

VL. III

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No. 9

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THE  
NORTH CAROLINA BOOKLET

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GREAT EVENTS IN  
NORTH CAROLINA HISTORY

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THE  
COLONY OF TRANSYLVANIA.

BY  
CHIEF JUSTICE WALTER CLARK.



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# THE NORTH CAROLINA BOOKLET.

GREAT EVENTS IN NORTH CAROLINA HISTORY.

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THE  
NORTH CAROLINA BOOKLET

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WHILE WE LIVE WE WILL CHERISH, PROTECT AND DEFEND HER."

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## PREFACE.

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The object of the NORTH CAROLINA BOOKLET is to erect a suitable memorial to the patriotic women who composed the "Edenton Tea Party."

These stout-hearted women are every way worthy of admiration. On October 25, 1774, seven months before the defiant farmers of Mecklenburg had been aroused to the point of signing their Declaration of Independence, nearly twenty months before the declaration made by the gentlemen composing the Vestry of St. Paul's Church, Edenton, nearly two years before Jefferson penned the immortal National Declaration, these daring women solemnly subscribed to a document affirming that they would use no article taxed by England. Their example fostered in the whole State a determination to die, or to be free.

In beginning this new series, the Daughters of the Revolution desire to express their most cordial thanks to the former competent and untiringly faithful Editors, and to ask for the new management the hearty support of all who are interested in the brave deeds, high thought, and lofty lives of the North Carolina of the olden days.

MRS. D. H. HILL.



## THE COLONY OF TRANSYLVANIA.

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BY CHIEF JUSTICE WALTER CLARK,

Editor "North Carolina State Records" and "Regimental Histories of  
North Carolina."

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In the army of the ill-fated Braddock, which, in 1755, marched to its memorable defeat in the mountains of western Pennsylvania, were a hundred North Carolina frontiersmen under Captain Hugh Waddell. Their wagoner and blacksmith, a native of Pennsylvania, but who had then for some years been a resident of what is now Davie county, North Carolina, was Daniel Boone,\* at that time twenty-one years of age. In the following years he made the acquaintance of Colonel Richard Henderson, who, struck with Boone's intelligence and the opportunity for fortune offered by the new lands south of the Ohio, since known as Kentucky, organized a company, and employed Boone in 1763 to spy out the country.† The task was one of hardship and danger, and years passed before it took final shape. Boone is known to have made one of his visits to Kentucky in 1769, and was probably there earlier. In 1773 he again attempted to enter Kentucky, carrying his family, but was driven back, with the loss of six men killed by the Indians, among them his eldest son, at Wallen's Gap.

Under the North Carolina Judiciary Act of 1767, Martin

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\*Thwaites' "Life of Boone," 21.

†Haywood's "Tennessee," 48 (Ed. of 1891).

Howard was appointed Chief Justice, 1 March, 1768, with Maurice Moore and Richard Henderson associates, positions which they held until 1773, when the law expired and the courts were closed till another Judiciary Act was passed by the new government in 1777. It is possible that as Henderson and his associates had employed Boone in 1763 that Henderson's appointment to the judgeship prevented prompt action, for we find that soon after the expiration of his office Henderson and Nathaniel Hart, one of his partners in the proposed land scheme, journeyed in October, 1774, to the Otari towns to open negotiations with the Cherokees for the grant of suitable territory. The Indians very cautiously deputed one of their chiefs, called the "Little Carpenter," to return with the white men and examine the goods offered. This chief returned to his tribe with a favorable report in January, 1775, and the Overhill Cherokees were bidden to assemble at the Sycamore Shoals of the Watauga. The order to assemble was given by the head chief, Oconostata, a very old man, famous for his prowess in war with the whites. At the appointed rendezvous, on 17 March, 1775, the treaty was signed by Oconostata and two other chiefs, Savanookoo and the Little Carpenter (Atta Culla-Culla), in the presence and with the assent of 1,200 of the tribe, half of them warriors.\* In consideration of £12,000 in goods, the Indians granted to Henderson and his associates all the lands lying between the Kentucky and the Cumberland rivers, embracing over half of what is now Kentucky and part of Tennessee. The treaty was debated

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\*Roosevelt's "Winning of the West," Part II, Chapter 2.



sentence by sentence, the Indians choosing their own interpreter. It was only signed after four days' minute discussion and after fierce opposition from a chief known as Dragging Canoe. The goods must have been put at a high valuation, for one brave who received as his share only a shirt contemptuously said he could secure more with his rifle in one day's hunting. On the other hand, the Indians received full value, for they had in truth no title to convey, and they plainly told Henderson he would have great trouble to obtain or hold possession on account of other tribes. The territory was not occupied and owned by the Cherokees, nor, indeed, by any tribe, but was a battle-field, where hostile bands met to fight out their quarrels. Besides, as we shall see later on, neither the British government nor the authorities of Virginia or North Carolina would recognize the authority of the Indians to convey. None the less the plan of Henderson and his associates was a bold, audacious dash for fortune. He at once named his acquisition Transylvania.

Judge Richard Henderson, the moving spirit of the enterprise, was born in Hanover county, Va., 20 April, 1735. His ancestors by his father's side were from Scotland and his mother's people (Williams) were Welsh. He accompanied his father, Samuel Henderson, to Granville county, N. C., about 1745, where his father later became Sheriff. Richard Henderson studied law with his cousin, Judge John Williams, whose step-daughter, Elizabeth Keeling, he afterwards married. Besides being Judge 1768-1773, he was re-elected Judge

14 August, 1778, but declined. In 1778 and 1782 he was a member of the Council of State, and in 1781 a member of the House of Commons for Granville county.

The company formed by Judge Henderson to buy the Indian lands consisted of himself, John Williams (later Judge) and Leonard H. Bullock of Granville, William Johnston, James Hogg, Thomas Hart, John Lutterell, Nathaniel Hart and David Hart, of Orange county. The Harts were near kinsmen of Thomas Hart Benton, who was also born in Orange county. Thomas Hart, his grandfather, and Jesse Benton, his father, were among the colonists who accompanied Judge Henderson to Boonesborough.

A full account of the treaty and the incidents attending its negotiation and ratification are to be found in the proceedings of the Virginia Convention, 1777, taken upon the memorial of Richard Henderson and others, and is preserved to us in the Jefferson MSS., 5th Series, Vol. VIII. The British spy, Captain J. F. D. Smyth, in his "Tour in America," Vol. I, p. 124, visited John Williams at his home in Granville about December, 1774, where he met Judge Henderson, whom he lauds as a genius, and says he did not know how to read and write till after he was grown. As Henderson became Judge at the age of thirty-three, and as, besides, Smyth styles him Nathaniel Henderson, and adds that Williams was said to be a mulatto, and looked like one, no faith is to be given to any of his statements. He, however, says probably with truth (p. 126) that Judge Henderson had made a secret pur-

chase of territory from the Indians before his public treaty later on.

As soon as it became apparent that the Indians would sign the treaty, Henderson started Boone on ahead, on 10 March, 1775, with a company of thirty men to clear a trail from the Holston to the Kentucky. This was the first regular path opened into the wilderness, was long known as Boone's Trace, and became forever famous in Kentucky history as the Wilderness Road. It led over Cumberland Gap and crossed Cumberland, Laurel and Rockcastle rivers at fords which required swimming when the streams were in freshet. It was a narrow bridle path, chopped out in the wilderness and thickets, and a blazed way in the tall open timber. After a fortnight's hard work the party had almost reached the Kentucky river, when, before daybreak on 25 March, as they lay around their dying camp fires, they were attacked by Indians, who killed two of their number and wounded a third. The hardy pioneers held their ground without further loss till daylight, when the Indians drew off. Boone held on his course till he reached the Kentucky river, and on 1 April began to build Boonesborough on an open plain, where there was a salt lick and two sulphur springs. His small force had scarcely erected their log cabins and broken ground for corn planting when the Indians they had already fought returned with re-inforcements and "killed and sculped," as Boone termed it, several men. The rest would have abandoned the settlement, but Boone was made of sterner stuff and sent a special messenger to Henderson to hurry him forward with the main body.

Boone's terse and common-sense letter has been published and is mentioned in Henderson's journal below given.

Henderson had started off as soon as the treaty was completed, and took with him forty mounted riflemen and a number of negro slaves, a drove of beef cattle and a train of wagons loaded with provisions, ammunition, material for making gunpowder, seed corn and other seed, and various articles of necessity for his intended settlement; but he was obliged to leave the wagons in Powell's Valley, for Boone had not been able to construct more than a bridle path. Accordingly their goods and implements were packed on horses and they proceeded. Besides the journal which Henderson kept, a man named William Calk jotted down the daily incidents of the journey in his diary, which has also been printed, numerous extracts from which, some of them amusing, are given in President Roosevelt's "Winning of the West," Part II, ch. 2. The party carried with them "Irish tators" to plant, among the agricultural supplies, besides bacon and corn meal, and one of the driven beeves was occasionally killed, though their chief dependence for subsistence was the deer, turkeys, buffalo and other game which they shot. The journey was very painful and much impeded by rains, snow, the often steep and muddy path, swollen streams and hourly peril of attack from Indians. On 7 April, at Cumberland Gap, they met Boone's special messenger, and time and again they met panic-stricken parties of other intending settlers returning home in all haste. Henderson sent an encouraging reply by one of his party, Captain Cocke, who volunteered for this dangerous service, and

who later was one of the first United States Senators from Tennessee. But for the establishment of the fort at Boonesborough, Kentucky would have been entirely abandoned by the whites in 1775, just as it had been the previous year. Had this occurred again in 1775, Kentucky would have doubtless been entirely unsettled until after the Revolution, and might have remained British soil. To Boone and Henderson is due the fact that this did not happen, but they could not have held their ground, in all probability, had it not been for the defeat which had been inflicted on Cornstalk and his confederacy of Indians at the battle of the Great Kanawha, or Point Pleasant, in the October previous, by General Lewis.

Felix Walker,\* one of Boone's party, thus describes in his narrative, which is still in existence, the arrival at the future site of Boonesborough: "On entering the plain we were permitted to view a very interesting and romantic sight. A number of buffaloes, of all sizes, supposed to be between two and three hundred, made off from the lick in every direction: some running, some walking, others loping slowly and carelessly, with young calves playing, skipping and bounding through the plain. Such a sight some of us never saw before, nor perhaps ever may again."

Henderson, in the meantime, as already stated, was pushing on with his party, and arrived, with the loss of some panic-stricken deserters, at Boonesborough on his fortieth birthday, 20 April, 1775, the day after the battle of Lexing-

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\* Later member of Congress from North Carolina, for three terms.

ton, which began the Revolutionary War, an event, however, of which he did not hear till 29 May. His journal on this memorable trip, from 20 March, 1775, and afterwards down to 25 July, is well worth preservation, and is here given:

JOURNAL OF COLONEL RICHARD HENDERSON RELATING TO  
THE TRANSYLVANIA COLONY.

*Monday, March 20th, 1775.*—Having finished my treaty with the Indians at Watauga, set out for Louisa, and arrived at John Shelby's in the evening.

*Tuesday, 21st.*—Went to Mr. John Sevier's, in company of Colonel Williams and Colonel Hart, and staid that day.

*Wednesday, 22d.*—Messrs. Williams and Hart set off home, and I staid with Mr. Sevier.

*Thursday, 23d.*—Still at Mr. Sevier's. N. B.—Because our horses were lost, though not uneasy, as Messrs. Hart and Luttrell made a poor hand of traveling.

*Friday, 24th.*—Set off in pursuit of Mr. Hart and Luttrell. Overtook them both and lodged at Captain Bledsoe's.

*Saturday, 25th.*—Came to Mr. Calloway's.

*Sunday, 26th.*—Staid there.

*Monday, 27th.*—Employed in storing away goods.

*Tuesday, 28th.*—Set off for Louisa.

*Wednesday, 29th.*—Continued our journey. N. B.—Luttrell not come up.

*Thursday, 30th.*—Arrived at Captain Martin's in Powell's Valley.

*Friday, 31st.*—Employed in making a house to secure the wagons, as we could not possibly clear the road any farther. N. B.—My wagon and Samuel Henderson's came up; also Mr. Luttrell in the evening.

*Saturday (April) 1st (1775).*—The first day of April. Employed in making ready for packing, etc. Mr. Hart came up.

*Sunday, 2d.*—Continued at Captain Martin's, waiting for the wagon.

*Monday, 3d.*—Still continued waiting for the wagon.

*Tuesday, 4th.*—Still continued waiting for the wagon. The same evening the wagon arrived, though so late we could not proceed.

*Wednesday, 5th.*—Started off with our pack-horses about three o'clock. Traveled about five miles to a large spring. The same evening Mr. Luttrell went out hunting and has not yet returned. The same evening Samuel Henderson's and John Farrar's horses took a scare, with their packs, running away with the same, saddle and bridle. Farrar's saddlebags and other things damaged. Next morning Samuel Henderson and Farrar went in pursuit of their horses, saddles, etc. The same evening John Farrar returned to our camp with news that they had found all their goods, but two of their horses were missing.

*Thursday, 6th.*—Sent John Farrar back with provisions to meet and assist Samuel Henderson, with orders to stay with him till they overtook us, as we promised to wait for them at Cumberland Gap.

*Friday, 7th (probably Saturday, 8th).*—Samuel Henderson and John Farrar returned to us with their horses, packs and everything safe, we having waited at our camp, ten miles below Martin's, for them.

*(Without date).*—Traveled about six miles to the last settlement in Powell's Valley, where we were obliged to stop and kill a beef. Wait for Samuel Henderson. This was done (namely, "killing the beef") whilst waiting for Samuel Henderson.

*Friday, 7th.*—About break of day, began to snow. About eleven o'clock received a letter from Mr. Luttrell's camp, that there were five persons killed on this road to the Cantuckee by the Indians. Captain Hart, upon the receipt of this news, retreated back with his company and determined to settle in the Valley to make corn for the Cantuckey people. The same day received a letter from Dan. Boone that his company was fired upon by the Indians, (who) killed two of his men, though he kept the ground and saved the baggage, etc.

*Saturday, 8th.*—Started about ten o'clock. Crossed Cumberland Gap about four miles. Met about forty persons returning from the Cantuckey on account of the late murder by the Indians. Could prevail on one only to return. Mem.—Several Virginians who were with us returned.

*Sunday, 9th.*—Arrived at Cumberland river, where we met Robert Willis and his son returning.

*Monday, 10th (April, 1775).*—Dispatched Captain Cocke to the Cantuckey to inform Captain Boone that we were on the road. Continued at camp that day on account of the badness of the weather.

*Tuesday, 11th.*—Started from Cumberland. Made very good day's travel of near twenty miles. Killed beef, etc.

*Wednesday, 12th.*—Traveled about five miles. Prevented going any farther by the rains and the high waters at Richland creek.

*Thursday, 13th.*—Last night arrived near our camp. Stewart and ten other men camped within half a mile of us on their return from Louisa. Camped that night at Lorrel (Laurel) river. They had well-nigh turned three or four of our Virginians back.

*Friday, 14th.*—Traveled about twelve miles to a camp.

*Saturday, 15th.*—Traveled about eighteen miles and camped on the north of Rock Castle river. This river is a fork of the Cumberland. Lost an axe this morning at camp.

*Sunday, 16th.*—About twelve o'clock met James McAfee with eighteen other persons returning from Cantucky. Traveled about twenty-two miles and camped on the head of Dick's river, where Luna, from McAfee's camp, came to us resolved to go to the Louisa.

*Monday, 17th.*—Started about three o'clock. Prevented by rain. Traveled seven miles.

*Tuesday, 18th.*—Traveled about sixteen miles. Met Michael Stoner with pack-horses to assist us. Camped that night in the eye of the rich land. Stoner brought us excellent beef in plenty.

*Wednesday, 19th.*—Traveled about sixteen miles. Camped on Otter creek, a good mill place.

*Thursday, 20th.*—Arrived at Fort Boone, on the mouth of the Otter creek (on) Cantuckey river, where we were saluted by a running fire of about twenty-five guns, all that were then at the fort. The men appeared in high spirits and much rejoiced on our arrival.

On viewing the fort and finding it not sufficient to admit of building for the reception of our company, and a scarcity of ground suitable for clearing at such an advanced season, was at some loss how to proceed. Mr. Boone's company having laid off most of the adjacent good lands into lots of two acres each and taking it as it fell to each individual by lot, were in actual possession and occupying them. After some perplexity, resolved to erect a fort on the opposite side of a large lick near the river bank, which would place us at the distance of about three hundred yards from the fort—the only commodious place where we could be of any service to Boone's men, or *vice versa*.



On communicating my thoughts to Mr. Luttrell on this subject, with my reason for preferring this place to a large spring over a hill, at three-quarters of a mile from Fort Boone, he readily gave his assent and seemed pleased with the choice. Mr. Hart said, in a very cold, indifferent manner, "he thought it might do well enough." Accordingly it was resolved that a fort should be built on said place, etc. Moved our tents to the ground, *i. e.*, Mr. Luttrell and myself and our particular companies lodged there Saturday night.

*Sunday, 23d (April, 1775).*—Remained at camp. Passed the day without public worship, nothing of that kind having been put in practice before, and ourselves much at sixes and sevens and no place provided for that purpose.

*Monday.*—Proceeded, with the assistance of Captain Boone and Colonel Calloway, to lay off lots. Finished nineteen, besides one reserved round a fine spring.

*Tuesday.*—Finished the lots—in all, fifty-four in number.

*Saturday, 22d.*—Finished running off all the lots we could conveniently get, to-wit, fifty-four, and gave notice of our intention of having them drawn for in the evening. But as Mr. Robert McAfee, his brother Samuel and some more were not well satisfied whether they would draw or not, wanting to go down the river about fifty miles, near Captain Harrod's settlement, where they had begun improvements and left them on the late alarm, and being informed myself in hearing of all attending that such settlement should not entitle them to lands, etc., from us, and appearing much concerned and at a loss what to do, on which the lottery was deferred till next morning at sunrise, thereby giving them time to come to a resolution.

*Sunday, 23d.*—Drawed lots, etc. Spent the day without public worship.

*Monday, 24th.*—Employed in viewing the respective lots and endeavoring to satisfy the drawers by exchanging my own and those over whom of our company I had any influence to give entire satisfaction.

*Tuesday, 25th.*—As there were fifty-four lots and not so many drawers by thirteen, some of the best lots were left; therefore had a second lottery, at the end of which everybody seemed well satisfied. I had been able by one way or other to obtain four lots for the fort garden, etc., and

in these lotteries our particular company had such luck in drawing as to enable me to give in exchange lots which entirely gave satisfaction.

*Wednesday, 26th.*—Other people coming, employed in showing lots for their use. Sowed small seed, planted cucumbers, etc.

*Thursday, 27th.*—Employed in clearing fort lot, etc. Mr. Luttrell, Nat. Henderson and Samuel Henderson all that assisted me. Mr. Hart, having made choice of a piece of ground for his own and people's cultivation adjacent to the town lands, did not come near nor offer assistance, though I had often mentioned to him the necessity of building a magazine, our powder being exposed in tents and the weather somewhat rainy. Mr. Luttrell reported to me that Captain Hart would have nothing to say to the fort, things were managed in such a manner, though I cannot guess the reason of his discontent.

*Friday, 28th.*—Mr. Luttrell chose a piece of ground about three-quarters of a mile from the fort and set three of his people to work; two remained with me to assist in clearing about where the fort is to stand. He on all occasions is exceedingly obliging and good-natured and seems desirous of promoting the company's interest.

*Saturday, 29th.*—Built, or rather begun, a little house for a magazine, but did not finish it. Mr. Hart told me in the morning that he would assist, but never saw or heard of him this day more.

*Sunday, 30th.*—No public worship.

*Monday, 1st May (1775).*—Continued to work on the magazine.

*Tuesday, 2d.*—Continued same work and working on our lots.

*Wednesday, 3d.*—Finished the magazine. Captain John Floyd arrived here, conducted by one Jo. Drake from a camp on Dick's river, where he had left about thirty men of his company from Virginia, and said he was sent by them to know on what terms they might settle our lands; that if it was reasonable they would pitch on some place on which to make corn, or otherwise go on the north side of the river. Was much at a loss on account of this gentleman's arrival, as he was surveyor of Fincastle under Colonel Preston, a man who had exerted himself against us and said and did everything in his power or invention, as I am informed, to defeat our enterprise and bring it into contempt. 'Tis said that he not only had our case represented, or rather misrepresented, to Lord Dunmore, but actually wrote to Governor Martin on the subject. This man (Captain Floyd) appeared to have a great share of

modesty, an honest, open countenance and no small share of good sense, pleading in behalf of himself and his whole company, among which were one Mr. Dandridge (son of Nat. West Dandridge of Virginia) and one Mr. Todd, two gentlemen of the law in their own parts, and several other young gentlemen of good families. We thought it most advisable to secure them to our interest, if possible, and not show the least distrust of the intentions of Captain Floyd, on whom we intend to keep a very strict watch.

Accordingly, though the season was too far advanced to make much corn, yet we promised them land, etc., 1,000 acres to the principal gentlemen, on the terms of Henderson & Company. This we would not have done but for the scarcity of men and the doubt with respect to the Virginians coming into our measures, according title, etc.

We restrained these men to settle somewhere in a compact body for mutual defence and to be obedient to such laws as should from time to time be made for the government of all the adventurers on our purchase, and gave them leave to make choice of any lands not before marked by any of our men or a certain Captain Harrod and his men, who were settled somewhere about fifty miles west of us on the head of Salt river, and of whom we could form no conjecture, but thought it best to prevent any interruption to him or his men till we should know what he intended with respect to us and our title.

The day before this, one Captain Callomees and Mr. Berry, with five other men, arrived here from Frederick or somewhere in the north-west frontiers of Virginia. They had heard nothing of our purchase when they left home, but merely set off to view the country, etc. Hearing of us and our pretensions, they thought proper to come, though they seemed not very conversable, and I thought I could discover in our first intercourse a kind of sullen dissatisfaction and reserve, which plainly indicated a selfish opinion to our disadvantage. This, after some time, wore off, and they gladly treated with us for lands and other indulgences, which we granted.

*Thursday, 4th (May, 1775).*—Captain Floyd returned home; seemed highly pleased with gaining his point of settling, etc. I must not omit to mention here that Mr. Floyd expressed great satisfaction on being informed of the plan we proposed for legislation, and said he must most

heartily concur in that and every other measure we should adopt for the well governing or good of the community in general. This plan is exceedingly simple and I hope will prove effectual. 'Tis no more than the people's sending delegates to act for them in general convention.

*Friday, 5th.*—Nothing material. Let Mr. William Cocke have five yards and a half oznaburgs off my old tent, for which I charge him 5s. 6d. V. money.

*Saturday, 6th.*—Lived on as usual. Very little of Mr. Hart's company. He kept much to himself—scarcely social.

*Sunday, 7th (May, 1775).*—Went into the woods with my brothers, Nat. and Samuel, and Captain Boone, after a horse left out on Saturday night. Staid till night, and on our return found Captain Harrod and Colonel Thomas Slaughter from Harrodstown on Dick's river. Colonel Slaughter and Harrod seemed very jocose and in great good humor.

*Monday, 8th.*—Rainy. Was much embarrassed with a dispute between the above-mentioned gentlemen. Captain Harrod, with about forty men, settled on Salt river last year; was drove off, joined the army with thirty of his men, and, being determined to live in the country, had come down this spring from Monongahela, accompanied by about fifty men, most of them young persons without families. They came on Harrod's invitation. These men had got possession some time before we got there, and I could not certainly learn on what terms or pretense they meant to hold land, and was doubtful that so large a body of lawless people, from habit and education, would give us great trouble and require the utmost exertion of our abilities to manage them; and, not without considerable anxiety and some fear, wished for an intercourse with Captain Harrod, who, I understood, was chief and had all the men in that quarter under his absolute direction and command. But was soon undeceived as to this point. Though these gentlemen were friendly to each other and open in all their conduct, they were warm advocates and champions for two different parties. A schism had raised between Harrod's men, whom he brought down the Ohio with him, and those from divers parts of Virginia and elsewhere, amounting to about fifty in number on both sides. Harrod's men, being first on the spot, claimed a priority of choice; and had they stopped there the dispute would scarcely ever had existed, for the others seemed willing to give in to such

a preference. But the complaint laid before us by Colonel Slaughter in behalf of the other men, and on which we were to decide, was that Harrod's men had not contented themselves with the choice of one tract of land apiece, but had made it their entire business to ride through the country, mark every piece of land they thought proper, built cabins, or rather hog-pens, to make their claims notorious at the place, and by that means had secured every good spring in a country of twenty-odd miles in length and almost as broad. That, though it was in those parts one entire good tract of land, and no advantage in choice except as to water, yet it was unjustly depriving them of every essential inducement to their settling in the country. That, for their own part, after giving up that Captain Harrod should, as to himself, have any indulgence, that his men might each make a choice for himself first, and then that they might come in for the second choice. This was strenuously urged by their advocate, Colonel Slaughter, a sensible and experienced old gentleman, a man of good family and connexions and a great friend to our country, and with this farther in his favor, that the men he appeared for had, from their first assembling together at Harrodsburg, in obedience to our written declaration respecting encouraging settlers in our country, industriously employed themselves in clearing land and making ready for as large a crop of corn as possible, depending on a punctual performance on our part. That Captain Harrod's men had totally neglected to do anything that way, there being at this time in Harrod's settlement at the Boiling Spring, six miles from Harrodsburg, not more than three acres cleared and ready to be planted, and that for the Captain only, whilst in less time with the same number of hands they had somewhere between sixty and eighty.

Fair and clear as this case was in favor of Slaughter's men, upon every principle of justice and our own express declaration in writing, we were afraid to determine in favor of the right side; and, not being capable, if we could have done it, to give a decree against them, our embarrassment was exceedingly great. Much depended on accommodating the matter, which we dare not offer. The day favored us, being rainy, and caused them to spend it with us, by which means we had it in our power to get better acquainted with the opposite gentlemen and give a turn to the dispute for the present, trusting to a future day and

hoping that some conciliating measures would be offered and agreed to by themselves.

To divert the debate on the foregoing occasion and draw them a little off so disagreeable a subject, the lawless condition we were in, and the want of some such thing, made the subject conversation, mixed with occasional matters. It answered the end. Our plan of legislation, the evils pointed out, the remedies to be applied, etc., etc., were acceded to without hesitation. The plan was plain and simple; 'twas nothing novel in its essence; a thousand years ago it was in use, and found by every year's experience since to be unexceptionable. We were in four distinct settlements. Members of delegates from every place, by free choice of individuals, they first having entered into writings solemnly binding themselves to obey and carry into execution such laws as representatives should from time to time make, concurred with by a majority of the proprietors present in the country.

The reception this plan met with from these gentlemen, as well as Captain Floyd, a leader in Dick's river settlement, gave us great pleasure; and therefore we immediately set about the business. Appointed Tuesday, the 23d instant, at Boonesborough; and accordingly made out writings for the different towns to sign, and wrote to Captain Floyd, appointing an election, etc. Harrodsburg and the Boiling Spring settlement received their summons verbally by the gentlemen aforesaid.

*Tuesday, 9th (May, 1775).*—Colonel Slaughter and Captain Harrod took their departure in great good humor, and apparently well satisfied. Our plantation business went on as usual; some people planting, others preparing, etc. We found it very difficult at first, and indeed yet, to stop great waste in killing meat. Many men were ignorant of the woods, and not skilled in hunting, by which means some would get lost, others, and indeed at all times, shoot, cripple and leave the game, without being able to get much, though always able to keep from want, and sometimes good store by them. Others of wicked and wanton dispositions would kill three, four, five or half a dozen buffaloes, and not take a half-horse load from them all. These evils we endeavored to prevent, but found it not practicable; many complaining that they were too poor to hire hunters, others loved it much better than

work; and some who knew little of the matter, but conceity, from having a hunting shirt, tomahawk and gun, thought it an insult to offer another to hunt for him, especially as pay was to be made.

For want of a little obligatory law or some restraining authority, our game soon, nearly as soon as we got here, if not before, was drove very much. Fifteen or twenty miles was as short a distance as our good hunters thought of getting meat, nay, sometimes they were obliged to go thirty, though by chance once or twice a week a buffalo was killed within five or six miles. This method of destroying game was, from our first coming, kept a secret from us as much as possible, and indeed we did not wish to be informed of it. The strictest inquiry was made into every hunter's conduct. It would not do to have it in our power to convict a man of the fact we had highly censored, and spoken of as a thing to be taken notice of, and let the culprit pass unnoticed. 'Twas some pleasure to find they were afraid of discovery; and I am convinced this fear saved the lives of many buffaloes, elks and deer. As to bear, nobody wasted any that was fit to eat, nor did we care about them.

Mr. Hart continues to keep himself much retired on his hill, and unless urged does not give himself any pains about our public affairs. I wish it may not be owing to discontent with something done, or supposed to be done, by Mr. Luttrell or myself, or both.

*Wednesday, 10th (May, 1775).*—Nothing remarkable.

*Thursday, 11th.*—Common occurrences.

*Friday, 12th.*—Old story.

*Saturday, 13th.*—No washing here on this day; no scouring of floors, sweeping of yards, or scalding bedsteads here.

*Sunday (May 14, 1775).*—No divine service, our church not being finished. That is to say, about fifty yards from the place where I am writing, and right before me as I am now writing, with my face to the south, the river about fifty yards behind my camp, and a fine spring a little to the west, stand one of the finest elms that, perhaps, nature ever produced in any region. This tree is placed on a beautiful plain, surrounded by a turf of fine white clover, forming a green to its very stock, to which there is scarcely anything to be likened. Its trunk is about four feet through to the first branches, which are about nine

feet from the ground; from thence above it so regularly extends its large branches on every side, at such equal distances, as to form the most beautiful tree that imagination can suggest. The diameter of its branches from the extreme ends is one hundred feet; and every fair day it describes a semicircle on the heavenly ground around it, after the sun has risen to the tune of fifteen degrees, and so at evening, above the horizon, of upwards of four hundred feet in circuit, and at any time between the hours of ten and two, one hundred persons may commodiously seat themselves under its branches. This divine tree, or rather one of the many proofs of the existence, from all eternity, of its Divine Author, we came time enough to redeem from destruction. Not owing to its beauty—that was unnoticed—the leaves were not out; and the lazy could find no pleasure in basking under it—'twas too big to be cut down without labor, and it would not die for butting ('twas said) the first year. The claimer of the lot in town, on which it stood, would have wished it in the Red Sea, at the devil, or anywhere, to have got clear of it; and I believe 'twas owing to the dread of cutting this tree that made my way easy in endeavoring to obtain the lot for the purpose of building a fort.

Thank God, the tree is mine, where I often retire, and oh! were my family and friends under it with me, it would be a heavenly tree indeed. But this is not the case.

This same tree is to be our church, state-house, council-chamber, etc.; and, having many things on our hands, we have not had time to erect a pulpit, seats, etc., but have by Sunday sennight to perform divine service for the first time in a public manner, and that to a set of scoundrels who scarcely believe in God or fear a devil, if we were to judge from most of their looks, words and actions.

*Monday (May), 15th.*—Omitted to mention the receipt of a packet of letters by express from Colonel Hart, Messrs. William Johnson and James Hogg, as also two from Captain Russell with some enclosures (*vide* letters). Was much disappointed in not receiving accounts from my family and friends. It seems these gentlemen of the company, strangely transported with the news of a few men's being killed, and my writing precisely for ammunition and supply of salt, had not even given themselves time to think; but sent off an express with little



more advice than that my last letter had come to hand; they were sorry for the accident; prayed fervently against such evils for the future; d—d the Indians for rascals; commended our courage for going on notwithstanding the mischief; hoped that we were fortified, and able to resist a little; gave us very good advice, and left us to destruction. These letters bear date from the 20th to the 23d of April. Must not omit to mention a most friendly letter accompanying these, from my old friend Colonel Fanning, dated the 10th. This, over and above the satisfaction of perusing the most cordial declarations of entire friendship, etc., by the by, gave me some satisfaction as to my wife and family. A true friend cannot omit offices of friendship. He did not omit to mention his stay at Colonel Williams' a few days before, and that all was well at my house. A word from Colonel Hart, which he got from Mr. Bullock, informs me that my wife and family were well about the 14th or 15th of last month, or Mr. Bullock must have been longer from home than 'tis presumable he was.

With this express arrived here ten men, inclusive, eight from Danmore and two from Powell's Valley (express, etc.). Major Bowman, Captain Bowman and one Captain Moore were the principal men. With these we had no difficulty; they seemed to be well pleased with the country, offered to buy lands, and are willing to settle on our terms; were prepared to make corn; asked to be indulged, having come out at a late season, which we granted readily, as they seemed like very good people, and said they imagined one hundred families at least would be out with them before spring. They seemed desirous of being in Harrod's neighborhood, and there was some degree of relationship and acquaintance among them. Therefore sent them off in great good humor.

*Tuesday (May), 16th.*—Continue eating meat without bread, and should be very contented, were it not for the absence of four men who went down the river by land, on Friday sennight, to bring up the goods left by Captain Callomees at the mouth of Elkhorn, about fifty or sixty miles below. These men were expected on Tuesday or Wednesday last, at farthest; and having no news of them till now, some matter of great concern to Captain Callomees; and it is not a little alarming to ourselves.

*Wednesday, 17th.*—Hunters not returned. Almost starved—drank a little coffee, and trust to luck for dinner. Am just going to our little plant patches, in hopes the greens will bear cropping; if so, a sumptuous dinner indeed. No meat but fat bear and a little spoiled buffalo and elk, which we made out with pretty well, depending on amendment to-morrow.

Captain Callomees grows very uneasy on account of his men—applies to me for men and horses to go in search—six men and nine horses. Gave my permission to do what was in my power; proposed it at dinner to Mr. Luttrell, who denied, as having no horses fit to go and thinking footmen would answer. In short, Mr. Luttrell was unwell; seemed in an ill humor with everything about him, or don't think he would have refused doing a thing in which not only the honor of the company was so much concerned, but 'twas refusing to listen to the calls of humanity herself. He is at sometimes thoughtless, but, I think, means to act as well as may be for himself and company.

This evening wrote a line to Colonel Calloway at the fort (Mr. Boone being away) and another to Captain Hart, stating the case and desiring assistance, and, withal, asking them to come to my camp in the morning to determine on something.

*Thursday, 18th (May, 1775).*—Colonel Calloway and Captain Hart came early. Mr. Calloway could raise three men and one horse; Captain Hart, one horse. Mr. Luttrell was in bed, and not in good humor. (The bells made too much noise.) This I suppose from hearing him quarreling with the horses in the night and his lying later than usual. Had only two mares and one horse; the mares in the plough, the one very poor with a sore back, and the other not much better, but willing she should be rode. My horse was \* \* \* running in the woods, very poor, and I believe would not go on a journey of twenty miles without giving out. However, the day proving dark, and no good woodsmen to be gotten, our hunters, Mr. Squire Boone and Michael Stoner, being still out, as also Captain Boone and some others, all of whom were by promise to have returned last night, and on whose account, as they were gone over and down the river, I was a little uneasy; went about a mile to Captain Callomees' camp, stated the case, etc. He seemed of my opinion, that it was best to wait this day,

and try to get more men and horses (which we hoped to effect), especially some good woodsmen.

'Tis now 12 o'clock. No news of hunters or the absentees.

Three o'clock. Hunters came in; no news of the lost men.

*Friday, 10th (May, 1775).*—Sent off Mr. Stoner with Captain Callo-way and some of his men in search of those persons above mentioned. On this occasion no person turned out except John McMillion, and no person offered, or could be prevailed upon to lead (though there were many fat, idle ones about town every day, and at this time more than twenty in sight), save Captain Cocke, Captain Hart, Nat. Henderson and myself. (Mine indeed was one of the companies). P. S.—Callo-meas returned, and Hogan going in his place.

This evening Mr. Nath. Jewet arrived here from Captain Floyd, whom, with six other men, he says, he left about ten miles off on the west side of the river, looking land, etc. By him heard that Captain Floyd was not at St. Asaph at the return of Captain Slaughter and Mr. Harrod, and being afraid that the town on that account has not proceeded to elect delegates to meet in convention.

*Saturday, 20th (May, 1775).*—The election for Boonesborough was had this afternoon with great regularity, when Squire Boone, Daniel Boone, William Cocke, Samuel Henderson, William Moore and Richard Calloway were elected. Number of votes as follows: (Here occurs a blank of several lines in the MS.).

Wrote to Mr. Todd and sent Wm. Bush to St. Asaph, directing an election in case 'twas not done, with orders to be in on Tuesday evening at farthest.

*Monday 22d.*—One Captain Thomas Guess arrived from above Pittsburg with six or seven men. Their business was to survey 8,000 acres of land by officers' claims on the north side Kentucky. Brought news that the Lees, surveyors for the Ohio company, were at Wheeling as they past, and talked of coming down the river.

*Tuesday, 23d (May, 1775).*—Delegates met from every town. Pleased with their stations, and in great good humor.

*Wednesday, 24th (May, 1775).*—The Convention met; sent a message acquainting me that they had chosen Colonel Thomas Slaughter, Chair-

man, and Mr. Math. Jewet, Clerk; of which I approved. Went and opened the business by a short speech, etc.

*Thursday, 25th.*—Three of the members of the committee waited on the proprietors with a very sensible address, which they asked leave to read, and read it and delivered it in. Returned an answer, and business went on. This day four bills were fabricated and read: One for establishing a Tribunal of Justice; 2d, Malitia; 3d, for Preventing the Destruction of Game; 4th, a Law Concerning Fees—some of which I got a slight view of—(very imperfect). The delegates very good men, and much disposed to serve their country.

*Friday, 26th, (May, 1775).*—Convention continues. Good order, etc.

*Saturday, 27th.*—Finished Convention in good order. Everybody pleased, etc.

*Sunday, 28th (May, 1775).*—Divine service for the first time by the Rev. John Lyth, minister of the Church of England. Most of the delegates returned home.

*Monday, 29th.*—Captain Guess and Captain Harrod set out on the north side of Kentucky to look for land whereon to lay officers' claims to the amount of 8,000 acres—five or six in company. Mr. Lawrence Thompson and — Thompson arrived from Orange. No letters from our friends. Letter with an account of the battles at Boston.

*Tuesday 30th.*—Nothing uncommon.

*Wednesday, 31st.*—Mr. Hay and Captain — arrived from P. D. News that Governor Martin turned Regulator, joined by John Cobon and a number of other scoundrels.

*Thursday, 1st June (1775).*—Jesse Oldham arrived from the C. (probably Carolina) with letters. Much news.

*Friday, 2d.*—Hunters returned. Very good meat, etc.

*Saturday, 3d.*—People arrived from St. Asaph. Had wantonly broke up. Had their tools, and on their way home.

*Sunday, 4th.*—Whitsunday; rainy; divine service by Mr. Lyth. Captain Harrod returned.

*Monday, 5th.*—Made out commissions, to-wit: for Harrodsburg, Boiling Spring Settlement and St. Asaph, both military and civil.

*Tuesday, 6th.*—Captain Harrod went down the river home, accompanied by Mr. David Wilson and Alexander from McLenb'g, who arrived

here last week. Mr. Hart talks of going next Monday. Abundance of people going away, selling their lots, etc., and will not be detained. Offered several young men to admit them to enter lands as if they were making corn, etc., rather than they should go; they seemed determined on going, and accordingly went in the evening. This afternoon Captain Hart entered 1,000 acres of land on Salt River, including the Salt Springs. His reason for so doing, as Mr. Luttrell informed me—and said Mr. Hart seemed much disturbed—was that I intended for myself the mouth of Salt Lick Creek, including a salt spring. Mr. Luttrell entered 1,000 acres adjoining Mr. Hart's entry at Salt Lick.

*Wednesday, Thursday, Friday and Saturday.*—Nothing extraordinary.

*Sunday, 11th (June, 1775).*—Daniel Goodman went away with John Luney, Wm. Wilson and Page Portwood. Divine service by Mr. Lyth. Wrote by Daniel Goodman to my wife, Daniel Williams and John Christmas.

*Monday, 12th.*—People going away—Mr. Hart, etc. Wrote constantly till 3 o'clock in the morning.

*Tuesday, 13th (June, 1775).*—Colonel Boone set off for his family, and the young men sent with him for salt, etc.

*Wednesday, 14th.*—Made a list of what men we had left at the camp, and found them to amount to —.

*Thursday, 15th.*—Things as usual.

*Friday, 16th.*—Fine rain.

*Saturday, 17th.*—A muster of the men at the fort by Captain Moore. Thirty-two men appeared under arms—in bad order; weather wet, etc.

*Sunday, 18th (June, 1775).*—Fine growing weather. Corn planted the 26th and 27th of April was tasseled and shot. Had a mess of snap beans. Peas ripe and cucumbers set. Michael Stoner, our hunter, not returned; was expected yesterday. No meat. Two men from Virginia found bacon, on which, with the beans aforesaid, we had an excellent dinner.

*Monday, 19th.*—Fair and fine growing weather. Hunters not returned; grow very uneasy on their account.

*Tuesday, 20th.*—Went a-hunting. Hunters returned just as we were ready to set out.

*Wednesday, 21st.*—Returned home late at night with a load of buffaloes, and found two gentlemen with Colonel Harrod and some young men at our camp. These gentlemen, Mr. Nourse and Mr. Johnston, were from Virginia; Nourse from Berkeley, and Johnston from Frederick county. Both had called on Captain Russell at Pt. Pleasant, who had tempered them well. We found them clever and as much in our interest as we could wish. They were then on their way to the No. of Kentucky, to survey officers' claims, etc. They soon resolved on purchasing and becoming settlers with us. Mr. Johnston made application to have about 10,000 acres of land granted to him as officers' claims, though not more than 1,000 surveyed, the rest only entries in Colonel Preston's books. On being refused, or what amounted to the same, advised to survey on Crown lands, lest he might fail, went over to lay his claims on the other side. Seemed satisfied with our reasons for giving no arrearage warrant. N. B.—One piece of 1,000 acres, surveyed near the Falls, we gave him some encouragement about.

*Thursday, 22d.*—Colonel Harrod, with the other two gentlemen, crossed the river.

*Friday, 23d.*—Nothing extraordinary. Discharged Mr. Stoner and Mr. Jackson, our hunters, for a while. Stoner engaged to go after my brother Samuel's horses. Samuel and two others set off down the river in a canoe to hunt elks, our horses being too much fatigued with constant riding.

Received a letter by Mr. Johnston from the Rev. Charles M. Thurston, advising of the proceedings in the Virginia Convention, and desiring to make a large purchase in partnership with Johnston and Emd's Taylor.

*Saturday, 24th (June, 1775).*—Things as usual.

*Sunday, 25th.*—Mr. Nourse and Mr. Johnston arrived from the woods much pleased with the lands, but complained much for want of water. Hunters returned; good luck.

*Monday, 26th.*—Nothing extraordinary.

*Tuesday, 27th.*—Mr. Nourse, Mr. Wilson, Mr. Alexander and Mr. Jonathan Jennings set off for Virginia. Colonel Harrod and Mr. Benjamin Johnston set off just before them for Harrodsburg. In the afternoon two very good fellows, to-wit, Sigismund Striblin and Daniel

Holloback, who had been with us, off and on, upwards of a month, set off for Pittsburg. They took with them in their canoes two young men to bring up two canoes from down the river about seventy miles, belonging to Captain Callomees and Mr. Benj. Parry, for which we were to give 3£ 10s. in case they brought them up safe. Striblin and Holloback left us 93 pounds of flour, 20 of which was for Mr. Luttrell, the rest for two brothers and ourselves. This day settled all accounts with Abraham Mitchell and allowed him £6 for his trouble in coming out and having assumed to pay Ralph Williams £5 for him, am now indebted 2 of V. m'x, which is in full.

*Wednesday, 26th.*—Things as usual, only scarcity of meat.

*Thursday, 29th.*—Same case.

*Friday, 30th.*—Meat plenty, and many joyful countenances.

*Saturday, 1st July, 1775.*—Dry weather. People going away. Mr. Luttrell and myself set off for Harrodsburg to meet Colonel Slaughter, who has been about four weeks viewing Green River, etc.

*Sunday, Monday, Tuesday and Wednesday.*—Were bogging in the woods, seeking the way. Went too near the river, and was much plagued with the hills, cane and bad ways.

*Wednesday morning, 5th July.*—Arrived at Captain Harrod's and found all well.

*Thursday, 6th.*—Went to Harrodsburg; saw Colonel Slaughter and others from Green River; accounts something different. Colonel Slaughter seemed well pleased in general, but could not find a spot on which to locate his 10,000-acre tract, but said there was a fine country. Others spoke indifferently and thought otherwise.

*Friday, 7th.*—Set off back in company with Mr. Slaughter and about twelve others who were going on to bring out their families or stock. Harrodsburg seemed quite abandoned—only five men left on the spot to guard the crop, etc. Came on to St. Asaph, where we lodged that night. On our way saw the Knob and Flat Lick—the former of which is a great curiosity—containing within the lick and (illegible) near 100 acres of land.

*Saturday, Sunday, Monday and a part of Tuesday.*—On our way home. 'Twas our intention to have hit Boone's Trace about 20 miles south-west of Boonesborough, but crossed it inadvertently and got out

of our way. We suffered in this journey a little for want of provisions. The weather very dry, and the springs being scarce, water was rarely to be gotten. Buffaloes had abandoned their range, and were gone into other parts. When we got to this place we found all well, but a scarcity of meat. Sundry people gone since we left home, and more going.

*Wednesday, 12th (July, 1775).*—Horses being almost worn-out, my brothers, Nathaniel and Samuel, with some others, went up the river in a canoe to get meat if possible. Our salt quite out, except a quart which I brought from Harrodsburg. The men sent for salt not yet returned, nor any news from the East. Times a little melancholy; provisions very scarce; no salt to enable us to save meat at any distance from home. No account or arrival from (illegible). Weather very dry, and we not able to raise above ten or fifteen fighting men at any one time, unless they were all summoned, which could not easily be done without long notice, they being much dispersed, hunting, etc.

*Thursday, 13th July.*—Things as usual. Meat a little difficult to get.

*Friday, 14th; Saturday, 15th; Sunday, 16th; Monday, 17th; Tuesday, 18th; Wednesday, 19th.*—Nothing uncommon, more than that three men arrived, to-wit, Captain Linn, Mr. Crittenden and one Thornton Farrar, from Monongahela, intending to settle on the No. of Kentucky. No news.

*Thursday, 20th.*—My brother Samuel, Joel Walker, Val Harmon, John Harmon, and their boys set off for Carolina; and Captain Linn and his company set off down the river to Lee's Settlement, with whom I sent two men for a little salt, our men being not yet returned.

*Friday, 21st, Saturday, 22d; Sunday, 23d.*—Nothing uncommon, more than that a fellow called Grampus, belonging to Mr. Luttrell, ran away on Thursday, which was thought nothing of at first, supposing he would return; but on Saturday it was discovered that he had stolen Mr. Luttrell's mare (his only riding beast), and was totally gone, supposed to be countenanced by the Ralstons, who went away a day or two before my brother, and were to wait.

*Monday, 24th (July, 1775).*—Mr. Luttrell took a resolution of following his man, and immediately set off with Captain Benning and Mr.



Hay and one William Bush, I believe with an intent of not returning till he goes home, though he declares he would not go farther than the settlement, or where he could get his man, till I should overtake him, as I have intentions of going home as soon as a sufficient number of people comes to defend the fort.

*Tuesday, 25th.*—Things as usual. Weather dry, and indeed has been so most of the summer. We had a little rain on Sunday and Monday as sennight, but are still in great want. One Mr. Thomas Carlen, from Colonel Floyd's camp, informs me that all is well there. By Captain Linn we were informed that five or six men were gone down the Ohio to the Falls, by order of Captain Bullit. Mr. Bullit's orders and his men's resolutions were to pay no regard to our title, but settle the land *volens volens*. They also inform that Major Connolly is resolved on the same conduct.

At the close of the above Journal (which is now in the "Draper" collection in the State Library at Madison, Wis.) Judge Henderson states that his journal, beginning with Wednesday, 26 July, continues the narrative, but the latter has never been found.

Henderson established a land office at Boonesborough and proceeded to issue grants, over nine hundred in number, to the Transylvania colonists for five hundred and sixty thousand acres altogether. He also had hastened to organize a government and issued a call for the election of delegates to the Legislature of Transylvania. There were three other settlements at that time within the bounds of Transylvania, *i. e.*, Harrodstown, Boiling Springs and St. Asaph's, and each sent its delegates to Boonesborough to establish a government. As stated in the journal above, these delegates, seventeen or eighteen in number, met at Boonesborough 23 May, in session under a gigantic elm, and were addressed by Colonel

Henderson. They organized a government and passed sundry laws, under his advice, providing for courts of law, for regulating the militia, fixing clerks' and sheriffs' fees, issuing writs of attachment, prohibiting profane swearing or Sabbath breaking, for the protection of game, for preserving the breed of horses, to prohibit firing the range, and guaranteeing complete religious freedom and the toleration of all sects. The colony soon after, owing to the troublous times, began to lose population, and the new government not being recognized, the Legislature met only once more, in December, 1775, to elect a Surveyor-General.

Virginia claimed the Kentucky country, and North Carolina that part of Transylvania which lay south of the parallel of 36 degrees 30 minutes, and both proclaimed the Indian treaty with Henderson to be null and void as against themselves, but valid against the Indians, for the statute law from the beginning had forbidden that any citizen should acquire title to any lands directly from the Indians. Lord Dunmore, the royal governor of Virginia, denounced Henderson and his acts, as did Governor Martin of North Carolina in special proclamations, which last is dated 10 February, 1775, and is to be found in Vol. IX, N. C. State Records. Indeed, the latter in a letter styled Henderson and his associates "an infamous company of Land Pyrates."

The Journal of the Legislature which met at Boonesborough is printed in full in the appendix to Ranck's "History of Boonesborough," together with Judge Henderson's elaborate address to them as President of the Colony of Transylvania

and many other valuable documents connected with the brief history of the colony.

On 8 July, 1775, Judge Henderson was doubtless surprised to see appear in the colony Captain (or Dr.) J. F. D. Smyth, who in Vol. I of his "Tour in America," p. 325-346, gives a fairly full description of the colony, country and a free opinion of Henderson and his followers. He had traveled the last four hundred and ninety miles through the almost unbroken wilderness in nineteen days. After a stay of six weeks, he left (p. 353) for New Orleans, going down the Ohio and Mississippi. Had the settlers suspected his true character as a British spy, his journeyings would have abruptly ended. Indeed, all during the Revolution the sparse population of Kentucky had to endure the bloody inroads of the Indians, in the pay of the British government. Boonesborough sustained Indian sieges in 1776, 1777 and 1778. The account of the latter, given in Ranck's "Boonesborough," is graphically told, and is one of the most thrilling and interesting incidents of the kind extant. The fort was constructed under Henderson's orders, and the original plan, in his handwriting, still exists. The history of the fort proves that it did not deserve the contemptuous opinion expressed of it by the aforesaid Smyth. It was in shape a parallelogram, two hundred and fifty feet long and half as wide. Little or no iron was used in its construction. At each corner was a two-story loop-holed block-house to act as a bastion. The stout log cabins were arranged in straight lines, so that their outer sides formed part of the wall, the spaces between them being filled with a high stockade, made

of heavy squared timbers, thrust upright into the ground and bound together within by a horizontal stringer near the top. They were loop-holed like the block-houses. The heavy wooden gates, closed with stout bars, were flanked without by the block-houses and within by small windows cut in the nearest cabins. The houses had sharp sloping roofs, made of huge clapboards, and these great wooden slabs were kept in place by long poles, bound with withes to the rafters. In case of dire need each cabin was separately defensible. When danger threatened the cattle were kept in the open space. The weak point in this, as in all other Kentucky forts of that day, was the lack of water, for, strange as it may seem, all the colonists depended upon natural springs, and did not know that wells could be dug. There was not a well in that whole section till years later.

The siege of 1778 took place after Transylvania had ceased to exist, but as it was against the fort built by Judge Henderson, these incidents may be mentioned. Early in the morning of 7 September, 1778, suddenly a war party consisting of four hundred and forty-four Indians, mostly Shawnees, and twelve whites, appeared. As they pretended to be peaceful, the men of the fort sent their women to bring in a supply of water and to drive in the stock, knowing the savages would not show their real designs by firing on them. An attempt at treachery in a meeting for a treaty of peace having failed, the savages noisily drew off at night, and their horses could be heard splashing in the stream, but they quietly returned

by another route and lay in ambush. Boone, however, commanded the fort, and this *ruse* also failed. Then open siege began, lasting nine days, during which, out of the garrison of thirty men and twenty boys, two were killed and four wounded, while thirty-seven were killed and a great many wounded of the enemy. At one time the Indians stole near in the darkness and set the stockade on fire and shot at the defenders, who used their scanty supply of water to put it out, in which they were aided by a providential rain. Besides, the Indians had begun a tunnel from the river bank. The garrison finding this out, started a counter mine, and raised upon Colonel Henderson's former kitchen in the stockade a bullet-proof conning tower. The following colloquy took place: "What are you red rascals doing down there?" yelled one of the garrison in Shawanese to the unseen Indians below the bank. "Digging," was the return yell. "Blow you all to the devil soon; what you do?" "Oh," was the cheerful reply, "we are digging to meet you, and intend to bury five hundred of you." When water and provisions in the fort were about exhausted and everything was desperate under the continuous fire, night and day, a rain came down in torrents, causing the Indian tunnel to cave in, as well as putting out the fire, as already stated, and replenishing the garrison's supply of water. Thereupon the Indians were discouraged and sullenly withdrew.

Among the most romantic incidents of the history of Boonesborough was the capture of three young girls by the Indians

14 July, 1776. They had gone a short way down the river in a canoe on a bright summer's day and were taken prisoners by a straggling party of braves and hurried off. With the presence of mind of their time, they indicated the route taken by pieces furtively torn from their dresses and broken twigs, which caught the eye of their kinsmen. They were thus tracked and speedily retaken. One of them, Betsy Calloway, was soon after, on 7 August, 1776, united in marriage to Samuel Henderson, brother of Judge Henderson. This was the first marriage in Kentucky and was celebrated in great style, as was also the news of the Declaration of Independence, which reached the colony about the same time. In 1792, when Kentucky was admitted to the Union, Boonesborough was one of the largest towns in the State, but in 1810 it had almost ceased to exist, and now for long years has been a corn field. *Ilium fuit.*

John Williams visited the colony in December, 1775, and opened a land office. He returned to North Carolina in September, 1776. Whether this was Judge John Williams or John Williams of Caswell (later Speaker of the North Carolina Senate) is not clear. Among the early pioneers who went with Boone and Henderson in 1775 were Isaac Shelby, afterwards a leader at King's Mountain in 1780 and later on the first Governor of Kentucky and United States Secretary of War; also Twitty, of the well known Rutherford County family, who brought a contingent of men from his neighborhood. The school-teacher at Boonesborough, Joseph Doni-

phan, was father of Colonel A. W. Doniphan, who made the famous ride to Chihuahua in the war with Mexico.

On 25 September, 1775, the Proprietors—as Henderson and his associates were styled—held a meeting at Oxford, N. C., and sent James Hogg as their delegate to Philadelphia with a written application to the Continental Congress to admit Transylvania as the fourteenth colony. He also carried letters to Jefferson and Patrick Henry, but they opposed any recognition of the colony, and it was refused. In 1778 the Virginia Legislature solemnly set aside the Transylvania proceedings as null and void, but allowed Colonel Henderson and his associates a grant of 200,000 acres. North Carolina pursued a similar course and also allotted the company 200,000 acres on the collapse of the colony.

Boone having gone back to North Carolina, returned early in 1776 with his family and a re-inforcement of sturdy settlers. Among them were his wife and daughters, the first white women in Kentucky. The arrival of the sun-bonnets made a great change at once. The young fellows spruced up, and decency and cleanliness came more into evidence. Boone remained permanently in Kentucky, but his connection with Henderson and Transylvania was over. Henderson likewise went home and returned the next year with forty settlers, but the enterprise collapsed in December, 1776, altogether. He visited Boonesborough again, and for the last time, in 1780, to procure corn for his settlement on the 200,000 acres granted him by this State near Nashville, Tenn. The Virginia part of Transylvania became Kentucky county

in Virginia, 7 December, 1776, and later was further subdivided. Kentucky became a State in 1792.

In 1779 Judge Henderson was appointed a commissioner to extend the line between Virginia and North Carolina through Powell's Valley, his associates in this duty being Oroondates Davis, John Williams of Caswell, James Kerr and William Bailey Smith. The same year he opened a land office at the French Lick, now Nashville, Tenn., for the sale of the lands which had been granted his company by Virginia and North Carolina—200,000 acres by each State.

The next summer he returned home and spent the remainder of his life in the service of North Carolina, as above narrated. He died at his home in Granville county 30 January, 1785, not quite fifty years of age. No stone or memorial marks his grave and no portrait of him exists. He lives in the memory of his deeds and in the fame of his descendants. The residence he occupied had been removed to Williamsboro, and though somewhat modernized still stands.

He left by his marriage with Elizabeth Keeling, step-daughter of Judge Williams, six children: 1. Fanny, who married Judge Spruce McCay of Salisbury. 2. Richard, who died at the age of thirty, but who was already a lawyer of note. 3. Archibald, also a lawyer and attaining great distinction. He was a member of Congress, 1799-1803. 4. Elizabeth, who married Mr. Alexander. 5. Leonard, Chief Justice of the Supreme Court of this State. 6. John Lawson Henderson, also a lawyer. He was Comptroller of the State



in 1825, and afterwards, for several years and up to his death, in 1843, Clerk of the Supreme Court. From them have been descended many of the foremost citizens of this State, who have honored every walk in life.

WALTER CLARK.

Raleigh, N. C.,

25 December, 1903.

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