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THE EARLY WESTWARD MOVEMENT OF VIRGINIA, 1722-1734.

As Shown by the Proceedings of the Colonial Council.

Edited and Annotated by Chas. E. Kemper, Washington, D. C.

Prefatory Note.

In presenting certain Orders of the Virginia Council, passed during the period between 1720 and 1734, with accompanying notes, the purpose sought to be accomplished is to illustrate the westward extension of the colony, first to the Blue Ridge, and then to the Valley of Virginia and beyond. It may make the subject clearer at the outset by stating that in 1715 the total population of Virginia was estimated at 95,000, while in 1775 it had increased to 550,000, and the frontier line had been pushed from Tidewater to Kentucky and the Ohio river.

As stated by the President of the Society in his last Annual Report, this movement first took definite shape when Spotsylvania and Brunswick counties were organized during the administration of Governor Spotswood, to whom much honor is due for his energy and foresight in inaugurating this policy. When he came to Virginia as its Governor in 1710, the inhabited coun-
try did not extend above the head of Tidewater; when he retired from office in 1722, the Blue Ridge was in sight of the upper inhabitants, and his famous expedition of 1716 was the advance guard of that wonderful march which has carried us as a nation to the western ocean.

The Orders contain the names of many persons who wrought in this work of civilization, some of them humbly, it is true, but they deserve remembrance, and such information as the writer may possess concerning them will be given.

In the course of investigations some information was found relating to the Indian tribes of Virginia, who were fast perishing at the date when these Orders were passed. This has been embodied in several notes, and reference is also made to certain authorities who seem to have summed up all the learning bearing upon the subject. Some of the Orders are not dated. When this occurs, it is to be understood that they were passed by the Council on the same day as that shown by the last preceding Order which bears a date.

The Journal of the Virginia Executive Council, from which these extracts have been taken, is in the Virginia State Library at Richmond. The various Orders which follow were selected and copied under the supervision of the editor of the Magazine, to whom, also, many thanks are due for suggestion and advice in the work of annotation.

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**November 1, 1722.**

Whereas by the Treaty* lately concluded at Albany between

*The Treaty of Albany (N. Y.) was the result of a conference held at that place during the month of September, 1722. The meeting was attended on the one side by representatives of the Five Nations of Iroquois Indians, including their allies, the Tuscarora, Shawnee and other tribes, and on the other by the Governors of New York, Pennsylvania and Virginia, Governor Spotswood being present in person, accompanied by Colonel Nathaniel Harrison, a member of the Council, and Colonel William Robinson, a member of the House of Burgesses. (Colonial History of New York, Vol. V, pp. 655-677.) The Treaty as finally agreed upon was simply a ratification of an act of the General Assembly of Virginia, passed in the month of May, 1722, which in turn, according to this Order, was based upon a prior conference held with*
this Government and the five Nations together with the Tuscaruros & other Indians their dependents; It is amongst other things Stipulated, That potomack and the High ridge of Mountains so far as they extend along the Frontiers of Virginia shall be the Established Boundaries between the said Indians and those who are Tributary to this Dominion so as neither the Indians of the five Nations, the Tuscaruros and other their Dependents on the one part, nor the Indians Tributary to Virginia on the other part, shall at any time hereafter pass the said Limits without the passports of the Governors of Virginia & New York respectively. And whereas for the More effectual limiting the number of Indians to whom passports are to be granted in conformity to the above

the chiefs of the Five Nations at Williamsburg, Va., in October, 1721. (Hening's Statutes, Vol. IV, pp. 103-106)

The purpose of Governor Spotswood in negotiating this Treaty was to save the Virginia Indians from extermination at the hands of the Five Nations, whose territory was in northern New York, bordering on Lake Erie and Lake Ontario. In the public documents of Virginia they are generally referred to as the "Northern Indians," and for more than a century prior to the date of this Treaty had waged unending war upon the Indians of the South, extending their ravages, it is said, to the Gulf of Mexico, and in these incursions they were almost uniformly successful. The Tuscaroras were originally a branch of the Five Nations. They inhabited the valley of the Neuse river in North Carolina, and held their country by right of conquest. In 1711, peace with the whites was broken, and the massacre at New Berne, on September 22 of that year, ensued. They were finally defeated with heavy loss in 1713 by the allied forces of North and South Carolina, and fled into Virginia territory, but they removed in a few years to New York and were incorporated as the Sixth Nation of the Iroquoian confederacy.

The Treaty of Albany was, in the main, respected by the Five Nations. James Mooney, of the Smithsonian Institution, states, in an essay marked by profound research, that the wars of the Five Nations with the southern Indians commenced prior to the settlement of Jamestown. (Mooney, The Siouan Tribes of the East; Smithsonian Institution, 1894.) In passing, it may be stated that Mr. Mooney advances the theory, and sustains it well, that the great Siouan or Dakotan family of the Northwest, originally dwelt in the upper Ohio valley and the Piedmont region of Virginia, North, and South Carolina, and that they were forced to migrate westward by reason of the ceaseless wars of the Iroquois. The names of the Tributary Indians of Virginia protected by the Treaty of Albany will be given in a subsequent note.
mentioned Treaty, The Government of New York hath at the Instance of the Hon'ble Alex' Spotswood his Majy' late Lt Gov-ernor of this Dominion agreed that no passport be granted to above ten persons of the said Five Nations to go to Virginia, at any one time without the previous consent of this Government; on Condition that the like Resolution of the Governor and Council of Virginia with regard to the passports to be granted to the Indians Tributary to this Dominion for their Travelling to the province of New York, or to the five Nations be signified to the said Government of New York. This Board approving of the said Regulation do unanimously agree that a passport be hereafter not Granted to above ten persons of the Tributary Indians at one time to pass into the province of New York or among the five Nations without the previous consent of that Government. And It is Ordered That this Resolution be with all convenient Speed transmitted to the Governor of the said province.

That the clerk of the Council write to the several Interpreters for the Tributary Indians forthwith to acquaint the said Indians, That now a Treaty is concluded by the five Nations upon the Terms proposed in Oct' 1721 when the Deputys of those five Nations attended here at Williamsburgh; That pursuant to the said Treaty none of the said Tributary Indians are to pass to the Westward of the great Mountains or cross potomack River without a passport from the Gov'r of this Dominion; as on the other hand none of the northern Indians are to come on this side the sd. boundarys without the like passport from the Governor of New York under the penalty contained in a late Act of ass't of being condemned to Death or transported and sold for slaves; That therefore in case any of the said Tributarys should in their hunting meet with any of the northern Indians having such passport on this side of the Mountains or potomack River, they are (to) treat them as Friends. And that for the better distinguishing between the said Indians who are at peace with this Government, and other strange Nations who may happen to come within those Limits. It is agreed by the Five Nations that wherever they In their Marches shall make any Fires in the Woods, they will place a stone in the midst of the Fire as a Sig-nal that none but friends have been there, and that the Tributary
Indians be enjoined to make the same Signal at their several Encampments where they may probably suppose the northern Indians to come. That the said Interpreters do likewise acquaint the said Indians that no passport will hereafter be granted on either side to any greater Number than ten at one time, and those are to come directly to the Governor for the time being without entering into any Treaty or Negotiation with any of the respective Governments whither they are Travelling or otherwise their passports to be adjudged void, and that the said Interpreters be further directed to bring to Wmsburgh next Gen'l Court, the Chief men together with some Young men of the several Nations to wait on the Governor to be informed of the further Articles of the Treaty.

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DEC. 12, 1722.

Pursuant to the Resolutions of the last Council for representing to his Majesty the Reasons w'ch induced the General Assembly to petition for his Majesty's Royal Bounty towards encouraging the speedy Settlement of the Frontier Countys of Brunswick and Spotsylvania,* there was this day laid before the

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* The counties of Spotsylvania and Brunswick were established by act of the General Assembly of Virginia, passed in November, 1720. The preamble of the act recites that the frontiers towards the Blue Ridge "are exposed to danger from the Indians and the late settlements of the French to the westward of the said mountains." (Hening's Statutes, Vol. IV, pp. 77-79.) The French settlements here referred to were Kaskaskia and Cahokia, in Illinois, founded in 1700; Detroit, Mich., in 1701, and Vincennes, Ind., in 1705.

The boundaries of Spotsylvania were defined with reasonable precision. It included territory embraced in the present county of that name, and the counties of Orange, Culpeper, Rappahannock, Madison and Greene. The northern and southern boundary lines were extended in a northwesterly direction across the Blue Ridge mountains to the Shenandoah river, then down that stream to a point opposite the headwaters of the Rappahannock, thence southeasterly across the mountains and down that river to the beginning. Territory now lying in the eastern portions of Rockingham, Page and Warren on the western side of the mountains was thus included in the old county of Spotsylvania. The act further directed that the lines should be run in such a manner as to include "the northern passage thro' the said mountains." This pass
Board a paper Ent'd Reasons humbly offered for the better securing the Frontiers of Virginia by exempting the Inhabitants of the two late Erected Countys from the purchase of Rights & payment of Quitt Rents, And the said paper being read and

was doubtless Swift Run Gap, through which Governor Spotswood led his expedition of 1716.

Germanna was the first county seat of Spotsylvania, and the first term of the County Court was held there, August 1, 1722. Augustine Smith, John Taliaferro, John Waller, William Hansford, Richard Johnson and William Bledsoe, were sworn as members of the court. John Waller was appointed clerk, and William Bledsoe sheriff. (Slaughter, *History of St. George's Parish*, pp. 4, 5.)

The first organized community in the new county consisted of twelve German families from the old principality of Nassau-Siegen, Germany, who came to Virginia in the month of April, 1714. Their names and history have been given in this and other publications and will not be repeated here. (Hinke, *Journal of the Presbyterian Historical Society*, Vol. II, Nos. 1-3, Philadelphia, Pa., 1903; *Virginia Magazine of History and Biography*, Vol. XI, pp. 231-233; *Genealogy of the Kemper Family*, pp. 5-53, Chicago, 1899) They were skilled workers in iron, and built for Governor Spotswood a blast furnace about ten miles northwest of Fredericksburg, which, according to his testimony, was the first in North America. (Slaughter, *History of St. Mark's Parish*, p. 5.) Thus the great iron and steel industries of the United States had their genesis in the forests of Spotsylvania county, Va. The parish of St George was created by the act organizing Spotsylvania, and embraced the entire county, wiping out the German parish of that name formed in 1714 for the first settlers at Germanna, although they were of the German Reformed faith and did not conform to the Established Church.

One of the most significant provisions of the act was the appropriation of 1,000 pounds of the public money in order to equip the "Christian titheables" who might settle there with arms and ammunition. Five hundred pounds were also appropriated for a church, courthouse, prison, and stocks, in the county of Spotsylvania.

As previously stated the county of Brunswick was established by the same act which created Spotsylvania, and the new parish of St Andrew was organized and made to include its territory. The inhabitants of both counties were exempted from public levies for ten years from May 1, 1721, and the "Foreign Protestants" were also relieved from parish levies for the same length of time, "if any such shall entertain a minister of their own."

The boundaries of Brunswick were to be defined by the Governor, with the consent of the Council. However, the act provides that the
initial point should be the Roanoke river where that stream flows into North Carolina, and it was further provided that the "Southern Pass" should be included. This pass was probably the water-gap of the Roanoke river through the Blue Ridge, or Wood's Gap, in the present county of Floyd. The act also stipulated that the county should extend to the mountains, but no provision was made to carry the boundaries beyond, as was done in the case of Spotsylvania.

Generally speaking, the county thus formed included all that portion of Virginia lying west of a straight line drawn to the James river from the point at which the Roanoke flows into North Carolina. Its southern, western and northern boundaries were, respectively, North Carolina, the Blue Ridge, and the upper courses of the James river. From this territory many of the most important counties of Virginia have been formed, among them Halifax, Mecklenburg, Charlotte, Henry, Campbell, Pittsylvania, and others.

Brunswick did not develop with the same rapidity as Spotsylvania, due, perhaps, to the fact that most of its water-courses flow into North Carolina, and it is well known that the development of Eastern Virginia in the colonial period was up the rivers from Chesapeake Bay. The first term of the County Court was not held until May 11, 1732, twelve years after the county was established. By the courtesy of R. Turnbull, Esq., at present clerk of Brunswick County Court, the writer is enabled to give the names of the first justices, as follows: Henry Fox, Henry Embry, John Wall, John Irby, George Walton, William Wyne, Richard Birch, Nathaniel Edwards, Charles King and William Macklin. The commission appointing these justices was dated April 27, 1732. At the same term of the court Richard Birch qualified as sheriff, and Drewry Stith as clerk of the County Court.

The career of old Brunswick county was confined to territory east of the Blue Ridge. The country behind its western borders fell into other jurisdictions, and its history will be briefly noticed when the Council orders shall carry us beyond the mountains.
That the Rec'r General of his Maj'tys Revenue do remit into his hands a Sum not exceeding one hundred pounds Sterl. towards defraying the necessary charges at the several offices to w'ch he shall have occasion to apply in his said Negotiation: But for as much as it is reported, that Mr. Carter is speedily expected in Virginia, It is further Ordered, That the Instructions to him for soliciting this Affair, be inclosed to Mr. Micajah Perry, Merch't in London; and that he be desired in case of Mr. Carter's absence to deliver the same to such person as he has appointed in his behalf to act in the Affairs of this Government; and if none such be entrusted by him, that then the said Instructions be by the said Mr. Perry delivered to peter Leheup Esqr. with request that He will take upon him, the Sollicitation of what is above mentioned, assuring him that this Government will gratefully acknowledge what Service he shall do therein. And in either of the Cases aforesaid the money herein before appropriated, be paid into the Hands of the persons who shall have the trouble of the intended Sollicitation.

April 1, 1723.

Whereas the Governor was pleased to communicate to the Council the Advices he had received of the Designs formed by the Northern Indians to carry off the Tuscaruros settled in N.

* A portion of the Tuscarora Indians did not join in the war against the settlers of North Carolina. After the overthrow of the hostiles in 1713, those who had remained neutral were settled on the Roanoke river in the present county of Bertie. The defeated remnant of the tribe which fled to Virginia settled on the upper courses of the James and Roanoke rivers. (Mooney, *Siouan Tribes of the East*, Smithsonian Institution, 1894.)

An old map of Virginia shows the "Monacan or Tuscarora Indians" as residing in territory now embraced in the counties of Amherst, Nelson and Bedford. (Louis Evans' *General Map of the Middle British Colonies; and of the Country of the Confederate Indians*, 2d Ed., 1755, Philadelphia Pa.) The same map also describes the North Mountains, which are the eastern ranges of the Alleghanies in Virginia, as "The Virginia boundary line with the Six Nations in 1722." A few of the Tuscaroras may have remained in Virginia, but the great body of them had removed to New York long prior to 1755; in fact, the last quotation above shows that in 1722 they had become the *Sixth Nation of the Iro-
Carolinia and ye apprehension the Indians Tributary to this Government are under that they also shall be forced away wth the Tuscoruros; The Council are therefore of opinion that for preventing any attempts w'ch may be made by the Tributary Indians it is necessary the Militia in the Frontier Countys bordering on the said Indians be put into a posture of Defence; and to that end that the Lieut' of the said several Countys do return to the Governor a List of such officers as are wanted to compleat the said Militia.

The Treaty of Albany also shows that the Blue Ridge, and not the Alleghanies, was fixed as the boundary line between the Five Nations and the Tributary Indians of Virginia. Some writers have asserted that this Treaty prohibited white men from settling in the Valley of Virginia, under penalty of death. This, however, is an error. The prohibitions, pains and penalties of the Treaty applied only to the Virginia Indians and the Five Nations.

The Tributary Indians of Virginia, protected by the Treaty, consisted of the following tribes: The Nottoways, Nansemonds, Meherrins, Pamunkeys and Chickahominys, together with the tribes living at Fort Christanna. These latter were remnants of various tribes—The Saponis, Ocheneeches, Stengenocks, Meipontskys and Toteroes. (Colonial History of New York, Vol. V, pp. 655-677.) The Carolina Indians were also embraced in the terms of the Treaty.

In a letter to the Council of Trade, dated July 26, 1712, Governor Spotswood says: "There are nations of Indians Tributary to this Government," and then enumerates the tribes as given above. He estimated their number at 700, of whom 250 might be considered as fighting men. (Spotswood's Letters, Vol. I, p. 167.) His effort to civilize the Indians gathered at Fort Christanna proved a failure. This place was situated ten miles north of the Roanoke river about the site of Gholsonville, Brunswick county, Va. (Mooney, p. 43.)

There is no evidence to show that the Valley of Virginia was inhabited to any extent by Indians immediately preceding the coming of the whites. Burial mounds here and there in all the counties of that region, especially in the present county of Page, prove an Indian occupancy of the country at an early period, but their history has been lost. A few small settlements are known to have existed in the northern portion of the Valley, but practically the whole of that fertile section was a hunting ground resorted to by both the Southern and Northern Indians, and the Treaty of Albany seems to have established it as neutral ground between the tribes. (See Archeologic Investigations in James and Potomac Valleys, by Gerard Fowke, Smithsonian Institution, 1894.)
Whereas their Excellencies the Lords Justices have by their Order* in Council bearing date the 6th day of August, 1723, signified their Excellencies pleasure upon an humble Address made to his Majesty by the Council and Burgesses of this Colony for Exempting the Inhabitants of the two new Erected Countys of Brunswick and Spotsylvania from the purchase of Rights and payment of the Quitt Rents, And the said Order of the Lords Justices being this day laid before the Board, It is the Opinion of the Council and accordingly Ordered, That their Excellencys pleasure for granting a Remission of pay for 7 years to be reckon'd from the 1st day of May, 1721, be notified to the Surveyors of the said Countys to the end such as desire to take up Land in those Countys may be inform'd of the Encouragement thereby granted them. And upon Consideration of the several Restrictions mention'd in the said Order of their Excellencies the Lords Justices—upon w'ch the Exemption aforesaid is granted: It is the Opinion of the Council, that there is no need to enjoin the giving Security for payment of Quitt Rents for the Lands formerly patented & possessed by any Patentee, who shall now remove into either of the two said new Countys because there will always be left sufficient Distress upon the said

*This Order contains evidence of the royal assent to the policy adopted by the colonial government for extending the frontier further westward. The exemption from the payment of quit rents for seven years clearly shows that the home government coincided with the view that the time had now come to push back the borders from Tidewater to the mountains.

The decision of the Crown to limit grants in the two new counties to 1,000 acres, was intended to encourage actual settlers to locate upon the frontiers and become home builders. Subsequent Orders show that this policy was to some extent modified, especially when the settlement of the lower Shenandoah Valley begun, but the general principle was preserved by requiring grantees to settle a given number of families within a certain time upon the lands conveyed by the grant. To this wise policy is due the fact that few great estates, like those in Eastern Virginia, were acquired by the early settlers of the Valley, and the profound differences in the economic conditions of the two sections from the earliest times had their origin in the desire of the colonial and home governments to people the frontier line as rapidly as possible.
old patented Lands to satisfy his Majesty's Quitt Rents, But Whereas it appears to this Board that divers considerable Tracts of Land are included within the Bounds of the said two new Countys, which were granted by patent & paid Q" Rents before the said Countys were erected; It is the Opinion of this Board, That all such Lands ought still to pay Q" Rents according to the Condition of the Grants; and that the Officers of his Majestys Revenue give Directions for demanding & levying the same accordingly.

And on Consideration of that part of the aforementioned Order of their Excellencys the Lords Justices directing that no person whatsoever be allowed to take up more than a thousand Acres in either of the said new Countys, It is the Opinion of this Board That all persons who have already taken up greater Quantities of Land in the said Countys are not entitled to the Benefit of the said Exemption; but ought to pay the Rights for the same, and also the Quitt Rents from ye time the same first became due after the Date of their patents; and that the Officers of the Revenue do demand the payments of the said Rights and Quitt Rents accordingly and pursuant to their Excellencys the Lords Justices pleasure it is Ordered That the Surveyors of the Countys of Brunswick and Spotsylvania do not for the future receive any Entries for more than one thousand Acres for any person whatsoever nor make any Surveys of the Lands already enter'd exceeding that Quantity. For preventing any Disputes which may happen concerning the payment of Quitt Rents for the Lands newly patented; It is the Opinion of this Board that the first payment of the Q" Rents reserved to his Maj'y on all such Lands be made at the Feast of St. Michael the Archangel Wth shall next follow the Expiration of one whole year after the Date of the respective patents; and that no Quitt Rents be demanded for the intervening time between the date of such patents & the beginning of the said year.

APRIL 23, 1724.

The Governor was this d'y pleas'd to communicate to the Board the Doubts which occurred to him upon the late Order of
their Excellencys the Lords Justices for granting * Lands in the two Countys of Brunswick and Spotsylvania; for that by the Words of that Order it seems to be the intent of the Crown that none should hold a greater Quantity than one thousand Acres in either of those Countys. And since all those Grants for large Tracts which have been made since the Erection of the said Countys, appear to be contrary to that Intention, he now desired the Advice of this Board, Whether any act ought to be done by the Government here, tending to corroborating those Grants untill his Majesty's pleasure be further known.

The Council taking the same into Consideration, are of Opinion, that according to the Order of their Excellencys the Lords Justices, no person ought to be allowed to take more than one thousand Acres of Land in either of the said new Erected Countys and seeing no Directions is therein given concerning those larger Tracts taken up in those Countys, It is fitt that application be made to his Maj'tys for a further Signification of his royal pleasure relating to those larger Grants. And because it appears to the Board, that many Difficulties are likely to arise by means of the irregular passing of patents for Land in the new Countys upon Bonds taken with Condition either to pay for

*In the Revised Code of Virginia, 1819, Vol. II, pp. 333-349. Appendix II, reference may be found to all the statutes relating to land grants passed from the foundation of the colony to the revision of 1705, together with summaries of the various land laws enacted by that revision; also all land laws from that date to the Revolution. In this connection, also see Virginia Historical Register, October, 1849, and the case of Whittington v. Randolph, 2d Randolph Reports, 358, et seq.

It would not be germane to the subject to give more than a passing reference to these laws, except to state, generally, that the act of 1713, as amended by the act of 1720, required all grantees of public lands to clear and plant three acres for every fifty acres granted. If this should not be practicable, other requirements were imposed, such as the keeping of three head of cattle on the land for every fifty acres, or the building of a house of certain dimensions. The term "rights," mentioned in these orders, refers to the legal preliminaries necessary to the acquirement of public lands; the "quit rents" were the fee rent for each fifty acres granted, and constituted a perpetual charge upon the land.
Rights or Surrender the Lands; and some patents issued where no Rights have been either paid or secured to be paid, It is the Opinion of the Council That a Representation of the whole proceeding relating to the Grants of Lands which have been made in the Countys of Brunswick and Spotsylvania be prepared, and transmitted to the Right Hon'ble the Lords Com'rs for Trade and plantations; and that their Lord'ps be humbly desired to lay the same before his Majesty for his Royal pleasure therein more particularly For an Explanation of that part of the Lords Justices Order which limitts the Quantity of Land to be granted in the said new Countys and how far those patents are valid in law w'ch have been granted contrary to his Majestys Intentions declared in the s'd Order and where no Consideration of Rights has been paid for attaining the same; unto the end their Lord'ps may be better inform'd herein, that Lists of the several Grants of Lands in those new Countys, and Copys of the Form of the patents granted and Bonds given for the Rights to be transmitted to their Lo'ps together with the said Representation. And because the Council are humbly of Opinion, that the restraining the Granting of more than one thousand Acres of Land to any one person in the said new Countys will discourage the Settlement thereof, and prove greatly prejudicial to his Maj" in his Quitt R"; That therefore their Lord'ps be requested to interceed with his Majesty that the same be for the future taken off.

Whereas the acceptance of payments of Rights in Q" R" for the lands granted in the Countys of Brunswick and Spotsylvania may be construed an allowance or approbation of those large Grants, w'ch now appear to have been made contrary to his Majesty's Intentions; It is therefore Ord'd, That the Officers of his Majesty's Revenue be directed not to make any Demand of the said Rights or Q" R" for any of the Lands granted within the said Countys since the Erection thereof untill his Maj'ty's pleasure be further known. And that the Order made the 18th Day of Feb' last be hereby reversed and made void except so far as concerns the Qtt. Rents of Lands heretofore granted by patent before the erection of the said Countys, and which are now comprehended within the Limitts thereof.
Whereas Will* Bledsoe, Sheriff of Spotsylvania County, hath failed to attend the Officers of his Maj'ys Revenue to make up any Acco't of his Maj'tys Quitt Rents and Dues on said Acco't. It is Ordered, That the said Sheriff attend this Board the 1st of May next, to show cause why he hath not complied with the Governor's Warrant for receiving the said Quitt Rents, and to give an Acco't of his proceedings concerning the same.

On reading at the Board a Petition* of Zeriechias Flishman and George Ouds on behalf of themselves and fourteen other high-Germans, now residing in Spotsylvania County near Germana, complaining that Col' Spotswood hath unjustly sued them in the Court of the said County for non-performance of a certain Agreement pretended to be made by them in Consideration of

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*The correct names of the Germans mentioned in this Order were Zeriechias Flishman and George Utz. They belonged to the second colony which came to Germanna in 1717. Upon their arrival in Virginia they numbered seventeen heads of families, and this Order indicates that one of them had died. They were Lutherans, and built, in 1740, Hebron Church, now in Madison county. (Virginia Magazine, Vol. XI, pp. 229-230.) The court order books of Spotsylvania for the period mentioned would probably give the names of all these Germans as defendants in the suit of Governor Spotswood, but an effort to obtain them has been unavailing.

The precise nature of the difficulty with Governor Spotswood is not known, but this Order clearly shows that it was in relation to their transportation charges to Virginia, which the Governor had probably paid. Their differences finally became acute, and all of them were arrested upon the complaint of the Governor. (Virginia Magazine, Vol. VI, p. 385.) How the matter was finally adjusted does not appear, but in 1724 or 1725 they removed about forty miles to the west from Germanna and settled in the forks of Robinson river and the Rapidan. Their descendants to-day constitute one of the most important elements of population in Madison county, Va.

The first Germans who settled at Germanna in 1714 seem to have lived upon amicable terms with Governor Spotswood, which was, perhaps, due to the fact that Royal letters had been sent to the Governor directing him to give them lands upon their arrival. (Spotswood's Letters, Vol. II, p. 70.) They removed to the present county of Fauquier, then Stafford, in 1721, and thus ceased to be a factor in the history of Germanna.
money advanced them upon their Transportation into this Colony, altho' they have hitherto perform'd, and were always ready to perform any Agreement they made with the said Col* Spotswood, but tho' they have often applyed to him for a Copy of the said Agreement they made with him, he hath refused to give them any such Copy, & therefore praying this Board to commiserate their Condition as being Strangers, and to make such Order as they shall think proper to have the Agreement produced; The Governor, with the Advice of the Council is pleased to Order, as it is hereby Ordered, That in regard to the poor condition, and their Ignorance of the Laws of this Colony, the person acting as Deputy Attorney for the King, in the said County of Spotsylvania, do appear for the Petitioners in the said Suits brought against them in that Court, that so the Petitioners may have the benefit of a fair Tryal.

May 2, 1724.

William Bledsoe,* Sheriff of Spotsylvania County, this day attending according to Order and being asked why he did not collect the Quitt Rents of the said County and attend the Officers of his Majesty's Revenues according to the Governor's Warrant, he answered that he was advised by Col* Spotswood not to meddle with the said Collection, & to write a Letter of Excuse to the Audt which Letter the s'd Colo* Spotswood undertook to draw for him, and accordingly delivered him a Copy, which he transcribed, and now produced in Council, And it appearing to the Board that the said Bledsoe hath not received any part of the Quitt Rents of the said County for w* he is to account, he is thereupon dismist.

*As stated in the note to Council Order of Dec. 12, 1722, William Bledsoe was the first sheriff of Spotsylvania county. He was probably the father-in-law of Benjamin Cave, Sr., who married Hannah Bledsoe, daughter of William. Benjamin Cave was one of the first vestrymen of St. Mark's Parish, and member of the House of Burgesses from Orange county in 1756 and subsequent years. (Slaughter, History of St. Mark's Parish, pp. 54-55.) A later Order shows that Bledsoe was much under the influence of Governor Spotswood, and as a consequence incurred the displeasure of the Council.
JUNE 11TH, 1724.

The Governor laid before the Council a Representation to the Rt. Honourable the Lords Commissioners of Trade and Plantations concerning the Grants of Lands in the County of Spotsylvania & Brunswick, together with certain Queries prepared in pursuance of the Resolutions of this Board, the 23rd of April last for the better explaining the Order of their Excell"y the Lords Justices, and the said Representation & Queries were read.

On reading at this Board a letter of sundry of the Justices of the County of Spotsylvania complaining of sundry Interruptions given them in the Administration of Justice by Col' Spotswood, It is Ordered that the Clerk of the Council do transmit to Col' Spotswood a Copy of the sd Complaint that he may have an Opportunity to answer the Matters therein contained.

(TO BE CONTINUED)

JANUARY 29, 1737.

Lost on Wednesday last, an old Pocket Book, tied with a blew String, belonging to the Reverend Wm. Le Neve, at James Town Glebe. Whoever finds it, and will return it to me, with the Papers in it, they being of no use to any but the Owner, shall have Five Shillings Reward, paid by

WILLIAM LE NEVE.

From Virginia Gazette, January 20 to January 27, 1737.