing even bigger among his extended relations. Two of his nephews from Warminster, John III and Silas, would succumb to the attraction of the Valley of Virginia. Had Hart been able to get a good deed from Hite (the Fairfax dispute prevented it which in turn prevented him from giving good deeds to Lucas, Miles and others), those family members might have helped build up the Lower Valley venture.[62] They probably did spend some time with their uncle on their way up the Valley, but in the end they would throw in their lot with the pioneers in the territory above Fairfax's claim. Known as a hunter, pilot and surveyor, John Hart III took up several tracts in Beverley Manor on the Forks of the Shenandoah in March 1739/40, in what is now Rockingham County. He gained the attention of Benjamin Borden, one of the key figures in the early history of Virginia west of the Blue Ridge, who engaged John as an agent for his 100,000 acre "Borden Grant" in the area to the south of Beverley Manor in the James River basin.[63] These upland areas together are known as the Irish Tract. John was sworn as undersheriff for the Irish Tract on September 25, 1741. On June 11, 1743, he "was killed by the accidental discharge of a gun in his own hands."[64] Silas would take over his brother John's interests and duties

60 See JSpruell contribution at www.genforum.genealogy.com/terry/messages/4748.html by jspruell@earthlink.net (accessed 23 Mar 2012).

61 Aron Hart was a chain carrier on some Fairfax surveys in the neighborhood of Elk Branch. He, Miles Hart and Jesper Terry were in Augusta County in 1753, see Augusta County Road Orders, 1745-1769, 24 November 1753, p. 76. Aron later moved to Kentucky.

62 *Paul v Hite*. Whether Lucas also got a survey from Smith is unclear; his 200-acre claim continued until Fairfax issued a grant to him in 1768. Lucas accumulated neighboring land rights and took out grants from Lord Fairfax in the 1750s. The Hopewell Friends History shows that the Lucas family, unlike many other families going from Bucks County to Virginia, kept its Quaker faith, attending Tuscarora Meeting.

63 See deposition of Mrs. James Greenlee, 1806, in *Burden v Cueton*.

64 Jordan, *Colonial and Revolutionary Families of Pennsylvania,* Vol. 1 (1911), at 374.

and would hold public office in both Augusta and Rockingham Counties.[65] He received a patent for 400 acres on the north branch of the James River in January 1747, N.S., and several others thereafter.

Hart's Life in the Lower Valley

Hart's first appearance in the court record unsurprisingly involved a religious matter. The Rev. William Williams generated controversy during his efforts to set up his Presbyterian ministry in the area. Matters got to the point that 54 of his neighbors – including Hart and Samuel Brittain – issued some form of petition, whose text is unfortunately lost, against him. Williams reacted by suing all 54 of them for signing the "scandalous paper" on July 27, 1738.[66] Many of the defendants humbly acknowledged their error and were dismissed after paying costs. Hart did not appear in court at the same time as the others and the case was continued against him. On September 28, 1738, the action of trespass between Rev. William Williams plaintiff and Thomas Hart defendant was dismissed.[67] The religious setting in Colonial America was about to change dramatically, however. In 1739, the dynamic evangelical preacher George Whitfield arrived from Britain to Philadelphia, which started the Great Awakening. How Thomas Hart was influenced is not known, but back in Southampton, the Quaker-Baptists were swept up in the revival. Oliver Hart was called to preach in the 1740s as a direct result of Whitfield's mission.

In more mundane matters, on October 28, 1738, Thomas Hart was awarded 140 pounds of tobacco from the county levy for one old wolf's head.[68] Hart's brother-in-law John Miles had built his impressive, shingled house by 1740.[69] On March 25, 1742, N.S., Thomas Hart was appointed constable for the district from Opeckon to Bullskin, and two days later he took the oath, subscribed the text and was sworn in.[70] On September

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65 *Ibid.* Silas was assessed in the 1744 Frederick County tax list. The Augusta court was set up in 1745. Silas was Sheriff of Augusta in the 1760s, was the first sheriff of Rockingham County, and a justice in both counties in the 1760s-70s.

66 Orange County Court Book 1, p. 347; see O'Dell at 131.

67 See Orange County Order Book 1, p. 390.

68 Orange County Order Book 1, p. 395, by a certificate from Morgan Morgan assigned to James Wood.

69 *Paul v Hite,* deposition of Thomas Rutherford, who stated that he saw John Miles's house on the lower section of Hart's survey in 1740.

70 Orange County Order Book 3, pp. 113, 152.

23, 1742, Hart was granted license to operate a tavern or ordinary, the first license granted anywhere between the Potomac and the future West Virginia line.[71] The licensing of ordinaries, although required by law, was attended to only intermittently, usually when the authorities in Williamsburg brought attention to the neglect of county courts in these and other matters.[72] It is possible, therefore, that Hart operated his ordinary from an earlier date.

Hart and his crew, being extensions of the Pennsylvania economy, were not always on friendly terms with their new government. As Hofstra noted, "Hart's long-distance trade in Pennsylvania reflected no centralizing tendencies in the Opequon economy." Soon after settlement in the Valley began, Virginia authorities were expressing displeasure towards the Board of Trade in London about Pennsylvanians monopolizing trade with the Valley and bypassing the payment of duties to Virginia. Governor Gooch complained that Pennsylvania merchants visited houses to purchase skins and hides which they took to Philadelphia to be made into gloves that were then sold back to the settlers.[73]

Hart naturally would have traveled often via Maryland to Lancaster to obtain supplies. A rather strange record appears in the Orange County order book for September 25, 1742. In connection with an action of debt brought by two Philadelphia merchants, Thomas Hart is referred to as "Thomas Hart of the County of Lancaster & province of Maryland trader."[74] The merchants were James Logan and Edward Shippen, leading businessmen of their time. Logan was a statesman and scholar, and both served as Philadelphia mayors. Hofstra shows that in 1743 Hart had accounts with John Carson of Lancaster and signed a note to Philadelphia merchant Joseph Shippen, Jr.[75] After Shippen brought suit, Hart paid the latter note two years later via Thomas Rutherford who was traveling through Pennsylvania.[76] Hart was also sued by Zebulon Cantrell of Philadelphia.[77]

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71 Sept. 23, 1742. Orange Co. Order Book No. 3, p. 236. See Ann Brush Miller, Orange County Road Orders 1734-1749 (July 1984), p. 74.

72 See Yoder, at 269-70.

73 See Hofstra, at 218.

74 Orange County Order Book 3, p. 282.

75 Shippen was a supplier to merchants in the Valley such as Charles Keller at North Mountain and John Wood on the Opequon. The Shippen family were the founders of Shippensburg, Pennsylvania, one of the first towns west of the Susquehanna.

76 Hofstra.

77 Orange County Order Book 3, pp. 369, 469.

The September 1742 court marked monumental change in other ways. The first road petition from the inhabitants of the Lower Valley was submitted – to make the Warm Spring trail into a wagon road. Thomas Hart was one of the four commissioners ordered to view and lay off the road.[78] On November 26, 1742, an order was made to lay off another road from the Potomac to Head of Bullskin and thence to Kersey's Ferry, which partly followed the course of Hite's Wagon Road.[79] Hart the tavernkeeper had an interest in seeing that these roads continued to be convenient to his business. The returns for both roads were submitted to the County Court in May of 1743.

When Hart again received a license for an ordinary at the Frederick County Court held December 9, 1743,[80] his place of business stood where the two public roads intersected. Edward Lucas was appointed overseer of the Warm Spring Road from the extent of the county (Blue Ridge) to the head of "Elkin Branch."[81] Thomas Hart was appointed overseer of the precinct between Teague's Ferry and Tradan's Old Place.[82] Hart together with William Vestal were later named overseers of the whole stretch of the Warm Spring Road from Vestal's Gap to Opequon Creek.[83] Thus, Thomas Hart had a measure of control over the only two public roads at the time in that part of the Lower Valley. The 1744 fee book includes a high assessment for Thomas Hart based on his personal wealth.[84] But he would soon get into financial peril.

At the December 1743 court, it was noted that "Barnet Lindsay received twenty lashes on his bare back, at the common whipping-post, for stealing two pieces of venison from the milk house of Thomas Hart, adjudged to be worth two pence." This was the first recorded punishment administered

78 The return was documented in an Orange County road order, May 27, 1743, p. 448. The road extended from the North Mountain at the gap called Robinson's Gap, on Jonas Hedges' land (near Hedgesville), to Opequon Creek, to *the head of Elk Branch*, to Vestal's ford over the Shenandoah and from there to the Blue Ridge (Vestals Gap). The 1852 Brown map of Jefferson County shows the Alexandria and Warm Springs Road following generally the same route.

79 By this time, the ferry at the Potomac was known as Teague's Ferry.

80 Norris, at 72.

81 See Orange Co. Road Orders, May 27, 1743, p. 448.

82 Id., p. 447. Tradan's Old Place was where Hite's Wagon Road left the Warm Spring Road to go towards Opeckon.

83 Frederick County Order Book 1, p. 49 (March 9, 1744, N.S.).

84 Silas Hart was also assessed.

for a crime in Old Frederick County.[85] If, as in other locations, the local tavern was also the location of the whipping-post, then the lashes were laid on at Hart's. It was also around this time that the tragic accident occurred in which Hart's nephew John Hart III died of a self-inflicted gunshot wound up the Valley at the Irish Tract, prompting Silas to move there.[86]

Where Was Hart's Ordinary?

Considering how important Hart's crossroads was to the local economy, historians and other interested folk might like to know exactly where his ordinary stood. The site, if located, could prove valuable archaeologically. But the passage of time has obscured the traces of the ordinary and the record is somewhat sparse. For economic and physical reasons, the ordinary must have stood near a spring at a place where the Elk Branch could be easily crossed by wagons. Starting from local tradition, it was commonly understood in the neighborhood, as passed down through generations of the Engle family, that the original settlement in the vicinity was a stockade built around a springhouse that has been identified as the Melvin Farm or Link Spring on the north side of Elk Branch just to the west of Duffields.

The Engle family tradition, as to be expected, begins with the Engles. The Engles came from Lancaster in 1754 when Melchior Engle purchased land from Thomas Hart. The era of stockade building occurred within a short time after this move, as Indian raids became a threat after Braddock's Defeat at the beginning of the French and Indian War. Prior to that time there were no stockades in the Valley to speak of. Fort Loudoun, for example, was built by George Washington at Winchester in 1756. The most sensible site for a stockade for the Elk Branch community would have been where the infrastructure for survival was already in place – i.e., the site of Hart's Ordinary.

What does the record say to support or refute this? Hart's 1300-acre survey has been described in previous articles, showing that it covered a good part of the Elk Branch headwaters. The Melvin Farm Spring is near

85 See Foote, "Sketches of Virginia" (1856), p. 16.

86 See Orange County Order Book 4, p. 34, Nov. 26, 1743, appraisement of John Hart dec'd estate by Silas Hart, administrator, returned and ordered to be recorded.

the middle of it. At the northwest corner of the old survey Hart erected a four-foot stone, which has been estimated to have stood in the vicinity of the intersection of today's Luther Jones Road and Warm Springs Road. One wonders if a diligent search for four-foot stones at all the corners of the old survey would yield any results!

The crossroads is an important part of the story. The path of Hite's Wagon Road has been hypothesized in an earlier article. When Jost Hite's first group cut the wagon road in 1731, they would have used existing trails wherever possible. If there was a section of the old Warm Spring Indian trail that fit their purpose, they would have set out to connect with it at the Elk Branch, then followed its course towards the south, until it was necessary to diverge from it to continue towards Opeckon.

Early maps are relevant. The 1809 Varle map of Frederick, Berkeley and Jefferson Counties shows a road connecting the Warm Spring Road to Mannings at the site of Duffields, vaguely parallel to the Elk Branch. This road would have cut across the Hart survey, connecting the Warm Spring Road with Hite's Wagon Road in the vicinity of the Melvin Farm Spring. The 1852 Brown map of Jefferson County shows the Alexandria and Warm Springs Road skirting around Hart's former holdings to the west, following certain tract boundaries, and meeting the former Hite's Wagon Road a bit south of his survey. But such a route may have been adapted to take into account later uses of the land, for example, to circumnavigate property lines. The Varle and Brown maps both show a split a mile or so down the road just past the Zoar Meeting House, where the Warm Spring Road turns left toward the Shenandoah.

A strong case can therefore be made that the old course of the Indian trail and the original layout of the Warm Spring Road continued in a direct route towards Duffields where today's Warm Springs Road now turns south around a half mile north of the intersection with Luther Jones Road. A section of Luther Jones Road east of the railroad again follows the original route. There is a similar cut-out on the old Wagon Road which can be cured by drawing a straight line to avoid the jag in the Flowing Springs Road. Of course, the lines wouldn't have been as straight as a modern road, but the reconstruction places the crossroads remarkably close to the Melvin Farm Spring, a bit west of Duffields Station.

The Mortgage to Neill

Hart's time at the pinnacle of Valley society lasted less than a decade. After appearing among the wealthiest Frederick Countians in 1744, Hart got into financial difficulties. Perhaps as a precaution, Hart's Pennsylvania relatives moved to secure their rights in the Warminster tract that Thomas's father had given him. The deed that Thomas had given to his cousin, James Rush of Byberry, was finally brought into court and proved by witnesses on February 15, 1745, N.S.[87] Still, it was not ordered to be recorded, apparently keeping open the possibility that Thomas would redeem the land at some future date.

Around the same time, he mortgaged his Virginia landholdings to Lewis Neill for £106-10s Pennsylvania currency.[88] The witnesses were lawyers and officials at Winchester. What was it that put Hart into debt? In the article on the course of the Wagon Road, the story is told of how the old Wagon Road was overtaken by a new route from Shepherd's Mills to a new crossing of the Opequon. The petition for this road was made in 1744 and soon it was the established route of the "Waggon Road to Philadelphia." Along with the shifting of the main road about four miles to the north, the crossing with the Warm Spring Road also moved, to land in the possession of Nicholas Mercer at a place that would later be named Walper's Crossroads after a subsequent owner of the Stone House Tavern that was erected there.

The recorded mortgage recites that Thomas Hart was a farmer, which may indicate that he had already given up the ordinary business. Hart may have used the proceeds to reconcile his longstanding debts, including the note to Shippen that Rutherford paid off in 1745 while traveling

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87 Bucks County Deed Book 9, p. 356. The deed, followed by John Hart, Jr.'s release (as heir at law), dated December 11, 1719, was not proven in court until Feb. 15, 1744/5, and was only recorded on Oct. 13, 1756.

88 Frederick County Deed Book 1, p. 202, date of indenture unclear (1744), recorded April 2, 1745. Lewis and John Neill, Irish Quaker brothers, got their first survey from Jost Hite on November 4, 1735, for 640 acres. They would go on to acquire thousands of acres of land throughout the Lower Valley. Lewis kept his dwelling place and mill at a ford across the Opequon at Burnt Factory, where he operated a tavern along Hite's Wagon Road. He had business dealings with a vast range of Lower Valley pioneers. See Cartmell, at 21. He was one of the first justices of the Frederick County court, an original trustee of Winchester, and was elected to the vestry after the previous vestry was dissolved for corruption.

through Pennsylvania.[89] The mortgaged tract of land was described as "one thousand acres on Elk Branch, being the land and Plantation on which the said Thomas Hart now lives, & by him the said Thomas Hart purchased from Jost Hite the 29th March 1735." This recital is interesting in the context of the *Hite v Fairfax* dispute. Why didn't Hart mortgage his 1300 acres as surveyed? Because the legal description of the land was dictated by the best acceptable evidence of title at the time, i.e., Hite's conveyance bond. This proves that the local authorities gave recognition to rights based on such bonds, while the actual survey, which had never been the subject of a patent or grant and therefore was in legal limbo, had less weight. The record of the *Hite v Fairfax* suit is replete with examples of the buying and selling of land in unorthodox manners.

Hart Held Hostage to Hite v Fairfax

Meanwhile, Hart's survey, along with 26 others, sat in the Secretary's Office in Williamsburg awaiting the decision from the King about the dispute over the bounds of the Northern Neck. It took until April 11, 1745, for the King to find in favor of Fairfax on that issue. The King's order nevertheless stated that Fairfax should respect the grants made by the Crown, and that he should give up his claim to the past quitrents but would henceforward receive the quitrents from any lands falling within his Proprietary. Thomas Hart and others holding under purchases from Jost Hite now expected to receive grants from Fairfax to validate their claims. Instead, the dispute entered another phase. The article on the Wagon Road gives some of the particulars, but there are additional details relevant to Hart's land that are worth spelling out.

These details involve George William Fairfax, Lord Fairfax's cousin and the famous close friend of George Washington in his youth. G.W. Fairfax had been a Burgess for the County of Frederick when an act was passed in the Assembly holding that any grants made by the Crown of lands that fell within the Northern Neck Proprietary would be valid and effectual, any defect in the recitals notwithstanding, and that rents, etc. should be paid to Fairfax. The key words were "grants made by the Crown," and a dispute arose as to whether the 27 surveys could be held valid under this rule. When Hart and the others attempted to remove the surveys from the Secretary's Office in Williamsburg and lodge them with land agent William

89 See Hofstra.

Fairfax, G.W.'s father, at Belvoir, they were rejected on the grounds that only those grants which had passed the Seal of the Colony needed to be honored.

Hite replied that the King referred only to grants and that the claims of Hite and others were always encompassed under this term. Sometimes Fairfax was obliging to Hite but then when looking at the surveys he would claim that they were run to his disadvantage, taking in the best land, encompassing all the springs and streams, etc., rendering adjoining lands unfit for persons to take up. Hite countered that these surveys were made by official sworn surveyors under orders and that these surveys were made according to custom and should be respected. And so it went, back and forth. Some of the assignees offered to take up adjoining lands additional to their grants to satisfy Fairfax or even to pay him the composition as if they were original grantees. But Fairfax still refused.

Without opening his Land Office for Frederick County, Fairfax began surreptitiously to give warrants and authorize surveys. This occurred as early as January 19, 1749, N.S.[90] Fairfax made some grants in Frederick County in June and July 1749 to his friends and associates, as well as some claimants under the Orders of Council who acquiesced in Fairfax's views in order to get good title. Because Fairfax did not respect the old surveys, some of the grants he gave out conflicted with prior claims.

Hite decided to caveat these deeds. Fairfax called for Hite to provide a list of those claiming under the Orders of Council, setting a hearing for July 12, 1749, but Hite did not attend. In response, Fairfax posted a public notice about opening his Land Office for Frederick County and part of Augusta on August 5, 1749. In his notice he complained that Hite had not given in his list or attended the hearing. Hite sent a letter to Fairfax with his list on September 14, in which he wrote:

> [H]is Majesty ... by his Governour and Council agreed to grant us those lands upon the condition of settling so many families within such a time for the defence and extension of the frontiers of this Government by which your Lordship's Proprietary has received incredible advantage which condition appears by the orders of Council not only to be fully complied with on our part but we

90 See Grant to John Hodge.

> regularly made all our surveys by his Majesty's sworn surveyors at an expense very inconvenient to our circumstances and lodged them in the Secretary's Office from whence our Patents would have long since issued if your Lordship had not unfortunately for us entered a Caveat against them.

When Fairfax's land office was opened, Fairfax contended that there should be no rights based on grants made after his own caveat. Referencing the 1748 Act, he insisted that he had no obligation to honor surveys not patented under Seal but agreed to respect those lands "fairly located" based upon surveys. This required some locators to resurvey in a "regular manner" with no more than a 3:1 ratio of length to width.

Hart's situation points towards the possibility that economic activity picked up and credit was again being extended to the holders of "tomahawk rights." Optimism having at least temporarily returned to the Lower Valley, the new reversal in the longstanding dispute must have crushed many spirits. Hart seems to have overextended himself. He had to turn again to Lewis Neill. Maybe Neill had a solution in mind about how to deal with Fairfax, or perhaps Neill again lent money to Hart to keep his affairs afloat. On the back of Hite's conveyance bond, Hart wrote an assignment of the rights to the first mentioned 1000 acres to Neill, dated August 4, 1748, in the following words: "I do assign all my right and interest of the within bond as far as relates to the first mentioned thousand acres of land being the land & plantation on which I now live unto Lewis Neill Gent." Witnesses were John Shinnon and Robert Worthington.

Thomas Hart's survey was not as irregular as some, but it did snake along the course of the Elk Branch at the survey's lower end. It is not hard to imagine that Lord Fairfax was reluctant to respect the survey entirely. Thus, one such conflicting grant was given to George William Fairfax for the 1118-acre Elkwood tract on Elk Branch and Cabin Run. The grant took in about 200 acres from Hart's 1300-acre survey, in particular the lower section that had been sold to John Miles.

We last mentioned John Miles in connection with his construction of a rare, shingled house by 1740. Miles had gone back to Pennsylvania, where he made his will in 1747 and died shortly afterwards. He had no adult children to take over his interests, leaving only a minor daughter,

Margaret. Concerning the house and land in Virginia his will designated his nephew Joshua Cart and friend Edward Lucas to let the land for the benefit of Margaret during her minority until age 18 or marriage, after which the land would fall to Margaret. If Margaret had no issue, the land was to be sold and the proceeds to go to his widow or to the Overseers of the Poor of Bristol. Miles also provided that his cousin John Hughes of Mirrion and friend and neighbor Thomas Rose would be his daughter's guardians.[91] In about 1748, John Wright, then in his early twenties, came to Virginia looking for land. With James Glenn he viewed Miles's land and the famous shingled house. Glenn told him it was claimed by Miles, calling it Miles's Place. Wright then went to Thomas Hart to ask about the land. Hart told him it had been sold to Miles and that Miles had returned to Pennsylvania and then died.[92] Wright ended up taking up a parcel not far to the north.

It is obvious that the neighborhood considered the land as belonging to Miles's estate. George William Fairfax, however, relying upon Lord Fairfax's disregard for the Hite surveys, took advantage of the situation, given that Miles had been recently deceased, and his heir was a minor living outside of Virginia. Edward Lucas did make fruitless efforts to secure this tract from Fairfax, but it is unclear what the guardians in Pennsylvania did to protect their ward's interests.[93] In the midst of these events, on February 27, 1748, N.S., Thomas Hart witnessed the will of Rebecca Lucas, a close relative of his cousin Edward.[94] He was also frequently in court prosecuting actions for debt against various persons.

Hite filed suit against Lord Fairfax in the general court on October 10, 1749. Thomas Hart was by now in his sixties. Hite approached his assignees and asked them to join in the suit or to surrender their conveyance bonds, which they refused to do. Many of the bondholders began to place their hopes in Fairfax, who gave assurances that he would make conveyances to them.

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91 Will of John Miles of Bristol Twp, Philadelphia Co PA, 1747. WB H.267 [www.familysearch.org, accessed 14 Sep 2022]. See also Deposition of Ann Thomas in *Paul v Hite*.

92 Deposition of John Wright in *Paul v Hite*.

93 The case about this tract, *Paul v Hite,* is described in my article, "Too Many Cookes: A Recipe for Sorting the Giles Cookes of Old Berkeley and Jefferson Counties," *Mag. Jeff. Co. Hist. Soc.,* Vol. LXXX (2014), 23-63. The history of the Elkwood tract is worthy of its own study.

94 Frederick County Will Book 1, p. 184.

Hart's Second Surveys

What happened next is described in the *Hite v Fairfax* case record. Joseph Darke's deposition stated that he was in company with Thomas Hart, Jacob Hite and John Hite at Thomas Hart's house when a conversation arose "relative to Colonel Fairfax's threatening to take up some land which he understood Joist Hite had contracted to sell" to Thomas Hart, "when the said Jacob and John Hite advised [him] to enter the land in the Proprietor's Office as it would cost but little."[95]

But on that fateful day, April 4, 1750, when a huge number of Frederick Countians amassed at the elegant Belvoir mansion to receive warrants for their own land, old Thomas Hart was not among them. Hart had apparently not yet decided on his strategy. Yet he was a shadowy presence hanging over the whole matter. The measure of respect afforded to Hart's "claim" is evident from how it was considered in the recitals under the early surveys. For example, Peter Burr's 406-acre survey was bounded by a line of marked trees that Thomas Hart "lays claim to," and another line of marked trees, as well as the Main Road.[96] On Pagan's plat, mentioned above, the neighboring tract is labeled "Thos Hart's Claim."[97] Hart's was still a major landmark – David Loyd's warrant places his land "where he lives near Thomas Hart's and Main Road to Rutherford's." James Glenn's warrant and survey refer to "where he lives near Thos Hart." The road orders from this period also used Hart's as a reference point.[98]

Meanwhile, many of Hart's friends and associates did get their new warrants. Edward Lucas was one of the first to deal with Fairfax. He got a warrant for the 200 acres that he had taken up under Hart's bond. Lucas also attempted to secure the land for the heirs of John Miles by getting a deed from Lord Fairfax, but "was prevented by George William Fairfax then agent of Lord Fairfax who took it himself."[99] Hart must have been troubled by the way his niece, the orphan Margaret Miles, was treated. Besides

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95 Deposition of Joseph Darke, 1770, *Hite v Fairfax*.

96 4 May 1750 warrant, survey undated.

97 The line proceeds to a corner with Samuel Dark.

98 E.g., Feb. 13, 1752, ref to road from Thomas Hart's to Linder's Ford [on the Opequon] and thence to [North] Mountain; 1752 road order for Thomas Hart to lay off a road from Watkins Ferry (Williamsport) to Vestals Gap. These road orders relate to the Warm Spring Road.

99 Depositions of Edward Lucas and John Wright in *Paul v Hite*.

those mentioned, other nearby landholders who took up warrants the same day included Samuel Darke, George Pemberton, and James Loyd.

Hart was not hostile to Fairfax. He made himself available to assist Fairfax's surveyors, as a chain carrier on those surveys for Edward Lucas, Henry Loyd and James Glenn made pursuant to the April 4 warrants. Of course, he had an interest in doing so to protect his own property. It should therefore be considered likely that those surveys reflected Hart's understanding of his own boundaries according to his prior survey. But some mistakes or other changes were inevitable.

While Hart was determining the approach to take, whatever reason he had for assigning his entire land rights to Lewis Neill no longer applied. Neill reassigned the conveyance bond back to Hart, with the following words: "I do hereby assign my right of this bond to Thomas Hart. Witness my hand this 24th day of October 1750. Lewis Neill. Teste Walter Shirley."[100] However, the first mortgage still stood on the record.

Hart finally decided to join his neighbors in seeking Fairfax grants in 1752. While it would prove too late with regard to the John Miles tract, he would be able to get grants for much of the upper part of his old survey and would be granted other lands nearby to compensate for those parts of his original survey Fairfax refused to honor and which were granted as part of George William Fairfax's Elkwood plantation. Thomas Rutherford testified that he made two surveys for Thomas Hart and one for his son Miles Hart, totaling 976 acres. On September 28, 1752, Fairfax gave Hart a warrant, using the standard language about "waste and ungranted land." Thomas Rutherford, Jr. made the first survey, of 392 acres from the westernmost part of his claim, on December 26. Hart's second survey was made the day after, on December 27, for 397 acres to the east of the first survey. Neither of these surveys made reference to Hart's "claim" or "old survey." From Fairfax's point of view, these were new grants of land from out of his Northern Neck Proprietary. In the meantime, Thomas Hart, Jr. also took out a survey on Cabin Run for 323 acres of land that fell outside his father's old survey. The survey for Miles Hart was made on May 5, 1753 for 187 acres, to the east of the two to his father. These four surveys together *remarkably add up to almost exactly 1300 acres*, that is, the total

100 This text was attested by the commissioners and included in the *Hite v Fairfax* case record.

land rights that Thomas Hart held under the Hite/Van Meter Orders of Council. Lord Fairfax must have respected Hart's rights under the Orders of Council at least with regard to the *number of acres*, if not the bounds of the survey and had compensated the seizure of the John Miles tract with Thomas Jr.'s acres on Cabin Run. One wonders whether Hart planned to compensate his niece Margaret out of the new grants. Events would transpire in a different direction, but in the end the orphan would get her due.[101] But that would not be all. Thomas Hart the Elder took out two more surveys. One was for 185 acres adjoining his son Thomas's land on Cabin Run, surveyed on April 8, 1753. Then, he attended G. W. Fairfax at Belvoir on March 24, 1754, to secure a warrant for a further 268 acres between his old claim and the land of Samuel Darke, which was surveyed March 29, 1754.

Going to Carolina

By finally opening his Land Office for Frederick County, Lord Fairfax unleashed centrifugal forces. A significant number of old settlers finally had the chance to disentangle their property rights from the longstanding dispute over title; many took advantage of the situation by selling out. Many went to the Carolinas. The younger generation also opted to skedaddle. Miles Hart and Aron Hart were chain carriers on some of the 1752 surveys, but by late 1753, they, together with suspected son-in-law Jesper Terry, were living in Augusta County.[102]

Thomas Hart apparently resolved to go to North Carolina late in 1753.[103] But he needed to sell his land and sort out some pending business matters. His longstanding mortgage to Lewis Neill was amicably settled by assigning the first, westernmost survey of 392 acres of land to Neill, which became the site of Shenandoah Junction. The Fairfax deed was drawn in Lewis Neill's name on January 3, 1754.[104]

His neighbor, Joseph Darke, also had a claim against Hart. As the surveyor, Thomas Rutherford, Jr., later testified, in making out the various surveys,

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101 See *Paul v Hite*.

102 See road order, Augusta County Order Book, November 24, 1753, p. 76.

103 *Paul v Hite* shows that Thomas Hart went to Carolina. *Hite v Fairfax* shows that he went to North Carolina.

104 Lewis Neill by his will bequeathed the tract to son Abraham Neill. Frederick County Will Book 4, p. 318, Aug. 10, 1775; Mar. 5, 1776.

"the lines of the old survey were in some measure disregarded," causing one of the new surveys to take in some land that Joseph Darke claimed.[105] This land was apparently near the northeast corner of the middle tract (the ordinary tract). According to Rutherford, Hart agreed to compensate Darke by giving him more land than what he had taken, and Rutherford made two surveys for Darke, one of them the place where William Darke later lived, which took in some of Hart's old survey. Hart paid the fees for surveying Darke's land.[106]

Joseph's son, William Darke, later told the story in connection with another case:

> [W]hen Thomas Hart senr. had his land surveyed the second time which was done by Thomas Rutherford a small part of an adjoining tract of Joseph Darke's was included, a part of which said Hart agreed to give up to said Darke, [but] sometime after a dispute concerning the quantity to be so left out arose. ... Thomas Shepherd, Edward Teague and Henry Loyd were called on by the parties to settle the dispute [and] on the 24th day of June 1754 they met and run off the land including the spring, marked the corner well [so that] both parties were agreed ...

Thus, Darke's survey made on June 24, 1754, included the agreed boundaries.[107] Of course there was another prior survey outstanding that conflicted with the new one. Darke continued:

> Thomas Hart had ... that part divided for Joseph Darke plotted off of his tract and the plat lodged in the proprietor's land office ..., but said Thomas Hart sold his land to Melchor Engle before he received a deed for it and gave said Engle a power to get the deed in his own name ... [I]n making out the deed the plat so altered was not attended to and the deed through this mistake came out for the whole land includ[ing] the spring and Melchor Engle refused to convey the same to the said Joseph Darke which caused a suit in chancery to be brought by said Darke for the

105 *Paul v Hite.*

106 *Paul v Hite.*

107 Warrant issued June 17, 1754. Survey for 418 acres made June 24. Assigned to William Burns on March 21, 1758. Deed issued in 1762.

> conveyance of the said land from the said Thomas Hart and Melchor Engle. [O]n the 3rd day of October 1754 the above named Thomas Hart in his Answer to Darke's bill in chancery swore he never sold the said spring above mentioned and small piece of land to Melchor Engle but that he excepted it and told Engle that it was the property of the said Joseph Darke.[108]

The dispute over the spring continued after Thomas Hart was long gone from the county.[109] The dates in the relevant records are a bit muddled, as Hart's survey includes a notation that he sold it to "Melger Ingle" of Pennsylvania on April 17, 1754. However, the Fairfax deed issued to Engle was dated January 1, 1754. In June of 1754, Engle purchased an additional 105 acres from Hart out of his grant to the north. While there is no evidence one way or the other, Hart could have had some kind of business connection with Engle, who operated a saddlery in the center of Lancaster.

Just shy of three score and ten, the elder Hart prepared to leave the Lower Valley. On September 3, he gave power of attorney to son Thomas to complete the disposal of his lands.[110] On October 3, he filed his answer in the case of *Darke v Hart*. On October 7, Thomas Swearingen, J.P., issued an attachment on the estate of Thomas Hart on the complaint of Jost Hite, who swore that Hart was indebted to him in the sum of fifty pounds and was "absconding so as the ordinary process of law" could not be served on him.[111] Thomas Hart, Jr. gave security so that his father could go to Carolina.[112] The younger Hart later compromised with Jacob Hite to pay

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108 Deposition of William Darke in *Burns v Engle,* Augusta County Chancery Case 1809-151 (punctuation and spelling modified). Darke testified that he had Hart's Answer to Darke's Bill of complaint in his possession which could indicate that he had taken away the file for the *Darke v Hart* case, which was not returned and has now been lost.

109 Darke's deposition goes on to state that Melchior Engle agreed to convey the spring and small piece of land to Darke but took sick and died before doing so, that in the division of Melchior's lands the piece was left out of son Michael's neighboring survey, and Philip Engle, heir at law to Melchior, made a deed to convey the disputed land to Darke bearing the date December 2, 1768, but the deed was not executed and recorded. William Burns purchased Michael Engle's land and claimed a right to the spring, but in the meantime, William Darke had sold that piece to Philip Engle.

110 See *Hite v Fairfax*. This included the remaining 163 acres of the 268-acre grant as well as the 185-acre survey on Cabin Run. Thomas, Jr. assigned the latter to William Strupe/Stroop on May 6, 1761.

111 *Hite v Fairfax*.

112 *Paul v Hite*.

off the balance of the bond, deducting the costs related to the Fairfax grants, which he contended had extinguished any claims that the Hites may have had to the land. In one of Rutherford's depositions made in 1787 he stated that he saw Hart the Elder pay to Jost Hite two "Double loons" in partial payment of his bond.

Hart's destination in Carolina is an enduring mystery. As he was advanced in age it would seem likely that he went to live with relatives bringing along the proceeds from his sale of property. Amateur sleuths have presented too many theories about Thomas Hart's final years to properly survey here, most of which can be debunked. But a typical destination for Hart's contemporaries was the Yadkin settlements that became Rowan County. Morgan Bryan and others went to Yadkin about 1748. Samuel Darke is supposed to have gone to Orange County about 1754. Edward Teague went to Rowan County about 1756. James Brittain from Opequon Creek is supposed to have been the first settler of Guilford County. A Samuel Dark, John Hart and Edward Teague were among those who signed the 1768 Regulators Advertisement No. 9 protesting excessive court fees in Orange County. Cecil O'Dell thought Thomas went to Orange County but did not provide proof.

Tantalizing tidbits of information appear at times, but without proof remain pure speculation. One can find unsupported statements such as the following: "Barry Hart told me that he has a record of a note or letter written by one of his Hart ancestors who visited Thomas Hart, the Elder, in Chatham, CO, NC, a few years after he moved there from his farm in Old Frederick Co., VA, south of Shepardstown, VA." Who can tell if any of this is true?

What about his children? The simplest explanation is that Thomas the Elder went to Carolina with his son Miles. Miles had spent time in Augusta County in 1753. He still called himself a resident of Frederick County in 1757 when he gave a Power of Attorney to his brother Thomas to dispose of his land (which the latter sold to John Humphreys in 1762). Some records show a Miles Hart in Surry County, North Carolina (formed from Rowan) into the 1780s, after which he moved to Hardin County, Kentucky. Purported son Aron also moved to Hardin County, while Thomas, Jr. remained on the Elk Branch his whole life.

In any case, two records indicate that Thomas may not have lived long after leaving the Lower Valley. The first of these relates to his old tract of land in Warminster. The deed to his cousin, James Rush, was recorded on October 13, 1756. It appears that his family had finally despaired of his ever coming home to Bucks County. The other relates to Hart's 185-acre survey adjoining his son's land on Cabin Run. On May 6, 1761, Thomas Hart assigned the rights under the survey to William Strupe (Stroop). The assignment does not identify Thomas as "Sr." or "Jr.," but it is evident from the reference to the ownership of the adjoining tract that the assignment was made by Thomas the Younger. Of course, the younger Thomas had a power of attorney from his father, but the wording and the absence of a qualifier point towards the father's prior decease. The younger Thomas, born about 1702 and having his own son Thomas, began referring to himself as Thomas, Sr. Given all the above, the part of Rowan County that was to become Surry would seem to be the most likely resting place of Thomas Hart.

Epilogue

The twenty-seven surveys lodged with the Secretary in Williamsburg but upon which no patents had been issued were finally found to be valid grants from the Crown in an interlocutory decree dated October 13, 1769. The court held that all surveys made before Christmas 1735 for which patents were not issued were valid and effectual and that deeds should issue to those holding under them from Fairfax subject to the usual payment of quitrents and composition and fees. A commission was ordered to ascertain all the various surveys and make a memorial. Based on the memorial and evidence the final decree was passed on October 15, 1771, from which Fairfax appealed. His appeal languished until it was extinguished by the Revolution. Hite's Representatives then had to revive the suit in the High Court of Chancery in Virginia for further proceedings. After gaining the final decree, it remained to be determined with respect to each survey whether the holders of the land had paid Hite or his heirs. The holders were to state their evidence within three months of service of the decree.

With respect to Hart's survey, the holders – Jacob Miller, Abraham Neil, Robert Lowry, Philip Ingle (Engle), Godwin Swift and William Darke – sued in equity to quiet title. The landholders were represented by John

Marshall, who would become the first Chief Justice of the United States. The file of this case – *Miller et al. v Hite* – was destroyed in Richmond during the Civil War together with the records of the High Court of Chancery, but relevant documents from the file were copied into the record of the *Paul v Hite* case having to do with John Miles' portion of the tract. It was determined that Hart's bond had been discharged, confirming title in the holders. In the minds of the local inhabitants, those old surveys that were finally upheld in *Hite v Fairfax,* and even the claims or purchases that never made it into a survey filed with the Secretary, took on the same status as the original patent lands from the Crown. A recital in a deed made in 1821 refers to a boundary "supposed to be in the line of Hart's and Samuel Darke's *patents*."[113]

In 1850, William Henry Foote published the first edition of his *Sketches of Virginia: Historical and Biographical*. In volume 2, he named the "first settlers" of the Lower Valley. Among the twenty names mentioned, several are familiar to readers of this article – Swearingen, Shepherd, Lucas, Hite, Mercer, Buckles, Taylor, Morgan and Stroop. Thus, began the habitual omission of Thomas Hart from the early settlers of the Lower Valley, even though some of those on the list arrived much later than he, and even took some of their holdings from him. References to Hart in the colonial record show that for a time at least he was as much a mover and shaker, peer, and influencer as any of those better-known pioneers of the Lower Valley. Like the Van Meter brothers, he saw financial opportunity in the region that was the gateway to the Shenandoah Valley. Like the Quaker pioneers Ross and Bryan, he was at the head of a cohort – although a smaller and non-religious one. Like the ferry operator Swearingen, his focus was on accommodating travelers and facilitating their onward journey.

Hart fit an uncommon type of frontier settler – not a Pennsylvania Dutchman, not Scots-Irish, not a religious dissenter. Although he had been a husbandman focused on his curtilage in Bucks County, he did not come to the Valley for that, or to be a miller serving a clearly defined community, or the minister of a group united by faith or heritage, or even the squire doling out frontier justice. Instead, like some of his neighbors in the Lower Valley, he seems to have been looking for opportunity as

113 Philip Engle Sr. et ux Izabel to John Snyder, Jefferson County Deed Book 11, p. 433, November 17, 1821. The bounds were established by a late survey made by Daniel Buckles.

a member of the creole class of first-generation Americans extending culture and commerce as economic adventurers into the frontier, shaped by the same forces that created the Christian Quakers. Or you might say that Hart was a part of the machine that reeled the settlers' money back to the Philadelphia merchants.

As fate and luck would have it, Hart's dreams for a crossroads settlement were frustrated and disappointed. Along with the shift in the course of the main road went the grand ambitions, surefire plans and momentary power of Hart and a handful of others. Consequently, a personality well known to his contemporaries is largely forgotten today and relegated to a mere footnote to history. It could have been otherwise. Had his bet on the wagon road route paid off, Thomas Hart might have come down through history as the equal of Thomas Shepherd, James Wood or Joseph Chapline,[114] and the Jefferson County seat might be at Duffields or Shenandoah Junction under a name such as Hartsville, rather than at Charles Town.[115] Still, Hart stands as a singular representative of the Philadelphia-Lancaster supply economy that dominated the gateway to the Shenandoah Valley for a significant period. And his ordinary represented the conversion of a natural stopping place by an ever-flowing spring frequented by the spirits of generations of Native Americans into a modern American institution. The ripples through time generated by Hart's rustic, shady and refreshing Ordinary at the first crossroads after the Potomac have only been hinted at in this *extra*-ordinary story.

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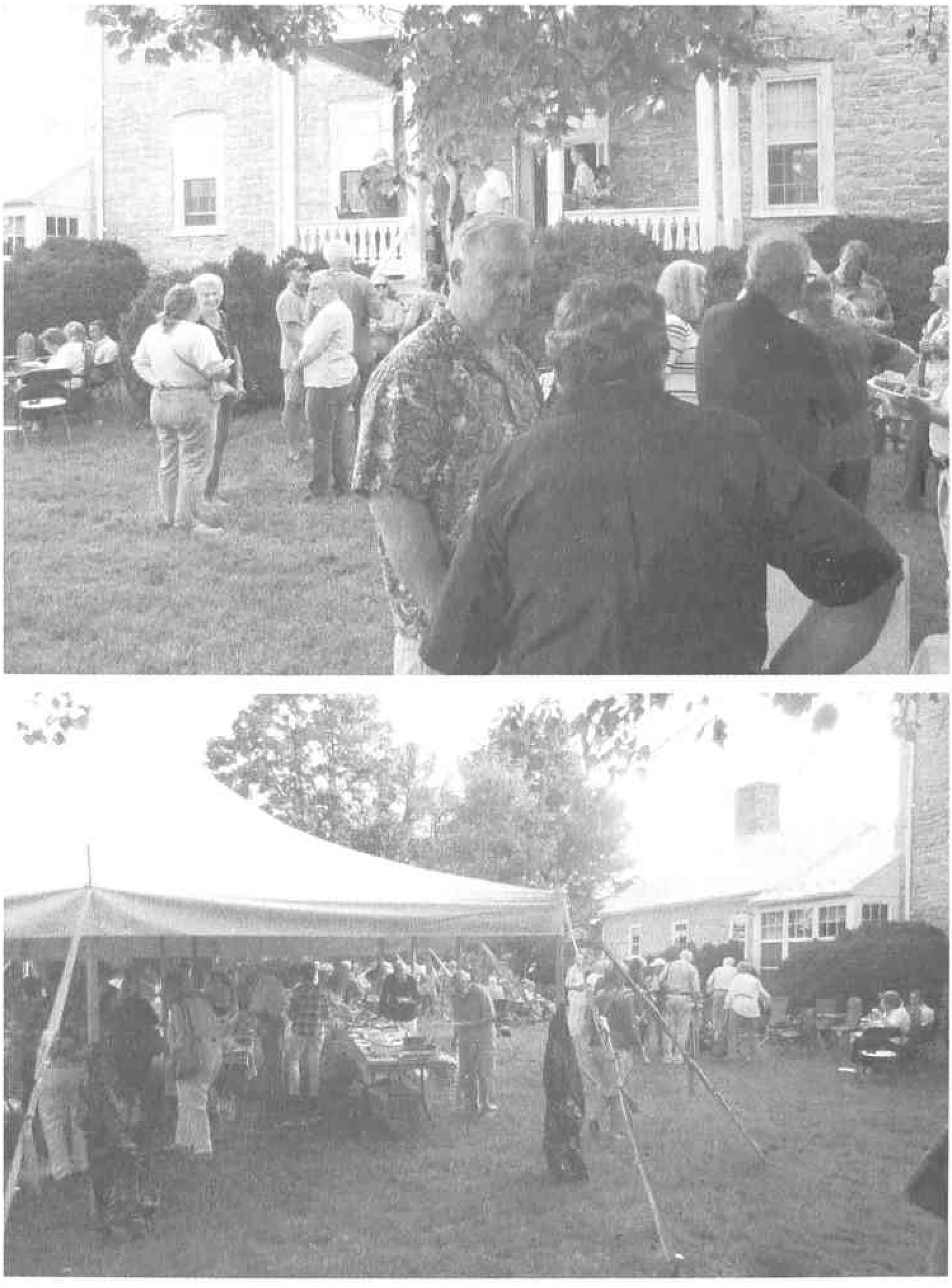
114 The founders of Shepherdstown, Winchester and Sharpsburg, respectively.

115 Hart's historical standing was also obscured due to the rise of legends associated with his small corner of West Virginia at the Elk Branch, including the debunked legend of the Catrina Beierlin grave, and the eclipsing historical personages of William Darke, the Lucases and Worthingtons.

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ANNUAL PICNIC

We have missed the picnic and the deviled eggs for the last two years but, at last, we are back. There were around 180 members and friends in attendance. It was held in the front yard of Harewood, the home of The General's brother: Samuel Washington.



The two story house with two wings was built of local limestone in 1770. James Madison was married to Dolley Todd here in 1794. Samuel lived at Harewood until his death in 1781.



It is the only Washington home in Jefferson County still in the Washington family. Walter Washington was our host and he led a number of tours of the beautiful interior. Thanks to the organizer Betsy Wells and the caterer Kevin Wilson.